

1. Agenda

Documents:

[AGENDA.PDF](#)

2. Supporting Meeting Documents

Documents:

[114 N CENTER REZONING MAP.PDF](#)
[GLENWOOD PLACE COVER LETTER.PDF](#)
[GLENWOOD PLACE SITE PLAN.PDF](#)
[HISTORIC DISTRICT COLOR GUIDELINES.PDF](#)
[HISTORIC DISTRICT SIGN PACKET.PDF](#)
[MEMO.PDF](#)
[MINUTES 2.PDF](#)
[MINUTES.PDF](#)
[REZONING APPLICATION.PDF](#)
[SPRB ORDINANCE CHANGE DOCUMENTS.PDF](#)

Notice of Public Meeting
Plan & Zoning Commission – AGENDA
Agenda for Thursday, April 17, 2014– 5:30 PM
City Hall, Council Chambers
10 West State Street, Marshalltown

Call to Order:

Committee Members:

Jon Boston, Chair
Sharon Greer, Vice-Chair
Tammy Lawson,
Keith Bloomquist

Angela Lins-Eich
Fauna Nord
Steve Valbracht

Roll Call Start: Lawson

Business:

1. Review and approval of the minutes from 03-27-14
2. Glenwood Place PUD Amendment
3. Rezoning – 114 North Center Street
4. Public Hearing - Site Plan Review Board Changes

Meeting information can be found at: <http://www.ci.marshalltown.ia.us/meetings/view/MeetingID/1080>

Date posted: 4/10/14



 **R4 Medium
Density
Residential**

 **CBD Central
Business District**

Before Rezoning



**R4 Medium
Density
Residential**



**CBD Central
Business District**

After Rezoning



Glenwood Place

RETIREMENT COMMUNITY

2907 South 6th Street Marshalltown, Iowa 50158 (641) 752-8410 Fax: (641) 752-8515

April 9, 2014

Mr. Stephen Troskey
City Planner
City of Marshalltown, IA
36 N. Center St.
Marshalltown, IA 50158

RE: Glenwood Place Expansion Site Plan

Dear Stephen,

Glenwood Place LLC is proposing to add a 7,000 sq. ft addition to its campus at 2907 S. 6th St in Marshalltown. The addition will consist of 8 additional apartments, 2 floors of common space and an outside patio area. The property is currently zoned as a PUD. The proposed expansion will not be in excess of 10% of the existing facilities. Currently the campus consists of 46 units in the main building and 4 independent living units in 2 duplex structures. The currently approved plan includes an additional 19 duplex structures containing 38 additional units for a total of 88 units. The proposed expansion will bring the total living units on the campus to 96. Please consider this letter and the attached site information and drawing as an application for the required review at the next available P & Z meeting. A check for the \$100 filing fee will be sent under separate cover to you.

Should you have any questions or need any additional information please feel free to contact me at either 563.349.3288 which is my cell phone or at rkvach@aol.com. Please send any correspondence to myself at 2030 Bristol Dr, Bettendorf, IA 52722

Sincerely,

Dick Kvach
Management Committee Member



GLENWOOD PLACE

ADDITION

2907 SOUTH 6TH STREET
MARSHALLTOWN, IOWA

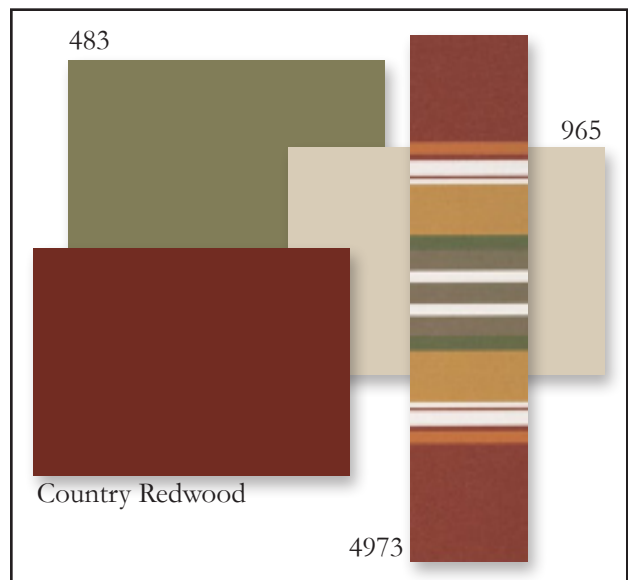
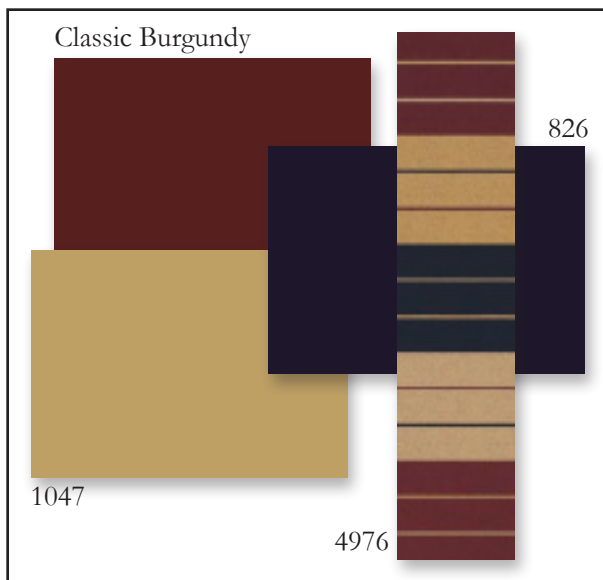
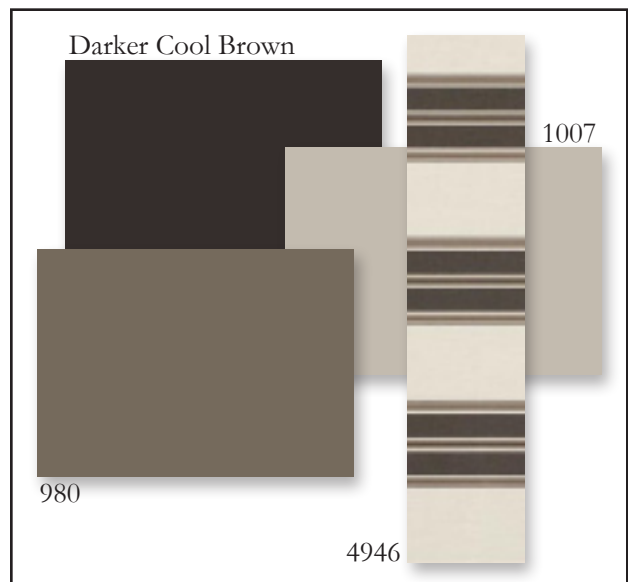
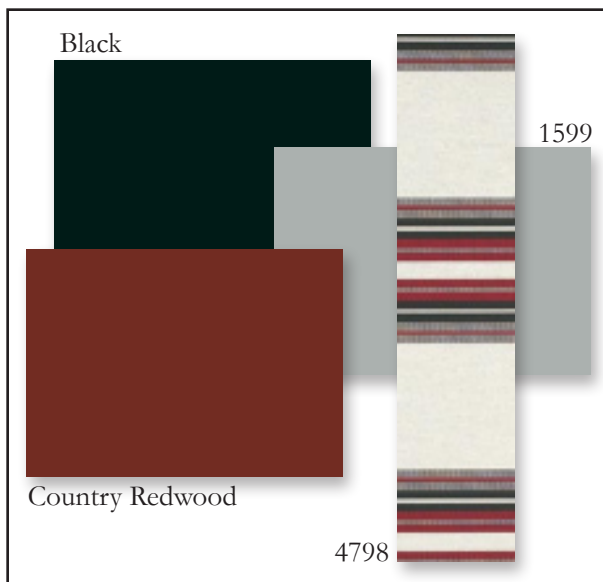
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SCALE AS NOTED	JOB NO. NEW
DATE MARCH 12, 2014	
SITE PLAN DIAGRAM	
SHEET C1.1	

