



## PLAN ZONING COMMISSION

Notice of Regular Meeting  
**Thursday, February 25, 2020 at 2:00 PM**  
10 W. State Street - Council Chambers

Zoning Ordinance Update  
**Thu, Feb 25, 2021 2:00 PM - 3:00 PM (CST)**

Please join my meeting from your computer, tablet or smartphone.

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1. Call To Order & Roll Call

Boston  
Brodin  
Eilers  
Gruendler  
Medina  
Valbracht  
Wittkop

2. Presentation-Kendig Keast Collaborative

Documents:

[ORDINANCE DIAGNOSTIC FINAL 02.05.21.PDF](#)

3. Zoning Ordinance Amendment: TN

Documents:

[02252021\\_PZ\\_MEMO\\_ORDINANCE AMENDMENT.PDF](#)

## **MISSION STATEMENT**

**The City of Marshalltown collaborates to provide a welcoming, safe, vibrant and growing community.**

# MARSHALLTOWN

IOWA

## Ordinance Diagnostic Zoning Ordinance Re-Write

Brian Mabry, AICP, Code Practice Leader

Bret Keast, AICP, Owner / CEO

Steve Sizemore, PhD, AICP, Senior Associate

Rose Schroder, AICP, Bolton and Menk

02/25/2021



KENDIG KEAST  
COLLABORATIVE



BOLTON  
& MENK

## Topics | Ordinance Diagnostic

- Background
- Stakeholder Interviews Summary
- Critique
- Next Steps
- Comments/Q&A

## Project Process | Milestones

### PHASE 1:

#### PROJECT INITIATION & ORIENTATION

Jan. - Feb. 2021

- Review plans and ordinances
- Stakeholder interviews
- Video conferences w/ SAT & OAC
  - Diagnostic, Annotated Outline

### PHASE 3:

#### PUBLIC REVIEW & COMMENT

Sept. – Oct. 2021

- Compilation of Public Hearing Drafts
- Public Hearings
  - Public Hearing Draft
  - Present key features and changes
  - Publish Draft Ordinance in enCodePlus

### PHASE 2:

#### ITERATIVE DRAFTING

Feb. – Sept. 2021

- Ordinance drafts submitted to City
- SAT & OAC review and comment
- Revisions to modules
  - Ordinances in 2 draft modules with revisions (enCodePlus)
  - Module presentations

### PHASE 4:

#### REVIEW & ADOPTION

Oct 2021 – Jan. 2022

- Public Hearings
  - Finalized enCodePlus site
  - Adopted Ordinance

## Work So Far | Preliminary Efforts

- KKC Review and Staff Teleconferences
  - Kick-Off Call with Staff
  - Review of current Ordinance
  - Introduction to City Council and Plan and Zoning Com.
- Ordinance Diagnosis
  - Based on nation-wide best practices and key issues identified from interviews
- Annotated Outline
  - Technical guide for Staff
  - Make recommendations of proposed ordinance organization and content

#### Annotated Outline for Chapter 156 – Zoning

| New Ordinance Table of Contents                                                | Current Ordinance Sections                                                                                                                                                                                                                                                                                                                                                                                |
|--------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Section 156.B.002, Zoning Districts Established                                | § 156.015 DISTRICTS ESTABLISHED; § 156.040 PURPOSE; § 156.055 PURPOSE; § 156.070 PURPOSE; § 156.085 PURPOSE; § 156.100 PURPOSE; § 156.120 PURPOSE; § 156.140 PURPOSE; § 156.160 PURPOSE; § 156.180 PURPOSE; § 156.195 PURPOSE; § 156.215 PURPOSE; § 156.235 PURPOSE; § 156.255 PURPOSE; § 156.275 PURPOSE; § 156.295 PURPOSE; § 156.315 PURPOSE; § 156.335 PURPOSE; § 156.355 PURPOSE; § 156.375 PURPOSE. |
| Section 156.B.003, Official Zoning Map                                         | § 156.016 ANNEX; § 156.029 ANNEXATION OF TERRITORY; § 156.401 RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES.                                                                                                                                                                                                                                                                                            |
| Section 156.B.004, Residential District Development Standards                  | § 156.043 BULK REQUIREMENTS; § 156.058 BULK REQUIREMENTS; § 156.073 BULK REQUIREMENTS; § 156.088 BULK REQUIREMENTS; § 156.103 BULK REQUIREMENTS; § 156.123 BULK REQUIREMENTS; § 156.143 BULK REQUIREMENTS; § 156.163 PURPOSE (Residential Flexibility Standards); § 156.537 REQUIRED MINIMUM STANDARDS.                                                                                                   |
| Section 156.B.005, Nonresidential and Mixed-Use District Development Districts | § 156.217 BULK REQUIREMENTS; § 156.237 BULK REQUIREMENTS; § 156.260 BULK REQUIREMENTS; § 156.277 BULK REQUIREMENTS; § 156.297 BULK REQUIREMENTS; § 156.317 BULK REQUIREMENTS; § 156.337 BULK REQUIREMENTS; § 156.357 BULK REQUIREMENTS; § 156.377 BULK REQUIREMENTS.                                                                                                                                      |
| Section 156.B.006, Civic and Open Space Types                                  | NEW                                                                                                                                                                                                                                                                                                                                                                                                       |
| Section 156.B.007, Measurements and Allowances                                 | § 156.018 USE REGULATIONS (D), (E); § 156.019 HEIGHT REGULATIONS; § 156.020 AREA REGULATIONS (B), (C), (D), (E); § 156.021 VISUAL CLEARANCE AT INTERSECTIONS; § 156.105 SMALL LOT EXCEPTION; § 156.125 SMALL LOT EXCEPTION; § 156.145 SMALL LOT EXCEPTION; § 156.163 SMALL LOT EXCEPTION; § 156.183 SMALL LOT EXCEPTION; § 156.205 SMALL LOT EXCEPTION.                                                   |
| <b>Article C – Use Standards</b>                                               |                                                                                                                                                                                                                                                                                                                                                                                                           |
| Section 156.C.001, Purpose and Applicability                                   | § 156.018 USE REGULATIONS (A); § 156.569 USE IN CONFLICT WITH THE COMPREHENSIVE GUIDE PLAN.                                                                                                                                                                                                                                                                                                               |
| Section 156.C.002, Use Table Legend                                            | NEW                                                                                                                                                                                                                                                                                                                                                                                                       |

## Refresher | Initial Goals – Based on Comprehensive Plan

- Promote **optimal health** and well-being for the entire community
- Promote a **well-planned community** with **balanced land uses**
- Promote **Iowa Smart Planning Principles**
- Support the **expansion of existing businesses** and attract and encourage a **balance** of new commercial uses

### *Guiding Principles:*

Marshalltown will focus on redevelopment of selected places and neighborhoods in Marshalltown and connect them with sidewalks, trails and open space to create a vibrant, active city.



### Iowa Smart Planning Principles

- Efficiency, Transparency, and Consistency
- Clean, Renewable, and Efficient Energy
- Occupational and Housing Diversity
- Revitalization
- Community Character
- Sustainable Design

## Refresher | Guiding Principles– Based on Comprehensive Plan

- Mixed-use development
- Redevelopment and revitalization
- Life-cycle and affordable housing
- Design Standards and community character
- Enhancing natural resources
- Healthy, active living
- Bike and pedestrian connections



## Comprehensive Plan | Implementation

- Plans set broad policies for growth and economic development.
- An Ordinance is a set of laws, standards, procedures, and an official zoning map as implementing regulations.
- Zoning divides the City into districts including:
  - Uniform sets of permitted, administrative, special, accessory, temporary, and prohibited uses.
  - Consistent dimensional standards (height, setbacks, lot size).
  - Development standards (landscaping, signs, parking, building and site design).

