MARSHALLTOWN
IOWA

PLAN ZONING COMMISSION

Notice of Public Meeting Agenda
August 16, 2018 at 5:00 PM
105 W. Boone Street - TEMPORARY Council Chambers in the Public Library

1. Call To Order & Roll Call
   Bloomquist
   Boston
   Brodin
   Deimerly-Snyder
   Lins-Eich
   Greer
   Valbracht

2. Special Use Permit - Martin Marietta Materials, Inc.

   Documents:

   081618_MARTIAN MARIETTA.PDF
   MARTIN MARIETTA.PDF

3. Rezoning Discussion Of Highway 14 Corridor To Traditional Neighborhood District

   Documents:

   081618_TN REZONE.PDF
   HWY 14 CORRIDOR STUDY REPORT - ZONE CHANGE.PDF

4. Ordinance Revision Discussion Regarding The Traditional Neighborhood District

   Documents:

   081618_TN ORDINANCE.PDF
   CHAPTER 19 - TN_TRADITIONAL NEIGHBORHOOD DISTRICT.PDF

5. Ordinance Revision Discussion Regarding The Nonconforming Uses And Structures Chapter

   Documents:

   081618_NON-CONFORMING ORDINANCE.PDF
   CHAPTER 37 - NON-CONFORMING USES.PDF

2018 Tentative Meeting Schedule (Thursday following the 2nd Monday of the Month)

**Dates are tentative and may be changed or canceled in order to accommodate staff schedules or development need.*

July 12, 2018	August 16, 2018	September 13, 2018

October 11, 2018	November 15, 2018	December 13, 2018

MARSHALLTOWN
IOWA

TO: Plan Zoning Commission

FROM: Michelle Spohnheimer, Housing & Community Development Director

DATE: August 16, 2018 – Meeting Date

Special Use Permit – Martin Marietta Materials, Inc.

Martin Marietta is proposing a new sand and gravel mining operation for property currently owned by Interstate Power and Light Company (Alliant). This property is zoned M-2, Heavy Industry. This zoning ordinance requires a Special Use Permit for this type of operation. Martin Marietta has been operational in Marshalltown for 80 years without any problems. Access will be provided off of Main Street Road through the Alliant Sutherland Station.

Zone:	M-2 Heavy Industry
Use:	Sand and gravel mining operation
Comprehensive Plan:	Heavy Industrial

Recommendation: The Commission may make a recommendation on to the Board of Adjustment, which may include conditions.

The Board of Adjustment meeting is scheduled for Tuesday, August 21, 2018.

DATE SUBMITTED & FEE PAID: _____
HEARING DATE: _____

BOARD OF ADJUSTMENT

Special Use & Home Occupation Special Use Permit Application

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

All items listed must be submitted with this application:

_☑_ **A site plan, drawn in ink to scale.** This site plan shall not be larger than 11" X 17."

_☑_ **Any other applicable drawings or diagrams.** Home Occupation Special use permits must submit a floor plan diagram.

_☑_ **Application fee**. A $300 fee is required for a special use request ($50 for a Home Occupation Special Use request). Make check payable to "City of Marshalltown." The fee must be paid when the application is submitted to the Housing Department.

_☑_ **Legal description of the property.** The property owner should have a copy of the legal description of the property. *Please note that the tax description on the Marshall County assessor's webpage is NOT the legal description.* The legal description is listed on the property's abstract or owners may obtain a copy of the recorded deed from the Marshall County Recorder's Office for a fee.

It is the burden of the applicant to provide sufficient facts with this application and at the Board of Adjustment meeting to support a finding that all the standards for approval have been met. For all special use requests, with the exception of a Home Occupation Special Use request, the Plan & Zoning Commission shall first review the proposal and make a recommendation to the Board of Adjustment.

Attendance at all meetings is required.

Please type or print legibly in ink.
Property Address: N/A
Owner: Interstate Power and Light Company (Alliant Energy)
Mailing Address: 200 1st St. SE, Cedar Rapids, IA 52401
Phone: (319) 786-8196
Email: markwills@alliantenergy.com
Owner's Agent (if applicable): Martin Marietta Materials, Inc.
Agent Address: 11252 Aurora Ave, Des Moines, IA 50322
Agent Phone: 515-697-3425
Agent Email: neil.grant@martinmarietta.com

The board will use this information to review your request. Please attach any additional supporting information. If you have any questions, please contact the Zoning Department at 754-5756.
Please describe the request and what justification there is for the proposal. Attach additional pages if necessary. If applicable, please provide a description of the business or use, discuss any signage to be used, and parking issues.

Owner/Agent Signature:
Date:

OVERVIEW

Martin Marietta Materials, Inc. respectfully requests the City of Marshalltown review and approve our application for a Special Use Permit for a proposed sand and gravel extraction operation. The subject property is located south of the Alliant Sutherland Generating Station and west of former Quarry Road (now vacated).

Martin Marietta has operated sand and gravel operations in this area for over eighty years, including what is now known as Sand Lake Park on East Main Street.

Martin Marietta is a publicly owned corporation based in Raleigh, North Carolina and is a leading supplier of aggregate and heavy building materials with operations in 32 states.

We intend to operate this site using a portable dredge and processing plant. Site equipment would be powered by a combination of line power and diesel engines. The processing equipment will typically be present at the site once or twice per year to build stockpiles of finished material. Sales of finished products will occur year round. Site grading may begin in late 2018 with the plant moving in to commence production immediately after site grading work is completed. A new scalehouse, shop, and scale will also be built in late 2018 or early 2019. Potable water will be provided by a well. Sanitation will be provided by a septic system. Access to the site for customer trucks would be through the existing entrance to Sutherland Power Station off East Main Street.

We believe this remote location provides a significant spatial buffer between the site and surrounding neighbors. In general, the area near the subject property is sparsely populated agricultural land. The heavily vegetated riparian areas along the river to the east, the existing vegetation in the property line fence to the south, as well as existing vegetation along East Main

Street provide significant screening. The area to the north and west sides of the site is zoned for a heavy industrial and used as agricultural land and power plant facilities. The nearest residential property is located one half mile south from the proposed plant site.

The availability and accessibility of sand and gravel reserves in the Marshalltown area has decreased over time as the City has grown, covering up potential reserves. As this growth continues, one of primary building materials required is sand for use in ready mix concrete and asphalt. A sand source located close to the end use is imperative to reduce overall truck traffic within the City and county, as well as to reduce the cost of development. As sand sources are forced farther away from the end use (next closest sand source is in Tama), more trucks are required to transport the sand back to the market.

The subject property contains sand reserves that are anticipate to last between 30 and 50 years based upon historic sales from the area. The sand and gravel will be extracted in phases which will allow for concurrent reclamation and ultimately create a 90+ acre lake. Typical shoreline will have a 3 to 1 grass slope to the water line with the underwater slope at the natural angle of repose. Initial overburden excavation from the site will be used to elevate the plant site above the floodplain elevation. Topsoil will be stockpiled in berms for future reuse in site reclamation. Future overburden excavation will be used to backfill the pond north of the plant site while excess overburden and topsoil may be sold commercially. Upon completion of mining, the anticipated land use is a private recreational lake.

Martin Marietta believes this proposal meets special use requirements of the City of Marshalltown, which allows for safe, environmentally sound and well-regulated mineral extraction operations.

Alliant Energy

200 1st St. SE

Cedar Rapids, IA 52401

July 31, 2018

Michelle Spohnheimer
Housing & Community Development Director
City of Marshalltown
36 N. Center Street
Marshalltown, IA 50158

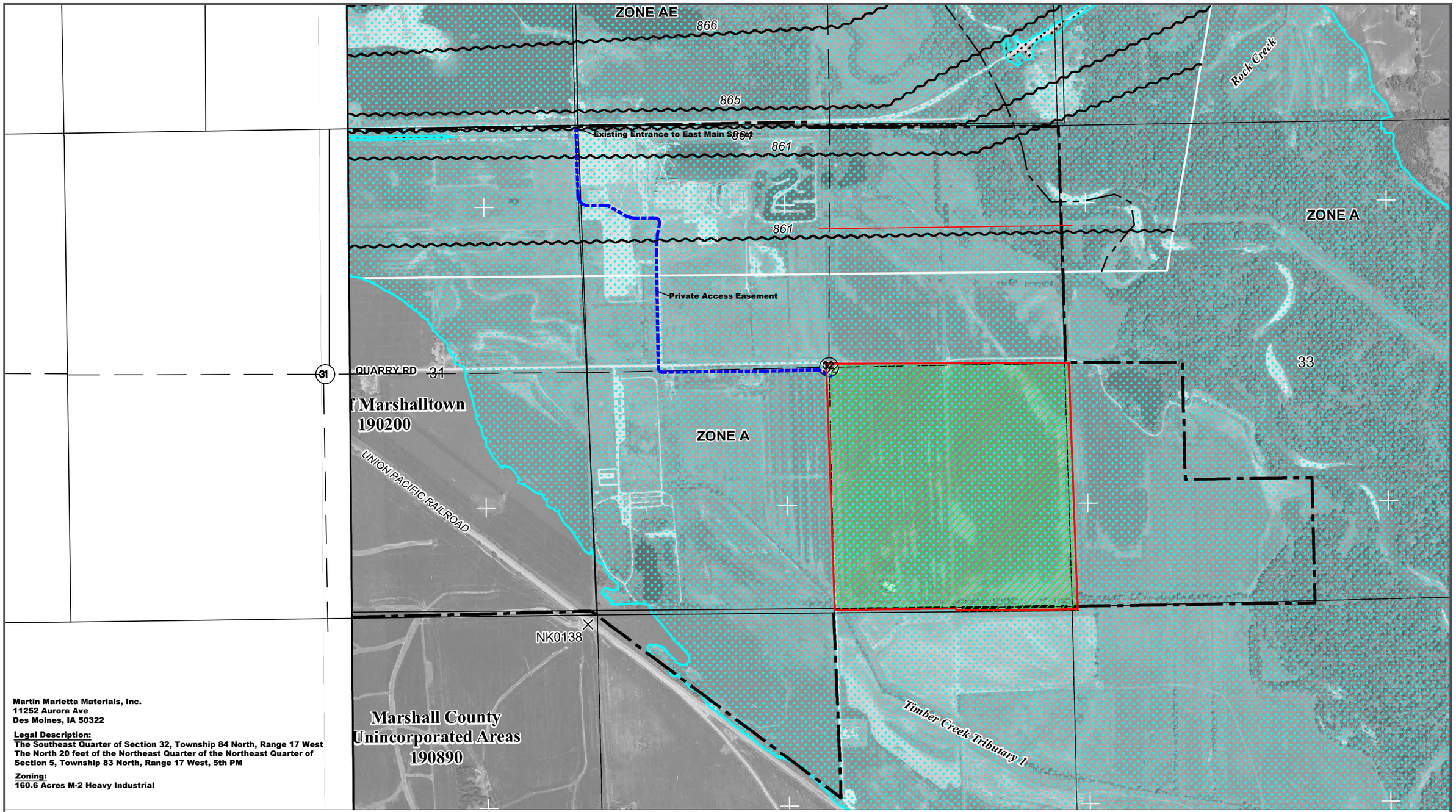
RE: Martin Marietta Special Use Permit (SUP) Application

Dear Ms. Spohnheimer

Please be advised that Interstate Power and Light Company (Alliant Energy) has an agreement in place with Martin Marietta Materials Real Estate Investments, Inc. to sell the subject property to Martin Marietta, subject to zoning approval by the City of Marshalltown for their intended use (sand and gravel mining). As such, Interstate Power and Light Company (Alliant Energy), as the current owner of the subject property, consents to Martin Marietta's SUP application. Please let me know if you have any questions or need any further information.

