



AGENDA
REGULAR MEETING OF THE
WINDSOR HEIGHTS
PLANNING AND ZONING COMMISSION
Wednesday, January 25, 2023 - 5:30 PM
WINDSOR HEIGHTS COUNCIL CHAMBERS - 1133 66th ST

1. **Call to Order**
2. **Approval of Agenda**
3. **Review Draft Code Update Chapters 165-170 - Bolton & Menk**
 - A. Draft Zoning Code Chapters 165-170
4. **Adjourn**

*It is possible that members, including a quorum of members of the City Council and other committees may be present. No City business will be discussed outside of this agenda.

~~WINDSOR HEIGHTS MUNICIPAL CODE~~

WINDSOR HEIGHTS MUNICIPAL CODE

CHAPTER 165 – CHAPTER 1707

**CHAPTER 165
ZONING CODE – GENERAL PROVISIONS**

165.01 Title

165.02 Jurisdiction

165.03 Purpose

165.04 Consistency with Comprehensive Development Plan

165.05 Conflicting Provisions

165.06 Relief from Other Provisions

165.07 Publication

165.01 TITLE.

Chapters 165 through 177 of this Code of Ordinances shall be known as the Zoning Code of the City of Windsor Heights.

165.02 JURISDICTION.

The provisions of the Zoning Code shall be applicable to all property within the corporate limits of the City as authorized by Chapter 414 of the Code of Iowa.

165.03 PURPOSE.

The purposes of the Zoning Code are to:

1. Serve the public health, safety, and general welfare of the City and its jurisdiction.
2. Classify property in a manner that reflects its suitability for specific uses.
3. Provide for sound, attractive development with the City and its jurisdiction.
4. Encourage environmentalism of adjacent land uses.
5. Protect environmentally sensitive areas.
6. Further the objectives of the Comprehensive Development Plan of the City.

165.04 CONSISTENCY WITH COMPREHENSIVE DEVELOPMENT PLAN.

The City intends that this Zoning Code and any amendments to it shall be consistent with the City's Comprehensive Development Plan. It is the City's intent to amend this Code whenever such action is deemed necessary to keep regulatory provisions in conformance with the Comprehensive Development Plan.

165.05 CONFLICTING PROVISIONS.

The Zoning Code shall be held to provide the minimum requirements necessary for the promotion of the public health, safety, and welfare. If any provision of the Zoning Code conflicts with any other provision of the Zoning Code, any other Ordinance of the City, or any applicable State or federal law, the more restrictive provision shall apply.

165.06 RELIEF FROM OTHER PROVISIONS.

Nothing in these provisions shall relieve any property owner or user from satisfying any condition or requirement associated with a previous approval, special permit, variance, development permit, or other permit issued under any local, State, or federal ordinance or statute.

165.07 PUBLICATION.

This Code shall be published in book or pamphlet form and, together with the maps being a part hereof, shall be filed with the City Administrator.

CHAPTER 166

ZONING CODE – DEFINITIONS

166.01 Purpose

166.03 Definition of Terms

166.02 General Construction of Language

166.01 PURPOSE.

The purpose of this chapter is to promote consistency and precision in the interpretation of this Zoning Code. The meaning and construction of words as set forth shall apply throughout this Zoning Code, unless where modified in a specific section or where the context of such words or phrases clearly indicates a different meaning or construction.

166.02 GENERAL CONSTRUCTION OF LANGUAGE.

The following general rules of construction apply to the text of the Zoning Code.

1. Headings. Section and subsection headings contained herein are provided for illustrative purposes only and shall not be deemed to limit, govern, modify, or otherwise affect the scope, meaning, or intent of any provision of the Zoning Code.
2. Illustration. In the case of any real or apparent conflict between the text of this Zoning Code and any illustration explaining the text, the text shall apply.
3. Conjunctions. Unless the context clearly indicates the contrary, the following conjunctions shall be interpreted as follows:
 - A. “And” indicates that all connected items or provisions apply.
 - B. “Or” indicates that the connected items or provisions may apply singly or in any combination.
 - C. “Either ... or” indicates that the connected items or provisions shall apply singly but not in combination.
4. Referenced Agencies. Unless otherwise indicated, all public officials, bodies, and agencies referred to in this chapter are those of the City.

166.03 DEFINITION OF TERMS.

For the purposes of this Zoning Code, certain terms and words are hereby defined. Certain sections contain definitions which are additional to those listed here. Where terms are not specifically defined, their ordinarily accepted meaning or meanings implied by their context shall apply.

1. ~~1.~~ “Abutting” means having lot lines or district boundaries in common, including property separated by a public street or alley. This term is used interchangeably with “adjacent.”
2. ~~2.~~ “Accessory structure” means a structure which is incidental to and customarily associated with a specific principal use or building on the same site.

- 2.A. “Accessory Dwelling Unit” means an attached or detached residential dwelling unit which provides complete living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation, which is located on the same parcel as a single unit dwelling.
3. ~~—3.~~ “Accessory use” means a use which is incidental to and customarily associated with a specific principal use on the same site.
4. ~~—4.~~ “Addition” means any construction which increases the size of a building or structure in terms of site coverage, height, length, width, or gross floor area.
5. “Administration” means governmental offices providing administrative, clerical, or public contact services that deal directly with the citizen, together with incidental storage and maintenance of necessary vehicles. Typical uses include federal, State, County, and City offices.
- ~~4.6.~~ “Administrative Official” means the Windsor Heights Administrative Official or appropriate designee.
7. ~~—5.~~ “Agent of owner” means any person showing written verification that he/she is acting for – and with the knowledge and consent of – a property owner.
- ~~5.8.~~ “Agricultural Sales and Service” means establishments or places of business engaged in sale from the premises of feed, grain, fertilizers, farm equipment, pesticides, and similar goods or in the provision of agriculture-related services with incidental storage on lots other than where the service is rendered. Typical uses include nurseries, hay, farm implement dealerships, feed and grain stores, and tree service firms.
- ~~6.9.~~ ~~—6.~~ “Alley” means a public right-of-way which is used as a secondary means of access to abutting property.
10. ~~—7.~~ “Alteration” means any construction or physical change in the internal arrangement of spaces, the supporting members, the positioning on a site, or the appearance of a building or structure.
11. “Alternative Energy Production Devices” means the use of a site for the production of energy utilizing methods that do not involve the oxidation, combustion, or fission of primary materials. Typical uses include solar collector fields, geothermal energy installations, or water-powered mills or generating facilities.
12. “Amateur Radio Tower” means a structure for the transmission or broadcasting of electromagnetic signals by FCC-licensed amateur radio operators.
- ~~7.13.~~ “Animal Production” means the raising of animals or production of animal products, such as eggs or dairy products on an agricultural or commercial basis on a site which is also used for crop production or where grazing of natural vegetation is the major feed source; or the raising of animals for recreational use. Typical uses include grazing, ranching, dairy farming, and poultry farming.
- ~~8.14.~~ ~~—8.~~ “Apartment” means a housing unit within a building designed for and suitable for occupancy by only one family. Apartments are generally located within multi-family residential buildings.
15. ~~—9.~~ “Attached” means having one or more walls in common with a principal building or connected to a principal building by an integral architectural element, such as a covered passageway, façade wall extension, or archway.

16. “Automotive and Equipment Services” means establishments or places of business primarily engaged in sale and/or service of automobiles, trucks, or heavy equipment. The following are considered automotive and equipment use types:
- A. Automotive Rental and Sales: Sale or rental of automobiles, noncommercial trucks, motorcycles, motor homes, recreational vehicles or boats, including incidental storage, maintenance, and servicing. Typical uses include new and used car dealerships; motorcycle dealerships; and boat, trailer, and recreational vehicle dealerships.
 - B. Auto Services: Provision of fuel, lubricants, parts and accessories, and incidental services to motor vehicles; and washing and cleaning and/or repair of automobiles, non-commercial trucks, motorcycles, motor homes, recreational vehicles, or boats, including the sale, installation, and servicing of equipment and parts. Typical uses include service stations, car washes, muffler shops, auto repair garages, tire sales and installation, wheel and brake shops, and similar repair and service activities but exclude dismantling, salvage, or body and fender repair services.
 - C. Repair Services: Repair, painting, or refinishing of the body, fender, or frame of automobiles, trucks, motorcycles, motor homes, recreational vehicles, boats, tractors, construction equipment, agricultural implements, and similar vehicles or equipment. Typical uses include body and fender shops, painting shops, and other similar repair or refinishing garages.
 - D. Equipment Rental and Sales: Sale or rental of trucks, tractors, construction equipment, agricultural implements, mobile homes, and similar heavy equipment, including incidental storage, maintenance, and servicing. Typical uses include truck dealerships, construction equipment dealerships, and mobile home sales establishments.
 - E. Equipment Repair Services: Repair of trucks, tractors, construction equipment, agricultural implements, and similar heavy equipment. Typical uses include truck repair garages, tractor and farm implement repair services, and machine shops, but exclude dismantling, salvage, or body and fender repair services.
 - F. Vehicle Storage: Storage of operating or non-operating vehicles for a period of no more than 21 days. Typical uses include storage of private parking tow-aways or impound yards but exclude dismantling or salvage. Long-term storage of operating or non-operating vehicles beyond 21 days constitutes an industrial use type.
17. “Aviation Facilities” means landing fields, aircraft parking and service facilities, and related facilities for operation, service, fueling, repair, storage, charter, sales, and rental of aircraft, and including activities directly associated with the operation and maintenance of airport facilities and the provision of safety and security.

~~9.18.~~ ~~10.~~ “Base Zoning District” means a district established by this Zoning Code which prescribes basic regulations governing land use and site development standards. For any actions taken after the effective date of this Code, no more than one Base Zoning District shall apply to any individually platted lot or parcel unless the lot or parcel is part of a Planned Unit Development.

- ~~10.19.~~ ~~11.~~ “Basement” means a level of a building below street level that has at least one-half of its height below the surface of adjacent ground. A basement used for independent dwelling or business purposes shall be considered a story for the purposes of height measurement. Chapter ~~169~~ sets forth floodplain and floodway regulations governing building standards in flood-prone areas.
- ~~20.~~ ~~12.~~ “Bedroom” means any space intended for sleeping purposes in the conditioned space of a dwelling unit which is 80 square feet and greater in size and which is located along an exterior wall, but not including the following: hall; bathroom; kitchen; laundry room.
- ~~14.21.~~ “Bed and Breakfast” means a lodging service that provides overnight or short-term accommodations to guests or visitors, usually including provision of breakfast. Bed and breakfasts are usually located in large residential structures that have been adapted for this use. For the purpose of this definition, bed and breakfasts are always owned and operated by the resident owner of the structure, include no more than ten units, and accommodate each guest or visitor for no more than seven consecutive days during any one-month period.
- ~~22.~~ ~~13.~~ “Beginning of construction” means the initial incorporation of labor and materials within the foundation of a building or structure.
- ~~12.~~ “Berm” means a mound of earth or dirt designed to blend into a landscape either to block out unwanted views or uses, decrease noise or to improve the design of a property. “Big box retail” means a structure exceeding , square feet.
- ~~23.~~
- ~~13.24.~~ ~~14.~~ “Block” means an area of land within a subdivision that is entirely bounded by streets, or by streets and the exterior boundaries of the subdivision, or by a combination of the above with a watercourse or lake, and which has been designated as such on a plat for the purposes of legal description of a property.
- ~~14.25.~~ ~~15.~~ “Blockface” means the property abutting one side of a street and lying between the two nearest intersection streets, or between the one nearest intersecting street and a major physical barrier, including (but not limited to) railroads, streams, lakes, or the corporate limits of the City.
- ~~26.~~ ~~16.~~ “Board of Adjustment” means a body established by the City expressly for the purpose of granting relief from situations of hardship and to hear appeals as provided by this Zoning Code.
- ~~27.~~ “Broadcasting Tower” means a structure for the transmission or broadcasting of radio, television, radar, or microwaves, ordinarily exceeding the maximum height permitted in its zoning district.
- ~~15.28.~~ “Buffer” means a combination of horizontal space (land) and vertical elements (plants, berm, fences, and walls), used to physically separate or visually screen incompatible adjacent land uses.
- ~~16.29.~~ ~~17.~~ “Buffer yard” means a landscaped area intended to separate and partially obstruct the view of two adjacent land uses or properties from one another.
- ~~17.30.~~ ~~18.~~ “Building” means a structure entirely separated from any other structure by space or by walls and having a roof and built to provide shelter, support, or enclosure for persons or property.

- ~~18.31.~~—~~19.~~ “Building coverage” means the area of a site covered by buildings or roofed areas, excluding allowed projecting eaves, balconies, and similar features.
- ~~19.32.~~—~~20.~~ “Building envelope” means the three-dimensional space within which a structure is permitted to be built on a lot after all zoning and other applicable municipal requirements have been met.
- ~~33.~~—~~21.~~ “Building line” means the outer boundary of a building established by the location of its exterior walls.
- ~~20.34.~~ “Building marker” means an historic or commemorative plaque, or a building name or cornerstone carved into a masonry surface.
- ~~21.35.~~—~~22.~~ “Building Official” means the designee of the City Council, responsible for the enforcement of Chapter 155 of this Code of Ordinances.
- ~~22.36.~~—~~23.~~ “Business” means activities that include the exchange or manufacture of goods or services on a site.
- ~~37.~~—~~24.~~ “Business center” means a building containing more than one commercial business, or any group of nonresidential buildings within a common development, characterized by shared parking and access.
- ~~38.~~ “Business Support Services” means an establishments or places of business primarily engaged in the sale, rental, or repair of equipment, supplies, and materials or the provision of services used by office, professional, and service establishments to the firms themselves but excluding automotive, construction, and farm equipment; or engaged in the provision of maintenance or custodial services to businesses. Typical uses include office equipment and supply firms, small business machine repair shops or hotel equipment and supply firms, janitorial services, photography studios, and convenience printing and copying.
- ~~39.~~ “Business or Trade Schools” means a use providing education or training in business, commerce, language, or other similar activity or occupational pursuit, and not otherwise defined as a home occupation, college or university, or public or private educational facility.
- ~~40.~~ “Caliper” means diameter of tree trunk. Usually used for trees less than 12 inches in diameter.
- ~~41.~~ “Campground” means facilities providing camping or parking areas and incidental services for travelers in recreational vehicles or tents, which accommodate each guest or visitor for no more than seven consecutive days during any one-month period.
- ~~42.~~ “Canopy” means a projecting non-movable structure cantilevered or suspended from a building, supported by the main structural members to which it is attached, and used only as a roof or fixed shelter. A canopy may include a printed message or graphic, or not, and is treated no differently as a result under this ordinance.
- ~~23.43.~~ “Cemetery” means land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbaria, crematoria, mausoleums, and mortuaries when operated in conjunction with and within the boundary of such cemetery.
- ~~24.44.~~—~~25.~~ “Certificate of Occupancy” means an official certificate issued by the Building Official, upon finding of conformance with the City’s Building Code (Chapter 155), and upon receipt of a Certificate of Zoning Compliance.

- ~~25.45.~~ ~~26.~~ “Certificate of Zoning Compliance” means an official certificate issued by the Building Official, which indicates that the proposed use of building or land complies with the provisions of this Zoning Code.
- ~~46.~~ ~~27.~~ “Change of use” means the replacement of an existing use by a new use.
- ~~47.~~ “Clearance” means the distance from the bottom of a sign face elevated above grade and the grade below.
- ~~26.48.~~ “Clubs” means uses providing meeting, recreational, or social facilities for a private, nonprofit, or non-commercial association, primarily for use by members and guests.
- ~~49.~~ ~~28.~~ “Cluster” means a development design technique that concentrates buildings in specific areas on a site to allow remaining land to be used for recreation, common open space, or the preservation of historically or environmentally sensitive features.
- ~~50.~~ “Cocktail Lounge” means a use engaged in the preparation and retail sale of alcoholic beverages for consumption on the premises, including taverns, bars, cocktail lounges, and similar uses other than a restaurant as that term is defined in this section.
- ~~27.51.~~ “College and University Facilities” means an educational institution of higher learning which offers courses of study designed to culminate in the issuance of a degree certified by a generally recognized accrediting organization.
- ~~52.~~ ~~29.~~ “Collector street” means a street connecting neighborhoods within the same communities, designed to carry traffic from local to arterial streets.
- ~~53.~~ “Commercial Recreation” means private businesses or other organizations, which may or may not be commercial by structure or by nature, which are primarily engaged in the provision or sponsorship of sports, entertainment, or recreation for participants or spectators. Typical uses include driving ranges, theaters, private dance halls, or private skating facilities. Commercial recreation is divided into the following categories:
- A. Commercial Recreation (Limited): Facilities which include a structure of 10,000 square feet or less and/or a site covering an area of no more than one-half acre.
- B. Commercial Recreation (General): Facilities which include a structure of more than 10,000 square feet and/or a site covering an area of more than one-half acre.
- ~~28.54.~~ “Communications Services” means establishments primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic and telephonic mechanisms but not including those classified as Utilities. Typical uses include television studios, telecommunication service centers, telegraph service offices, or film and sound recording facilities. Broadcast towers and their minor ancillary ground structures are classified as miscellaneous use types.
- ~~29.55.~~ ~~30.~~ “Common area” means an area held, designed, and designated for common or cooperative use within a development.
- ~~30.56.~~ ~~31.~~ “Common development” means a development proposed and planned as one unified project not separated by a public street or alley.
- ~~57.~~ ~~32.~~ “Common open space” means land within or related to a development that is not individually owned or dedicated for public use, designed and generally intended for the common use of the residents of the development.
- ~~31.58.~~ “Community use” means administrative and legislative government offices, schools, postal facilities (such as libraries and museums), meeting halls, clubhouses, amphitheaters, band shells, and pavilions.

- ~~32.59.~~ ~~33.~~ “Compatibility” means the degree to which two or more different land use types are able to exist together in close proximity, with no one use having significant negative effects on any other use.
- ~~33.60.~~ ~~34.~~ “Comprehensive Plan” means the duly adopted Comprehensive Development Plan of the City to address future growth and development.
- ~~34.61.~~ ~~35.~~ “Conditional Use Permit (CUP)” means a permit that isis intended to accommodate those types of uses that don’t fit neatly into any particular zoning district, and which have the potential to impact surrounding properties. As part of the approval process, the Board of Adjustment can impose conditions on the proposed use to help minimize the potential impacts on surrounding property.
- ~~35.62.~~ ~~36.~~ “Conditioned space” means an area, room, or space normally occupied and being heated and/or cooled by any equipment for human habitation.
- ~~36.63.~~ ~~37.~~ “Condominium” means a real estate ownership arrangement that combines fee simple title to a specific unit and joint ownership in common elements shared with other unit owners. Types of units may include dwelling units, parking spaces, office spaces, or commercial spaces.
- ~~37.64.~~ ~~38.~~ “Conservation development” means a development design technique that concentrates buildings in specific areas on a site to allow remaining land to be used for recreation, common open space, or the preservation of historically or environmentally sensitive features.
- ~~65.~~ ~~39.~~ “Conservation subdivision” means, wholly or in majority, a residential subdivision that permits a reduction in lot area, setback, or other site development regulations, provided:
- ~~A.~~ ~~(i)~~ there is no increase in the overall density permitted for a conventional subdivision in a given zoning district; and
 - ~~B.~~ and (ii) the remaining land area is used for common space.
- ~~66.~~ “Construction Yards” means establishments housing facilities of businesses primarily engaged in construction activities, including incidental storage of materials and equipment on lots other than construction sites. Typical uses are building contractor’s yards.
- ~~67.~~ “Consumer Services: means establishments which provide services primarily to individuals and households but excluding automotive use types. Typical uses include automated banking machines, appliance repair shops, watch or jewelry repair shops, or musical instrument repair shops.
- ~~68.~~ “Convenience Storage” means storage services primarily for personal effects and household goods within enclosed storage areas having individual access but excluding use of such areas as workshops, hobby shops, manufacturing, or commercial activity. Typical uses include mini-warehousing.
- ~~38.69.~~ “Convalescent Services” means uses providing bed care and in-patient services for persons requiring regular medical attention but excluding a facility providing surgical or emergency medical services and excluding a facility providing care for alcoholism, drug addiction, mental illness, or communicable disease. Typical uses include nursing homes.
- ~~39.70.~~ ~~40.~~ “Court” means an approved private right-of-way which provides access to residential properties and meets at least three of the following conditions:
- ~~A.~~ ~~A.~~ Serves 12 or fewer housing units or platted lots.

- B. —~~B.~~ Does not function as a local street because of its alignment, design, or location.
 - C. —~~C.~~ Is completely internal to a development.
 - D. —~~D.~~ Does not exceed 600 feet in length.
71. —~~41.~~ “Courtyard” means an open, unoccupied space, bounded on two or more sides by the walls of the building.
72. “Crop Production” means the raising and harvesting of tree crops, row crops, or field crops on an agricultural or commercial basis. This definition may include accessory retail sales under certain conditions.
73. “Cultural Services” means a library, museum, or similar registered nonprofit organizational use displaying, preserving and exhibiting objects of community and cultural interest in one or more of the arts and sciences.
74. “Custom Manufacturing” means establishments primarily engaged in the on-site production of goods by hand manufacturing, within enclosed structures. This category also includes the incidental direct sale to consumers of only those goods produced on site. Typical uses include ceramic studios, custom jewelry manufacturing, and candle making shops. This involves:
 - A. The use of hand tools, or
 - B. The use of domestic mechanical equipment not exceeding 2 horsepower, or
 - C. A single kiln not exceeding 8 KW or equivalent.
75. “Curb” means a stone, concrete, or other improved boundary marking the edge of a road or other paved area.
76. “Curb line” means a line, whether curbing exists or not, which is the edge of the pavement or shoulder.
77. “Day Care Services” means care for children in the absence of parents for a portion of the day, but less than 24 hours.
 - A. Limited Day Care Services: This use type includes all classifications of day care facilities regulated by the State of Iowa that operate providing care for not more than six children. This term includes nursery schools, preschools, day care centers for children or adults, and similar uses but excludes public and private primary and secondary educational facilities.
 - ~~E.B.~~ General Day Care Services: This use type includes all classifications of day care facilities regulated by the State of Iowa that operate providing care for more than six children. This term includes nursery schools, preschools, day care centers for children or adults, and similar uses but excludes public and private primary and secondary educational facilities.
78. —~~42.~~ “Deck” means an unroofed platform, unenclosed except by a railing, which is attached to the ground and/or another structure.
79. “Delayed Deposit Services Business” means a person or individual, group of individuals, partnership, association, corporation, or any other business unit or legal entity who for a fee
 - A. Accepts a check, draft, share draft, or other instrument for the payment of money dated subsequent to the date it was written.

- ~~F.B.~~ Accepts a check, draft, share draft, or other instrument for the payment of money dated on the date it was written and holds it for a period of time prior to deposit or presentment pursuant to an agreement with, or any representation made to, the maker of the check, draft, or other instrument whether express or implied.
- ~~80.~~ —43. “Density” means the amount of development per specific unit of a site.
- ~~81.~~ “Detention Facilities” means a publicly operated or contracted use providing housing and care for individuals legally confined, designed to isolate those individuals from the community.
- ~~40.82.~~ “Development Committee” means a committee made up of two Council Members, the Mayor, Planning and Zoning Commission liaison, Administrative Officials, two citizens and a business owner.
- ~~41.83.~~ —44. “Drive-in services” means uses which involve the sale of products or provision of services to occupants in vehicles.
- ~~84.~~ —45. “Detached” means fully separated from any other building or jointed to another building in such a manner as not to constitute an enclosed or covered connection.
- ~~85.~~ “Dormer” means a projecting framed structure set vertically on the rafters of a pitched roof, with its own roof (pitched or flat), sides, and a window set vertically in the front.
- ~~42.86.~~ “Downtown Residential” means the use of upper levels above street level of a building within the Town Center District of the City for single- or multiple-family residential uses.
- ~~87.~~ —46. “Driveway” means a permanent surface area providing vehicular access between a street and an off-street parking or loading area. A driveway surface area shall be asphaltic, Portland cement binder pavement, paver block, concrete block, or similar surface so as to provide a durable and dustless surface. Gravel or rock is not deemed to be a dustless surface.
- ~~43.88.~~ “Drive-Thru” means an establishment that provides or dispenses products or services, through an attendant or an automated machine, to persons remaining in their vehicle that are designated drive-thru stacking lanes. A drive-thru facility may be in combination with other uses, such as financial institutions, restaurants, pharmacies, and service providers such as dry cleaners.
- ~~89.~~ —47. “Dwelling unit” means one or more rooms, designed, occupied, or intended for occupancy as a separate living quarter, with cooking, sleeping, and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household.
- ~~44.90.~~ “Duplex Residential” means the use of a legally described lot for two dwelling units, each occupied by one family within a single building, excluding mobile home units, but including modular housing units.
- ~~91.~~ —48. “Easement” means a privilege or right of use granted on, above, under, or across a particular tract of land for a specific purpose by one owner to another owner, public or private agency, or utility.
- ~~45.92.~~ “Emergency Residential Services” means a facility or use of a building to provide a protective sanctuary for victims of crime or abuse, including emergency housing during crisis intervention for victims of rape, abuse, or physical beatings. Such facilities being limited to no more than three victims at any one time.
- ~~93.~~ —49. “Enclosed” means a roofed or covered space fully surrounded by walls.
- ~~94.~~ “Extended stay hotel or motel” see “Lodging.”

- 46.95. “Façade” means the exterior face of a building which is the architectural front, sometimes distinguished from the other faces by elaboration of architectural or ornamental details.
96. ~~—50.~~ “Family” means one or more persons occupying a single dwelling unit, related by blood, marriage, domestic partnership, adoption, or other custodial arrangement.
97. “Family Home” Means a facility as defined in Section 414.22 of the Code of Iowa, and including, but not limited to, Elder Family Homes and Elder Group Homes.
- A. “Elder Group Home” means a facility as defined in Section 231B of the Code of Iowa.
98. ~~—51.~~ “Federal” means pertaining to the Government of the United States of America.
99. “Fence” means a structure made of wood, metal, masonry, or other material, typically used to screen, enclose, or divide open space for a setback or along a design site line.
100. “Financial Services” means provision of financial and banking services to consumers or clients. Walk-in and drive-in services to consumers are provided on site. Typical uses include banks, savings and loan associations, savings banks, and loan companies. An ATM (automatic teller machine) which is not accompanied on-site by an office of its primary financial institution is considered a general retail service use type.
- 47.101. “Firework Sales” means establishments selling consumer first class fireworks and consumer second class fireworks. A firework Seller License issued by the State Fire Marshal is required. Firework establishments must comply with all standards of the National Fire Protection Act 1124and Code of Iowa, Section 100.19.
102. ~~—52.~~ “Floor area ratio” means the quotient of gross floor area divided by gross site area.
103. “Food Sales” means establishments or places of business primarily engaged in the retail sale of food or household products for home consumption. Typical uses include groceries, delicatessens, meat markets, retail bakeries, and candy shops.
- A. Convenience Food Sales: Establishments occupying facilities of less than 10,000 square feet; and characterized by sales of specialty foods or a limited variety of general items, and by the sales of fuel for motor vehicles.
- B. Limited Food Sales: Establishments occupying facilities of less than 10,000 square feet; and characterized by sales of specialty foods or a limited variety of general items, but excluding the accessory sale of fuel for motor vehicles. Typical uses include delicatessens, meat markets, retail bakeries, candy shops, and small grocery stores.
- A.C. General Food Sales: Establishments selling a wide variety of food commodities, using facilities larger than 10,000 square feet. Typical uses include supermarkets.
104. ~~—53. “Frontage” means the length of a property line of any one premises abutting and parallel to a public street, private way, or court.~~ “Frontage” means the length of a property line of any one premises abutting and parallel to a public street, private way, or court.
105. “Funeral Services” means establishments engaged in undertaking services such as preparing the human dead for burial and arranging and managing funerals. Typical uses include funeral homes or mortuaries.
106. “Gaming Facilities” means establishments engaged in the lawful, on-site operation of games of chance that involve the risk of money for financial gain by patrons. Gaming facilities shall include the accessory sale of liquor and food, pursuant to licensing regulations of the City or the State.

107. “General Retail Services (Small and Large Scale) means sale or rental with incidental service of commonly used goods and merchandise for personal or household use but excludes those classified more specifically by these use type classifications. Typical uses include department stores, apparel stores, furniture stores, or establishments providing the following products or services: household cleaning and maintenance products; drugs, cards, stationery, notions, books, tobacco products, cosmetics, and specialty items; flowers, plants, hobby materials, toys, and handcrafted items; apparel jewelry, fabrics and like items; cameras, photographic services, household electronic equipment, records, sporting equipment, kitchen utensils, home furnishing and appliances, art supplies and framing, arts and antiques, paint and wallpaper, hardware, carpeting and floor covering; interior decorating services; retail sales of pets; office supplies; mail order or catalog sales; bicycles; and automotive parts and accessories (excluding service and installation).

A. General retail services (small scale) include facilities with no more than 10,000 square feet in a single establishment or 30,000 square feet within a multiple-tenant common development.

B. General retail services (large scale) include facilities of 10,000 or more square feet in a single establishment or 30,000 square feet within a multiple-tenant common development.

108. “General Offices” means the use of a site for business, professional, or administrative offices. Typical uses include real estate, insurance, management, travel, or other business offices; organization and association offices; banks or financial offices; or professional offices.

~~48.~~109. “General Industry” means enterprises engaged in the processing, manufacturing, compounding, assembly, packaging, storage, treatment, or fabrication of materials and products from prepared materials or from raw materials without noticeable noise, odor, vibration, or air pollution effects across property lines.

~~49.~~110. ~~54.~~ “Grade” means the horizontal elevation of the finished surface of ground, paving, or sidewalk adjacent to any building line.

