



AGENDA
REGULAR MEETING OF THE
WINDSOR HEIGHTS CITY COUNCIL
Monday, November 6, 2023 - 6:00 PM
WINDSOR HEIGHTS COUNCIL CHAMBERS - 1133 66th St or VIA
ZOOM by registering in advance for this meeting:
<https://us02web.zoom.us/j/7832856334>
After registering, you will receive a confirmation email containing information about joining the meeting.

Notice to the Public: If you would like the supporting documents and information, please call City Hall by noon the day of the meeting. Copies of City Council Agendas are free to the public. In consideration of all, if you have a cell phone, please turn it off or put it on silent ring. The use of obscene and vulgar language, hate speech, racial slurs, slanderous comments, and any other disruptive behavior during the Council meeting will not be tolerated and the offender may be barred by the presiding officer from further comment before the Council during the meeting and/or removed from the meeting.

1. **Call to Order/Roll Call/Pledge of Allegiance**
2. **Approval of the Agenda**
3. **Public Hearing:**
 - A. Public Hearing on Proposed Contract Documents and Estimated Costs for Repair or Improvement of Colby Park
 - B. Consideration of Proposed Contract Documents and Estimated Costs for Repair or Improvement of Colby Park
 - C. Public Hearing on Ordinance No. 23-06 - An Ordinance Amending Chapters 165 through 177 of the Code of Ordinances for the City of Windsor Heights Related to Zoning
4. **Public Forum:** This is time set aside for comments from the public on topics of City business other than those listed on the agenda. No action may be taken. Please come to the podium, state your name and address for the record and keep your comments to no more than 5 minutes.
5. **Consent Agenda:** Any item on the Consent Agenda may be removed for separate consideration.
 - A. Approve Minutes of the Regular Council Meeting on October 16, 2023
 - B. Approve Payment of Claims
 - C. Approve 68th Street Reconstruction Pay Request 5
 - D. Approve Gun Safety Proclamation - Talk It Up, Lock It Up, Gun Safety Saves Lives
 - E. Approve Metronet Service Agreement for Community Center
 - F. Approve Purchase of Motorola Radio Communications NTP-APX8500-APX8000 From Motorola Solutions
6. **New Business:**
 - A. Consideration of Resolution No. 2023-55 - A Resolution Waiving Fees for Grace Church

The agenda was posted on the official bulletin boards, posted to www.windsorheights.org, and city social media platforms in compliance with the requirements of city ordinances and the open meetings law.

Des Moines on January 12, 2024

- B. Consideration of Resolution No. 2023-56 - A Resolution Waiving fees for the Community Center for the American Heart Association on November 16th, 2023
- C. Consideration of Resolution No. 2023-54 - A Resolution on National Apprenticeship Week
- D. Consideration of Iowa Department of Transportation Funding Agreement
- E. Consideration of the First Reading of Ordinance No. 23-09 - An Ordinance Adding Section 60.08.08 (Pedestrian Safety, Use of Medians)
- F. Consideration of the Second Reading of Ordinance No. 23-08 - An Ordinance Amending Section 1.12 (Warrants) Regarding Administrative Search Warrants
- G. Consideration of the Third Reading of Ordinance No. 23-07 - An Ordinance Amending Chapter 180.06 of the Code of Ordinances for the City of Windsor Heights Related to Conditional Use Permit Standards for Approval; and to Adopt and Publish.

7. **Reports:**

- A. Mayor, Council Reports and Committee Updates, and Administration Reports
- B. Code Enforcement Report

8. **Adjourn**

The agenda was posted on the official bulletin boards, posted to www.windsorheights.org, and city social media platforms in compliance with the requirements of city ordinances and the open meetings law.



Real People. Real Solutions.

430 E Grand Avenue
Suite 101
Des Moines, IA 50309

Ph: (515) 259-9190
Fax: (515) 233-4430
Bolton-Menk.com

11/02/2023

City of Windsor Heights
1145 66th Street Suite 1
Windsor Heights, Iowa 50324

RE: Colby Park Improvements
Recommendation of Award
Project No.: OT6.128908

Dear Adam Plagge:

At 10:00 A.M on October 31, 2023, bids were received for the Colby Park Improvements project. The Engineer's Estimate for the total base was \$2,854,551.00 and the estimate for the total base bid plus Alternates A, B, C, D, & E was \$3,085,816.00. Five bids were received. All bidders were responsive, and bids are summarized as follows:

Bidder	Total Base Bid	Total Base Bid + Alternates
Caliber Concrete, LLC	\$2,606,153.56	\$2,852,637.72
Concrete Connection, LLC	\$2,865,630.00	\$3,041,050.00
Concrete Professionals	\$2,771,778.80	\$3,054,934.55
Core Construction Services, LLC	\$2,823,802.41	\$3,058,607.06
Lansink Construction Inc.	\$3,057,015.66	\$3,459,768.06

The base bid received from Caliber Concrete, LLC was 8.70% below the engineers' estimate and the total base bid plus alternates was 8.06% below the engineers' estimate for the project, and was determined to be the lowest responsive, responsible bidder. Bolton & Menk, Inc. has reviewed the bid documents submitted and checked references on this bidder and was satisfied with the responses given.

Therefore, Bolton & Menk, Inc. recommends award of the Colby Park Improvements project to Caliber Concrete, LLC for the total base bid amount of \$2,606,153.56 (Two Million, Six Hundred-Six Thousand, One Hundred Fifty-Three Dollars and Fifty-Six Cents) and total base bid plus alternates amount of \$2,852,637.72 (Two Million, Eight Hundred Fifty-Two Thousand, Six-Hundred Thirty-Seven Dollars and Seventy-Two Cents).

The bid tabulation is attached for your use.

Feel free to contact me should there be any questions related to this project.

Sincerely,

Justin Ernst
Project Manager
BOLTON & MENK, INC.
cc: File w/attachment

H:\WINDSORH_CI_IA\OT6128908\6_Plans-Specs\C_Bids Received\Colby Park_LOR.docx

TABULATION OF BIDS

Colby Park Improvements
City of Windsor Heights
BMI Project No.: 0T6.128908



430 E Grand Avenue
Suite 101
Des Moines, IA 50309
(515) 259-9190

10/31/2023 @ 10:00 AM

				Engineer's Estimate Bolton & Menk, Inc.		Calibur Concrete, LLC Adair, IA		Concrete Connection, LLC Johnston, IA		Berkley Homebuilders, Inc. dba Concrete Professionals Altoona, IA		Core Construction Services, LLC Des Moines, IA		Lansink Construction Inc. Johnston, IA	
Item No.	Description	Unit	Quantity	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	CLEARING AND GRUBBING	LS	1	\$20,000.00	\$20,000.00	\$30,850.00	\$30,850.00	\$15,000.00	\$15,000.00	\$9,075.00	\$9,075.00	\$16,679.44	\$16,679.44	\$8,250.00	\$8,250.00
2	TOPSOIL, COMPOST AMENDED	CY	500	\$70.00	\$35,000.00	\$85.00	\$42,500.00	\$100.00	\$50,000.00	\$132.00	\$66,000.00	\$95.63	\$47,815.00	\$86.00	\$43,000.00
3	EXCAVATION, CLASS 10	CY	2,500	\$30.00	\$75,000.00	\$12.00	\$30,000.00	\$25.00	\$62,500.00	\$22.30	\$55,600.00	\$22.24	\$55,600.00	\$20.00	\$50,000.00
4	SUBBASE, MODIFIED, BERM	TON	255	\$45.00	\$11,475.00	\$42.50	\$10,837.50	\$50.00	\$12,750.00	\$38.70	\$9,868.50	\$44.48	\$11,342.40	\$40.00	\$10,200.00
5	LINEAR TRENCH DRAIN, 8 INCH	LF	75	\$200.00	\$15,000.00	\$150.00	\$11,250.00	\$190.00	\$14,250.00	\$194.00	\$14,550.00	\$194.59	\$14,594.25	\$165.00	\$12,375.00
6	SUBDRAIN, SOLID WALL PVC, 4 INCH	LF	50	\$25.00	\$1,250.00	\$32.00	\$1,600.00	\$50.00	\$2,500.00	\$49.00	\$2,450.00	\$38.92	\$1,946.00	\$47.00	\$2,350.00
7	BACKFLOW PREVENTER, SEWER, 4 INCH	EA	1	\$2,000.00	\$2,000.00	\$400.00	\$400.00	\$1,800.00	\$1,800.00	\$1,800.00	\$1,800.00	\$1,334.35	\$1,334.35	\$1,295.00	\$1,295.00
8	SUBDRAIN, SOLID WALL PVC, 8 INCH	LF	288	\$30.00	\$8,640.00	\$65.00	\$18,720.00	\$65.00	\$18,720.00	\$63.60	\$18,316.80	\$47.81	\$13,769.28	\$37.00	\$10,656.00
9	SUBDRAIN, HDPE, 8 INCH	LF	85	\$35.00	\$2,975.00	\$100.00	\$8,500.00	\$65.00	\$5,525.00	\$66.00	\$5,610.00	\$47.81	\$4,063.85	\$35.00	\$2,975.00
10	SUBDRAIN CLEANOUT, 8 INCH, TYPE A-1	EA	2	\$500.00	\$1,000.00	\$1,500.00	\$3,000.00	\$1,400.00	\$2,800.00	\$1,295.00	\$2,590.00	\$2,407.40	\$4,814.80	\$1,980.00	\$3,960.00
11	SUBDRAIN OUTLETS AND CONNECTIONS, 8 INCH, TYPE A-1	EA	2	\$500.00	\$1,000.00	\$500.00	\$1,000.00	\$750.00	\$1,500.00	\$750.00	\$1,500.00	\$658.28	\$1,316.56	\$380.00	\$760.00
12	WATER SERVICE	LS	1	\$4,000.00	\$4,000.00	\$8,000.00	\$8,000.00	\$7,000.00	\$7,000.00	\$6,925.00	\$6,925.00	\$3,786.23	\$3,786.23	\$4,615.00	\$4,615.00
13	WATER SERVICE, WATER FOUNTAIN	LS	1	\$4,000.00	\$4,000.00	\$8,000.00	\$8,000.00	\$13,000.00	\$13,000.00	\$12,700.00	\$12,700.00	\$4,420.05	\$4,420.05	\$6,120.00	\$6,120.00
14	VALVE, GATE, 4 INCH	EA	1	\$3,000.00	\$3,000.00	\$3,500.00	\$3,500.00	\$8,000.00	\$8,000.00	\$7,950.00	\$7,950.00	\$3,191.33	\$3,191.33	\$1,685.00	\$1,685.00
15	BACKFLOW PREVENTER	EA	1	\$2,000.00	\$2,000.00	\$20,000.00	\$20,000.00	\$16,000.00	\$16,000.00	\$15,875.00	\$15,875.00	\$33,358.87	\$33,358.87	\$14,480.00	\$14,480.00
16	METER PIT	EA	1	\$10,000.00	\$10,000.00	\$20,000.00	\$20,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$20,393.39	\$20,393.39	\$3,850.00	\$3,850.00
17	PRESSURE REDUCING VALVE	EA	1	\$8,000.00	\$8,000.00	\$12,000.00	\$12,000.00	\$16,000.00	\$16,000.00	\$15,290.00	\$15,290.00	\$3,991.95	\$3,991.95	\$13,110.00	\$13,110.00
18	FLUSHING DEVICE (BLOW OFF), 2 INCH	EA	1	\$2,500.00	\$2,500.00	\$2,000.00	\$2,000.00	2600.00	\$2,600.00	\$2,620.00	\$2,620.00	\$2,802.15	\$2,802.15	\$1,485.00	\$1,485.00
19	PREPARE EXCAVATION FOR TAPPING SLEEVE AND VALVE	EA	1	\$2,250.00	\$2,250.00	\$2,500.00	\$2,500.00	\$3,000.00	\$3,000.00	\$3,190.00	\$3,190.00	\$223.92	\$223.92	\$2,265.00	\$2,265.00
20	TAP FEE	EA	1	\$2,250.00	\$2,250.00	\$12,000.00	\$12,000.00	\$4,500.00	\$4,500.00	\$4,380.00	\$4,380.00	\$1,111.96	\$1,111.96	\$2,960.00	\$2,960.00
21	INTAKE, SW-512, 48 INCH	EA	2	\$5,000.00	\$10,000.00	\$4,500.00	\$9,000.00	\$5,500.00	\$11,000.00	\$5,280.00	\$10,560.00	\$5,348.54	\$10,697.08	\$6,070.00	\$12,140.00
22	NYLOPLAST DRAIN BASIN, 18 INCH	EA	3	\$2,500.00	\$7,500.00	\$2,700.00	\$8,100.00	\$4,000.00	\$12,000.00	\$3,850.00	\$11,550.00	\$4,664.68	\$13,994.04	\$3,340.00	\$10,020.00
23	EXTERNAL DROP CONNECTION	EA	1	\$7,000.00	\$7,000.00	\$7,000.00	\$7,000.00	\$14,000.00	\$14,000.00	\$13,925.00	\$13,925.00	\$27,799.06	\$27,799.06	\$10,535.00	\$10,535.00
24	MANHOLE ADJUSTMENT, MINOR	EA	1	\$3,000.00	\$3,000.00	\$2,500.00	\$2,500.00	\$3,500.00	\$3,500.00	\$3,685.00	\$3,685.00	\$2,779.91	\$2,779.91	\$2,410.00	\$2,410.00
25	MANHOLE ADJUSTMENT, MAJOR	EA	2	\$6,000.00	\$12,000.00	\$3,500.00	\$7,000.00	\$7,500.00	\$15,000.00	\$7,700.00	\$15,400.00	\$3,891.87	\$7,783.74	\$4,780.00	\$9,560.00
26	MANHOLE ADJUSTMENT, MAJOR, WRA	EA	1	\$7,000.00	\$7,000.00	\$5,000.00	\$5,000.00	\$8,500.00	\$8,500.00	\$8,350.00	\$8,350.00	\$5,559.81	\$5,559.81	\$6,500.00	\$6,500.00
27	REMOVE INTAKE	EA	2	\$3,000.00	\$6,000.00	\$750.00	\$1,500.00	\$1,500.00	\$3,000.00	\$1,385.00	\$2,770.00	\$1,111.96	\$2,223.92	\$410.00	\$820.00
28	PAVEMENT, PCC, 7 INCH	SY	345	\$100.00	\$34,500.00	\$97.22	\$33,540.90	\$75.00	\$25,875.00	\$125.00	\$43,125.00	\$97.75	\$33,723.75	\$85.00	\$29,325.00
29	PAVEMENT, PCC, 5 INCH, REINFORCED (SPLASHPAD)	SY	258	\$140.00	\$36,120.00	\$130.62	\$33,699.96	\$125.00	\$32,250.00	\$120.00	\$30,960.00	\$136.97	\$35,338.26	\$125.00	\$32,250.00
30	PAVEMENT, PCC, 7 INCH, INTEGRAL COLOR	SY	305	\$165.00	\$50,325.00	\$130.12	\$39,686.60	\$240.00	\$73,200.00	\$189.00	\$57,645.00	\$174.12	\$53,106.60	\$125.00	\$38,125.00
31	CURB AND GUTTER, 2 FT, 7 INCH	LF	45	\$60.00	\$2,700.00	\$51.60	\$2,322.00	\$40.00	\$1,800.00	\$65.75	\$2,958.75	\$19.47	\$876.15	\$75.00	\$3,375.00
32	REMOVAL OF SIDEWALK	SY	1,275	\$15.00	\$19,125.00	\$11.00	\$14,025.00	\$18.00	\$22,950.00	\$14.85	\$18,933.75	\$16.68	\$21,267.00	\$15.00	\$19,125.00
33	SIDEWALK, PCC, 5 INCH	SY	2,410	\$85.00	\$204,850.00	\$76.79	\$185,063.90	\$63.00	\$151,830.00	\$80.20	\$193,282.00	\$92.77	\$223,575.70	\$80.00	\$192,800.00
34	SIDEWALK, PCC, 6 INCH	SY	175	\$90.00	\$15,750.00	\$82.26	\$14,395.50	\$90.00	\$15,750.00	\$137.00	\$23,975.00	\$71.71	\$12,549.25	\$120.00	\$21,000.00
35	PAVEMENT REMOVAL	SY	895	\$15.00	\$13,425.00	\$11.00	\$9,845.00	\$18.00	\$16,110.00	\$14.85	\$13,290.75	\$16.68	\$14,928.60	\$15.00	\$13,425.00
36	SALVAGE BRICK PAVERS	SY	250	\$20.00	\$5,000.00	\$30.00	\$7,500.00	\$15.00	\$3,750.00	\$33.00	\$8,250.00	\$55.60	\$13,900.00	\$36.00	\$9,000.00
37	CURB AND GUTTER REMOVAL	LF	45	\$20.00	\$900.00	\$9.00	\$405.00	\$35.00	\$1,575.00	\$16.50	\$742.50	\$16.68	\$750.60	\$25.00	\$1,125.00
38	PCC EDGE RESTRAINT, FLUSH, 2 FEET	LF	210	\$75.00	\$15,750.00	\$2.00	\$10,920.00	\$50.00	\$10,500.00	38.00	\$7,980.00	\$20.14	\$4,229.40	75.00	\$15,750.00
39	TEMPORARY TRAFFIC CONTROL	LS	1	\$5,000.00	\$5,000.00	\$1,000.00	\$1,000.00	\$10,000.00	\$10,000.00	\$3,850.00	\$3,850.00	\$16,679.44	\$16,679.44	\$1,640.00	\$1,640.00
40	CONVENTIONAL SEEDING, SEEDING, FERTILIZING, AND MULCHING (LOW GROW FESCUE)	AC	1	\$6,000.00	\$6,000.00	\$15,000.00	\$15,000.00	\$18,000.00	\$18,000.00	\$8,250.00	\$8,250.00	\$16,679.44	\$16,679.44	\$6,940.00	\$6,940.00
41	SOD	SQ	250	\$100.00	\$25,000.00	\$100.00	\$25,000.00	\$75.00	\$18,750.00	\$99.00	\$24,750.00	\$75.06	\$18,765.00	\$65.00	\$16,250.00
42	DECIDUOUS SHRUBS	EA	195	\$75.00	\$14,625.00	\$77.50	\$15,112.50	\$85.00	\$16,575.00	\$82.50	\$16,087.50	\$86.18	\$16,805.10	\$52.50	\$10,237.50
43	ORNAMENTAL TREE	EA	18	\$450.00	\$8,100.00	\$346.50	\$6,237.00	\$550.00	\$9,900.00	\$525.00	\$9,450.00	\$385.30	\$6,935.40	\$219.00	\$3,942.00
44	PERENNIAL GROUND COVER (1 GAL)	EA	897	\$28.00	\$25,116.00	\$36.00	\$32,292.00	\$30.00	\$26,910.00	\$27.50	\$24,667.50	\$40.03	\$35,906.91	\$24.50	\$21,976.50
45	DECIDUOUS TREE	EA	19	\$650.00	\$12,350.00	\$517.50	\$9,832.50	\$600.00	\$11,400.00	\$550.00	\$10,450.00	\$575.44	\$10,933.36	\$304.00	\$5,776.00
46	EVERGREEN TREE	EA	7	\$800.00	\$5,600.00	\$440.50	\$3,083.50	\$600.00	\$4,200.00	\$550.00	\$3,850.00	\$489.82	\$3,428.74	\$278.00	\$1,946.00
47	SWPPP PREPARATION	LS	1	\$5,000.00	\$5,000.00	\$1,500.00	\$1,500.00	\$2,500.00	\$2,500.00	\$1,650.00	\$1,650.00	\$1,667.94	\$1,667.94	\$1,500.00	\$1,500.00
48	SWPPP MANAGEMENT	LS	1	\$5,000.00	\$5,000.00	\$7,800.00	\$7,800.00	\$5,000.00	\$5,000.00	\$3,630.00	\$3,630.00	\$8,673.31	\$8,673.31	\$3,300.00	\$3,300.00
49	FILTER SOCK, 8", INSTALL, MAINTAIN, AND REMOVE	LF	5,000	\$3.00	\$15,000.00	\$3.25	\$16,250.00	\$3.00	\$15,000.00	\$2.50	\$12,500.00	\$3.61	\$18,050.00	\$2.25	\$11,250.00
50	HANDRAIL, PAINTED														

