

MARSHALLTOWN

— I O W A —

PLAN AND ZONING COMMISSION

Notice of Regular Meeting

Thursday, October 24, 2024, at 5:00 pm

City Council Chambers, City Hall

10 West State Street, Marshalltown, IA 50158

1. CALL TO ORDER

2. ROLL CALL

- o Boston
- o Brodin
- o Casady
- o Eilers
- o Gruendler
- o Isom
- o Valbracht

3. Approve Minutes From September 26, 2024 Meeting

Documents:

[09-26-2024_PZ_Minutes_CK.pdf](#)

4. Discussion Of Rezoning Application For 2815 South 2nd Street

Documents:

[Rezoning Application for 2815 S 2nd St.pdf](#)
[Rendering Pond View 2815 S 2nd Street.jpg](#)
[Rendering Street View 2815 S 2nd Street.jpg](#)

5. Set Public Hearing On Rezoning Application For 2815 S 2nd Street For 11/14/24 Meeting

6. Discussion - Review Of Chapter 156: Zoning

1. 156.F002 (D) Plant Substitutions for solar installations
2. Table 156.C.003-1 under Urban Core (UC) Zoning District
3. Review the zoning map for Mixed-Use (MU) zones
4. Update language of Pole Sign Other Design requirement

5. Update Table 156.G.004-3
6. Accessory Use - Residential Swimming Pools
7. Update language for Utilities, Major Utility, and Minor Utility
8. Home-Based Business Accessory Use Definition and Requirements
9. Update Table 156.B.005-1 Non-Residential & Mixed-Use District Lot & Building Standards to include the proposed Public/Institutional (PI) Zoning District standards

Documents:

[Memo - Discussion Items CH 156 Zoning.pdf](#)
[PI District Development Standards Table.pdf](#)

MISSION STATEMENT

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

Plan and Zoning Commission

Meeting Minutes – September 26, 2024

The meeting was called to order by Chairman Boston at 5:00 PM in the City Council Chambers at 10 W. State Street, Marshalltown, IA

Item 2: Roll Call:

Present: Boston, Brodin, Eilers, Casady, and Gruendler (attended remotely) Isom. Valbracht absent.

Also attending, Troy Weary, ITC representative, Chad Levi of ITC (remotely), Carol Webb, City Administrator, Cindy Kendall, and Trey Rouse, Consultants.

Item 3: Approve Meeting Minutes from September 12, 2024.

The Chair asked for comments. As there were no comments or corrections, the minutes of the September 12, 2024 meeting were approved as presented.

Item 4: Public Hearing on Special Use Permit Application for ITC Midwest

Jon Boston opened the Public Hearing at 5:01 pm. ITC representatives Chad Levi and Troy Weary reviewed the business of ITC as a transmission company partnering with Alliant Energy. ITC is proposing the construction of a substation at 2999 E. Main Street. The Special Use Application was found to be in order. As there were no comments written or by those present, the Public Hearing was closed at 5:03 pm.

Item 4.1: Discussion and recommendation to the Board of Adjustment.

Upon further consideration, a motion was presented by Brodin, seconded by Eilers to recommend approval of the ITC Special Use Permit to the Board of Adjustment. All ayes on roll call with Valbracht absent.

Item 5. Public Hearing on Chapter 156: Zoning Amendment

Jon Boston opened the Public Hearing at 5:04 pm explaining that this covered Table 156.B.004-1 Residential District Lot and Building Standards and Section 156.J.005.1(D)(1) Special Use Permit Requirement for a Public Hearing by the Planning and Zoning Pertaining for Special Use Permits.

As there were no written or oral comments on the amendment, the Public Hearing was closed at 5:05 pm.

Item 5.1 Discussion and recommendation to the City Council

After discussion, a motion was made by Gruendler, seconded by Brodin to approve the proposed amendment and present the amendment of Table 156.B.004-1 Residential District Lot and Building Standards and Section 156.J.005.1(D)(1) Special Use Permit Requirement for a Public Hearing by the Planning and Zoning Pertaining for Special Use Permits to the City Council for ratification. All ayes on roll call. Absent Valbracht.

Item 6. Discussion Regarding Date for the next Planning and Zoning meeting.

Due to scheduling conflict(s), the regular Planning and Zoning meeting will be rescheduled for September 24 at 5:00 pm in the Council Chambers.

The members reviewed potential topics for the next meeting. The agenda will include all materials for that discussion (and posted on the website.)

As there was no other business to come before the Commission, the meeting was adjourned at 5:22 pm.

Date Submitted & Fee Paid: _____

Rezoning Request Application Form

36 N. Center Street, Marshalltown, IA 50158 Ph: 641-754-5756 Fax: 641-754-5742

www.marshalltown-ia.gov

All items listed must be submitted with this application:

Failure to complete and submit all the required materials as a part of this application will result in a delay in accepting your application until it is complete.

ATTACHED

Legal description of the property. The property owner must provide a copy of the full legal description. If you do not have a copy, you can obtain one from the Marshall County Recorder's Office for a fee. The tax description found on the County Assessor's website is not the full legal description.

Done
CK

Application fee. A \$500 fee is required payable to "City of Marshalltown." The fee must be paid when the application is submitted to the Zoning Office.

Please type or print legibly in ink.