### Marshalltown Comprehensive Plan 2030

NOVEMBER, 2012

Connect  
Renew  
Design



## Zoning Basics | What Zoning Regulations Can Address

- Land Use on Private Property
- Building Placement, Design, Height
- Parking
- Landscaping
- Signs
- Procedures for Obtaining Approvals
- Nonconformities
- Enforcement

## Zoning Basics | What Zoning Regulations Do Not Address

- Property Tax Assessments or Tax Rates
- Annexation Plans
- Building Structural Safety (electrical, mechanical, HVAC)
- Public Works Projects
- Street or Sidewalk Repair
- Dilapidated Structures
- Subdivision of Land
- Nuisance Abatement

## Comprehensive Plan | Goals, Objectives, and Strategies

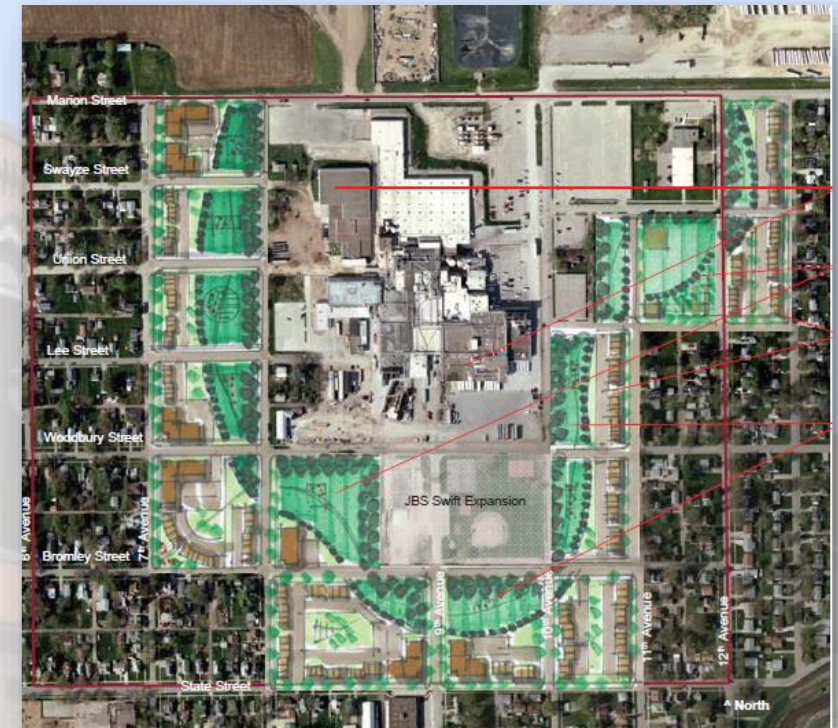


**Vision Statement:**  
Marshalltown is a visually clean and beautiful city with well-kept homes, businesses, roads and sidewalks. Community members are open to new ideas but still believe in personal responsibility and working together to get things done for their community...

## Comprehensive Plan | Selected Objectives

- Encourage development of **new commercial nodes**
- Encourage **shared parking** facilities or access
- **Protect designated industrial areas** from encroachment by residential development and marginal uses

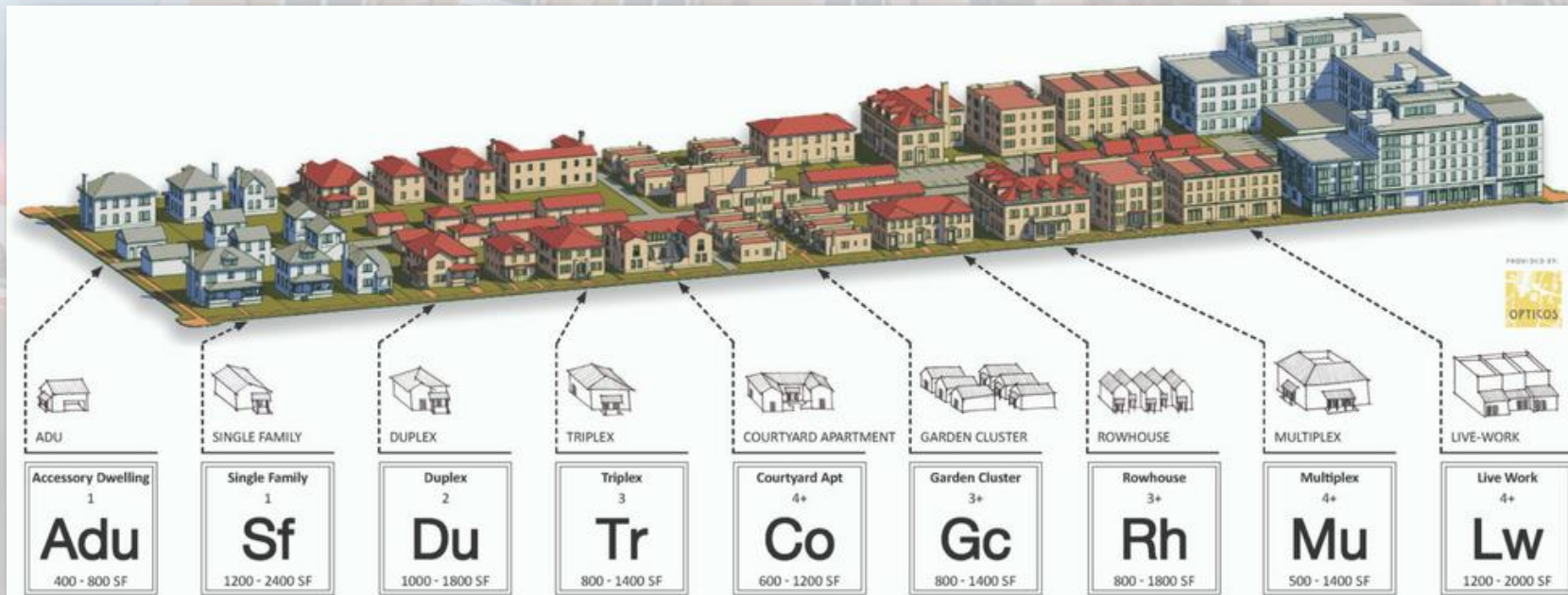
*Commercial Nodes*



*Buffering b/w High and Low Intensity Uses*

## Comprehensive Plan | Selected Objectives

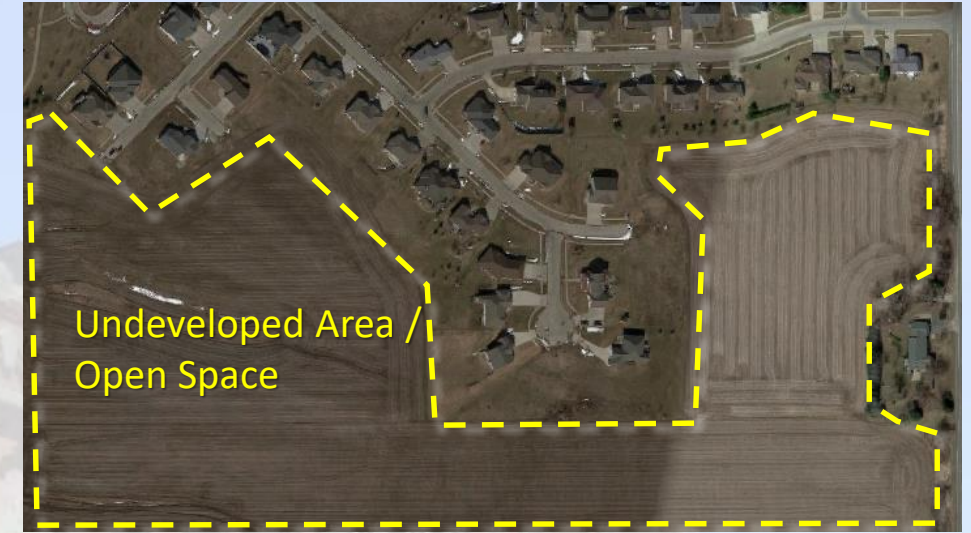
- **Land Use – Housing.** Develop zoning districts and standards to correspond to the land use plan
- **Land Use – Housing.** Promote infill lots to increase density and provide greater housing opportunities.



*Older triplex and newer triplex / multiplex*

## Comprehensive Plan | Selected Objectives

- Require the creation of parks, trails and green space within new developments to ensure that residential neighborhoods have adequate access to park and recreation facilities, green space and community amenities.



*Subdivision Without Clustering of Lots that is “Borrowing” Open Space From Adjacent Property*



# Comprehensive Plan | Selected Objectives

- **Land Use – Nonresidential and Mixed Use.**
  - Promote and seek to expand a broad range of, **retailing, entertainment, retail and service uses.**
  - Promote the redevelopment and **expansion of existing businesses and industry** within the City.
  - Create and enforce commercial standards including **building and signage design, streetscaping,** and the inclusion of **green space, trails and sidewalks** that connect commercial areas to neighborhoods.
  - Consider **mixed use alternatives in redevelopment** for a higher level of activity, community gathering spaces and appropriate residential land uses.