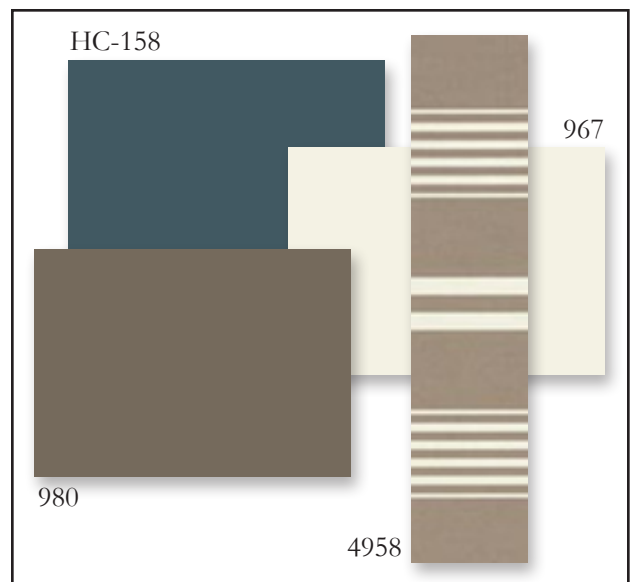
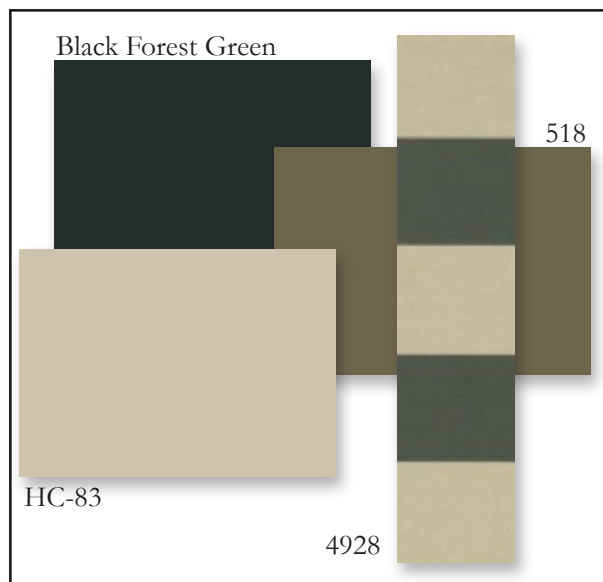
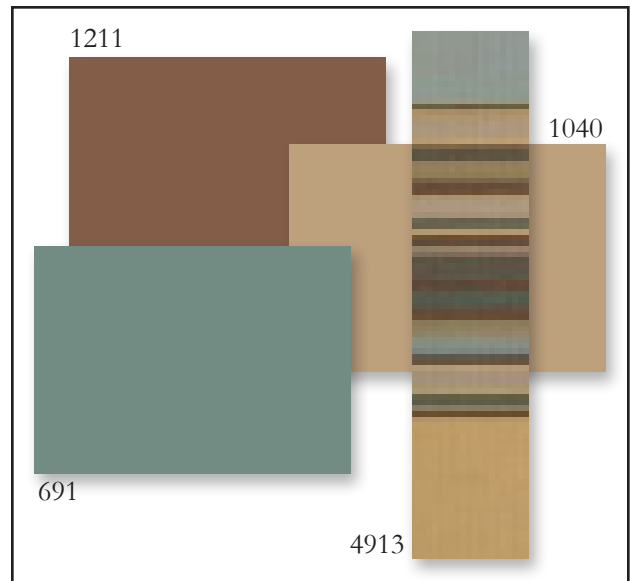
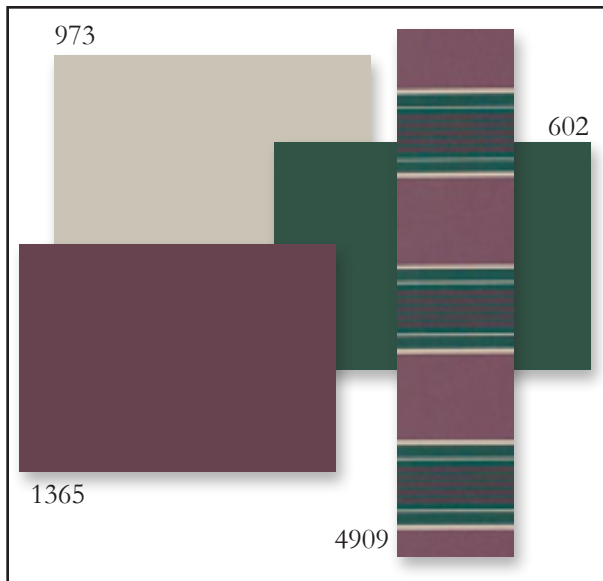
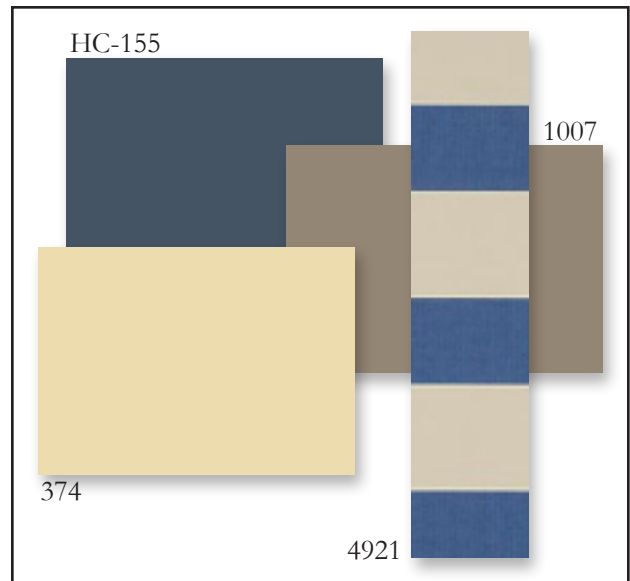
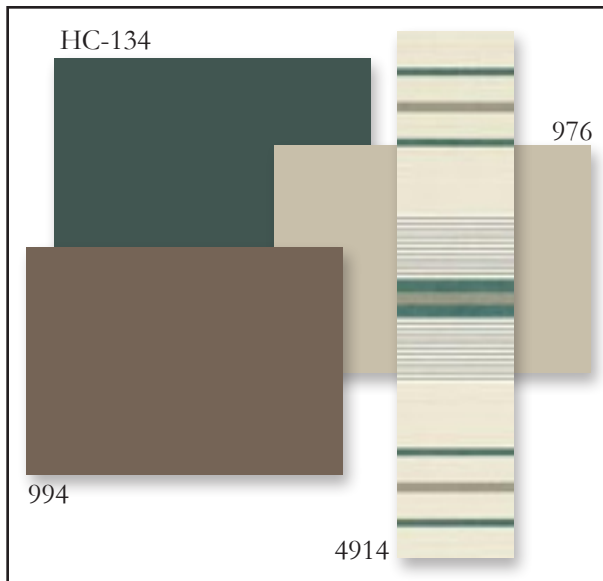
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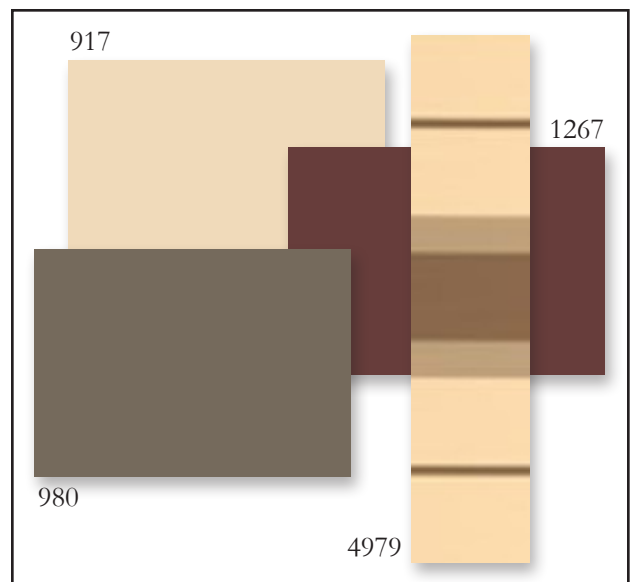
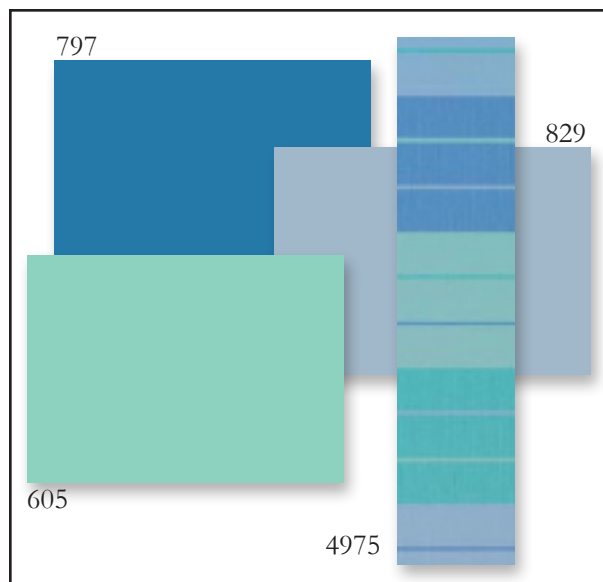
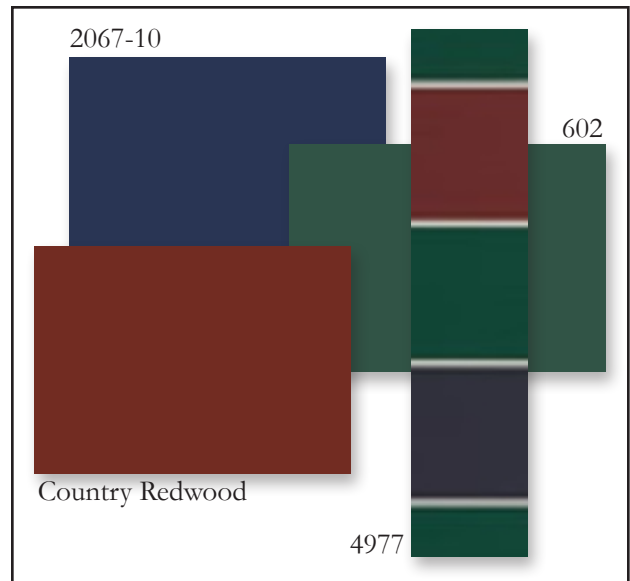
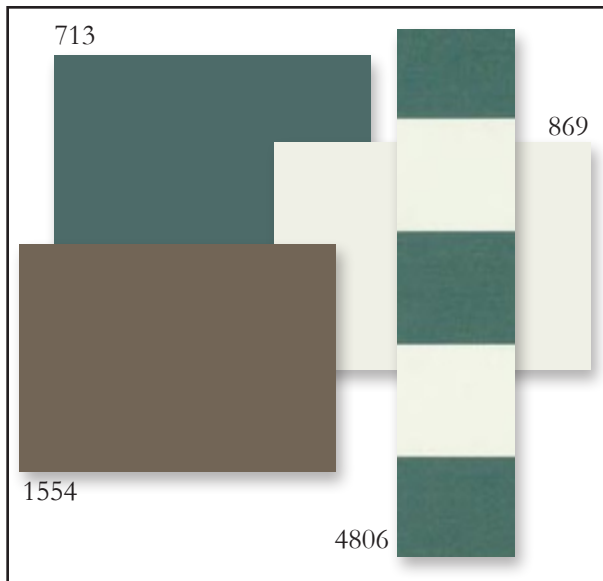
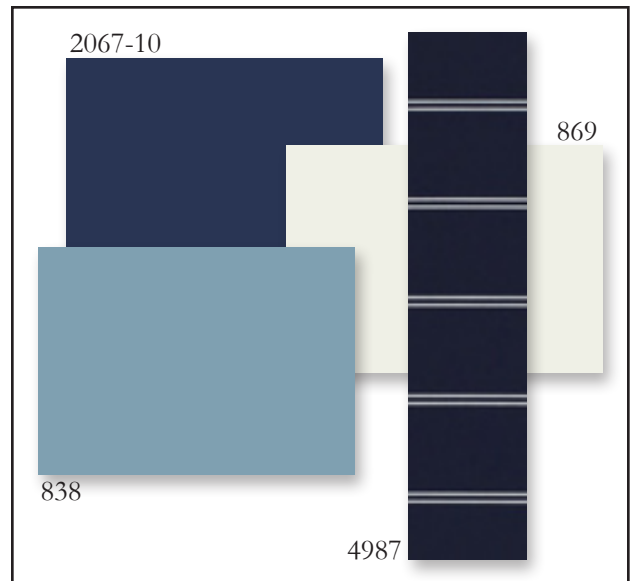
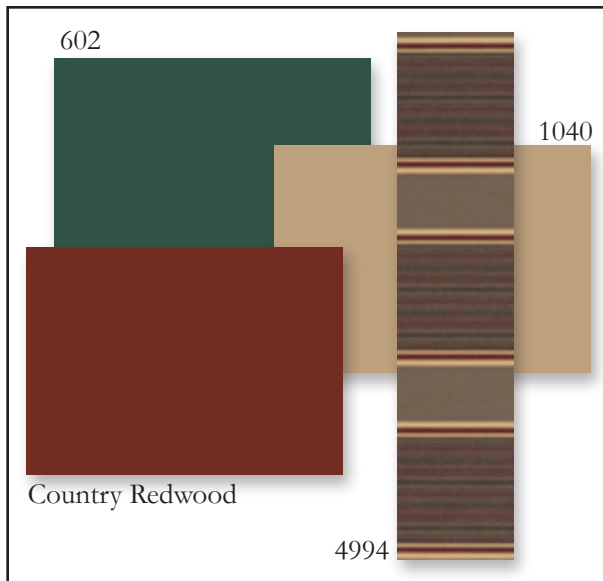
MAIN STREET IOWA TECHNOTES

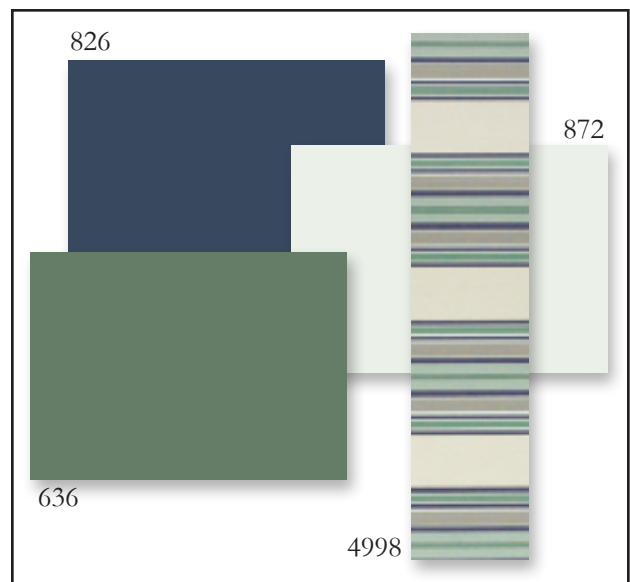
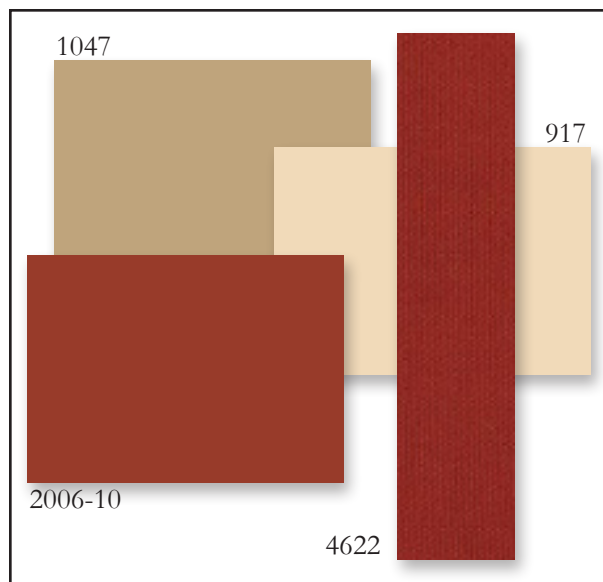
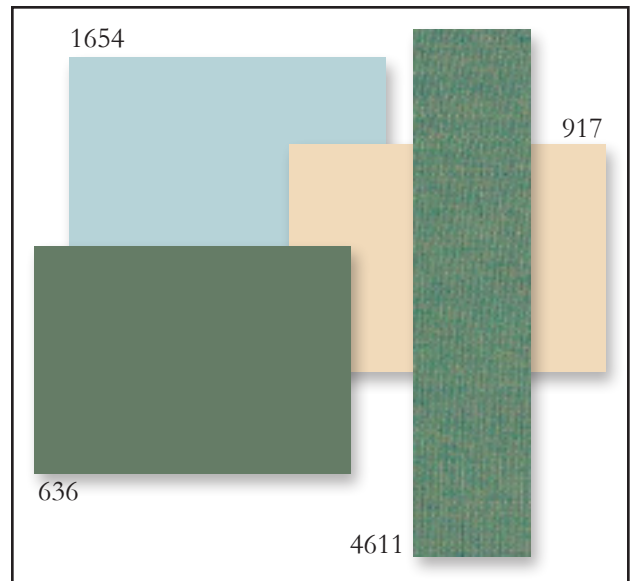
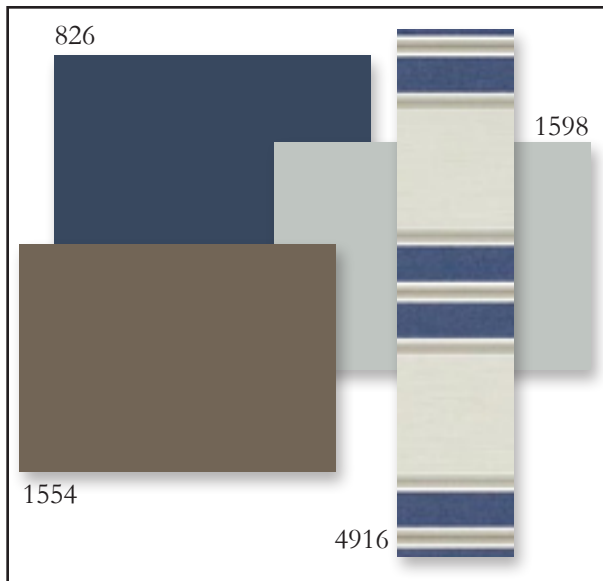
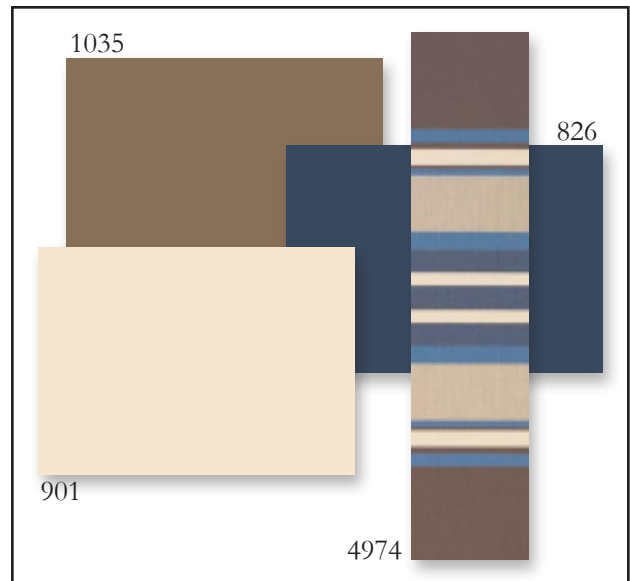
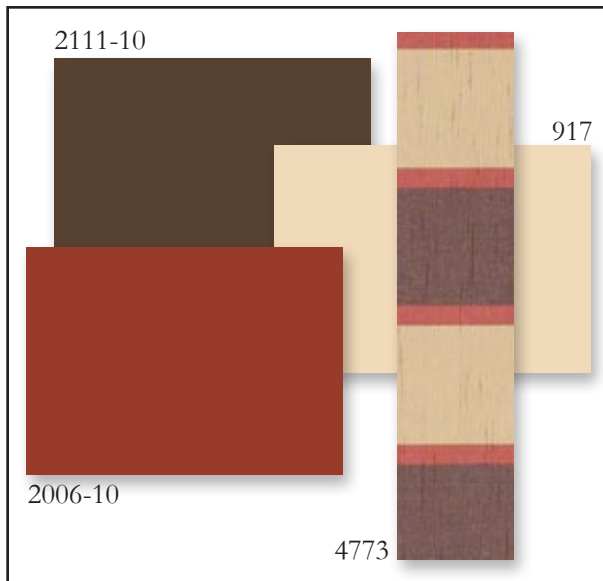
These paint pallets are arranged in suggested color combinations including coordinating awning fabrics. The schemes are intended to show various alternatives and a variety of options that can be used. While three colors are shown in each scheme, it is not necessary to use all three at once. These schemes are not all inclusive, but rather serve as representative examples.