~~A.~~ A. ~~For buildings having walls facing one street only, the grade shall be the elevation of the sidewalk (or the boundary line between the property and the street right-of-way in the absence of sidewalks) perpendicular to the center of the wall facing the street.~~

~~B.~~ B. ~~For buildings having walls facing more than one street, the grade shall be the average elevation of the grades of all walls facing each street.~~

~~C.~~ C. ~~For buildings having no walls facing a street, the grade shall be the average level of the finished surface of the ground adjacent to the exterior walls of the building.~~

111. Groundcover means vegetation that helps in stabilizing the soil such as vines, turf, low growing shrubs, and perennials.

112. “Group Residential” means the use of a site for a residence by four or more unrelated persons or distinct individuals, not defined as a family, on a weekly or longer basis.

113. “Group Care Facility” means a government-licensed or approved facility which provides for resident care and short or long-term, continuous multi-day occupancy of more than 8 but no more than 30 unrelated persons, not including resident staff. Group Care Facilities include facilities which provide services in accordance with individual needs for the:

- A. Adaptation to living with, or rehabilitation from, the handicaps of physical disability.
 - B. Adaptation to living with, or rehabilitation from, the handicaps of emotional or mental disorder or developmental disabilities.
 - C. Rehabilitation from the effects of drug or alcohol abuse.
 - D. Supervision while under a program alternative to imprisonment, including (but not limited to) pre-release, work-release, and probationary programs.
 - E. Others who require direct adult supervision.
- ~~50.~~114. “Group Home” means a facility licensed by the State of Iowa in which at least three but no more than eight persons (not including resident managers or house parents), who are unrelated by blood, marriage, or adoption, reside while receiving therapy, training, living assistance, or counseling for the purpose of adaptation to living with or rehabilitation from a physical or mental disability as defined by the relevant provisions of the Code of Iowa or by the Fair Housing Amendments Act of 1988.
115. ~~—55.~~ “Gross floor area” means the total enclosed area of all floors of a building, measured to the inside surfaces of the exterior walls. This definition excludes the areas of basements, elevator shafts, airspaces above atriums, and enclosed off-street parking and loading areas serving a principal use.
116. “Guidance Services” means a use providing counseling, direction, recuperative, or similar services to persons requiring rehabilitation assistance as a result of mental illness, alcoholism, detention, drug addiction, or similar condition on a daytime care basis.
- ~~51.~~117. “Heavy Industry” means enterprises involved in the basic processing and manufacturing of products, predominately from raw materials, with noticeable noise, odor, vibration, or air pollution effects across property lines; or a use or process engaged in the storage of or processes involving potentially or actually hazardous, explosive, flammable, radioactive, or other commonly recognized hazardous materials.
118. ~~—56.~~ “Height” means the vertical distance from the established grade to the highest point of the coping of a flat roof, the deck line of a mansard roof, gable, hip, shed, or gambrel roofs. For other cases, height shall be measured as the vertical distance from the established grade to the highest point of a structure as herein defined. Where a building or structure is located on a slope, height shall be measured from the average grade level adjacent to the building or structure.
119. “Health Care” means a facility providing medical, psychiatric, or surgical service for sick or injured persons exclusively on an outpatient basis including emergency treatment, diagnostic services, training, administration, and services to outpatients, employees, or visitors.
120. “Hotel” see “Lodging.”
- ~~52.~~121. “Hospital” means a facility providing medical, psychiatric, or surgical service for sick or injured persons primarily on an inpatient basis, including emergency treatment, diagnostic services, training, administration, and services to patients, employees, or visitors.
122. ~~—57.~~ “Home based business” or “home occupation” means an accessory occupational use conducted entirely within a dwelling unit by its inhabitants, which is clearly incidental to the residential use of the dwelling unit or residential structure and does not change the residential character of its site or have any external evidence of such use.

- ~~53.~~123. “Horticulture” means the growing of horticultural and floricultural specialties, such as flowers, shrubs, or trees intended for ornamental or landscaping purposes. This definition may include accessory retail sales under certain conditions. Typical uses include wholesale plant nurseries and greenhouses.
- ~~54.~~124. ~~—58.~~ “Housing unit” or “dwelling unit” means a building or portion of a building arranged for and intended for occupancy as an independent living facility for one family, including permanent provisions for cooking.
125. ~~—59.~~ “Impervious coverage” means the total horizontal area of all buildings, roofed or covered spaces, paved surface areas, walkways and driveways, and any other site improvements that decrease the ability of the surface of the site to absorb water, expressed as a percent of site area. The surface water area of pools is excluded from this definition.
- ~~55.~~126. “Kennels” means boarding and care services for dogs, cats, and similar small mammals or large birds; or any premises on which three or more animals included under this definition over four months of age are kept and maintained. Typical uses include boarding kennels, ostrich-raising facilities, pet motels, or dog-training centers.
127. ~~—60.~~ “Landscaped area” means the area within the boundaries of a given lot, site or common development consisting primarily of plant material, including but not limited to grass, trees, shrubs, vines, ~~ground cover~~groundcover, and other organic plant materials; or grass paver masonry units installed such that the appearance of the area is primarily landscaped.
128. “Laundry Services” means establishments primarily engaged in the provision of laundering, cleaning, or dyeing services other than those classified as personal services. Typical uses include bulk laundry and cleaning plans, diaper services, or linen supply services.
129. “Light Industry” means establishments engaged in the manufacture or processing of finished products from previously prepared materials, including processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales, and distribution. These establishments are characterized by having no major external environmental effects across property lines and include no unscreened or un-enclosed outdoor storage. Typical uses include commercial bakeries, dressed beef processing plants, soft drink bottling, apparel assembly from fabrics, electronics, manufacturing, print shops, and publishing houses.
130. “Liquor Sales” means establishments or places of business engaged in retail sale for off-premises consumption of alcoholic beverages. Typical uses include liquor stores, bottle shops, or any licensed sales of liquor, beer, or wine for off-site consumption.
131. “Lodging” means lodging services involving the provision of room and/or board, but not meeting the classification criteria of bed and breakfasts. Typical uses include the following definitions:
- A. “Extended stay hotel or motel” means any structure consisting of one or more buildings, with more than five specific dwelling units with provisions for living, eating, contain kitchen facilities for food preparation including, but not limited to, refrigerators, stoves and ovens, sanitation, separate bathroom and kitchen sink, and sleeping in each unit, that is specifically constructed, kept, used, maintained, advertised, and held out to the public to be a place where temporary

residence is offered for pay to persons, for a minimum stay of more than thirty days and a maximum stay of ten months within the dwelling units at the structure, that is approved pursuant to a valid certificate of occupancy issued by the building official having jurisdiction as having all of the required dwelling unit features, and for which such valid certificate of occupancy indicates the specific rooms within the structure that can be used as dwelling units, and that is approved by the Fire Marshal for extended stay temporary residence purposes. Each room shall be a minimum of 275 square feet in area, exclusive of bathroom, closet, or balcony space. Weekly services for each dwelling unit of linen change, towel change, soap change, general cleanup, and a registration lobby staffed on a 12-hour daily basis and 24-hour daily registration and emergency phone number are provided by the management. Each extended stay dwelling unit and facilities are subject to the City's rental inspection outlined in the Chapter 156 of this Code of Ordinances (Rental Housing Code). For the purposes of parking requirements, extended stay hotel or motels will have to meet the Multi-Family Residential parking requirements.

B. "Hotel" means one or more buildings containing 20 or more guest rooms, with such rooms being designed or intended to be used, or which are used as temporary or overnight accommodations for guests in which daily services of linen change, central telephone switchboard, towel change, soap change, general cleanup, and a registration lobby staffed on a 24-hour daily basis are provided by the management. Each room shall be a minimum of 250 square feet in area, exclusive of bathroom, closet, or balcony space. No room may be used by the same person or persons for a period exceeding 30 days per year. Access to all rooms shall be provided through one or more common entrances. Accessory uses are encouraged and permitted accessory uses include restaurants, cocktail lounges, banquet halls, ballrooms, or meeting rooms.

C. "Motel" means a building or group of buildings containing dwelling units, intended to be used or which are used as temporary or overnight accommodations for guests, in which daily services of linen change, central telephone switchboard, towel change, soap change, general cleanup, and a registration lobby staffed on a 12-hour daily basis and 24-hour daily registration and emergency phone number are provided by the management. Each room shall be a minimum of 250 square feet in area, exclusive of bathroom, closet, or balcony space. No room may be used by the same person or persons for a period exceeding 30 days per year. Each living or sleeping unit shall have an individual entrance from outside the building. Living or sleeping units may be equipped with cooking facilities. Parking close to the entrance of each living or sleeping unit should be made available.

~~56.132.~~ 61. "Perimeter landscaped area" means any required landscaped area that adjoins the exterior boundary of a lot, site, or common development. "Illumination" means lighting sources installed for the primary purpose of lighting a specific sign or group of signs.

133. 62. "Interior landscaped area" means any landscaped area within a site exclusive of required perimeter landscaping.

134. "Landfill" means the use of a site as a depository for solid wastes, including

- A. Landfill (Non-Putrescible Solid Waste Disposal) is the use of a site as a depository for solid wastes that do not readily undergo chemical or biological breakdown under conditions normally associated with land disposal operations. Typical disposal material would include ashes, concrete, paving wastes, rock, brick, lumber, roofing materials, and ceramic tile.
- B. Landfill (Putrescible and Non-Putrescible Solid Waste Disposal) is the use of a site as a depository for any solid waste except hazardous and toxic waste as defined by the Federal Environmental Protection Agency and/or the State of Iowa. Typical disposal material would include non-putrescible wastes and putrescible wastes such as vegetation, tree parts, agricultural wastes (garbage) and manure.
135. “Landscape amenities” means living or non-living materials used to augment the beauty of usability of a landscaped area. Amenities may include (but are not limited to) additional vegetation, flower gardens, tables, sculptures, monuments, benches, gardens, banners, enhanced pavement, pedestrian plaza areas, fountains, and planters.
136. “Landscape islands” means a raised unpaved area located within or protruding into a parking lot or the center, unpaved area of a cul-de-sac or traffic circle. The area of a landscape island is measured from the back of the inside curb to the back of inside curb.
- A. “Landscape pod” means a small individual unpaved area within a parking lot incorporated to provide locations for vegetation, thus increasing the aesthetic quality of the parking lot.
137. “Large retail strip establishments” means a structure (or structures when combined) which exceeds 50,000 square feet and is a largely nonresidential development, which is shallow in depth and lies along a length of roadway. Buildings organized in a linear pattern or in isolated “islands” characterize a large retail establishment.
- 57.—
138. “Live-work unit” means a unit which offers both a studio work environment and a living environment. The work environment shall be primarily involved in the artistic crafts, offices, or service uses with minimum impacts on surrounding neighborhood, such as self-employed consultants, researchers, or artists.
- 58.139.— 63. “Loading area” means an off-street area used for the loading or unloading of goods from a vehicle in connection with the use of the site on which such area is located.
- 59.— 64. “Lot” means a parcel of property with a separate and distinct number or other identifying designation which has been created, assigned, and recorded in the Office of the Polk County Recorder. Each individual lot is subject to the provisions of a particular Base Zoning District, and shall have a minimum frontage of 20 feet, except as provided in an approved Planned Unit Development and/or Conservation Subdivision.
140. —
- A. —A. “Lot, Corner lot” means a lot located at the junction of at least two streets, private ways or courts or at least two segments of a curved street, private way or court, at which the angle of intersection is no greater than 135 degrees.
- B. —B. “Lot, Double frontage lot” (also known as a “through lot”) means a lot, other than a corner lot, having frontage on two streets, private ways, or courts. Primary access shall be restricted on a double frontage lot to the minor of

the two streets or to the front line as determined at time of platting or as defined by this Zoning Code.

- C. ~~—C.~~ “Lot, Interior lot” means a lot other than a corner lot.
- D. ~~—D.~~ “Lot, Common Development lot Development” means a lot which is considered a single lot for the purposes of this Zoning Code, when two or more contiguous lots are developed as part of a Planned Unit Development.

~~60.—65.~~ “Lot area” means the total horizontal area within the lot lines of a lot.

~~141.~~ .

~~61.142.—66.~~ “Lot depth” means the mean or average horizontal distance measured between the front and rear lot lines.

~~62.—67.~~ “Lot line” means a property boundary line of record that divides one lot from another lot or a lot from the public or private street right-of-way or easement. Once established, lot lines may not be redefined due to a change of address which would result in a new definition of the prior defined lot lines.

~~143.~~ .

- A. ~~—A.~~ “Lot Line, Front lot line” means the lot line separating a lot and a public or private street right-of-way or easement:
- B. ~~—(1) “For an “Lot Line, Interior lot, Interior Lot”~~ the lot line separating the lot from the right-of-way or easement;
- C. ~~“(2) Lot Line, C For a corner lot, Corner Lot”~~ the shorter lot line abutting a public or private street or easement; in instances of equal line dimension, the front lot line shall be determined by the Building Official, or as may be noted on the final plat;
- D. ~~—(3) “For a double frontage lot “Lot Line, Double Frontage,”~~ the lot lines separating the lot from the right-of-way or easement of the more minor street. In cases where each street has the same classification, the front lot line shall be determined by the Building Official at the time of application for the original building permit for the lot, or as may be noted on the final plat.
- E. ~~—B.~~ “Rear lot line “Lot Line, Rear” means the lot line which is opposite and most distant from the front line.
- F. ~~—C.~~ “Side lot line “Lot Line, Side” means any lot line that is neither a front or rear lot line. A side lot line separating a lot from a street, private way, or court is a street side lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.

~~144.—68.—~~ “Lot width” means the horizontal distance measured between the side lot lines of a lot, at right angles to its depth along a straight line parallel to the front lot line at the minimum required setback line.

~~145.~~ “Main entrance” means that entrance of the building which is most architecturally prominent and contains operable doors. If multiple entrances are equal, the entrance that faces the most used street.

~~63.146.~~ “Maintenance Facilities” means a public facility supporting maintenance, repair, vehicular or equipment servicing, material storage, and similar activities including street or sewer yards, equipment service centers, and similar uses having characteristics of commercial services or contracting or industrial activities.

147. ~~—69.~~ “Manufactured home dwelling” means a factory-built, single-family dwelling structure which is to be used as a place for human habitation, which is manufactured or constructed under the authority of 42 U.S. 3. Sec. 5403, Federal Manufactured Home Construction and Safety Standards, and which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than to a permanent site, and which does not have permanently attached to its body or frame any wheels or axles. A mobile home constructed to the National Manufactured Home Construction and Safety Standards promulgated by the US Department of Housing and Urban Development is not a manufactured home unless it has been converted to real property and is taxed as a site-built dwelling as is provided in the Code of Iowa, Section 435.26... For the purpose of any of these regulations, manufactured homes shall be considered the same as a single-family detached dwelling.
148. “Manufactured Home Residential” means the use of a site for one or more manufactured home dwellings.
149. “Medical Offices” means use of a site for facilities which provide diagnoses and outpatient care on a routine basis, but which do not provide prolonged, in-house medical or surgical care. Medical offices are operated by doctors, dentists, or similar practitioners licensed for practice in the State of Iowa.
- ~~64.~~150. “Mixed use” means a single building containing two or more types of land use; or a single development of more than one building and use, where the different types of land uses are in close proximity, planned as a unified complementary whole, and functionally integrated to the use of shared vehicular and pedestrian access and parking areas.
- ~~—70.~~ “Mixed use building” means a building or structure that incorporates two or more use types within a single building or structure, provided that each use type is permitted within the individual Base Zoning District in which the building or structure is to be located.
- ~~65.~~151. ~~—71.~~ “Mixed use development” means a single development which incorporates complementary land use types into a single development.
- ~~66.~~152. ~~—72.~~ “Mobile home” means a building type designed to be transportable in one or more sections, constructed on a permanent chassis or undercarriage, and designed to be used as a dwelling unit or other use with or without a permanent foundation when connected to the required utilities, but not bearing a seal attesting to the approval and issuance of the Iowa Department of Health or conformance to the Manufactured Home Procedural and Enforcement Regulations, as adopted by the US Department of Housing and Urban Development; or not otherwise satisfying the definition of “manufactured home dwelling.”
153. ~~—73.~~ “Mobile home park” means a unified development under single ownership, developed, subdivided, planned, and improved for the placement of mobile home units for non-transient use. Mobile home parks include common areas and facilities for management, recreation, laundry, utility services, storage, storm shelter, and other services; but do not include mobile home sales lots on which unoccupied mobile homes are parked for the purposes of display, inspection, sale, or storage.
154. “Modular housing unit” means a factory-built structure that is manufactured in components. They must comply with Iowa State Building Code for modular factory-built structures.
155. “Motel” see “Lodging.”

- ~~67.156.~~ “Multiple-Family Residential” means the use of a site for three or more dwelling units within one building.
- ~~68.157.~~ 74. “Nonconforming development” means a building, structure, or improvement which does not comply with the regulations for its zoning district set forth by this Zoning Code but which complied with applicable regulations at the time of construction. No action can be taken which would increase the nonconforming characteristics of the development.
- ~~75.~~ “Nonconforming lot” means a lot which was lawful prior to the adoption, revision, or amendment of this Zoning Code but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of this Zoning Code. No action can be taken which would increase the nonconforming characteristics of the lot.
- ~~69.158.~~ 76. “Nonconforming sign” means a sign that was legally erected prior to the adoption, revision, or amendment of this Zoning Code but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of this Zoning Code. No action can be taken which would increase the nonconforming characteristics of the sign.
- ~~70.159.~~ 77. “Nonconforming structure” means a structure which was lawful prior to the adoption, revision, or amendment of this Zoning Code but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of this Zoning Code. No action can be taken which would increase the nonconforming characteristics of the structure.
- ~~71.160.~~ 78. “Nonconforming use” means a land use which was lawful prior to the adoption, revision, or amendment of this Zoning Code but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of this Zoning Code. No action can be taken which would increase the nonconforming characteristics of the land use.
161. ~~79.~~ “Nuisance” means an unreasonable and continuous invasion of the use and enjoyment of a property right which a ~~reasonable~~ person would find annoying, unpleasant, obnoxious, or offensive.
- ~~72.162.~~ “Off-Street Parking Lots and Facilities” means parking use types include surface parking of motor vehicles on a temporary basis within a privately or publicly owned off-street parking facility.
163. ~~80.~~ “Open space” means any area within a single site or lot that is not covered by a building, structure, parking lot, or driveway. Sidewalks and patios may be counted as open space. Open space is an area which serves the need for leisure, recreation, or pedestrian interaction. Spaces may include (but are not limited to) plaza areas, open lawn areas, trails, recreation facilities, gardens, and pedestrian walkways. “Open space” means area included on any site or lot that is open and unobstructed to the sky, except for allowed projections of cornices, overhangs, porches, balconies, or plant materials.
- ~~73.164.~~ “Opacity degree” means an imaginary vertical plane extending from the established grade to a required height, which will be visually obscured to differing levels of opaqueness through the position of obstructions between the viewing point and the viewed object.
- ~~74.165.~~ 81. “Outdoor storage” means the storage of materials, parts, or products that are related to the primary use of a site for a period exceeding three days.

- ~~75.166.~~—~~82.~~ “Overlay District” means a district established by this Zoning Code to prescribe special regulations to be applied to a site only in combination with a Base Zoning District.
- ~~167.~~—~~83.~~ “Owner” means an individual, firm, association, syndicate, partnership, or corporation having sufficient proprietary interest to seek development of land.
- ~~168.~~ “Parapet” means a low, solid, protective screening or decorative wall, often used around a balcony, or along the edge of a roof to screen roof equipment.
- ~~76.169.~~ “Park and Recreation Services” means publicly owned and operated parks, playgrounds, recreation facilities, and open spaces.
- ~~77.170.~~—~~84.~~ “Parking facility” means an area on a lot and/or within a building, including one or more parking spaces, along with provision for access circulation, maneuvering, and landscaping, meeting the requirements of this Zoning Code. Parking facilities include parking lots, private garages, and parking structures. Vehicle storage is distinct from parking, and parking and is regulated by provisions in Sections 167.07(2)(F), 167.09(10) and Table ~~168-2.~~ Vehicle storage is also governed by provisions of Chapter 174 – Off-Street Parking Regulations.
- ~~171.~~—~~85.~~ “Parking space” means an area on a lot and/or within a building, intended for the use of temporary parking of a personal vehicle. This term is used interchangeably with “parking stall.” Each parking space must have a means of access to a public street. Tandem parking stalls in single-family detached, single-family attached, and townhouse residential uses shall be considered to have a means of access to a public street.
- ~~78.172.~~ “Parking Structure” means the use of a site for a multi-level building which provides for the parking of motor vehicles on a temporary basis, other than as an accessory to a principal use on the same site.
- ~~173.~~—~~86.~~ “Paved” means permanently surfaced with poured concrete, concrete pavers or masonry units, brick, or asphalt.
- ~~174.~~ “Pawn Shop” means the location at which or premises upon which a pawnbroker regularly conducts business. Pawnbroker is defined in Chapter 124 of this Code of Ordinances.
- ~~175.~~ “Personal Services” means establishments or places of business primarily engaged in the provision of services of a personal nature. Typical uses include beauty and barber shops; seamstress, tailor, or shoe repair shops; photography studios; or dry cleaning stations serving individuals and households, driving schools, health or physical fitness studios, reducing salons, dance studios, handicraft and hobby instruction.
- ~~176.~~ “Pet Services” means pet health services and grooming and boarding, when totally within a building, of dogs, cats, birds, fish, and similar small animals customarily used as household pets. Typical uses include pet stores, small animal clinics, dog bathing and clipping salons, and pet grooming shops, but exclude uses for livestock and large animals.
- ~~177.~~ “Perimeter landscaped area” means any required landscaped area that adjoins the exterior boundary of a lot, site, or common development.
- ~~178.~~ “Pedestrian style or scale” or “human scale” means the establishment of appropriate proportions for building mass and features in relation to pedestrians and the surrounding context.

- ~~79.~~179. “Pennant” means any piece of cloth or flexible material of any size, color, and design that is attached to a string or wire.
180. ~~—87.~~ “Permitted use” means a land use type allowed as a matter of right in a zoning district, subject only to special requirements of this Zoning Code.
- ~~80.~~181. “Place making” means distinct features, such as parks, plazas, or civic areas which connect residents with a community and promote positive user interaction.
- ~~81.~~182. ~~—88.~~ “Planning Commission” means the Planning and Zoning Commission of the City, as authorized pursuant to Chapter 414 of the Code of Iowa.
- ~~—89.~~ “Planned Unit Development” means a development of land which is under unified control and is planned and developed as a whole in a single development operation or programmed series of development stages. The development may include streets, circulation ways, utilities, buildings, open spaces, and other site features and improvements.
183. “Plaza” means a public square or an open space.
184. “Pole sign” means an on-premises sign, including any flag, built on a freestanding frame, mast, or poles with a clearance greater than 3 feet, and where the support encompasses less than % of the width of the sign.
185. ~~—90.~~ “Porch, unenclosed” means a roofed or unroofed open structure projecting from an exterior wall of a building and having no enclosed features more than 30 inches above its floor other than wire screening and a roof with supporting structure.
- ~~82.~~186. “Postal Facilities” means postal services, including post offices, bulk mail processing or sorting centers operated by the United States Postal Service.
187. ~~—91.~~ “Premises” means a lot, parcel, tract, or plot of land, contiguous and under common ownership or control, together with the buildings and structure thereon.
- ~~83.~~188. “Primary Educational Facilities” a public, private, or parochial school offering instruction at the elementary school level in the branches of learning study required to be taught in schools within the State of Iowa.
- ~~—92.~~ “Private garage” means a building for the storage of motor vehicles where no repair service facilities are maintained and where no motor vehicles are kept for rental or sale.
- ~~—93.~~ “Property line” — see “lot line.”
189. “Private Garage” means a building for the storage of motor vehicles where no repair service facilities are maintained and where no motor vehicles are kept for rental or sale.
190. “Property line” see “lot line.”
191. “Public Assembly” means facilities owned and operated by a public agency or a charitable nonprofit organization accommodating the public for recreation, sports, amusement, religious worship, religious education or entertainment purposes. Typical uses include civic or community auditoriums, sports stadiums, convention facilities, fairgrounds, incidental sales, and exhibition facilities.
192. “Railroad Facility” means railroad yards, equipment servicing facilities, and terminal facilities.
- ~~84.~~193. ~~—94.~~ “Recreational vehicle” means a vehicle towed or self-propelled on its own chassis or attached to the chassis of another vehicle and designed or used for temporary dwelling, recreational, or sporting purposes. Recreational vehicles include (but are not limited to) travel trailers; campers; motor coach homes; converted buses and trucks, snowmobiles, boats, and boat trailers.

~~85.194.~~ ~~95.~~ “Regulation” means a specific requirement set forth by this Zoning Code which must be followed.

~~195.~~ ~~96.~~ “Remote parking” means a supply of off-street parking at a location not on the site of a given development.

196. “Residential sign” means a small detached or attached sign located on a residential premises. Residential signs include window signs.

197. “Research Services” means establishments primarily engaged in research of an industrial or scientific nature. Typical uses include electronics research laboratories, space research and development firms, testing laboratories, or pharmaceutical research labs.

198. “Restaurant, Drive-In or Fast-Food” means an establishment whose principal business is cooking and preparation of food to sell for consumption within a motor vehicle parked on the premises or within the restaurant building, or any combination thereof, and whose principal method of operation includes the following characteristics as contrasted to a standard restaurant; designed to attract and depend upon a large volume of customers; limited, relatively low-cost menu items; quick-order service at a window or counter, from where the customer generally carries the food to another counter or table for consumption; and most food is served in or on paper, plastic or other disposable containers; and any other restaurant not defined as a standard restaurant.

199. “Restaurant, General” means an establishment whose principal business is cooking and preparation of food to sell for consumption within the restaurant building and whose principal method of operation is characterized by customers being seated by a restaurant employee and provided with an individual menu, and who are served by a restaurant employee at the same table or counter at which food and beverages are consumed; also including cafeteria line service offering a wide selection of main courses and other menu items, including restaurants with limited drive-thru service to customers in a motor vehicle. Delicatessens, establishments whose principal business is the sale of pizza or of ice cream, yogurt, coffee or milk products are specifically included in the definition.

200. “Restricted Businesses” means any business activity which offers the opportunity to view sexual activities or view or touch anatomical areas for entertainment purposes in a manner that offends contemporary standards in the community of Windsor Heights, depicts or describes sexual conduct in a patently offensive way, and lacks serious literary, artistic, political, or scientific value. This category includes the sale or viewing of visual or print materials that meet these criteria. Typical uses include retail services or stores which are distinguished by an emphasis on activities or materials that emphasize sexual content; businesses which offer live performances characterized by exposure of specified anatomical areas; and adult theaters.

201. “Retirement Residence” means a building or group of buildings which provide residential facilities for four or more residents of at least 50 years of age, or households headed by a householder of at least 50 years of age. A retirement residence may provide a range of residential building types and may also provide support services to residents, including (but not limited to) food service, general health supervision, medication services, housekeeping services, personal services, recreation facilities, and transportation services. The retirement residence may accommodate food preparation in independent units or meal service in one or more common areas. Retirement residences with more than 50 living units may include additional health care supervision or nursing care, provided that the number of beds for such residences shall not exceed 25% of the total

number of individual living units. Typical uses include continuing care retirement centers.

202. “Recycling Collection” means any site which is used in whole or part for the receiving or collection of any post-consumer, non-durable goods including (but not limited to) glass, plastic, paper, cardboard, aluminum, tin, or other recyclable commodities.

203. “Recycling Processing” means any site which is used for the processing of any post-consumer, non-durable goods including (but not limited to) glass, plastic, paper, cardboard, aluminum, tin, or other recyclable commodities.

86.204. “Resource Extraction” means a use involving on-site extraction of surface or subsurface mineral products or natural resources, excluding the grading and removal of dirt. Typical uses are quarries, borrow pits, sand and gravel operations, and mining.

205. —97. “Right-of-way” means an area dedicated for public use or contained in an easement or other conveyance or grant to the City, including (but not limited to) streets, alleys, boulevards, sidewalks, public greenways, and other public property between the lateral property lines in which a roadway lies.

206. “Roof line” means the top of the exterior wall on buildings without a pitched roof. On pitched roof buildings, means the ridgeline of the roof.

207. “Safety Services” means facilities for conduct of public safety and emergency services including police and fire protection services and emergency medical and ambulance services.

87.208. “Salvage Services” means places of business primarily engaged in the storage, sale, dismantling or other processing of used or waste materials which are not intended for reuse in their original forms. Typical uses include automotive wrecking yards, junk yards, or paper salvage yards.

209. —98. “Screening” means the method by which a view of one site from another adjacent site is shielded, concealed, or hidden. Screening techniques include fences, walls, hedges, berms, or other features as may be permitted by the landscape provisions of this Code.

88.210. “Secondary Educational Facilities” means a public, private, or parochial school offering instruction at the junior high or high school level in the branches of learning and study required to be taught in the schools of the State of Iowa.

211. —99. “Setback” means the distance, as required by the minimum setback, which establishes the horizontal component of the building envelope.

212. “Short Term Vacation Rental (STVR)” means a lodging service that provides overnight or short-term accommodations to guests and visitors. For the purpose of this definition STVR’s are always owned and operated by the resident owner of the structure and accommodate each guest or visitor for no more than 14 consecutive days during any one-month period. For the purpose of this definition, the lodging service must be approved by a national accommodation service such as Airbnb, VRBO or other similar service. To be used as an STVR, property owner shall reside at the residence a minimum of 180 calendar days per year.

213. “Shrub” means a small woody plant generally less than 12 feet in height that is either deciduous or evergreen.

214. —100. “Sign” means a symbolic, visual device fixed upon a building, vehicle, structure, or parcel of land, which is intended to convey information about a product, business, activity, place, person, institution, candidate, or political idea. Sign regulations are set forth in Chapter 175 of this Zoning Code. “Sign” any device, display, or structure that is visible from a public place and that has words, letters, figures, designs, symbols, logos, illumination, or projected images. This definition does not include architectural elements incorporated into the structure or façade of a building. For the purposes of this sign code, “signs” do not include those only visible from the inside of a building or athletic field/stadium; nor do “signs” include those held by or attached to a person. Sign regulations are set forth in Chapter 175 of this Zoning Code.