Property Address:

2815 S. 2nd ST

Owner:

HUGGARTH CONSTRUCTION INC

Mailing Address:

PO BOX 203 FRADETOWN CO 80116

Phone:

402 957 1818

E-mail:

Ryan@HCI1988.com

Current Zoning Classification:

RM

Current Use:

NONE

Proposed Zoning Classification:

MU

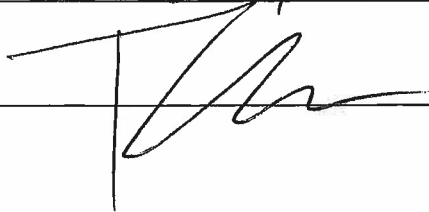
Proposed Use:

COMMERCIAL / RESIDENTIAL

Please list the uses of surrounding properties:

CONDO / COMMERCIAL

Signature and Date:



10-9-24

MARSHALLTOWN

— I O W A —

HOUSING & COMMUNITY DEVELOPMENT DEPARTMENT

36 North Center Street, Marshalltown, IA 50158

Ph: 641-754-5756 Fax: 641-754-5742

www.marshalltown-ia.gov

Rezoning Request Application Packet

Application: Applications will not be accepted unless complete. All required items must be submitted with the application. Failure to complete and submit all the required materials as a part of this application will result in a delay in accepting your application until it is complete.

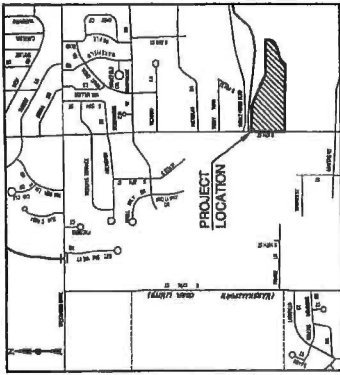
Notifications: The City will place a sign on the property to notify the public that a rezoning request has been submitted. The sign includes the city's phone number so that concerned individuals will have an opportunity to learn about the proposal and can present information on this matter to the Commission and/or Council at the public hearing. A notice of public hearing is also published in the newspaper.

1. The burden of providing sufficient evidence to make the applicant's case shall be on the applicant in all cases.
2. The rezoning request must be considered by the Plan Zoning Commission and the City Council. Contact the Housing & Community Development Director for a schedule of the upcoming meetings. Please note the deadline dates for each meeting. The commission will review the request at a regularly scheduled meeting at least once prior to the public hearing. A public hearing must be held by the commission prior to making a recommendation to the City Council. The Plan Zoning Commission meets in the City Council Chambers at City Hall at 5:00 PM on the Thursday following the first Council meeting of the month.
3. The Marshalltown City Council meets on the 2nd and 4th Mondays of the month at 5:30 p.m. in the City Hall Council Chambers. According to Iowa Code, the rezoning requires three readings and a public hearing.
4. Under optimum conditions it takes about 4-6 months to rezone property if the issue is not controversial. Larger projects may require additional time.
5. Applicants are encouraged to provide all applicable information as early as possible to facilitate the process.