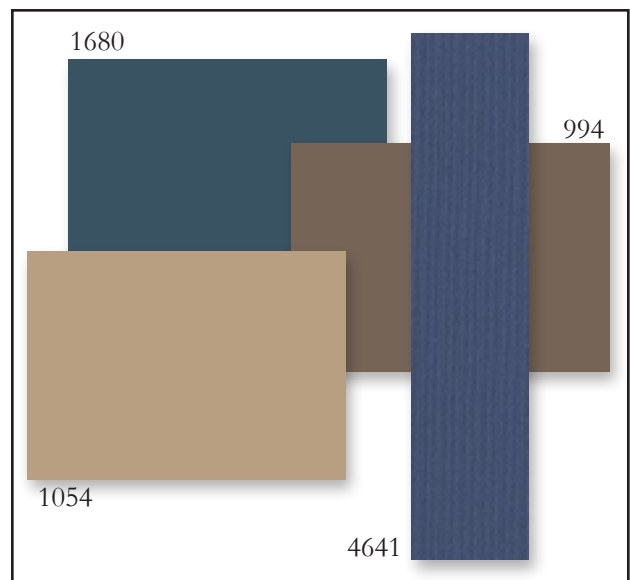
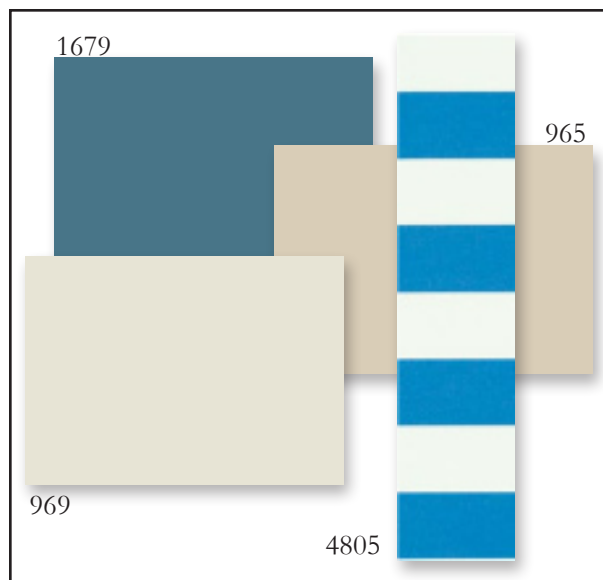
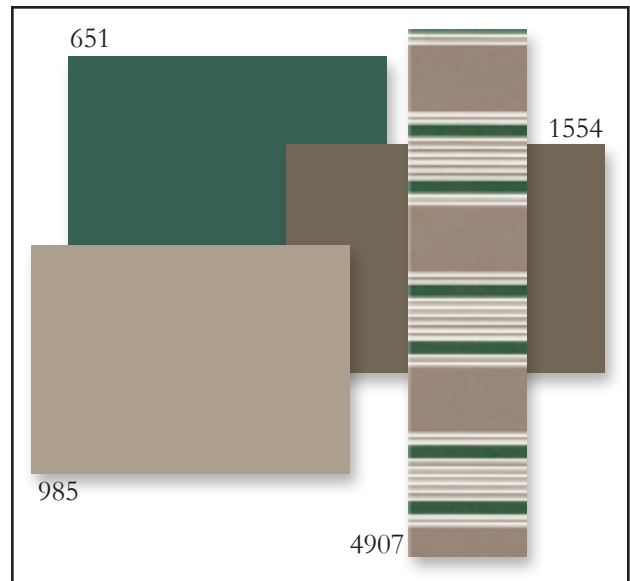
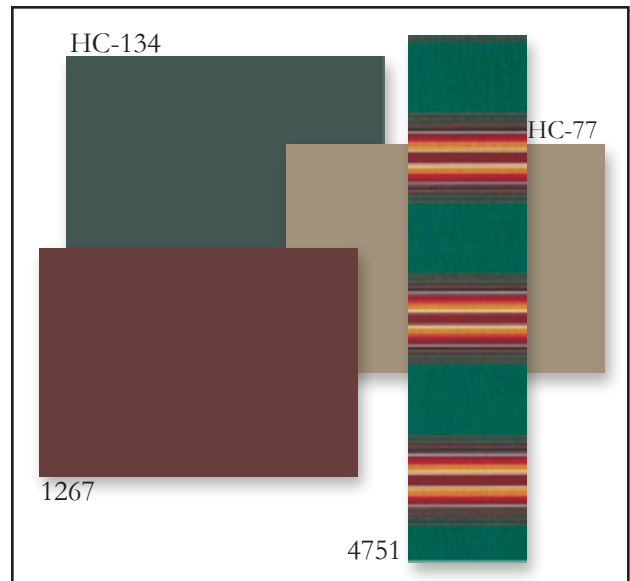
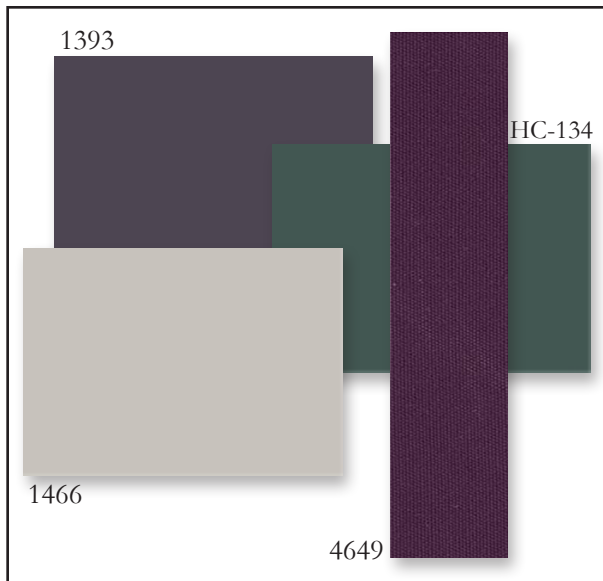
Benjamin Moore brand paint and Sunbrella awning fabrics are shown for reference. Use these colors as a guide in selecting paint available from local suppliers and dealers.

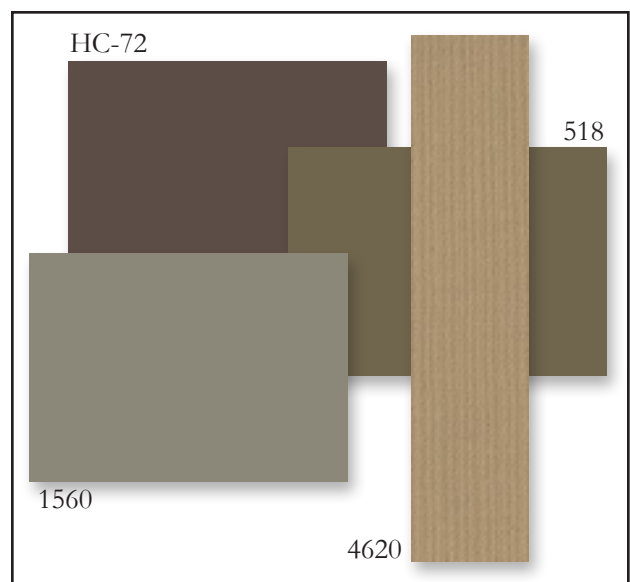
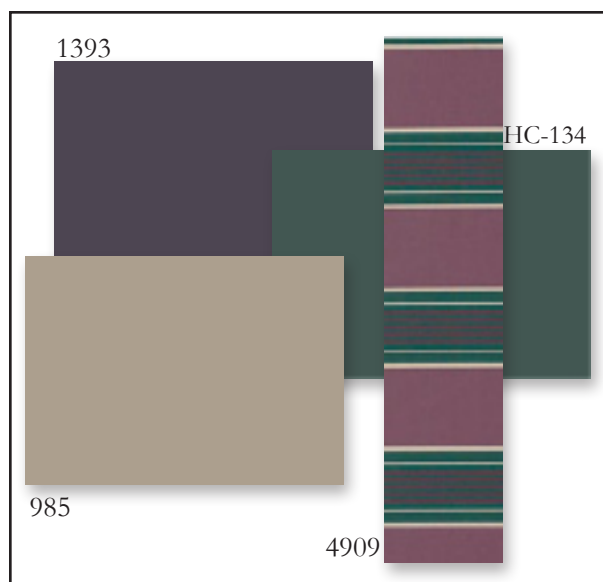
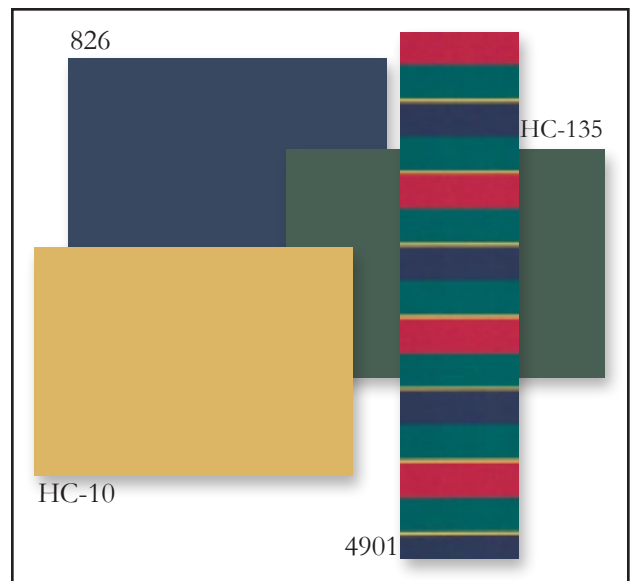
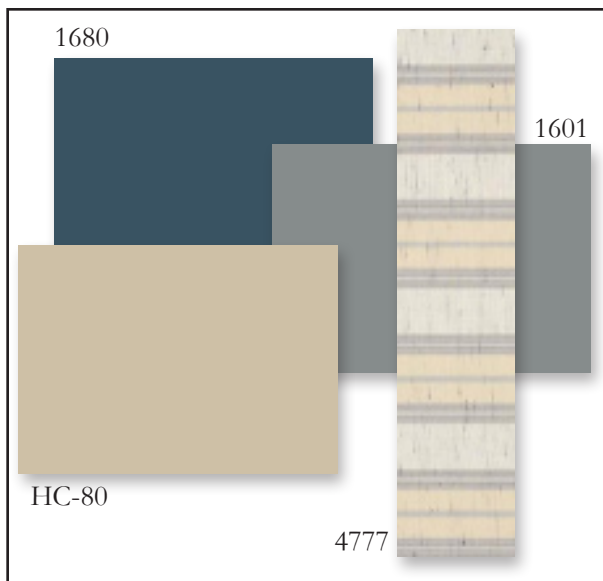
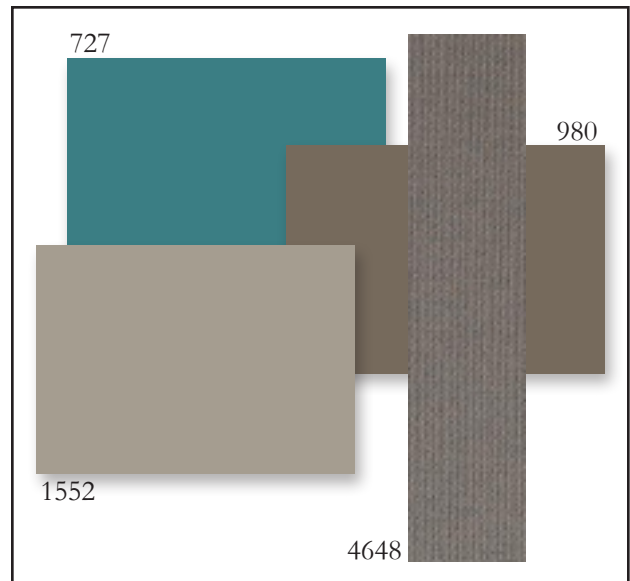
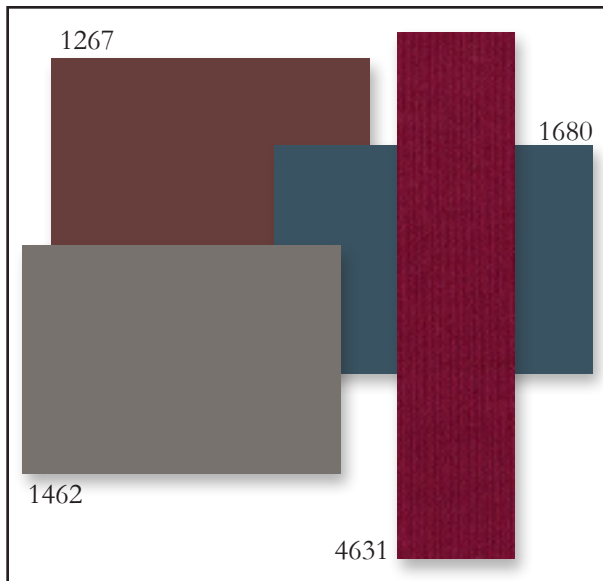












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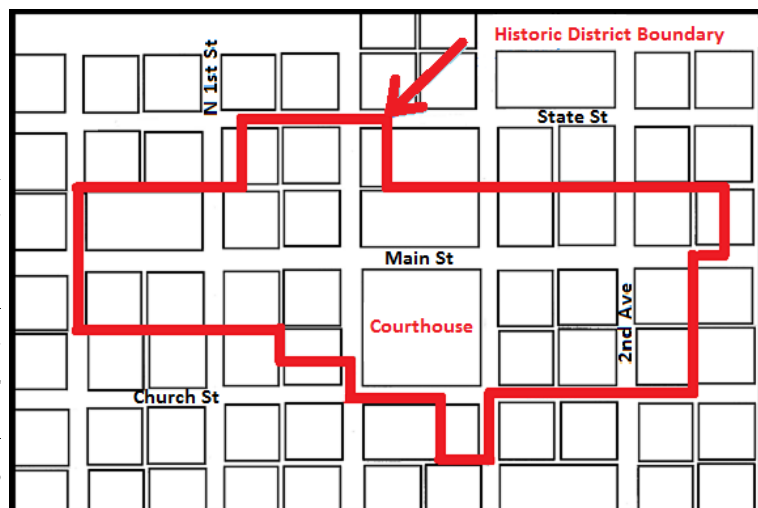


I. INTENT AND PURPOSE

The following design regulations are put forth in an effort to aid the future development of the Marshalltown Historic District by identifying desirable aesthetic qualities. These regulations provide consistency and avoid arbitrary design, thereby giving the tools and advice needed to integrate new constructions and remodeling into the surrounding community. The intent is to establish regulations through basic principles of design, such as texture, color, rhythm, and pattern. The result will be to develop a satisfactory visual impact within the Historic District, preserve taxable values, and promote public health, safety, and welfare. These regulations will introduce the Historic District community to the future, while maintaining its rich heritage.