*Existing Mixed Use*



*New Mixed Use in Another Community*

## Downtown Master Plan | High Priority Recommendations

- **Update Zoning Ordinance** to support Master Plan
- Finalize and adopt downtown **design standards** for the Registered Historic District and Main Street Central Business District
- Install parking lot **buffering / screening** using decorative metal fencing and low-maintenance planting
- Install additional **bike parking** facilities within the Main Street Central Business District



## Downtown Master Plan | Key Concerns, Needs, and Interests

- **Revitalization and Redevelopment**
  - More options for entertainment, eating/drinking, events.
  - Leverage historic buildings assets
  - Revitalize street level retail w/ upper story residential
- **Movement, Connectivity, and Parking**
  - Modify parking arrangements including adding structured parking
  - Support pedestrian and bicycle movement
- **Gathering, Streetscape, and Greening**
  - Increase in trees, greening, public gathering spaces.



# Downtown Master Plan | Selected Objectives

- 
- **Downtown Historic District Standards (zoning-related)**
    - Ground level transparency (30%)
    - Screen rooftop mechanical equipment w/ compatible materials.
    - Multi-story buildings to exhibit a base, middle, and top in level differentiation.
    - Site building at edge of sidewalk w/ a 3' max for entry
    - Locate parking to rear of building
    - Screen street-fronting lots with decorative metal fencing and plantings (3' – 3'6" height)



## Downtown Historic District



## Historic Main Street

## Zoning Ordinance Re-Write

## Downtown Master Plan | Selected Objectives

- **Downtown Historic District Standards (cont.)**
  - Externally illuminated **projecting signs** not to exceed 5 sq.ft.
  - Externally illuminated **wall signs** not to exceed 20 sq.ft.
  - Internally illuminated **window signs** not to exceed 5 sq.ft.
  - Allow mural signs (artistic, non-commercial)



*Projecting Sign*



*Downtown Mural*

## Downtown Master Plan | Selected Objectives

- **3<sup>rd</sup> Avenue Pocket Neighborhood Cottage Homes**
  - “A cohesive cluster of homes gathered around some kind of common ground within a larger surrounding neighborhood, like a neighborhood within a neighborhood.”
  - 1 to 1-1/2 story cottage style homes ranging between 800 to 1,400 square feet
  - Densities between 6-10 units per acre
  - New Zoning Ordinance should allow this type of development by right, with standards, rather than requiring a special hearing and approval

*Cottage House  
Neighborhood in  
Plan*



*Pocket neighborhoods feature shared green spaces and pedestrian-centric design*

## Stakeholder Interviews| Introduction

- Interviewees – 20 in all
  - Business Owners
  - Spanish Speakers
  - General Residents
  - Development Professionals
- Staff Advisory Team and Ordinance Advisory Committee
- Key Questions
  - What's Working Well?
  - What is Not Working Well?
  - What is the Development Review Process Like?



Stakeholder: Anyone involved in or with an interest in a process or outcome (land development)

# Stakeholder Interviews | Recurring Themes

## • User-Friendliness

- Ordinance is difficult to understand
- Remove legalese and add graphics and tables
- Needs to be understandable to “mom and pop”
- City should translate documents to Spanish and Burmese

## • General Requirements

- Applicants want to know upfront what the requirements are
- Balance flexibility in design with certainty of outcome
- Don’t hinder economic development
- Infill is important – zoning incentives come down to density and expedited review

## • Downtown

- Provide for mixed at a more human-, pedestrian-scale
- Raise the bar without being too burdensome



*Multifamily Infill in Another Community*

# Stakeholder Interviews | Recurring Themes

- Land Uses and Zoning Districts

- Affordable housing, especially in Downtown, and upper-story dwelling / mixed use is important
- Simplify / consolidate zoning districts
- Allow for accessory dwelling units, tiny houses, and shipping container homes with standards

- Design Standards

- Except for multifamily, generally reduce parking ratios
- Currently, less landscaping is required than in peer cities
- Public gathering spaces and outdoor entertainment allowances are important
- Allow more sign types, including monument signs



*Proximate developments with very different levels of landscaping*

- Development Review

- Interaction between DRC and applicants needs to be more structured
- Raise the bar without being too burdensome
- Allow more staff decision making



## Topics | Critique

- Plan Implementation and Best Practices
  - Land Uses and Form
  - Zoning Districts
  - Parking
  - Housing
- Legal Matters
- Procedural Streamlining
- User-Friendliness
- Structure of New Ordinance

# Land Uses and Form | Create a Consolidated Use Matrix

## R-3 MEDIUM DENSITY RESIDENTIAL DISTRICT

### § 156.100 PURPOSE.

The regulations set forth in this subchapter, or set forth elsewhere in this chapter when referred to in this subchapter, are the district regulations for the R-3 Medium Density Residential District.  
(Ord. 14871, passed 4-12-2010)

### § 156.101 PERMITTED USES.

A building or premises shall be used only for the following purposes:

- (A) Single-family detached and attached dwellings;
  - (B) Two-family dwellings;
  - (C) Multi-family dwellings;
  - (D) Family/group home;
  - (E) Home occupations in compliance with § 156.025 of this chapter;
  - (F) Truck gardens, orchards and wooded areas;
  - (G) Churches;
  - (H) Public schools and private schools having a curriculum as ordinarily given in a public school, and having no rooms regularly used for housing or sleeping purposes;
  - (I) Parks, playgrounds and community buildings owned or operated by public agencies;
  - (J) Public libraries and museums;
  - (K) Golf courses, country clubs, tennis courts and similar recreational uses, all non-commercial; and
  - (L) Accessory buildings and accessory uses customarily incident to any of the above uses.
- (Ord. 14871, passed 4-12-2010)

### § 156.102 SPECIAL USES.

The following uses may be permitted by obtaining a special use permit in accordance with §§ 156.565 through 156.570 of this chapter:

- (A) Hospitals and clinics, except animal or criminal;
- (B) Nursing homes;
- (C) Funeral homes;
- (D) Institutions, but not penal;
- (E) Fraternities and sororities;
- (F) Private clubs and lodges, except those whose primary activity is a service customarily carried on as a business;
- (G) Public buildings owned or leased by any department of a municipal, township, county, state or federal government;
- (H) Private schools, including pre-school, pre-kindergarten and special schools;
- (I) Cemeteries and mausoleums;