Mark Wills

Real Estate and Right of Way Representative
Alliant Energy
200 1st St. SE | Cedar Rapids, IA 52401
Office: (319) 786-8196



Martin Marietta Materials, Inc.
11252 Aurora Ave
Des Moines, IA 50322

Legal Description:
The Southeast Quarter of Section 32, Township 84 North, Range 17 West
The North 20 feet of the Northeast Quarter of the Northeast Quarter of Section 5, Township 83 North, Range 17 West, 5th PM

Zoning:
160.6 Acres M-2 Heavy Industrial

Martin Marietta

11252 AURORA AVENUE
DES MOINES, IOWA 50322
(515)254-0030

500 0 500 1000 1500
Scale 1" = 1000 ft.

NORTH

DRAWING FILE NAME:	DWN BY:	DATE:	COUNTY:	STATE:	QUARRY:
J:\	RJM	7/23/2018	Marshall	IOWA	Marshalltown South
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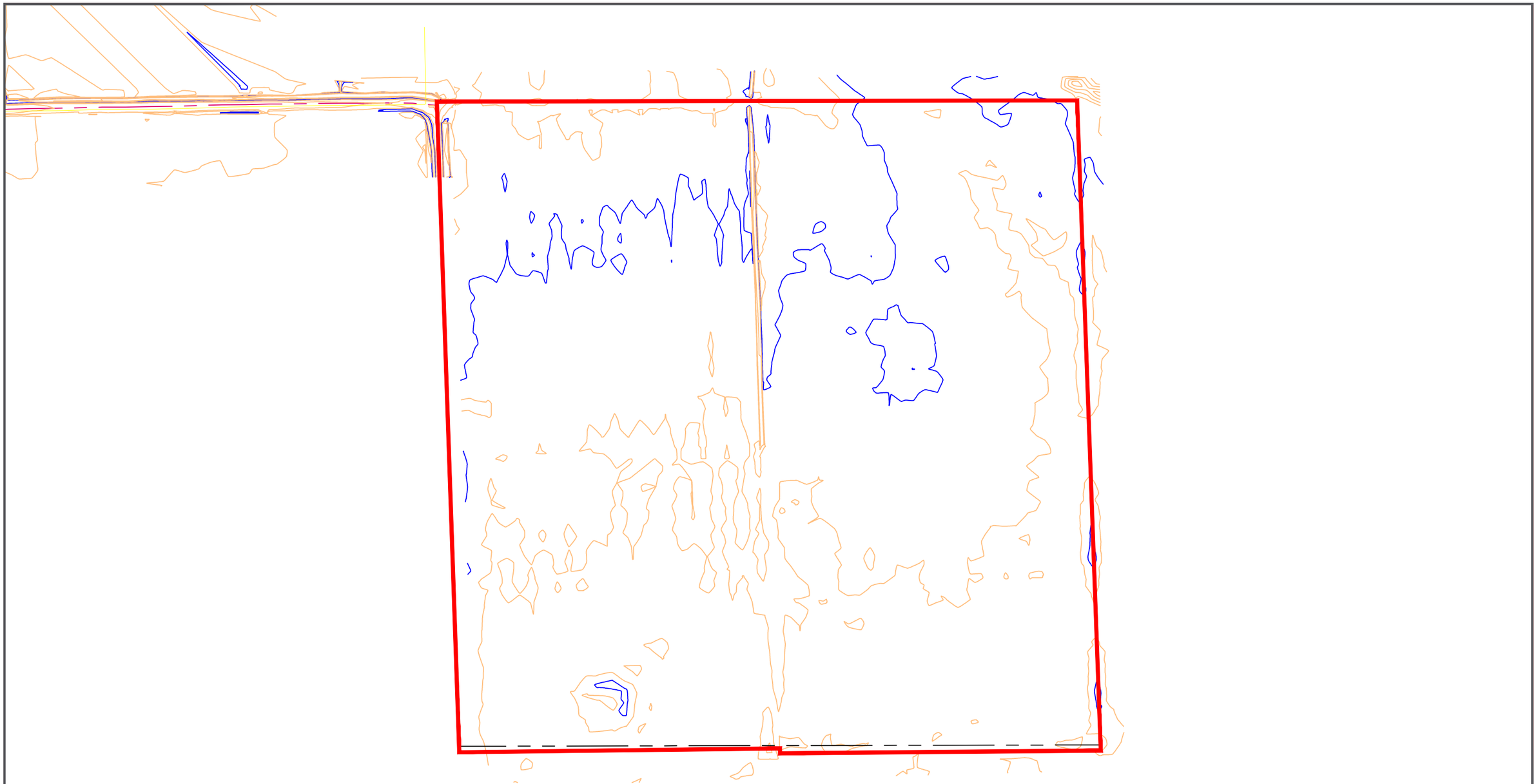

Martin Marietta

11252 AURORA AVENUE
DES MOINES, IOWA 50322
(515)254-0030

200 0 200 400 600

Scale 1" = 400 ft.

NORTH

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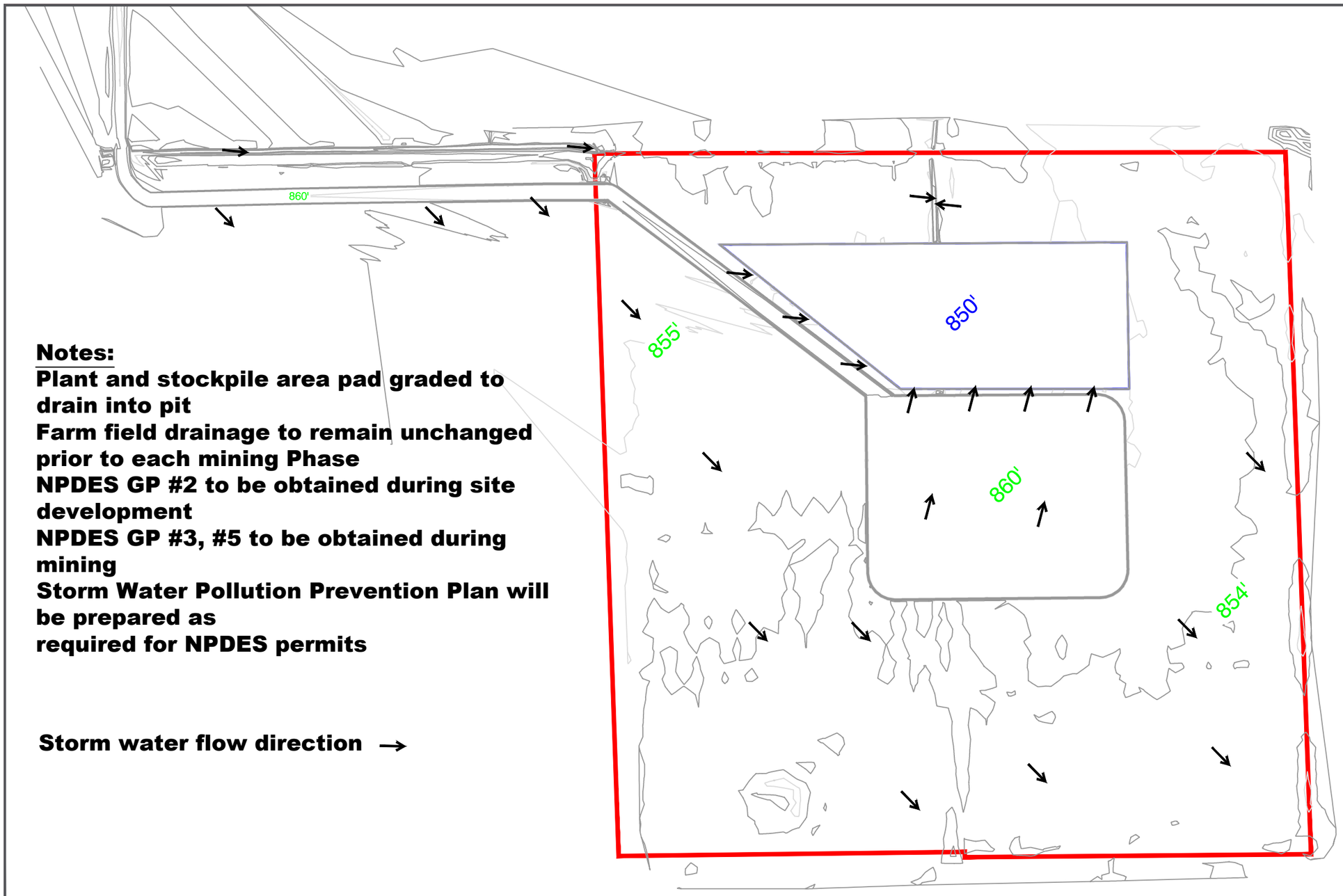


Notes:

Plant and stockpile area pad graded to drain into pit

Farm field drainage to remain unchanged prior to each mining Phase

NPDES GP #2 to be obtained during site development

NPDES GP #3, #5 to be obtained during mining

Storm Water Pollution Prevention Plan will be prepared as required for NPDES permits