B1	SPLASH PAD OVERHEAD STRUCTURES	EA	3	\$45,000.00	\$135,000.00	\$39,424.00	\$118,272.00	\$30,000.00	\$90,000.00	\$33,990.00	\$101,970.00	\$29,007.00	\$87,021.00	\$30,840.00	\$92,520.00
TOTAL ALTERNATE B					\$135,000.00		\$118,272.00		\$90,000.00		\$101,970.00		\$87,021.00		\$92,520.00
ALTERNATE C															
C1	CAST STONE CUSTOM WALLS (LEAF SEAT WALLS)	CF	599	\$60.00	\$35,940.00	\$78.50	\$47,021.50	20.00	\$11,980.00	\$103.00	\$61,697.00	88.86	\$53,227.14	325.00	\$194,675.00
TOTAL ALTERNATE C					\$35,940.00		\$47,021.50		\$11,980.00		\$61,697.00		\$53,227.14		\$194,675.00
ALTERNATE D															
D1	IRRIGATION MODIFY AND EXTEND	LS	1	\$18,000.00	\$18,000.00	\$51,112.00	\$51,112.00	\$45,000.00	\$45,000.00	\$75,900.00	\$75,900.00	\$65,216.60	\$65,216.60	\$68,770.00	\$68,770.00
TOTAL ALTERNATE D					\$18,000.00		\$51,112.00		\$45,000.00		\$75,900.00		\$65,216.60		\$68,770.00
ALTERNATE E															
E1	CHAIN LINK FENCE, GALVANIZED, 6'	LF	87	\$140.00	\$12,180.00	\$52.00	\$4,524.00	\$55.00	\$4,785.00	\$52.00	\$4,524.00	\$53.93	\$4,691.91	\$140.50	\$12,223.50
TOTAL ALTERNATE E					\$12,180.00		\$4,524.00		\$4,785.00		\$4,524.00		\$4,691.91		\$12,223.50
TOTAL BASE BID PLUS ALTERNATE A, B, C, D, & E					\$3,085,816.00		\$2,852,637.72		\$3,041,050.00		\$3,054,934.55		\$3,058,607.06		\$3,459,768.06

2023 Colby Park Improvements Project Schedule

September 27, 2023



Design Timeline

- ☐ **Design Package (September 29, 2023)**



Bidding Timeline

- ☐ **Bid Package to City (September 28, 2023)**
 - Signed Project Manual and Plans assembled by Bolton & Menk
 - Notice to Bidders assembled by Bolton & Menk
 - Public Hearing Notice assembled by Bolton & Menk
 - Resolution setting Public Hearing by City staff
- ☐ **Council Meeting (October 2, 2023)**
 - Set Public Hearing date and time
- ☐ **Notice to Bidders (October 3, 2023)**
 - Published at least once, not less than 13 or more than 45 days, before date for filing bids
 - *Bolton & Menk to advertise on QuestCDN, Master Builders & Iowa League of Cities*
 - *City to advertise on City website*
 - *City to advertise in local newspaper/publication (if required by City)*
- ☐ **Notice of Public Hearing (Week(s) of October 23, 2023)**
 - City to publish Notice at least once, not less than 4 or more than 20 days, prior to Public Hearing
- ☐ **Bid Opening (October 31, 2023 @ 10:00 am in the office of the City Clerk)**
- ☐ **Bid Award Recommendation to City (November 2, 2023)**
 - Bolton & Menk to provide Letter of Recommendation to City
 - Bolton & Menk to provide Bid Tabulation to City
 - Bolton & Menk to return all bids including bonds to City

- City to return the checks or bidder's bonds of unsuccessful bidders to the bidders as soon as the successful bidder is determined or within 30 days, whichever is sooner.

☐ **Council Meeting (November 6, 2023)**

- Public Hearing for project
- Council adopts resolution approving plans, specifications, proposed form of contract and estimated total cost for the project.

☐ **Contracts Executed (November 2023)**

- Bolton & Menk routes to Contractor
- Contractor signs and returns to Bolton & Menk with attachments
- Bolton & Menk to review and routes to City for signatures
- City obtains signatures and routes copies to Contractor and Bolton & Menk



Construction Timeline

- ☐ **Preconstruction Meeting (November 2023)**
- ☐ **Estimated Construction Begins (April 2024)**
- ☐ **Construction Substantially Complete (September 30, 2024)**



2023 COLBY PARK IMPROVEMENTS

PRESENTATION OF FINAL PLANS

CITY COUNCIL MEETING
OCTOBER 2, 2023



WINDSOR
HEIGHTS
the heart of it all



BOLTON
& MENK

PROJECT TEAM

CITY ADMINISTRATOR

ADAM PLAGGE

CITY MAYOR

MIKE JONES

AD HOC PARK PROJECT COMMITTEE

LAUREN CAMPBELL, CITY COUNCIL

CELESTE EGGER, RESIDENT

THREASE HARMS, CITY COUNCIL

GUNNAR OLSON, RESIDENT

GEOFF WOOD, RESIDENT

BOLTON & MENK

CASEY BYERS, PLA, ASLA

NATE WEITL, PLA, ASLA

NATALIE JENSEN, ASLA

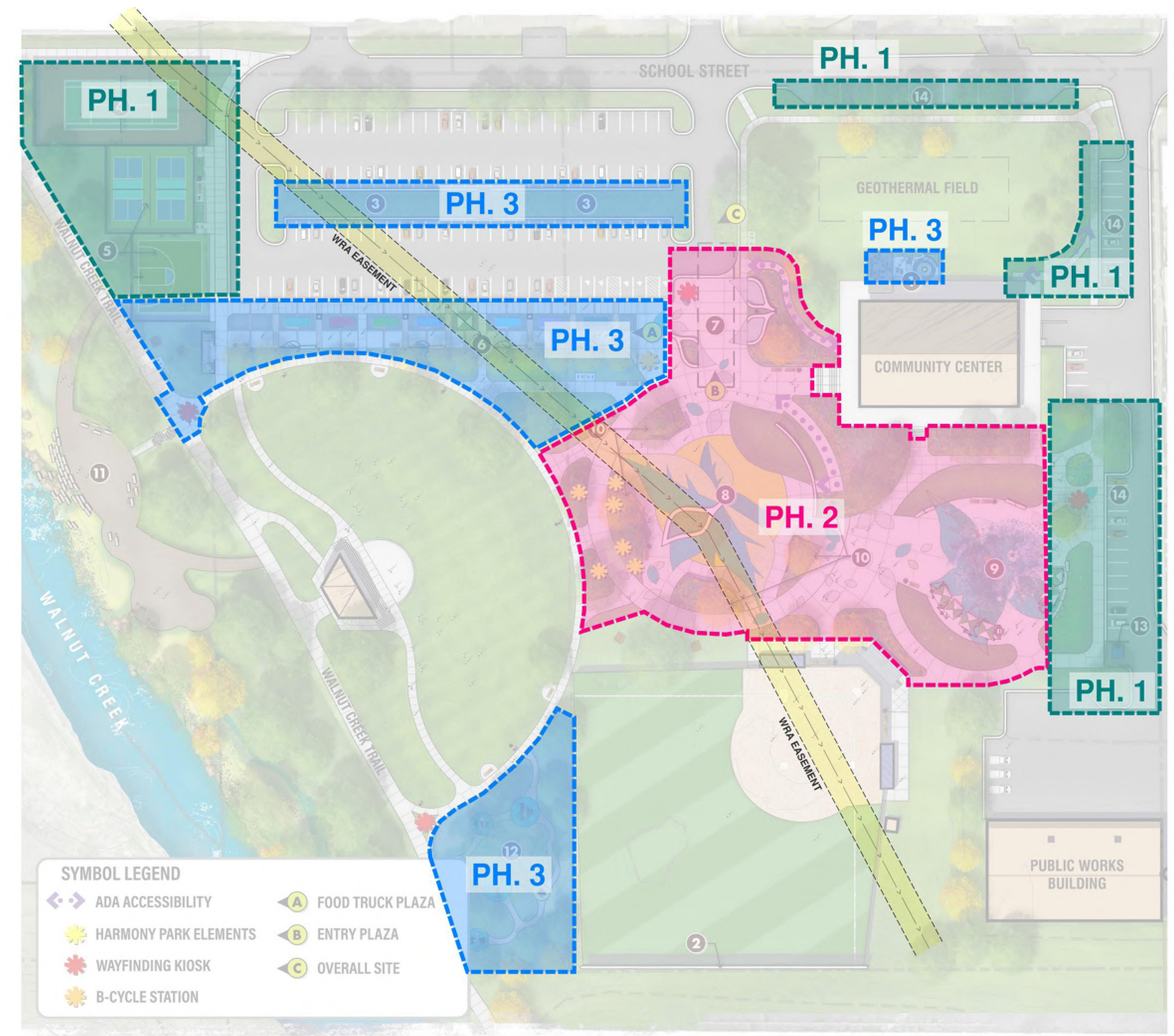
TANNER NIELSEN, EIT

CITY ENGINEER

JUSTIN ERNST, PE

OVERALL CONCEPT PLAN - PHASING DIAGRAM (JANUARY 2023)