II. APPLICABILITY

This document shall regulate all sign permit applications for proposed exterior signs, awnings, and associated lighting within the Marshalltown Historic District. The zoning administrator will review each sign application and consider the appropriateness of and installation in relationship to the building and the streetscape as a whole based on regulations outlined in this document. The applicant must obtain all necessary permits prior to proceeding with any work.



All projects within the Historic District (outlined in red) are required to comply with this document in order to be approved.

WHY GOOD DESIGN MATTERS

- Signs are the most effective, yet least expensive, form of advertising for the small business.
- A sign is your introduction with those passing by identifying your business to existing and potential customers.
- Signs are always on the job for you, advertising 24 hours a day, 365 days a year.
- People often judge a business by how it looks on the sign.
- Many merchants increase their business measurably just by adding a good sign.
- We live in a mobile society. According to the United States Census Bureau, 18% of households relocate each year. As your customers move, you need to replace them by attracting new customers.



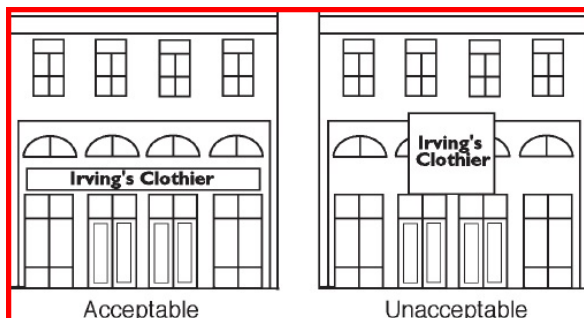
*All of these examples would be approved

III. SIGN REQUIREMENTS

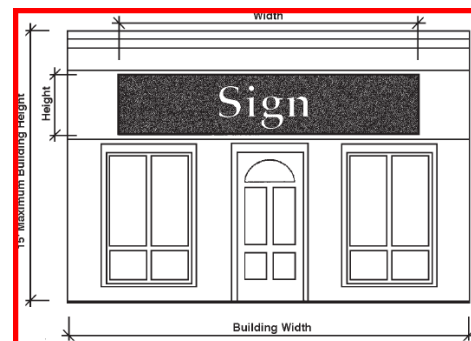
- A. General Requirements
- B. Location and Size
- C. Materials and Construction
- D. Bracketing and Electrical Items

A. General Requirements

1. Comply with all codes and ordinances adopted by the City of Marshalltown, including this packet.
2. Signs are a secondary design element to the building they are placed on and/or the surroundings they are placed within (see below). When designing signs for the Historic District, the signs must fit within the environment. Signs have the ability to enhance or detract from the qualities of a designed architectural environment.



3. Signs must fit the architectural details of a building they are placed on. The building should frame the sign. The size of a sign shall not destroy the continuity of the building.



4. Signs should relate to the architecture in at least one or more of the following categories; material, shape, and color.
5. A building shall only have one projecting sign OR one per 20' feet of frontage if occupied by multiple businesses.

B. Location and Size

1. Avoid overly large signs. Unlike highway strip development, the Historic District was built at a human scale, orientated to pedestrians, not cars.
2. Do not obscure or destroy architectural details. Aches, glass transom panels, and decorative brickwork are just a few of the features found on many downtown buildings which reflect a quality of workmanship difficult to duplicate today. This detailing greatly enhances the Historic District.
3. Signage on adjacent storefronts, particularly on the same building, must be coordinated. Placing signs higher or lower than adjacent signs may not increase readability but rather create visual confusion.

If an adjacent existing sign on a building does not meet these codes the new sign must meet these regulations and the existing sign will be brought into compliance when it is updated.

Wall Signs

Wall signs are allowed on two sides of an owned or leased space. The sum of all signage on one wall must not exceed 1.5 square feet for every one foot of linear frontage. A second wall sign is allowed but must not exceed 0.5 square feet for every one foot of linear frontage.

Wall signs must not extend above or beyond the walls of any building.

Wall signs must have a texture or depth to distinguish them from the substrate they are placed upon. Individual letters and/or logos must have different depths. 20% minimum of the sign must meet this criteria.



This sign would not be approved because it is printed (flat) letters with no depth beyond the white board. Simply raising the white board would not meet this requirement.



This sign would be approved because both the sign structure and letters are of different dimensions. More than 20% of the sign structure is of a different depth than the box it is placed on.



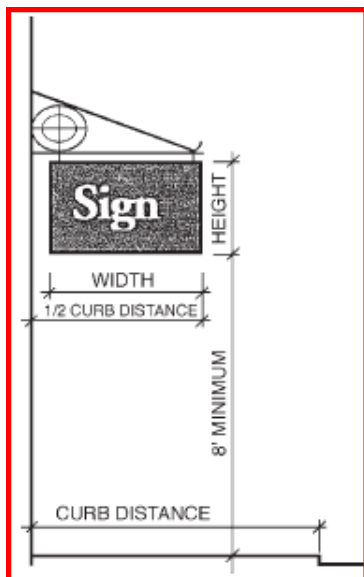
This sign would be approved because the letters provide depth from the substrate.



This sign would be approved because the sign box, the letters, and logo are of different depths.



This sign has no depth beyond the box. The letters are all on one plane.



Projecting Signs

Projecting signs may not project more than halfway into the right-of-way and must be at least 8 feet above any pedestrian way. Projecting signs shall not exceed one square foot for each foot of linear frontage.

Any business with a projecting sign shall have their primary wall sign size reduced by the size of the projecting sign.

Murals *(does not require permit)*

Murals depicting historical or artistic expressions are allowed on any wall except the primary wall. Murals containing any commercial advertising must meet the wall sign requirements.

Other Signs

Any sign, including rooftop or pole signs, not described in this packet are not allowed in the historic district. Electronic signs are not allowed in the Historic District.

C. Materials and Construction

Signs must be made from one or more of the following materials:

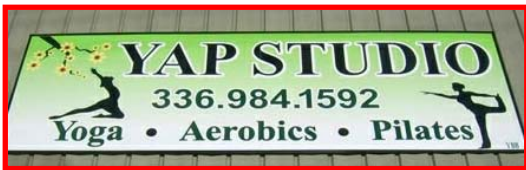
- 1/2" or 3/4" PVC board with layers
- 1/2" or 3/4" acrylic
- High density urethane (sign foam)
- Wrought iron
- Channel letters
- Aluminum
- Glass
- Steel or stainless steel
- Wood (solid cedar, cypress, white oak, and walnut. Plywood, pressboard, or other wood materials are not allowed).

The following types of signs will not be approved in the Historic District:

Interior box-lit signs:



Flat sign with no depth:



Flat signs that do not compliment the architecture of the building. Sign is all in the same plane:



Vacuum Formed Signs:



D. Bracketing and Electrical Items

Bracketing

All bracketing and support materials for signs must fit the original architectural style of the building **OR** enhance the design of the sign. Sign pins are exempt.

Electrical Items

Available ambient street or storefront lighting is often sufficient to illuminate signs. Therefore, the use of sign illumination must comply with the following conditions:

- Interior lit signs must only be channel letters or have halo illumination.
- Exterior lights must be gooseneck or appropriate to the original architecture of the building.
- Florescent lights are not allowed.
- Lights emitting white light are not allowed.
- Wires should not be visible.



These brackets provide architectural enhancements and would be approved.



Banners

One banner, not to exceed the allowable size of a primary wall sign, shall be allowed at each business for up to three days per month.

“Going Out of Business” banners are exempt from this requirement if the proper permit is filed with the City Clerk.

Anyone hanging a banner must obtain a sign permit prior to placement. Permits can be obtained for the entire year if dates for banners are known or a new permit must be obtained each instance of hanging a banner.

Canopy Signs

On two sides of a canopy with a length of 30 feet or less, each side may have a sign with square footage equal to one-half the square footage on that side. A third side may have signage up to 1/4 the square footage on that side.

Canopies with florescent lights are not allowed.

This document has been approved by the:

City of Marshalltown Plan & Zoning Commission (ENTER DATE)

Marshalltown City Council (ENTER DATE & ORD #)

Memorandum

To: Plan & Zoning Commission
From: Stephen Troskey – City Planner
Date: October 23, 2017
Re: April 17, 2014 meeting

Glenwood Place Amendment

Glenwood Place was approved in 1995 as a nursing home and amended in 2006 to add another wing to the main building. In 2011, the Commission recommend approval and the Council approved a 21-building (42 units) townhome project on the site. Currently Glenwood Place desires to add another 8 room addition to the main building. Adding 8 units would be a 9% increase in density to the whole property, which allows them to apply for a PUD Amendment. The site has adequate parking and the building will be architecturally the same as the existing building. A condition of the 2011 plan was that all streets and sidewalks must be constructed by 2021. Staff recommends approval of this PUD Amendment.

114 North Center Street Rezoning

Zayn Properties owns this property. It is currently zoned R4 Medium Density Residential. The retail use is grandfathered in. The owner wants to expand the retail store while removing two residential apartments which requires rezoning to CBD. If the property is rezoned to CBD the remaining apartments would be grandfathered in and no new residential units would be allowed in the building.

Site Plan Review Board Changes

This memo will provide a brief overview of the Site Plan Review Board's role in the Historic District, a timeline of events regarding sign regulations in the Historic District, as well as our recommendations for the future.

For the past 18-24 months the City, Marshalltown Central Business District, and the community at large has had an ongoing discussion of the sign permitting process within the Historic District. Currently all sign applications go before the Site Plan Review Board (SPRB), at which time the Board makes a determination as to whether or not the sign meets the City's guidelines.

The Zoning Ordinance gives authority to the SPRB but leaves specifics up to the Board. Because of this vagueness, we have heard complaints that the SPRB is too lenient with sign designs but also is too strict; applicants do not know what to expect from the Board. As a remedy, the City and SPRB created a document that set out guidelines that staff would hand out

to applicants. These guidelines are not specific regulations so the problem of subjectivity remains.

In 2001 the community initiated a process with the State of Iowa to become a Main Street Iowa Community. This application was approved and subsequently created the MCBBD organization, a map and list of historic properties, as well as resources from the state on how to best preserve and enhance downtown. Part of this information are guidelines about appropriate signs.

In 2003 city staff suggested using those guidelines as regulations in the Historic District but the process never took hold.

In November 2012 the City Council approved the 2030 Comprehensive Plan, which directs Planning and Zoning efforts for the next 20 years. A major component of this plan was design guidelines throughout the city as well as specifically in the Historic District.

Finally, in October 2013, the city held a meeting with community members about the sign approval procedure. Mentioned among the weakness in the process were the SPRB is too subjective, no regulation of banners, grandfathering of existing “ugly” signs, and building owners who do not take responsibility for knowing the codes. Opportunities mentioned were to have a staff-only review of sign applications and to write clearer guidelines. Based on these comments, staff began a to create a document that contained specific regulations that could be inserted into the Zoning Ordinance that provided clear rules on what would and would not be approved. It is this document that you will be discussing.

The SPRB is a five member volunteer Board appointed by the Mayor and approved by Council. In the past 18-24 months many members have resigned with the reasoning that they are criticized by community members for not approving any and all sign applications while at the same time being too lenient on design standards in a state-sanctioned Historic District. As volunteers, the Board is dedicating their time and talents to enhance the Historic District, in alignment with the mission of the Main Street Iowa program. Asking residents to join a volunteer group where they may be belittled and criticized is not appropriate and does not develop good relationships with the MCBBD, downtown business community, and individual residents. Because of this, we propose to eliminate the SPRB and have all sign applications be approved administratively as is the process throughout the rest of the city.

The attached document is the proposal of regulations staff has developed by speaking with state employees, sign experts, as well as community members. The document, which will be approved as an Ordinance change and formally inserted into the Zoning Ordinance, details the materials used for sign construction, the size and location of proposed signs, as well as ancillary language detailing banners, lighting, and bracketing standards. The document provides applicants and staff a clear outline of what may be approved; it does not leave room for “grey areas” or subjective approval. If a sign does not meet code the applicant will be given specific rational for why and what must be changed to meet code.

Eliminating the SPRB will put community criticism onto staff rather than volunteers. Approving these changes will align our codes with guidelines from the State of Iowa, 2030 Comprehensive

Plan, and ensure any development in Historic District has high standards with both longevity and preservation of property values in mind.

I can be reached at stroskey@ci.marshalltown.ia.us or 641-752-3154.

MINUTES
MARSHALLTOWN PLAN & ZONING COMMISSION
APRIL 14, 2014

Call to order: 5:30 PM
Adjournment: 6:15 PM

Members Present:

Jon Boston
Keith Bloomquist
Sharon Greer
Angela Lins-Eich
Fauna Nord, Chair
Stephen Valbracht

Members Absent

Tammy Lawson

1. Review and approval of minutes from 3-27-14

Approved as distributed.

2. Glenwood Place PUD Amendment

Dick Kvach was present to describe this amendment. Glenwood Place seeks to add 8 residential units to their existing facility. This addition would bring their total to 96 units. Boston asked about progress on the duplex units. Kvach said they will be built as the market improves. No further questions from the Commission.