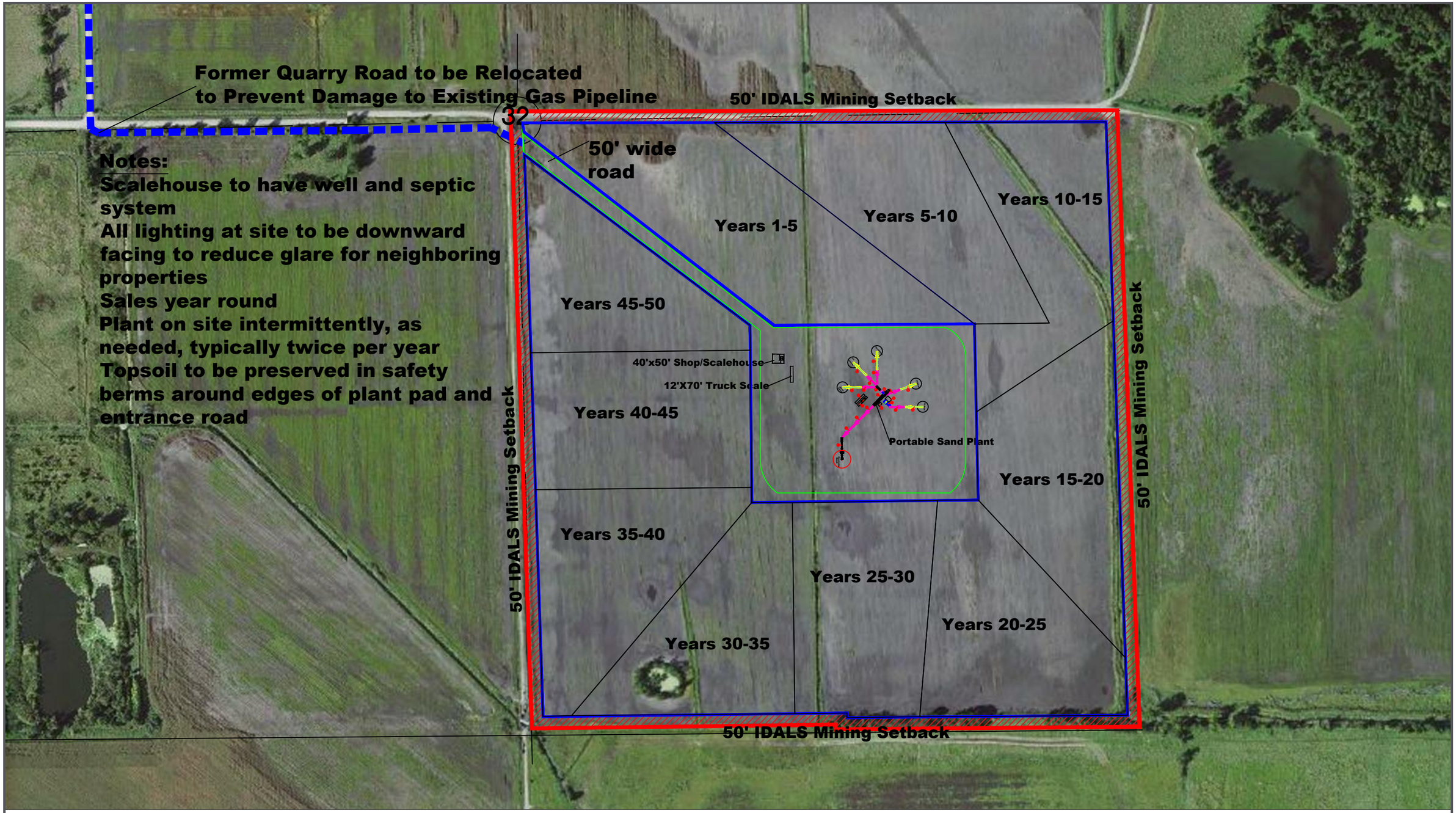
Storm water flow direction →

Martin Marietta
11252 AURORA AVENUE
DES MOINES, IOWA 50322
(515)254-0030

200 0 200 400 600
Scale 1" = 400 ft.

NORTH

DRAWING FILE NAME:	DWN BY:	DATE:	COUNTY:	STATE:	QUARRY:
J:\	RJM	7/23/2018	Marshall	IOWA	Marshalltown South
TIFF FILE NAME:	CHK BY:	SCALE:	PHOTO DATE:	PHOTO FRAME:	DRAWING NAME:
E:\		1" = 400'		FRAME #	Proposed Contours (1'+5') and Stormwater Flow



Martin Marietta

11252 AURORA AVENUE
DES MOINES, IOWA 50322
(515)254-0030

200 0 200 400 600
Scale 1" = 400 ft.

NORTH

DRAWING FILE NAME:	DWN BY:	DATE:	COUNTY:	STATE:	QUARRY:
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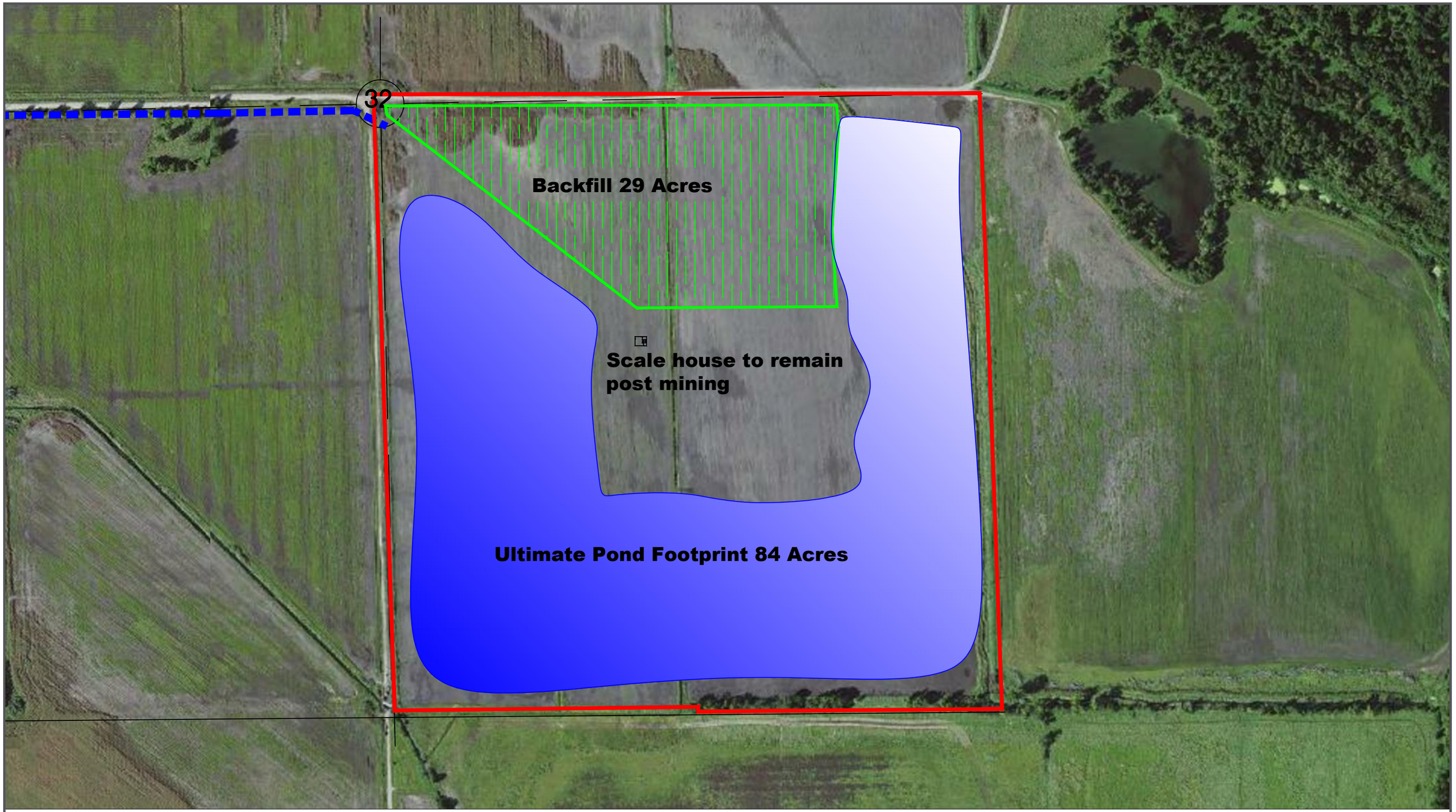

Martin Marietta
11252 AURORA AVENUE
DES MOINES, IOWA 50322
(515)254-0030

200 0 200 400 600
Scale 1" = 400 ft.

NORTH

DRAWING FILE NAME:	DWN BY:	DATE:	COUNTY:	STATE:	QUARRY:
J:\	RJM	7/23/2018	Marshall	IOWA	Marshalltown South
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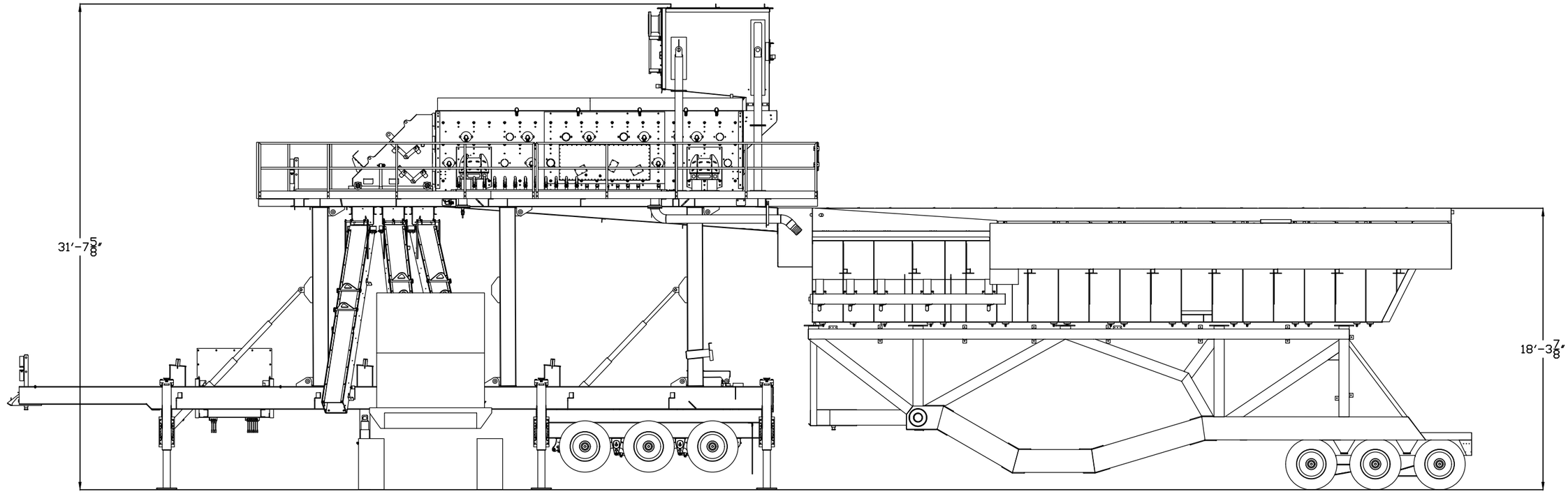

31′–7 5/8″
18′–3 7/8″

MARSHALLTOWN
IOWA

TO: Plan Zoning Commission

FROM: Michelle Spohnheimer, Housing & Community Development Director

DATE: August 16, 2018 – Meeting Date

Rezoning of Highway 14 Corridor Area to Traditional Neighborhood District

The Highway 14 Corridor Study accepted by the City Council and prepared by Bolton & Menk included recommendations to rezone areas along the corridor to the Traditional Neighborhood District. This would allow for mixed-use opportunities, higher densities and have more comprehensive design guidelines. The TN District was originally adopted when the 13th Street District began to redevelop.