Table 03.06.3, Permitted Uses by District

| Use Category                      | Specific Use <sup>1</sup>                                                                                                          | Residential |    |    | Mixed-Use |     |     |      |     | Commercial, Office, and Industrial |    |    |    |    | Use-Specific Standard |
|-----------------------------------|------------------------------------------------------------------------------------------------------------------------------------|-------------|----|----|-----------|-----|-----|------|-----|------------------------------------|----|----|----|----|-----------------------|
|                                   |                                                                                                                                    | RR          | SR | SU | CMU       | DTC | DTR | TUMU | TUR | AUC                                | SO | SI | LI | GI |                       |
| Restaurant                        | Restaurant, Drive-In or Drive-Through                                                                                              | --          | -- | -- | --        | --  | --  | --   | --  | L                                  | L  | -- | -- | -- | 03.07.5.L             |
|                                   | Other Restaurant uses including: Candy or Ice Cream Shop; Catering Establishment; Coffee Shop; Food Delivery; Restaurant, Sit-Down | --          | -- | -- | L         | L   | L   | L    | C   | L                                  | L  | -- | -- | -- | 03.07.5.L             |
| Retail Repair, Sales, and Service | Mobile Food Vending Service                                                                                                        | --          | -- | -- | L         | L   | L   | L    | --  | L                                  | L  | -- | -- | -- | 03.07.8.D             |
|                                   | Mobile Retail Vending Service                                                                                                      | --          | -- | -- | L         | L   | L   | L    | --  | L                                  | L  | -- | -- | -- | 03.07.8.E             |
|                                   | Package Liquor                                                                                                                     | --          | -- | -- | L         | L   | L   | L    | C   | L                                  | -- | -- | -- | -- | 03.07.5.K             |
|                                   | Pawn Shop                                                                                                                          | --          | -- | -- | C         | L   | L   | --   | --  | L                                  | -- | -- | -- | -- | 03.07.5.J             |
|                                   | Temporary Vendor                                                                                                                   | --          | -- | -- | L         | L   | L   | L    | --  | L                                  | L  | -- | -- | -- | 03.07.8.F             |
|                                   | All Repair-Oriented Uses                                                                                                           | --          | -- | L  | P         | P   | P   | P    | L   | P                                  | -- | -- | -- | -- | 03.07.5.I             |
|                                   | All other Sales-Oriented Uses                                                                                                      | --          | -- | L  | P         | P   | P   | P    | L   | P                                  | -- | -- | -- | -- | 03.07.5.I             |
| Storage                           | All Service-Oriented Uses                                                                                                          | --          | -- | -- | --        | --  | --  | --   | --  | --                                 | -- | -- | -- | -- | 03.07.5.I             |
|                                   | Boat or Recreation Storage                                                                                                         | --          | -- | -- | --        | --  | --  | --   | --  | --                                 | P  | P  | -- | -- | N/A                   |
| Sexually Oriented Business        | Mini-Warehouse                                                                                                                     | --          | -- | -- | --        | --  | --  | --   | --  | --                                 | P  | P  | -- | -- | 03.07.5.H             |
|                                   | Sexually-Oriented Business, Sec. 09.27.3                                                                                           | --          | -- | -- | --        | --  | --  | --   | --  | --                                 | -- | L  | L  | -- | 03.07.5.M             |
| Vehicle Sales and Service         | Fuel Sales (Retail)                                                                                                                | --          | -- | -- | --        | --  | --  | --   | --  | --                                 | L  | -- | -- | -- | 03.07.5.G             |
|                                   | Vehicle Sales, Rent                                                                                                                | --          | -- | -- | --        | --  | --  | --   | --  | --                                 | P  | P  | -- | -- | N/A                   |
|                                   | Vehicle Repair, Maintenance                                                                                                        | --          | -- | -- | --        | --  | --  | --   | --  | --                                 | L  | L  | -- | -- | 03.07.5.N             |
|                                   | Vehicle Service, Maintenance                                                                                                       | --          | -- | -- | --        | --  | --  | --   | --  | --                                 | P  | P  | -- | -- | 03.07.5.N             |
|                                   | Other Vehicle Sales including: Car Wash of Manufactured Homes, Portable Buildings, Trailers; Truck Stop                            | --          | -- | -- | --        | --  | --  | --   | --  | --                                 | -- | P  | P  | -- | N/A                   |
| Industrial                        |                                                                                                                                    |             |    |    |           |     |     |      |     |                                    |    |    |    |    |                       |
| Heavy Industrial                  | Heavy Industrial, Light Intense uses including: Manufacture, Assembly of Goods listed in § 156.565                                 | --          | -- | -- | --        | --  | --  | --   | --  | --                                 | -- | -- | C  | L  | 03.07.6.A             |
|                                   | Heavy Industrial, Medium Intense uses including: Manufacture, Assembly of Goods listed in § 156.565                                | --          | -- | -- | --        | --  | --  | --   | --  | --                                 | -- | -- | -- | -- | 03.07.6.A             |

Sales-Oriented Uses means a subset of uses in the [Retail Repair, Sales, and Service](#) category of uses that is engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.

Sales-oriented examples:

Selling, leasing or renting consumer, home, and business goods including, but not limited to: alcoholic beverages; animal feed; art supplies; [automobile and motorcycle parts and accessories](#); baked goods (retail); bicycles; books; building supplies; cameras; carpet and floor coverings; clothing; collectibles; computers; convenience goods; crafts; electronic equipment; electronic and mixed media; fabric; flowers; furniture; garden supplies; gifts or novelties; groceries; hardware; home improvement supplies; household products; jewelry; luggage; medical supplies; musical instruments; office supplies; pawned items; pets, pet supplies; pharmaceuticals; photographic supplies; picture frames; plants; postal supplies (non-governmental); printed materials; produce; school or teacher supplies; second-hand goods

# Land Uses | Rely on Use Categories

- Group Land Uses Together in Categories
- Treat Like Uses the Same
- Incorporate Contemporary Uses
  - Micromanufacturing
  - Food truck court
  - Short-term rental
- Newly proposed uses interpreted into categories

| Proposed Use Categories                      | Existing Principal Uses from Current Zoning Ordinance                                                                                                                                                                                                                                                                              |
|----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Residential and Agricultural</b>          |                                                                                                                                                                                                                                                                                                                                    |
| Agricultural and Animal Related Use Category | Inside kennels for boarding                                                                                                                                                                                                                                                                                                        |
| Household Living Use Category                | Single-family detached dwellings, Single-family attached dwellings (townhouse dwellings of two (2) to eight (8) dwelling units), Nonowner-occupied single-family dwellings, Duplex dwelling units, Attached townhouses of not more than eight (8) units, Multiple-family dwellings, Manufactured homes in a manufactured home park |
| Group Living Use Category                    | Operational facilities of volunteer rescue squads may provide nontransient housing, for up to four (4) active members of the organization, so long as each individual resides at the facility no more than twenty-four (24) cumulative months                                                                                      |
| <b>Civic and Institutional</b>               |                                                                                                                                                                                                                                                                                                                                    |
| Community Amenities Use Category             | Charitable or benevolent institutions; Civic, educational, charitable, scientific, religious, and philanthropic uses for a public or nonprofit institutional organization; public libraries; community buildings; Governmental, business and professional offices and financial institutions; Public uses;                         |
| Day Care Use Category                        | Adult day care centers; child day care centers; Major family day home                                                                                                                                                                                                                                                              |
| Educational Facilities Use Category          | College and university buildings and functions, which are either owned or leased by such institutions, and which may include fraternities and sororities; Training facilities and vocational schools; Public schools or a private school having a function substantially the same as a public school;                              |

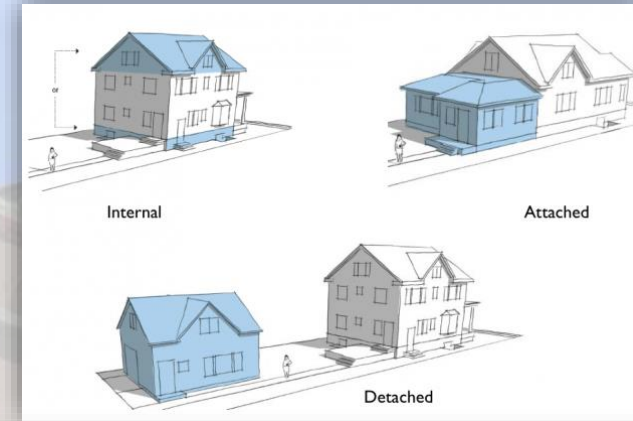
# Land Uses | Don't Micromanage Land Uses

- One Row for a Multitude of Uses.
- Shortens the Use Table.
- Less Emphasis on the Use Taking Place inside the Building
- More Emphasis On Building and Site Design Rather than Land Use, where Appropriate
- More Freedom to Change Uses Without Changing Zoning