- A. “Sign, Abandoned” means a sign, including sign face and supporting structure, which refers to a discontinued business, profession, commodity, service, or other activity or use formerly occupying the site; or which contains no sign copy on all sign faces for a continuous period of six months.
- B. “Sign, Attached” means a sign which is structurally connected to a building or depends upon that building for support.
- C. “Sign, Auxiliary design elements” means terms which describe secondary characteristics of a sign, including its method of illumination and other features within the bounds of its basic shape.
- D. “Sign, Awning” mean a temporary or movable shelter supported entirely from the exterior wall of a building and composed of non-rigid materials, except for a supporting framework. An awning sign is a message printed on such a shelter.
- E. “Sign, Banner” means material with a printed message or graphic secured or mounted from a structure in such a way as to allow wind movement under which pedestrian or vehicle traffic passes, but does not include signs or materials under which peoples or traffic do not pass, such as that tied or secured within or to a window or porch opening, or tied or secured flush against a building.
- F. “Sign, Billboard” means a freestanding sign that is at least 14 feet by 30 feet.
- G. “Sign, Detached” means a sign which is self-supporting and structurally independent from any building.
- H. “Sign, Directional” means a sign which serves only to designate the location or direction of any area or place.
- I. “Sign, Double-faced” means a sign consisting of no more than two parallel faces supported by a single structure.
- J. “Sign, Ground” means a detached on-premises sign built on a freestanding frame, mast, or poles with a clearance no greater than 3 feet.
- K. “Sign, Marquee” means a permanent roofed structure attached to and supported by a building and extending over public right-of-way.
- L. “Sign, Maximum permitted area” means the maximum permitted combined area of all signs allowed on a specific property.
- M. “Sign, Menu Board” means a board that is a permanently mounted sign that is traditionally associated with drive-through establishments.
- N. “Sign, Monument” means an on-premises freestanding sign with the appearance of a solid base. The base shall be at least 75% of the sign.

- O. “Sign, Moving means a sign which conveys its message through rotating, changing, or animated elements.
 - P. “Sign, Nonconforming” means a sign that was legally erected prior to the adoption, revision, or amendment of this Zoning Code but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of this Zoning Code. No action can be taken which would increase the nonconforming characteristics of the sign.
 - Q. “Sign, Pole” means an on-premises sign, including any flag, built on a freestanding frame, mast, or poles with a clearance greater than 3 feet, and where the support encompasses less than % of the width of the sign.
 - R. “Sign, Portable” means any sign supported by frames or posts rigidly attached to bases not permanently attached to the ground or a building and capable of being moved from place to place.
 - S. “Sign, Roof” means any sign or part of sign erected upon, against, or directly above a roof or on top of or above the parapet or cornice of a building.
 - i. “Integral roof sign” means a roof sign positioned between an eave line and the peak or highest point on a roof, substantially parallel to the face of a building.
 - ii. “Above-peak roof sign” means a roof sign positioned above the peak of a roof or above a parapet or cornice.
 - T. “Sign, Sidewalk” means a portable sign that are placed on the sidewalk close to an establishment. These are traditionally in the shape of an “A” or an inverted “T.”
 - U. “Sign, Temporary” means a sign constructed of cloth, canvas, vinyl, paper, plywood, fabric, plastic, or other lightweight material that is neither permanently installed in the ground nor permanently affixed to a building or structure that is permanently installed in the ground, and which is intended to be displayed less than days. The term “temporary sign” includes, but is not limited to, A-frame signs, lawn signs, banners, and inflatable signs. The term “temporary sign” does not include flags, and signs that are intended to regularly move, such as a moving sign.
 - V. “Sign, Window” means a sign painted on or installed inside a window for the purpose of viewing from outside the premises. Window signs do not include messages, signs, or speech hung from or exercised in the interior of the home which are visible from the exterior of the homes. Residents may elect for window signs to count towards residential signs or temporary signs.
215. “Sign area” means the area of the surface of sign to be measured.
- A. “Signs on a background” require the entire area of the framework or background of the sign.
 - B. “Sign with a base” require the background no including the base.
 - C. “Individually mounted letters or features” requires a rectangle that would encompass each word or feature.
 - D. “Signs with two faces” requires the larger of two faces to be measured.
 - E. “3-D signs” requires 50% of a rectangular prism that encompasses the object.

216. “Single-Family Residential” means the use of a site for one dwelling unit, occupied by one family. (NOTE: Mobile home units are not a single-family use type. See following categories for such units).
- A. “Single-Family Residential, Detached” means a single-family residential use in which one dwelling unit is located on a single lot, with no physical or structural connection to any other dwelling unit.
- A.B. “Single-Family Residential, Attached” means a single-family residential use in which one dwelling unit is located on a single lot and is attached by a common vertical wall to other adjacent dwelling unit on another single lot.
- ~~89.217.~~ ~~101.~~ “Site” means the parcel of land to be developed or built upon. A site may encompass a single lot or a group of lots developed as a common development under the special and overlay districts provisions of this Zoning Code.
218. ~~102.~~ “Site plan” means a plan, prepared to scale, showing accurately and with complete dimensioning the boundaries of a site and the location of all buildings, structures, uses, and principal site development features proposed for a specific parcel of land and which includes any other information that may reasonably be requested by the City in order that an informed decision can be made on the associated request.
219. “Smart Growth” means an approach to growth that focuses on developing urban (metropolitan) communities that are more hospitable, productive, and fiscally and environmentally responsible than most communities developed in the last century. The principles of smart growth are based on compact and multiuse development, infill and redevelopment, expansion of infrastructure, enhanced livability, expanded mobility, and conservation of open space. While some parties focus on one aspect of development over another, smart growth seeks to identify a common ground where developers, environmentalists, public officials, citizens, and others can call find ways to accommodate growth.
220. “Snout house” means a house designed with the garage closest to the street, which presents the garage as the dominant façade.
221. “Stables and/or Riding Academies” means the buildings, pens, and pasture areas used for the boarding and feeding of horses, llamas, or other equine not owned by the occupants of the premises. This use includes instruction in riding, jumping, and showing or the riding of horses/equine for hire.
- ~~90.222.~~ “Surplus Sales” means businesses engaged in the sale of used or new items, involving regular, periodic outdoor display of merchandise for sale. Typical uses include flea markets and factory outlets or discount businesses with outdoor display.
- ~~91.223.~~ ~~103.~~ “Story” means the portion of a building included between the surface of any floor and the surface of the next floor above it or, if there is no floor above it, the space between such floor and the next ceiling above it. A half story is a story under a sloped roof, the wall heights of which on at least two opposite exterior walls are less than four feet.
- ~~92.224.~~ ~~104.~~ “Street” means a right-of-way dedicated to public use, which affords a primary means of access to the abutting property. This definition is intended to be inclusive of the term as defined in Iowa statutes.
- A. ~~A.~~ In regard to a site, the principal street shall be the street to which the majority of lots on a blockface are oriented;

- B. ~~—B.~~ The intersecting street shall be a street other than a principal street.
- ~~93.225.~~ ~~—105.~~ “Street, local” means a street which is used primarily for access to the abutting properties.
- ~~226.~~ ~~—106.~~ “Street, major” means a street carrying traffic between neighborhoods, connecting neighborhoods with major activity centers, or accommodating major through traffic. Major streets are designated as collectors, arterials, or expressways by the Comprehensive Plan.
- ~~227.~~ “Street façade” means any separate external face of a building, including parapet walls and omitted wall lines, oriented to and facing a public street, private way, or court. Separate faces oriented in the same direction or within 45 degrees of one another are considered part of the same street façade.
- ~~228.~~ “Streetscape” means a combination of vegetation, amenities such as bike racks, and special visual features along either side of vehicular travel lanes for the purpose of aesthetics or shade.
- ~~94.229.~~ “Streetscape furniture” means amenities, such as benches, lighting, and trash receptacles, which help to carry out the development’s chosen theme.
- ~~230.~~ ~~—107.~~ “Structure” means any object constructed or built, the use of which requires location on the ground or attachment to something located on the ground.
- ~~231.~~ “Structural Offsets” means an architectural feature designed to break up monotonous building materials and provides enhanced aesthetics.
- ~~232.~~ “Travel way” means a pedestrian or automotive path.
- ~~233.~~ “Trade Services” means establishments or places of business primarily engaged in the provision of services that are not retail or primarily dedicated to walk-in clientele. These services often involve services to construction or building trades and may involve a small amount of screened, outdoor storage in appropriate zoning districts. Typical uses include shops or operating bases for plumbers, electricians, or HVAC (heating, ventilating, and air conditioning) contractors.
- ~~95.234.~~ “Turf Grass” means a surface layer of earth containing mowed grass with its roots.
- ~~96.235.~~ ~~—108.~~ “Townhouse” means a dwelling unit having a common wall with or abutting one or more adjacent dwelling units in a townhouse structure, with its own front and rear access to the outside, and neither above nor below any other dwelling unit. Is considered a single family home.
- ~~236.~~ ~~—109.~~ “Townhouse structure” means a building formed by at least two and not more than twelve contiguous townhouses with common or abutting walls.
- ~~237.~~ “Travel way” means a pedestrian or automotive path.
- ~~238.~~ “Transportation Terminal” means facility for loading, unloading, and interchange of passengers, baggage, and incidental freight or package express, including bus terminals, railroad stations, and public transit facilities.
- ~~239.~~ “Truck Terminal” means a facility for the receipt, transfer, short term storage, and dispatching of goods transported by truck.
- ~~97.240.~~ “Two-Family Residential” means the use of a site for two dwelling units, each occupied by one family in either a single or multiple buildings.
- ~~98.241.~~ ~~—110.~~ “Use” means the conduct of an activity or the performance of a function or operation on a site or in a building or facility.

242. ~~—111.~~ “Utilities” means any above-ground structure or facilities other than lines, poles, and other incidental facilities or installations, either above or below ground, necessary for the production, generation, transmission, delivery, collection, treatment, or storage of water, solid or fluid wastes, storm water, energy media, gas, electronic or electromagnetic signals, or other services which are precedent to development and use of land.

243. “Vehicle use area” means the area of a development subject to vehicle traffic, including access ways, loading and service areas, areas used for parking or storage of vehicles, boats, or portable construction equipment and all land which vehicles cross over as a function of the primary use.

244. “Vehicle Storage” means short-term storage of operating or non-operating vehicles for a period of no more than 21 days. Typical uses include storage of private parking tow-aways or impound yards but exclude dismantling or salvage. Long-term storage beyond 21 days constitutes an industrial use type.

A. Vehicle Storage (Long-Term). Long-term storage of operating or non-operating vehicles for a period exceeding 21 days. Typical uses include storage of private parking tow-aways or impound yards but exclude dismantling or salvage.

245. “Veterinary Services” means veterinary services and hospitals for animals. Typical uses include pet clinics, dog and cat hospitals, pet cemeteries, and veterinary hospitals for livestock and large animals.

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246. “Vision Clearance Triangle” means a triangle with legs of feet from the point at which the curbs or edges of two intersecting streets, private ways, or courts or an intersecting street, private way, or court and driveway, meet.

247. “Wall sign” means a sign attached to and parallel with the side of a building, including works of graphic art painted or applied to building walls.

248. “Warehousing” means uses including open-air storage, distribution, and handling of goods and materials, but not including storage of hazardous materials. Typical uses include monument yards or open storage.

249. “Wind Enemy Conservation System (WECS)” means any device which converts wind energy to a form of usable energy, including wind charges, windmills, or wind turbines.

~~100.~~250.—~~112.~~ “Yard, required” means that portion of a lot which lies between a lot line and the corresponding building setback line or the required landscape area. This area shall be unoccupied and unobstructed from the ground upward except as may be specifically provided for or required by this Zoning Code.

A. ~~—A.~~ “Front yard” means the space extending the full width of a lot, lying between the front lot line and the front setback line. For a corner lot, the front yard shall normally be defined as that yard along a street which meets one of the following two criteria:

B. ~~—(1)~~ The yard along the blockface to which a greater number of structures are oriented; or

C. ~~—(2)~~ The yard along a street that has the smaller horizontal dimension.

D. ~~—B.~~ “Rear yard” means the space extending the full width of a lot, lying between the rear lot line and the rear setback line.

E. ~~—C.~~ “Side yard” means the space extending the depth of a lot from the front to rear lot lines, lying between the side yard setback line and the interior lot line.

F. ~~—D.—~~ “Street side yard” means, on a corner lot, the space extending from the front yard to the rear yard, between the street side yard setback line and the street side lot line.

~~101.251.—113.~~ “Zoned lot” means a parcel of land in single ownership that is large enough to meet the minimum zoning requirements of its zoning district and can provide such yards and other open spaces that are required by the site development regulations.

~~252.—114.~~ “Zoning district” means a designated specified land classification, within which all sites are subject to a unified group of use and site development regulations set forth in this Zoning Code.

~~—1. “Administrative Official” means the Windsor Heights Administrative Official or appropriate designee.~~

~~—2. “Big box retail” means a structure exceeding 50,000 square feet.~~

~~—3. “Buffer” means a combination of horizontal space (land) and vertical elements (plants, berm, fences, and walls), used to physically separate or visually screen incompatible adjacent land uses.~~

~~—4. “Community use” means administrative and legislative government offices, schools, postal facilities (such as libraries and museums), meeting halls, clubhouses, amphitheaters, band shells, and pavilions.~~

~~—5. “Development Committee” means a committee made up of two Council Members, the Mayor, Planning and Zoning Commission liaison, Administrative Officials, two citizens and a business owner.~~

~~—6. “Dormer” means a projecting framed structure set vertically on the rafters of a pitched roof, with its own roof (pitched or flat), sides, and a window set vertically in the front.~~

~~—7. “Drive Thru” means an establishment that provides or dispenses products or services, through an attendant or an automated machine, to persons remaining in their vehicle that are designated drive-thru stacking lanes. A drive-thru facility may be in combination with other uses, such as financial institutions, restaurants, pharmacies, and service providers such as dry cleaners.~~

~~—8. “Façade” means the exterior face of a building which is the architectural front, sometimes distinguished from the other faces by elaboration of architectural or ornamental details.~~

~~—9. “Landscape amenities” means living or non-living materials used to augment the beauty of usability of a landscaped area. Amenities may include (but are not limited to) additional vegetation, flower gardens, tables, sculptures, monuments, benches, gardens, banners, enhanced pavement, pedestrian plaza areas, fountains, and planters.~~

~~—10. “Landscape islands” means a raised unpaved area located within or protruding into a parking lot or the center, unpaved area of a cul-de-sac or traffic circle. The area of a landscape island is measured from the back of the inside curb to the back of inside curb.~~

~~—11. “Landscape pod” means a small individual unpaved area within a parking lot incorporated to provide locations for vegetation, thus increasing the aesthetic quality of the parking lot.~~

~~—12. “Large retail strip establishments” means a structure (or structures when combined) which exceeds 50,000 square feet and is a largely nonresidential development, which is shallow in depth and lies along a length of roadway. Buildings organized in a linear pattern or in isolated “islands” characterize a large retail establishment.~~

~~—13. “Live-work unit” means a unit which offers both a studio work environment and a living environment. The work environment shall be primarily involved in the artistic crafts, offices, or~~

service uses with minimum impacts on surrounding neighborhood, such as self-employed consultants, researchers, or artists.

—14. “Main entrance” means that entrance of the building which is most architecturally prominent and contains operable doors.

—15. “Mixed use” means a single building containing two or more types of land use; or a single development of more than one building and use, where the different types of land uses are in close proximity, planned as a unified complementary whole, and functionally integrated to the use of shared vehicular and pedestrian access and parking areas.

—16. “Open space” means any area within a single site or lot that is not covered by a building, structure, parking lot, or driveway. Sidewalks and patios may be counted as open space. Open space is an area which serves the need for leisure, recreation, or pedestrian interaction. Spaces may include (but are not limited to) plaza areas, open lawn areas, trails, recreation facilities, gardens, and pedestrian walkways.

—17. “Opacity degree” means an imaginary vertical plane extending from the established grade to a required height, which will be visually obscured to differing levels of opaqueness through the position of obstructions between the viewing point and the viewed object.

—18. “Parapet” means a low, solid, protective screening or decorative wall, often used around a balcony, or along the edge of a roof to screen roof equipment.

—19. “Pedestrian style or scale” or “human scale” means the establishment of appropriate proportions for building mass and features in relation to pedestrians and the surrounding context.

—20. “Place making” means distinct features, such as parks, plazas, or civic areas which connect residents with a community and promote positive user interaction.

—21. “Planned Unit Development” means a planned combination of diverse land uses, such as housing, recreation, and shopping, in one contained development or subdivision.

—22. “Plaza” means a public square or an open space.

“Selvage” means the edge finish on woven chain link fabric joining pairs of pickets. The selvage may be knuckled or twisted (barbed).

—23. “Smart Growth” means an approach to growth that focuses on developing urban (metropolitan) communities that are more hospitable, productive, and fiscally and environmentally responsible than most communities developed in the last century. The principles of smart growth are based on compact and multiuse development, infill and redevelopment, expansion of infrastructure, enhanced livability, expanded mobility, and conservation of open space. While some parties focus on one aspect of development over another, smart growth seeks to identify a common ground where developers, environmentalists, public officials, citizens, and others can call find ways to accommodate growth.

—24. “Snout house” means a house designed with the garage closest to the street, which presents the garage as the dominant façade.

—25. “Streetscape” means a combination of vegetation, amenities such as bike racks, and special visual features along either side of vehicular travel lanes for the purpose of aesthetics or shade.

—26. “Streetscape furniture” means amenities, such as benches, lighting, and trash receptacles, which help to carry out the development’s chosen theme.

—27. “Structural Offsets” means an architectural feature designed to break up monotonous building materials and provides enhanced aesthetics.

—28. “Travel way” means a pedestrian or automotive path.

29. “Vehicle use area” means the area of a development subject to vehicle traffic, including access ways, loading and service areas, areas used for parking or storage of vehicles, boats, or portable construction equipment and all land which vehicles cross over as a function of the primary use.

(Ch. 166 – Ord. 17-12 – Dec. 17 Supp.)

DRAFT

CHAPTER 167 ZONING CODE—USE TYPES

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167.01 Purpose	167.07 Commercial Use Types
167.02 Determinations	167.08 Parking Use Types
167.03 Agricultural Use Types	167.09 Industrial Use Types
167.04 Residential Use Types	167.10 Transportation Use Types
167.05 Civic Use Types	167.11 Miscellaneous Type Uses
167.06 Office Use Types	

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167.01 PURPOSE.

~~—The purpose of this chapter is to establish a classification system for land uses and a consistent set of terms defining uses permitted or conditionally permitted within various zoning districts. This chapter also provides a procedure for determining the applicable use type of any activity not clearly within any defined use type.~~

167.02 DETERMINATIONS.

~~—1. Classification of Uses. In the event of any question as to the appropriate use types of any existing or proposed use or activity, the Zoning Administrator of the City shall have the authority to determine the appropriate use type. A determination of the Zoning Administrator may be appealed to the Board of Adjustment. In making such determinations, the Zoning Administrator and Board of Adjustment shall consider such characteristics or specific requirements of the use in common with those included as examples of use types. Those examples, when included in use type descriptions, are intended to be illustrative, as opposed to exclusive lists.~~

~~—2. Records. The Zoning Administrator shall make all such determinations of appropriate use types in writing. The record of the determination shall contain a report explaining the reasons for the determination.~~

167.03 AGRICULTURAL USE TYPES.

~~—Agricultural use types include the on-site production and sale of plant and animal products by agricultural methods.~~

~~—1. Horticulture. The growing of horticultural and floricultural specialties, such as flowers, shrubs, or trees intended for ornamental or landscaping purposes. This definition may include accessory retail sales under certain conditions. Typical uses include wholesale plant nurseries and greenhouses.~~

~~—2. Crop Production. The raising and harvesting of tree crops, row crops, or field crops on an agricultural or commercial basis. This definition may include accessory retail sales under certain conditions.~~

~~—3. Animal Production. The raising of animals or production of animal products, such as eggs or dairy products on an agricultural or commercial basis on a site which is also used for crop production or where grazing of natural vegetation is the major feed source; or the raising of animals for recreational use. Typical uses include grazing, ranching, dairy farming, and poultry farming.~~

~~167.04 RESIDENTIAL USE TYPES.~~

~~—Residential use types include uses providing wholly or primarily non-transient living accommodations. They exclude institutional living arrangements providing 24-hour skilled nursing or medical care, forced residence, or therapeutic settings.~~

~~—1. Single-Family Residential. The use of a site for one dwelling unit, occupied by one family. (NOTE: Mobile home units are not a single-family use type. See following categories for such units).~~

~~—A. “Detached single-family residential” means a single-family residential use in which one dwelling unit is located on a single lot, with no physical or structural connection to any other dwelling unit.~~

~~—B. “Attached single-family residential” means a single-family residential use in which one dwelling unit is located on a single lot and is attached by a common vertical wall to only one other adjacent dwelling unit on another single lot.~~

~~—2. Duplex Residential. The use of a legally described lot for two dwelling units, each occupied by one family within a single building, excluding mobile home units, but including modular housing units.~~

~~—3. Two-Family Residential. The use of a site for two dwelling units, each occupied by one family, each in a separate building, excluding a mobile home unit.~~

~~—4. Townhouse Residential. The use of a site for three or more attached dwelling units, each occupied by one family and separated by vertical side walls extending from foundation through roof without openings. Each townhouse unit must have at least two exposed exterior walls.~~

~~—5. Multiple-Family Residential. The use of a site for three or more dwelling units within one building.~~

~~—6. Downtown Residential. The use of upper levels above street level of a building within the Town Center District of the City for single or multiple family residential uses.~~

~~—7. Group Residential. The use of a site for a residence by four or more unrelated persons or distinct individuals, not defined as a family, on a weekly or longer basis.~~

~~—8. Manufactured Home Residential. The use of a site for one or more manufactured home dwellings, as defined in Chapter 166.~~

~~—9. Mobile Home Park. The use of a site under single ownership for one or more mobile home units. Generally, the land on which mobile homes are placed in a mobile home park is leased from the owner of the facility.~~

Modular housing unit.

~~—10. Retirement Residence. A building or group of buildings which provide residential facilities for four or more residents of at least 50 years of age, or households headed by a householder of at least 50 years of age. A retirement residence may provide a range of residential building types and may also provide support services to residents, including (but not limited to) food service, general health supervision, medication services, housekeeping services, personal services, recreation facilities, and transportation services. The retirement residence may accommodate food preparation in independent units or meal service in one or more common areas. Retirement residences with more than 50 living units may include additional health care supervision or nursing care, provided that the number of beds for such residences shall not exceed 25% of the total number of individual living units. Typical uses include continuing care retirement centers.~~

167.05 CIVIC USE TYPES.

~~—Civic use types include the performance of utility, educational, recreational, cultural, medical, protective, governmental, and other uses which are strongly vested with social importance.~~

~~—1. Administration. Governmental offices providing administrative, clerical, or public contact services that deal directly with the citizen, together with incidental storage and maintenance of necessary vehicles. Typical uses include federal, State, County, and City offices.~~

~~—2. Cemetery. Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbaria, crematoria, mausoleums, and mortuaries when operated in conjunction with and within the boundary of such cemetery.~~

~~—3. Clubs. Uses providing meeting, recreational, or social facilities for a private, nonprofit, or non-commercial association, primarily for use by members and guests.~~

~~—4. College and University Facilities. An educational institution of higher learning which offers courses of study designed to culminate in the issuance of a degree certified by a generally recognized accrediting organization.~~

~~—5. Convalescent Services. Uses providing bed care and in-patient services for persons requiring regular medical attention but excluding a facility providing surgical or emergency medical services and excluding a facility providing care for alcoholism, drug addiction, mental illness, or communicable disease. Typical uses include nursing homes.~~

~~—6. Cultural Services. A library, museum, or similar registered nonprofit organizational use displaying, preserving and exhibiting objects of community and cultural interest in one or more of the arts and sciences.~~

~~—7. Day Care Services (Limited). This use type includes all classifications of day care facilities regulated by the State of Iowa that operate providing care for not more than six children. This term includes nursery schools, preschools, day care centers for children or adults, and similar uses but excludes public and private primary and secondary educational facilities.~~

~~—8. Day Care Services (General). This use type includes all classifications of day care facilities regulated by the State of Iowa that operate providing care for more than six children. This term includes nursery schools, preschools, day care centers for children or adults, and similar uses but excludes public and private primary and secondary educational facilities.~~

~~—9. Detention Facilities. A publicly operated or contracted use providing housing and care for individuals legally confined, designed to isolate those individuals from the community.~~

~~—10. Emergency Residential Services. A facility or use of a building to provide a protective sanctuary for victims of crime or abuse, including emergency housing during crisis intervention for victims of rape, abuse, or physical beatings. Such facilities being limited to no more than three victims at any one time.~~

~~—11. Family Home. A facility as defined in of the Code of Iowa, and including, but not limited to, Elder Family Homes and Elder Group Homes.~~

~~—A. Elder Family Home: A facility as defined in Section 231A of the Code of Iowa.~~

~~—B. Elder Group Home: A facility as defined in Section 231B of the Code of Iowa.~~

~~—12. Group Care Facility. A government-licensed or approved facility which provides for resident care and short or long-term, continuous multi-day occupancy of more than 8 but no more than 30 unrelated persons, not including resident staff. Group Care Facilities include facilities which provide services in accordance with individual needs for the:~~

~~—A. Adaptation to living with, or rehabilitation from, the handicaps of physical disability.~~

~~—B. Adaptation to living with, or rehabilitation from, the handicaps of emotional or mental disorder or developmental disabilities.~~

~~—C. Rehabilitation from the effects of drug or alcohol abuse.~~

~~—D. Supervision while under a program alternative to imprisonment, including (but not limited to) pre-release, work-release, and probationary programs.~~

~~—E. Others who require direct adult supervision.~~

~~—13. Group Home. A facility licensed by the State of Iowa in which at least three but no more than eight persons (not including resident managers or house parents), who are unrelated by blood, marriage, or adoption, reside while receiving therapy, training, living assistance, or counseling for the purpose of adaptation to living with or rehabilitation from a physical or mental disability as defined by the relevant provisions of the Code of Iowa or by the Fair Housing Amendments Act of 1988.~~

~~—14. Guidance Services. A use providing counseling, direction guidance, recuperative, or similar services to persons requiring rehabilitation assistance as a result of mental illness, alcoholism, detention, drug addiction, or similar condition on a daytime care basis.~~

~~—15. Health Care. A facility providing medical, psychiatric, or surgical service for sick or injured persons exclusively on an outpatient basis including emergency treatment, diagnostic services, training, administration, and services to outpatients, employees, or visitors.~~

~~—16. Hospital. A facility providing medical, psychiatric, or surgical service for sick or injured persons primarily on an inpatient basis, including emergency treatment, diagnostic services, training, administration, and services to patients, employees, or visitors.~~

- ~~—17. Maintenance Facilities. A public facility supporting maintenance, repair, vehicular or equipment servicing, material storage, and similar activities including street or sewer yards, equipment service centers, and similar uses having characteristics of commercial services or contracting or industrial activities.~~
- ~~—18. Park and Recreation Services. Publicly owned and operated parks, playgrounds, recreation facilities, and open spaces.~~
- ~~—19. Postal Facilities. Postal services, including post offices, bulk mail processing or sorting centers operated by the United States Postal Service.~~
- ~~—20. Primary Educational Facilities. A public, private, or parochial school offering instruction at the elementary school level in the branches of learning study required to be taught in schools within the State of Iowa.~~
- ~~—21. Public Assembly. Facilities owned and operated by a public agency or a charitable nonprofit organization accommodating major the public assembly for recreation, sports, amusement, or entertainment purposes. Typical uses include civic or community auditoriums, sports stadiums, convention facilities, fairgrounds, incidental sales, and exhibition facilities.~~
- ~~—22. Religious Assembly. A use located in a permanent building and providing regular organized religious worship and religious education incidental thereto (excluding private primary or private secondary educational facilities, community recreational facilities, day-care facilities, and incidental parking facilities). A property tax exemption obtained pursuant to Property Tax Code of the State of Iowa shall constitute prima facie evidence of religious assembly use.~~
- ~~—23. Safety Services. Facilities for conduct of public safety and emergency services including police and fire protection services and emergency medical and ambulance services.~~
- ~~—24. Secondary Educational Facilities. A public, private, or parochial school offering instruction at the junior high or high school level in the branches of learning and study required to be taught in the schools of the State of Iowa.~~
- ~~—25. Utilities. Any above-ground structures or facilities, other than lines, poles, and other incidental facilities, used for the production, generation, transmission, delivery, collection, or storage of water, sewage, electricity, delivery, collection, or storage of water, sewage, electricity, gas, oil, energy media, communications, electronic or electromagnetic signals, or other services which are precedent to development and/or use of land.~~

~~167.06 OFFICE USE TYPES.~~

- ~~—Office use types include uses providing for administration, professional services, and allied activities. These uses often invite public clientele but are more limited in external effects than commercial uses.~~
- ~~—1. General Offices. Use of a site for business, professional, or administrative offices. Typical uses include real estate, insurance, management, travel, or other business offices; organization and association offices; banks or financial offices; or professional offices.~~

~~—2. Financial Services. Provision of financial and banking services to consumers or clients. Walk-in and drive-in services to consumers are provided on site. Typical uses include banks, savings and loan associations, savings banks, and loan companies. An ATM (automatic teller machine) which is not accompanied on-site by an office of its primary financial institution is considered a general retail services use type.~~