This is an initial discussion of the change with the Commission and I would like to set a public hearing for the September 13th Plan Zoning Commission Meeting.

I would also ask for maybe a couple of volunteers to drive and review the areas in question to review the boundaries for the recommended change.

I have included a section of the study for reference. The complete study is on the City website: https://www.marshalltown-ia.gov/566/Hwy-14-Corridor-Study

Recommendation: Request a motion to set a public hearing for September 13, 2018.

1.00 BUILD THE FRAMEWORK, CONT.

RECOMMENDATION	RECOMMENDATION TYPOLOGY	SCALE	ORGANIZING ENTITY	IMPLICATIONS/GOALS	PRIORITY	BENEFITS
1.11 Acquire vacant, abandoned, and tax delinquent properties to start a Marshalltown Land Bank	Program	City-scale	City Administration and/ or Community Development Corporation (See recommendation 4.01)	Reduced vacant and underutilized property; Increased community amenities, jobs, and quality added to the built environment	Medium	

BUILD THE FRAMEWORK

1.01 *Establish Activity Centers throughout Marshalltown*

Currently, mixed-use projects are difficult to develop in Marshalltown due to the single-use zoning code districts currently used along the Highway 14 corridor (with the exception of the Central Business District). Activity Centers can provide the framework for mixed-use development.

Refer to the map on page 54 of proposed activity centers along Highway 14. These areas can be considered for an official designation as Activity Centers through Planning Commission approval. Additional nodes with this designation are encouraged throughout the city.

The creation of Activity Centers can be achieved in multiple ways. One strategy found throughout this document is the use of an existing zone district - Traditional Neighborhood (TN) - within targeted areas along the corridor. The benefit of utilizing the Traditional Neighborhood zone district is that the design guidelines are already established. (See recommendation 1.04)

An alternative concept is to introduce an overlay zone district that would need to be created. The conceptual activity center overlay zone would include clear and professionally-written design guidelines to accommodate walkable and dense developments with a mix of uses and creative parking solutions.

Any effort to successfully execute the concept of Activity Centers must prioritize administrative approval and avoid costly design review boards.

Read more about potential updates to the Zoning Code in the Zoning Code Review section on page 52.

1.02 *Integrate mixed-use residential as permissible uses in Activity Centers through the use of an overlay district*

Many zone districts do not allow for residential dwelling units. A few mixed-use zone districts do allow residential including:

- TN Traditional Neighborhood
- NC Neighborhood Commercial District
- CBD Central Business District.

The prevalence of mixed-use developments can be increased in the proposed activity centers to add to neighborhood vibrancy when compatible zone districts or zoning overlay districts are established. Mixed-use zoning encourages the utilization of existing vacancies or underutilized lots, such as by filling upper floors of buildings with multi-family residential. The concept of transit-oriented activity centers would further contribute to additional mixed-use residential. Walkable transit-oriented developments are recommended to provide reduced surface parking due to the proximity to convenient public transit. (Refer to recommendation 1.01)

Read more about potential updates to the Zoning Code in the Zoning Code Review section on page 52.

1.03 *Update setbacks and/or establish build-to lines in the Marshalltown Zoning Code to align with the recommendations in the Comprehensive Plan 2030*

Each zone district features its own setbacks for each property boundary. By reducing front yard setbacks, walkability and density can be increased. This strategy will contribute to reduced curb cuts and also prevent developers from locating parking lots between buildings and the right-of-way. In areas closest to the downtown and other vibrant neighborhood nodes (Refer to Activity Centers on page 74) throughout Marshalltown, instead of a setback requirement, a build-to requirement will better achieve the urban design goals of the neighborhood. The Comprehensive Plan 2030 states: “Depending on the location, setbacks or build-to lines can be an important tool in creating a more traditional or compact mixed-use design. Allowing setbacks to be tighter with buildings up to the sidewalk will reinforce the pedestrian scale of downtown design” (2-16). The presence of dense, walkable, vibrant, and attractive neighborhoods have the potential to encourage new development and redevelopment. Refer to the table of existing zone districts front setbacks.

Existing Zone Districts Front Setbacks (Recommendation 1.03)

Zone District	Zone Class	Front Setback
Agricultural Reserve	A-1	50’
Low Density Residential	R-1	50’
Low Density Residential	R-2	30’
Low Density Residential	R-2A	30’
Medium Density Residential	R-3	30’
Medium Density Residential	R-4	30’
High Density Residential	R-5	20’
Traditional Neighborhood	TN	none
Neighborhood Commercial	NC	20’
Community Commercial	CC	20’
Office Park	OP	20’
General Commercial	GC	20’
Regional Commercial	RC	30’
Central Business District	CBD	none

Note: Not all zone districts are displayed in this table

Work with the Marshalltown Planning Commission to reduce and/or eliminate the building setbacks in the following zone districts:

- Medium Density Residential (R-3)
- Medium Density Residential (R-4)
- High Density Residential (R-5)
- Neighborhood Commercial (NC)

Read more about potential updates to the Zoning Code in the Zoning Code Review section on page 52.

1.04 *Rezone areas along the Highway 14 corridor as Traditional Neighborhood Zone District (TN)*

The City has the opportunity to transition portions of the Highway 14 corridor and future abandoned hospital campus to TN Traditional Zoning Neighborhood. The City of Marshalltown Zone District “...is intended to provide for compact, pedestrian-oriented mixed-use areas of limited size, with a variety of residential, office and service uses that primarily serve neighborhood needs. It is also intended to serve as a transitional use of land between commercial or industrial districts and residential districts or other less intensive land uses.” Permitted uses include a wide range of possibilities including: commercial areas, single-family detached and attached dwellings, two-family dwellings, multi-family dwellings, churches, parks and playgrounds, civic buildings, among other land uses.

When communicating the effort to rezone portions of the Highway 14 corridor, it is important to highlight the benefits provided on 13th Street where this zone district has been successful.

1.05 *Update Chapter 7 of the Zoning Code to reduce parking requirements and/or introduce a parking overlay district*

The City of Marshalltown can better support attractive, walkable developments by addressing the current Zoning Code policies.

The following are some ideas to refresh parking requirements:

1. In walkable districts such as downtown, the community and built environment is better served if parking is treated like a utility and not an on-site private requirement. This strategy can be achieved via private joint parking facilities or through public facilities funded through capital fees, property taxes or a fee-in-lieu system.
2. Allowing and supporting private shared parking agreements.
3. Continue to provide time-limited downtown parking and allow these spaces to count toward the parking requirements, even if located on the street.
4. A future Marshalltown Multi-modal Transportation Plan (see recommendation 5.03) can help the city determine flexible requirements for parking maximums based on a mode split that considers proximity to transit, walkability, and bicycle facilities in addition to the personal vehicle.
5. Curb cuts providing access to surface parking lots can be addressed in Chapter 7 of the Zoning Code by requiring shared curb cuts, minimum distances between curb cuts, or offering incentives for rear-loaded and behind-the-building parking.
6. The parking requirements should address minimum accommodations for bicycle parking and motorcycle parking.

In order for this recommendation to serve the community and attract new development, the changes to Chapter 7 must be prioritized during permit reviews and enforced on existing properties.

Read more about potential updates to the Zoning Code in the Zoning Code Review section on page 52.

1.06 *Prioritize rear-loaded garages in areas where existing access ways are provided.*

When alleys are present, and it is possible, Marshalltown should discourage the new development of single-family homes with a street-loaded garage within the potential Activity Center areas.

Street-loaded garages contribute to curb cuts along the street, which are not compatible with safe pedestrian sidewalks or vehicular safety. A neighborhood is more walkable without these frequent vehicular conflicts.

This recommendation is contingent on city-provided alley maintenance and snow plowing in areas where rear-loaded garages are most appropriate, such as the potential Activity Centers on page 74.

1.07 *Adopt Architectural and Design Guidelines and/or Form-based Codes*

The quality of new development in Marshalltown can be defined through the introduction of architectural and design guidelines. This concept is supported by the Comprehensive Plan 2030.

By articulating and illustrating architectural and design standards, some developers may feel more security that surrounding developments will be held to a high standard by the City of Marshalltown.

Developing and executing design standards would be a large undertaking at the city-scale. Marshalltown may consider prioritizing areas in the city to undertake a design guidelines effort, such as the proposed Activity Centers.

Read more about the benefits of guidelines in the Zoning Code Review section on page 52.

1.08 *Formalize the value of public art in the zoning code*

Demands on staff time with this initiative can be reduced if the Marshalltown Public Art Commission is responsible for assisting with submission requirements and acting as an advocate for artists within the city approvals process.

Prioritize a concentration of public art within potential Activity Centers so the works can be appreciated by pedestrians in a walkable environment.

Read more about potential updates to the Zoning Code in the Zoning Code Review section on page 52.

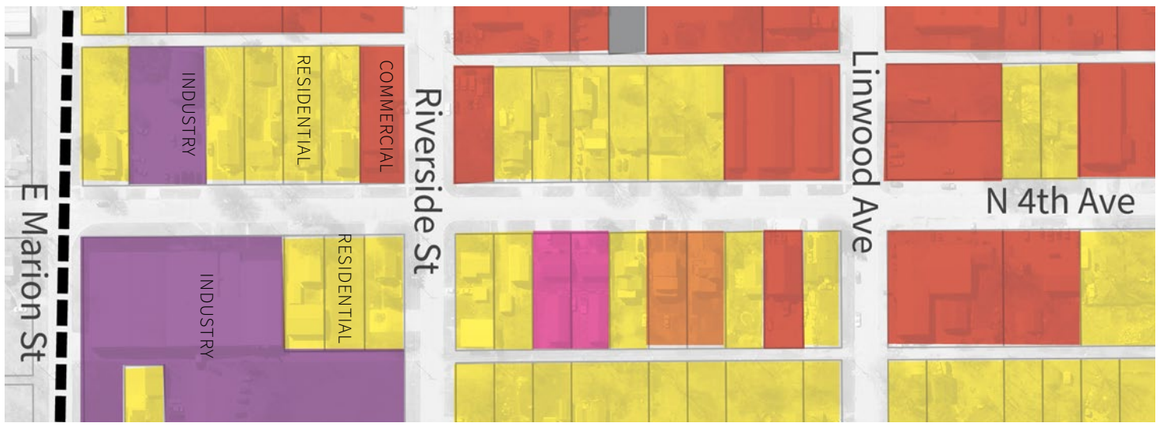
1.09 *Develop an adjacent land use and/or zone district matrix to summarize compatible versus incompatible land uses. Reduce buffering requirements between similar uses.*

The zoning code mentions that a buffer can be utilized to “protect or partially obstruct the view” between two adjacent incompatible uses. However, inherently incompatible uses are not defined in the code such as heavy industry and low density residential. A more efficient use of land would group the land uses such as heavy industry together in established areas and avoid the conflicts and thus avoid and reduce the amount of land dedicated to buffering.