| Use Category                      | Specific Use <sup>1</sup>                                                                                                          | Residential                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |    |    | Mixed-Use |     |     |      |     | Commercial, Office, and Industrial |    |    |    |    | Use-Specific Standard |           |
|-----------------------------------|------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|----|-----------|-----|-----|------|-----|------------------------------------|----|----|----|----|-----------------------|-----------|
|                                   |                                                                                                                                    | RR                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | SR | SU | CMU       | DTC | DTR | TUMU | TUR | AUC                                | SO | SI | LI | GI |                       |           |
| Restaurant                        | Restaurant, Drive-In or Drive-Through                                                                                              | --                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | -- | -- | --        | --  | --  | --   | --  | L                                  | L  | -- | -- | -- | 03.07.5.L             |           |
|                                   | Other Restaurant uses including: Candy or Ice Cream Shop; Catering Establishment; Coffee Shop; Food Delivery; Restaurant, Sit-Down | --                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | -- | -- | L         | L   | L   | L    | C   | L                                  | L  | -- | -- | -- | 03.07.5.L             |           |
|                                   | Mobile Food Vending Service                                                                                                        | --                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | -- | -- | L         | L   | L   | L    | --  | L                                  | L  | -- | -- | -- | 03.07.8.D             |           |
| Retail Repair, Sales, and Service | Mobile Retail Vending Service                                                                                                      | --                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | -- | -- | L         | L   | L   | L    | --  | L                                  | L  | -- | -- | -- | 03.07.8.E             |           |
|                                   | Package Liquor                                                                                                                     | --                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | -- | -- | L         | L   | L   | L    | C   | L                                  | -- | -- | -- | -- | 03.07.5.K             |           |
|                                   | Pawn Shop                                                                                                                          | --                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | -- | -- | C         | L   | L   | --   | --  | L                                  | -- | -- | -- | -- | 03.07.5.J             |           |
|                                   | Temporary Vendor                                                                                                                   | --                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | -- | -- | L         | L   | L   | L    | --  | L                                  | L  | -- | -- | -- | 03.07.8.F             |           |
|                                   | All Repair-Oriented Uses                                                                                                           | --                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | -- | L  | P         | P   | P   | P    | L   | P                                  | -- | -- | -- | -- | 03.07.5.I             |           |
|                                   | All other Sales-Oriented Uses                                                                                                      | --                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | -- | L  | P         | P   | P   | P    | L   | P                                  | -- | -- | -- | -- | 03.07.5.I             |           |
|                                   | All Service-Oriented Uses                                                                                                          | --                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | -- | -- | --        | --  | --  | --   | --  | --                                 | -- | -- | -- | -- | 03.07.5.I             |           |
| Self-Service Storage              | Boat or Recreation Storage                                                                                                         | Sales-Oriented Uses means a subset of uses in the <a href="#">Retail Repair, Sales, and Service</a> category of uses that is engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |    |    |           |     |     |      |     |                                    |    |    | P  | P  | --                    | N/A       |
|                                   | Mini-Warehouse                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |    |    |           |     |     |      |     |                                    |    |    | P  | P  | --                    | 03.07.5.H |
| Sexually Oriented Business        | Sexually-Oriented Business Sec. 09.27.3                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |    |    |           |     |     |      |     |                                    |    |    | -- | L  | L                     | 03.07.5.M |
| Vehicle Sales and Service         | Fuel Sales (Retail)                                                                                                                | Sales-oriented examples:<br><br>Selling, leasing or renting consumer, home, and business goods including, but not limited to: alcoholic beverages; animal feed; City of HARRISONBURG, VIRGINIA art supplies; <a href="#">automobile and motorcycle parts and accessories</a> ; baked goods (retail); bicycles; books; building supplies; cameras; carpet and floor coverings; clothing; collectibles; computers; convenience goods; crafts; electronic equipment; electronic and mixed media; fabric; flowers; furniture; garden supplies; gifts or novelties; groceries; hardware; home improvement supplies; household products; jewelry; luggage; medical supplies; musical instruments; office supplies; pawned items; pets, pet supplies; pharmaceuticals; photographic supplies; picture frames; plants; postal supplies (non-governmental); printed materials; produce; school or teacher supplies; second-hand goods |    |    |           |     |     |      |     |                                    |    |    | L  | -- | --                    | 03.07.5.G |
|                                   | Vehicle Sales, Rent                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |    |    |           |     |     |      |     |                                    |    |    | P  | P  | --                    | N/A       |
|                                   | Vehicle Repair, Maintenance                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |    |    |           |     |     |      |     |                                    |    |    | L  | L  | --                    | 03.07.5.N |
|                                   | Vehicle Service, Maintenance                                                                                                       | P                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | P  | -- | 03.07.5.N |     |     |      |     |                                    |    |    |    |    |                       |           |
|                                   | Other Vehicle Sales including: Car Washes; Manufactured Homes; Portable Buildings; Trailers; Truck Stops                           | P                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | P  | -- | N/A       |     |     |      |     |                                    |    |    |    |    |                       |           |
|                                   | Industrial                                                                                                                         | Heavy Industrial, Light Industrial                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |    |    |           |     |     |      |     |                                    |    |    |    |    |                       |           |
| Heavy Industrial                  | Intense uses including: Manufacture, Assembly of Goods listed in Schedule S                                                        | --                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | C  | L  | 03.07.6.A |     |     |      |     |                                    |    |    |    |    |                       |           |
|                                   | Heavy Industrial, Medium Industrial                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |    |    |           |     |     |      |     |                                    |    |    |    |    |                       |           |

## Land Uses | Other Issues

- Ensure All Land Uses and Use Categories Have Definitions and Update Existing Definitions
- Provide Details for Specific Accessory Use and Structure Regulations
- Other Ways of Helping to Enable Businesses and Organizations to Prosper During and Transitioning after COVID-19



*Accessory Dwelling Units can Assist with Housing Affordability*

*Allowances for Outdoor Dining May be One Way to Mitigate COVID-19 Impacts*



## Zoning Districts | Consolidation

- “Land Use Category” based on Comprehensive Plan
- “Proposed New Districts” shows updated zoning based on Land Use Categories.
- “Development Types” in Residential and Mixed-Use Districts allow a land owner flexibility and the public certainty.
- “Current Districts” shows the City’s current zoning districts and how they correspond to the Planned Future Land Use Designations, Proposed New Districts, and Development Types.
- 15 proposed districts compared to 20 existing districts

| Zoning District Consolidation Table |                                |                      |                   |
|-------------------------------------|--------------------------------|----------------------|-------------------|
| Land Use Category                   | Proposed New Districts         | Development Type     | Current Districts |
| Residential Districts               |                                |                      |                   |
| Agricultural                        | AG, Agriculture                | Conventional         | A-1               |
| Rural Residential                   | RR, Rural Residential          | Conventional         | R-1               |
| Low Density Residential             | RL, Low Density Residential    | Conventional Cluster | R-2, R-2A,        |
| Medium Density Residential          | RM, Medium Density Residential | Conventional Infill  |                   |
| Mobile Home Park                    |                                | Manufactured         | R-6               |
| High Density Residential            | RH, High-Density Residential   | Conventional Infill  | R-5               |
| Mixed-Use Districts                 |                                |                      |                   |
| Mixed Use                           | MU, Mixed-Use                  | Mixed Use            | TN                |
| Downtown Mixed Use                  | DT, Downtown                   |                      | CBD, OP           |
| Medical                             |                                |                      |                   |
| Nonresidential Zoning Districts     |                                |                      |                   |
| Commercial                          | NC Neighborhood Commercial     | Nonresidential       | NC                |
| Commercial                          | GC, General Commercial         |                      | GC, PC, CC, RC    |
| Business Park                       | BP, Business Park              |                      | OP, A-1           |
| Light Industrial                    | LI, Light Industrial           |                      | M1                |
| Heavy Industrial                    | HI, Heavy Industrial           |                      | M2                |
| Special                             |                                |                      |                   |
| Multiple                            | PUD, Planned Unit Development  | Nonresidential       | PUD               |
| Public/Semi-Public                  | PI, Public and Institutional   |                      | ED                |
| Cemetery                            |                                |                      | Multiple          |
| Parks/Open Space                    | REC, Recreation                |                      | Multiple          |
| Golf Course                         |                                |                      | Multiple          |

## Zoning Districts | Development Types Sample



*Conventional Development Type*



*Cluster Development Type*

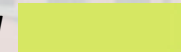


*Infill  
Development Type*

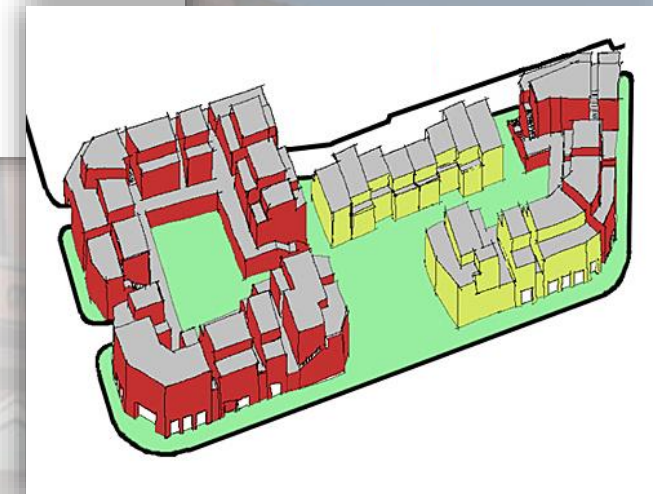


*Mixed Use  
Development Type  
(Vertical and  
Horizontal)*

Residential



Commercial



## Zoning Districts | Development Types Sample

| RM, Medium Density Residential | Lot Area (Square Feet)       | Minimum Common Open or Civic Space | Density (Units per Acre) | Permitted Housing Types                   |
|--------------------------------|------------------------------|------------------------------------|--------------------------|-------------------------------------------|
| Conventional Development Type  | 6,000 Single-Family Detached | 0%                                 | 6.5                      | Single-Family Detached, Duplex, Multiplex |
| Infill Development Type        | 3,500 Single-Family Detached | 10%                                | 9.2                      | Same as Above And Limited Nonresidential  |
|                                | 2,500 Multi-Family           | 20%                                | 12.1                     |                                           |