~~—3. Medical Offices. Use of a site for facilities which provide diagnoses and outpatient care on a routine basis, but which do not provide prolonged, in-house medical or surgical care. Medical offices are operated by doctors, dentists, or similar practitioners licensed for practice in the State of Iowa.~~

~~—4. Delayed Deposit Services Business. A person or individual, group of individuals, partnership, association, corporation, or any other business unit or legal entity who for a fee~~

~~a~~A ~~accepts a check, draft, share draft, or other instrument for the payment of money dated subsequent to the date it was written~~

~~or A~~A ~~accepts a check, draft, share draft, or other instrument for the payment of money dated on the date it was written and holds it for a period of time prior to deposit or presentment pursuant to an agreement with, or any representation made to, the maker of the check, draft, or other instrument whether express or implied.~~

~~167.07 COMMERCIAL USE TYPES.~~

~~—Commercial uses include the sale, rental, service, and distribution of goods; and the provision of services other than those classified under other use types.~~

~~—1. Agricultural Sales and Service. Establishments or places of business engaged in sale from the premises of feed, grain, fertilizers, farm equipment, pesticides, and similar goods or in the provision of agriculture-related services with incidental storage on lots other than where the service is rendered. Typical uses include nurseries, hay, farm implement dealerships, feed and grain stores, and tree service firms.~~

~~—2. Automotive and Equipment Services. Establishments or places of business primarily engaged in sale and/or service of automobiles, trucks, or heavy equipment. The following are considered automotive and equipment use types:~~

~~—A. Automotive Rental and Sales: Sale or rental of automobiles, noncommercial trucks, motorcycles, motor homes, recreational vehicles or boats, including incidental storage, maintenance, and servicing. Typical uses include new and used car dealerships; motorcycle dealerships; and boat, trailer, and recreational vehicle dealerships.~~

~~—B. Auto Services: Provision of fuel, lubricants, parts and accessories, and incidental services to motor vehicles; and washing and cleaning and/or repair of automobiles, non-commercial trucks, motorcycles, motor homes, recreational vehicles, or boats, including the sale, installation, and servicing of equipment and parts. Typical uses include service stations, car washes, muffler shops, auto repair garages, tire sales and installation, wheel and brake shops, and similar repair and service activities but exclude dismantling, salvage, or body and fender repair services.~~

~~—C. Body Repair Services: Repair, painting, or refinishing of the body, fender, or frame of automobiles, trucks, motorcycles, motor homes, recreational vehicles, boats, tractors, construction equipment, agricultural implements, and similar vehicles or equipment. Typical uses include body and fender shops, painting shops, and other similar repair or refinishing garages.~~

~~—D. Equipment Rental and Sales: Sale or rental of trucks, tractors, construction equipment, agricultural implements, mobile homes, and similar heavy equipment, including incidental storage, maintenance, and servicing. Typical uses include truck dealerships, construction equipment dealerships, and mobile home sales establishments.~~

~~—E. Equipment Repair Services: Repair of trucks, tractors, construction equipment, agricultural implements, and similar heavy equipment. Typical uses include truck repair garages, tractor and farm implement repair services, and machine shops, but exclude dismantling, salvage, or body and fender repair services.~~

~~—F. Vehicle Storage: Storage of operating or non-operating vehicles for a period of no more than 21 days. Typical uses include storage of private parking tow-aways or impound yards but exclude dismantling or salvage.~~
~~Long-term storage of operating or non-operating vehicles beyond 21 days constitutes an industrial use type.~~

~~—3. Bed and Breakfast. A lodging service that provides overnight or short-term accommodations to guests or visitors, usually including provision of breakfast. Bed and breakfasts are usually located in large residential structures that have been adapted for this use. For the purpose of this definition, bed and breakfasts are always owned and operated by the resident owner of the structure, include no more than ten units, and accommodate each guest or visitor for no more than seven consecutive days during any one-month period.~~

~~—4. Business Support Services. Establishments or places of business primarily engaged in the sale, rental, or repair of equipment, supplies, and materials or the provision of services used by office, professional, and service establishments to the firms themselves but excluding automotive, construction, and farm equipment; or engaged in the provision of maintenance or custodial services to businesses. Typical uses include office equipment and supply firms, small business machine repair shops or hotel equipment and supply firms, janitorial services, photography studios, and convenience printing and copying.~~

~~—5. Business or Trade Schools. A use providing education or training in business, commerce, language, or other similar activity or occupational pursuit, and not otherwise defined as a home occupation, college or university, or public or private educational facility.~~

~~—6. Campground. Facilities providing camping or parking areas and incidental services for travelers in recreational vehicles or tents, which accommodate each guest or visitor for no more than seven consecutive days during any one-month period.~~

~~—7. Cocktail Lounge. A use engaged in the preparation and retail sale of alcoholic beverages for consumption on the premises, including taverns, bars, cocktail lounges, and similar uses other than a restaurant as that term is defined in this section.~~

~~—8. Commercial Recreation. Private businesses or other organizations, which may or may not be commercial by structure or by nature, which are primarily engaged in the provision or sponsorship of sports, entertainment, or recreation for participants or spectators. Typical uses include driving ranges, theaters, private dance halls, or private skating facilities. Commercial recreation is divided into the following categories:~~

~~—A. Commercial Recreation (Limited): Facilities which include a structure of 10,000 square feet or less and/or a site covering an area of no more than one-half acre.~~

~~—B. Commercial Recreation (General): Facilities which include a structure of more than 10,000 square feet and/or a site covering an area of more than one-half acre.~~

~~—9. Communications Services. Establishments primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic and telephonic mechanisms but not including those classified as Utilities. Typical uses include television studios, telecommunication service centers, telegraph service offices, or film and sound recording facilities. Broadcast towers and their minor ancillary ground structures are classified as miscellaneous use types.~~

~~—10. Construction Sales and Services. Establishments or places of business primarily engaged in wholesale or retail sales, from the premises, of materials used in the construction of buildings or other structures, other than retail sale of paint, fixtures, and hardware. This use type excludes those uses classified under automotive and equipment services. Typical uses include building materials sales or tool and equipment rental or sales.~~

~~—11. Consumer Services. Establishments which provide services primarily to individuals and households, but excluding automotive use types. Typical uses include automated banking machines, appliance repair shops, watch or jewelry repair shops, or musical instrument repair shops.~~

~~—12. Convenience Storage. Storage services primarily for personal effects and household goods within enclosed storage areas having individual access but excluding use of such areas as workshops, hobby shops, manufacturing, or commercial activity. Typical uses include mini-warehousing.~~

~~—13. Firework Sales. Establishments selling consumer first class fireworks and consumer second class fireworks. A firework Seller License issued by the State Fire Marshal is required. Firework establishments must comply with all standards of the National Fire Protection Act 1124.~~

~~—14. Food Sales. Establishments or places of business primarily engaged in the retail sale of food or household products for home consumption. Typical uses include groceries, delicatessens, meat markets, retail bakeries, and candy shops.~~

~~—A. Convenience Food Sales: Establishments occupying facilities of less than 10,000 square feet; and characterized by sales of specialty foods or a limited variety of general items, and by the sales of fuel for motor vehicles.~~

~~—B. Limited Food Sales: Establishments occupying facilities of less than 10,000 square feet; and characterized by sales of specialty foods or a limited variety of general items, but excluding the accessory sale of fuel for motor vehicles. Typical uses include delicatessens, meat markets, retail bakeries, candy shops, and small grocery stores.~~

~~—C. General Food Sales: Establishments selling a wide variety of food commodities, using facilities larger than 10,000 square feet. Typical uses include supermarkets.~~

~~—15. Funeral Services. Establishments engaged in undertaking services such as preparing the human dead for burial and arranging and managing funerals. Typical uses include funeral homes or mortuaries.~~

~~—16. Gaming Facilities. Establishments engaged in the lawful, on-site operation of games of chance that involve the risk of money for financial gain by patrons. Gaming facilities shall include the accessory sale of liquor and food, pursuant to licensing regulations of the City or the State.~~

~~—17. General Retail Services (Small and Large Scale). Sale or rental with incidental service of commonly used goods and merchandise for personal or household use but excludes those classified more specifically by these use type classifications. Typical uses include department stores, apparel stores, furniture stores, or establishments providing the following products or services: household cleaning and maintenance products; drugs, cards, stationery, notions, books, tobacco products, cosmetics, and specialty items; flowers, plants, hobby materials, toys, and handcrafted items; apparel jewelry, fabrics and like items; cameras, photographic services, household electronic equipment, records, sporting equipment, kitchen utensils, home furnishing and appliances, art supplies and framing, arts and antiques, paint and wallpaper, hardware, carpeting and floor covering; interior decorating services; retail sales of pets; office supplies; mail order or catalog sales; bicycles; and automotive parts and accessories (excluding service and installation).~~

~~—A. General retail services (small scale) include facilities with no more than 10,000 square feet in a single establishment or 30,000 square feet within a multiple-tenant common development.~~

~~—B. General retail services (large scale) include facilities of 10,000 or more square feet in a single establishment or 30,000 square feet within a multiple-tenant common development.~~

~~—18. Kennels. Boarding and care services for dogs, cats, and similar small mammals or large birds; or any premises on which three or more animals included under this definition over four months of age are kept and maintained. Typical uses include boarding kennels, ostrich-raising facilities, pet motels, or dog-training centers.~~

~~—19. Laundry Services. Establishments primarily engaged in the provision of laundering, cleaning, or dyeing services other than those classified as personal services. Typical uses include bulk laundry and cleaning plans, diaper services, or linen supply services.~~

~~—20. Liquor Sales. Establishments or places of business engaged in retail sale for off-premises consumption of alcoholic beverages. Typical uses include liquor stores, bottle shops, or any licensed sales of liquor, beer, or wine for off-site consumption.~~

~~—21. Lodging. Lodging services involving the provision of room and/or board, but not meeting the classification criteria of bed and breakfasts. Typical uses include the following definitions:~~

~~—A. “Extended stay hotel or motel” means any structure consisting of one or more buildings, with more than five specific dwelling units with provisions for living, eating, contain kitchen facilities for food preparation including, but not limited to, refrigerators, stoves and ovens, sanitation, separate bathroom and kitchen sink, and sleeping in each unit, that is specifically constructed, kept, used, maintained, advertised, and held out to the public to be a place where temporary residence is offered for pay to persons, for a minimum stay of more than thirty days and a maximum stay of ten months within the dwelling units at the structure, that is approved pursuant to a valid certificate of occupancy issued by the building official having jurisdiction as having all of the required dwelling unit features, and for which such valid certificate of occupancy indicates the specific rooms within the structure that can be used as dwelling units, and that is approved by the Fire Marshal for extended stay temporary residence purposes. Each room shall be a minimum of 275 square feet in area, exclusive of bathroom, closet, or balcony space. Weekly services for each dwelling unit of linen change, towel change, soap change, general cleanup, and a registration lobby staffed on a 12-hour daily basis and 24-hour daily registration and emergency phone number are provided by the management. Each extended stay dwelling unit and facilities are subject to the City’s rental inspection outlined in the Chapter 156 of this Code of Ordinances (Rental Housing Code). For the purposes of parking requirements, extended stay hotel or motels will have to meet the Multi-Family Residential parking requirements.~~

~~—B. “Hotel” means one or more buildings containing 20 or more guest rooms, with such rooms being designed or intended to be used, or which are used as temporary or overnight accommodations for guests in which daily services of linen change, central telephone switchboard, towel change, soap change, general cleanup, and a registration lobby staffed on a 24-hour daily basis are provided by the management. Each room shall be a minimum of 250 square feet in area, exclusive of bathroom, closet, or balcony space. No room may be used by the same person or persons for a period exceeding 30 days per year. Access to all rooms shall be provided through one or more common entrances. Accessory uses are encouraged and permitted accessory uses include restaurants, cocktail lounges, banquet halls, ballrooms, or meeting rooms.~~

~~—C. “Motel” means a building or group of buildings containing dwelling units, intended to be used or which are used as temporary or overnight accommodations for guests, in which daily services of linen change, central telephone switchboard, towel change, soap change, general cleanup, and a registration lobby staffed on a 12-hour daily basis and 24-hour daily registration and emergency phone number are provided by the management. Each room shall be a minimum of 250 square feet in area, exclusive of bathroom, closet, or balcony space. No room may be used by the same person or persons for a period exceeding 30 days per year. Each living or sleeping unit shall have an individual entrance from outside the building. Living or sleeping units may be equipped with cooking facilities. Parking close to the entrance of each living or sleeping unit should be made available.~~

~~—22. Pawn Shop. The location at which or premises upon which a pawnbroker regularly conducts business. Pawnbroker is defined in Chapter 124 of this Code of Ordinances.~~

~~—23. Personal Improvement Services. Establishments primarily engaged in the provision of informational, instructional, personal improvements, and similar services of a non-professional nature. Typical uses include driving schools, health or physical fitness studios, reducing salons, dance studios, handcraft and hobby instruction.~~

~~—24. Personal Services. Establishments or places of business primarily engaged in the provision of services of a personal nature. Typical uses include beauty and barber shops; seamstress, tailor, or shoe repair shops; photography studios; or dry cleaning stations serving individuals and households, driving schools, health or physical fitness studios, reducing salons, dance studios, handicraft and hobby instruction.~~

~~—25. Pet Services. Pet health services and grooming and boarding, when totally within a building, of dogs, cats, birds, fish, and similar small animals customarily used as household pets. Typical uses include pet stores, small animal clinics, dog bathing and clipping salons, and pet grooming shops, but exclude uses for livestock and large animals.~~

~~—26. Research Services. Establishments primarily engaged in research of an industrial or scientific nature. Typical uses include electronics research laboratories, space research and development firms, testing laboratories, or pharmaceutical research labs.~~

~~—27. Restaurant, Drive-In or Fast Food. An establishment whose principal business is cooking and preparation of food to sell for consumption within a motor vehicle parked on the premises or within the restaurant building, or any combination thereof, and whose principal method of operation includes the following characteristics as contrasted to a standard restaurant; designed to attract and depend upon a large volume of customers; limited, relatively low-cost menu items; quick-order service at a window or counter, from where the customer generally carries the food to another counter or table for consumption; and most food is served in or on paper, plastic or other disposable containers; and any other restaurant not defined as a standard restaurant.~~

~~—28. Restaurant, General. An establishment whose principal business is cooking and preparation of food to sell for consumption within the restaurant building and whose principal method of operation is characterized by customers being seated by a restaurant employee and provided with an individual menu, and who are served by a restaurant employee at the same table or counter at which food and beverages are consumed; also including cafeteria line service offering a wide selection of main courses and other menu items, including restaurants with limited drive-thru service to customers in a motor vehicle. Delicatessens, establishments whose principal business is the sale of pizza or of ice cream, yogurt, coffee or milk products are specifically included in the definition.~~

~~—29. Restricted Businesses. Any business activity which offers the opportunity to view sexual activities or view or touch anatomical areas for entertainment purposes in a manner that offends contemporary standards in the community of Windsor Heights, depicts or describes sexual conduct in a patently offensive way, and lacks serious literary, artistic, political, or scientific value. This category includes the sale or viewing of visual or print materials that meet these criteria. Typical uses include retail services or stores which are distinguished by an emphasis on activities or materials that emphasize sexual content; businesses which offer live performances characterized by exposure of specified anatomical areas; and adult theaters.~~

~~—30. Short Term Vacation Rental (STVR). A lodging service that provides overnight or short-term accommodations to guests and visitors. For the purpose of this definition STVR's are always owned and operated by the resident owner of the structure and accommodate each guest or visitor for no more than 14 consecutive days during any one monthone-month period. For the purpose of this definition, the lodging service must be approved by a national accommodation service such as Airbnb, VRBO or other similar service. To be used as an STVR, property owner shall reside at the residence a minimum of 180 calendar days per year.~~

~~—31. Stables and/or Riding Academies. The buildings, pens, and pasture areas used for the boarding and feeding of horses, llamas, or other equine not owned by the occupants of the premises. This use includes instruction in riding, jumping, and showing or the riding of horses/equine for hire.~~

~~—32. Surplus Sales. Businesses engaged in the sale of used or new items, involving regular, periodic outdoor display of merchandise for sale. Typical uses include flea markets and factory outlets or discount businesses with outdoor display.~~

~~—33. Trade Services. Establishments or places of business primarily engaged in the provision of services that are not retail or primarily dedicated to walk-in clientele. These services often involve services to construction or building trades and may involve a small amount of screened, outdoor storage in appropriate zoning districts. Typical uses include shops or operating bases for plumbers, electricians, or HVAC (heating, ventilating, and air conditioning) contractors.~~

~~—34. Vehicle Storage. Short-term storage of operating or non-operating vehicles for a period of no more than 21 days. Typical uses include storage of private parking tow-aways or impound yards but exclude dismantling or salvage. Long-term storage beyond 21 days constitutes an industrial-use type.~~

~~—35. Veterinary Services. Veterinary services and hospitals for animals. Typical uses include pet clinics, dog and cat hospitals, pet cemeteries, and veterinary hospitals for livestock and large animals.~~

167.08 PARKING USE TYPES.

~~—1. Off-Street Parking Lots and Facilities. Parking use types include surface parking of motor vehicles on a temporary basis within a privately or publicly owned off-street parking facility.~~

~~—2. Parking Structure. The use of a site for a multi-level building which provides for the parking of motor vehicles on a temporary basis, other than as an accessory to a principal use on the same site.~~

167.09 INDUSTRIAL USE TYPES.

~~—Industrial use types include the on-site extraction or production of goods by non-agricultural methods and the storage and distribution of products.~~

Agricultural Industries

~~—1. Construction Yards. Establishments housing facilities of businesses primarily engaged in construction activities, including incidental storage of materials and equipment on lots other than construction sites. Typical uses are building contractor's yards.~~

~~—2. Custom Manufacturing. Establishments primarily engaged in the on-site production of goods by hand manufacturing, within enclosed structures, involving:~~

~~—A. The use of hand tools, or~~

~~—B. The use of domestic mechanical equipment not exceeding 2 horsepower, or~~

~~—C. A single kiln not exceeding 8 KW or equivalent.~~

~~This category also includes the incidental direct sale to consumers of only those goods produced on site. Typical uses include ceramic studios, custom jewelry manufacturing, and candle-making shops.~~

~~—3. Light Industry. Establishments engaged in the manufacture or processing of finished products from previously prepared materials, including processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales, and distribution. These establishments are characterized by having no major external environmental effects across property lines and include no unscreened or un-enclosed outdoor storage. Typical uses include commercial bakeries, dressed beef processing plants, soft drink bottling, apparel assembly from fabrics, electronics, manufacturing, print shops, and publishing houses.~~

~~—4. General Industry. Enterprises engaged in the processing, manufacturing, compounding, assembly, packaging, storage, treatment, or fabrication of materials and products from prepared materials or from raw materials without noticeable noise, odor, vibration, or air pollution effects across property lines.~~

~~—5. Heavy Industry. Enterprises involved in the basic processing and manufacturing of products, predominately from raw materials, with noticeable noise, odor, vibration, or air pollution effects across property lines; or a use or process engaged in the storage of or processes involving potentially or actually hazardous, explosive, flammable, radioactive, or other commonly recognized hazardous materials.~~

~~—6. Recycling Collection. Any site which is used in whole or part for the receiving or collection of any post-consumer, non-durable goods including (but not limited to) glass, plastic, paper, cardboard, aluminum, tin, or other recyclable commodities.~~

~~—7. Recycling Processing. Any site which is used for the processing of any post-consumer, non-durable goods including (but not limited to) glass, plastic, paper, cardboard, aluminum, tin, or other recyclable commodities.~~

~~—8. Resource Extraction. A use involving on-site extraction of surface or subsurface mineral products or natural resources, excluding the grading and removal of dirt. Typical uses are quarries, borrow pits, sand and gravel operations, and mining.~~

~~—9. Salvage Services. Places of business primarily engaged in the storage, sale, dismantling or other processing of used or waste materials which are not intended for reuse in their original forms. Typical uses include automotive wrecking yards, junk yards, or paper salvage yards.~~

~~—10. Vehicle Storage (Long-Term). Long-term storage of operating or non-operating vehicles for a period exceeding 21 days. Typical uses include storage of private parking tow-aways or impound yards but exclude dismantling or salvage.~~

~~—11. Warehousing. Uses including open-air storage, distribution, and handling of goods and materials, but not including storage of hazardous materials. Typical uses include monument yards or open storage.~~

~~167.10 TRANSPORTATION USE TYPES.~~

~~—Transportation use types include the use of land for the purpose of providing facilities supporting the movement of passengers and freight from one point to another.~~

~~—1. Aviation Facilities. Landing fields, aircraft parking and service facilities, and related facilities for operation, service, fueling, repair, storage, charter, sales, and rental of aircraft, and including activities directly associated with the operation and maintenance of airport facilities and the provision of safety and security.~~

~~—2. Railroad Facility. Railroad yards, equipment servicing facilities, and terminal facilities.~~

~~—3. Transportation Terminal. Facility for loading, unloading, and interchange of passengers, baggage, and incidental freight or package express, including bus terminals, railroad stations, and public transit facilities.~~

~~—4. Truck Terminal. A facility for the receipt, transfer, short term storage, and dispatching of goods transported by truck.~~

167.11 MISCELLANEOUS TYPE USES.

~~—1. Alternative Energy Production Devices. The use of a site for the production of energy utilizing methods that do not involve the oxidation, combustion, or fission of primary materials. Typical uses include solar collector fields, geothermal energy installations, or water-powered mills or generating facilities.~~

~~—2. Broadcasting Tower. A structure for the transmission or broadcasting of radio, television, radar, or microwaves, ordinarily exceeding the maximum height permitted in its zoning district.~~

~~—3. Amateur Radio Tower. A structure for the transmission or broadcasting of electromagnetic signals by FCC-licensed amateur radio operators.~~

~~—4. Construction Batch Plant. A temporary demountable facility used for the manufacturing of cement, concrete, asphalt, or other paving materials intended for specific construction projects.~~

~~—5. Wind Energy Conservation System (WECS). Any device which converts wind energy to a form of usable energy, including wind charges, windmills, or wind turbines.~~

~~—6. Landfill (Non-Putrescible Solid Waste Disposal). The use of a site as a depository for solid wastes that do not readily undergo chemical or biological breakdown under conditions normally associated with land disposal operations. Typical disposal material would include ashes, concrete, paving wastes, rock, brick, lumber, roofing materials, and ceramic tile.~~

~~—7. Landfill (Putrescible and Non-Putrescible Solid Waste Disposal). The use of a site as a depository for any solid waste except hazardous and toxic waste as defined by the Federal Environmental Protection Agency and/or the State of Iowa. Typical disposal material would include non-putrescible wastes and putrescible wastes such as vegetation, tree parts, agricultural wastes (garbage) and manure.~~

(Ch. 167—Ord. 17-10—Dec. 17 Supp.)

CHAPTER 168

ZONING CODE – ZONING DISTRICT REGULATIONS

168.01 Purpose	168.06706 Interpretation of District Boundaries
168.02 Establishment of Districts	168.07807 Vacation of Streets and Alleys
168.03 Application of Districts	Table 168-1 Purposes of Zoning Districts
168.04 Development Regulations 168.04 Hierarchy	Table 168-2 Permitted Uses by Zoning District
168.05 Zoning Map 168.05 Development Regulations	Table 168-3 Summary of Site Development Regulations
168.06 Zoning Map	

168.01 PURPOSE.

This chapter presents the Zoning District Regulations. Zoning Districts are established in this Zoning Code to promote compatible land use patterns and to establish site development regulations appropriate to the purposes and specific nature of each district.

168.02 ESTABLISHMENT OF DISTRICTS.

The following base districts and overlay districts are hereby established. Table 168-1 displays the purposes of these districts.

<u>BASE ZONING DISTRICT</u>	<u>DISTRICT NAME</u>
R-1	Single Family Residential District (Low Density)
R-2	Single Family Low Intensity -Residential District (Urban Density)
R-3	Urban Family Residential District
R-4	Multiple-Family Residential District
MH	Mobile Home Residential District
O	-Office/Limited Commercial District
CC	Community Commercial District
GC	General Commercial District
UC	Urban Center University Avenue Corridor Mixed Use District
TC	Town Center District
LI	Limited Industrial District

OVERLAY DISTRICT DISTRICT NAME

MU	Mixed Use District
PUD	Planned Unit Development Overlay District
F	Floodplain/Floodway Overlay District

168.03 APPLICATION OF DISTRICTS.

--A base district designation shall apply to each lot or site within the City and its planning jurisdiction. Each site must be in one base district. The Planned Unit Development and Floodplain/Floodway Overlay Districts may be applied to any lot or site or any portion thereof, in addition to any base district designation. ~~The Mixed Use District may stand alone as a base district or act as an overlay district.~~

168.04 HIERARCHY.

~~References in this Zoning Code to less intensive or more intensive districts shall be deemed to refer to those agricultural, residential, commercial, and industrial Base Zoning Districts established in Section 168.02, and shall represent a progression from the R-1 Single-Family Residential District as the least intensive to the LI Limited Industrial District as the most intensive. The Overlay Districts shall not be included in this reference.~~

168.04504 DEVELOPMENT REGULATIONS.

For each Zoning District: Purposes are set forth in Table 168-1; uses permitted are set forth in Table 168-2; and site development regulations are presented in Table 168-3. Supplemental regulations may affect specific land uses or development regulations in each zoning district. The applicable supplemental regulations are noted in Table 168-2.

168.0605 ZONING MAP.

1. Adoption of Zoning Map. Boundaries of zoning districts established by this Zoning Code shall be shown on the Zoning Map maintained by the City Clerk. This map, together with all legends, references, symbols, boundaries, and other information, shall be adopted as a part of and concurrent with this Code. The Zoning Map shall be prominently displayed in the Council Chambers and/or an area accessible to the public at City Hall.

2. Changes to the Zoning Map. The Zoning Map may be changed from time to time by ordinance, following the procedure set forth by Chapter 177. Such changes shall be reflected on the Zoning Map. The City Administrator shall keep a complete record of all changes to the Zoning Map. ‡ 7 ‡

‡See EDITOR'S NOTE at the end of this chapter for ordinances amending the zoning map.-

Notes

7 ‡See EDITOR'S NOTE at the end of this chapter for ordinances amending the zoning map.

168.0706 INTERPRETATION OF DISTRICT BOUNDARIES.

The following rules shall apply in determining the boundaries of any zoning district shown on the Zoning Map.

1. Where district boundaries are indicated as approximately following lot lines, such lot lines shall be considered the district boundaries.

2. Where district boundaries are indicated as within street or alley, railroad, or other identifiable rights-of-way, the centerline of such rights-of-way shall be deemed the district boundary.

3. Where a district boundary divides a property, the location of the boundary shall be determined by the use of the scale appearing on the Zoning Map.

4. The City Council shall determine any other uncertainty regarding district boundaries not covered in this section.

168.0807 VACATION OF STREETS AND ALLEYS.

Whenever a public street or alley is vacated, the zoning district adjoining each side of such right-of-way shall be extended out to the former centerline.

Table 168-1 – Purposes of Zoning Districts

Symbol	Title	Purpose
R-1	Single-Family Residential (Low-Density) <u>Low-Density Residential</u>	This district is intended to provide for low-density residential neighborhoods, characterized by single-family dwellings on relatively large lots with supporting community facilities and urban services. Its regulations are intended to minimize traffic congestion and to assure that density is consistent with the carrying capacity of infrastructure.
R-2	Single-Family Residential (Urban Density) <u>Low Intensity Medium-Density Residential</u>	This district is intended to provide for <u>low to</u> medium-density residential neighborhoods, characterized by single-family <u>and two-family</u> dwellings on moderately sized lots with supporting community facilities and urban services. Its regulations apply to established parts of Windsor Heights and to new areas which are developed to higher residential densities. Regulations are intended to minimize traffic congestion and to assure that density is consistent with the carrying capacity of infrastructure.
R-3	Urban Family Residential	This district is intended to provide for medium-density residential neighborhoods, characterized by single-family dwellings on small to moderately sized lots and low-density, multiple-family development. It provides special regulations to encourage innovative forms of housing development. It adapts to both established and newer neighborhoods, as well as transitional areas between single-family and multi-family neighborhoods. Its regulations are intended to minimize traffic congestion and to assure that density is consistent with the carrying capacity of infrastructure.
R- 344	Multiple-Family Residential	This district is intended to provide locations primarily for residential multiple-family housing, with supporting and appropriate community facilities. It also permits some nonresidential uses such as offices through a special permit procedure, to permit the development of mixed-use neighborhoods.

MH	Mobile Home Residential	This district recognizes that mobile home development, properly planned, can provide important opportunities for affordable housing. It provides opportunities for mobile home development within planned parks or subdivisions, along with the supporting services necessary to create quality residential neighborhoods.
O	Office/Limited Commercial	This district reserves appropriately located area for office and community-oriented commercial development and distinguishes these from other, more intensive commercial activities. The commercial and office uses permitted are compatible with nearby residential and civic areas. Development regulations are designed to ensure compatibility in size, scale, and landscaping with nearby residences.
CC	Community Commercial	This district is intended for commercial facilities which serve the needs of markets ranging from several neighborhoods to the overall region. While allowed commercial and office uses are generally compatible with nearby residential areas, traffic and operating characteristics may have more negative effects on residential neighborhoods than those permitted in the O District. CC Districts are appropriate at major intersections, at the junction of several neighborhoods, or at substantial commercial sub-centers.
GC	General Commercial	This district accommodates a variety of commercial uses, including auto-oriented uses, some of which have significant traffic or visual effects. These districts may include commercial uses which are oriented to services, including automotive services, rather than retail activities. These uses may create land use conflicts with adjacent residential areas, requiring provision of adequate buffering. This district is most appropriately located along major arterial streets or in areas that can be adequately buffered from surrounding residences.
UC	<u>Urban Center University Avenue Corridor Mixed-Use</u>	This district recognizes the mixed-use character of the <u>primarily along the</u> University Avenue Corridor, which contains a combination of residential, commercial, and office uses. This corridor will include special aesthetic and sign design standards which will help enhance its character as Windsor Heights' main street.
TC	Town Center District	This district is intended to provide appropriate development regulations to encourage the emergence of the 66th and University Avenue area as a town center for Windsor Heights. The regulations will recognize the mixed-use and civic character of the area, and will help to encourage the development of a pedestrian oriented district at the intersection.
LI	Limited Industrial	This district is intended to reserve sites appropriate for the location of industrial uses with relatively limited environmental effects. The district is designed to provide appropriate space and regulations to encourage good quality industrial development,

		while assuring that facilities are served with adequate parking and loading facilities.
Special and Overlay Districts: These districts may be applied to a parcel in combination with a Base Zoning District. Overlay Districts are intended to help the City manage development in areas that exhibit special characteristics or features that warrant a greater differentiation of standards. Special and Overlay Districts include:		
Mixed Use District		
Planned Unit Development District		
Floodplain/Floodway District		
Specific purposes and standards for each Overlay District are detailed in Chapter 169: Special and Overlay Districts.		