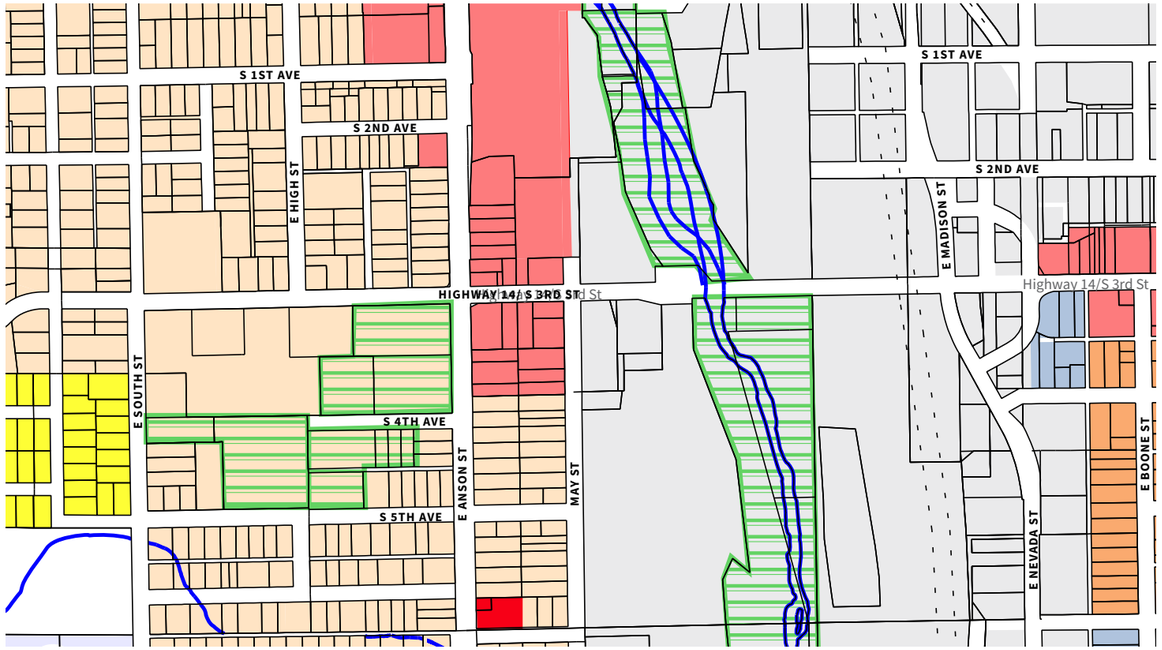
By introducing zones throughout the city for dedicated land uses that pose the most incompatibility, the conflict between land uses is reduced significantly. Land currently dedicated to buffering could instead be used for additional density with compatible uses or programmed open space. Existing residential areas would benefit from more residential or residential-scale commercial and mixed-use instead of being interrupted by incompatible uses such as heavy commercial or heavy industry.

In the provided example of incompatible land uses, industry and residential are integrated together somewhat randomly within the block structure, as is commercial land use. Although some permissive uses may be compatible, the existing zoning code does not articulate which permissive uses may be permitted when light industry is zoned adjacent to residential. Similarly, a commercial use may or may not be serving a community need within the context of residential land use. By articulating compatible commercial uses when adjacent to residential, Marshalltown will further ensure that appealing communities are built in all neighborhoods.

Example of existing Incompatible Land Uses along the corridor (Recommendation 1.09 describes how to improve land use compatibility)



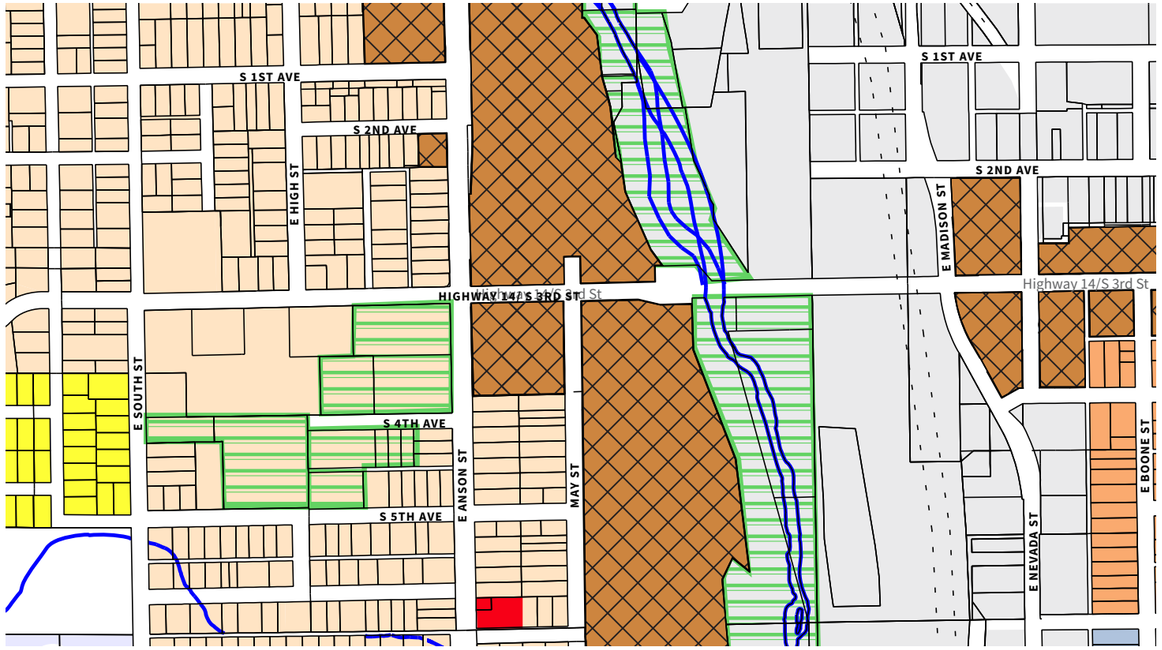
EXISTING ZONING



ZONING LEGEND AND PERMISSIBLE USES

- Low Density Residential (R-2a)
  - Single-family dwellings
- Medium Density Residential (R-3)
  - Single-family dwellings
  - Multi-family dwellings
- High Density Residential (R-5)
  - Single-family dwellings
  - Multi-family dwellings
- Community Commercial (CC)
  - Theaters
  - Banks
  - Real Estate Offices
  - Car Rental and Leasing
  - Veterinary Services
- Light Industry (M-1)
  - Utility uses
  - Various contracting
  - Various wholesalers
- Heavy Industry (M-2)
  - Utility uses
  - Various contracting
  - Various manufacturing
  - Various wholesalers
  - Building material storage
- Parks and Open Spaces

POTENTIAL ZONING

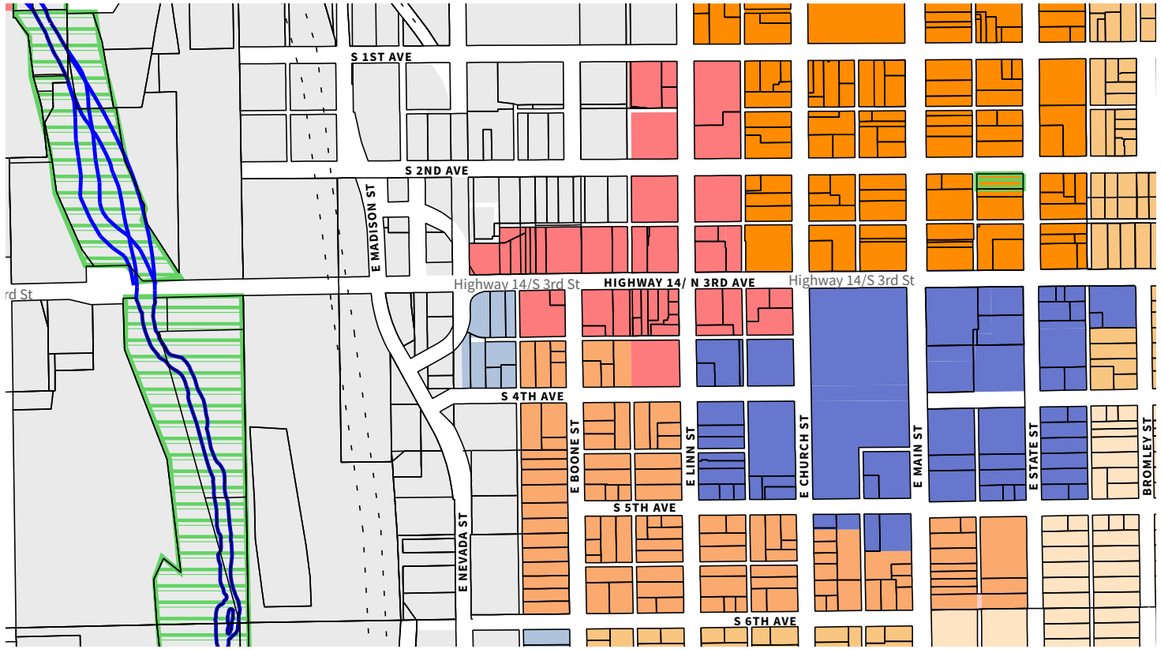


ZONING LEGEND AND PERMISSIBLE USES

- Low Density Residential (R-2a)
  - Single-family dwellings
- Medium Density Residential (R-3)
  - Single-family dwellings
  - Multi-family dwellings
- High Density Residential (R-5)
  - Single-family dwellings
  - Multi-family dwellings
- Community Commercial (CC)
  - Theaters
  - Banks
  - Real Estate Offices
  - Car Rental and Leasing
  - Veterinary Services
- Light Industry (M-1)
  - Utility uses
  - Various contracting
  - Various wholesalers
- Heavy Industry (M-2)
  - Utility uses
  - Various contracting
  - Various manufacturing
  - Various wholesalers
  - Building material storage
- Parks and Open Spaces
- Traditional Neighborhood (TN)
  - Real estate and broker offices
  - Florists
  - Child care services
  - Gift, novelty, and souvenir stores
  - Residential

Note: See the full City of Marshalltown Zoning Ordinance for a complete understanding of permissible uses.