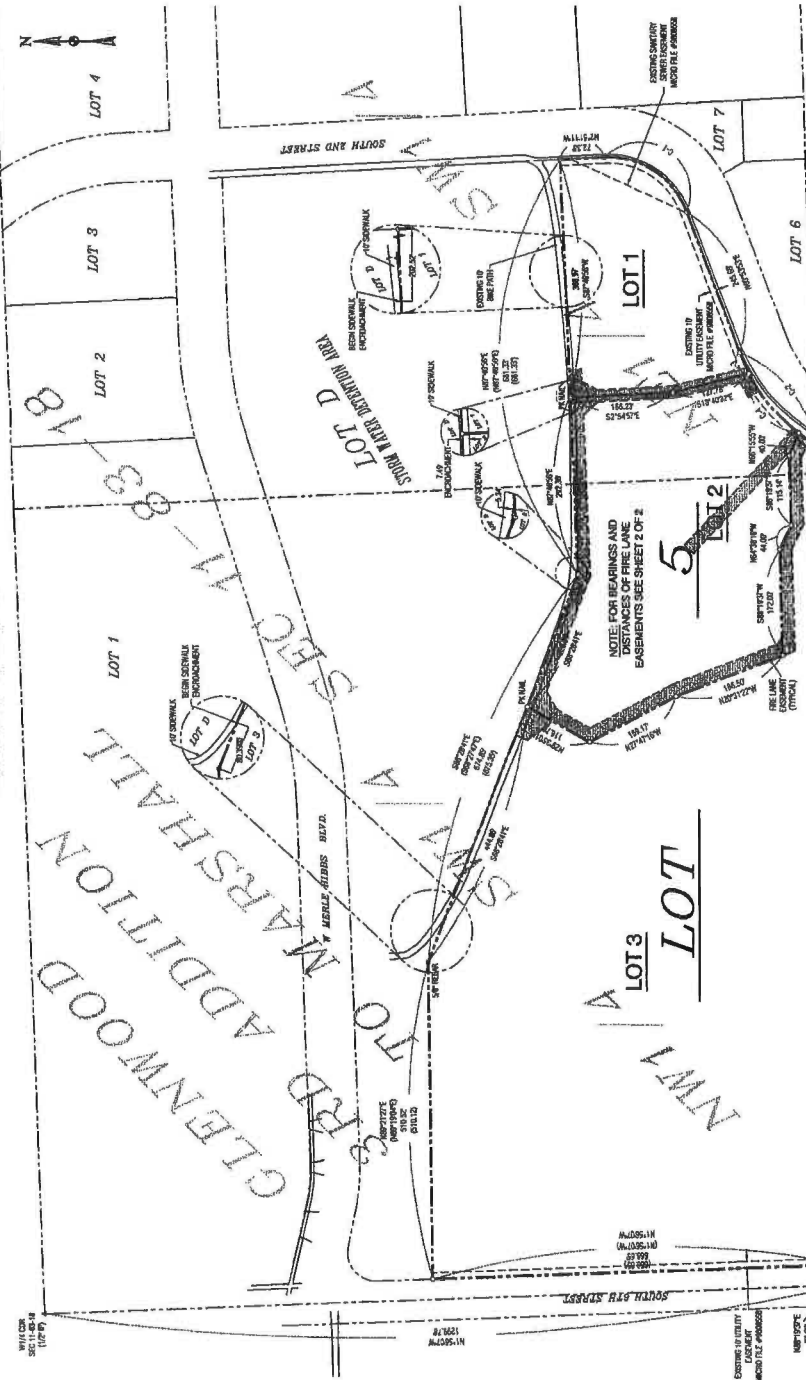




SUBDIVISION OF LOT 5
GLENWOOD 3RD ADDITION TO MARSHALL
IN THE SW1/4 SECTION 11-83-18
MARSHALL COUNTY, IOWA
SHEET 1 OF 2



VICINITY MAP
NO SCALE



CO	NAME	DATE	REMARKS
1	Subdivision	10/13/03	Original Survey
2	Revised		
3	Revised		
4	Revised		
5	Revised		
6	Revised		
7	Revised		
8	Revised		
9	Revised		
10	Revised		

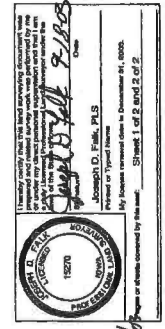
OWNER
GLENWOOD PARK LLC
WAYNE PAVEL
SURVEY PREPARED BY JACK GERTMANN
LAND SURVEYOR
CLARENCE GARDNER ASSOCIATES
18 EAST MAIN STREET
MARSHALLTOWN, IOWA 52558

APPROVED PLANNING
Commission
[Signature]
Marshalltown, Iowa

DESIGNED: DATE: DRAWN: DATE: CHECKED: DATE: APPROVED: DATE:

NOTES: C.L. & G.L. ARE PLATTED & RECORDED.
A. GOVERNMENT CORNER MONUMENT FOUND
B. GOVERNMENT CORNER MONUMENT NOT FOUND
C. PHOTOLITH ON LOT CORNER MONUMENT FOUND
D. TO BE SET 1/2" OF 1/2" REBAR - 1/2" DIA.
E. TO BE SET 1/2" OF 1/2" REBAR - 1/2" DIA.

ZONING CLASSIFICATION
PLANNED UNIT DEVELOPMENT



My Signature required dates in December 94, 2000.
I am a duly Licensed Surveyor in the State of Iowa.
I am a duly Licensed Surveyor in the State of Iowa.
I am a duly Licensed Surveyor in the State of Iowa.

City of Marshall
10/13/03
10/13/03
10/13/03
10/13/03
10/13/03
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10/13/03
10/13/03
10/13/03
10/13/03

RECORDED
787035
182

FINAL PLAT

SUBDIVISION OF LOT 5
GLENWOOD 3RD ADDITION TO MARSHALL

[illegible]

DESCRIPTION:
LOT 5 GLENWOOD 3RD ADDITION TO MARSHALL, MARSHALL COUNTY, IOWA
CONTAINS 806.874 SQUARE FEET OR 18.67 ACRES.

LOT 1 BURNHAM OWNERS EASEMENT FOR FIRE PROTECTION

[illegible]

LOT 2 INGRESS/EGRESS EASEMENT FOR FIRE PROTECTION

[illegible]

ALSO BEGINNING AT THE MOST SOUTHEASTERLY CORNER OF LOT 2 OF THE SUBDIVISION OF LOT 5 OF GLENWOOD 3RD ADDITION TO MARSHALL, MARSHALL COUNTY, IOWA, THENCE, N08°15'55" W 40.07' ALONG THE SOUTHWESTERLY LINE OF SAID LOT 2; THENCE, N42°56'28" E 4.40'; THENCE, N47°03'34" W 224.28'; THENCE, N42°56'28" E 20.00'; THENCE, S40°03'04" W 281.49' TO THE NORTHERLY RIGHT OF WAY LINE OF SOUTH SECOND STREET; THENCE, S04°08'14" W ALONG SAID NORTHERLY RIGHT OF WAY LINE 11.25' ALONG THE ARC OF A 310.07' RADIUS CURVE CONCAVE SOUTHEASTERLY, THE CHORD HAVING A BEARING OF S40°03'37" W AND A DISTANCE OF 11.95' TO THE POINT OF BEGINNING. SAID EASTMENT CONTAINS 5,154.78 SQUARE FEET OR