Table 168-2 – Permitted Uses by Zoning District

Use Types	R-1	R-2	R-3	R-4	MH	O	CC	GC	UC	TC	LI	Additional Regulations
Agricultural Uses:												
Horticulture							C	C				
Crop Production												
Animal Production												
Residential Uses:												
Single-Family Detached	P	P	P	P	P	C			P	C		
Single-Family Attached	C	P	P	P	P	C			P	C		Sec. 171.03
Duplex		P C P	P	P		C			P			
Two-Family	C	C	P	P					P			
Townhouse		P	P	P		C	C		P			Sec. 171.03
Multiple-Family			C	P		C	C		P	P		
Downtown Residential									P	P		Sec. 171.03
Group Residential			C	P		C			P			
Manufactured Housing Residential	P	P	P	P	P	C						Sec. 171.03

Mobile Home Park					C							Sec. 171.03
Retirement Residential	C	C	C	P	C	C			C	P		
Civic Uses:	R-1	R-2	R-3	R-4	MH	O	CC	GC	UC	TC	LI	Additional Regulations
Administration	C	C	C	C	C	P	P	P	P	P	P	
Cemetery	C	C	C	C								
Clubs	C	C	C	C	C	C	P	P	P	P		Sec. 171.04(1)
College/University	C	C	C	C	C	C	P	P	C	C		
Construction Sales/Service							P	P			P	
Convalescent Service		C	C	C	C	P	P		C			
Cultural Services	C	C	C	P	P	P	P	P	P	P	P	
Day Care (Limited)	P	P	P	P	P	P	P	P	P	P	C	Sec. 171.04(2)
Day Care (General)	C	C	C	P	C	P	P	P	P	P	C	Sec. 171.04(2)
Detention Facilities								C			C	
Emergency Residential Elder Family Home	C	C	C	PC	C	P	P		P	P	C	Sec. 171.04(3)
Elder Group Family Home	C	C	C	P	C	P			P	P		Sec. 171.04(3)
Emergency Residential	C	C	C	C	C	P	P	C	P	P	C	
Family Home	C	C	C	P	C	C	P		CP	CP		Sec. 171.04(3)
Group Care Facility		C	C	P	C	P	P	P	P	P	C	Sec. 171.04(4)
Group Home	C	C	C	P	P	P	P	C	P	P		Sec. 171.04(4)
Guidance Services				C		P	P	P	P	P	P	
Health Care			C	C		P	P	P	P	P	P	
Hospitals				C		P	C	C	C	C	C	
Maintenance Facility								P			P	

Parks/Recreation	P	P	P	P	P	P	P	P	P	P	P	
Postal Facilities						P	P	P	P	P	P	
Primary Education	C	C	C	P	P	P	P	C	P	P		
Public Assembly		P	P	P	P	P	CP P	P	P	P		
Religious Assembly	C	C	C	P	P	P	P	P	P	P		
Safety Services	C	C	C	P	P	P	P	P	P	P	P	
Secondary Education	C	C	C	C	C	C	C	C	C	C		
Utilities	C	C	C	C	C	C	P	P	P	P	P	
Office Uses:	R - 1	R - 2	R - 3	R- 4	MH	O	CC	CC	UC	TC	LI	Additional Regulations
General Offices				C		P	P		P	P	P	
Financial Services				C		P	P		P	P	P	
Medical Offices				C		P	P		P	P	P	
Delayed Deposit Services Business						C		C				Sec: 171.05(7)
Commercial Uses:	R - 1	R - 2	R - 3	R- 4	MH	O	CC	CC	UC	TC	LI	Additional Regulations
Agricultural Sales/Service							C	P			P	
Auto Rental/Sales								C			P	Sec: 171.05(3)
Auto Services						C	C	P	C	C	P	Sec: 171.05(1,2)
Body Repair							C	C			P	Sec: 171.05(1)
Equipment Rental/Sales								P			P	Sec: 171.05(3)
Equipment Repair								P			P	Sec: 171.05(1)
Bed and Breakfast	C	C	C	C		P	P	P	P	P		Sec: 171.05(4)

STVR	P	P	P	P	P	<u>P</u> <u>C</u> <u>C</u>	P	P	P	P	P	
Business Support						P	P	P	P	P	P	
Business/Trade School						C	P	P	P	P	P	
Campground								€				See: 171.05(5)
Cocktail Lounge							P	P	C	€	C	
Commercial Recreation (Limited)						C	P	P	P	P	P	
Commercial Recreation (General)							C	P	C		P	
Communication Service						P	P	P	P	P	P	
Construction Sales/Service								P			P	
Consumer Service						C	P	P	P	P	P	
Convenience Storage							C	€			P	See: 171.05(6)
Delayed Deposit Services-Business								€				See: 171.05(7)
Firework Sales							P	P				
Food Sales (Convenience)						C	C	P	C	€		
Food Sales (Limited)						C	P	P	P	P		
Food Sales (General)							P	P	C	€		
Funeral Service			C	C		P	P	P	P	P		
Gaming Facility							C	P	C	€		
General Retail (Small-Scale)						C	P	P	P	P		
General Retail (Large-Scale)							P	P	C	P		
Kennels								€			P	
Laundry Services								P	C		P	
Liquor Sales							P	P	C	€	C	

Lodging						C	P	P	C	€		
Personal Improvement			€			P	P	P	P	P	P	
Personal Services			C			P	P	P	P	P	P	
Pet Services							P	P	P	P	P	
Research Services						C	P	P	P	P	P	
Restaurants (Drive-In)							P	P	C		C	See: 171.05(8)
Restaurants (General)						P	P	P	P	P	C	See: 171.05(8)
Restricted Businesses												See 177.05(9)
Stables												
Surplus Sales								P			P	
Trade Services							P	P	C	€	P	
Vehicle Storage								€			P	
Veterinary Services						C	P	P	P	P	P	
Parking Uses:	R-1	R-2	R-3	R-4	MH	O	CC	GC	UC	TC	LI	Additional Regulations
Off-Street Parking						C	C	P	C	P	P	
Parking Structure						C	C	€	P	P	P	
Industrial Uses:	R-1	R-2	R-3	R-4	MH	O	CC	GC	UC	TC	LI	Additional Regulations
Custom Manufacturing							C	P	C	€	P	
Light Industry								€			P	
General Industry											C	
Heavy Industry												
Resource Extraction												
Salvage Services											C	
Vehicle Storage (Long-Term)								€			C	
Warehousing											C	

Construction Yards								C	P			C	
Recycling Collection							C	P				P	
Recycling Processing												C	
Transportation Uses:													
Aviation													
Railroad Facilities												P	
Truck Terminal												C	
Transportation Terminal							P	P	C	€		P	
Miscellaneous Uses:	R-1	R-2	R-3	R-4	MH	O	CC	GC	UC	TC	LI	Additional Regulations	
Broadcasting Tower							C	€				C	
Amateur Radio Tower	P	P	P	P	P	P	P	P	P	P	P	P	See: 172.03(2)
Construction Batch Plant												P	
WECS	€	C	C	C	C		C	€				P	
Landfill (Non-Putrescible)													
Landfill (Putrescible)													
Alternative Energy Production Devices	€	C	C	C	C		C	€				P	

Note: ~~Provisions of Sections 171.07 through 171.10 apply to all uses.~~

P = Uses Permitted by Right

C = Uses Permitted by Conditional Use permit approval according to Sec. 177.03.

Blank = Use Not Permitted

Table 168-3 – Summary of Site Development Regulations

Regulator	R-1	R-2	R-3	R-4*	MH
Minimum Lot Area (square feet)	9,600	7,200	7,200 (Note-3)	7,200 (Note-5)	See Section 171.03 (6)

<u>Single Family</u>	<u>9,600</u>	<u>7,200</u>	<u>7,200</u>	<u>7,200</u>	
<u>Two-unit</u>				<u>8,400</u>	
<u>Two-three-four unit</u>			<u>4,200</u>		
<u>Multi-family</u>				<u>10,000</u>	
Minimum Lot Width (feet)	80	<u>50</u> 50	<u>50</u> 60 (Note 4) <u>50</u>	<u>50</u> (Notes 4,6)	
<u>Single family</u>	<u>80'</u>	<u>50'</u>			
<u>Townhouse</u>			<u>25' min.</u> <u>60' max.</u>	<u>25' min.</u>	
<u>Single family-- Duplex</u>				<u>60'</u>	
<u>Multi-family</u>				<u>80'</u>	
Site Area per Housing Unit (square feet)	9,600	7,200	(Note 3) <u>7,200</u>	(Note 7)	
<u>Single family</u>			<u>7,200</u>	<u>7,200</u>	
<u>Two-unit</u>				<u>4,200</u>	
<u>Two-three-four unit</u>			<u>4,200</u>		
<u>Over four units</u>				<u>1,000</u>	
Minimum Yards (feet)					
Front Yard	35	<u>25</u> 35 <u>25</u>	<u>25</u> 35 <u>25</u>	<u>25</u> 35 <u>25</u>	
Street Side Yard	35	35	35	35	
Interior Side Yard	8 (Note 1)	7 (Note 2)	7 (Note 2)	<u>7</u> (Note 8)	
<u>30'</u>	<u>10' min.</u>				
<u>30-45'</u>	<u>15' min.</u> <u>30' sum</u>				
Rear Yard	35	<u>15</u> 35 <u>15</u>	<u>15</u> 35 <u>15</u>	<u>15</u> 35 <u>15</u>	
Maximum Height (feet)	-				
Main Building	35'	35'	35'	<u>35'</u> (Note 9)	
Accessory Building	20*	<u>25</u> 20* <u>25</u>	<u>25</u> 20* <u>25</u>	<u>25</u> 20* <u>25</u>	
Maximum Building Coverage	35%	<u>50%</u> 45%	50%	50%	
Maximum Impervious Coverage	50%	<u>65%</u> 55%	<u>65%</u> 60%	65%	50%
	(Note 12)	(Note 12)	(Note 12)	(Note 12)	
<u>Floor Area Ratio</u>	NA	NA	NA	NA	

*Side walls cannot exceed 14 feet

<u>Regulator</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3*</u>	<u>MH</u>
<u>Minimum Lot Area</u> (square feet)				<u>See</u> <u>Section</u> <u>171.03</u> <u>(6)</u>
<u>Single Family</u>	<u>9,600</u>	<u>7,200</u>	<u>7,200</u>	
<u>Two unit</u>			<u>8,400</u>	
<u>Two three-four unit</u>		<u>4,200</u>		
<u>Multi-family</u>			<u>10,000</u>	
<u>Minimum Lot Width</u> (feet)				
<u>Single family</u>	<u>80'</u>	<u>50'</u>		
<u>Townhouse</u>		<u>25' min.</u> <u>60' max.</u>	<u>25' min.</u>	
<u>Single family--</u> <u>Duplex</u>			<u>60'</u>	
<u>Multi-family</u>			<u>80'</u>	
<u>Site Area per</u> <u>Housing Unit (square</u> <u>feet)</u>	<u>9,600</u>	<u>7,200</u>	<u>(Note 7)</u>	
<u>Single family</u>		<u>7,200</u>	<u>7,200</u>	
<u>Two unit</u>			<u>4,200</u>	
<u>Two three-four unit</u>		<u>4,200</u>		
<u>Over four units</u>			<u>1,000</u>	
<u>Minimum Yards</u> (feet)	-	-	-	
<u>Front Yard</u>	<u>35</u>	<u>35</u>	<u>35</u>	
<u>Street Side Yard</u>	<u>35</u>	<u>35</u>	<u>35</u>	
<u>Interior Side Yard</u>	<u>8 (Note</u> <u>1)</u>	<u>7 (Note 2)</u>	<u>(Note 8)</u>	
<u>30'</u>	<u>10' min.</u>			
<u>30'-45'</u>	<u>15' min.</u> <u>30' sum</u>			
<u>Rear Yard</u>	<u>35</u>	<u>35</u>	<u>35</u>	
<u>Maximum Height</u> (feet)	-	-	-	
<u>Main Building</u>	<u>35'</u>	<u>35'</u>	<u>(Note 9)</u>	

<u>Accessory Building</u>	<u>20*</u>	<u>20*</u>	<u>20*</u>	
<u>Maximum Building Coverage</u>	<u>35%</u>	<u>45%—50%</u>	<u>50%</u>	
<u>Maximum Impervious Coverage</u>	<u>50%</u>	<u>55%—60%</u>	<u>65%</u>	<u>50%</u>
	<u>(Note 12)</u>	<u>(Note 12)</u>	<u>(Note 12)</u>	
<u>Floor Area Ratio</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>	

Regulator	O	CC*	GC*	UC (Note 11)	TC (Note 11)	LI*
Minimum Lot Area (square feet)	5,000 (Note 10)	<u>5,000</u> 7,200 <u>000</u>	<u>5,000</u>	5,000	None	10,000
Minimum Lot Width (feet)	50 (Note 10)	<u>50</u> 60 <u>50</u>	<u>50</u>	50	<u>20</u>	50
Site Area per Housing Unit (square feet)	(Note 10)	(Note 7)	NA	(Note 7)	500	NA
Minimum Yards (feet)						
Front Yard	25	25	<u>15</u>	25	<u>0</u>	25
Street Side Yard	15	25	<u>15</u>	25	<u>0</u>	<u>25</u> 10 <u>25</u>
Interior Side Yard	7	0	<u>0</u>	0	<u>0</u>	<u>10</u> 25 <u>25</u>
Rear Yard	<u>25</u> 20 <u>20</u>	20	<u>15</u>	10	<u>0</u>	<u>10</u> 25 <u>25</u>
Maximum Height (feet)						
Main Building	45	60	<u>60</u>	<u>45</u> 60 <u>60</u>	<u>45</u>	45
Maximum Building Coverage	<u>50%</u> 60%	60%	<u>70%</u>	60%	<u>100%</u>	70%
Maximum Impervious Coverage	<u>80%</u> <u>70%</u> (Note 12)	80% (Note 12)	<u>90%</u> (Note 12)	80% (Note 12)	<u>100%</u> (Note 12)	<u>80%</u> <u>90%</u> (Note 12)
<u>Floor Area Ratio</u>	<u>0.50</u>	<u>0.50</u>	<u>1.00</u>	<u>1.00</u>	<u>2.00</u>	<u>1.00</u>

*Uses in the R-4, LC, CC, GC and LI Districts are subject to landscape and screening provisions contained in Chapter 173.

Notes to Preceding Page (Table 168-3)

~~**Note 1:** Sum of side yards shall be 15 feet in R-1. Setbacks for nonresidential uses in R-1 shall be 40 feet on each side. See Section 171.03 for supplemental regulations governing single-family attached, zero lot line, and two-family residential use types.~~

~~**Note 2:** Sum of side yards shall be 15 feet in R-2 and R-3. Setbacks for nonresidential uses in R-2 and R-3 shall be 35 feet on each side. See Section 171.03 for supplemental regulations governing single-family attached, zero lot line, two-family, and townhouse residential use types.~~

~~**Note 3:** 7,200 square feet for single-family lots; 4,200 square feet per dwelling unit for two-, three-, or four-unit residential buildings.~~

~~**Note 4:** See Section 171.03 for supplemental regulations regarding modifications of lot width for townhouse residential use type.~~

~~**Note 5:** 7,200 square feet for single-family lots; 8,400 square feet per dwelling unit for two-unit residential buildings; 10,000 square feet for multi-family residential development.~~

~~**Note 6:** 60 feet for single-family of duplex residential, 80 feet for multi-family residential.~~

~~**Note 7:** 7,200 square feet for single-family lots; 4,200 square feet per dwelling unit for two-unit residential buildings; 1,000 additional square feet for each additional unit over four units. Density of multi-family residential may exceed this maximum, subject to approval of a Special Use Permit by the Board of Adjustment, with the recommendation of the Planning and Zoning Commission.~~

~~**Note 8:** Heights up to 30 feet: 10 foot minimum. Heights between 30 and 45 feet: 15 foot minimum; 30 foot sum of side yards.~~

~~**Note 9:** Heights over 45 feet permitted provided that each foot in height over 45 feet adds one foot to the minimum front, rear, and side yard setbacks.~~

~~**Note 10:** Same as R-4 for residential uses.~~

~~**Note 11:** The Planning Commission may establish different regulators for sites within the UC and TCCC Districts, based on the recommendations of the Comprehensive Plan or on specific redevelopment plans or projects within the districts.~~

~~**Note 12:** Maximum impervious restrictions apply not only to zoning districts, but also to uses outside of those districts consistent with the properties in the district. For example, a single-family residence located in a commercial district may still have only a maximum impervious coverage of 50% or 55%, based on lot size. Lot sizes consistent with an R-1 designation would be restricted to a maximum of 50% and lot sizes consistent with an R-2 District would be restricted to a maximum of 55%.~~

EDITOR'S NOTE

The following ordinances have been adopted amending the Official Zoning Map described in Section 168.06 of this chapter and have not been codified herein, but have been specifically saved from repeal and are in full force and effect.

ORDINANCE NO.	DATE ADOPTED	ORDINANCE NO.	DATE ADOPTED
98-1	2-Feb-98		
99-2	5-Apr-99		

2-Jul	16-Jul-07		
3-Sep	6-Apr-09		
19-07	21-Oct-19		

(Ch. 168 – Ord. 17-11 – Dec. 17 Supp.)

DRAFT

CHAPTER 169

ZONING CODE – OVERLAY DISTRICTS

169.01 General Purpose 169.02302 Planned Unit Development
District

~~169.02 Mixed Use
District~~

169.01 GENERAL PURPOSE.

Overlay Districts provide for base districts that allow multiple land uses and flexible development, with the requirement that a specific plan for the area be submitted by applicants. Overlay Districts are used in combination with base districts to modify or expand base district regulations. Overlay Districts are adapted to special needs of different parts of the City. The Overlay Districts are designed to achieve the following objectives:

1. To recognize special conditions in specific parts of the City which require specific regulation.
2. To provide flexibility in development and to encourage innovative design through comprehensively planned projects.

169.02 MIXED-USE DISTRICT.

- ~~—The MU Mixed-Use (MU) District is intended to accommodate projects which combine several compatible land uses into an integrated development. The MU District may also be used to pre-designate parts of the City which are appropriate for a mixture of residential, commercial, office, and accessory uses. The District permits mixing residential areas with workplaces and services. Development in the MU District must accommodate transportation systems, pedestrian and bicycle movement, and surrounding environments. All projects developed in an MU District are subject to the Site Review process as forth in Chapter 170.~~
- ~~—1. Permitted Uses. Each regulation instrument establishing an MU District establishes the use types permitted within its boundaries.~~
- ~~—2. Site Development Regulations.~~
 - ~~—A. The minimum area of any MU District is three acres.~~
 - ~~—B. Prior to the issuance of any building permits or other authorization, all projects in the MU District shall receive approval by the City Council, following a recommendation by the Planning Commission, according to the Site Review procedure set forth in Chapter 170 of this Zoning Code. This approval may be granted for a specific plan for the development of an MU District in lieu of a plan for individual projects, provided that any subsequent developments are consistent with the specific plan.~~
- ~~—3. Amendments. The Zoning Administrator is authorized at his/her discretion to approve amendments to an approved development plan, provided that:~~
 - ~~—A. A written request is filed with the Zoning Administrator, along with information specifying the exact nature of the proposed amendment.~~
 - ~~—B. The amendment is consistent with the provisions of this section.~~
 - ~~—C. The amendment does not alter the approved site regulations of the development plan and does not materially alter other aspects of the plan, including traffic circulation, mixture of use types, and physical design.~~
 - ~~—D. Any amendment not conforming to these provisions shall be submitted to the Planning Commission and City Council for action.~~

169.03 PLANNED UNIT DEVELOPMENT DISTRICT.

The ~~PUD~~ Planned Unit Development (PUD) Overlay District is intended to provide flexibility in the design of planned projects, to permit innovation in project design that incorporates open space and other amenities, and to ensure compatibility of developments with the surrounding urban environment. The PUD District may be used in combination with any base district specified in this Zoning Code. The PUD District, which is adopted by the City Council with the recommendation of the Planning and Zoning Commission, assures specific development standards for each designated project. All projects in the PUD District shall follow the procedures set forth in Chapter 170 of this Zoning Code.

1. Permitted Uses. Uses permitted in a PUD Overlay District are those permitted in the underlying base district. A PUD also may be combined with an MU Mixed Use District to allow a combination of use types not anticipated by conventional base districts.

2. Site Development Regulations. Site development regulations are developed individually for each Planned Unit Development District but must comply with minimum or maximum standards established for the base district, with the following exceptions:

A. Lot area and lot width are not restricted, provided that the maximum density allowed for each base district is not exceeded.

B. Maximum building coverage shall be the smaller of the allowed building coverage in the base district, or 60 percent.

3. Access to Public Streets. Each PUD District must abut a public street for at least 50 feet and gain access from that street.

4. Adoption of District.

A. The Planning and Zoning Commission and City Council shall review and evaluate each Planned Unit Development application. The City may impose reasonable conditions, as deemed necessary to ensure that a PUD shall be compatible with adjacent land uses, will not overburden public services and facilities, and will not be detrimental to public health, safety, and welfare.

B. The Planning and Zoning Commission, after proper notice, shall hold a public hearing and act upon each application.

C. The Planning and Zoning Commission may recommend amendments to PUD district applications.

D. The recommendation of the Planning and Zoning Commission shall be transmitted to the City Council for final action.

E. The City Council, after proper notice, shall hold a public hearing and act upon any ordinance establishing a ~~PUD~~ Planned Unit Development Overlay District. Proper notice shall mean the same notice established for any other zoning amendment.

F. An ordinance adopting a Planned Unit Development Overlay Zoning District shall require a favorable simple majority of the City Council for approval.

G. Upon approval by the City Council, the Development Plan shall become a part of the ordinance creating or amending the PUD District. All approved plans shall be filed with the City Clerk.

5. Amendment Procedure. Major amendments to the Development Plan must be approved according to the same procedure set forth in Subsection 5 of this section.

6. Building Permits. The City shall not issue a building permit, certificate of occupancy, or other permit for a building, structure, or use within a PUD District unless it is in compliance with the approved Development Plan or any approved amendments.

7. Termination of PUD District. If no substantial development has taken place in a Planned Unit Development District for 18 months following approval of the District, the Planning Commission shall reconsider the zoning of the property and may, on its own motion, initiate an application for rezoning the property.

(Ch. 169 – Ord. 18-19 – Mar. 19 Supp.)

CHAPTER 170
ZONING CODE – DEVELOPMENT AND DESIGN STANDARDS

Part 1

170.01 Development and Design Standards

170.02 Purpose and Scope

170.03 Jurisdiction

170.04 Validity of Approval

170.05 Amendment

~~170.06 Existing Development~~

~~170.07 Non-Conforming Uses~~

~~170.08 Severability~~

~~170.09 Site Review Process~~

~~170.10 Site Plan Review Requirements~~

Part 2

~~170.11 Intent~~ 170.06 Existing Development

~~170.12 Definitions~~ 170.07 Non-Conforming Uses

~~170.08 Site Review Process~~ 170.13 Commercial Site Design Requirements—General Provisions

~~170.09 Site Plan Review Requirements~~ 170.14 Commercial Architectural Requirements—Buildings

~~170.15 Commercial Parking Standards~~

~~170.16 Commercial Parking Lot Design and Landscaping Standards~~

~~170.17 Commercial Connectivity and Pedestrian Elements~~

~~170.18 Big Box/Large Retail Strip Establishments~~

~~170.19 Open Space; Landscaping—General Provisions~~

~~170.20 Landscaping Materials~~

~~170.21 Residential Standards—General~~

~~170.22 Residential Standards—Buildings~~

170.01 –PART 1

170.01 DEVELOPMENT DEVELOPMENT AND DESIGN STANDARDS.

This section provides for the administration and enforcement of site plans and for establishing standards for site and building design and shall be known, referred to, and cited as the “Design and Development Standards OrdinanceDevelopment and Design Standards” of the City of Windsor Heights, Iowa.

170.02 PURPOSE AND SCOPE.

The purpose of this Ordinance is to provide guidance and standards for development within the City in order to guide development in a manner which is conducive to protecting the health, safety, and general welfare of residents and property owners within the City. All development and redevelopment of land or property within the City shall minimize adverse effects upon adjacent properties by maintaining or improving upon the aesthetic quality of a surrounding area, and by providing adequate pedestrian and traffic safety, emergency access, water supply, sewage disposal, management of stormwater, erosion and sediment control. Site Plan review and

approval by City Council shall be required of all principle structures other than individual single family and two family residential dwellings in any zoning district.

170.03 JURISDICTION.

No permit shall be issued for any lot or development requiring the approval of a Site Plan after the effective date, unless in compliance with the provisions of the regulations herein. No development, except where specified herein, may be created, substantially improved, converted, enlarged, or otherwise altered without conforming to the provisions of this section, all applicable provisions of the Code of Iowa, as amended, and all applicable provisions of the Windsor Heights City Code, as amended.

170.04 VALIDITY OF APPROVAL.

A Site Plan shall become effective upon certification of approval by the City Council. The City Council approval of any Site Plan required by this article shall remain valid for one (1) year. A one (1) year extension may be granted with approval of City Council. If development has not been established or construction commenced within one (1) year or two (2) years in case of a received extension, then the Site Plan shall be deemed null and void.

For the purpose of this article “actual construction” shall mean that the permanent placement of construction materials and utility work has started and is proceeding without undue delay with an approved building permit. Preparation of plans, securing financial arrangements, issuance of building permits, letting of contracts, grading of property, or stockpiling of materials on the site shall not constitute actual construction. At the time of Site Plan approval, the City Council may grant an exemption on the time construction shall begin after their approval is given for a utility service structure.

170.05 AMENDMENT.

Any Site Plan may be amended in accordance with the standards and procedures established herein, including payment of fees, provided that the Administrative Official may waive such procedures for those minor changes hereinafter listed. Such minor changes shall not be made unless the prior written approval for such changes is obtained from the Administrative Official. No fees shall be required for such minor changes.

Minor changes include but are not limited to the following:

1. Moving building walls within the confines of the smallest rectangle that would have enclosed each original approved building(s),
2. Relocation of building entrances or exits,
3. ~~Shortening~~Shortening of building canopies,
4. ~~Changing~~Changing to a more restrictive commercial or industrial use, provided the number of off-street parking spaces meets the requirement of the Windsor Heights Zoning Ordinance. This does not apply to residential uses. Changing angle of parking or aisle provided there is no reduction in the amount of off-street parking as originally approved.
- 4.5. Substituting plant species provided a landscape architect, engineer or architect certifies the substituted species is similar in nature and screening effect.

170.06 EXISTING DEVELOPMENT.

Any improvement or maintenance to any structure or site feature shall not cause the site or building to become non-compliant with the regulations set forth in this Ordinance. If the site or building is already non-compliant, the change to the building or site proposed by the owner shall not cause them to become more non-compliant. In such instances, improvements shall be completed in a manner which makes the building, site, or related items more substantially compliant with the current provisions of this Ordinance than was previous to the improvements. Any improvement proposed to modify the size of a building, lot, parking area, etc. shall be submitted for review by the City. If the proposed improvement(s) modify the size of a building or lot by less than 30%, it shall be submitted for review by City staff and approved or disapproved by an Administrative Official. The Administrative Official shall have the authority to require such a project be reviewed by the Planning and Zoning Commission and City Council if they feel such review is warranted. If the proposed change is in excess of 30% in size, it shall be submitted for full review and approval or disapproval by the Planning and Zoning Commission and City Council. [See 170.08 for full site plan requirements.](#)

170.07 ~~LEGAL~~ ~~Legal~~ ~~LEGAL~~ NON-CONFORMING USES.

Any site or building use permitted under a previous zoning district's regulation shall conform to the regulations of this Ordinance under the current site and building design provisions determined to be most applicable to the non-conforming use by the Administrative Official.

170.08 SEVERABILITY.

~~—If any section, provision or part of this Ordinance 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.~~

170.0908 SITE REVIEW PROCESS.

The Administrative Official is responsible for the established Site Plan and Site Review Process. The Administrative Official will serve as the Administrator of the Ordinance and the liaison between the applicant and reviewing bodies to ensure compliance with the Ordinance are met.

1. Notice and Hearings.

A. Public Hearing. Before submitting its recommendation on a Site Plan to the City Council, the Planning and Zoning Commission shall hold at least one public hearing thereon, notice of which will be given to all property owners within 200 feet whenever possible. Notice shall be published of said hearing in a newspaper of general circulation, as required by, and in conformance with, Iowa law. The notice shall state the place and time at which proposed amendment to the Ordinance will be held as well as the legal description or address of said property.

Applicant shall submit a Site Review application and all associated fees with preliminary plans to the Planning Department. ~~Additionally~~ [Additionally](#), the applicant will provide:

- A. Full name, address and contact information for applicant in a reproducible electronic format.
- B. Full legal description for the property in a reproducible electronic format.
- ~~C.~~ Name and address of all property owners within 200' of proposed development a reproducible electronic format.