- Consolidation of R-2, R-3, and R-4 – currently range from 4.3 to 8.7 dwelling units per acre
- Based on Medium Density Residential in Comprehensive Plan
- Plan recommends 6-12 units per acre
- Standards for Limited Nonresidential control impacts, scale, building footprint, etc.
- Multiplex is a single residential structure with 3 to 4 separate dwelling units

## Zoning Districts | Development Types Sample

- Insert aerial with vacant lots to help visualize infill bonus

# Parking| Parking Reform

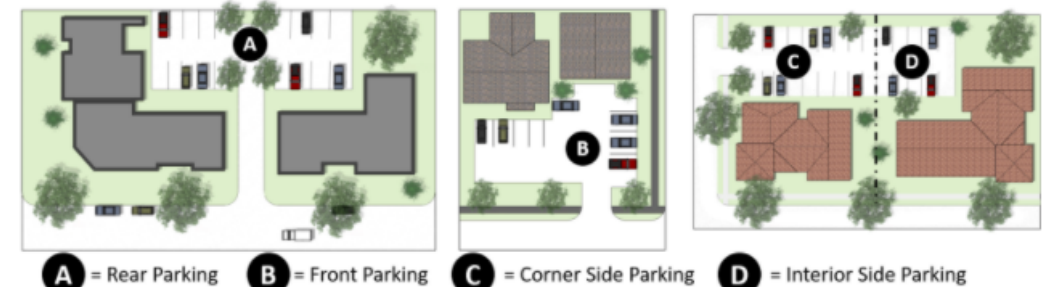
## • Comprehensive Plan Basis

## • Considerations for Right-Sizing

- Use / Density
- Structure vs. Surface
- Alternatives to Off-Street
  - On-street parking
  - Proximity to fixed bus route
- Shared Parking Options
  - Without seeking special permission or hearing

**Parking - Need and Design** - depending on the district or area parking needs and location may be an important consideration. Are there opportunities for shared parking or a need for a ramp to serve multiple uses? Design of parking lots is also critical to minimize the presence of parked vehicles. Appropriately screening the areas, use of landscape islands to break up the expanse of parking areas can improve the appearance of parking lots.

**Figure 10-2-18 (E) (E)-2**  
**Vehicle Surface Parking Location<sup>1</sup>**



<sup>1</sup> Illustrations are conceptual only and are intended to show parking area locations in relation to buildings. They are not intended to show amount of parking required for any particular land use or any other required features or characteristics.

| Parking Locations                  | Character Areas |                |                |                |
|------------------------------------|-----------------|----------------|----------------|----------------|
|                                    | DNR             | DTA            | DMS            | DMU            |
| Rear Parking                       | P               | P              | P              | P              |
| Front Parking                      | X               | X              | X              | X              |
| Corner Side Parking                | P               | P              | X              | P              |
| Interior Side Parking <sup>3</sup> | p <sup>2</sup>  | p <sup>2</sup> | p <sup>2</sup> | p <sup>2</sup> |

TABLE NOTES:

P = Parking Location Permitted

X = Parking Location Prohibited

<sup>2</sup> A buffer in accordance with Section 10-2-18(H)5, *Buffers*, below, shall be required between the interior side parking area and a single- or two-family residential use. Otherwise, the buffer type required in Paragraph 10-2-18(H)5 applies.

<sup>3</sup> Interior side parking that does not have access from a public right-of-way may require the owner to obtain a cross access easement together with the adjacent property in accordance with Subsection (f), *Shared and Cross Access*.

*Parking Location Table  
from Another Community*

## Parking | Parking Reform

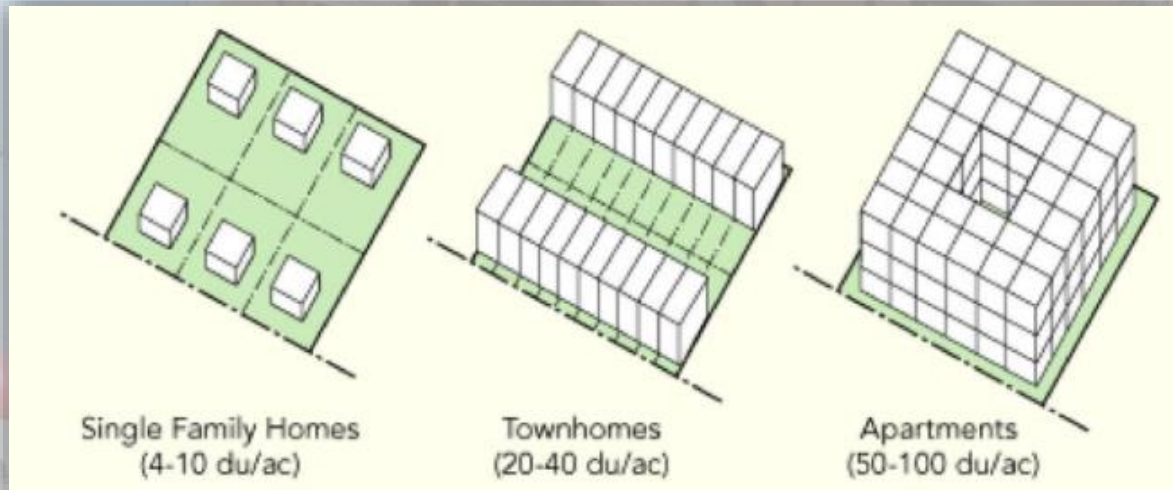
- Align Parking Ratios with Permitted Land Uses
- Consider Maximum Parking Requirements for Certain Districts, Uses, and / or Building Sizes
  - Current CBD and TN Districts Exempt from Parking Req.
  - Cap at 120% (More? Less?) of minimum requirement
    - 2,000 SF Restaurant – Min 20 spaces; **Max 24 spaces**
- Consider First 2,000 (or More) Square Feet of a Nonresidential or Mixed Structure Does Not Require Parking
  - 3,000 SF Restaurant – Min 10 spaces; Max 12 spaces
- Consider Exempting Certain Changes in Use From Increased Parking Requirements

*Massive Parking Lot the Could be Downsized if Developed Today*



## Housing | Infill / Affordability

- What Can Zoning do to Help With Obtaining More Workforce or Affordable Housing?



***Additional Density***

**APPROVED**

***Streamlined Review***

## Housing | Infill / Affordability

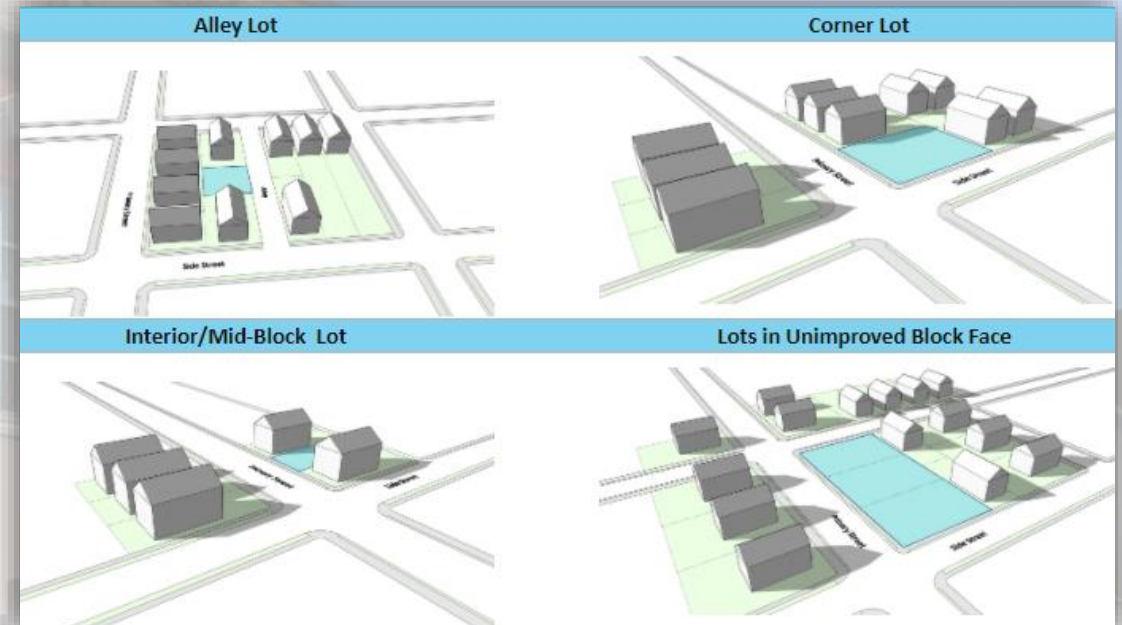
- R-3 Zoning (most common district)
  - Permits Flexibility in Housing Types and Lot Sizes
  - Minimum Lot Area – 5,000 square feet
  - Minimum Lot Width – 50 feet (avg.)
- Consider Consolidating R-3 and R-4 to Allow Smaller Lots to Provide Flexibility and Compatibility
  - Smaller Single-Family Lots
  - Promote Duplexes With “Look Alike” Design Standards
  - Establish Multi-plex option (3-4 Units)



*Duplex with Design that Mimics a Larger Traditional Single-Family House*

## Housing | Infill / Affordability

- Broaden the Context for Infill
  - Currently Zoning Ordinance has Setback Averaging Based on Average Setback of Block if 2 or More Lots Less than Minimum Setback Requirement for the District.
  - Make use of GIS or surveys for determining averages
- What if the Minimum Lot Size and Building Height was also Based on this Context?
- Result is Incremental Densification, even if the Zoning Ordinance does not Typically Allow Such Lot Sizes and Heights.