LOT 3 INGRESS/EGRESS EASEMENT FOR FIRE PROTECTION

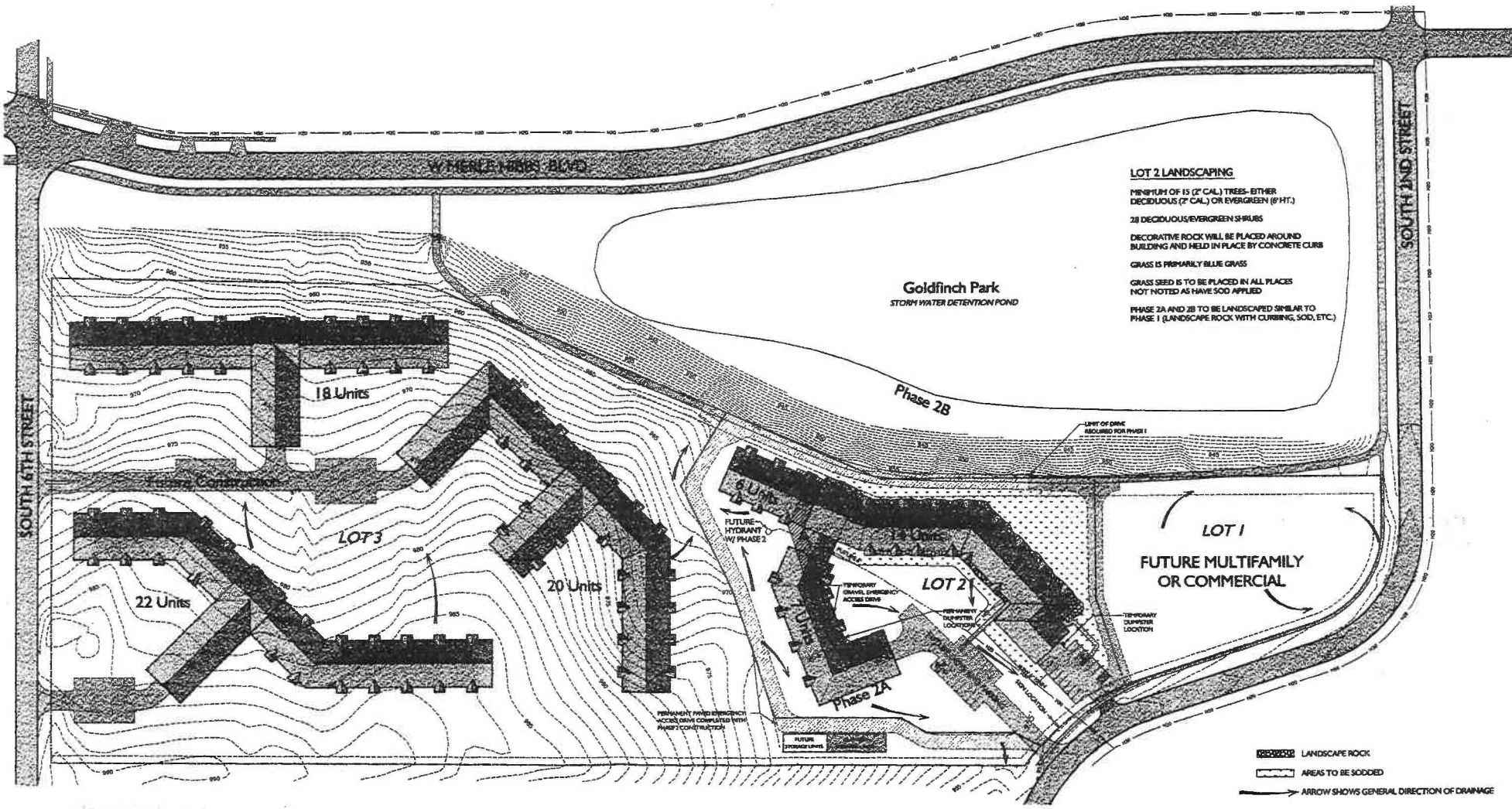
AN INTEREST/EGRESS EASEMENT LOCATED IN LOT 3 OF THE SUBDIVISION OF LOT 6 OF GLENWOOD SPD ADDITION TO MARSHALL, MARSHALL COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 3; THENCE, N68°24'1" W 50.00' ALONG THE NORTH LINE OF SAID LOT 3; THENCE, S21°31'19" W 20.00'; THENCE, S34°00'27" E 40.96'; THENCE, S69°24'58" E 10.00' TO THE EAST LINE OF SAID LOT 3; THENCE, N29°30'01" E 45.00' ALONG SAID EAST LINE TO THE POINT OF BEGINNING. SAID EASEMENT CONTAINS 1,641.70 SQUARE FEET OR 0.04 ACRES.