Motion to approve: Nord 2nd: Valbracht

Motion Approved : 6-0

3. Rezoning - 114 N Center St

The owner was present to describe this rezoning application. Currently the property is R4 Medium Density Residential and they want to be rezoned to CBD Central Business District to expand their retail operations. The property is legal non-conforming, which means the existing retail may not expand within the current zoning district. Rezoning would remove two residential rental units; a total of four would remain. Greer asked about removing all of the rental units. Nord said she would support the rezoning if some landscaping was added to the property. Motion to set public hearing for May 1st.

Motion to approve: Nord 2nd: Valbracht

Motion Approved : 6-0

4. Public Hearing - Site Plan Review Board Changes

Boston opened the Public Hearing at 5:45 PM. Troskey presented the changes to the Site Plan Review Board. Nord asked about banners and Troskey said they are addressed in the changes and would be allowed for three days each month with a permit. No additional comments from the Commission. Boston closed the Public Hearing at 5:55 PM.

Motion to approve: Bloomquist 2nd: Nord

Motion Approved : 6-0

With no further business the Commission adjourned.

Respectfully submitted,
Stephen Troskey, City Planner

MINUTES
MARSHALLTOWN PLAN & ZONING COMMISSION
MARCH 27, 2014

Call to order: 5:30 PM
Adjournment: 5:45 PM

Members Present:

Jon Boston
Keith Bloomquist
Tammy Lawson
Angela Lins-Eich
Fauna Nord, Chair
Stephen Valbracht

Members Absent

Sharon Greer

1. Review and approval of minutes from 3-20-14

Approved as distributed.

2. Public Hearing - Rezoning - 3901 S Center St

Troskey said New Hope Church is seeking to rezone to OP Office Park from R2 Low Density Residential. Churches are allowed in any zoning district so an approval would have no bearing on the present use. No questions from the Commission.

Motion to approve: Nord 2nd: Lawson

Motion Approved : 6-0

With no further business the Commission adjourned.

Respectfully submitted,
Stephen Troskey, City Planner

Date Submitted & Fee Paid: 4-9-14

Rezoning Application Form

36 N. Center Street, Marshalltown, IA 50158 Ph: 641-752-3154 Fax: 641-754-5742
www.ci.marshalltown.ia.us

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.

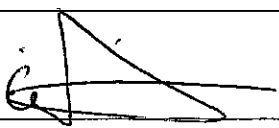
X

Legal description of the property. The property owner should have a copy of the legal description. If not, owners may obtain a copy of the recorded deed, which contains the legal description, from the Marshall County Recorder's Office for a fee.

X

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: <u>114 North center St</u>	
Owner: <u>Zayn Properties (Gulshan Abbas)</u>	
Mailing Address: <u>114 N center St Marshalltown IA 50158</u>	
Phone: <u>319-231-1448</u>	Fax:
Current Zoning Classification: <u>R4</u>	
Current Use: <u>RETAIL / APARTMENTS</u>	
Proposed Zoning Classification: <u>CBD</u>	
Proposed Use: <u>Resturant & IA wireless</u> <u>Zayn504@hotmail.com</u>	
Please list the uses of surrounding properties: <u>NORTH - R4</u> <u>SOUTH - CBD</u> <u>EAST & WEST - R4</u>	
Signature and Date: 	

ORDINANCE NO. _____

AN ORDINANCE APPROVING CHANGES TO THE
MARSHALLTOWN ZONING ORDINANCE OF 2010, REGARDING CHAPTER 5, SITE PLAN
REVIEW REQUIREMENTS, CHAPTER 22, CENTRAL BUSINESS DISTRICT, CHAPTER 30
SIGNS, AND CHAPTER 35, SITE PLAN REVIEW BOARD

WHEREAS the City Plan and Zoning Commission reviews zoning regulations as necessary and determined to recommend changes to the Marshalltown Zoning Ordinance of 2010 regarding the Site Plan Review Board uses at their April 17, 2014 meeting.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
MARSHALLTOWN, IOWA:

Section 1. Chapters 5, 22, 30, and 35 of the Zoning Ordinance of 2010 are hereby amended by removing and replacing language as identified on the following pages.

Section 2. The public hearing required on this City Code amendment shall be held in the Council Chambers of City Hall, 10 West State Street, Marshalltown, Iowa at 5:30 p.m. local time, on the 9th day of June, 2014, and the City Clerk is directed to cause a publication of the notice of public hearing in one issue of the Marshalltown Times-Republican, a newspaper published in Marshalltown, Marshall County, Iowa, not less than 7 days nor more than 20 days prior to the date of public hearing fixed herein.

Section 3. This Code shall be in full force and effect from and after public notice of hearing on this Amendment to the Marshalltown City Code has been duly given as required by the said Code and the statutes of the State of Iowa and said public hearing has been duly held and after passage by the Council and publication as is provided by law.

Passed this ____ day of _____, 2014, and signed this ____ day of _____, 2014.

CITY OF MARSHALLTOWN

James L. Lowrance, Mayor

ATTEST:

Shari L. Coughenour, City Clerk

CHAPTER 22
CBD CENTRAL BUSINESS DISTRICT

Section 1. Purpose.

The regulations set forth in this Article, or set forth elsewhere in this Ordinance when referred to in this Article, are the district regulations for the Central Business District.

Section 2. Permitted & Special Uses

A building or premises shall be used only for the purposes contained in Chapter 29 of this ordinance except for the existing uses special provisions contained below:

Existing Uses

Any existing use, which is conforming as of November 1, 1998 shall be, considered a conforming use for that zoning lot for the purposes of this ordinance. The use can change to any other listed conforming use for the zoning lot, or to a listed downtown special use with approval by the Board of Adjustment. The zoning lot for the business after 11/1/98 may expand provided that the new area is a listed conforming use for that zoning lot, or to a listed downtown conditional permitted use with the prior approval by the Board of Adjustment. With Board of Adjustment approval a conforming use as of November 1, 1998 that is not a permitted or a downtown special use in CBD may move to an alternate zoning lot in the Central Business District, unless the use in question becomes vacant for a continuous period of six (6) months.

Section 3. Performance Standards.

Existing uses on the effective date of this ordinance shall not be required to modify existing operations to come into compliance with the following performance standards, but shall not increase the amount of outside storage. The following standards shall apply to newly created uses.

1. The use shall not be rendered objectionable or detrimental to the vision of the downtown districts due to exterior appearance or by the emission of dust, gas, noise, odor, or smoke, or in any other way.
2. There shall be no outside storage or display of goods and services (including temporary and portable structures), except for temporary goods and services removed on a nightly basis, equipment associated with a child care facility, schools, telecommunications equipment, or unless otherwise noted in this ordinance. The Board of Adjustment shall have the authority to waive this requirement for temporary or seasonal circumstances.
3. Parking areas for uses in the CBD district shall be submitted and approved by the city. Parking and parking lots shall not be used for the storage of a vehicle for more than (ten) 10 days.
4. Where a structure exists on a lot, the parking spaces shall be adjacent to the structure and shall not be adjacent to the right of way lined up perpendicular to the street along the frontage of the lot. The Board of Adjustment may waive this requirement in cases where it is logical to have parking adjacent and perpendicular to the street frontage. In cases where this requirement is waived, curb stops or other barriers shall be required to deter parking over the sidewalk.

Section 4 . Architectural Standards.

The following minimum standards shall apply to uses within the Central Business District. These standards shall be part of the site plan review process described in Chapter 5.

1. Individual uses shall be tied together by prominent features such as architectural theme, roofing material and style, and/or landscape materials.

2. The architectural design of any building must be acceptable to be approved by the City. The visible sides of buildings, from the street, shall be consistent in design and use of materials. No wood, masonite, visible asphaltic exterior wall or roofing material, metal siding, nonarchitectural sheet metal, concrete block, or other similar materials shall constitute a portion of any building, except as trim material, unless ~~zoning administrator~~ determines that the said material, when used as a primary element, enhances the physical appearance, or provides continuity to unite all structures within the property together into one project concept.
3. ~~Acceptable~~ building materials include: brick, stone, veneers, granite, decorative concrete block, stucco, or similar materials.
4. Building setback shall be in harmony and style with other buildings in the area.
5. Doorways adjacent to a right of way shall be set back so that doors do not swing into a right of way.
6. The location and size of signs shall be integrated into the design of the overall development ~~and must meet regulations outlined in the Marshalltown Historic District Sign regulations packet, found as an appendix to Chapter 30: Signs of this document.~~
7. Signage is considered as part of the architectural theme of the building and district, and shall be reviewed in the site plan.
8. All utilities shall be placed underground, where feasible.
9. All storm water collected from the roofs of the buildings shall be diverted underground, where feasible.

Deleted: the zoning administrator

Deleted: Preferred

Deleted: .

Section 5. Housing.

1. No new single family residences are permitted.
2. ~~Residential Uses shall only be on the first floor of mixed-use buildings if the residential units are located to the rear of non-residential uses and not visible from the public right-of-way.~~

Deleted: No new residential units shall be on the first floor of any existing or new multifamily or mixed-use building without approval from the Site Plan Review Board.

Section 6. Bulk Requirements

The following bulk requirements shall be observed for all uses within this district:

Front Yard Setback	None required, except for single family dwellings.
Side Yard Setback	None, except for existing single family dwellings. a) Existing Dwellings: For buildings not exceeding two and one-half (2 1/2) stories in height, there shall be a side yard on each side of the building, having a combined width of not less than fifteen (15) feet, provided that in no case shall either side yard be less than four (4) feet in width. Except as hereinafter provided, there shall be a side yard on each side of a three (3) story or a four (4) story building which shall have a width of not less than eight (8) feet.
Rear Yard Setback	None required, except for single family dwellings. a) Existing Dwellings: There shall be a rear yard having a depth of not less than twenty percent (20%) of the depth of the lot, but no lot shall be required to have a rear yard depth of more than twenty-five (25) feet.
Building Height	9 stories, except as herein provided.
Lot area Per Family	None required.
Open Space Required:	None.

Deleted: The Site Plan Review Board shall have authority over the zoning lot density and lot area per family.

Section 7. Parking Lot and Buffering Requirements.

See Chapters 6 and 7 of this Ordinance.

Section 8. Site Plan Requirement.

See Chapter 5.

Section 9. Loading Regulations.

None.

CHAPTER 30

SIGNS

Section 1. Purpose.

The purposes of this Chapter include but are not limited to: permitting and regulating signs which allow businesses, residents, and other interested parties to communicate, advertise, or be identified; assuring compatibility of signs with surrounding land uses; preventing a proliferation of signage which may reduce the effectiveness of individual signs; preventing visual clutter and promote the aesthetic appearance of the community; and preventing the size, location, construction, or manner of display of signs from endangering the public safety of individuals; which are confusing, misleading or obstructing the vision necessary for traffic safety; or otherwise endangering the public health, safety, morals, and general welfare.

Section 2. Definitions.

The following definitions shall apply to this Chapter. Unless specifically defined below, words or phrases used in this Chapter shall be defined in accordance with Chapter 3.

1. Abandoned Sign: A sign which advertises or identifies a product, place, activity, person, profession, service, institution or business which is no longer conducted or available on the premises or elsewhere. Signs that have been in a state of disrepair for at least 90 days are also considered abandoned signs.
2. Abandoned Sign Structure: Includes but is not limited to; supports, uprights, braces, mounting device, hardware or framework of a sign which are in a state of disrepair and/or has not been used for at least 90 days.
3. Accessory Sign: A sign which directs attention to a product, place, activity, person, profession, service, institution or business which is located, produced, conducted, sold or offered on the same premises where the sign is located, including but not limited too, wall signs, projecting signs, monument signs and freestanding signs.
4. Advertising Sign: A sign which directs attention to a product, place, activity, person, profession, service, institution or business which is located, produced, conducted, sold or offered elsewhere than on the premises where the sign is located.
5. Alteration: Any act or process that changes one or more of the exterior features of a structure.
6. Awning: A structure generally supported by a building that does not contain any electronic components is generally constructed from a fabric-like material.
7. Awning Sign: A sign incorporated into or attached to an awning.
8. Banners, Pennants, String Lights: Temporary signs hung with or without frames, possessing characters, letters, illustrations, or ornamentations applied to paper, plastic, fabric, or other similar material.

9. Billboard: A form of advertising sign designed for both painted bulletins and paper posters which advertises a product, place, activity, person, profession, service, institution or business located upon property other than the premises on which the sign is located.
10. Bulletin Board: A sign containing a surface upon which individual letters are temporarily attached for the announcement of services, activities, or special events related to and located on the same premises as schools, churches and institutions.
11. Canopy: A permanent non-walled structure designed and built to provide shelter from the elements for business transactions which is not usually attached to a primary structure. Customarily found at gas stations.
12. Changeable Copy Sign: A sign that is designed so that characters, letters, or illustrations can be periodically changed or rearranged, manually or automatically, without altering the face or the surface of the sign.
13. Commercial Sign: A sign whose message, in part or whole, concerns goods or services offered for consideration by a person engaged in a profit-oriented business.
14. Construction Sign: A temporary sign giving the name or names of principal contractors, architects, and lending institutions responsible for construction on the site where the sign is placed, and information about the enterprises or project being developed.
15. Design Guidelines: regulations intended to preserve the historic and architectural character of the district.
16. Directional/Information Sign: Any sign giving directions, instructions, or information principally to pedestrian or vehicular traffic.
17. Electronic Message Center: A sign where different copy changes are shown such as an electrically or electronically controlled time and temperature sign, message center, or reader board.
 - a. Time, temperature gas price – Text-only electronic displays typically used to advertise gas prices at service stations or time and temperature signs that do not show pictures or videos.
 - b. Electronic graphic display – Electronically controlled sign displaying text, pictorial images, or videos.
18. Fascia Sign: A single faced sign, which is, attached parallel to its supporting wall and not extending more than 18 inches from a wall or building.
19. Flashing Sign: A sign which contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of animation or an externally mounted intermittent light source. Automatic changing signs conveying public service messages such as time and temperature are not classified as flashing signs.