OCTOBER 2023 | COLBY PARK



0' 40' 80'

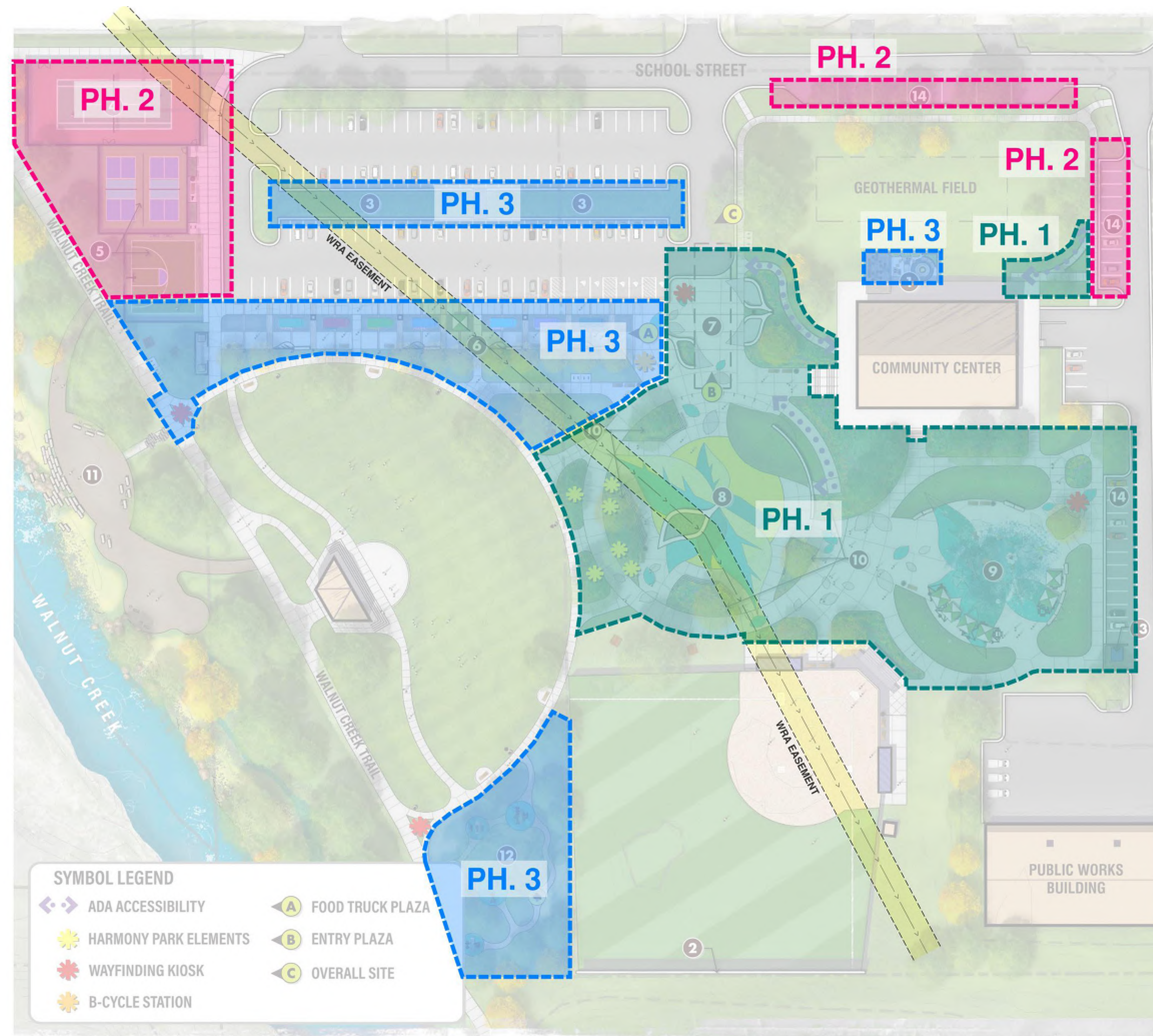


WINDSOR
HEIGHTS
the heart of it all



BOLTON
& MENK

OCTOBER 2023 | COLBY PARK



WINDSOR
HEIGHTS
the heart of it all

**BOLTON
& MENK**

OVERALL CONCEPT PLAN

OCTOBER 2023 | COLBY PARK



LEGEND

- 1 NEW PLAZA/EVENT SPACE ON NORTH SIDE OF COMMUNITY CENTER
- 2 MURAL WALL (FUTURE IMPROVEMENT)
- 3 BIOCELL IMPROVEMENTS IN PARKING LOT
- 4 TENNIS COURT AND BASKETBALL
- 5 PICKLEBALL COURTS
- 6 FOOD TRUCK PLAZA/ARRIVAL PROMENADE
- 7 REMOVE TRAFFIC CIRCLE/NEW PLAZA ENTRY
- 8 ICONIC THEMED PLAYGROUND
- 9 SPLASHPAD
- 10 RELOCATION OF "KEEP WINDSOR HEIGHTS BEAUTIFUL" GARDENS
- 11 FUTURE WATER TRAILS PLAN IMPROVEMENTS
- 12 FITNESS CIRCUIT
- 13 RELOCATED RECYCLING FACILITIES
- 14 NEW PARKING

SYMBOL LEGEND

- ADA ACCESSIBILITY
- HARMONY PARK ELEMENTS
- WAYFINDING KIOSK
- B-CYCLE STATION
- FOOD TRUCK PLAZA
- OVERALL SITE



0' 40' 80'



KEY PLAN ELEMENTS

- PLAYGROUND & SPLASHPAD
- ACCESSIBILITY
- MULTIPLE SEATING TYPES
- SHADE
- REUSE OF EXISTING FURNISHINGS
- SIGNAGE
- SPLASH PAD SECURITY AND MAINTENANCE
- WRA EASEMENT

PLAYGROUND VISUALIZATION

OCTOBER 2023 | COLBY PARK



WINDSOR
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PLAYGROUND VISUALIZATION

OCTOBER 2023 | COLBY PARK



WINDSOR
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PLAYGROUND VISUALIZATION

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SPLASHPAD VISUALIZATION

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WINDSOR
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SPLASHPAD VISUALIZATION

OCTOBER 2023 | COLBY PARK



SPLASHPAD VISUALIZATION

OCTOBER 2023 | COLBY PARK



OVERVIEW OF COSTS

- **BASE BID ESTIMATE:** **\$2,880,000**
- **BID ALTERNATES:** **\$231,000**
 - **A - EXPAND EXISTING PARKING STALLS ON EAST SIDE OF SITE.** **\$30,000**
 - **B - ADD THREE OVERHEAD STRUCTURES AROUND THE SPLASHPAD.** **\$135,000**
 - **C - UPGRADE CONCRETE SEATWALL TO CAST STONE.** **\$36,000**
 - **D - EXPAND EXISTING IRRIGATION SYSTEM INTO PROJECT AREA.** **\$18,000**
 - **E - ADD CHAIN LINK FENCE AT PUBLIC WORKS.** **\$12,000**

SCHEDULE

- SEPTEMBER 28 - BID PACKAGE TO CITY
- OCTOBER 3 - NOTICE TO BIDDERS
- OCTOBER 31 - BID OPENING
- NOVEMBER 2023 - PRECONSTRUCTION MEETING
- APRIL 2024 - CONSTRUCTION BEGINS
- NOVEMBER 2024 - CONSTRUCTION SUBSTANTIALLY COMPLETE

CONSTRUCTION OPERATIONS

- COMMUNITY EVENTS
- USE OF THE COMMUNITY CENTER DURING CONSTRUCTION
- CONSTRUCTION SEQUENCING
- CONSTRUCTION SAFETY



NOTE: EXISTING UTILITY INFORMATION SHOWN ON THIS PLAN HAS BEEN PROVIDED BY THE UTILITY OWNER. THE CONTRACTOR SHALL FIELD VERIFY EXACT LOCATIONS PRIOR TO COMMENCING CONSTRUCTION AS REQUIRED BY STATE LAW. NOTIFY IOWA ONE CALL 1-800-292-8989 OR 811

THE SUBSURFACE UTILITY INFORMATION IN THIS PLAN IS UTILITY QUALITY LEVEL D UNLESS OTHERWISE NOTED. THIS UTILITY LEVEL WAS DETERMINED ACCORDING TO THE GUIDELINES OF CI/ASCE 38-02, ENTITLED "STANDARD GUIDELINES FOR THE COLLECTION AND DEPICTION OF EXISTING SUBSURFACE UTILITY DATA."

RESOURCE LIST

CITY OF WINDSOR HEIGHTS

City Hall
1145 66th St, Suite 1
Windsor Heights, IA 50324
515-279-3662

City Administrator:
Adam Plagge

Mayor: Mike Jones

City Council Members:
Lauren Campbell
Threase Harms
Joseph Jones
Michael Libbie
Susan Skeries

City Engineer:
Justin Ernst

Public Works Director:
Jason Roberts

UTILITIES

TELEPHONE

LUMEN
Ashlie Clements
(906) 284-2821

CABLE / INTERNET
MEDIACOM
(877) 561-6847

WATER
DES MOINES WATER WORKS
(515) 283-8700

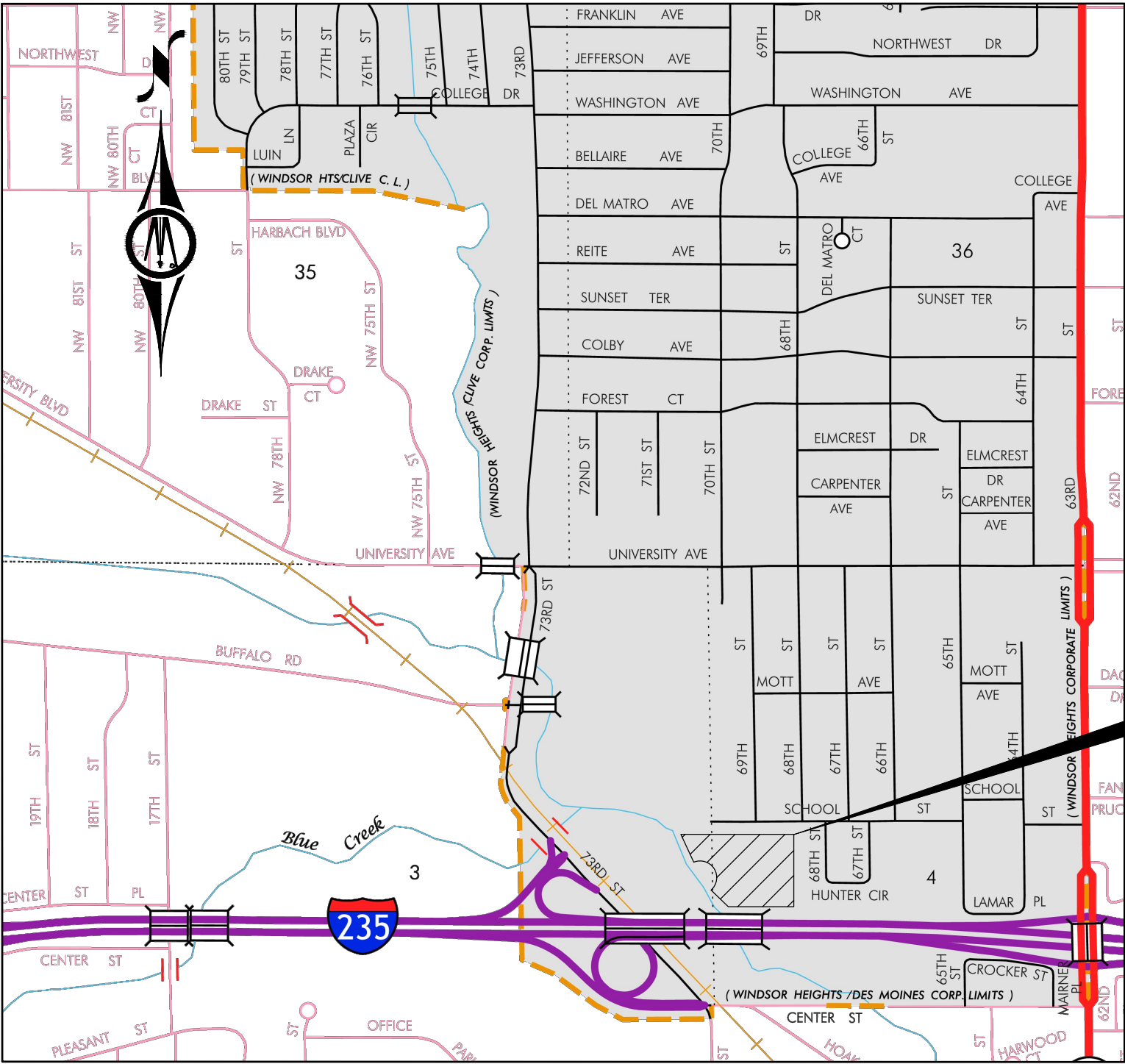
ELECTRIC
MIDAMERICAN ENERGY
(888) 427-5632

CITY OF WINDSOR HEIGHTS, IA

CONSTRUCTION PLANS FOR

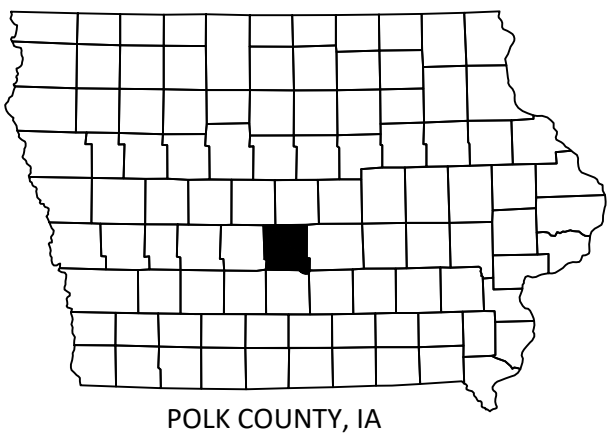
2023 COLBY PARK IMPROVEMENTS

SEPTEMBER 19, 2023



HORIZ. SCALE 0 1000 2000 FEET

MAP OF PORTIONS OF THE CITY OF WINDSOR HEIGHTS POLK COUNTY, IA



PROJECT LOCATION

GOVERNING SPECIFICATIONS

THE 2023 EDITION OF THE "IOWA STATEWIDE URBAN SPECIFICATIONS FOR PUBLIC IMPROVEMENTS"

MUTCD 2009 AS ADOPTED BY IOWA DEPARTMENT OF TRANSPORTATION.

ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS AND ORDINANCES WILL BE COMPLIED WITHIN THE CONSTRUCTION OF THIS PROJECT.

SHEET INDEX			
NUMBER	DESCRIPTION	REVISION	DATE REVISED
A.01	TITLE SHEET		
A.02	LEGEND		
B.01	TYPICAL SECTIONS		
B.02	TYPICAL SECTIONS		
B.03	TYPICAL SECTIONS		
B.04	TYPICAL SECTIONS		
B.05	TYPICAL SECTIONS		
B.06	TYPICAL DETAILS		
B.07	TYPICAL DETAILS		
B.08	TYPICAL DETAILS		
S0.01	GENERAL (DESIGN CRITERIA & LOADING)		
S1.01	PLAYGROUND RAMP & RETAINING WALLS PLAN & SECTION		
C.01	QUANTITIES AND ESTIMATE REFERENCE NOTES		
C.02	ESTIMATE REFERENCE NOTES		
C.03	ESTIMATE REFERENCE NOTES		
C.04	ESTIMATE REFERENCE NOTES		
D.00	OVERALL SITE MAP		
D.01	LAYOUT PLAN		
D.02	LAYOUT PLAN		
D.03	LAYOUT PLAN		
D.04	PLAYGROUND LAYOUT PLAN		
D.05	SPLASHPAD LAYOUT PLAN		
D.06	SPLASHPAD LAYOUT PLAN		

SHEET INDEX			
NUMBER	DESCRIPTION	REVISION	DATE REVISED
D.07	PLAYGROUND LAYOUT PLAN		
E0.1	ELECTRICAL COVER SHEET		
E0.10	ELECTRICAL DEMO PLAN		
E.10	ELECTRICAL SITE PLAN		
E.50	ELECTRICAL DETAILS AND SCHEDULES		
F.01	REMOVALS		
F.02	REMOVALS		
F.03	REMOVALS		
J.01	STAGING AND TRAFFIC CONTROL		
L.01	LANDSCAPE PLAN		
L.02	LANDSCAPE PLAN		
L.03	LANDSCAPE PLAN		
M.01	STORM SEWER PLAN		
M.02	STORM SEWER PLAN		
M.03	STORM SEWER PLAN		
MWM.01	WATERMAIN SERVICE		
S.01	ADA RAMPS		
S.02	ADA RAMPS		
S.03	ADA RAMPS		
T.01	GRADING PLAN		
T.02	GRADING PLAN		
T.03	GRADING PLAN		

NOTE:
THIS SET IS INTENDED TO BE PRINTED IN COLOR. IF PRINTING IN BLACK AND WHITE, SOME LEGIBILITY MAY BE REDUCED.

	I hereby certify that this engineering document was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Engineer under the laws of the State of Iowa. Signature _____ Date _____ Kenny Thelen, PE License number P2442534 My license renewal date is: December 31, 2023 Pages or sheets covered by this seal: E0.1-E.50
	I HEREBY CERTIFY THAT THIS ENGINEERING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF IOWA. JASON GRAHAM, P.E. LIC. NO. P22668 DATE: _____ MY LICENSE RENEWAL DATE IS DECEMBER 31, 2024 PAGES OR SHEETS COVERED BY THIS SEAL: STRUCTURAL SHEETS S0.01-S1.01

	I HEREBY CERTIFY THAT THE PORTION OF THIS TECHNICAL SUBMISSION DESCRIBED BELOW WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND RESPONSIBLE CHARGE. I AM A DULY LICENSED PROFESSIONAL LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF IOWA. CASEY BYERS, L.A. LIC. NO. 00637 DATE: 9/19/2023 MY LICENSE RENEWAL DATE IS JUNE 30, 2025 PAGES OR SHEETS COVERED BY THIS SEAL: B.01-B.07 SHEETS, D SHEETS, L SHEETS
	I HEREBY CERTIFY THAT THIS ENGINEERING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF IOWA. JUSTIN ERNST, P.E. LIC. NO. 23753 DATE: 9/19/2023 MY LICENSE RENEWAL DATE IS DECEMBER 31, 2023 PAGES OR SHEETS COVERED BY THIS SEAL: A, B.08, C, F, G, J, M, & T SHEETS, SHEET S.01, S.02, & S.03

REV	ISSUED FOR	DATE
0	BID SET	09-19-2023



430 E GRAND AVE, SUITE 101
DES MOINES, IOWA 50309
Phone: (515) 259-9190
Email: DesMoines@bolton-menk.com
www.bolton-menk.com



DESIGNED NW/NRJ/TJN
SEALED JLE
CHECKED CB
CLIENT PROJ. NO. 076.128908

CITY OF WINDSOR HEIGHTS, IOWA

2023 COLBY PARK IMPROVEMENTS

TITLE SHEET

SHEET

A.01

EXISTING TOPOGRAPHIC SYMBOLS

	ACCESS GRATE		SATELLITE DISH
	AIR CONDITION UNIT		SIGN TRAFFIC
	ANTENNA		SIGNAL CONTROL CABINET
	AUTO SPRINKLER CONNECTION		SOIL BORING
	BARRICADE PERMANENT		SIREN
	BASKETBALL POST		TELEPHONE BOOTH
	BENCH		TILE INLET
	BIRD FEEDER		TILE OUTLET
	BOLLARD		TILE RISER
	BUSH		TRANSFORMER-ELECTRIC
	CATCH BASIN RECTANGULAR CASTING		TREE-CONIFEROUS
	CATCH BASIN CIRCULAR CASTING		TREE-DEAD
	CURB STOP		TREE-DECIDUOUS
	CLEAN OUT		TREE STUMP
	CULVERT END		TRAFFIC ARM BARRIER
	DRINKING FOUNTAIN		TRAFFIC SIGNAL
	DOWN SPOUT		TRASH CAN
	FILL PIPE		UTILITY MARKER
	FIRE HYDRANT		VALVE
	FLAG POLE		VALVE POST INDICATOR
	FLARED END / APRON		VALVE VAULT
	FUEL PUMP		VENT PIPE
	GRILL		WATER SPIGOT
	GUY WIRE ANCHOR		WELL
	HANDHOLE		WETLAND DELINEATED MARKER
	HANDICAP SPACE		WETLAND
	IRRIGATION SPRINKLER HEAD		WET WELL
	IRRIGATION VALVE BOX		YARD HYDRANT
	LIFT STATION CONTROL PANEL		
	LIFT STATION		
	LIGHT POLE		
	MAILBOX		
	MANHOLE-COMMUNICATION		
	MANHOLE-ELECTRIC		
	MANHOLE-GAS		
	MANHOLE-HEAT		
	MANHOLE-SANITARY SEWER		
	MANHOLE-STORM SEWER		
	MANHOLE-UTILITY		
	MANHOLE-WATER		
	METER		
	ORDER MICROPHONE		
	PARKING METER		
	PAVEMENT MARKING		
	PEDESTAL-COMMUNICATION		
	PEDESTAL-ELECTRIC		
	PEDESTRIAN PUSH BUTTON		
	PICNIC TABLE		
	POLE-UTILITY		
	POST		
	RAILROAD SIGNAL POLE		
	REGULATION STATION GAS		

PROPOSED TOPOGRAPHIC SYMBOLS

	CLEANOUT
	MANHOLE
	LIFT STATION
	STORM SEWER CIRCULAR CASTING
	STORM SEWER RECTANGULAR CASTING
	STORM SEWER FLARED END / APRON
	STORM SEWER OUTLET STRUCTURE
	STORM SEWER OVERFLOW STRUCTURE
	CURB BOX
	FIRE HYDRANT
	WATER VALVE
	WATER REDUCER
	WATER BEND
	WATER TEE
	WATER CROSS
	WATER SLEEVE
	WATER CAP / PLUG
	RIP RAP
	DRAINAGE FLOW
	TRAFFIC SIGNS
	LIGHT POLE

SURVEY SYMBOLS

	BENCH MARK LOCATION
	CONTROL POINT
	MONUMENT IRON FOUND
	CAST IRON MONUMENT

EXISTING TOPOGRAPHIC LINES

	RETAINING WALL
	FENCE
	FENCE-DECORATIVE
	GUARD RAIL
	TREE LINE
	BUSH LINE

SURVEY LINES

	CONTROLLED ACCESS BOUNDARY
	CENTERLINE
	EXISTING EASEMENT LINE
	PROPOSED EASEMENT LINE
	EXISTING LOT LINE
	PROPOSED LOT LINE
	EXISTING RIGHT-OF-WAY
	PROPOSED RIGHT-OF-WAY
	SETBACK LINE
	SECTION LINE
	QUARTER LINE
	SIXTEENTH LINE
	TEMPORARY EASEMENT

EXISTING UTILITY LINES

	FORCEMAIN
	SANITARY SEWER
	SANITARY SERVICE
	STORM SEWER
	STORM SEWER DRAIN TILE
	WATERMAIN
	WATER SERVICE

PROPOSED UTILITY LINES

	FORCEMAIN
	SANITARY SEWER
	SANITARY SERVICE
	STORM SEWER
	STORM SEWER DRAIN TILE
	WATERMAIN
	WATER SERVICE
	PIPE CASING

GRADING INFORMATION

	EXISTING CONTOUR MINOR
	EXISTING CONTOUR MAJOR
	PROPOSED CONTOUR MINOR
	PROPOSED CONTOUR MAJOR
	PROPOSED GRADING LIMITS / SLOPE LIMITS
	PROPOSED SPOT ELEVATION
	RISE:RUN (SLOPE)

EXISTING PRIVATE UTILITY LINES

NOTE:
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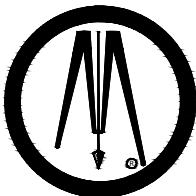
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	UNDERGROUND FIBER OPTIC
	UNDERGROUND ELECTRIC
	UNDERGROUND GAS
	UNDERGROUND COMMUNICATION
	OVERHEAD ELECTRIC
	OVERHEAD COMMUNICATION
	OVERHEAD UTILITY

ABBREVIATIONS

A	ALGEBRAIC DIFFERENCE	GV	GATE VALVE	RT	RIGHT
ADJ	ADJUST	HDPE	HIGH DENSITY POLYETHYLENE	SAN	SANITARY SEWER
ALT	ALTERNATE	HH	HANDHOLE	SCH	SCHEDULE
B-B	BACK TO BACK	HMA	HOT MIX ASPHALT	SERV	SERVICE
BLDG	BUILDING	HP	HIGH POINT	SHLD	SHOULDER
BMP	BEST MANAGEMENT PRACTICE	HWL	HIGH WATER LEVEL	STA	STATION
BR	BEGIN RADIUS	HYD	HYDRANT	STD	STANDARD
BV	BUTTERFLY VALVE	I	INVERT	STM	STORM SEWER
CB	CATCH BASIN	K	CURVE COEFFICIENT	TC	TOP OF CURB
C&G	CURB AND GUTTER	L	LENGTH	TE	TEMPORARY EASEMENT
CIP	CAST IRON PIPE	LO	LOWEST OPENING	TEMP	TEMPORARY
CIPP	CURED-IN-PLACE PIPE	LP	LOW POINT	TNH	TOP NUT HYDRANT
CL	CENTER LINE	LT	LEFT	TP	TOP OF PIPE
CL.	CLASS	MH	MANHOLE	TYP	TYPICAL
CMP	CORRUGATED METAL PIPE	MIN	MINIMUM	VCP	VITRIFIED CLAY PIPE
C.O.	CHANGE ORDER	MPW	MUSCATINE POWER & WATER	VERT	VERTICAL
COMM	COMMUNICATION	MR	MID RADIUS	VPC	VERTICAL POINT OF CURVE
CSP	CORRUGATED STEEL PIPE	NIC	NOT IN CONTRACT	VPI	VERTICAL POINT OF INTERSECTION
CLVT	CULVERT	NMC	NON-METALLIC CONDUIT	VPT	VERTICAL POINT OF TANGENT
DIA	DIAMETER	NTS	NOT TO SCALE	WM	WATERMAIN
DIP	DUCTILE IRON PIPE	NWL	NORMAL WATER LEVEL	WS	WATER SERVICE
DWY	DRIVEWAY	OHW	ORDINARY HIGH WATER LEVEL		
E	EXTERNAL CURVE DISTANCE	PC	POINT OF CURVE		
ESMT	EASEMENT	PCC	PORTLAND CEMENT CONCRETE	AC	ACRES
ELEC	ELECTRIC	PE	PERMANENT EASEMENT	CF	CUBIC FEET
ELEV/EL	ELEVATION	PED	PEDESTRIAN, PEDESTAL	CV	COMPACTED VOLUME
EOF	EMERGENCY OVERFLOW	PERF	PERFORATED PIPE	CY	CUBIC YARD
ER	END RADIUS	PERM	PERMANENT	EA	EACH
EX	EXISTING	PI	POINT OF INTERSECTION	EV	EXCAVATED VOLUME
FES	FLARED END SECTION	PL	PROPERTY LINE	LB	POUND
F-F	FACE TO FACE	PRC	POINT OF REVERSE CURVE	LF	LINEAR FEET
FF	FINISHED FLOOR	PT	POINT OF TANGENT	LS	LUMP SUM
F&I	FURNISH AND INSTALL	PVC	POLYVINYL CHLORIDE PIPE	LV	LOOSE VOLUME
FM	FORCEMAIN	PVMT	PAVEMENT	SF	SQUARE FEET
FO	FIBER OPTIC	R	RADIUS	SV	STOCKPILE VOLUME
F.O.	FIELD ORDER	RCP	REINFORCED CONCRETE PIPE	SY	SQUARE YARD
GRAN	GRANULAR	RET	RETAINING		
GRAV	GRAVEL	R/W	RIGHT-OF-WAY		
GU	GUTTER	RSC	RIGID STEEL CONDUIT		