ALSO
BEGINNING AT THE MOST SOUTHEASTLY CORNER OF LOT 2 OF THE SUBDIVISION OF LOT 6 SAID
QUENSDAD ADDITION TO MARSHALL, THENCE, N08°19'W 40.07' ALONG THE SOUTHERLY LINE OF
SAID LOT 2; THENCE, S88°19'W 115.11' ALONG SAID SOUTHERLY LINE, THENCE, N04°38'W 44.00' ALONG SAID
SOUTHERLY LINE, THENCE, S01°01'W 127.00' ALONG SAID SOUTHERLY LINE TO THE SOUTHWEST CORNER
OF SAID LOT 2; THENCE, S00°13'22"E 21.13'; THENCE, N08°19'W 165.17'; THENCE, S04°54'E 44.00'; THENCE,
N04°38'W 44.00' ALONG SAID SOUTHERLY LINE TO THE INTERSECTION OF SAID SOUTHERLY LINE AND
STREET; THENCE, N00°15'41"E ALONG SAID NORTHERLY RIGHT OF WAY LINE 20.00' ALONG THE ARC OF A
310.00' RADIIUS CURVE CONCAVE SOUTHEASTERLY, THE CHORD HAVING A BEARING OF N00°15'E AND A
DISTANCE OF 20.05' TO THE POINT OF BEGINNING, SAID EASEMENT CONTAINS 117.37 SQUARE FEET.

By [Signature]
[Illegible text]

FINAL PLAT

PROJECT NO.	73570.05
SHEET NO.	2 of 2



THE VILLAGES OF
GLENWOOD PARK
FINAL MASTER PLAN P.U.D.
SITE PLAN
09/08/2003

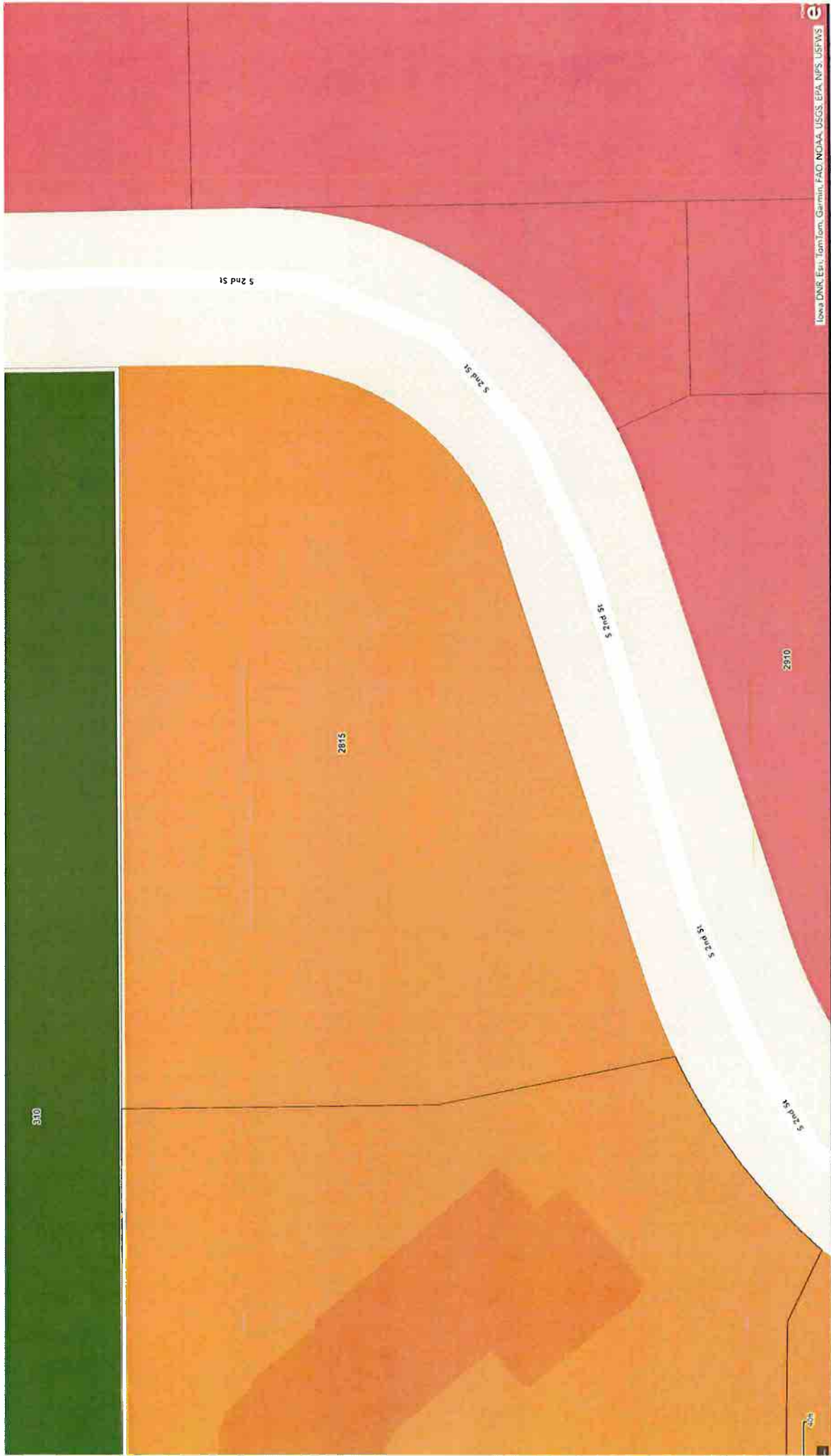
1 SITE PLAN
SCALE: 1" = 40' SCALE

PREPARED FOR:
GLENWOOD PARTNERS L.L.C.

BY:
WERTZBERGER ARCHITECTS P.C.