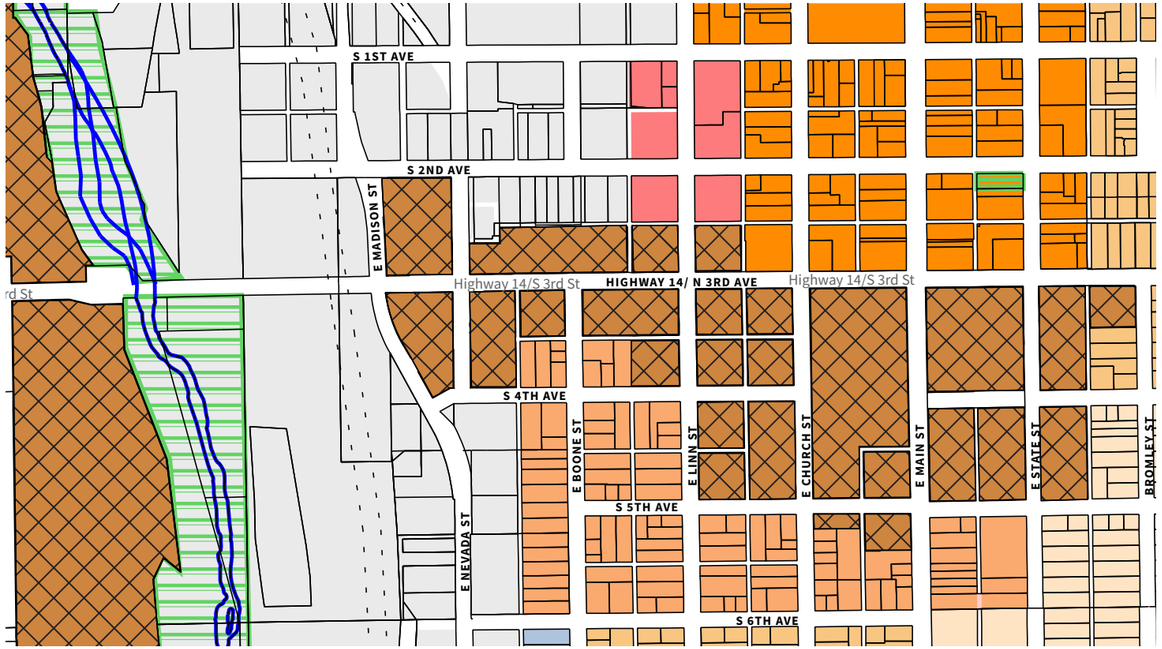
EXISTING ZONING



ZONING LEGEND AND PERMISSIBLE USES

- Medium Density Residential (R-3)
  - Single-family/ Multi-family dwellings
- Medium Density Residential (R-4)
  - Single-family/ Multi-family dwellings
- High Density Residential (R-5)
  - Single-family/ Multi-family dwellings
- Community Commercial (CC)
  - Theaters, banks, offices
  - Car Rental and Leasing
  - Veterinary Services
- Office Park (OP)
  - Offices, various
  - Colleges, universities, and professional schools
  - Religious organizations
  - Parking lots and garages
- Light Industry (M-1)
  - Utility uses
  - Various contracting
  - Various wholesalers
- Heavy Industry (M-2)
  - Utility uses
  - Various contracting
  - Various manufacturing
  - Various wholesalers
  - Building material storage
- Parks and Open Spaces
- Central Business District (CBD)
  - Software publishers
  - College, university, professional schools
  - Beer, wine, and liquor stores
  - Gift, novelty, and souvenir stores
  - Residential

POTENTIAL ZONING



ZONING LEGEND AND PERMISSIBLE USES

- Medium Density Residential (R-3)
  - Single-family/ Multi-family dwellings
- Medium Density Residential (R-4)
  - Single-family/ Multi-family dwellings
- High Density Residential (R-5)
  - Single-family/ Multi-family dwellings
- Community Commercial (CC)
  - Theaters, banks, offices
  - Car Rental and Leasing
  - Veterinary Services
- Traditional Neighborhood (TN)
  - Real estate and broker offices
  - Florists
  - Child care services
  - Gift, novelty, and souvenir stores
  - Residential
- Light Industry (M-1)
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  - Various wholesalers
- Heavy Industry (M-2)
  - Utility uses
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Note: See the full City of Marshalltown Zoning Ordinance for a complete understanding of permissible uses.

EXISTING ZONING

ZONING LEGEND AND PERMISSIBLE USES

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  - Single-family/ Multi-family dwellings
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  - Theaters, banks, offices
  - Car Rental and Leasing
  - Veterinary Services
- Office Park (OP)
  - Offices, various
  - Colleges, universities, and professional schools
  - Religious organizations
  - Parking lots and garages
- Light Industry (M-1)
  - Utility uses
  - Various contracting
  - Various wholesalers
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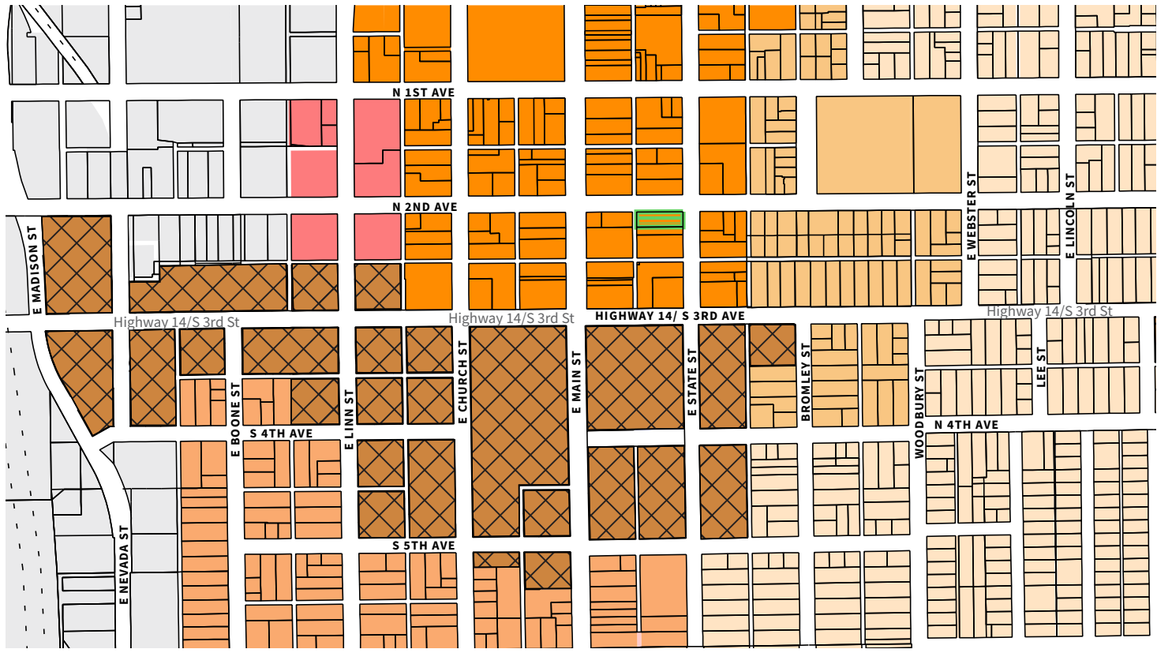

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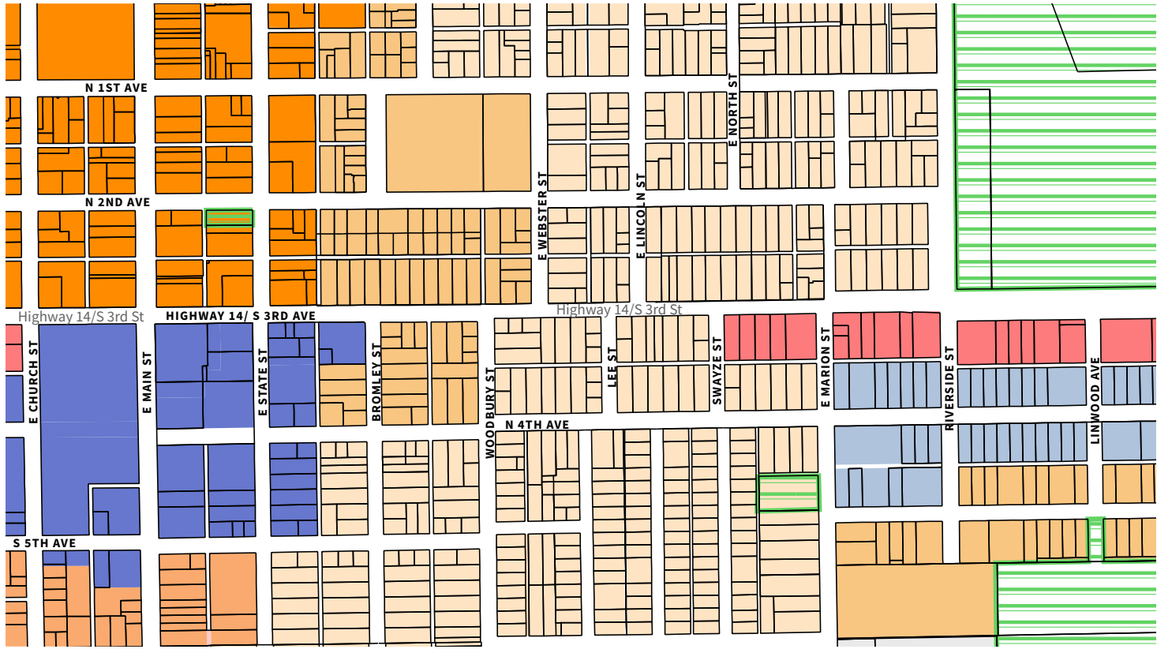

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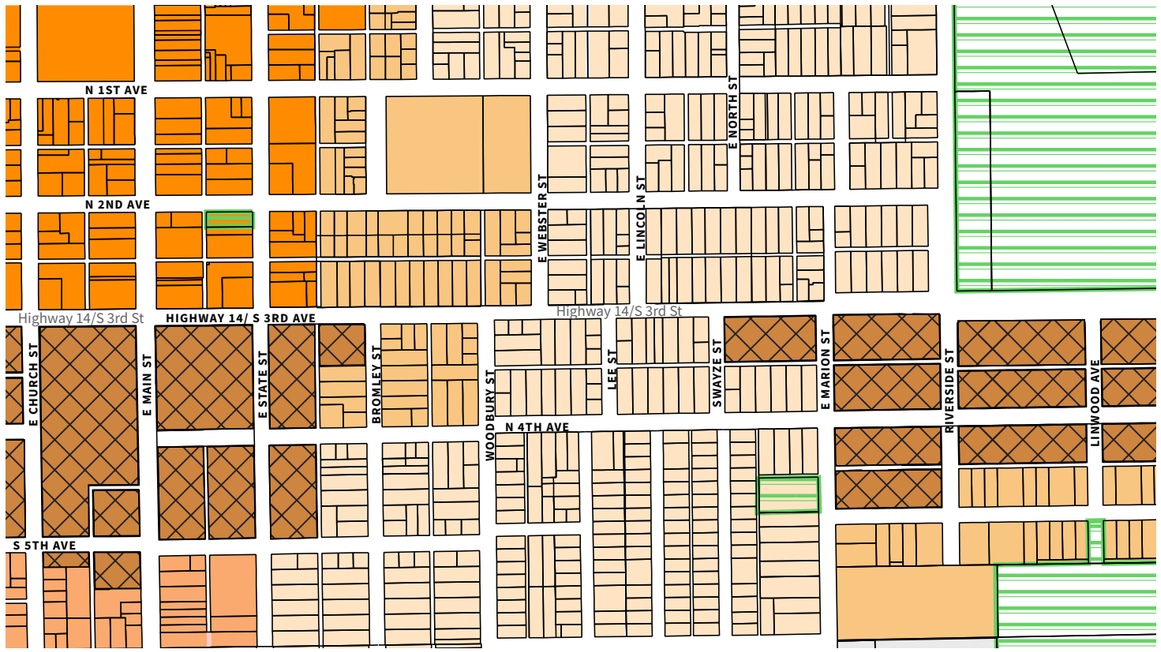

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Note: See the full City of Marshalltown Zoning Ordinance for a complete understanding of permissible uses.