*Context of Vacant Corner Lots, Instead of Being Based on Two Adjacent Lots or Block Face, Could be based on Two Tiers of Lots and Across Street*

## Legal Matters | RLUIPA

- Religious and Institutionalized Persons Act
  - Local Governments Cannot Treat Different Places of Worship Differently. (City in Compliance)
  - Local Governments Must Even-Handedly Treat Places of Worship and Secular Places for Public Assembly. (Parking)
  - Group into “Public Assembly” Use Category
- Clean Up Language
  - “Churches”
  - “Churches and the Like”
  - “Religious Organizations”



## Legal Matters | Reed vs. Gilbert

- Supreme Court Case
  - With Some Exceptions, Cities Cannot Regulate Signs Based on Content or Purpose
- Current Sign Regulations Appear Content Neutral – ½ the Battle!
  - A FEW Exceptions, Listed in “Temporary Signs” Definition
  - Reclassify as Specified Types Based on Structural Characteristics
  - Provide Allowance for Such Signs





## Proposed New District

- Combination of R-2, R-3, and R-4
- Overall density of 6.5 - 12 units per Acre
- Allow mixing of housing types and light retail (with limitations)
- Require buffering and transitions between housing types and uses
- Allows applicant flexibility in housing types
  - Lifecycle housing
  - Mixed price points
  - Less monotony
- Standards provide certainty for adjacent owners
- Saves time, money, and uncertainty for developer

# Procedural Streamlining | Increased Administrative Authority & Review Clarity

- Consider Administrative Adjustment Process
  - Allow the Zoning Administrator to approve a 5 to 10% adjustment to certain numerical standards in Ordinances
  - Subject to Criteria related to Impact of Surroundings, Consistency with Purposes of Ordinances and of Zoning District, Does not Relate to a Condition of Approval
  - Appealable to Board of Adjustment
  - Setbacks, Building Heights, Other Standards
- Allow for Alternative Compliance for Landscaping
  - Apply to Space Limitations or Physical Constraints of Lot
  - Plans Provide Equal or Better Means of Meeting Purpose
  - Plans May Incorporate Low-Impact Development Features as Mitigation

*Low-Impact  
Development  
Features: Cistern  
and Swale*



# Procedural Streamlining | Increased Administrative Authority & Review

## Clarity

- Consolidate Common Review Procedures for Zoning into a Single Article
- Shows Purpose of Procedure
- Expiration
- What Review Bodies Make Recommendation and Which Take Final Action
- Types of Public Notice Required (if any)
- Cross-Reference to Associated Standards

Table 07.20.2-1, *Summary of Procedures*

| Development Application (Reference)                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Submittal Timing                                                                                                                                                                                  | Expiration <sup>1</sup> | Review Responsibilities       |                 | Public Notice <sup>2</sup>                            | Applicable Standards <sup>3</sup>                            |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|-------------------------------|-----------------|-------------------------------------------------------|--------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                   |                         | Recommendation                | Final Action    |                                                       |                                                              |
| LEGISLATIVE APPLICATIONS: Require final decisions that establish or change the way the use, design, or development of land will occur on a site-specific, City-wide, or intermediate scale. Elected and appointed administrative bodies make final decisions based on general considerations of fostering and preserving the public health, safety, and general welfare, including the City's fiscal well-being. Such final decisions are characterized by the exercise of broad discretion. |                                                                                                                                                                                                   |                         |                               |                 |                                                       |                                                              |
| Landmark and Historic Overlay Designation (Sec. 07.22.1)                                                                                                                                                                                                                                                                                                                                                                                                                                     | Prior to a structure, area, or site being designated as a Landmark or part of a Historic Preservation Overlay Zone.<br><b>Application Deadline:</b> 15 business days prior to the public hearing. | None                    | 1st: BOARD<br>2nd: PC         | CC              | Pu: 15<br>M: 15<br>Po: 15                             | --                                                           |
| Master Development Plan (Sec. 07.22.2)                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Prior to any other development activity for a project taking place within a cluster, planned, or tiny house neighborhood type.                                                                    | 180 days                | Administrator                 | PC              | N/A                                                   | Sec. 04.08.2, Cluster, Planned, and Tiny House Neighborhoods |
| NDC Text Amendment (Sec. 07.22.3)                                                                                                                                                                                                                                                                                                                                                                                                                                                            | N/A                                                                                                                                                                                               | None                    | 1st: Administrator<br>2nd: PC | CC              | Pu: 7/21 <sup>4</sup>                                 | --                                                           |
| District Map Amendment (Sec. 07.22.4)                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Prior to establishing or expanding a building type or use prohibited in the current character district                                                                                            | None                    | 1st: Administrator<br>2nd: PC | CC <sup>5</sup> | Pu: 7/21 <sup>4</sup><br>M: 14 <sup>7</sup><br>Po: 14 | --                                                           |
| Development Plan (Sec. 07.22.5)                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Accompanying all applications for a character map amendment to the SU, AUC, SO, or Industrial character districts, except for single- or two-unit dwellings                                       | 180                     | 1st: Administrator<br>2nd: PC | CC <sup>5</sup> | Pu: 7/21 <sup>4</sup><br>M: 14 <sup>7</sup><br>Po: 14 | --                                                           |
| QUASI-JUDICIAL APPLICATIONS: Require final decisions that establish the way design or development will occur on specific sites in manners that either vary from the standards of this NDC or that are contested by an aggrieved party. Such final decisions are characterized by exercise of discretion.                                                                                                                                                                                     |                                                                                                                                                                                                   |                         |                               |                 |                                                       |                                                              |
| Appeal of Administrative Decision (Sec. 07.23.1)                                                                                                                                                                                                                                                                                                                                                                                                                                             | Within 30 days after an appellant or their agent received notice or the action of the official that is the subject of the appeal                                                                  | N/A                     | Administrator                 | BOARD           | Pu: 7<br>M: 7                                         | --                                                           |

## User Friendliness | Content

- Keep Standards out of Definitions and the Names of Uses.
- Consolidate and Simplify Names of Uses.
- Keep Standards with Standards and Procedures with Procedures.
- Assign Review and Decision Responsibilities to Actual Bodies or Staff Positions, Rather than “the City”.

*“YARD, FRONT. A yard extending across the front of the lot between the side lot lines and being in depth the minimum horizontal distance between the street line and the main building or any projection thereof other than the projections of the usual steps, terraces, balconies or porches covered only by a covering attached to and supported entirely by or from the front wall of such main building.” **Could be Simplified***

*“PARKING SPACE. A surfaced area, other than a street or alley, enclosed in the main building or in an accessory building, or unenclosed, **having an area of not less than 180 square feet, with a minimum width or nine feet and a minimum length or 18 feet...**”*

# User Friendliness | Platform

*The Ordinance is not just hosted on the City's website – The Ordinance IS a website*

Unified Development Ordinance x +

Not secure | online.encodeplus.com/regs/harrisonburg-va/

THE CITY OF HARRISONBURG VIRGINIA

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Zoning Ordinance Re-Write

# User Friendliness | Platform

Neighborhood Development Code

VIEW THE CODE ▾ VIEW MAP QUICK TABLES HOW DO IT? ▾ FAQs ▾

Neighborhood Development Code (NDC)