REV	ISSUED FOR	DATE
0	BID SET	09-19-2023



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SEALED JLE
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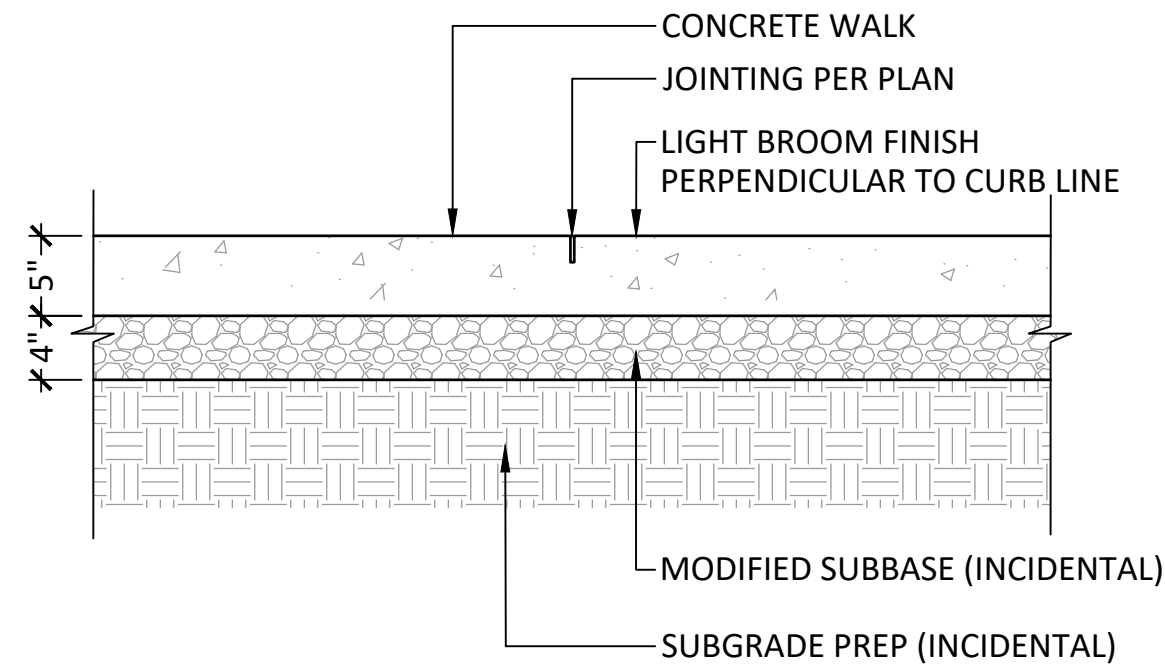
CITY OF WINDSOR HEIGHTS, IOWA

2023 COLBY PARK IMPROVEMENTS

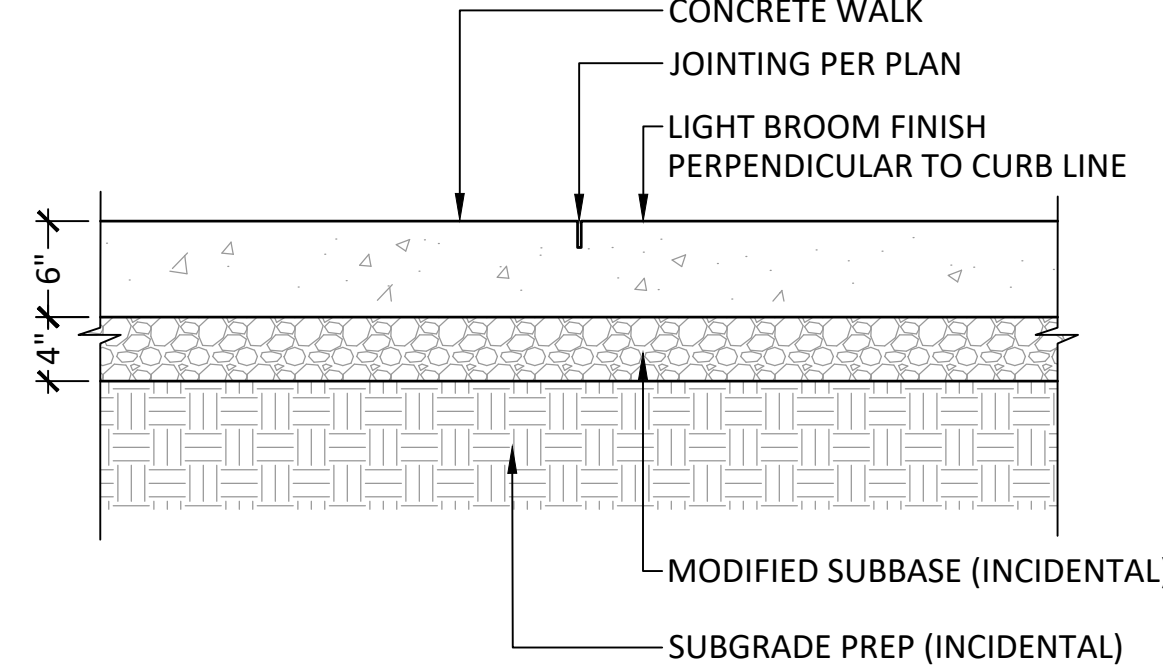
LEGEND

SHEET

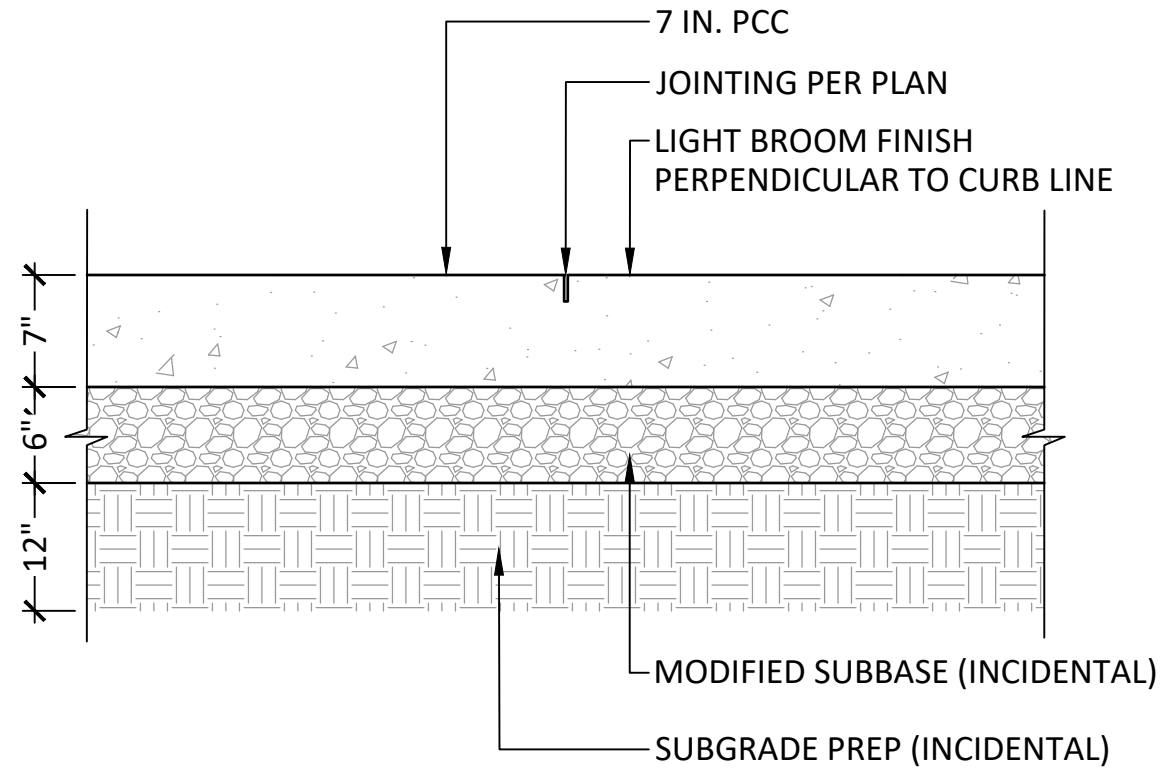
A.02



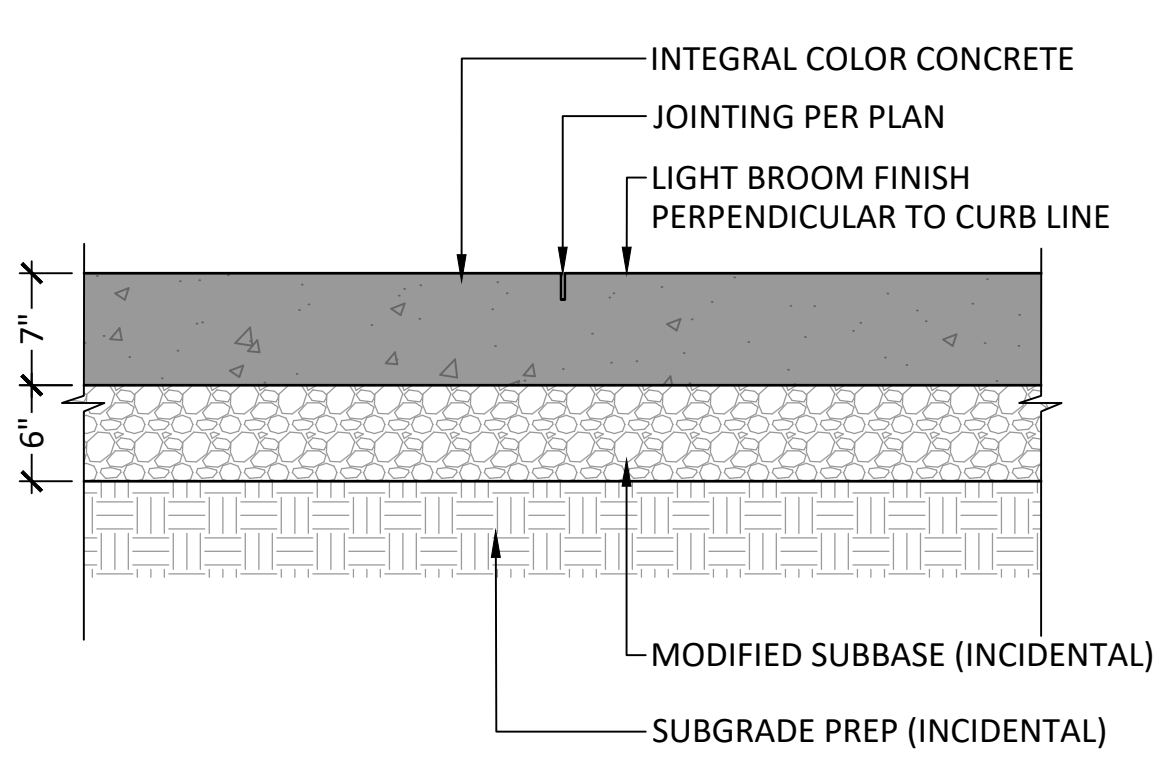
1 SIDEWALK, PCC, 5 IN.
SCALE: N.T.S.