Approved Planning
Commission

[Signature]
Marshalltown, Iowa





CONCEPTUAL RENDERING 2815 SOUTH 2ND





CONCEPTUAL RENDERING 2815 SOUTH 2ND



1. Add Substitution (6) to 156.F002 (D) Plant Substitutions.

(6) Solar Arrays Substitution.

6a. When an in-ground Solar Array is being developed as a primary use and requires a bufferyard that includes overstory or understory trees, this requirement may be substituted for 20 evergreens/shrubs of a minimum of 4 feet in height per 100 linear feet of the bufferyard distance. When installed they should be no more than 5 feet apart and at each corner of the solar array, one evergreen/shrub of a minimum of 4 feet should be placed in addition to the previous requirement.

6b. When an in-ground Solar Array is being developed as a primary use and requires a bufferyard that includes overstory or understory trees, this requirement may be substituted for a 6 ft. tall, 100% opaque privacy fence. When installed this fence should be a minimum of 5 ft. from the solar array and should completely cover sight of the solar array from the public right-of-way and surrounding properties. Fence materials and installation must follow the Fence Requirements within the Marshalltown Zoning Code.



Explanation:

This addition to the Plant Substitution list is proposed because of the nature of in-ground solar array use not appropriately being accommodated with its required bufferyard. Tall trees within the required bufferyard hinder the primary use of the in-ground solar array negatively impact it. Allowing this substitution to be put in place still allows for a bufferyard to exist and block visibility of the use, while allowing the maximum efficiency of the proposed use on the property it is

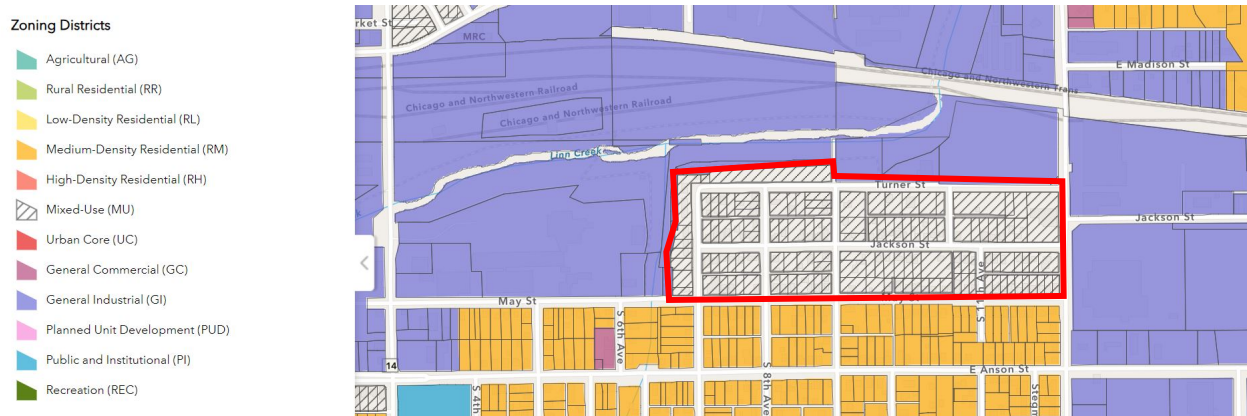
located at. The frequency of the new bufferyard still remains to make sure that the use is covered from adjacent properties and neighboring uses.

2. Table 156.C.003-1 under Urban Core (UC) Zoning District remove the Vehicle Fuel Station use as a permitted use and make it a non-permitted use. Change from “P” to “--”.

Explanation:

This use isn’t appropriately utilized within the Urban Core Zoning District, as this is the Marshalltown downtown. There are currently no Vehicle Fuel Stations within the UC Zoning District with the closest being the Casey’s on 3rd Avenue being placed within the Mixed-Use District. This removal would preserve the character of the downtown and UC Zoning District to be walkable and pedestrian based.

3. Review zoning map for the MU zones and change as needed.



Explanation:

Discuss the viability of the highlighted neighborhood remaining Mixed Use (MU) versus changing to Medium-Density Residential (RM).

4. Update language of Pole Sign Other Design requirement from “The width of the support(s) of the sign shall be a minimum of 60% of the width of the sign face” to “The width of the base and foundation(s) of the sign shall be a minimum of 60% of the width of the sign face width” for the MU, GC, and GI Zoning Districts.

Explanation:

This change is for clarification as it can currently be interpreted that “support(s)” means the pole or the physical foundation of the sign. With the change to “base or foundation” it removes the aspect of the pole being the possible part of the sign to have to meet this requirement.

5. Update Table 156.G.004-3 to add in the following design standards for Pylon (Pole) Signs within the Mixed-Use (MU) Zoning District:

Number Allowed - 1 per frontage

Maximum Area - 20 s.f. / 1 s.f. per linear ft. of street frontage; 35 s.f. maximum

Maximum Height - 25 ft.

Minimum Clearance - 8 ft. above grade and 20 ft. above adjacent drive aisle, if edge of sign is within one foot of aisle

Minimum Setback - 10 ft.

Illumination - Internal and External

Other Standards -

Other Signs - If used, no monument sign is allowed

Sign Permit - Yes

Explanation:

These design standards need to be added to Table 156.G.004-3 due to the fact that Pole signs are permitted signs within the Mixed Use (MU) Zoning District but have no design standards. As it stands now, a Pole sign within the MU Zoning District has no design standards and could be made in any fashion. The standards created above account for the average pole sign design and the unique nature of the MU Zoning District having both residential and commercial in close proximity.