~~C.~~

~~—B.—~~ Planning and Zoning Commission are required to review site plans and make a recommendation to the city council. ~~The Planning and Zoning Commission is a seven (7) member body of citizens appointed by the City Council, whose main task is to conduct thorough reviews of development proposals to ensure that the development proposals are consistent with the community's established land use patterns and development standards. The Commission reviews site plans on the goals and policies as outlined in the Comprehensive Plan, the Zoning Ordinance and Chapter 170 Part 1 and .~~ 2. Upon completion of its review, the Commission makes a recommendation for approval, conditional approval, or denial of the development proposal to the City Council, who has final decision-making authority. The Commission may also defer a Site Plan for more information before a recommendation is made.

~~—2.~~ A Site Plan Review shall be required for the following:

- A. New construction;
- B. Major reconstruction (more than 30% of the exterior structure is affected);
- C. Major renovation (more than 30% of the interior structure is affected);
- D. Increases to parking by 10% or greater; Any changes to parking;
- E. Any Development the Zoning Administrator deems is substantial enough to require oversight by the Planning Commission with Site Plan Review.

3. The applicant is required to attend a scheduled predevelopment meeting with City staff to review a conceptual Site Plan prior to submittal of a full Site Plan. Following the predevelopment meeting, the applicant shall submit a complete Site Plan in accordance with the requirements of the Site Plan and any other information determined to be necessary for the review at the Planning and Zoning Commission meeting.

4. As part of the review process, an applicant shall provide colored architectural elevation drawings for each elevation of the building or buildings proposed for new construction, addition, alteration, or the like.

A. The elevation drawings should be provided in 11" by 17" format unless otherwise approved by the Administrative Official.

B. Each elevation drawing should include massing dimensions and callouts of the proposed materials indicated on the elevation.

C. In the event that accessory structures are proposed as a part of the site plan review process, the Administrative Official shall have the ability to request elevation drawings or colored details of said accessory structures to ensure compliance with the provisions of this ordinance.

~~—5.~~ 5. The applicant shall provide City staff with information determined to be applicable to the project by the Administrative Official. The proposal shall then be brought before the Planning and Zoning Commission in order to receive a recommendation before being presented to the City Council. Action of the Planning and Zoning Commission and City Council shall be

~~approval, approval subject to conditions, denial, or table for further review. Action of the Council shall be approval, denial, or table for further review. A site plan may be presented for consideration by the City Council in the event of a recommendation of denial by the Planning and Zoning Commission. In the event of denial of a Site Plan by the City Council, the applicant would be required to resubmit and begin the review process anew to have another proposal considered by the Planning and Zoning Commission and City Council. Resubmittal will not be accepted until one (1) year after a denial from the Planning and Zoning Commission or City Council. Resubmittal of a Site Plan shall be subject to all applicable costs associated with review of the documentation unless exception is made by City staff. Site Plan review shall exist as a measurement determined by the City to meet the objectives outlined by the Windsor Heights Comprehensive Plan.~~

170.1009 SITE PLAN REVIEW REQUIREMENTS.

Site Plans shall be submitted in electronic format ~~and 24" by 36" format with the ability to provide physical copies sized 24" by 36" upon request by the Zoning Administer. ten (10) copies of the plans submitted, unless otherwise approved by the Administrative Official.~~ A Site Plan will not be submitted to the Planning and Zoning Commission for action until they are deemed complete. The Administrative Official has the authority to deem the submittal complete. Approval by the Fire Inspector, Public Works, Engineer, and other Administrative Officials will be obtained before Planning and Zoning Commission review. It is permissible and encouraged to introduce large and potentially controversial projects to City staff as far in advance as possible.

~~The applicant shall provide City staff with information determined to be applicable to the project by the Administrative Official. The proposal shall then be brought before the Planning and Zoning Commission in order to receive a recommendation before being presented to the City Council. Action of the Planning and Zoning Commission and City Council shall be approval, approval subject to conditions, denial, or table for further review. Action of the Council shall be approval, denial, or table for further review. A site plan may be presented for consideration by the City Council in the event of a recommendation of denial by the Planning and Zoning Commission. In the event of denial of a Site Plan by the City Council, the applicant would be required to resubmit and begin the review process anew to have another proposal considered by the Planning and Zoning Commission and City Council. Resubmittal will not be accepted until one (1) year after a denial from the Planning and Zoning Commission or City Council. Resubmittal of a Site Plan shall be subject to all applicable costs associated with review of the documentation unless exception is made by City staff. Site Plan review shall exist as a measurement determined by the City to meet the objectives outlined by the Windsor Heights Comprehensive Plan.~~

The following information shall be clearly provided on the site plan:

1. Narrative Information to be provided:
 - A. Name and address of property owner; including telephone and email.
 - B. Name and address of applicant; provide if different than property owner.
 - C. Name and address of plan preparer; including telephone and email.

D. Certification of Architect and Civil Engineer licensed in the State of Iowa. Include Seal, Date, and Signature on all applicable drawings prior to City Council approval of the Site Plan. Other certification may be requested when appropriate by the Administrative Official.

E. Certification of a Registered Land Surveyor licensed in the State of Iowa. Include Seal, Date, and Signature on applicable drawings prior to City Council Approval.

F. Current Zoning of Property. List the property's existing zoning consistent with the City of Windsor Heights' Official Zoning Map. Also include any overlay districts the property may be within and the land use identified in the current City of Windsor Heights Comprehensive Plan where the property is located.

G. Legal Description of Site. Include the plat name and lot number for all new Site Plans. Building permits shall only be permitted on a platted lot of record.

H. Total Area of Site. The total area of the site should be indicated in acres and square feet.

I. Open Space.

(1) Indicate the total area of the proposed site in square feet, the area of open space within the site, and its percentage of the total site. The calculation should include all open space pervious areas and permitted pedestrian plazas.

(2) The total area of the site reserved for parking facilities, the open space within the defined parking area, and its percentages of the total parking area should be calculated and indicated in square feet.

J. Pervious and Impervious Surface. Indicate the total area of the proposed site in square feet, the area of pervious surface and the area of impervious surface including all structures.

K. Proposed Use of Site. Indicate all proposed uses for the site and building(s) as known at the time of application.

L. Parking Stalls. The total amount of parking stalls required based upon the proposed building use(s) of the site should be indicated. If more than one building use is proposed for the site, each individual parking stall requirement should be indicated separate of the total.

M. Loading Areas. If applicable to the proposed building uses of the site, the number of required and provided loading stalls should be indicated.

N. Setback Requirements. All setback requirements of the applicable zoning district within which the proposed site is located should be provided.

O. 100-year Flood Elevation. The 100-year flood elevation should be indicated based upon the most recent FEMA Flood Insurance Study.

2. Plan Information.

A. General and Survey Information.

(1) North Arrow. Include on Site Plan and all other applicable sketches, drawings, and details.

(2) Scale of Drawing. A minimum scale of 1" = ~~200~~80'200' shall be required.

(3) Vicinity Sketch. A minimum scale of 1" = 800' shall be used to indicate the properties within 300 feet of the proposed site location. The boundary of the proposed site location should be clearly defined in relation to other properties shown within the vicinity sketch.

(4) Site Boundary. All property lines shall be delineated with a heavy line.

(5) Bearing and Distances or Curve Data along boundary. Information shall be indicated as platted. Any measured information different than platted should be identified.

(6) Name and address of all Adjoining Property Owners. All property lines adjacent to the proposed site, or across street right-of-way, shall be indicated with the owner and/or subdivision name(s) in addition to any adjoining lot numbers as appropriate.

(7) Existing Features. All existing physical features shall be indicated on the Site Plan including but not limited to plant materials, drainage ways, structures, fences, and any encroachments. Projects involving numerous existing features may be requested to submit a demolition, removal, or relocation plan as determined to be most beneficial.

(8) Soil Tests and Similar Information. Soil tests and similar information may be required to determine the feasibility of the proposed development in relation to the design standards set forth herein.

(9) Topography. The existing and proposed topography shall be indicated with a maximum of two (2) foot intervals. Spot elevations may also be required at the request of the Administrative Official.

(10) Limits of Phased Construction. If the site is to be developed in more than one phase, the limits of each proposed construction/ development phase shall be indicated including all facets of the phasing proposed.

(11) Additional Information. Drawings or other materials necessary to describe a proposed project may be requested by the Planning and Zoning Commission or Administrative Official. The applicant may include additional information or materials such as sketches, videos, models, or photos, if they help explain the proposal.

B. Building Footprint.

(1) Footprint. An accurate representation of the proposed building(s) footprint including exterior structures incorporated into the building mass and proposed internal demising walls known at the time of application.

(2) Size. Include the total square footage of each proposed floor, the number of floors, and the amount of finished area on each floor including any proposed basement area. For all multi-family and townhome proposals the total number of units proposed for each building footprint should be indicated.

(3) Entryways. The location of all proposed entries, service doors and overhead doors.

(4) Mechanical Units. Indicate the proposed location and type of all proposed ground mechanical units including air conditioning units, telephone pedestals, transformers, coolers, or other similar units.

(5) Trash Enclosures. Indicate the proposed location of all trash enclosures for the site and provide a detail of the structure for review.

C. Pedestrian Circulation.

(1) Paths. All proposed sidewalks, trails, and pathways should be indicated as appropriate on the Site Plan including the width, thickness, and type of pavement. All sidewalks, trails, and pathways shall be constructed to Windsor Heights Standard Specifications as applicable to the project. Wherever possible, bike racks should be provided.

(2) Connectivity. Pedestrian corridors should be indicated from any public street to all proposed principle buildings.

(3) Stoops. All proposed emergency exits where a sidewalk is not indicated shall provide a stoop of an approved dimension determined to be adequate in providing a safe exit from the building.

D. Streets and Access.

(1) Access. All existing and proposed access drives to the site from a public street shall be indicated on the Site Plan and shall include appropriate spacing as determined by the City's Engineer.

(2) Public Improvements. All public improvements required of the developer shall be indicated on the site plan. The amount of improvements required shall be determined by the Windsor Heights Comprehensive Plan, streetscape plan, a traffic impact analysis, or any other approved documentation identifying the amount and type of improvements necessary to accommodate increased activity to the site or to facilitate future development as it relates to the development of said site.

(3) Private Streets. The use of private streets shall be allowed if the proposed private streets meet the following criteria:

a. Proposed private streets are built to Windsor Heights Standard Specifications for public streets.

b. They are maintained by the property owners requiring the private street(s) through a Homeowners Association or through an approved development agreement between the developer(s) and the City.

c. The width and thickness of the private street(s) is appropriate as determined by the City Engineer or a traffic impact study in accordance with the city specifications.

d. Sidewalks should be installed on both sides of the private street(s) unless additional landscaping or open space is incorporated into the site in an amount approved by the City Council in relief of one sidewalk per street.

e. A public ingress/egress easement is provided over the private street(s) location.

(4) Shared Access.

a. Any project where the development of townhomes provides access to garages from a public street shall provide a shared access drive between two or more units in order to minimize the amount of obstruction to the flow of traffic along said public street.

b. Any development of commercial property where shared access is anticipated shall provide an easement and conceptual building footprint(s) for all proposed lots which are proposed to share the access drive(s).

E. Parking and Loading Areas.

(1) All proposed parking and loading areas incorporated in the Site Plan shall meet the requirements in the Zoning Ordinance and all other applicable State and Federal regulations.

(2) A complete traffic circulation and parking plan, showing the location and dimensions of all existing and proposed parking stalls, loading areas, entrance and exit drives, sidewalks, dividers, planters, and other similar permanent improvements in addition to indicating traffic movements within access drives in order to better identify any potential traffic impediments based upon the proposed parking configuration and access drives.

(3) Individual parking stalls should be indicated as appropriate and differentiated from parking aisles. Stalls intended to accommodate handicapped accessibility should be indicated appropriately.

(4) Proposed loading areas should indicate traffic movements where applicable to determine maneuverability within the site.

(5) Individual loading docks should be indicated on the site plan.

F. Lighting.

(1) A lighting plan should be provided with all site plans indicating the location, type, height, power rating, and any shielding methods required of all existing and/or proposed lighting fixtures. Lighting shall follow all applicable City ordinances including Dark-Sky standards.

(2) A manufacturer's cut-sheet shall be provided for each type of lighting fixture incorporated into the site layout including its material(s) and color. Information required from the cut-sheet shall include the description of lamps, supports, reflectors, and any other components of a particular lighting fixture. The Site Plan shall indicate all proposed lighting as depicted by the manufacturer.

(3) A photometric plan shall also be required identifying the horizontal illumination of the site and the vertical light trespass along the perimeter of the site. The photometric plan shall show a point-by-point foot-candle reading for the entire site at a minimum spacing of 10 feet between each point, including 2 feet past the property line. The vertical photometric plan shall only be required along the property line with a maximum spacing of 10 feet.

G. Lighting Standards.

(1) Definitions. Unless the context clearly indicates otherwise, the words and phrases used in this Ordinance shall have the following meaning:

a. Exterior lighting. Temporary or permanent lighting that is installed, located or used in such a manner to cause light rays to shine outdoors.

b. Exterior lighting fixture. The complete exterior lighting unit, including: the artificial source of light, the parts required to distribute the light, elements for light output control such as the reflector (mirror), or refractor (lens), the housing that protects and holds the lamp in place, the connection to the power supply, and the component that anchors the lighting unit to the ground or onto a structure.

c. Floodlight. A lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam in a particular direction.

d. Foot-candle. The illuminance measured one (1) foot from a one (1) candle source.

e. Full cut-off. A shielded light fixture that emits no light above a horizontal plane touching the lowest point of the fixture.

f. Glare. The light in a direction near one's line of sight that either causes discomfort to the eye or impairs visibility.

g. Horizontal and vertical foot-candles. The illuminance, measured by a light meter, striking a vertical or horizontal plane.

h. Illuminance. The intensity of light in a specified direction measured at a specified point.

i. Light. A form of radiant energy acting on the retina of the eye to make sight possible.

j. Light trespass. Unwanted light falling on public or private property from an external location.

k. Recreational Facility. Football fields, soccer fields, baseball fields, tennis courts, swimming pools, or any other special event or show area.

H. Lighting Design.

(1) Required Lamps – Generally, all lamps shall be halogen, metal halide, LED, or others with similar qualities to reduce glare and provide for improved color correct vision. Full cut-off high pressure sodium lamps, not exceeding a maximum lumen rating of 16,000 lumens, may be

used in outdoor storage areas where the need for good color rendering capabilities for safety and security is not necessary. Such areas shall not be accessible to the general public or adjacent to any 'R' zoned property.

(2) Required Exterior Lighting Fixtures – Generally, all exterior lighting fixtures shall be full cut-offs. No portion of the lamp, lens, or diffuser shall be visible from the side or top of any shield, or otherwise protrude from the bottom of the shield. No exterior lighting fixture shall emit light at or above a horizontal plane that runs through the lowest point of the shield.

(3) Commercial and Industrial Architectural and Decorative Lighting.

a. Limited building-mounted lighting may be used to highlight specific architectural features or primary customer or building entrances. Floodlights are only permitted provided all light emitted is contained by the building or by an eave or protruding structure.

b. Lighting fixtures shall be located, aimed, and shielded to minimize the glare that is emitted on objects other than a building's façade or landscape walls.

c. Building-mounted neon lighting may only be used when the lighting is recessed or contained inside a cap or architectural reveal.

d. An exterior lighting fixture that emits less than 1800 lumens shall not be required to be a full cut-off fixture, provided that the lamp itself creates no glare or has an opaque covering.

(4) Site and Parking Lot Lighting.

a. The mounting height for lighting fixtures shall not exceed twenty-five feet (25') from grade to the top of the lighting fixture.

b. The maximum average-maintained foot-candles for a parking lot lighting fixture shall be three (3) foot-candles. The maximum lighting level for a parking lot lighting fixture shall be ten (10) foot-candles.

c. The maximum horizontal foot-candle measurement at any property line shall be two (2) foot-candles. The maximum maintained vertical foot-candle at an adjoining property line shall be two (2) foot-candles, as measured at five feet (5') above grade. If the adjacent property is the same owner, the light trespass limits may be waived by Council.

(5) Canopy Lighting. The maximum maintained foot-candles under a canopy shall be thirty-five (35) foot-candles. Areas outside the canopy shall be regulated by the guidelines and standards outlined above. Permissible fixtures for canopy lighting include:

a. Recessed fixtures that incorporate a lens cover that is either recessed or flush with the bottom surface of the canopy.

b. Indirect lighting where light is emitted upward and then reflected down from the underside of the canopy. Such fixtures shall be shielded to ensure that no light is emitted at or above a horizontal plane that runs through the lowest point of the canopy.

(6) Street Lighting. All private street light fixtures shall measure no more than thirty feet (30') from grade to the top of the lighting fixture, and shall be cobra-style, unless the Commission and Council permit the installation of an alternative fixture. The Commission and Council may approve an alternative lighting fixture only after a determination has been made that the alternative fixture has been designed to avoid glare and trespass. The use of lighting fixtures that direct light upward into the air is strictly prohibited. Public lighting along University Avenue shall conform to the specifications of lighting already in place. All other lighting on public streets shall conform to any adopted Streetscape Plans.

(7) Pedestrian Walkway Lighting. All pedestrian walkways shall be lit by pedestrian-level, bollard-type lighting (4 ft. height max.), ground mounted lighting, pole lighting (12 ft.

height max.), or other low, glare-controlled fixtures that are mounted on building or landscape walls. University Avenue lighting should be followed as above.

(8) Recreational Facilities. The lighting fixtures at all public or private outdoor recreational facilities shall be designed to minimize the amount of light that is directed upward into the air, glare, and light trespass. The illumination of any public or private outdoor recreational facility after 11:00 p.m. is prohibited, except in order to conclude a specific activity, previously scheduled, which is in progress under such illumination prior to 11:00 p.m.

(9) Exemptions. This Ordinance shall not apply to the following exterior lighting sources:

- a. Airport lighting required by law.
- b. Temporary emergency lighting.
- c. Temporary lighting, other than security lighting, at construction projects.
- d. Governmental facilities where a compelling need for safety and security has been demonstrated.
- e. Lighting for flag poles, church steeples or other similar non-commercial items provided they do not cause distraction within public rights-of-way.

I. Signage.

(1) The location and type of all existing and proposed signage shall be indicated on the site plan.

(2) All signage shall meet the requirements identified within the Zoning Ordinance.

J. Landscaping.

(1) A landscaping plan shall be provided including the size and type of all proposed trees and plantings and any existing trees larger than six (6) inches in diameter proposed to be removed.

(2) All landscaping necessary for fulfillment of all City Ordinances shall be indicated on the Site Plan and will conform to Section 170.20 of this Ordinance.

PART 2

170.11 INTENT.

~~—The following Ordinance is put forth in an effort to aid future development, redevelopment and alterations of Windsor Heights by identifying desirable aesthetic qualities. This Ordinance provides assistance in articulating the vision of Windsor Heights as established in the Comprehensive Plan and other plans as adopted by the City Council. This Ordinance will replace existing design standards as outlined in the Zoning Code and will become a comprehensive guide derived from all past completed plans and studies. This Ordinance will act as an overlay and shall operate in conjunction with any underlying zoning district; all other applicable regulations will remain in effect. If provisions of this Ordinance conflict with the underlying zoning, this Ordinance shall prevail. The overall objective is to have an atmosphere that is safe, convenient, vibrant, and attractive through the integration of uses and eclectic architecture, and to creatively handle stormwater drainage issues in an environmentally sound manner. Where a question of interpretation arises between a proposed project in relation to the Ordinance, the Administrative Official shall provide for the determined interpretation. The intent of the Design Standards is:~~

- ~~—1. Public Space. To preserve, enhance, or create a variety of forms of publicly accessible open space, such as parks, plazas, tree-lined streets, and community gathering area.~~
- ~~—2. Compact Mixed Use. To create a compact concentration of land uses within each development through multiple uses in a single building or in the same general area.~~
- ~~—3. Street Aesthetics. To encourage an attractive and aesthetically pleasing environment, which will draw customers and residents and will help enhance and maintain the City's safe and superior quality of life.~~
- ~~—4. Attract new business and enhance property values that are viable to the citizens of Windsor Heights for the present and future.~~
- ~~—5. Healthy Living. To promote healthy living through trail enhancement and pedestrian connectivity.~~
- ~~—6. "Green" Friendly. To reduce the amount of impervious parking in general and the amount of visible impervious parking specifically by utilizing shared parking, pedestrian pathways, permeable paving alternatives and creative, attractive landscaping.~~
- ~~—7. Design. To achieve a unique aesthetic design through high quality architecture and construction with attention to placement, relationship and orientation of structures to provide a greater compatibility with surrounding land uses and create a feeling of permanence.~~

170.12 DEFINITIONS.

- ~~—The following terms are defined for use in this chapter:~~
- ~~—1. "Administrative Official" means the Windsor Heights Administrative Official or appropriate designee.~~
- ~~—2. "Big box retail" means a structure exceeding 50,000 square feet.~~
- ~~—3. "Buffer" means a combination of horizontal space (land) and vertical elements (plants, berm, fences, and walls), used to physically separate or visually screen incompatible adjacent land uses.~~
- ~~—4. "Community use" means administrative and legislative government offices, schools, postal facilities (such as libraries and museums), meeting halls, clubhouses, amphitheaters, band shells, and pavilions.~~
- ~~—5. "Development Committee" means a committee made up of two Council Members, the Mayor, Planning and Zoning Commission liaison, Administrative Officials, two citizens and a business owner.~~
- ~~—6. "Dormer" means a projecting framed structure set vertically on the rafters of a pitched roof, with its own roof (pitched or flat), sides, and a window set vertically in the front.~~
- ~~—7. "Drive Thru" means an establishment that provides or dispenses products or services, through an attendant or an automated machine, to persons remaining in their vehicle that are designated drive thru stacking lanes. A drive thru facility may be in combination with other uses, such as financial institutions, restaurants, pharmacies, and service providers such as dry cleaners.~~
- ~~—8. "Façade" means the exterior face of a building which is the architectural front, sometimes distinguished from the other faces by elaboration of architectural or ornamental details.~~
- ~~—9. "Landscape amenities" means living or non-living materials used to augment the beauty of usability of a landscaped area. Amenities may include (but are not limited to) additional vegetation, flower gardens, tables, sculptures, monuments, benches, gardens, banners, enhanced pavement, pedestrian plaza areas, fountains, and planters.~~

- ~~—10. “Landscape islands” means a raised unpaved area located within or protruding into a parking lot or the center, unpaved area of a cul-de-sac or traffic circle. The area of a landscape island is measured from the back of the inside curb to the back of inside curb.~~
- ~~—11. “Landscape pod” means a small individual unpaved area within a parking lot incorporated to provide locations for vegetation, thus increasing the aesthetic quality of the parking lot.~~
- ~~—12. “Large retail strip establishments” means a structure (or structures when combined) which exceeds 50,000 square feet and is a largely nonresidential development, which is shallow in depth and lies along a length of roadway. Buildings organized in a linear pattern or in isolated “islands” characterize a large retail establishment.~~
- ~~—13. “Live-work unit” means a unit which offers both a studio work environment and a living environment. The work environment shall be primarily involved in the artistic crafts, offices, or service uses with minimum impacts on surrounding neighborhood, such as self-employed consultants, researchers, or artists.~~
- ~~—14. “Main entrance” means that entrance of the building which is most architecturally prominent and contains operable doors.~~
- ~~—15. “Mixed use” means a single building containing two or more types of land use; or a single development of more than one building and use, where the different types of land uses are in close proximity, planned as a unified complementary whole, and functionally integrated to the use of shared vehicular and pedestrian access and parking areas.~~
- ~~—16. “Open space” means any area within a single site or lot that is not covered by a building, structure, parking lot, or driveway. Sidewalks and patios may be counted as open space. Open space is an area which serves the need for leisure, recreation, or pedestrian interaction. Spaces may include (but are not limited to) plaza areas, open lawn areas, trails, recreation facilities, gardens, and pedestrian walkways.~~
- ~~—17. “Opacity degree” means an imaginary vertical plane extending from the established grade to a required height, which will be visually obscured to differing levels of opaqueness through the position of obstructions between the viewing point and the viewed object.~~
- ~~—18. “Parapet” means a low, solid, protective screening or decorative wall, often used around a balcony, or along the edge of a roof to screen roof equipment.~~
- ~~—19. “Pedestrian style or scale” or “human scale” means the establishment of appropriate proportions for building mass and features in relation to pedestrians and the surrounding context.~~
- ~~—20. “Place making” means distinct features, such as parks, plazas, or civic areas which connect residents with a community and promote positive user interaction.~~
- ~~—21. “Planned Unit Development” means a planned combination of diverse land uses, such as housing, recreation, and shopping, in one contained development or subdivision.~~
- ~~—22. “Plaza” means a public square or an open space.~~
- ~~“Selvage” means the edge finish on woven chain link fabric joining pairs of pickets. The selvage may be knuckled or twisted (barbed).~~
- ~~—23. “Smart Growth” means an approach to growth that focuses on developing urban (metropolitan) communities that are more hospitable, productive, and fiscally and environmentally responsible than most communities developed in the last century. The principles of smart growth are based on compact and multiuse development, infill and redevelopment, expansion of infrastructure, enhanced livability, expanded mobility, and conservation of open space. While some parties focus on one aspect of development over another, smart growth seeks~~

to identify a common ground where developers, environmentalists, public officials, citizens, and others can all find ways to accommodate growth.