2 SIDEWALK, PCC, 6 IN.
SCALE: N.T.S.

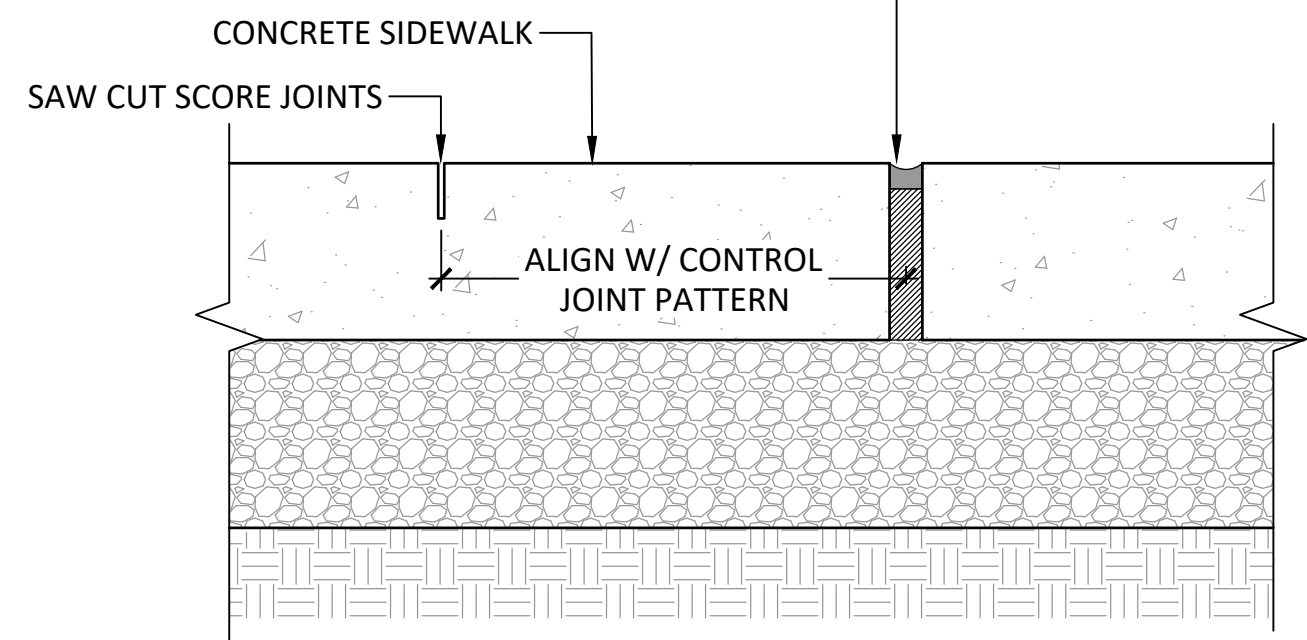


3 PAVEMENT, PCC, 7 IN.
SCALE: N.T.S.

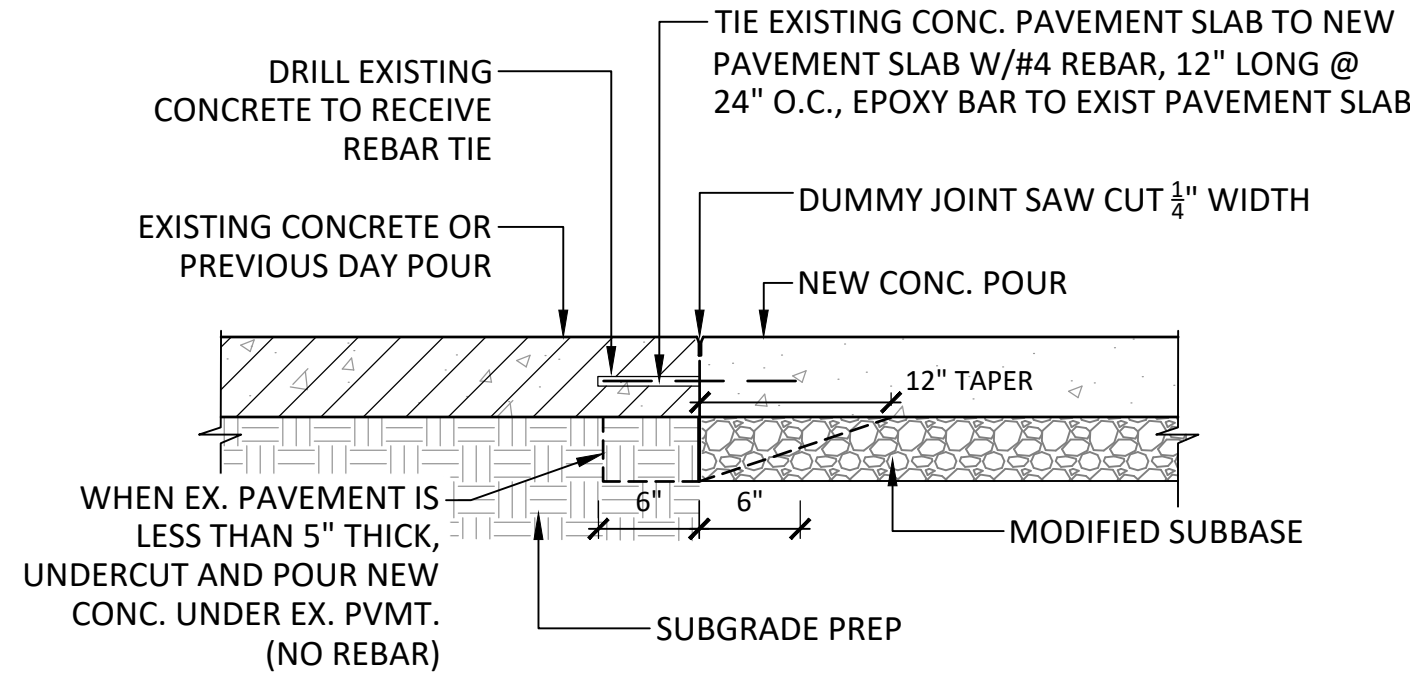


4 PAVEMENT, PCC, 7 INCH, INTEGRAL COLOR
SCALE: N.T.S.

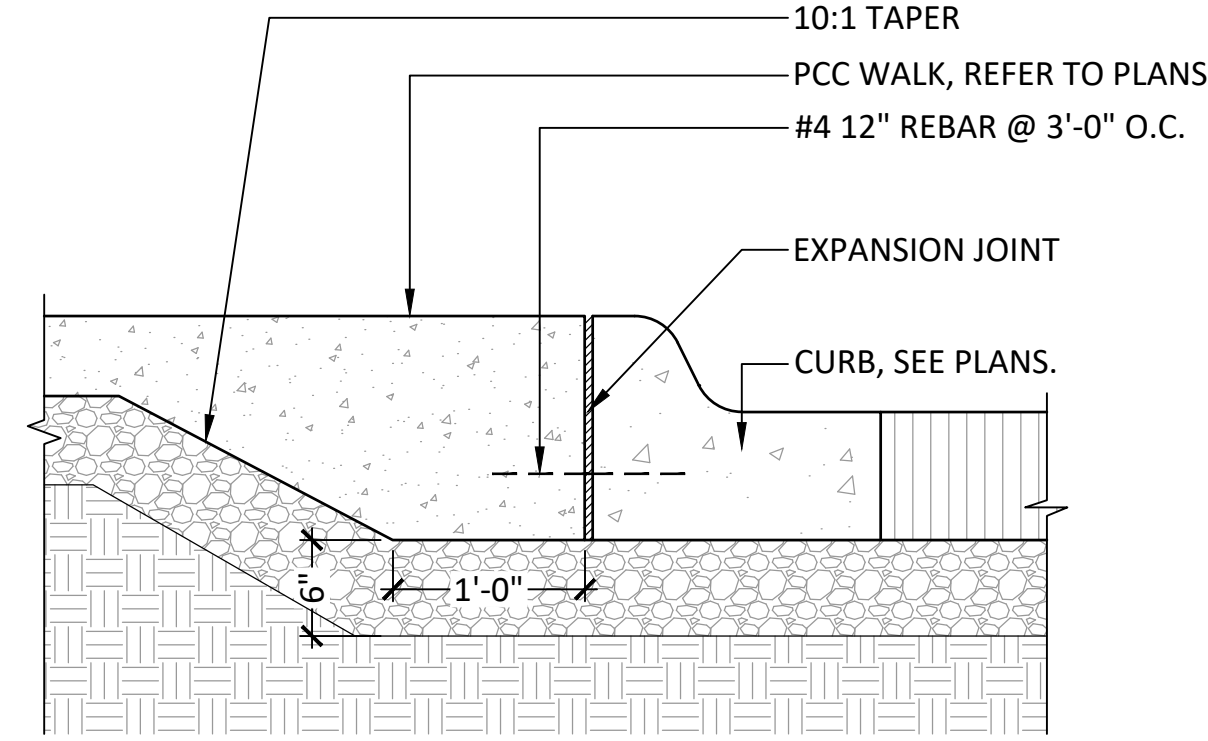
1/2" WIDE ISOLATION JOINT/EXPANSION JOINT W/ 1/2" DEPTH JOINT SEALANT, W/ ISOLATION JOINT MATERIAL. ISOLATION JOINT MATERIAL TO BE 3/4" POLYETHYLENE, CLOSED CELL BACKING. JOINT SEALER TO BE COMPATIBLE W/ EXPANSION JOINT MATERIAL. COLOR TO BE ALUMINUM GRAY. ALL MATERIALS TO BE INSTALLED AS PER MANUFACTURERS RECOMMENDATION. SUBMIT MATERIAL SAMPLES AND TECHNICAL DATA TO OWNER REPRESENTATIVE FOR APPROVAL PRIOR TO CONSTRUCTION



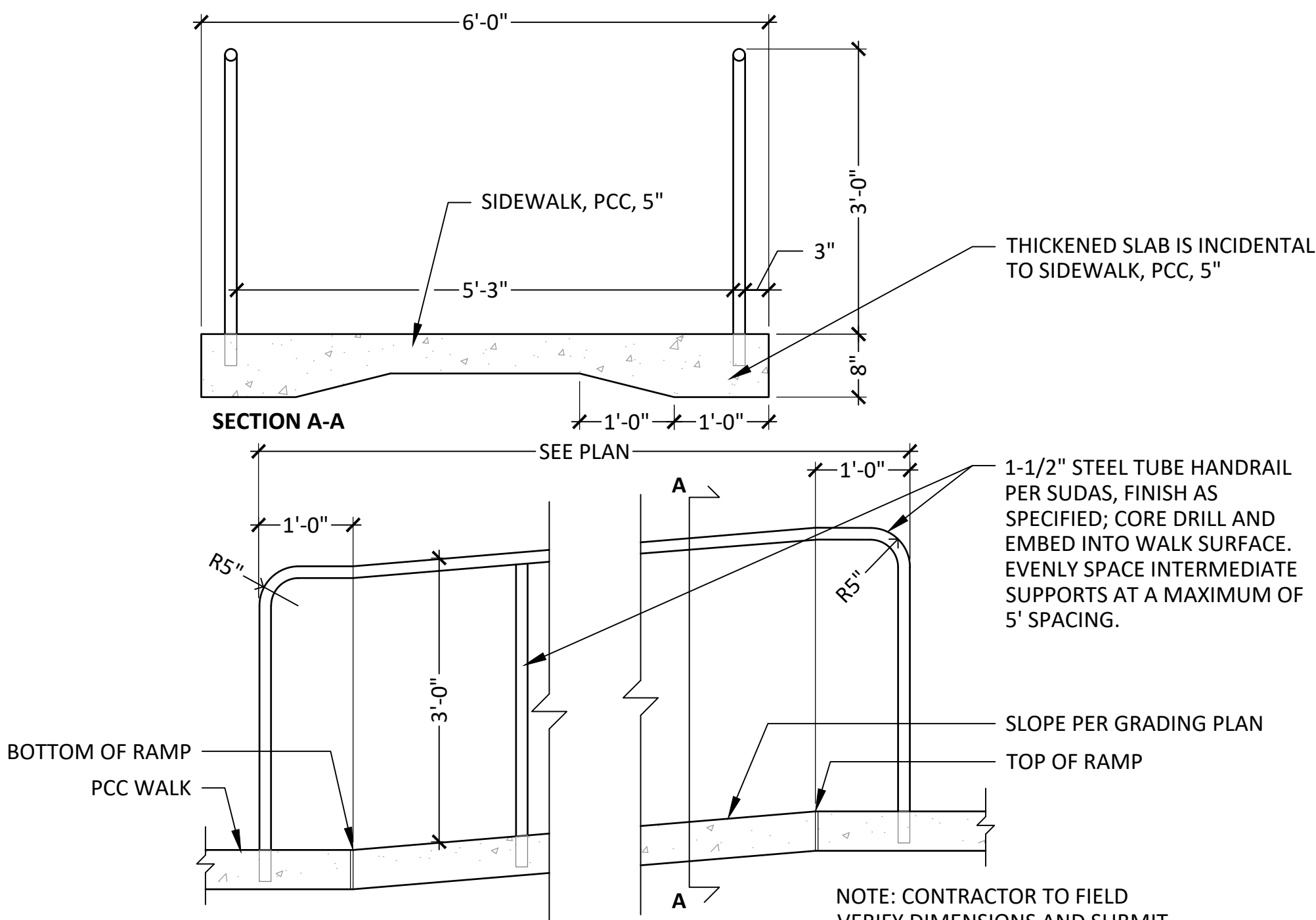
5 CONCRETE SIDEWALK JOINTS
SCALE: N.T.S.



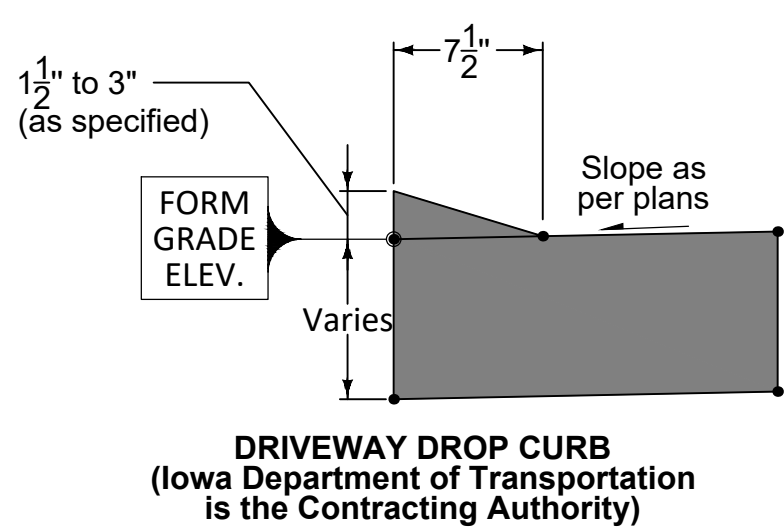
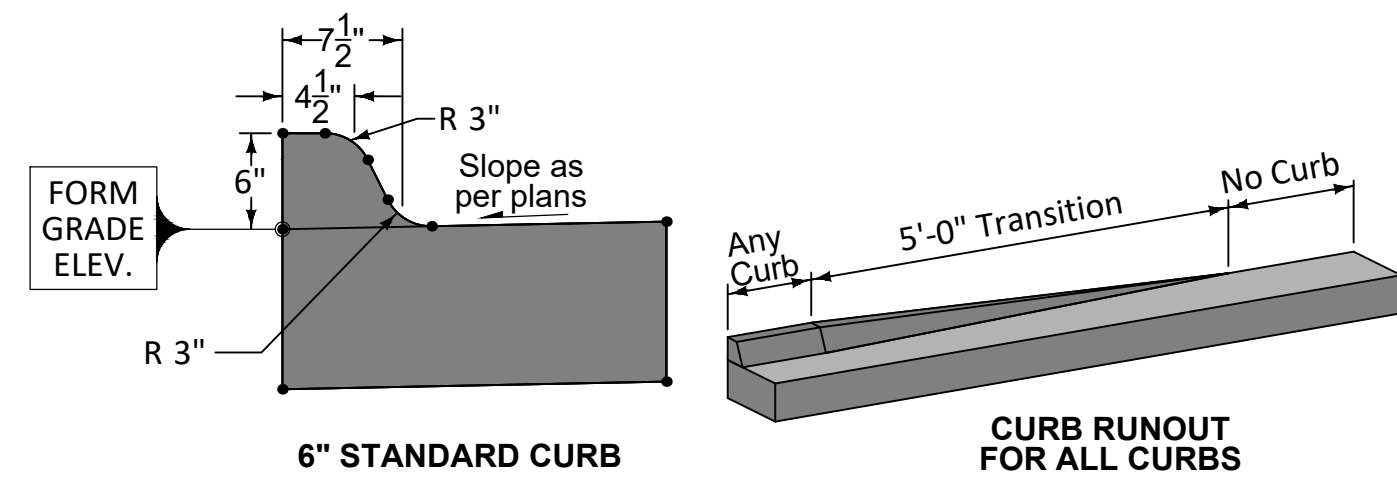
6 PAVEMENT JOINT AT EXISTING CONCRETE PAVEMENT
SCALE: N.T.S.