6. Accessory Use - Residential Swimming Pools

156.M.003 Definitions

Swimming Pool . Any enclosure, in ground or above ground, having a water surface area exceeding two hundred square feet and a water depth of not less than twenty-four inches.

Temporary Above Ground Swimming Pool. Any swimming pool less than 5,000 gallons which is erected a maximum of six (6) months in a calendar year and is completely drained and stored away for the winter months.

156.C.007 Accessory Uses and Structures

(4) Swimming Pools.

(a) General regulations.

1. Permits Required. No swimming pool shall be constructed, excavated or established in the City without first obtaining a Building Permit therefor. An application for a permit shall be submitted through the Building Permit process to the City which includes the type and size of pool, together with a site plan containing the following information:

Location of pool; location of all structures on the building lot including house, garage, fencing or other improvements; location of pumps, filter, wiring, protective fencing, back flush and drainage outlets, grading plans and finish elevation around the pool; location of existing underground or overhead wiring, utility easements, trees and similar features; together with location of structures on adjacent lots.

A. Exceptions. Temporary Above Ground Swimming Pools are exempt from this permit requirement.

2. Fees. Normal Building Permit fees shall be charged as currently done through the Building Permit review process for an accessory use structure.

3. Enforcement of Provisions. The Zoning Administrator and Building Inspector, or duly authorized representative, shall be charged with enforcement of this Section.

This Section shall apply retroactively only with regard to safety features such as wiring and fencing to all existing swimming pools, and the owners shall have one (1) year after the official adoption of this Section to conform to these requirements.

4. Penalty. Any person violating the provisions of this Section shall be guilty of a Code Violation and subject to the payment of a maximum fine of one-thousand two hundred fifty dollars (\$1,250.00). If the person violating this section of the code does not remedy the issue after contact with the city and initial fine, then they'll receive an additional code violation for each day that the requirements of this code are not met and accumulate an additional fine of a maximum of one hundred dollars (\$100.00) for each separate violation.

(b) Minimum regulations.

1. Pools shall not be located within ten (10) feet (measured horizontally) from underground or overhead utility lines of all types.

2. Pools shall not be located within any private or public utility, drainage, walkway or other easement.

3. Construction of pools shall be undertaken so as to avoid hazards, damage or considerable inconvenience to adjacent property.

4. The lot owner shall be liable for damages to any business or private property caused during pool construction or use.

5. To the extent feasible, back-flush water or water from pool drainage shall be directed onto the owners' property or onto approved public drainage ways and shall not drain onto adjacent private land. Drainage onto public streets or other public drainage ways shall require permission from the appropriate local City officials and Marshalltown Water.

6. Any pool lighting shall be directed toward the pool and not toward adjacent property.

7. Outdoor swimming pool areas shall be enclosed with a permanent safety fence at least four (4) feet in height to prevent uncontrolled access to the pool area, and the fence shall have a self-closing gate and self-latching with the latch inaccessible to small children and at least four (4) feet from the ground level. The fence shall be completely installed before filling the pool.

A. The use of temporary fencing (such as portable, garden, and snow fencing) is not allowed to satisfy this requirement.

B. Fencing is not required for temporary above ground swimming pools which have at least four (4) foot high vertical sidewalls provided the sole access is by means of a removable ladder, ramp, or stairs which must be removed when the pool is not in use.

8. All wiring, installation of heating units, grading, installation of pipe or other construction shall be subject to inspection by the City Inspector.

9. Nuisances, such as undue noise, lighting of adjacent property, health and safety hazards, damage to vegetation on adjoining property, and the like, shall not be permitted.

10. Filling of pools from fire hydrants or other public facilities shall require the permission of the appropriate local City officials and Marshalltown Water.

(c) Location regulations.

1. Single-Family Residential. Pools shall not be located within ten (10) feet of any rear lot line nor within five (5) feet of any side lot line, nor within six (6) feet of any principal structure or frost footing. Pools shall not be located within any required front yard.

A. The filter unit, pump, heating unit and any other noise-making mechanical equipment shall be located at least twenty-five (25) feet from any residential structure on adjacent property and not closer than eight (8) feet to any lot line.

2. Multi-Family Residential. Private swimming pools intended for and used by occupants and guests of occupants of multiple-family dwellings shall adhere to the following regulations:

A. No part of the water surface of the swimming pool shall be closer than forty (40) feet to any lot line.

B. No pumps, filters or other apparatus used in connection with the pools shall be located closer than forty (40) feet to any lot line.

C. The pool areas shall be adequately fenced to prevent uncontrolled access from the streets or adjacent as contained in Section 156.C007 (4)(b)(7). Adequate screening, including, but not limited to, a landscape bufferyard type B shall be placed between the pool area and adjoining single-family district lot lines as found in Table 156.F.004-2.

D. All deck areas, adjoining patios or other similar areas used in conjunction with the pools, shall be located at least fifteen feet from any lot line in an adjoining Single-Family District.

Explanation:

There have been many inquiries regarding the regulations for residential swimming pools for the community. As of now, there are no regulations that pertain to them other than having a fence or barrier around them. Even that wasn't well defined on what regulations were required. This section will be added to the definitions and accessory use chapter to give this accessory use regulations and standards to allow residents to have swimming pools and make sure they are as safe as possible.