20. Freestanding Sign: A sign which is supported by one or more columns, ropes or lines, uprights, poles or braces in or upon the ground and not attached to any building, structure or wall. This term shall include but shall not be limited to, signs placed directly upon the ground but not monument signs.
21. Ghost Sign: A sign, painted or made of wood, upon the facade of a building, that is in excess of fifty (50) years old and which generally advertises an extinct business.
22. Home Occupation Sign: A non-illuminated sign or nameplate that identifies only the name and/or occupation of a practitioner or one conducting a permitted home occupation in a dwelling. Such sign shall not exceed one (1) square foot in area and is only permitted on the structure freestanding signs are not permitted.
23. Illuminated Sign: Any sign illuminated in any manner by an artificial light source.
24. Incidental Sign: A sign pertaining to specific products, services, or facilities available on the premises.
25. Inflatables: Any device designed to be filled with air or otherwise inflated which is intended to advertise or draw attention to specific business location, products, services, or facilities available on a premise.
26. Marquee: Any structure protruding over a right-of-way for the purposes of signage or shelter from the elements that is supported by a primary building.
27. Menu Board: A permanently mounted sign displaying the bill of fare of a drive-in or drive-thru restaurant.
28. Monument Sign: A ground sign which is mounted in or on a monument and does not have any exposed pole or pylon, and is attached to a base for at least 60% of the entire width of the sign.
29. Mural: Graphic image painted directly on a surface, which is not used for the purpose of advertising a product, place, activity, person, profession, service, institution or business.
30. Non-Commercial Sign: A sign that does not display products or services for sale. These include temporary signs directing traffic to or for non-profit enterprises or activities.
31. Nonconforming Sign: Any sign, which does not conform to the regulations of this Chapter.
32. Out Lot: A lot either sold or leased within the RC, Regional Commercial District, separate from the lot containing the shopping center.
33. Political Sign: A temporary sign relating to candidates or issues associated with a local, state or national election or referendum and not commercial in nature.

34. Portable Sign: A sign, which by its construction or nature is designed to be moved from one location to another. When on a trailer, the removal of wheels or undercarriage, or the anchoring of the sign by means of chains, wires, concrete blocks, sandbags, or other types of temporary anchors, does not change the classification of the sign.
35. Projecting Sign: A sign attached to and projecting more than 18 inches from the building face or wall.
36. Pylon Sign: Any freestanding sign which is supported by a structure that is attached to the base for less than 60% of the entire width.
37. Real Estate Sign: A temporary sign advertising the sale, rental or lease of a premise.
38. Roof Sign: A sign erected upon or above a roof or parapet wall of a building, and which is wholly or partially supported by said building.
39. Sandwich Board: A two-sided sign, also called an A-frame sign, which is a temporary portable sign commonly used on sidewalks directing patrons to or advertising for a business.
40. Sign: Any object, device, display or structure, or part thereof, which is affixed to or represented directly or indirectly upon a building, structure or parcel of land and which advertises, displays, identifies or directs attention to a product, place, activity, person, profession, service, institution or business.
41. Sign Area: The area within a single continuous perimeter enclosing the extreme limits of writing, representation, emblem or figure of similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed, excluding the necessary exposed supports or uprights on which the sign is placed. If the sign consists of more than one section or module, all areas shall be totaled. The area of signs composed of words or characters attached directly to a building or wall shall mean and shall be computed as the area within a regular geometric shape that encloses the words or characters. The area of signs composed of spherical, three-dimensional, free form, sculpture, and other nonplanar shapes shall be the sum of the areas of the four vertical sides of the smallest polyhedron (cube-like volume) that will enclose the sign structure. The area of back-to-back signs shall be taken as the area of one sign face if the two sign faces are of equal area, or as the area of the larger face if the two faces are of unequal area.
42. Sign Height: The vertical distance from the uppermost point on a sign to the surrounding grade level immediately below and upon which the sign is located.
43. Sign Structure: Any supports, uprights, braces, mounting device, hardware or framework of a sign.
44. Temporary Sign: A sign not permanently attached to a building, structure, or the ground and designed or intended to be displayed for a limited period of time such as political signs, real estate signs, portable signs, banners and special event signs.

45. Wall Sign: A sign painted on or attached to a wall or building with the face in a parallel plane to the plane of the building or wall.
46. Window Display Sign: Advertising matter painted on, or applied directly to a window.
47. Zoning Lot: A single tract of contiguous land to be used or developed as one unit under single unified ownership or control, and which meets all minimum requirements and provisions of the Zoning Ordinance.

Section 3. General Provisions.

The following general provisions shall apply to the regulation of signs in all zoning districts within the City of Marshalltown. No sign shall be located, erected or maintained except in compliance with the provisions contained herein.

1. Sign Permit Fees and Requirements.

- a) Except as otherwise provided in this Chapter it shall be unlawful for any person to erect, construct, enlarge, move or convert any sign in the city, or cause the same to be done, without first obtaining a sign permit for each such sign from the zoning administrator as required by this Chapter.
- b) All signs that require a sign permit must be installed by a licensed sign erector with exception to awnings with signage printed on the fabric and signs painted directly upon the structure. For both awning signage and painted signs, a sign permit is still required.
- c) All signs which require a sign permit, including incidental signs, shall be required to pay a sign permit fee, which shall be set by resolution approved by the City Council.
- d) These directives shall not be construed to require any permit for a change of copy on any sign, nor for the repainting, cleaning and other normal maintenance or repair of a sign or sign structure for which a permit has previously been issued, so long as the sign or sign structure is not modified in any way.
- e) No new permit is required for signs which have permits and which conform with the requirements of this Chapter on the date of its adoption unless and until the sign is altered or relocated. No permit shall be required when changing the face of any advertising sign.

Deleted: Any sign painted directly on a structure not by a licensed sign erector shall require prior approval of the Site Plan Review Board.

2. Inspection; notice to remove nonconforming signs; action on failure to comply.

- a) At times the building official or zoning administrator may direct any designated person to inspect any and all signs overhanging the streets, avenues or alleys or which are hung or fastened parallel or flush with the front or wall of any building within two feet of any street, avenue or alley and the supports thereof. If the sign is considered dangerous he shall immediately report the condition to the building official or zoning officer.
- b) Upon receipt of such report, the building official or zoning administrator shall cause notice in writing to be given the owner of the sign or the owner of the building to which it is attached to at once remove the sign.
- c) If such owner neglect or fail to comply therewith, the building official or zoning administrator may cause the sign to be removed and the expense thereof to be assessed against the owner of the building or sign and collected as other special taxes.

- d) Anyone violating any of the provisions of this ordinance shall be subject to a fine that shall be set by resolution.

3. Exemptions.

The following signs are exempted from the permit requirements of this Chapter, unless specified elsewhere herein, but must be in compliance with all other applicable codes and ordinances:

1. Address and nameplate signs, not exceeding one square foot in surface area, containing only the address of the premises upon which it is located and related non-commercial information.
2. Advertising signs installed and approved by the City located at the South 6th Street softball complex and other City-owned sports complexes.
3. Any sign located within a structure.
4. Banners on utility poles in the public right-of-way approved by the Public Works Director.
5. Directional/information signs displayed strictly for the direction, safety or convenience of the public, including signs which identify restrooms, telephones, danger areas, parking area entrances or exits, freight entrances, or the like. Such signs shall not exceed 6 square feet in area and shall not exceed 4 feet in height. Directional signs shall be allowed off-premise on private property, with the written approval of the property owner, agent, or authorized business representative where the sign is located, and within 750 feet of the property where the activity is taking place. Such signs shall only direct traffic to the property and not be used for commercial advertising purposes.
6. Display of any official flag or emblem of a nation, state, or city, or a religious, charitable, educational, or non-profit institution or organization.
7. Flags, not exceeding 15 square feet, displaying the logo or symbol of a company.
8. Ghost signs. A ghost sign may be rehabilitated or preserved to maintain its character.
9. Grave markers, statues, or remembrances of persons or events that are not commercial in nature.
10. Home Occupations signs in compliance with Chapter 4, Section 11.
11. Menu boards, both electronic and non-electronic, as long as pictures and text on the board do not utilize chasing or flashing effects. These signs must be orientated towards customers using the service and may not be intended for any other advertising purpose.
12. No Trespassing signs less than four (4) square feet.
13. Plaques, tablets, or names of buildings and date of erection when cut into any surface of when such sign is attached flush to the building or commemorative plaques or monuments placed by historical organizations.
14. Public Notices.
15. Safety and warning signs, such as warnings of high voltage, explosives, hazardous materials, and other dangerous situations.
16. Sandwich board signs on sidewalks in the Historic District(s) and TN Districts, so long as they were designed and originally built as sandwich boards and leaves an unobstructed pathway of at least four (4) feet for pedestrians. The signs shall be no larger than eight (8) square feet per side and no taller than five (5) feet.
17. Sculptures and murals so long as the content is non-commercial.
18. Signs applied directly onto the body of a car, truck, bus, trailer, or other vehicle if such vehicle is operated in the normal course of a business and such vehicle is not used primarily to display such sign.
19. Signs and notices required to be displayed, maintained, or posted by law or by any court or governmental order, rule, or regulation.

20. Signs advertising any sales popularly referred to as "Garage" and "Yard" sales complying with the Code of City Ordinances. Signs shall not exceed 4 square feet in area. Signs may be erected no more than 24 hours before the sale and shall be removed within 24 hours after a sale has ended. Said signs may be placed on public property under the jurisdiction and control of the City of Marshalltown, Iowa terrace or parking areas if said posting is approved by the owner of the adjacent real estate who maintains the public property, terrace or parking area, and said posting does not interfere with vehicular traffic visibility or pedestrian movement. Such signs shall not be placed on utility poles, traffic signals or signs.
21. Signs placed by a government agency displaying the sponsors of an activity or city-owned structure, so long as the structure or activity is on City of Marshalltown property.
22. Signs at golf courses showing hole sponsors or other similar signs, so long as the sign is less than four (4) square feet.
23. Traffic and similar signs of a public agency, such as railroad crossing signs, and signs warning of danger, hazards or unsafe conditions.
24. Window display signs.
25. Works of fine art, including murals, if not displayed in conjunction with a commercial enterprise for the principal purpose of commercial advertisement.
26. Temporary signs, including:
 - a. Signs advertising the sale of a premise is permitted provided the following conditions are met: Signs must be non-illuminated, and must not exceed nine (9) square feet in area and six (6) feet in height.
 - b. Not more than one sign shall be permitted per street frontage, (excluding open house signs).
 - c. Signs may be placed on the premise for sale or lease or in the public right-of-way abutting the premise. Signs in the public right-of-way must be a minimum of six (6) feet back from the street or back of curb and twenty (20) feet from intersections. Signs should not be placed where they would cause a visual obstruction to pedestrian or vehicular traffic.
 - d. Signs shall be removed within thirty (30) days of sale of the premise.
 - e. Open House Signs must meet the same size requirements as described above, such signs may be placed in the public right-of-way abutting the premise for sale or lease and/or at another location provided permission is obtained from the abutting property owner. Such signs are permitted for a maximum period of three (3) days preceding the open house. The date and time of open house must be included on the open house sign.
 - f. Other types of directional signs advertising property for sale are not permitted off premises (i.e. directional arrows).
 - g. Signs promoting and/or directing traffic to non-profit or other community events that have obtained a valid Public Use Permit from the City Clerk's office, provided they are erected no more than one week in advance and removed no more than 24 hours after said event has ended.
 - h. Residential Zoned Development: Signs advertising the rental or lease of the premises or part of the premises on which the sign is displayed. One such non-illuminated sign, not to exceed 9 square feet in area and not to exceed 6 feet in height, shall be permitted on each premise. Such signs shall be removed within 30 days of lease of the premises or part of the premises on which sign is displayed. Such signs shall not be permitted in the public right-of-way.

- i. Commercial/Industrial Zoned Development: Signs advertising the architects, engineers, contractors, occupants, or other individuals involved in the construction, re-construction or remodeling of a building and/or development project and such signs announcing the character and/or purpose of the site. One such non-illuminated sign, not to exceed 120 square feet in area and not to exceed 8 feet in height, with a minimum setback of 15 feet, shall be permitted on each premise. Such signs shall not be erected until building permits have been issued, and shall be removed immediately upon project completion.
- j. Residential Zoned Development: Signs advertising the architects, engineers, contractors, occupants, or other individuals involved in the construction, re-construction, remodeling or financing of a building and/or development project. One such non-illuminated sign, not to exceed 9 square feet in area and not to exceed 6 feet in height, shall be permitted on each premise per contractor. Such signs shall be removed within thirty 30 days of project completion.
- k. One non-illuminated sign in any residential real estate development indicating real property for sale or rent, not larger than 120 square feet in area. In no case is any such sign to be located closer than 30 feet to any street line. In no case shall a temporary sign be permitted after residences have been erected on 60 percent of the lots in the subdivision or after more than 60 percent of the lots have been sold.
- l. One non-illuminated sign in any commercial or industrial real estate development indicating real property for sale or rent, not larger than 120 square feet in area. In no case is any such sign to be located closer than 30 feet to any street line. In no case shall a temporary sign be permitted after more than 60 percent of the lots in the subdivision have been built upon or sold.
- m. Signs announcing candidates seeking public political office or pertinent political issues. Such signs shall be confined to private property.
- n. Temporary signs, any special event sign, banner*, pennant, flag, streamer, inflatable device, balloon, blimp, or advertising device displayed on the premises of an establishment shall not exceed 50 square feet in area and shall not exceed the height of the principal structure. Signs shall not be posted more than 120 days in a calendar year. * Banners in a Historic District(s) must meet those regulations.

4 .Prohibited Signs.

The following signs are prohibited in all zoning districts within the City of Marshalltown:

- 1. Abandoned signs.
- 2. Damaged or broken signs.
- 3. Wall signs on single family or duplex units with the exceptions of approved Home Occupation signs.
- 4. Flashing signs, including those illuminated by or containing flashing, intermittent, rotating, or moving light or lights. This prohibition shall not apply to electronic message centers.
- 5. Snipe signs or signs attached to trees, telephone poles, public benches, streetlights, or placed on any public property or public right-of-way.
- 6. Signs placed on vehicles or trailers, which are parked or located for the primary purpose of displaying, said sign. Signs on vehicles or trailers must be parked on private property when not in use.
- 7. Signs, which revolve or swing by using mechanical devices.
- 8. Any sign, except menu boards, emitting sound other than that normal for their internal operation.