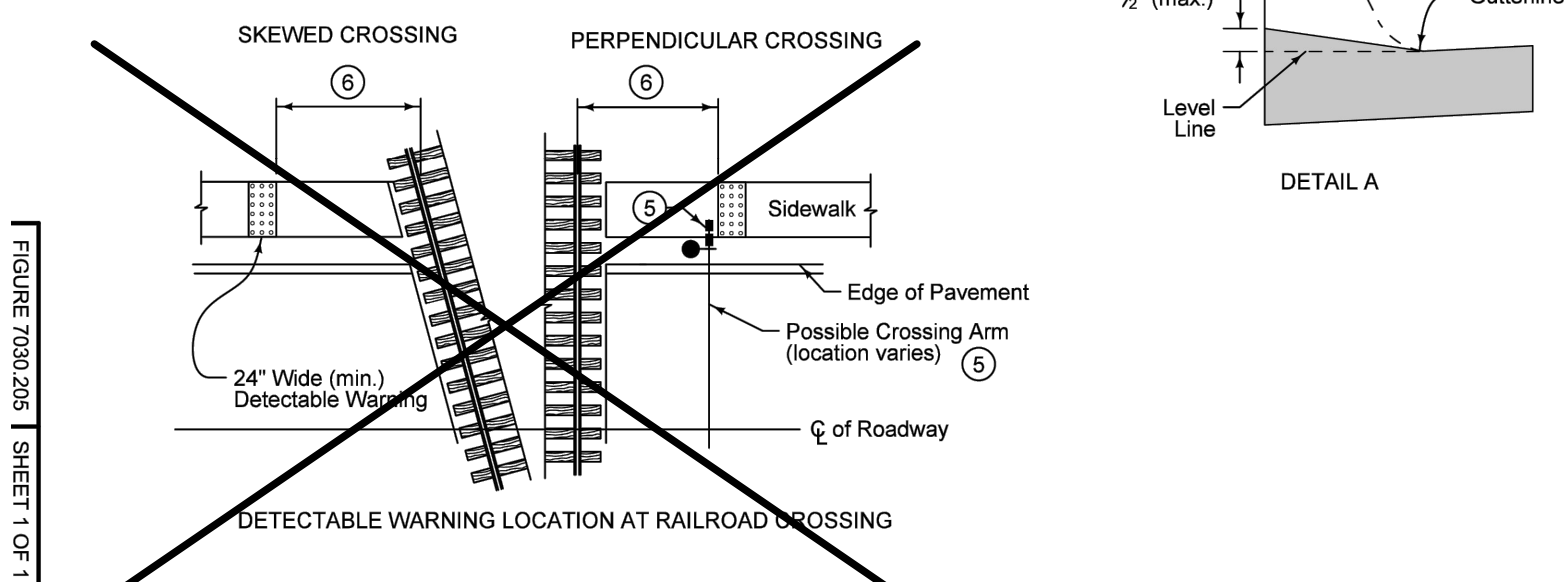
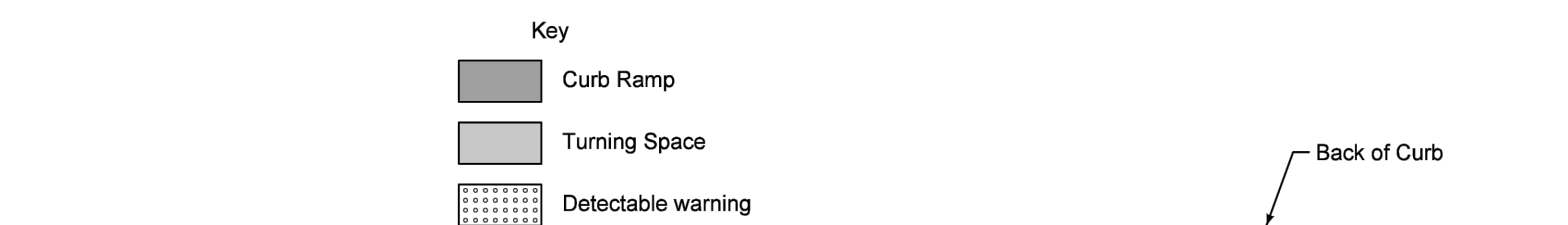
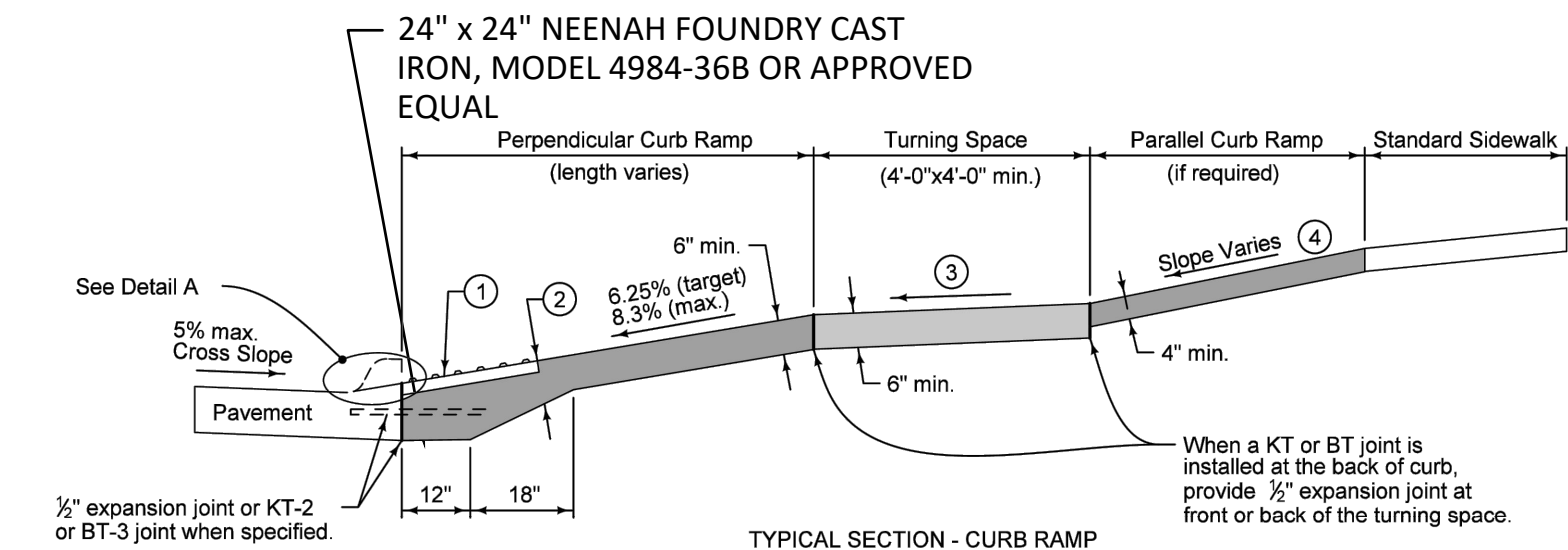
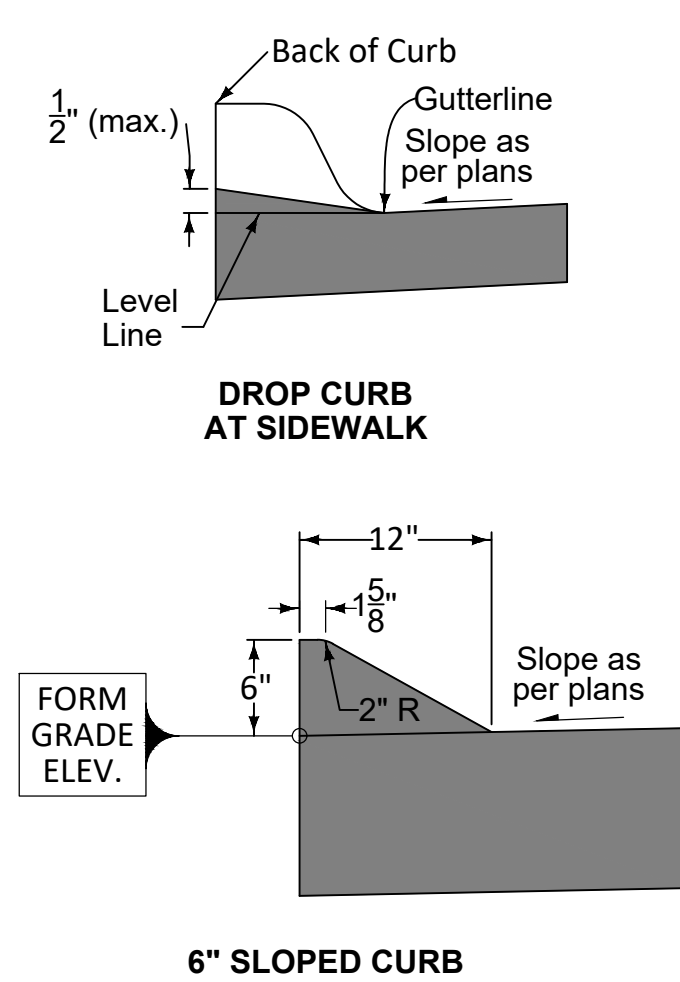
7 THICKENED SIDEWALK AT BACK OF CURB
SCALE: N.T.S.



8 RAMP WITH HANDRAIL
SCALE: N.T.S.



9 CURB DETAILS
SCALE: N.T.S.



10 PEDESTRIAN CURB RAMP/DETECTABLE WARNING
SCALE: N.T.S.

- Provide a minimum 2 foot width of detectable warning surfaces in the direction of pedestrian travel across the full width of the curb ramp or turning space, exclusive of curbs or flares.
- Provide a minimum of 6 inches of concrete below the detectable warning panel.
- Minimum 4 feet by 4 feet. Target cross slope of 1.5% with a maximum cross slope of 2.0%.
- If normal sidewalk elevation cannot be achieved with the perpendicular ramp between the street and landing due to limited ramp length, provide a parallel ramp to make up the elevation difference between the landing and the standard sidewalk.

The length of the parallel ramp is not required to exceed 15 feet, regardless of the resulting slope. Do not exceed 8.3% slope for parallel ramps shorter than 15 feet.
- If crossing gate conflicts with location of detectable warning or if pedestrian crossing gate is provided, place detectable warning panel in advance of the crossing gate.
- Locate front edge of detectable warning panel 12 to 15 feet from centerline of nearest rail. Orient truncated domes parallel to the direction of pedestrian travel.

	REVISION
	1 10-20-15
	7030.205
	SHEET 1 of 1
SUDAS Standard Specifications	
GENERAL SIDEWALK AND CURB RAMP DETAILS	

REV	ISSUED FOR	DATE
0	BID SET	09-19-2023



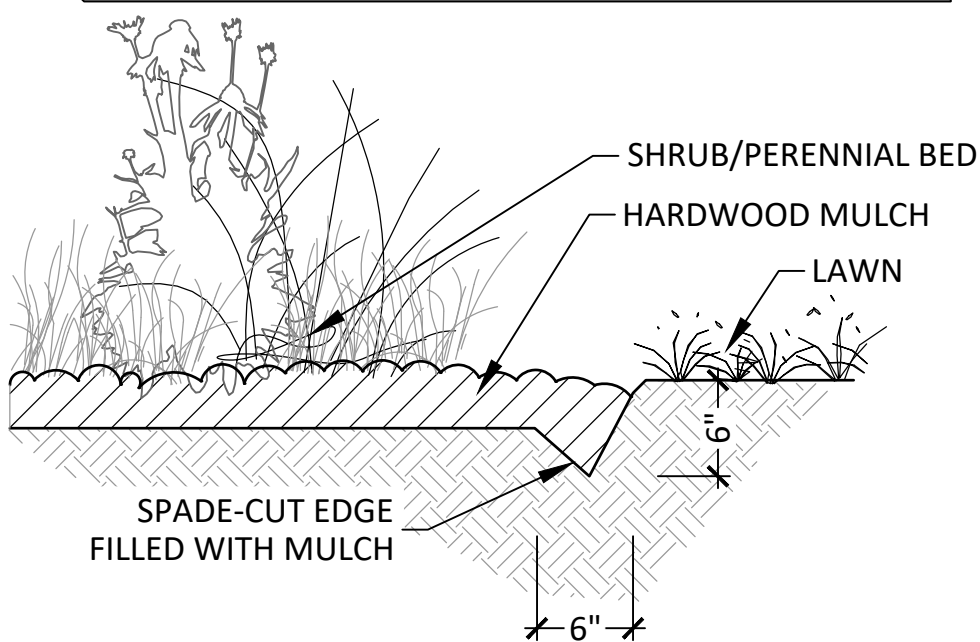
430 E GRAND AVE, SUITE 101
DES MOINES, IOWA 50309
Phone: (515) 259-9190
Email: DesMoines@bolton-menk.com
www.bolton-menk.com



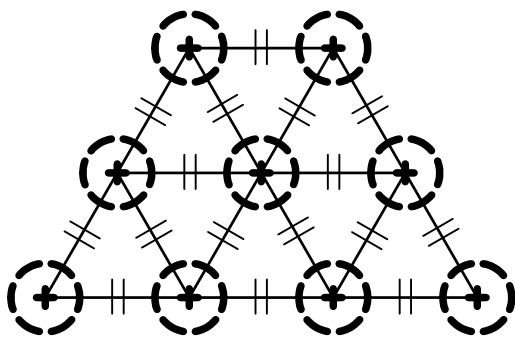
DESIGNED	NW/NRJ/TJN
SEALED	CB
CHECKED	CB
CLIENT PROJ. NO.	076.128908

CITY OF WINDSOR HEIGHTS, IOWA
2023 COLBY PARK IMPROVEMENTS
TYPICAL SECTIONS

NOTES:
SPADE-CUT EDGE TO BE INCIDENTAL TO PLANT MATERIAL AND SHALL BE USED WHERE ALL LANDSCAPE BEDS MEET ADJACENT SEEDED OR LAWN AREAS.