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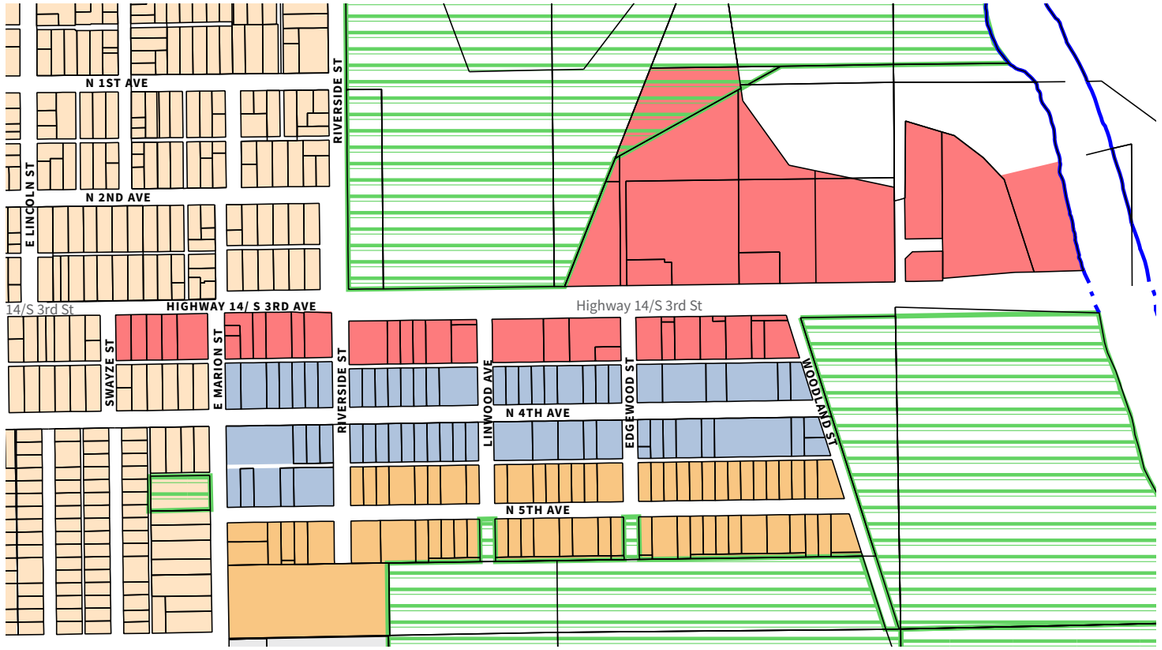

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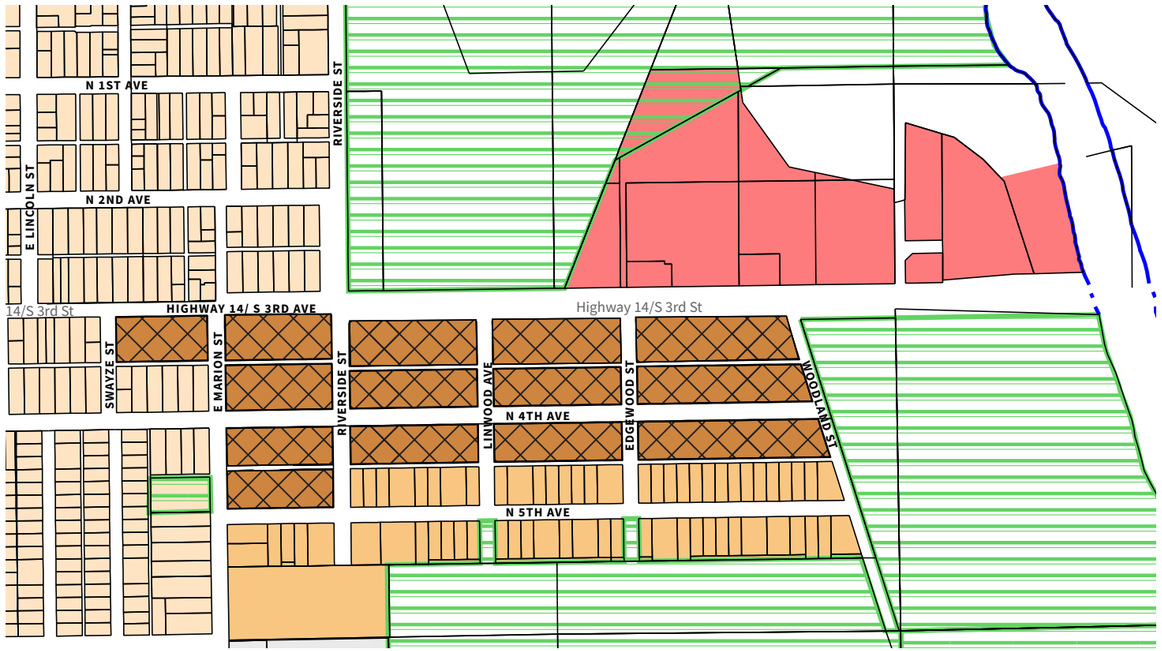

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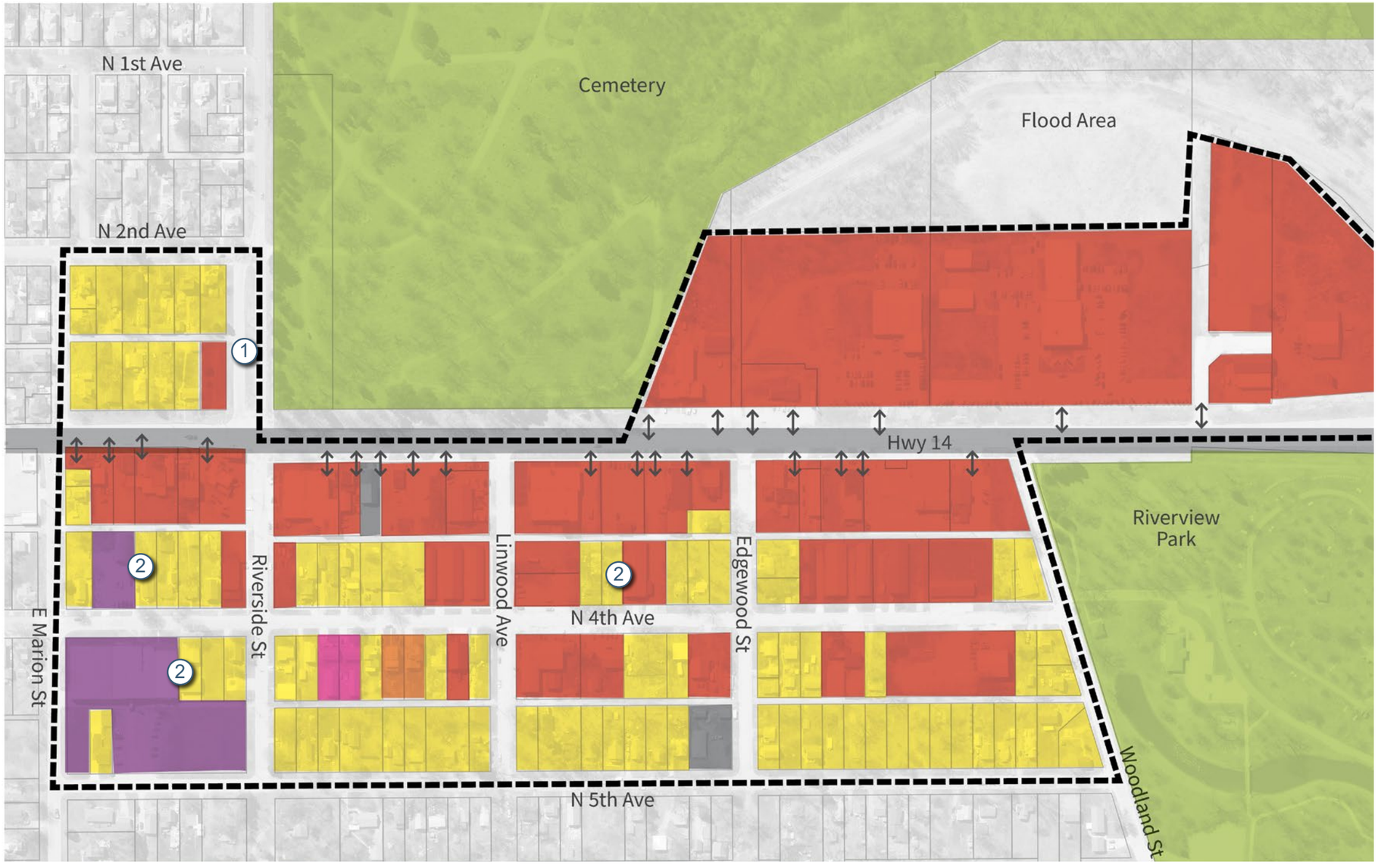
Note: See the full City of Marshalltown Zoning Ordinance for a complete understanding of permissible uses.

EXISTING LAND USE



LEGEND

- Land use: residential
- Land use: multi-family
- Land use: commercial
- Land use: mixed-use residential
- Land use: industrial
- Land use: park and open space
- Land use: exempt
- ↔ Curb cut driveway access
- (1) Unnecessary median
- (2) Incompatible land uses and inconsistent adjacencies

See page 38 for right-of-way improvements in this study area.

POTENTIAL LAND USE

LEGEND

- Land use: residential
- Land use: multi-family
- Land use: commercial
- Land use: mixed-use residential
- Land use: industrial
- Land use: park and open space
- (1) Eliminate median and add parcels
- (2) Conceptual roundabout, 150-foot diameter

0’ 100’ 200’ 400’

See page 38 for right-of-way improvements in this study area.

MARSHALLTOWN
IOWA

TO: Plan Zoning Commission

FROM: Michelle Spohnheimer, Housing & Community Development Director

DATE: August 16, 2018 – Meeting Date

Traditional Neighborhood District Ordinance Changes

Along with a rezoning consideration, the ordinance for the TN district will also need some modification. Rose Brown, AICP, with Bolton & Menk reviewed the ordinance test and had the following comments for us to consider.