Table of Contents

- Neighborhood Development Code
  - How to Use this NDC
  - Article 158.01 General Provisions
  - Article 158.02 Character Districts
  - Article 158.03 Land Use Standards
  - Article 158.04 Development Design Standards
    - Division 08 General
    - Division 09 Lots
    - Division 10 Building Design, Elements, and Utilities
    - Division 11 Parking, Loading, and Circulation
      - Sec. 04.11.1 Applicability and Exemptions
      - Sec. 04.11.2 General Provisions
      - Sec. 04.11.3 Required Parking Ratios
      - Sec. 04.11.4 Parking Design and Use
        - Subsec. 04.11.4.A Joint Access
        - Subsec. 04.11.4.B Vehicular Access Point Spacing
        - Subsec. 04.11.4.C Driveway Location and Width
        - Subsec. 04.11.4.D ADA Parking
        - Subsec. 04.11.4.E Vehicular Surface Parking
        - Subsec. 04.11.4.F Vehicular Structured Parking
        - Subsec. 04.11.4.G Bicycle Parking
        - Subsec. 04.11.4.H Loading
        - Subsec. 04.11.4.I Stacking
      - Sec. 04.11.5 Special Studies
      - Sec. 04.11.6 Credits and Reductions
    - Division 12 Landscaping, Fencing, and Buffering
    - Division 13 Signs
    - Division 14 Environment
  - Article 158.05 Nonconformities
  - Article 158.06 Administration
  - Article 158.07 Development Review Procedures
  - Article 158.08 Enforcement, Penalties, and Remedies
  - Article 158.09 Definitions and Calculations
    - Appendix A - Historic Covington Design Guidelines
    - Appendix B - 12th Street Design Guidelines
  - Amendment History Table

125 feet apart.

**4. Spacing of Signalized Access Points.**

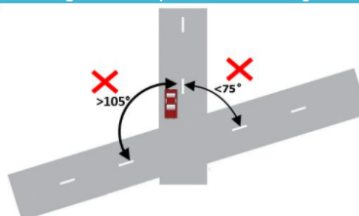
a. *Distance.* Access points that warrant signalization shall be spaced a minimum distance of 0.25 miles apart. The exact location of the signal light shall be determined by a traffic engineering study, which shall at least account for the following variables:

- i. Safety of pedestrians and cyclists;
- ii. Minimization of potential collisions; and
- iii. Roadway geometrics;

b. *Turning.* Turning movements shall prioritize safety of pedestrians and cyclists.

**5. Intersection Alignment.** The centerline of all vehicular access points shall intersect as nearly at a 90-degree angle as possible, but in no case may the angle of intersection be less than 75 degrees or greater than 105 degrees, as depicted in Figure 04.11.4.B, *Prohibited Access Angles*, unless approved by the Planning Commission or Administrator, whichever is applicable, due to certain exceptional conditions including, but not limited to, steep topography, adjacent or nearby historic properties that could be negatively impacted, or public utilities that would be severely impacted by the construction.

**Figure 04.11.4.B, Prohibited Access Angles**



**6. Spacing of Unsignalized Access Points.**

a. All developments shall meet the requirements of Article 8, *Access Control Regulations*, of the [Kenton County Subdivision Regulations](#). The design of all roadway elements shall be in compliance with Section 4.1, *Streets*, of the [Kenton County Subdivision Regulations](#).

b. Modifications to the access management requirements of this Article may be granted following the procedures in the Sections 3.8, *Minor Deviations by Staff*, and 3.9, *Waivers to the Regulations*, of the [Kenton County Subdivision Regulations](#).

Effective on: 10/15/2020

Covington, KY

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- Numerous Illustrations and Tables

## Next Steps | Upcoming Materials

- Ordinance Diagnosis and Annotated Outline Presentation – Feb 25
- enCodePlus Training with Staff – Week of April 5
- Preliminary Draft of Module 1 for Staff Review – Week of April 12
- SAT Pre-Meeting – Week of April 19
- OAC Presentation and Discussion of Module 1 via Video Conf. – Week of April 26
- Revised Draft of Module 1 – Week of May 7

# MARSHALLTOWN

IOWA

## Ordinance Diagnostic Zoning Ordinance Re-Write

Brian Mabry, AICP, Code Practice Leader

Bret Keast, AICP, Owner / CEO

Steve Sizemore, PhD, AICP, Senior Associate

Rose Schroder, AICP, Bolton and Menk

02/25/2021



KENDIG KEAST  
COLLABORATIVE



BOLTON  
& MENK

# MARSHALLTOWN

## I O W A

TO: Plan Zoning Commission

FROM: Caleb Knutson, City Planner

DATE: February 25 – Meeting Date

**SUBJECT: Zoning Ordinance Amendment of Traditional Neighborhood District**

The Traditional Neighborhood District was originally established to address areas such as the 13<sup>th</sup> Street District, which included mixed uses in a condensed area. Later, it was used in other areas of the community to also allow for mixed use developments. At the time of adoption, we had not envisioned larger lot development in the TN District.

As we are now beginning to see development occur in some of these larger mixed-use areas we have identified some unanticipated impacts for larger lot development. These are items which we had discussed during our Mixed-Use District discussions related to the Highway 14 Corridor and something we plan on discussing further with the Zoning re-write.

Based on current pending projects it is the staff recommendation that we should amend our ordinance now and in order to immediately address these issues. We are proposing an expedited process in order to make changes prior to the 2021 permitting and construction season.

The two primary areas impacted by the proposed changes include the property East of Walmart where we have planned large lot developments and on S. 6<sup>th</sup> Street where we have new housing development planned.

Proposed amendments are highlighted in yellow:

**§ 156.198 BULK REQUIREMENTS.**

The following requirements shall be observed:

| Use <sup>a</sup>          | Front Yard<br>Setback<br>(min/max) | Rear Yard<br>Setback<br>minimum | Side Yard<br>Setbacks<br>(minimum/<br>combined) | Minimum Lot<br>Area<br>Required/Unit | Maximum<br>Height | Minimum<br>Lot Width |
|---------------------------|------------------------------------|---------------------------------|-------------------------------------------------|--------------------------------------|-------------------|----------------------|
| Commercial c              | 0/15 feet e                        | 0                               | None d                                          | 800 square feet                      | 45 feet           | 25 feet              |
| Multi-family              | 0/25 feet e                        | 10 feet                         | None d                                          | 1,700 square feet                    | 45 feet           | 25 feet              |
| Single-family<br>attached | 10/25 feet                         | 15 feet                         | 6/12 b                                          | 2,000 square feet                    | 35 feet           | 25 feet              |
| Single-family<br>detached | 15/25 feet                         | 15 feet                         | 6/12                                            | 3,500 square feet                    | 35 feet           | 35 feet              |

**Housing & Community Development**

36 North Center Street, Marshalltown, IA 50158  
Tel. (641) 754-6583 - Fax (641) 754-5742

NOTES TO TABLE:

a Does not include residential units above a commercial space

b None if shared walls

c Including residential uses above commercial space.

d 6-foot minimum per side when adjacent to a residential dwelling

e Lots exceeding one (1) acre in area are exempt from the maximum setback

## § 156.199 PARKING REQUIREMENTS.

(B) Parking lots shall be located in the rear of all commercial uses or on the side of lots that are less one (1) acre in area or less. Parking...

(C) Parking lots for large lot developments, greater than one (1) acre, shall not be limited in location provided they comply with the parking lot landscaping requirements in accordance with § 156.503 of this chapter.

## § 156.200 DESIGN GUIDELINES.

(A) All attached or detached garages shall be placed towards the rear of a building, except on a corner, where the side may also be allowed, and when alley access is available. These can be accessed via privately controlled lanes and alleyways.

(B) The front facade of any commercial or multi-family building shall be at least 50% brick or masonry stone, unless other architectural elements are approved by the Zoning Administrator.

(C) One-story commercial buildings shall be constructed to appear of greater height in relation to the street. This can be achieved through the use of architectural elements, pitched roofs with dormers or gables facing the street, a higher parapet and/or the use of an intermediate cornice line to separate the ground floor and the upper level.

(D) The length of any new non-residential building shall be comprised of at least 50% windows and doors at the ground level, unless otherwise approved by the Zoning Administrator.

**Recommendation:** Staff is proposing the following schedule to make these changes.

- 2/25/21: Plan Zoning Commission set public hearing on zoning amendment
- 3/8/21: City Council will consider a resolution to set a public hearing for 3/22/21 with the City Council.
- 3/11/21: Plan Zoning Commission holds public hearing and makes a recommendation to the City Council
- 3/22/21: City Council holds public hearing and 1<sup>st</sup> reading of the ordinance with consideration for waiving the 2<sup>nd</sup> and 3<sup>rd</sup> readings.