9. Any sign, which contains statements, words or pictures of an obscene, pornographic or immoral character.
10. Temporary signs, except for those expressly permitted by this Ordinance.
11. In no event shall an illuminated sign or lighting device be placed or directed or beamed upon a public street, highway, sidewalk, or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance. All signs shall be screened from beaming on residential windows.
12. No sign shall be erected so as to prevent free ingress to, or egress from, any door, window or any other exit-way required by the Building Code or Fire Code of the City of Marshalltown or by any other ordinance.
13. No sign or part thereof shall contain or consist of banners, posters, pennants, ribbons, streamers, spinners or other similar moving devices, except as specified herein.
14. No advertisement, advertising structure, billboard or other object shall be erected, used or maintained which in any way simulates official, directional or warning signs erected or maintained by the City or by the State of Iowa.
15. No sign or advertising device shall be erected or maintained at the intersection of streets in such a manner as to obstruct free and clear vision of the intersection.
16. No neon sign or other illuminated advertisement shall be of such color or located in such a manner as to diminish or detract in any way from the effectiveness of any traffic signal or similar safety or warning device.
17. No building wall or pole/monument sign shall be used for display of advertising except that pertaining to the use normally carried on within such building.
18. No sign or sign structure shall be placed on private or public property without the consent of the owner or authorized agent thereof.
19. No new sign shall be placed on the roof of any building as of the date of this ordinance; however, if damaged, existing roof signs may be rebuilt to the size, shape and design of the sign immediately prior to damage.
20. No sign shall be located in or over any public right-of-way, except as specified herein.

5. *Supplemental Provisions.*

- a) The construction, installation, erection, anchorage and maintenance of all signs shall be subject to the applicable codes and ordinances of the City of Marshalltown.
- b) All signs and sign structures requiring electrical connections must meet all requirements set by the City Electrician and applicable codes and ordinances of the City of Marshalltown.
- c) All signs and sign structures shall be erected and maintained in a safe condition. It shall be the responsibility of the sign owner or property owner to keep all signs thereon properly maintained.
- d) Signs not to exceed twelve (12) square feet on bus shelters shall be allowed in any zoning district. All signs must be non-electrical. Only one sign/sign face per shelter shall be allowed.
- e) Banners solely on light or utility poles on private commercial or industrially-zoned property not exceeding 16.34 square feet shall be allowed with a sign permit.

- f) Non conforming signs: Legally established signs, other than portable signs as herein defined, existing on the effective date of this Ordinance which do not conform to the provisions of this Ordinance shall be classified as legal nonconforming signs and be allowed to continue as such. No nonconforming sign shall be altered, reconstructed, enlarged, extended or relocated except in compliance with the provisions of this Ordinance. For purposes of this Section only, the terms "altered" and "reconstructed" shall not include minor maintenance, minor repair, landscaping around the sign, or the replacement of bulbs, changeable letters or figures, or other embellishments if such changes do not increase the size of the sign or the degree of its non-conformance.
- g) Projecting signs: Projecting signs may be erected in commercial and industrial districts provided that such signs shall project no more than 8 feet from the building to which attached, and provided that the minimum clearance from grade shall be 9 feet above any pedestrian way and 17 feet above any vehicular way. Said signs may project into or over any public right-of-way provided that the sign projects not more than 6 feet into said right-of-way and is located not closer than 2 feet to the back of the curb. Any business that uses a projecting sign shall have one allowable wall sign size reduced by the total area of the projecting sign.
- h) Portable signs: Portable signs may be located in any commercial or industrial district on a temporary basis through issuance of a permit. Said portable sign permit shall have a fee set by resolution, approved by City Council. Such signs shall not exceed 50 square feet in area, shall not exceed 6 feet in height, and shall not be located in any public right-of-way. One portable sign shall be permitted on any zoning lot for a period of not more than 60 days in any calendar year. Off-premise advertising is prohibited. Portable signs may not be adapted for use as permanent signs. All portable signs being displayed on the effective date of this Ordinance are subject to the above regulations and shall be removed within 30 days unless authorized in accordance with the provisions stated herein.
- i) Incidental and temporary signs: Placement is limited to 120 days per calendar year for any/all signage per zoning lot.
- j) Inflatable signs: Placement is limited to 60 days per calendar year.
- k) Advertising signs:
 - 1. Structures shall be limited to two faces per sign, shall not exceed 30 feet in height, and shall have a total sign face area visible in any one direction of traffic not exceeding 300 square feet. Advertising structures shall be constructed of metal or other durable materials. Poles made of wood shall not be considered acceptable.
 - 2. The minimum distance between advertising signs shall be 500 feet when adjacent to highway 30, and 300 feet on other streets, whether on the same side of a street or on opposite sides of a street.
 - 3. Advertising signs shall be set back a minimum of 50 feet from Highways 14 and 30 and Iowa Avenue. Setbacks from other streets shall be 30 feet. Where any advertising sign is directly adjacent to lots with buildings, the setback shall be no less than the building structure, but no sign shall be required to have a setback greater than 50 feet.
 - 4. No advertising sign shall be permitted within 100 feet of any residential zoning district boundary.
 - 5. Advertising signs may be permitted in the following areas of the City: Any M-1 or M-2 district, any commercial district adjacent to highway 30 and Iowa Avenue, commercial districts adjacent to highway 14 south of Southridge Road, commercial districts north of Riverside Cemetery specifically on the west side of Highway 14.

Table 30.1

	Electronic Graphic Display	Time, Temperature, Gas Price
Description	Moving pictures, with or without text	Time, temperature, and gas prices only
Orientation	Not within 100 feet of residential	Not in residential
Minimum Duration	No limit 1 second transition between static pictures	Time and temperature – 3 seconds Gas – ten minutes
Size of Electronic Portion	Maximum 50 square feet/side	Maximum 50 square feet/side
Color	No limit	Amber only Green, red or amber for gas prices
Brightness	Daytime: 10,000 nits Nighttime: 1,000 nits	No limit
Dimmer Control	Required	Not required
Setbacks	No limit	No limit
Audio or Pyrotechnics	Not allowed	Not allowed
Other	No aggressive flashing or blinking	No Flashing

l) Electronic message centers: These regulations shall not apply to school property*.

***Signs on school property:**

1. The following provisions apply to electronic signs on property approved educational use, regardless of zoning classification:
2. Lots shall be more than four (4) acres in size,
3. The current use of the building and lot is to provide a school curriculum approved by the State of Iowa.
4. The school is not a home-school as defined by this Ordinance.
5. Signs shall display only content related to non-profit activities, including sponsorship of activities, etc.
6. Text shall be white or amber in color.
7. Signs shall not unduly shine into neighbors' property and/or distract traffic, as determined by the zoning administrator.
8. Signs shall be dimmed in the evening hours to an appropriate brightness level.

- m) Changeable copy signs: When combining a changeable copy sign with a pole sign or monument sign, the following standards shall be met: The changeable copy sign shall be integrated into other signage in a permanent manner, shall be placed directly below the commercial message sign or in a manner which looks integrated and natural, and both signs shall be facing the same direction and at the same angle. The total sign area of the changeable copy and the commercial message signs shall not exceed the allowable sign area, height, setback, and all other requirements for the given district. The changeable sign shall contain at least one color that is the same or complementary to that which is in the commercial message sign or pole and be made of the same type of materials in order to give the changeable copy sign an integrated look.

6. Awnings and Marquees.

- a) Any awning or marquee extending over any public street or thoroughfare shall be constructed by either the following methods:
- b) Constructed on steel beams projecting through the street wall of the structure or building and capable of supporting the weight of such canopy or marquee and an additional live load weight of 60 pounds per square foot.
- c) Solidly anchored against the street wall of such building or structure on steel plates bolted through the wall and hung by rigid rods anchored through such street wall and attached to the extended portion of such canopy or marquee and capable of carrying the weight thereof and an additional live load weight of 60 pounds per square foot.
- d) Awnings, as defined in this article, shall be attached to framework securely anchored to the street wall of the building or structure in a manner approved by the building commissioner and upon a permit issued by him.
- e) Any marquee or awning permitted to extend over any public street or thoroughfare shall conform to the following:
- f) It shall not extend in one section more than 25 feet along the line of the street.
- g) It shall provide a minimum clearance above the sidewalk of the lowest part thereof of not less than seven (7) feet.
- h) It shall not extend beyond the street line nearer than eighteen (18) inches to a vertical extension of the curb line.
- i) The owner of any building or the lessee thereof constructing any marquee or awning from a street wall and extending over any portion of a public sidewalk or thoroughfare shall be liable for injury to any person using such public sidewalk underneath or adjacent to the canopy, marquee or awning resulting from any faulty construction, maintenance or dangerous condition of the marquee or awning, and the owner shall hold a liability insurance policy which shall hold such city harmless on account thereof .

7. Wall Signs.

Wall sign requirements apply to all zoning districts. Signs shall only be allowed on two walls of a leased or owned space. Primary wall: The sum of all signage on the primary wall shall not exceed 1.5 square feet for every one linear foot of primary wall frontage length. In no event shall any wall sign extend beyond the width of the building or more than 6 feet above the top of the building wall or parapet. Buildings having a setback from the street of at least 150 feet will be permitted to have 2.0 square feet for every one linear foot of primary wall frontage length. Secondary wall: Signs shall be permitted on one secondary wall where the signage shall not exceed .5 square feet for every one linear foot of secondary wall frontage length.

8. Freestanding signs.

The following provisions for freestanding signs shall apply to the regulation of signs in the respective zoning districts within the City of Marshalltown. Any letters (a), etc. refer to the notes following the table. Sign faces shall be only allowed on two sides of a freestanding sign. Three-sided and larger signs are not allowed.

Key for Table 30.2

A-1: Agricultural Reserve District

“R” District: includes R-1, R-2, R-2A, R-3, R-4, R-5, and R-6 residential districts

NC: Neighborhood Commercial District

ED: Education District

TN: Traditional Neighborhood District

CBD: Central Business District

CC: Community Commercial District

GC: General Commercial District

OP: Office Park District

RC: Regional Commercial District

PC: Planned Commercial District

M-1 & M-2: Industrial Districts

Table 30.2

District	Max. # per Lot	Max. Height	Max. Area	Min. Setback**	Spacing***	Min. Distance from “R” District
A-1	1	10’	48 sq. ft.	0’	25’	NA
“R” District*	1	6’ – monument sign only	48 sq. ft.	10’	25’	NA
NC	1	10’ – monument sign only	48 sq. ft.	10’	25’	10’
ED	2	1) 20’ 2) 6’- monument only	48 sq. ft.	10’	25’	10’
TN	1	10’ – monument sign only	48 sq. ft.	10’	25’	10’
CBD	1	10’	48 sq. ft.	0’	25’	NA
CC	1	Arterial: 30’ Others: 20’	Along Arterial: 120 sq. ft. Other streets: 100sq. ft.	0’	50’	30’
GC	1	Arterial: 30’ Others: 20’	Along Arterial: 120 sq. ft. Other	0’	50’	30’

			streets: 100sq. ft.			
OP	1	10' – monument sign only	48 sq. ft.	10'	25'	10'
RC	(a)	Arterial: 30' Others: 25' Monument: 10'	(a)	0'	50'	30'
PC	(b)	Arterial: 30' Others: 20' Monument: 10'	Along Arterial: 120 sq. ft. Other streets: 100sq. ft.	0'	50'	30'
M-1, M-2	1	Arterial: 30' Others: 20'	Along Arterial: 150 sq. ft. Other streets: 120sq. ft.	0'	50'	30'
Schools	1 per public street frontage	12' – Monument only	60 sq. ft, not including base structure.	20'	50'	NA

*Monument signs in residential subdivisions shall be allowed on private property when indicated and approved on a final plat.

*Monument signs shall be allowed when placed by the City depicting Historic District(s) or other cultural points of interest.

*Signs shall only be placed on non-residential or multi-family buildings.

**Setbacks are measured from the property line.

***Spacing refers to the minimum distance allowable between signs.

Signs in the NC and TN Districts shall only be allowed on properties containing a commercial use or multi-family development.

a) REGIONAL COMMERCIAL DISTRICT:

1. Major Sign. One freestanding sign of not more than 300 square feet and not exceeding 30 feet in height shall be permitted on that side of the RC, Regional Commercial District that fronts on a major thoroughfare and is considered the main entrance, for the express purpose of identifying the shopping center and the business establishments included therein.
2. Secondary Sign. One additional freestanding sign shall be permitted on a secondary frontage of the RC, Regional Commercial District. If the property adjacent or across the street from the secondary frontage is a residential district, the secondary sign shall conform to the CC, Community Commercial District regulations.
3. Monument Sign. One additional monument sign shall be permitted in the RC, Regional Commercial District on any street frontage. Such signs shall not exceed 48 square feet in area and 10 feet in height

4. Out Lot Sign. One freestanding sign shall be permitted on any out lot in the RC, Regional Commercial District. Such sign shall comply with the requirements of the CC, Community Commercial District regulations.

b) PLANNED COMMERCIAL DISTRICT:

Major Sign. Each legal lot shall be allowed one main freestanding sign. One additional monument sign shall be permitted in the PC, Planned Commercial District on any street frontage if more than 100,000 square feet is being developed contiguously. Such signs shall not exceed 48 square feet in area and 10 feet in height.

9. *Historic District(s) signs.*

The purpose of this Section is to promote the educational, cultural, and economic welfare of the public of the City by preserving and protecting historic structures, sites, and neighborhoods which serve as visible reminders of the history and cultural heritage of the City, State, or Nation. Furthermore it is the purpose of this Section to strengthen the economy of the City by stabilizing and improving property values in historic areas, and to encourage new developments that will be harmonious with the existing historic buildings and squares. Lastly, it is the purpose of the chapter to foster civic pride and to enhance the attractiveness of the community to residents, potential residents and visitors.

The following general provisions shall apply to the regulation of signs in Historic District(s). No sign shall be located, erected or maintained except in compliance with the regulations contained herein.

- a) Signs in Historic District(s) must meet regulations in the Marshalltown Historic District Sign Regulation packet included as an appendix to this chapter.
- b) Signs in Historic District(s) must be approved as appropriate in order to be issued a Sign Permit by the City of Marshalltown.
- c) If the zoning administrator determines that the proposed sign is not appropriate according to the appropriate regulations, the applicant may appeal the decision of the through application to the Board of Adjustment in accordance with Chapter 34 of the City of Marshalltown Zoning Ordinance.
- d) Signs installed without prior approval shall be considered in violation of this Chapter and subject to the penalties set forth in Section 10 of this Chapter.
- e) No freestanding signs or electronic message center signs shall be allowed in Historic District(s).
- f) Banners are allowed up to three days per month. A permit is required to hang a banner.