I have the following general comments/recommendations regarding the TN Traditional Neighborhood District:

Section (2)- Permitted Uses - it's a bit unclear if a mixed commercial/residential building is permitted in the district (although my assumptions is yes).

- #4 states that a multi-family unit can't be on the ground floor of a permitted commercial use; later the bulk requirements seem to conflict in sub-notes (a) and (c), as it looks like (a) applies to the entire table, but later (c) seems to allow it. (It could also be the formatting of the table.)

Section 3 (2)– General Provisions - limits the width of a commercial building to 40', but also says larger commercial buildings should be divided into smaller increments of 20'-40' in width, implying that you can have a wider building.

- If it is the intention to limit the overall width to 40', the section should eliminate the 'exception', unless it is codified as an actual exception to the regulation.
- Enforcing the maximum 40' width of structure will discourage any multi-tenant commercial buildings that could help to provide an 'edge' in the corridor, and also potentially reduce parking efficiencies.
- A maximum length could be prescribed to ensure that neighborhood is still walkable.

Section 3 (4)- General Provisions - allows paving over the City owned right-of-way in front of commercial uses with Public Works approval.

- This may encourage parking in the front, especially given that the minimum rear setback for a commercial structure is 0'.
- The allowance contradicts Section 5 (2) – that requires parking to be located in the rear of a commercial structure, or the side if on a corner lot.

Section 6 (3) – Design Guidelines – One story commercial buildings should be constructed to appear taller than one story.

- A specific minimum height should be prescribed
- Is this intended to screen roof-top mechanicals?

Section 6 (4) – Design Guidelines – glazing requirement on the ground floor for non-residential building

- Should also include mixed commercial/residential buildings with upper story units

Related specifically to the Corridor Plan:

Is it desired by the community to encourage single-family and two-family structures to front onto the Highway within the corridor area? If it is not desired, I would recommend an overlay district for a portion of the corridor that would restrict some uses allowed in the TN District?
If an overlay is considered it could also address some of the parking and/or edge/greenway objectives of the Corridor Plan.

*Given the unfortunate destruction caused by the storm, the damaged properties would be subject to the current ordinance regulations and current Nonconformities provisions, generally allowing commercial and industrial reconstruction if the damage is less than 50%, subject to the current standards in a six month timeframe. Single-family and two-family do not appear to have a damage threshold and can be reconstructed within 6 months.

This is an initial discussion of the change with the Commission and I would like to set a public hearing for the September 13th Plan Zoning Commission Meeting. If you have specific recommendation, suggestions, concerns, comments etc. please forward those to me by the end of August so that we can incorporate items into a draft ordinance for consideration on the 13th.

Recommendation: Request a motion to set a public hearing for September 13, 2018.

CHAPTER 19
TN TRADITIONAL NEIGHBORHOOD DISTRICT

Section 1: Purpose.
The regulations set forth in this Chapter, or set forth elsewhere in this Ordinance when referred to in this Chapter, are the district regulations for the TN Traditional Neighborhood District.

- The Traditional Neighborhood District is intended to provide for compact, pedestrian-oriented mixed-use areas of limited size, with a variety of residential, office and service uses that primarily serve neighborhood needs. It is also intended to serve as a transitional use of land between commercial or industrial districts and residential districts or other less intensive land uses.

Section 2: Permitted uses

1. Commercial uses contained in Chapter 29 of this Ordinance.
2. Single-family detached and attached dwellings.
3. Two-family dwellings.
4. Multi-family dwellings. These units shall not be on ground/first level of any building also containing a Commercial use listed in Chapter 29 of this Ordinance.
5. Home Occupations in compliance with Ch. 4, Sec. 11 of this Ordinance.
6. Churches
7. Parks, playgrounds, and civic buildings.
8. Accessory buildings and accessory uses customarily incident to any of the above uses.

Existing Uses

Any existing use, which is conforming as of January 1, 2009, 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 special use. The zoning lot for the businesses after January 1, 2009, may expand provided that the new area is a listed conforming use for that zoning lot or to a listed special use by following the procedures in Chapter 30, Special Use Regulations.

Section 3: General Provisions.

1. Chain link fences shall not be allowed.
2. All commercial buildings should be less than forty (40) feet in width. Any commercial building over forty (40) feet in width shall be divided into smaller increments, between twenty (20) and forty (40) feet in width.
3. A minimum of one tree per lot shall be placed in the terrace pursuant to Section 27: 19-20 of the City Code of Ordinances.
4. Paving shall be allowed over the City-owned right-of-way in front of any Commercial use with Public Works approval. Any approved paving shall be brick, stone, or stamped concrete. Colored concrete shall be acceptable with staff approval.
5. All regular business must take place inside a structure. This regulation shall not apply to any establishment that employs a full-service wait staff or gas station pumps.
6. Multiple buildings shall be allowed on one zoning lot, with the exception of single-family detached housing.

Section 4: Bulk Requirements.
The following requirements shall be observed:

Use [a]	Front Yard Setback (min/max)	Rear Yard Setback minimum	Side Yard Setbacks (minimum/ combined)	Minimum lot area required/ unit	Maximum Height	Minimum Lot Width
Single-Family Detached	15/25 feet	15 feet	6/12	3,500 sq. feet	35 feet	35 feet
Single-Family Attached	10/25 feet	15 feet	6/12 [b]	2,000 sq. feet	35 feet	25 feet
Multi-Family	0/25 feet	10 feet	None [d]	1,700 sq. feet	45 feet	25 feet
Commercial [c]	0/15 feet	0	None [d]	800 sq. feet	45 feet	25 feet

[a] Does not include residential units above a commercial space.
[b] None if shared walls
[c] Including residential uses above commercial space.
[d] 6 feet minimum per side when adjacent to a residential dwelling.

Section 5: Parking Requirements.

1. Whenever structures are erected or structurally altered, parking spaces shall be provided on the same lot as the building in accordance with Chapter 7 of this Ordinance.
2. Parking lots shall be located in the rear of all commercial uses or on the side if on a corner.
3. Parking areas shall be designed to minimize headlights shining into residential properties.
4. The maximum amount of surface parking shall not exceed the specified minimum by more than then (10) percent or two spaces, whichever is greater. If additional parking is desired, it must be placed underground, within an enclosed building, or in a tuck-under garage.

Section 6: Design Guidelines.

1. All attached or detached garages shall be placed towards the rear of a building except on a corner, where the side may also be allowed. These can be accessed via privately controlled lanes and alleyways.
2. The front façade of any commercial or multi-family building shall be at least fifty (50) percent brick or masonry stone.
3. One story commercial buildings shall be constructed to appear of greater height in relation to the street. This can be achieved through the use of pitched roofs with dormers or gables facing the street, a higher parapet, and/or the use of an intermediate cornice line to separate the ground floor and the upper level.
4. The length of any new non-residential building shall be comprised of at least fifty (50) percent windows and doors at the ground level.

MARSHALLTOWN
IOWA

TO: Plan Zoning Commission

FROM: Michelle Spohnheimer, Housing & Community Development Director

DATE: August 16, 2018 – Meeting Date

Non-Conforming Lots, Uses and Structures Ordinance Changes

Because of the July 19th Tornado we have had to really dive into our non-conforming chapter and we found that it is in need of a make-over. We will be working with Lynch Dallas to draft a new ordinance for adoption.

This is an initial discussion of the change with the Commission and I would like to set a public hearing for the September 13th Plan Zoning Commission Meeting. If you have specific recommendation, suggestions, concerns, comments etc. please forward those to me by the end of August so that we can incorporate items into a draft ordinance for consideration on the 13th.

Recommendation: Request a motion to set a public hearing for September 13, 2018.

CHAPTER 37
NON-CONFORMING LOTS, USES AND STRUCTURES

Section 1. Non-conforming Lots

1. Definition: A nonconforming lot is one which met applicable zoning ordinance standards as to size, width, depth and other dimensional regulations at the date on which it was created but which, due to the passage of a zoning ordinance, the amendment thereof or the annexation of property to the city, no longer conforms to the current provisions of the zoning ordinance.

2. Combination: If, since the date on which it became nonconforming due to its failure to meet minimum lot size or width criteria, an undeveloped nonconforming lot has been in the same ownership as a contiguous lot or lots, the nonconforming lot is to be and shall be deemed to have been combined with such contiguous lot or lots to the extent necessary to create a conforming lot.

Section 2. Nonconforming Uses of Land.

The nonconforming use of land (where no principal building is involved) existing on the effective date of this Ordinance may be continued for a period of not more than five (5) years thereafter, provided that no such nonconforming use of land shall in any way be expanded or extended either in the same or adjoining property. If such nonconforming use of land or any portion thereof is discontinued or changed, any future use of such land shall be in conformity with the provisions of this Ordinance.

Section 3. Nonconforming Uses of Structures.

1. Continuation: The lawful use of a building, or building and premises in combination, existing at the effective date of this Ordinance may be continued although such use does not conform to the provisions thereof. The nonconforming use of a building may be extended throughout those parts of a building which were designed for such use on the effective date of this Ordinance.

2. Nonconforming Use Created by Changes in Ordinance: Whenever the use of a building becomes a nonconforming use through a change in the Zoning Ordinance or district boundaries, such use may be continued as provided in the preceding paragraph.

3. Discontinuance of Nonconforming Building and Uses: Any building or portion thereof used in whole or in part for nonconforming uses, which hereafter becomes and remains vacant for a continuous period of six (6) months shall not again be used except in conformity with the regulations of the district in which such building or land is situated.

4. Damaged Nonconforming Buildings:

a) Commercial and Industrial Buildings: Any commercial or industrial building, or portion thereof, used in whole or in part for nonconforming uses which has been damaged by fire, explosions, act of God, or a public enemy to the extent of more than fifty (50) per-cent of the fair market value of the building immediately prior to damage, shall not be restored except in conformity with the regulations in this Ordinance. If a building is damaged by less than fifty (50) percent of the fair market value, it may be repaired or reconstructed and used as before the time of damage, provided that a permit for such repairs or reconstruction is issued within six (6) months of the date of such damage.

b) Single-family detached and two-family dwellings existing prior to the passage of this Ordinance shall be defined as legal conforming uses in any commercial or industrial district. Such buildings or structures damaged or destroyed by fire, explosions, act of God, or a public enemy, may be reestablished or rebuilt to the condition or configuration of the building or structure that existed immediately prior to the event, provided the work shall be consistent with applicable codes at the time of new construction. Such buildings or structures must obtain an approved building permit within six (6) months of the catastrophe or the property shall be considered non-conforming and must conform to all applicable zoning regulations.

5. Single-family and duplex units: Non-conforming single-family detached and two-family dwellings units in residential districts shall abide by regulations set forth in their respective District Regulations.