~~—24. “Snout house” means a house designed with the garage closest to the street, which presents the garage as the dominant façade.~~

~~—25. “Streetscape” means a combination of vegetation, amenities such as bike racks, and special visual features along either side of vehicular travel lanes for the purpose of aesthetics or shade.~~

~~—26. “Streetscape furniture” means amenities, such as benches, lighting, and trash receptacles, which help to carry out the development’s chosen theme.~~

~~—27. “Structural Offsets” means an architectural feature designed to break up monotonous building materials and provides enhanced aesthetics.~~

~~—28. “Travel way” means a pedestrian or automotive path.~~

~~—29. “Vehicle use area” means the area of a development subject to vehicle traffic, including access ways, loading and service areas, areas used for parking or storage of vehicles, boats, or portable construction equipment and all land which vehicles cross over as a function of the primary use.~~

170.13 COMMERCIAL SITE DESIGN REQUIREMENTS—GENERAL PROVISIONS.

~~—1. Buildings and building facades are encouraged to be placed and designed to provide a strong street orientation to create a pleasing pedestrian environment.~~

~~—2. Uses and buildings with greater intensity and height to produce a concentration of jobs, shops, meeting facilities, residential units, entertainment, and restaurants within close proximity to each other is strongly encouraged.~~

~~—3. The design shall create small, shared, aesthetically landscaped, and screened parking lots, which are designed to function not only in the interest of accommodating automobiles, but also in the interest of the pedestrian.~~

~~—4. The design shall allow for the creative design of plazas, green spaces, and focal elements for retail, office, or mixed use developments.~~

~~—5. Building façades shall be varied and articulated to provide visual interest. Buildings shall be proportioned and defined by clear façade elements such as a base, middle, and top.~~

~~—6. Building volume and mass are partially defined by façade treatment. Facades shall be designed to be proportional to the overall building and reflect the architectural style. Building volumes shall be reduced through wall offsets or projections.~~

~~—7. The site design requirements encourage the design of mixed-use structures to provide an environment that offers office, retail, and residential opportunities. Mixed-use buildings or developments shall be designed to limit the impacts of traffic, noise, and safety to the surrounding neighborhood.~~

~~—8. A compact concentration of land uses is encouraged within each development through multiple uses in a single building, or in the same general area.~~

~~—9. Landscaped, outdoor uses that serve the pedestrian are preferred.~~

~~—10. Developments shall provide buffering for street frontage through enhanced vegetation, berming, or landscape features that are sufficient to attractively enhance the project, as set forth in subsection 170.17 of this section.~~

- ~~—11. Buildings are preferred to be located as close to the street as is allowed in the zoning ordinance, with the preference off-street parking behind or on the side of the building.~~
- ~~—12. Buildings shall be arranged to create view corridors between pedestrian destinations within and adjacent to the site including building entrances or open spaces.~~
- ~~—13. Buildings are encouraged to be placed to occupy the street edge to the greatest degree possible. Buildings with two street frontages are encouraged to be placed or enlarged to occupy both street edges.~~
- ~~—14. Courtyards are encouraged with multiple entrances/uses serving courtyards.~~
- ~~—15. Each development shall provide outdoor lighting fixtures as prescribed in adopted Streetscape Plans, integrated street pavers or patterns, and landscaping that reinforces the neighborhood theme and identity.~~
- ~~—16. Loading areas, overhead doors, or service areas shall not face the corridor.~~
- ~~—17. Developments that abut existing developments shall be designed to respect the surrounding developments in order to provide for a transition from the typical development patterns to the new development.~~
- ~~—18. Upper stories shall be differentiated from the lower floor by wall offsets, step backs, balconies, or other features.~~
- ~~—19. Corners of street intersections shall be distinguished by special landscape or architectural treatments such as:~~
 - ~~—A. Flower displays,~~
 - ~~—B. Accent rocks,~~
 - ~~—C. Decorative lighting,~~
 - ~~—D. Outdoor art,~~
 - ~~—E. Vertical architectural elements,~~
 - ~~—F. Special paving.~~

~~170.14 COMMERCIAL ARCHITECTURAL REQUIREMENTS – BUILDINGS.~~

- ~~—1. Buildings are required to have architectural interest by achieving the following:~~
 - ~~—A. Using heavier building materials at the bottom of the building;~~
 - ~~—B. Demonstrate architectural compatibility through consistent and complementary building style, mass scale, materials, and colors to the neighborhood.~~
 - ~~—C. Building articulations shall be used to create interest and reduce building scale. This can be achieved through varying heights and setbacks within the same building, offsetting wall planes and adding architectural interest with roof overhangs, awnings, trellises, windows, moldings, and other elements.~~
 - ~~—D. Colors for exterior building finishes shall be earth tones, brick tones, creams, pastels of earth tones, or dark/muted green, blues, and reds.~~
 - ~~—E. Bright white, black, or primary colors shall be used only as accents, occupying a maximum of ten (10) percent of the building. No more than two (2) accent colors shall be used on a building.~~
 - ~~—F. The selected material and color palette shall be used on all exposed sides of a building, not just the street facing or entry façade.~~
 - ~~—G. Preferred primary exterior materials:~~

~~— (1) Aluminum composite materials~~

~~— (2) Brick~~

~~— (3) Cast Stone~~

~~— (4) Cultured Stone~~

~~— (5) Precast Concrete Panels~~

~~— H. Secondary Exterior Materials shall include but not limited to:~~

~~— (1) Architectural Metals~~

~~— (2) Copper Flashing~~

~~— (3) EIFS (Exterior Insulation Finishing System)~~

~~— (4) Fiber Cement Siding~~

~~— (5) Structural Composite Sandwich Paneling~~

~~— (6) Tile~~

~~— (7) Those materials listed as Primary Materials~~

~~— I. Secondary Materials shall be used to further define and accent the architectural characteristics of a proposed structure.~~

~~— J. The City Council may consider an alternative material(s) not specifically listed above if the overall design is determined to provide a unique use of the material(s) which meets the intent of this section in creating appearance of permanency and sustained interest throughout the entirety of the building.~~

~~— K. Using roof details such as cornices, caps, or parapets at the top of the building; inclined roofs are preferred.~~

~~— L. Alternating roof styles, heights, and elements; including pitch or hip roofs;~~

~~— (1) Roof design shall be an integral part of the overall building design. It shall be of a height and proportion so as not to appear as an afterthought or appendage.~~

~~— (2) Rooftop outdoor living spaces shall be integrated into the building structure. Step backs, parapets and other features shall be used to provide privacy and screening of utilitarian areas and equipment.~~

~~— (3) Building rooflines make a profile against the sky and the design of this profile helps define community character. Roofline design shall be consistent with existing block or neighborhood patterns where appropriate.~~

~~— (4) Roof material shall be appropriate to the buildings architecture. Materials with highly reflective surfaces are not allowed.~~

~~— M. Both horizontal and vertical division shall be incorporated into the building façade.~~

~~— N. Monotonous, uninterrupted expanses of wall are prohibited. Recesses, projections, columns, openings, ornamentation, materials and colors shall be used to add texture and detail. Blank walls shall not normally exceed twenty (20) feet of lineal frontage along University Avenue or Hickman Road and twenty five (25) feet along all other streets.~~

~~— 2. Fenestration (door and window openings) shall be sized to the scale of the building and detailed appropriately. Use of repeating window patterns and details are encouraged to unify the design.~~

~~— 3. Entries and windows shall contribute to the volume, mass proportion and texture of the building. They shall be designed as an integral part of the overall building design and shall reflect the building's architectural style.~~

- ~~—4. Materials shall change with the change in building plans; however, all materials shall keep within the chosen theme.~~
- ~~—5. New and renovated developments shall exhibit high quality design and construction that will enhance the community.~~
- ~~—6. Reflective glass or mirrored glass is prohibited. Clear glass shall be used on storefronts, windows, and doors to promote the linkage of the interior and exterior buildings.~~
- ~~—7. Trim and structural elements such as posts or columns shall be sized to the scale of the building and detailed appropriately to the theme. When used, masonry materials shall have the appearance of three-dimensional elements.~~
- ~~—8. Colorful landscaping is encouraged to frame doorways or accent windows. Landscaping may be planting beds, sidewalks planters, containers and/or window boxes. Planters, containers, and window boxes are encouraged to complement the architectural style and color or the building it is framing.~~
- ~~—9. Corporate franchise design where the building functions as a trademark shall be permissible only if it incorporates architectural elements, which are compatible with the overall theme and uniqueness of the development and surrounding development.~~
- ~~—10. Outbuildings on commercial lots are also required to use attractive architectural elements as outlined above.~~
- ~~—11. In the case of gas stations, canopy supports shall be clad in brick, masonry, wood or other similar material that is compatible with the architecture of the building. Cladding of the supports shall be proportioned to the height and scale of the canopy. All downspouts shall be integrated into the canopy structure. Canopy fascia shall be finished to match the building material and color.~~
- ~~—12. All townhome, row, and multi-family dwellings proposed within the same development shall have a unified architectural theme. Sites where four (4) or more buildings are proposed shall provide slight differentiation in design amongst buildings of the same size or number of units to provide for a higher level of architectural design for the site as a whole.~~
- ~~—13. Window bays, articulation of roof lines through the use of dormers or gables, variation in building offsets, the division of continuous material(s), the use of architectural accents such as chimneys, balconies, pediments, columns, cornice lines, or moldings shall be used in townhomes or row dwelling facilities and multi-family facades.~~
- ~~—14. Any garage door proposed within a townhome, row dwelling, or multi-family structure shall be integrated into the façade so as not to become a prominent element of the dwelling.~~
- ~~—15. Stairways and stairwells shall be integrated into and complement the overall architectural form and style. Flimsy, open metal, prefabricated stairs are not allowed. Uncovered stairs shall be screened from view with wing walls or landscaping.~~

170.15 COMMERCIAL PARKING STANDARDS.

- ~~—1. Parking areas shall consist of separated parking fields that are aesthetically pleasing, landscaped to screen the public views and located so as not to be the dominant feature along any street or intersection, with appropriate landscaping and landscaping pods and units as set out in subsection 170.17 of this section.~~
- ~~—2. Parking structures and lots shall be designed to contribute to an attractive appearance of the streetscape, including appropriate lighting, and not deter from the pedestrian access.~~

- ~~—3. Parking should be as unobtrusive as possible. As a whole, the massing and details of the building shall dominate the streetscape; not parking.~~
- ~~—4. Structured parking shall provide pedestrian access to both the street level and multistory residential or retail.~~
- ~~—5. Shared parking between mixed uses is encouraged.~~
- ~~—6. Seasonal overflow parking shall be located in the rear of the lot or in an off-site private/public co-use of spaces and should be considered with parking spaces within a one-block distance counting towards the minimum parking space requirements of the development.~~
- ~~—7. Consideration will be given for the reduction of parking requirements if the applicant can provide data that indicates potential parking demand that is less than the current code. The applicant may use shared parking to reduce the number of required stalls.~~
- ~~—8. Parking shall be located to utilize natural landscape and topography.~~
- ~~—9. The design of all parking lots shall permit the travel of the Fire Department's vehicle access requirements.~~
- ~~—10. Pedestrian travel ways shall be separated from vehicular traffic with landscaping, bollards made of materials complimenting the architectural style of the project, special paving, or any other feature, which identifies the pedestrian space.~~
- ~~—11. Developers shall give special consideration to parking lots using permeable paving alternatives such as those paving systems designed to infiltrate and capture storm water. Such alternatives may be required as part of the site plan approval.~~

170.16 COMMERCIAL PARKING LOT DESIGN AND LANDSCAPING STANDARDS.

- ~~—Locating parking in the back of the development is strongly preferred; however it doesn't work for every development. The intent of this subsection is to encourage extensive landscaping in parking lot areas which tend to have the greatest negative impact on developments and that will provide breaks in what could be viewed as a sea of asphalt parking. All parking areas shall be designed to create small, shared, aesthetically landscaped, and screened parking lots that are designed to function not only in the interest of accommodating automobiles, but also in the interest of the pedestrian. The following standards are in addition to the landscaping requirements in Chapter 173 of the zoning ordinance.~~
- ~~—1. Landscape islands shall be spaced no greater than 12 parking stalls apart within a single row of parking. Islands shall be 10 feet in width by 38 feet in length for dual row parking rows and 10 feet in width by 19 feet in length for single rows.~~
- ~~—2. No parking space, within a single row of parking, shall be greater than twelve stalls from a landscape island.~~
- ~~—3. Landscape islands shall be located at the terminus end of parking rows.~~
- ~~—4. A variety of plants, shrubs, and trees shall be installed in each landscape pod and island. In addition, a variety of perennials may be required as the time of site plan review. In all events, the landscape pods and islands shall be sodded or mulched. If mulched, mulch shall be replenished annually; volcano mulching around trees is not permissible. Pea gravel and lava rocks will not be allowed.~~
- ~~—5. The developer and/or successors shall maintain landscaped medians. Some landscaping must provide winter interest and be evergreen in nature.~~

- ~~—6. Areas where parking lots or drive lanes are visible from the public street shall provide a significant level of screening through the use of any of the following:~~
 - ~~—A. Earthen berms;~~
 - ~~—B. Three feet or higher in conjunction with vegetation;~~
 - ~~—C. Landscaped walls;~~
 - ~~—D. Walls constructed for the retainment of soil which are greater than 4 feet in height shall be designed by an individual knowledgeable and certified in structural engineering;~~
 - ~~—E. Walls may be brick, individual decorative modular wall stone, or natural stacked wall or field stone. Walls composed of landscape timbers or other wood products are not desired due to the deterioration potential of the material. Wood walls may be used, with approval by the Administrative Official or Planning and Zoning Commission and City Council, in areas where views of the wall are minimal.~~
 - ~~—F. Vegetation shall be planted along all types of walls to soften the visual impact, visually break up long expanses of the wall and to visually anchor it to the site. Vegetation screening shall be of evergreen materials.~~
 - ~~—G. Perimeter masonry screen walls are encouraged with landscaping. Where possible, landscaping shall be provided within a minimum 4' wide planting bed and include trees, shrubs, and/or groundcovers. Landscaping shall coordinate with the streetscape landscaping. Landscaping shall be kept in a neat and orderly manner.~~

170.17 COMMERCIAL CONNECTIVITY AND PEDESTRIAN ELEMENTS.

- ~~—1. Sites shall be designed with delineated sidewalks, walkways, and paths to provide continuous circulation throughout the site connecting principal structures, dwelling units, parking areas, parking garages, and other prominent features. Pedestrian connection(s) shall be made between the internal circulation system and the adjacent public sidewalk or trail systems. The site shall be organized so that the buildings frame and reinforce pedestrian circulation between lots.~~
- ~~—2. Sites shall be designed to limit the number of pedestrian and motorist conflict points.~~
- ~~—3. Sidewalks in designated areas shall be of a sufficient width to accommodate outdoor seating areas for cafes, pedestrian street furniture, walkways, and street trees. Sidewalks shall be a minimum of six (6) feet unless specifically exempted by the Administrative Official or other Administrative Official.~~
- ~~—4. Developments shall provide breaks between buildings at mid-block and shall have pedestrian amenities such as walkways, benches, etc.~~
- ~~—5. Any pedestrian paths which cross internal drives shall be constructed to visually contrast to provide a highly visible crosswalk.~~
- ~~—6. Enhanced pedestrian elements at the sidewalk level including decorative lighting, seating or low sitting walls, planters, enhanced paving techniques, etc., shall be incorporated into the theme.~~
- ~~—7. To promote a higher level of pedestrian awareness, the use of alternate paving materials to designate pedestrian traffic areas from vehicular use areas and travel lanes is required. Mere cuts in the concrete will not be sufficient to meet the requirements of this section.~~
- ~~—8. Common walls between residential and nonresidential uses shall be constructed to minimize the transmission of noise and vibration.~~

- ~~—9. On-site bicycle parking shall be provided and in a location that is easily accessible, but non-intrusive to sidewalk areas or building entries.~~
- ~~—10. Parking and refuse containers shall be placed in a convenient location for the residential units of mixed-use buildings and shall be enclosed with wooden or masonry structure.~~

~~170.18 BIG BOX/LARGE RETAIL STRIP ESTABLISHMENTS.~~

~~—It is the intent of this Ordinance to create a unique environment through mixed uses and interesting design. Each large retail establishment is required to provide pedestrian scale through the incorporation of several of the following suggested elements:~~

- ~~—1. Arcades;~~
- ~~—2. Arches or recessed archways;~~
- ~~—3. Architectural details, such as tile work and moldings, which are integrated into the building structure and design;~~
- ~~—4. Awnings, canopies, or porticos;~~
- ~~—5. Changes in massing;~~
- ~~—6. Changes in material;~~
- ~~—7. Clearly defined, highly visible, multiple customer entrances;~~
- ~~—8. Display windows;~~
- ~~—9. Dormers;~~
- ~~—10. Peaked roof forms;~~
- ~~—11. Planters, outdoor patios or wing walls that incorporate landscape areas and/or places for sitting;~~
- ~~—12. Raised corniced parapets over the doors;~~
- ~~—13. Separate shops (or the appearance of separate shops) with separate entrances placed in front of the larger building;~~
- ~~—14. Varying plate heights.~~
- ~~—15. Buildings constructed shall be designed to sustain interest throughout the entirety of the building's exterior and reduce the appearance of a box or cube.~~
- ~~—16. Individual buildings within a planned retail center, office park, or similar environment shall be designed with a compatible architectural style or theme.~~
- ~~—17. In order to ensure the longevity and future usability of retail buildings in excess of 50,000 square feet (e.g. big box retailer, anchor of a large retail strip establishments, etc.) additional articulation and structural offsets shall be provided to ensure future reuse of the structure by smaller user groups. This shall be accomplished by visually separating the building into masses conducive to such reuse.~~

~~170.19 OPEN SPACE; LANDSCAPING — GENERAL PROVISIONS.~~

~~—The open space provisions exist to provide minimum open space requirements with a desire to increase densities within the development. Properties that have provided or otherwise dedicated land towards the creation of green space meet this requirement. Refer to the open space plan in the Comprehensive Plan to determine where open spaces may be required.~~

- 1.— Developments shall adhere to the requirements of Section 170.20 of this Ordinance. However, the following standards shall be followed when providing open space. All developments shall provide open space, or spaces, which allow for the interaction among pedestrians and with the surrounding environment according to the Comprehensive Plan
- 2.— Open spaces shall be designed to encourage the interaction and presence of people throughout the day and evening.
- 3.— Outdoor spaces shall provide as many seating opportunities as possible through the placement of moveable chairs, sidewalks cafes, and planter walls.
- 4.— Outdoor space shall be privately owned and maintained by the developer or property owner's association. However, if the determination has been made by the City Council that a particular open space serves not only the patrons of the development but the greater community as a whole, the City may provide assistance to aid in the development of the public space.
- 5.— The integration of storm drainage and detention shall be designed to enhance the public space, which could include the creation of ponds, rain gardens, permeable paving alternatives, etc
- 6.— Open space shall be designed to create an outdoor room, by limiting the interaction with moving vehicles and partially surrounding the spaces by buildings, landscaping elements, and architectural features.
- 7.— All utility boxes shall be screened with evergreen trees or shrubs proportional to the heights of the utility box with enough clearance to allow service on the boxes if necessary.
- 8.— Irrigation sufficient to sustain plant life enabling it to flourish is required.

170.20 LANDSCAPING MATERIALS.

—The following materials are permitted, encouraged, or prohibited, based on categories. See Iowa Urban Tree Council website for ash tree replacement list.

Ash replacement Tree Options

<u>Windsor Heights Tree/Plant List</u>		
<u>Partial Listing of Large Shade Trees for Planting on Public and Private Property</u>		
<u>Common Name</u>	<u>Botanical or Latin Name</u>	<u>Typical Mature Width/Height/Rate</u>
<u>Blackgum</u>	<u>Nyssa sylvatica</u>	
<u>Yellowwood</u>	<u>Cladrastis kentuckea</u>	
<u>Tuliptree</u>	<u>Liriodendron tulipifera</u>	
<u>Bald Cypress</u>	<u>Taxodium distichum</u>	
<u>River Birch</u>	<u>Betula nigra</u>	
<u>Hackberry</u>	<u>Celtis occidentalis</u>	
<u>Honeylocust cv.</u>	<u>Gleditsia triacanthos</u>	<u>72-100ft</u>
<u>Kentucky Coffetree— Male Only</u>	<u>Gymnocladus dioicus</u>	
<u>Ginkgo, Maidenhair Tree— Male Only</u>	<u>Ginkgo biloba</u>	
<u>Oaks</u>	<u>Quercus sp.</u>	
<u>Lindens</u>	<u>Tilia sp.</u>	

<u>Windsor Heights Tree/Plant List</u>		
<u>Evergreens for Planting on Public and Private Property</u>		
<u>Common Name</u>	<u>Botanical or Latin Name</u>	<u>Typical Mature Width/Height/Rate</u>
<u>Densiformis Yews</u>	<u>Taxus x media</u> <u>'Densiformis'</u>	
<u>Eastern Red Cedar</u>	<u>Juniperus virginiana</u>	
<u>Blackhills Spruce</u>	<u>Picea glauca densata</u>	
<u>Colorado Blue Spruce</u>	<u>Picea pungens glauca</u>	
<u>Jack Pine</u>	<u>Pinus banksiana</u>	
<u>Ponderosa Pine</u>	<u>Pinus ponderosa</u>	
<u>Swiss Mountain Pine</u>	<u>Pinus mugho mughus</u>	
<u>Eastern White Pine</u>	<u>Pinus strobus</u>	
<u>White Fir</u>	<u>Abies concolor</u>	
<u>Arborvitae</u>	<u>Thuja occidentalis</u>	
<u>Colorado Blue Spruce (Fat Albert)</u>	<u>Picea pungens</u>	

<u>Windsor Heights Tree/Plant List</u>		
<u>Tree Planting Prohibited on Street Right-of-Way and Not Recommended for Private Property</u>		
<u>Common Name</u>	<u>Botanical or Latin Name</u>	<u>Typical Mature Width/Height/Rate</u>
<u>Box Elder</u>	<u>Acer negundo</u>	
<u>Silver Maple</u>	<u>Acer saccharinum</u>	
<u>White Birch—ROW only</u>	<u>Betula papyrifera</u>	
<u>Thorny Honeylocust</u>	<u>Gleditsia tricanthos</u>	
<u>Black Locust</u>	<u>Robinia pseudocacia</u>	
<u>Pin Oak—ROW only</u>	<u>Quercus palustris</u>	
<u>All Evergreens (ROW only)</u>		
<u>Trees bearing fruits and nuts over one foot diameter (ROW only)</u>		

<u>Windsor Heights Tree/Plant List</u>		
<u>Dense Deciduous Shrub List for Screening</u>		
<u>Common Name</u>	<u>Botanical or Latin Name</u>	<u>Typical Mature Width/Height/Rate</u>
<u>Large</u>		
<u>Bailey Compact Amur Maple</u>	<u>Acer ginnala 'Bailey Compact'</u>	<u>8' x 8'</u>

<u>Hedge-Cotoneaster</u>	<u>Cotoneaster lucida</u>	<u>8-10' x 4-5'</u>
<u>Ninebark</u>	<u>Physocarpus opulifolius</u> <u>'Diablo'</u>	<u>8-10' x 8-10'</u>
<u>Nanking Cherry</u>	<u>Prunus tomentosa</u>	<u>8-10'</u>
<u>Donald Wyman,</u> <u>James MacFarlane,</u> <u>Agnes Smith</u>	<u>Syringa x prestoniae</u>	
<u>Arrowwood Viburnum</u>	<u>Viburnum dentatum</u>	<u>8' x 8'</u>
<u>European Cranberry</u> <u>Viburnum</u>	<u>Viburnum opulus</u>	<u>8-12' x 10-12'</u>
<u>American</u> <u>Cranberrybush</u> <u>Viburnum</u>	<u>Viburnum trilobum</u>	<u>10' x 8'</u>
<u>Arboretum—any species not prone to splitting</u>		
<u>Medium:</u>		
<u>Fragrant Sumac</u>	<u>Rhus aromatica</u>	<u>6' x 5'</u>
<u>Alpine Current</u>	<u>Ribes alpinum</u>	<u>5' x 8'</u>
<u>Bridal Wreath Spirea</u>	<u>Spirea vanhouttei</u>	<u>6' x 6'</u>
<u>Dwarf Korean Lilac</u>	<u>Syringa meyeri palibin</u>	<u>6' x 10'</u>
<u>Compact American</u> <u>Cranberry Viburnum</u>	<u>Viburnum trilobum</u> <u>Compact cv.</u>	<u>6' x 6'</u>
<u>Small:</u>		
<u>Dwarf Ninebark</u>	<u>Physocarpus opulifolius</u> <u>nanus</u>	<u>3' x 3'</u>
<u>Potentilla varieties</u>	<u>Potentilla fruticosa cv.</u>	<u>3' x 3'</u>
<u>Gro-Low Sumac</u>	<u>Rhus aromatica Gro-Low</u>	<u>2 x 4-5'</u>
<u>Green Mound Alpine</u> <u>Current</u>	<u>Ribes alpinum Green</u> <u>Mound</u>	<u>3-4' x 2-3'</u>
<u>Dwarf Blue Leaf</u> <u>Arctic Willow</u>	<u>Salix purpurea nana</u>	<u>4 x 4</u>
<u>Spirea varieties</u>	<u>Spirea bumalda cv.</u>	<u>2' x 2'—4' x 4'—</u> <u>varies with cultivar</u>
<u>Japanese Spirea</u> <u>varieties</u>	<u>Spirea japonica cv.</u>	<u>2' x 2'—4' x 4'—</u> <u>varies with cultivar</u>
<u>Dwarf Cranberry</u> <u>Viburnum</u>	<u>Viburnum opulus nanum</u>	<u>3' x 3'</u>
<u>Boxwood Koreanus</u>		
<u>Densiformus Yews</u>		
<u>Hearty shrub roses</u>		

<u>Windsor Heights Tree/Plant List</u>		
<u>Evergreen Shrubs</u>		
<u>Common Name</u>	<u>Botanical or Latin Name</u>	<u>Typical Mature Width/Height/Rate</u>
<u>Chinese Junipers</u>	<u>Juniperus chinensis</u>	
<u>Blue Holly</u>	<u>Hex x meserveae</u>	
<u>Sea Green Juniper</u>	<u>Juniperus chinensis 'Sea Green'</u>	
<u>Dwarf Creeping Juniper</u>	<u>Juniperus horizontalis</u>	
<u>Cross Spreading Japanese</u>	<u>Taxus cuspidata</u>	
<u>Hicks Yew</u>	<u>Taxus x media 'Hicksii'</u>	
<u>Taunton Yew</u>	<u>Taxus media 'Taunton'</u>	
<u>Densiformus Yews</u>		
<u>Green Velvet Boxwood</u>	<u>Buxus x 'Green Velvet'</u>	
<u>Green Mountain Boxwood</u>	<u>Buxus x 'Green Mountain'</u>	
<u>Rhododendron</u>	<u>Rhododendron "PJM"</u>	

<u>Windsor Heights Tree List</u>		
<u>Small Trees for Under High Wires (with upright branching to avoid pedestrians on sidewalks)</u>		
<u>Common Name</u>	<u>Botanical or Latin Name</u>	<u>Typical Mature Width/Height/Rate</u>
<u>Crimson Sentry Maple</u>	<u>Acer platanoides 'Crimson Sentry'</u>	<u>25¢ x 15¢</u>
<u>Robin Hill Serviceberry</u>	<u>Amelanchier x grandiflora 'Robin Hill'</u>	
<u>Amur Maaekia</u>	<u>Maaekia amurensis</u>	<u>25¢ x 20¢</u>
<u>Adirondack Flowering Crabapple, white</u>	<u>Malus Adirondack</u>	<u>20¢ x 10¢</u>
<u>Centurion Flowering Crab, rose-red</u>	<u>Malus Centurion</u>	<u>20¢ x 12¢</u>
<u>Red Barron Flowering Crab, rose</u>	<u>Malus Red Barron</u>	<u>18¢ x 8¢</u>
<u>Sentinel Flowering Crab, white</u>	<u>Malus Sentinel</u>	<u>20¢ x 12¢</u>
<u>Princess Kay Plum</u>	<u>Prunus nigra 'Princess Kay'</u>	<u>15¢ x 8-10¢</u>
<u>Ivory Silk Japanese Tree Lilac</u>	<u>Syringa reticulata 'Ivory Silk'</u>	<u>20¢ x 15¢</u>

<u>Windsor Heights Tree List</u>		
<u>Small Trees for Under High Wires (where sidewalk clearance is not an issue)</u>		

<u>Common Name</u>	<u>Botanical or Latin Name</u>	<u>Typical Mature Width/Height/Rate</u>
<u>Amur Maple</u>	<u>Acer ginnala</u>	<u>20¢ x 20¢</u>
<u>Tatarian Maple</u>	<u>Acer tatarica</u>	<u>25¢ x 15¢</u>
<u>Shadblow Serviceberry, tree form</u>	<u>Amelanchier canadensis</u>	<u>25¢ x 15¢</u>
<u>Autumn Brilliance Serviceberry</u>	<u>Amelanchier g. Autumn Brilliance</u>	<u>20¢ x 25¢</u>
<u>American Hornbeam</u>	<u>Carpinus caroliniana</u>	<u>25¢ x 20¢</u>
<u>Eastern Redbud</u>	<u>Cereis canadensis</u>	<u>25¢ x 20¢</u>
<u>Pagoda Dogwood</u>	<u>Cornus alternifolia</u>	<u>20¢ x 15¢</u>
<u>Thicket Hawthorn</u>	<u>Crataegus intricata</u>	<u>20¢ x 15¢</u>
<u>Washington Hawthorn</u>	<u>Crataegus phaenopyrum</u>	<u>20¢ x 20¢</u>
<u>Winter King Hawthorn</u>	<u>Crataegus v. Winter King</u>	<u>20¢ x 20¢</u>
<u>Common Witch-hazel</u>	<u>Hamamelis virginiana</u>	<u>12-15¢ x 12¢</u>
<u>American Hophornbeam</u>	<u>Ostrya virginiana</u>	<u>35¢ x 25¢</u>
<u>Cherry—Manchurian cherry</u>	<u>Prunus maackia</u>	<u>25¢ x 25¢</u>
<u>Chanticleer Flowering Pear</u>	<u>Pyrus c. Chanticleer</u>	<u>35¢ x 15¢</u>

<u>Windsor Heights Tree List</u>		
<u>Permitted Disease Resistant Flowering Crabapples (not a comprehensive list)</u>		
<u>Common Name</u>	<u>Botanical or Latin Name</u>	<u>Typical Mature Width/Height/Rate</u>
<u>Adams Crabapple (red to pink flowers, red persistent fruit)</u>	<u>Malus 'Adams'</u>	<u>15¢ x 20¢</u>
<u>Baccata 'Jackii'</u>	<u>Malus baccata 'Jackii'</u>	<u>20¢ x 20¢</u>
<u>Beverly (white flowers, red fruit)</u>	<u>Malus (crabapple) x. 'Beverly'</u>	<u>20¢ x 20¢</u>
<u>Candied Apple (pink flowers, red persistent fruit,)</u>	<u>Malus hybrida</u>	<u>15¢ x 15¢</u>
<u>Callaway</u>	<u>Malus x 'Callaway'</u>	<u>20¢ x 20¢</u>
<u>Cardinal</u>	<u>Malus 'Cardinal'</u>	<u>16¢ x 20¢</u>
<u>David (white flowers, red persistent fruit)</u>	<u>Malus 'David'</u>	<u>12¢ x 12¢</u>
<u>Donald Wyman (white flowers, red persistent fruit)</u>	<u>Malus 'Donald Wyman'</u>	<u>20¢ x 24¢</u>

<u>Golden Raindrops (white flowers, yellow persistent fruit)</u>	<u>Malus ‘Schmidtcutleaf’</u>	<u>20€ x 15€</u>
<u>Jewelberry (white flowers, red fruit)</u>	<u>Malus ‘Jewelberry’</u>	<u>8€ x 12€</u>
<u>Liset (dark red flowers, maroon fruit)</u>	<u>Malus x moerlandsii ‘Liset’</u>	<u>15€ x 15€</u>
<u>Louisa (pink flowers, yellow fruit)</u>	<u>Malus ‘Louisa’</u>	<u>15€ x 15€</u>
<u>Ormiston Roy (white flowers, amber persistent fruit)</u>	<u>Malus ‘Ormiston Roy’</u>	<u>20€ x 25€</u>
<u>Pink Princess (pink flowers, deep red fruit)</u>	<u>Malus ‘Parrsi’</u>	<u>8€ x 12€</u>
<u>Prairifire (rose-red flowers, dark red persistent fruit)</u>	<u>Malus ‘Prairifire’</u>	<u>20€ x 20€</u>
<u>Professor Sprenger (white flowers, orange-red persistent fruit)</u>	<u>Malus ‘Professor Sprenger’</u>	<u>20€ x 20€</u>
<u>Robinson (deep pink flowers, red fruit)</u>	<u>Malus ‘Robinson’</u>	<u>25€ x 20€</u>
<u>Sargent (white flowers, red persistent fruit)</u>	<u>Malus sargentii</u>	<u>8€ x 12€</u>
<u>Strawberry Parfait</u>	<u>Malus ‘Strawbery Parfait’</u>	<u>18€ x 22€</u>
<u>Sugar Tyme (white flowers, red fruit)</u>	<u>Malus ‘Sutyzam’</u>	<u>18€ x 15€</u>
<u>Zumi Calocarpa (white flowers, red fruit)</u>	<u>Malus x zumi ‘Calocarpa’</u>	<u>15€ x 15€</u>

<u>Windsor Heights Tree/Plant List</u>		
<u>Plants with Good to Moderate Salt Tolerance</u>		
<u>Common Name</u>	<u>Botanical or Latin Name</u>	<u>Typical Mature Width/Height/Rate</u>
<u>Deciduous Shrubs</u>		
<u>Siberian Pea Shrub</u>	<u>Caragana arborescens</u>	<u>20€ x 10€</u>
<u>St. John’s Wort</u>	<u>Hypericum prolificum</u>	<u>4€ x 4€</u>
<u>Lilacs (Miss Kim)</u>	<u>Syringa pubescens subsp. patula</u>	
<u>Northern Bayberry</u>	<u>Myrica pennsylvanica</u>	<u>9€ x 6€</u>