7. Update language for Utilities, Major Utility, and Minor Utility for clarity of interpretation.

UTILITIES. A use category containing major or minor infrastructure that serves a site, a development, or the city at-large. Major utilities include public or private infrastructure serving the general community, that may or may not be maintained or regulated by a public or municipal entity and possibly having on-site part-time or full-time personnel. Minor utilities include public or private infrastructure serving a limited area with seasonal, as needed, or no on-site personnel.

(1) Major utilities include Electrical substation; electric or gas generation plant; solar panel array (wall- or ground-mounted and greater than 850 square feet); telephone exchange and transformer or substation; water storage tank; and water treatment plant and other uses meeting the definition of major utilities according to the Zoning Administrator.

(2) Minor utilities include Pumping or regulator stations; solar panel array (roof-mounted or ground-mounted 850 square feet or less); stormwater retention or detention facility; telecommunication antenna co-located on an existing structure; and other uses not meeting the definition of major utilities according to the Zoning Administrator.

(3) Typical accessory uses include Associated office and storage; fleet maintenance; minor utilities; and storage structures.

Explanation:

This change is to clarify what permits a use from being a major utility versus a minor utility. The updates to major utility identify that the uses listed plus any new uses that meet the defined standards will be considered major utilities by definition. The updates to the Minor utilities identify what is currently considered a minor utility use and that any use that doesn't meet the standards set forth in the major utility definition, will be considered a minor utility.

8. Update language for Home-Based Business Accessory Use Definition and Requirements.

Definition:

HOME-BASED BUSINESS. Any occupation or activity which is clearly incidental to the use of the premises for dwelling purposes, and which is carried on wholly within a main building or accessory building, other than business gardens as defined and meets the requirements of

section 156.C.007(G) for operating the business, employees outside of those who reside on the premises, signage, and other requirements.

No-Impact Home-Based Business. Any occupation that takes place within the premises of a clear residential dwelling that has no outward impact on the property, surrounding neighbors, changes the property in any way, does not create additional traffic/parking that would normally be associated with a residential dwelling, no signage, sound, odor, or nuisance of any kind.

Requirements:

12. Employees. The Home-Based Business allows one (1) employee to work and assist in the home-based business that does not reside on the premises. All other employees must reside on the premises.

(f) Violation, Non-Compliance, and Revocation of Registration. Any home-occupation that does not abide by the requirements set forth within the Zoning Code operates without being registered and complaints arise or falls out of compliance with the Zoning Code shall be subject to the Violation and Penalty section of the Zoning Code. This includes fines being levied after written documentation is sent to the residents to come into conformance with the Zoning Code. If a Home-Based Business operates without regard to the requirements of the Zoning Code or registration previously obtained, then they'll be subject to penalty along with revocation of their registration with a request to end the function of the home-based business. A fine of one hundred (\$100.00) dollars will be levied for each offense. Each day that the home-based business is considered to be non-compliant, not operating within the requirements of the Zoning Code, or ceases to end business practices after the date requested will result in separate offenses per day.

Explanation:

The clarification to the definition was included to remove requirements from being located within the definition and moved to an appropriate spot in the code. It also defined a "No-impact home-based business". The requirement additions moved the employee requirement to being in the appropriate section and outlined the requirement to allow for one (1) employee that does not live at the residence. The final addition is codifying the violation and non-compliance clause that is found on the Home-Based Business registration form. Before codifying this, the City was unable to take action against home-based businesses that were not following the Zoning Code.

9. Update Table 156.B.005-1 Non-Residential and Mixed-Use District Lot and Building Standards to include the proposed Public/Institutional (PI) Zoning District standards.

Please see the attached table.

Explanation:

There are currently no codified standards for development within the Public/Institutional (PI) Zoning District. If a developer were to propose a permitted use be built on a lot that is within the PI Zoning District, the city couldn't require any form of development or design standard. The proposed table is to update Table 156.B.005-1 to make sure that the PI Zoning District has development standards for its permitted residential use and permitted non-residential uses.

Table 156.B.005-1
Nonresidential and Mixed-Use District Lot and Building Standards
 (See Figures 156.B.005-1 and -2, below)

Housing/ Building Type ¹	Maximum Gross Density (Units/Acre)	Common Civic or Open Space/ Landscape Surface Area Ratio ²	Minimum Lot ³		Maximum Building		Minimum/Maximum Setbacks ⁴			
Graphic Legend			Area	Width	Height	Frontage Build Out	Front	Side Street	Side ^{5, 6}	Rear ⁶
			A	B	C	D	E	F	G	H
PI - Public and Institutional										
All Other Group Living Uses	21.5	N/A	6,000 Sq. Ft.	60 ft.	45 ft.	N/A	30 ft.	10 ft.	5 ft.	25 ft.
Permitted Nonresidential Uses	N/A	15%	6,000 Sq. Ft.	60 ft.	75 ft. ¹	100%	35 ft. ¹	15 ft. ¹	10 ft. ¹	10 ft. ¹

Note ¹: These maximums and minimums are set generally for the PI District. Based upon the use that is proposed to be developed, the Zoning Administrator may adjust the requirement as needed to best benefit the community, protect the use of surrounding properties, prevent nuisances, and to minimize any negative impacts of the proposed use.