Deleted: are subject to review by the City of Marshalltown Site Plan Review Board prior to installation in addition to the permit requirements defined in this Chapter.

Deleted: <#>The Site Plan Review Board will review signs based on the Site Plan Review Board Sign Review Criteria including the Main Street Design Guidelines.¶

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10. *Highway 30 Sign Overlay District:*

The following provisions shall apply to the Highway 30 Overlay District whose boundaries are: The full length of the city limits along both sides of Highway 30 including land within 150 feet of the property line adjacent to the Highway 30 right of way.

- a) No person shall develop, install, locate, or construct any sign requiring a permit within the Highway 30 Overlay District except as expressly authorized in this Section 8. The provisions of this Section shall apply in addition to any other zoning district regulations in which land may be classified and such lands may be used as permitted by such other districts.
- b) A maximum of four accessory signs per business, but not more than two freestanding signs per zoning lot shall be permitted as follows, regardless of the number of accessory and freestanding signs permitted in an underlying zoning district:

- c) One freestanding sign shall be permitted which meets the zoning requirements for the zoning district in which the land is located, and
- d) One freestanding sign shall be permitted and shall be located in the Highway 30 Overlay District with a maximum sign height of 40 feet above the elevation of the centerline of Highway 30 at a point perpendicular to placement of the sign. Maximum sign square footage requirement is 150 square feet. The sign must be located within the overlay district and be set back a minimum of 50 ft from the property line adjacent to the Highway 30 right of way.
- e) Only one non-freestanding accessory sign may be placed on any one side of the building.
- f) The maximum signage for the zoning lot as established in the underlying zoning district continues to apply to property in the overlay district.

11. Canopy Signs.

- a) On two sides of a canopy with a length of thirty (30) feet or less, each side may have a sign with square footage equal to one half times the square feet of that side. On two sides of a canopy larger than thirty (30) feet, each side may have a sign with square footage equal to one third times the square feet of that side.
- b) A third side may have a sign with the square footage equal to $\frac{1}{4}$ times the square feet of the side.

This Section shall not include decorative colors or designs unless said design contains an identifiable logo. Signs shall not extend above or below the physical structure.

12. Violation and Penalty.

Signs installed without obtaining prior approval through the issuance of a Sign Permit shall be subject to the approved fees, which shall be set by resolution approved by the City Council.

The zoning administrator is authorized to issue a municipal infraction or civil penalty as permitted in the City of Marshalltown Code of Ordinances or cause removal of such sign. The owner of the sign and/or sign structure or the owner of the property upon which the sign is located shall pay any expense incident to such removal. Failure to pay said costs may result in the assessment of such costs against the property.

CHAPTER 35

Reserved

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A Site Plan Review Board is hereby created. The word “Board” when used in this section shall refer to the Site Plan Review Board. The Board shall consist of five members serving without compensation, one of which shall be a member of the Plan and Zoning Commission. The Board shall be appointed by the Mayor, subject to the approval of the City Council for a term of five years, excepting that when the Board shall first be created, one member shall be appointed for a term of five years, one for a term of four years, one for a term of three years, one for a term of two years, and one for a term of one year. A majority of the members of the committee shall be appointed with due regard to the proper representation of such fields as: architecture, history, architectural history, planning, landscape architecture, site design, or cultural geography. Any vacancy shall be filled by appointment by the City Council for the unexpired portion of the term. Should any member be absent from the City or become incapacitated, or disqualified, the Council shall appoint a substitute to serve as a member until the regular member has returned or is able to serve on the Board.¶

Section 2. Meetings and General Procedures¶

<#>Meetings of the Board shall be held at the call of the Chair and at such other times as the Board may determine. Such Chair, or in his absence, the acting Chair, may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public.¶

¶

<#>The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record.¶

¶

<#>The Board shall have power to call on any municipal department or officer for assistance in the performance of its duties, and it shall be the duty of any such department to render such assistance as may reasonably be required.¶

¶

<#>The Board shall adopt, from time to time, such rules and regulations as ... [1]

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The Board shall have power to call on any municipal department or officer for assistance in the performance of its duties, and it shall be the duty of any such department to render such assistance as may reasonably be required.

The Board shall adopt, from time to time, such rules and regulations as it may deem necessary to carry into effect the power and authority granted it by the provisions of this Ordinance or any state law.

The occurring vote of three (3) members of the Board shall be necessary to render a decision. The Board shall render its decisions without unreasonable delay.

Section 3. Jurisdiction.

Jurisdiction for the Site Plan Review Board shall be for all exterior changes to a building, including any development and/or redevelopment project located within the Historic District(s). The Board, or its assigned staff, shall review, give advice, and make requirements relating to the physical and aesthetic characteristics of the proposal, as detailed in this chapter. The Board, at its sole discretion, may require any project within its jurisdiction use traditional architecture and color schemes on any exterior project. This shall include exterior painting, exterior sign placement, or other similar project. It shall not include incidental or necessary repair of buildings, facades, or exterior signs, so long as said repair does not change the color or architectural elements of the building, facade, or sign. It shall be the responsibility of the Board to protect property rights and values, enhance important environmental features of the City and to ensure that the general appearance of buildings and structures along with development of the land shall not impair or preclude the orderly and harmonious development of the community.

Nothing herein contained shall be construed to give or grant to the Board the power or authority to alter or change the Zoning Ordinance or the District Map, such power and authority being reserved to the City Council of Marshalltown in the manner hereinafter provided in the City Code of Ordinances.

Section 4. Violation and Penalty

1. Work completed without prior approval of the Board shall be subject to approved fees, which shall be set by resolution approved by the City Council.

Section 4. Relief.

Any person or group, which has taken an application to the Board, in disagreement with any decision of the Board, may appeal the decision to the Board of Adjustment.

CHAPTER 5

SITE PLAN REVIEW REQUIREMENT

Section 1. Purpose.

It is the intent and purpose of this Chapter to:

1. Establish specific procedures which enable the City government to plan for and review proposed development/redevelopment of property;
2. Insure the orderly and harmonious development of property;
3. Promote the beneficial relationship between uses of land;
4. Provide for orderly and efficient circulation of traffic within the development and throughout the City;
5. Ensure that the proposed development/redevelopment is within the capacity limitations of public facilities and services;
6. Ensure adequate provision for surface and subsurface drainage; and
7. Provide for suitable screening of parking, truck loading, refuse disposal, and outdoor storage from adjacent properties.

Section 2. When Site Plans Required.

Site plans shall be submitted reviewed, and approved by the City prior to the issuance of a permit for all development/redevelopment of any lot, tract, or parcel of land in all zoning districts.

Section 3. Design Standards for all Site Plans.

1. When acting upon an application for site plan approval, the City shall rely upon generally accepted site planning criteria and design standards.
2. The site plan shall conform to the Marshalltown Comprehensive Plan; any sub-area plans; the Marshalltown Subdivision Ordinance; and all other applicable ordinances and statutes of the City and State of Iowa.
3. The proposed development shall be designed with a proper regard to topography, surface drainage and water runoff onto adjacent properties, natural drains and streams, wooded area, and other natural features which lend themselves to proper, harmonious, and attractive development of the site. The landowner shall be deemed exclusively responsible for developing and implementing a plan.
4. The proposed development shall be designed with adequate water mains, provisions for sanitary sewer service, storm water management facilities and flood control, in accordance with ordinances and regulations of the City of Marshalltown and the State of Iowa, and good engineering practice to protect the public health and welfare and not overload and existing public utilities.
5. The proposed development of all structures therein shall be designed in such a manner as to create a quality environment and shall be architecturally and aesthetically harmonious and attractive.

6. The design of the proposed development shall make adequate provision for fire protection through building placement, acceptable location of flammable materials, and other measures to ensure fire safety;
7. The design of interior vehicle and pedestrian circulation shall provide for convenient flow of vehicles and movement of pedestrians and shall prevent hazards to adjacent streets or property;
8. The design of outdoor parking areas, storage yards, trash and dumpster areas, and other exterior features shall be adequately landscaped or screened to minimize potential nuisance and impairment to the adjoining property;
9. The proposed development shall limit entrances and exits upon adjacent streets in order to prevent congestion on adjacent or surrounding streets and in order to provide for safe and orderly vehicle movement; and
10. These criteria are necessary to fulfill the intent of the zoning ordinance, and are the minimum necessary to safeguard the public health, safety, aesthetics, and general welfare.

Section 4. Submittal Requirements.

Standard site plans shall be required for all development and/or redevelopment. All site plans shall be drawn on a plain sheet of paper no larger than 11" X 17".

1. Standard Site Plan Requirements:

Standard site plans shall include the following information:

- a) Date of preparation and north arrow;
- b) A scale no larger than 1" = 10' and no smaller than 1" = 100';
- c) Name, address, and phone number of the owner of record of the property, applicant, and the person(s) or firm preparing the site plan;
- d) Property lines;
- e) Location and applicable dimensions of existing structures and applicable driveways and entrances;
- f) Location and dimensions of the proposed developments, including height.
- g) A storm water management plan which details the direction of surface flow, any detention and/or retention areas, and any outlet control structures and devices. Additional information may be required if deemed necessary by the City Engineer. See also Section 7, Liability.
- h) Where applicable, elevation views of existing and proposed structures from all directions. These elevation views shall indicate shape, height, type and color of materials. All drawings shall be to scale, with the scale indicated.

2. Additional Site Plan Information Required:

All commercial, multi-family, and industrial developments and redevelopments of buildings larger than 120 square feet, and any development which increases water runoff shall include the following additional information:

- a) Location and dimensions of all existing paved surfaces and all abutting streets. The grade shall be shown if deemed necessary by the City Engineer or Zoning Administrator;
- b) The complete traffic circulation and parking plan including the location and dimension of all existing and proposed parking spaces, loading areas, entrance and exit drives, curb cuts, pedestrian walkways, dividers, curbs, islands, and other similar parking and drive improvements.
- c) Existing and proposed location of all outdoor trash and dumpster areas and method of screening such areas. Dumpster locations shall be screened, and shall not be visible from public streets and shall not be located in the right-of-way;

- d) Location and type of all existing and proposed signs and of all existing or proposed lighting of the property which illuminates any part of the required yard;
- e) Location of existing trees 6" or larger in diameter, any rock outcrops, landslide areas, springs and streams, and other water bodies, any areas subject to flooding;
- f) Location, amount, and type of any proposed landscaping fences, walls, or other screening as required by the zoning regulations;
- g) Soil tests, traffic impact studies, utility capacity analysis, and similar information if deemed necessary by the Zoning Administrator or City Engineer the City to determine the feasibility of the proposed development;
- h) Location and type of all plants, grass, trees, or ground cover to be used in the landscape. Shall indicate the number of each size and species of tree and shrub. Type of ground cover and form or erosion control shall be illustrated; and
- i) Location of the nearest and all proposed fire hydrants.

Section 5. Review Procedure.

1. For all developments or redevelopments, with the exception of multi-family, governmental, institutional uses, churches, and those in the CBD Districts, the zoning administrator shall have authority to review, change, amend, and approve the site plans, only after consulting other pertinent City departments. If the applicant is not satisfied with the review standards, the applicant may appeal the recommendations to the Board of Adjustment.
2. Amendments to Approved Site Plans. An approved site plan placed on file may be amended with respect to location, size, design and conformity of buildings and other improvements, provided that the amended site plan conforms to the general use regulations, performance standards, and provisions of the district in which located. Amended site plans shall be reviewed and approved by the zoning administrator for all developments or redevelopments.
3. Expiration of Approval. All site plan approvals shall expire and terminate 365 days after the date of the City's approval, unless a building permit has been issued for the construction provided for in the site plan. In the event the building permit for construction provided for in a site plan expires or is canceled, then such site plan approval shall terminate.
4. Enforcement. Any violation of this Chapter shall be punishable by the Violation and Penalty Chapter of this Ordinance.

Section 6. Landscaping Standards.

1. Any required landscaping shall be in place at the time an occupancy permit is approved. Should completion of landscaping be delayed because of the season of the year, a temporary occupancy permit may be issued if the developer posts a bond or other acceptable guarantee in the amount of the landscaping as completed. When filing a site plan, a developer may submit a list of alternate and substitute species from the permitted or established list to be used should the preferred material not be available when needed and required.
2. All landscaping, buffering and screening shall be maintained at all times to conform to the regulations established in this Chapter. Landscaping, which is not maintained in a manner consistent with this Chapter shall be punishable by the Violation and Penalty Chapter of this Ordinance.

Section 7 Liability.

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 <#>Multi-family, governmental, institutional uses, churches, or projects which are located in the CBD Districts shall be submitted to the Site Plan Review Board for review and approval when: ¶
 . . . a) . There is a development or redevelopment as defined in Chapter 3;¶
 . . . b) . There is a change in the distinguishing traits or primary features of the use of a building or land as evidenced by increased parking requirements, change in occupancy designation, change in outside storage, or other features;¶
 . . . c) . There is a change in the predominant, primary architectural features or materials of existing buildings, such as changes to horizontal or vertical elements of exterior walls, building trim, roof shape or composition, detailing, building height or roof line, parapets, or a significant change in signage. ¶
 ¶
 <#>Jurisdiction. The Site Plan Review Board shall review building design, site planning, grading, including but not limited to the regulation and restriction of the type, number of stories, size, setback, and construction of buildings, signage and other structures to ensure harmonious and aesthetically pleasing developments. Advice shall be given concerning the treatment of the historical and visual characteristics such as color schemes, gardens and landscape features, and minor decorative elements. Such review is limited to the specific architectural building features proposed for modification.¶
 ¶
 After receipt of the fully documented site plan, the Site Plan Review Board shall make their ruling within 30 days.¶

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Any landowner shall be deemed exclusively responsible for developing and implementing a plan to address storm water drainage, which shall be submitted to the City as a part of the site plan. The City of Marshalltown shall not be responsible for any deficiencies which may later be determined to exist under the storm water management plan. The City of Marshalltown shall undertake no corrective duties or actions concerning any said deficiencies.