<u>Mockorange, size varies with species</u>	<u>Philadelphus spp. & cvs.</u>	
<u>Cinquefoil, 3¢ x 3¢</u>	<u>Potentilla spp. & cvs.</u>	<u>3¢ x 3¢</u>
<u>Smooth Sumac</u>	<u>Rhus glabra</u>	<u>10¢ x 5¢</u>
<u>Staghorn Sumac</u>	<u>Rhus typhina</u>	<u>24¢ x 12¢</u>
<u>Silver Buffalo Berry</u>	<u>Shepherdia argentea</u>	<u>20¢ x 15¢</u>
<u>Snowberry</u>	<u>Symphoricarpos albus</u>	<u>3¢ x 3¢</u>
<u>Common Lilac</u>	<u>Syringa vulgaris</u>	<u>12¢x10¢</u>
<u>Arrowwood Viburnum</u>	<u>Viburnum dentatum</u>	<u>6¢ x 6¢</u>
<u>Deciduous Trees:</u>		
<u>Amur Maple</u>	<u>Acer ginnala</u>	
<u>Norway Maple</u>	<u>Acer platanoides</u>	
<u>Common Horsechestnut</u>	<u>Aesculus hippocastanum</u>	
<u>Shadblow Serviceberry</u>	<u>Amelanchier Canadensis</u>	
<u>Northern Catalpa</u>	<u>Catalpa speciosa</u>	
<u>Hackberry</u>	<u>Celtis occidentalis</u>	
<u>Cockspur Hawthorn</u>	<u>Crataegus crus-galli</u>	
<u>Russian Olive</u>	<u>Elaeagnus angustifolia</u>	
<u>Maidenhair/ Ginkgo</u>	<u>Ginkgo biloba – Male only</u>	
<u>Honeylocust</u>	<u>Gleditsia tricanthos</u>	
<u>Kentucky Coffeetree) – Male only</u>	<u>Gymnocladus dioicus</u>	
<u>White Poplar</u>	<u>Populus alba</u>	
<u>Cottonwood</u>	<u>Populus deltoides</u>	
<u>Quaking Aspen</u>	<u>Populus tremuloides</u>	
<u>Black Cherry</u>	<u>Prunus serotina</u>	
<u>Choke Cherry</u>	<u>Prunus virginiana</u>	
<u>White Oak</u>	<u>Quereus alba</u>	
<u>Burr Oak</u>	<u>Quereus macrocarpa</u>	
<u>Red Oak</u>	<u>Quereus rubra</u>	
<u>Five Stamen Tamarisk</u>	<u>Tamarix ramosissima</u>	
<u>Groundcovers:</u>		
<u>Bugleweed</u>	<u>Ajuga reptans</u>	
<u>Goutweed</u>	<u>Aegopodium podagraria</u>	
<u>Creeping Cotoneaster</u>	<u>Cotoneaster adpressa</u>	
<u>Bearberry Cotoneaster</u>	<u>Cotoneaster dammeri</u>	

<u>Rockspray Cotoneaster</u>	<u>Cotoneaster horizontalis</u>	
<u>Hesse Cotoneaster</u>	<u>Cotoneaster horizontalis 'Hessei'</u>	
<u>Wintercreeper</u>	<u>Euonymus fortunei cultivars</u>	
<u>English Ivy</u>	<u>Hedera helix</u>	
<u>Plantain Lily</u>	<u>Cultivars Hosta-cultivars</u>	
<u>Japanese Garden Juniper</u>	<u>Juniperus chinensis procumbens</u>	
<u>Gro-low sumac</u>	<u>Rhus aromatica 'Gro-low'</u>	
<u>Periwinkle</u>	<u>Vinca minor</u>	

<u>Low Maintenance Perennial</u> <u>Full Sun (Includes sun from 12:00 – 5:00 p.m.)</u>	
<u>Non-native</u>	<u>Native</u>
<u>Artemisia camphorata (Southernwood)</u>	<u>Bee Balm</u>
<u>Aster Alma Pötschke</u>	<u>Bottle Gentian</u>
<u>Aster Purple Dome</u>	<u>Butterfly Milkweed</u>
<u>Baptisia australis (False Indigo)</u>	<u>Canada Anemone</u>
<u>Boltonia a. Snowbank (White Boltonia)</u>	<u>Culvers Root</u>
<u>Chelone lyonii (Turtlehead)</u>	<u>False Sunflower</u>
<u>Coreopsis Zagreb (Tickseed)</u>	<u>Leadplant</u>
<u>Echinacea purpurea (Coneflower)</u>	<u>Gray-headed Coneflower</u>
<u>Euphorbia polychroma (Cushion Spurge)</u>	<u>Monkey Flower Plant</u>
<u>Geranium c. Biokova</u>	<u>Nodding Onion</u>
<u>Geranium sanguineum Max Frei</u>	<u>Ohio Spiderwort</u>
<u>Heliopsis (False Sunflower)</u>	<u>Pale Purple Coneflower</u>
<u>Hemerocallis (Daylily)</u>	<u>Penstemon or Foxglove Beardtongue</u>
<u>Iris sibirica (Siberian Iris)</u>	<u>Prairie Blazing Star</u>
<u>Liatris (Blazing Star)</u>	<u>Prairie Phlox</u>
<u>Lamiaceae Origanum</u>	<u>Prairie Smoke</u>
<u>Herrenhausen (Ornamental Oregano)</u>	<u>Purple Coneflower</u>
<u>Paeoniaceae Peony</u>	<u>Purple Prairie Clover</u>
<u>Perovskia (Russian Sage)</u>	<u>Queen of the Prairie</u>
<u>Rudbeckia Goldsturm (Black-Eyed Susan)</u>	<u>Rough Blazing Star</u>
<u>Ruta graveolens (Rue)</u>	<u>Silky Aster</u>
<u>Salvia May Night/East Friesland/Blue Hills etc. (Meadow Sage)</u>	<u>Smooth Blue Aster</u>
<u>Sedum kamtschaticum (Stonecrop)</u>	<u>Stiff Goldenrod</u>
<u>Sedum spectabile Autumn</u>	<u>Susan, Brown and Black-Eyed</u>
<u>Joy/Brilliant/Matrona etc.</u>	<u>White Prairie Clover</u>
<u>Stachys Helene von Stein (Lamb's Ears)</u>	<u>Wild Bergamot</u>
	<u>Wild Geranium</u>

<u>Tanacetum (Fern Leaf Tansy)</u> <u>Waldsteinia ternata (Barren Strawberry)</u> <u>Yucca filamentosa</u>	
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<u>Low Maintenance Perennial</u> <u>Full Sun Grasses</u>	
<u>Non-native</u>	<u>Native</u>
<u>Calamagrostis Karl Foerster (Feather Reed Grass)</u> <u>Deschampsia caespitosa (Tufted Hair Grass)</u>	<u>Schizachyrium scoparium (Little Bluestem)</u> <u>Sporobolus heterolepis (Prairie Dropseed)</u> <u>Sorghastrum nutans (Indiangrass)</u> <u>Boutelousa (Side Oats Gramma)</u> <u>Panicum (Switch grass)</u>

<u>Low Maintenance Perennial</u> <u>Partial Shade (morning sun, afternoon shade)</u>	
<u>Non-native</u>	<u>Native</u>
<u>Alchemilla (Lady's Mantle)</u> <u>Aruncus (Goatsbeard)</u> <u>Astilbe varieties</u> <u>Carex s. Variegata (Variegated Sedge)</u> <u>Chelone lyonii (Turtlehead)</u> <u>Deschampsia caespitosa (Tufted Hair Grass)</u> <u>Fern varieties</u> <u>Heuchera varieties</u> <u>Hosta varieties</u> <u>Iris sibirica (Siberian Iris)</u> <u>Lamium g. Herman's Pride</u> <u>Lamium m. Chequers</u> <u>Ligularia The Rocket</u> <u>Thalictrum aquilegifolium (Meadow Rue)</u> <u>Waldsteinia ternata (Barren Strawberry)</u>	<u>Dodecatheon amethystinum (Amethyst Shooting Star)</u> <u>Aquilegia canadensis (Columbine)</u> <u>Boltonia asteroides (False Aster)</u> <u>Penstemon digitalis (Penstemon or Floxglove)</u> <u>Beardsstongue)</u> <u>Lobelia siphilitica (Great Blue Lobelia)</u> <u>Symphotrichum cordifolium (Heart-leaved Aster)</u> <u>Polemonium reptans (Jacob's Ladder)</u> <u>Lobelia spicata (Pale Spiked Lobelia)</u> <u>Geranium maculatum (Wild Geranium)</u>

<u>Low Maintenance Perennial</u> <u>Shade (filtered light or direct sun only in early morning or late evening)</u>	
<u>Non-native</u>	<u>Native</u>
<u>Alchemilla (Lady's Mantle)</u> <u>Aruncus (Goatsbeard)</u>	<u>Asarum canadense (Wild Ginger)</u> <u>Adiantum pedatum (Maidenhair fern)</u>

<u>Asarum canadense (Wild Ginger)</u>	<u>Polystichum acrostichoides(Christmas Fern)—</u>
<u>Carex s. Variegata (Variegated Sedge)</u>	<u>Dryopteris marginalis (Marginal Wood Fern)-</u>
<u>Cimicifuga racemosa (Cohosh)</u>	<u>Athyrium filix-femina(Lady Fern)</u>
<u>Epimedium (Barrenwort)</u>	<u>Dryopteris marginalis(Marginal Wood Fern)</u>
<u>Fern varieties</u>	<u>Sanguinaria Canadensis (Bloodroot)</u>
<u>Hosta varieties</u>	<u>Hepatica nobilis var. acuta (Hepatica)</u>
<u>Pulmonaria (Lungwort)</u>	<u>Trillium cernuum (Nodding Trillium)</u>
	<u>Thalictrum thalictroides (Rue Anemone)</u>
	<u>Mertensia virginica (Virginia Bluebells)</u>

<u>Low Maintenance Perennial</u> <u>Prohibited Landscaping material</u>		
<u>Common Name</u>	<u>Botanical or Latin Name</u>	<u>Typical Mature Width/Height/Rate</u>
<u>Japanese Barberry</u>	<u>Berberis thunbergii</u>	<u>6 x 6</u>
<u>‘Crimson Pygmy’</u>	<u>Berberis thunbergii cv.</u>	<u>2 x 2, ‘Globe’ 2 x 2, ‘minor’ 3 x 3 etc</u>

Partial Listing of Large Shade Trees for Planting on Public and Private Property

Nyssa sylvatica (Blackgum)
Cladrastis kentuckea (Yellowwood)
Liriodendron tulipifera (Tuliptree)
Taxodium distichum (Bald Cypress)
Betula nigra (River Birch)
Celtis occidentalis (Hackberry)
Gleditsia triacanthos i. (Honeylocust cv.)
Gymnocladus dioicus (Kentucky Coffeetree)— Male only
Ginkgo biloba (Ginkgo, Maidenhair Tree)— Male only
Quercus sp. (Oaks)
Tilia sp. (Lindens)

Evergreens for Planting on Public and Private Property

Densiflorus Yews
Juniperus virginiana (Eastern Red Cedar)
Picea glauca densata (Blackhills Spruce)
Picea pungens glauca (Colorado Blue Spruce)
Pinus banksiana (Jack Pine)
Pinus ponderosa (Ponderosa Pine)
Pinus mugo (Swiss Mountain Pine)

~~Eastern White Pine~~

~~Abies concolor White Fir~~

~~Pinus strobes White Pine~~

~~Thuja occidentalis (Arborvitae)~~

~~Fat Albert (Colorado Blue Spruce)~~

~~Tree Planting Prohibited on Street Right-of-Way and Not Recommended for Private Property~~

~~Acer negundo (Box Elder)~~

~~Acer saccharinum (Silver Maple)~~

~~Betula papyrifera (White Birch—ROW only)~~

~~Gleditsia tricanthos (Thorny Honeylocust)~~

~~Robinia pseudocacia (Black Locust)~~

~~Quercus palustris (Pin Oak—ROW only)~~

~~All Evergreens (ROW only)~~

~~Trees bearing fruits and nuts over one foot diameter (ROW only)~~

~~Dense Deciduous Shrub List for Screening~~

~~Large:~~

~~Acer ginnala ‘Bailey Compact’ (Bailey Compact Amur Maple, 8¢ x 8¢)~~

~~Cotoneaster lucida (Hedge Cotoneaster, 8-10¢ x 4-5¢)~~

~~Physocarpus opulifolius ‘Diablo’ (Ninebark, 8-10¢ x 8-10¢)~~

~~Prunus tomentosa (Nanking Cherry, 8-10¢)~~

~~Syringa x prestoniae (Donald Wyman, James MacFarlane, Agnes Smith, 8¢ x 8¢)~~

~~Viburnum dentatum (Arrowwood Viburnum, 8¢ x 8¢)~~

~~Viburnum opulus (European Cranberry Viburnum, 8-12¢ x 10-12¢)~~

~~Viburnum trilobum (American Cranberrybush Viburnum, 10¢ x 8¢)~~

~~Arborvitae—any species not prone to splitting~~

~~Medium:~~

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~~Rhus aromatica (Fragrant Sumac, 6¢ x 5¢)~~

~~Ribes alpinum (Alpine Current, 5¢ x 8¢)~~

~~Spirea vanhouttei (Bridal Wreath Spirea, 6¢ x 6¢)~~

~~Syringa meyeri palibin (Dwarf Korean Lilac, 6¢ x 10¢)~~

~~Viburnum trilobum Compact cv. (Compact American Cranberry Viburnum, 6¢ x 6¢)~~

~~Small:~~

~~-~~

~~Physocarpus opulifolius nanus (Dwarf Ninebark, 3¢ x 3¢)~~

~~Potentilla fruticosa cv. (Potentilla varieties, usually 3¢ x 3¢)~~

~~Rhus aromatica Gro-Low (Gro-Low Sumac, 2 x 4-5¢)~~

~~Ribes alpinum Green Mound (Green Mound Alpine Current, 3-4¢ x 2-3¢)~~

~~Salix purpurea nana (Dwarf Blue-Leaf Arctic Willow, 4 x 4)~~

~~Spirea bumalda cv. (Spirea varieties, 2¢ x 2¢—4¢ x 4¢—varies with cultivar)~~

~~Spirea japonica cv. (Japanese Spirea varieties, 2¢ x 2¢—4¢ x 4¢—varies with cultivar)~~

~~Viburnum opulus nanum (Dwarf Cranberry Viburnum, 3¢ x 3¢)~~

~~Boxwood Koreanus~~

~~Densiformus Yews~~

~~Hearty shrub roses~~

Evergreen Shrubs

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~~Chinese Junipers Juniperus chinensis~~

~~Blue holly—ilex meserveae~~

~~Sea Green Juniper Juniperus chinensis ‘Sea Green’~~

~~Japanese Garden Juniper Juniperus chinensis procumbens~~

~~Dwarf Creeping Juniper Juniperus horizontalis~~

~~Spreading Japanese Yew Taxus cuspidate~~

~~Hicks upright Yew Taxus media ‘Hicks’~~

~~Taunton Yew Taxus media ‘Taunton’~~

~~Densiformus Yews~~

~~Green Velvet Boxwood~~

~~Green Mountain Boxwood~~

~~Rhododendron “PJM”~~

Small Trees for Under High Wires (with upright branching to avoid pedestrians on sidewalks)

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~~Acer platanoides ‘Crimson Sentry’ (Crimson Sentry Maple, 25¢ x 15¢)~~

~~Amelanchier x grandiflora ‘Robin Hill’ (Robin Hill Serviceberry)~~

~~Maaekia amurensis (Amur Maaekia, 25¢ x 20¢)~~

~~Malus Adirondack (Adirondack Flowering Crabapple, white, 20¢ x 10¢)~~

~~Malus Centurion (Centurion Flowering Crab, rose-red, 20¢ x 12¢)~~

~~Malus Red Barron (Red Barron Flowering Crab, rose, 18¢ x 8¢)~~

~~Malus Sentinel (Sentinel Flowering Crab, white, 20¢ x 12¢)~~

~~Prunus nigra ‘Princess Kay’ (15¢ x 8-10¢)~~

~~Syringa reticulata ‘Ivory Silk’ (Ivory Silk Japanese Tree Lilac, 20¢ x 15¢)~~

~~Small Trees for Under High Wires (where sidewalk clearance is not an issue)~~

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~~Acer ginnala (Amur Maple, 20¢ x 20¢)~~

~~Acer tatarica (Tatarian Maple, 25¢ x 15¢)~~

~~Amelanchier canadensis (Shadblow Serviceberry, tree form, 25¢ x 15¢)~~

~~Amelanchier g. Autumn Brilliance (Autumn Brilliance Serviceberry, 20¢ x 25¢)~~

~~Carpinus caroliniana (American Hornbeam, 25¢ x 20¢)~~

~~Cercis canadensis (Eastern Redbud, 25¢ x 20¢)~~

~~Cornus alternifolia (Pagoda Dogwood, 20¢ x 15¢)~~

~~Crataegus intricata (Thicket Hawthorn, 20¢ x 15¢)~~

~~Crataegus phaenopyrum (Washington Hawthorn, 20¢ x 20¢)~~

~~Crataegus v. Winter King (Winter King Hawthorn, 20¢ x 20¢)~~

Hamamelis virginiana (Common Witch-hazel, 12-15¢ x 12¢)

Ostrya virginiana (American Hophornbeam, 35¢ x 25¢)

Prunus maaackia (25¢ x 25¢)

Pyrus c. Chanticleer (Chanticleer Flowering Pear, 35¢ x 15¢)

Permitted Disease Resistant Flowering Crabapples (not a comprehensive list)

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Adams (red to pink flowers, red persistent fruit, 15¢ x 20¢)

Baccata Jackii (white flowers, red fruit, 20¢ x 20¢)

Beverly (white flowers, red fruit, 20¢ x 20¢)

Candied Apple (pink flowers, red persistent fruit, 15¢ x 15¢)

Calloway (20¢ x 20¢)

Cardinal (16¢ x 20¢)

David (white flowers, red persistent fruit, 12¢ x 12¢)

Donald Wyman (white flowers, red persistent fruit, 20¢ x 24¢)

Golden Raindrops (white flowers, yellow persistent fruit, 20¢ x 15¢)

Jewelberry (white flowers, red fruit, 8¢ x 12¢)

Liset (dark red flowers, maroon fruit, 15¢ x 15¢)

Louisa (pink flowers, yellow fruit, 15¢ x 15¢)

Ormiston Roy (white flowers, amber persistent fruit, 20¢ x 25¢)

Pink Princess (pink flowers, deep red fruit, 8¢ x 12¢)

Prairiefire (rose-red flowers, dark red persistent fruit, 20¢ x 20¢)

Professor Sprenger (white flowers, orange-red persistent fruit, 20¢ x 20¢)

Robinson (deep pink flowers, red fruit, 25¢ x 20¢)

Sargent (white flowers, red persistent fruit, 8¢ x 12¢)

Strawberry Parfait (18¢ x 22¢)

Sugar Tyme (white flowers, red fruit, 18¢ x 15¢)

Zumi Calocarpa (white flowers, red fruit, 15¢ x 15¢)

Plants with Good to Moderate Salt Tolerance

Deciduous Shrubs:

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Caragana arborescens (Siberian Pea Shrub, 20¢ x 10¢)

Hypericum prolificum (St. John's Wort, 4¢ x 4¢)

Lilaes (Miss Kiss)

Myrica pennsylvanica (Northern Bayberry, 9¢ x 6¢)

Philadelphus spp. & cvs. (Mockorange, size varies with species)

Potentilla spp. & cvs. (Cinquefoil, 3¢ x 3¢)

Rhus glabra (Smooth Sumac, 10¢ x 5¢)

Rhus typhina (Staghorn Sumac, 24¢ x 12¢)

Shepherdia argentea (Silver Buffalo Berry, 20¢ x 15¢)

Spirea vanhouttei (Bridalwreath Spirea, 6¢ x 6¢)

Symphoricarpos albus (Snowberry, 3¢ x 3¢)

~~Syringa vulgaris (Common Lilac, 12¢x10¢)~~

~~Viburnum dentatum (Arrowwood Viburnum, 6¢ x 6¢)~~

Deciduous Trees:

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~~Acer ginnala (Amur Maple)~~

~~Acer platanoides (Norway Maple)~~

~~Aesculus hippocastanum (Common Horsechestnut)~~

~~Amelanchier Canadensis (Shadblow Serviceberry)~~

~~Catalpa speciosa (Northern Catalpa)~~

~~Celtis occidentalis (Hackberry)~~

~~Crataegus crus-galli (Cockspur Hawthorn)~~

~~Elaeagnus angustifolia (Russian Olive)~~

~~Ginkgo biloba – Male only~~

~~Gleditsia tricanthos (Honeylocust)~~

~~Gymnocladus dioicus (Kentucky Coffeetree) – Male only~~

~~Populus alba (White Poplar)~~

~~Populus deltoides (Cottonwood)~~

~~Populus tremuloides (Quaking Aspen)~~

~~Prunus serotina (Black Cherry)~~

~~Prunus virginiana (Choke Cherry)~~

~~Quercus alba (White Oak)~~

~~Quercus macrocarpa (Burr Oak)~~

~~Quercus rubra (Red Oak)~~

~~Tamarix ramosissima (Five Stamen Tamarisk)~~

Groundcovers:

~~Bugleweed Ajuga reptans~~

~~Goutweed Aegopodium podagraria~~

~~Creeping Cotoneaster Cotoneaster adpressa~~

~~Bearberry Cotoneaster Cotoneaster dammeri~~

~~Rockspray Cotoneaster Cotoneaster horizontalis~~

~~Hesse Cotoneaster Cotoneaster horizontalis ‘Hessei’~~

~~Wintercreeper Euonymus fortunei cultivars~~

~~English Ivy Hedera helix~~

~~Plantain Lily Cultivars Hosta cultivars~~

~~Japanese Garden Juniper Juniperus chinensis procumbens~~

~~Sargent Juniper Juniperus chinensis sargentii~~

~~Japanese pachysandra Pachysandra terminalis~~

~~Gro-low sumac Rhus aromatica ‘Gro-low’~~

~~Periwinkle Vinca minor~~

Low Maintenance Perennial

Full Sun (Includes sun from 12:00 – 5:00 p.m.)

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Non-Native

~~Artemisia-camphorata (Southernwood)~~
~~Aster-Alma Pötschke~~
~~Aster-Purple Dome~~
~~Baptisia-australis (False Indigo)~~
~~Boltonia-a. Snowbank (White Boltonia)~~
~~Chelone-lyonii (Turtlehead)~~
~~Coreopsis-Zagreb (Tickseed)~~
~~Echinacea-purpurea (Coneflower)~~
~~Euphorbia-polychroma (Cushion Spurge)~~
~~Geranium-c. Biokova~~
~~Geranium-sanguineum Max-Frei~~
~~Heliopsis (False Sunflower)~~
~~Hemerocallis (Daylily)~~
~~Iris-sibirica (Siberian Iris)~~
~~Liatris (Blazing Star)~~
~~Lamiaceae-Origanum~~
~~Herrenhausen (Ornamental Oregano)~~
~~Paeoniaceae-Peony~~
~~Perovskia (Russian Sage)~~
~~Rudbeckia-Goldsturm (Black-Eyed Susan)~~
~~Ruta-graveolens (Rue)~~
~~Salvia-May Night/East Friesland/Blue Hills etc. (Meadow Sage)~~
~~Sedum-kamtschaticum (Stonecrop)~~
~~Sedum-spectabile Autumn Joy/Brilliant/Matrona etc.~~
~~Stachys-Helene von Stein (Lamb's Ears)~~
~~Tanacetum (Fern Leaf Tansy)~~
~~Waldsteinia-ternata (Barren Strawberry)~~
~~Yucca-filamentosa~~

-
Native

~~Bee-Balm~~
~~Bottle-Gentian~~
~~Butterfly-Milkweed~~
~~Canada-Anemone~~
~~Culvers-Root~~
~~False-Sunflower~~
~~Leadplant~~
~~Gray-headed-Coneflower~~
~~Monkey-Flower-Plant~~

Nodding Onion
Ohio Spiderwort
Pale Purple Coneflower
Penstemon or Foxglove Beardtongue
Prairie Blazing Star
Prairie Phlox
Prairie Smoke
Purple Coneflower
Purple Prairie Clover
Queen of the Prairie
Rough Blazing Star
Silky Aster
Smooth Blue Aster
Stiff Goldenrod
Susan, Brown and Black Eyed
White Prairie Clover
Wild Bergamot
Wild Geranium
Full Sun Grasses

Non-Native

Calamagrostis Karl Foerster (Feather Reed Grass)
Deschampsia caespitosa (Tufted Hair Grass)

-

Native

Schizachyrium scoparium (Little Bluestem)
Sporobolus heterolepis (Prairie Dropseed)
Sorghastrum nutans (Indiangrass)
Boutelousa (Side Oats Gramma)
Panicum (Switch grass)
Partial Shade (morning sun, afternoon shade)

-

Non-Native

Alchemilla (Lady's Mantle)
Aruncus (Goatsbeard)
Astilbe varieties
Carex s. Variegata (Variegated Sedge)
Chelone lyonii (Turtlehead)
Deschampsia caespitosa (Tufted Hair Grass)
Fern varieties
Heuchera varieties
Hosta varieties

~~Iris sibirica (Siberian Iris)~~
~~Lamiastrum g. Herman's Pride~~
~~Lamium m. Chequers~~
~~Ligularia The Rocket~~
~~Thalictrum aquilegifolium (Meadow Rue)~~
~~Waldsteinia ternata (Barren Strawberry)~~

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Native

~~Dodecatheon amethystinum (Amethyst Shooting Star)~~
~~Aquilegia canadensis (Columbine)~~
~~Boltonia asteroides (False Aster)~~
~~Penstemon digitalis (Penstemon or Floxglove Beardsstongue)~~
~~Lobelia siphilitica (Great Blue Lobelia)~~
~~Symphotrichum cordifolium (Heart-leaved Aster)~~
~~Polemonium reptans (Jacob's Ladder)~~
~~Lobelia spicata (Pale Spiked Lobelia)~~
~~Geranium maculatum (Wild Geranium)~~
~~Shade (filtered light or direct sun only in early morning or late evening)~~

-

Non-Native

~~Alchemilla (Lady's Mantle)~~
~~Aruncus (Goatsbeard)~~
~~Asarum canadense (Wild Ginger)~~
~~Carex s. Variegata (Variegated Sedge)~~
~~Cimicifuga racemosa (Cohosh)~~
~~Epimedium (Barrenwort)~~
~~Fern varieties~~
~~Hosta varieties~~
~~Pulmonaria (Lungwort)~~

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Native

~~Asarum canadense (Wild Ginger)~~
~~Adiantum pedatum (Maidenhair fern)~~
~~Polystichum acrostichoides (Christmas Fern)~~
~~Dryopteris marginalis (Marginal Wood Fern)~~
~~Athyrium filix-femina (Lady Fern)~~
~~Dryopteris marginalis (Marginal Wood Fern)~~
~~Sanguinaria Canadensis (Bloodroot)~~
~~Hepatica nobilis var. acuta (Hepatica)~~
~~Trillium cernuum (Nodding Trillium)~~
~~Thalictrum thalictroides (Rue Anemone)~~

Mertensia virginica (Virginia Bluebells)

Prohibited Landscaping material

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Berberis thunbergii (Japanese Barberry 6 x 6)

Berberis thunbergii cv. ('Crimson Pygmy' 2 x 2, 'Globe' 2 x 2, 'minor' 3 x 3, etc.)

170.21 RESIDENTIAL STANDARDS—GENERAL—

- ~~—1. Garage doors shall NOT be the predominate features of a home. Garage doors facing the public street shall be set back so as to minimize the dominance of their appearance and provide adequate space between the street or sidewalk and the garage to accommodate additional parking. Garages or accessory structures shall incorporate architecture details with the use of windows, doors, and other façade detailing.~~
- ~~—2. Single family homes in a neighborhood shall have a varying front setback. For example, homes may have a range of front setbacks.~~
- ~~—3. Porches are strongly encouraged to be a part of the front façade of single and multi-family homes to provide an outdoor space and promote “eyes on the street.”~~
"eyes on the street" means activity taking place in city streets that keeps the movement and security of the street intact.
- ~~—4. Dwelling units are encouraged on the second or higher story of structures when possible.~~
- ~~—5. A publicly accessible outdoor space such as a private park, plaza, pavilion, or courtyard shall be included within each residential development to provide a focal point for such activities as outdoor gathering, neighborhood events, picnicking, sitting, and passive and active recreation.~~
- ~~—6. Multi-density homes and high-density apartment complexes shall have a street orientation through the use of small setbacks, balconies, or porches.~~
- ~~—7. High and medium-density residential buildings are strongly encouraged to be multi-story.~~
- ~~—8. Eighty percent of multi-family units within a development shall provide a balcony of at least five feet deep, which may extend into the setback, yet may be no closer than five feet to the property line.~~

~~170.22 RESIDENTIAL STANDARDS—BUILDINGS.~~

- ~~—1. Fenestration (door and window openings) shall be sized to the scale of the building and detailed appropriately to the pedestrian theme. Use of repeating window patterns and details are encouraged to unify design.~~**
- ~~—2. Entrances into buildings shall be easily identified through the use of by build design and detailing. Projected or recessed entryways, higher rooflines, awnings, or changes in building material are examples that can create this effect.~~**
- ~~—3. Buildings shall provide a unifying theme while maintaining each building's individual character.~~**
- ~~—4. Materials shall change with the change in building planes; however, all material shall keep within the chosen theme.~~**
- ~~—5. All sides of all buildings open to public view shall be treated with the same level of architectural style. Parking shall be located to utilize natural landscape and topography.~~**

~~(Ch. 170—Ord. 17-14—Dec. 17 Supp.)~~

DRAFT