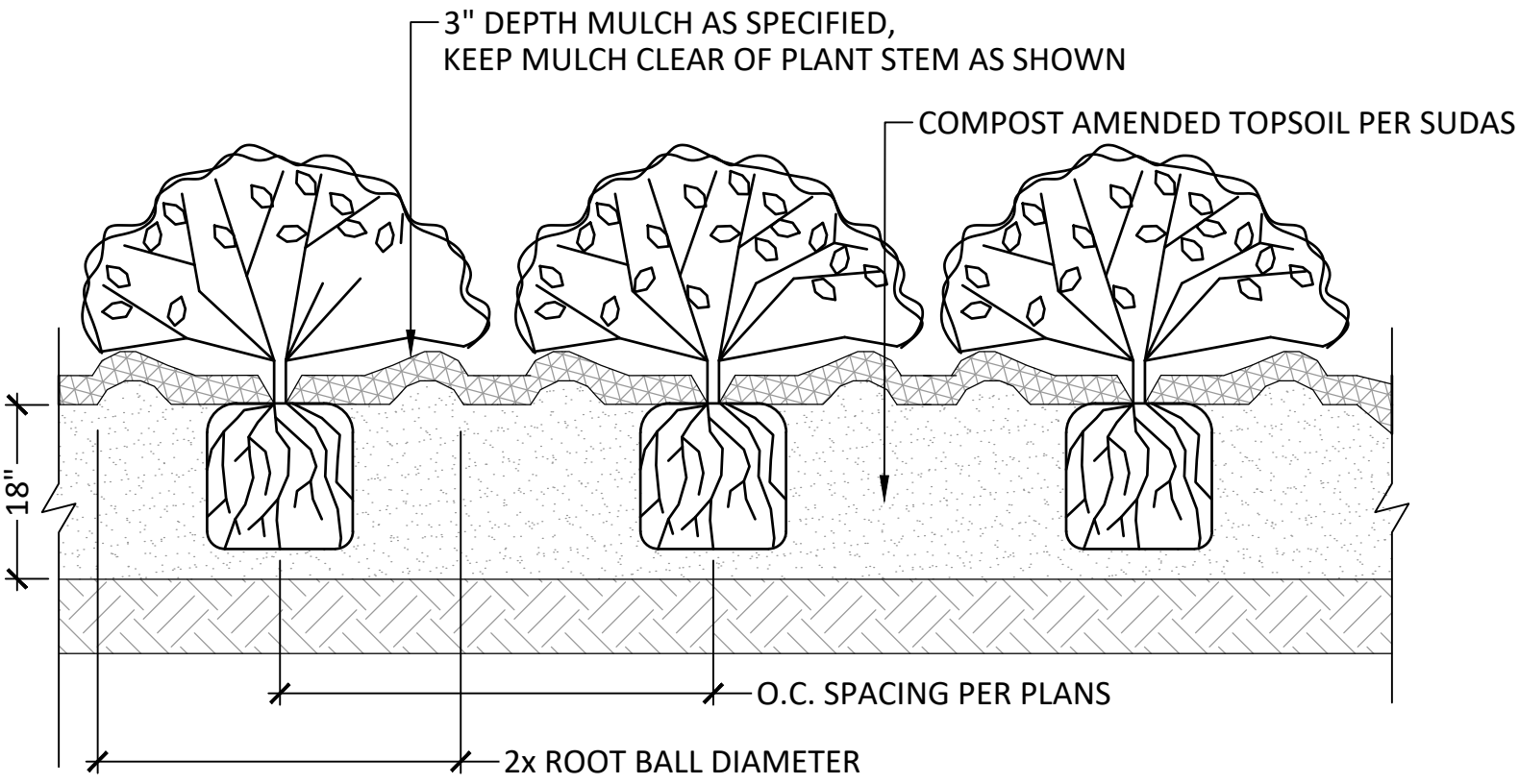


1 SECTION: SPADE-CUT EDGE
SCALE: N.T.S.

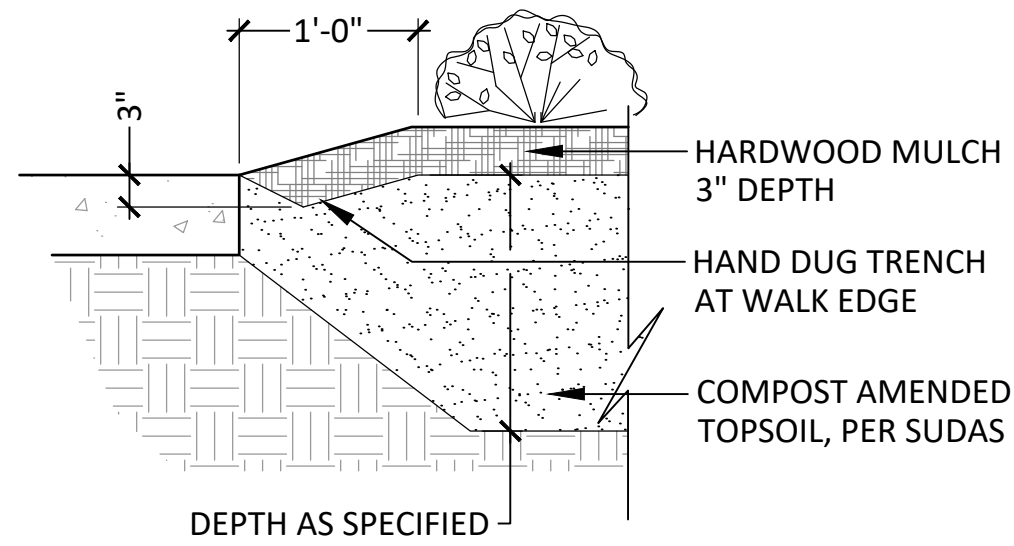


- NOTES:
- O.C. TRIANGULAR PLANT SPACING PER PLANS
 - AREAS IDENTIFIED ON PLANTING PLAN AS O.C. SHALL BE TRIANGULAR SPACED
 - SEE PLANTING PLAN/SCHEDULE FOR SPECIES

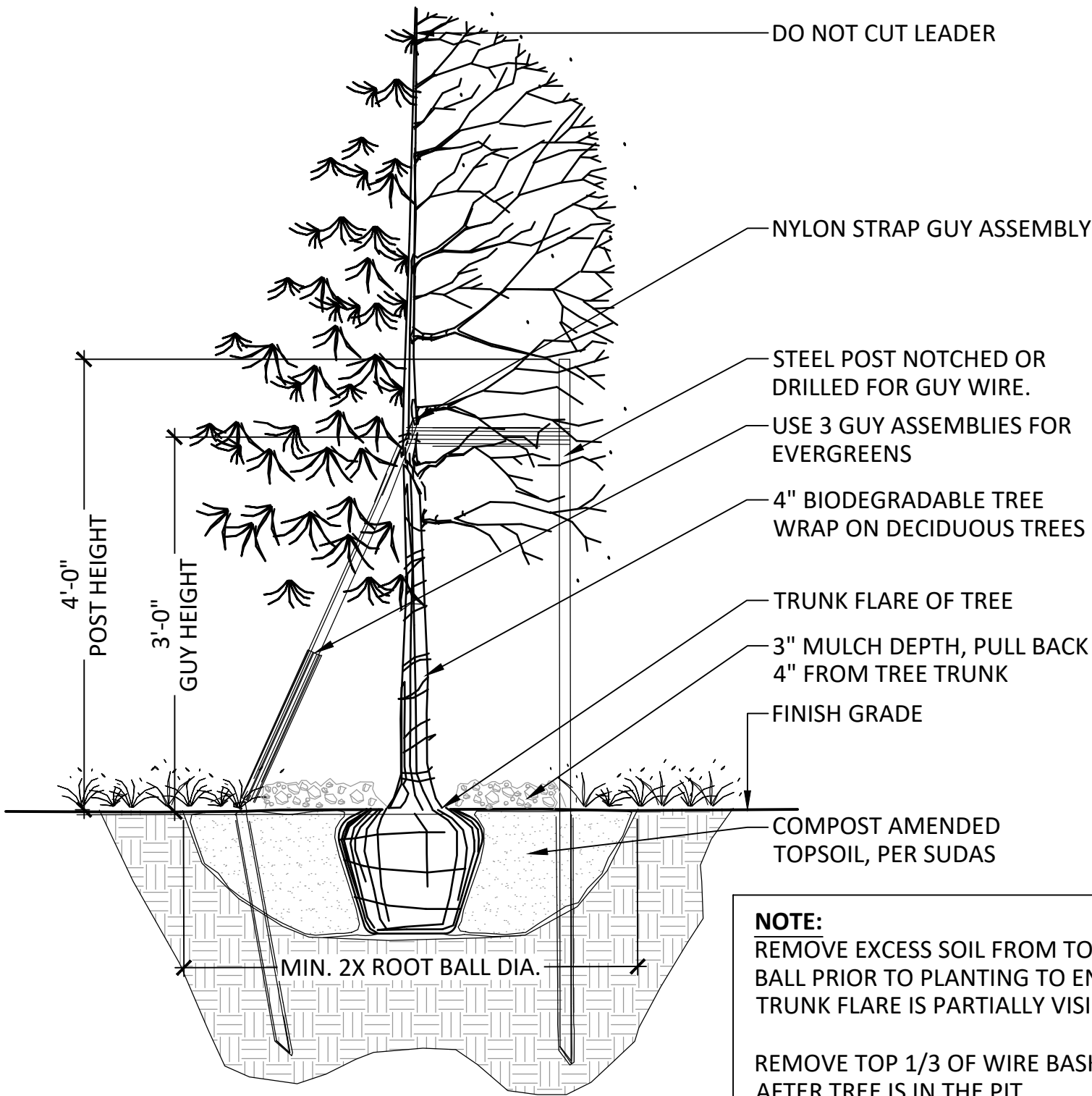
2 PERENNIAL PLANT SPACING
SCALE: N.T.S.



3 PERENNIAL / SHRUB PLANTING
SCALE: N.T.S.



4 PLANTING EDGE AT HARDSCAPE SURFACE
SCALE: N.T.S.

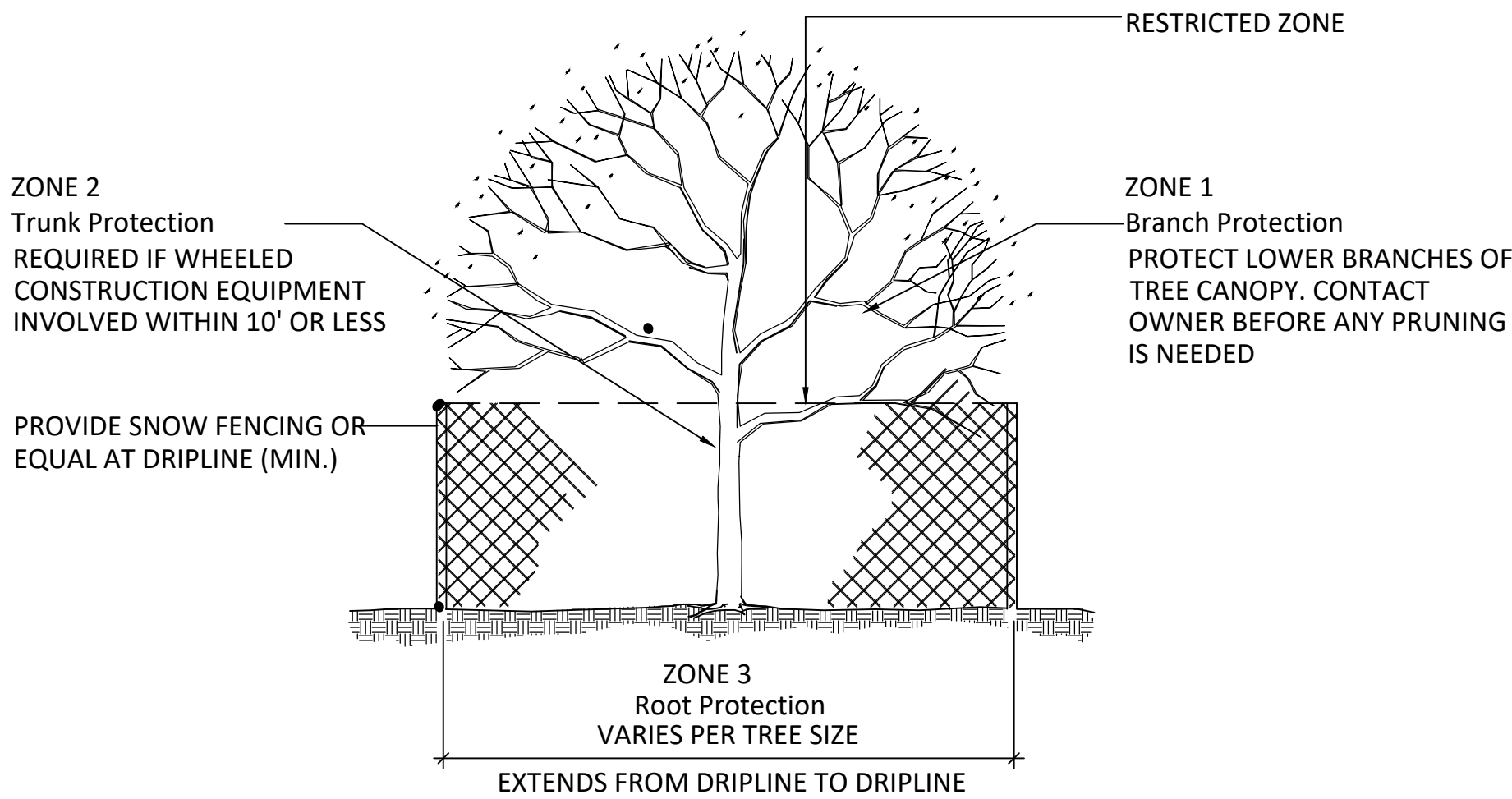


NOTE:
REMOVE EXCESS SOIL FROM TOP OF ROOT BALL PRIOR TO PLANTING TO ENSURE TRUNK FLARE IS PARTIALLY VISIBLE

REMOVE TOP 1/3 OF WIRE BASKET AFTER TREE IS IN THE PIT.
REMOVE TWINE, & PULL BURLAP FROM TREE TRUNK

SET TOP OF ROOT BALL 1" TO 2" ABOVE SURROUNDING FINISH GRADE

5 TREE PLANTING
SCALE: N.T.S.

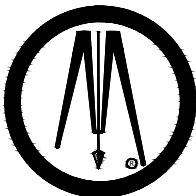


6 EXISTING TREE PROTECTION
SCALE: N.T.S.

TREE PROTECTION NOTES

- ALL TREES TO BE PROTECTED SHALL BE PER DETAIL. GROUPING OF MORE THAN ONE TREE MAY OCCUR.
- TREES TO BE PROTECTED AND PRESERVED SHALL BE IDENTIFIED ON THE TRUNK WITH WHITE SURVEY TAPE.
- TO PREVENT TREE ROOT SMOTHERING, SOIL STOCKPILES, SUPPLIES, EQUIPMENT OR ANY OTHER MATERIAL SHALL NOT BE PLACED OR STORED WITHIN A TREE DRIP LINE OR WITHIN 15 FEET OF A TREE TRUNK, WHICHEVER IS GREATER.
- TREE ROOTS SHALL NOT BE CUT UNLESS CUTTING IS UNAVOIDABLE.
- TRENCHES SHALL BE HAND DUG WITHIN THE DRIP LINE IN AREAS WHERE ROOTS TWO INCHES IN DIAMETER AND GREATER ARE PRESENT, OR WHEN IN CLOSE PROXIMITY TO LOW BRANCHING TREES. WHENEVER POSSIBLE, ROOTS TWO INCHES OR GREATER IN DIAMETER SHALL BE TUNNELED OR BORED UNDER AND SHALL BE COVERED TO PREVENT DEHYDRATION.
- WHEN ROOT CUTTING IS UNAVOIDABLE, A CLEAN SHARP CUT SHALL BE MADE TO AVOID SHREDDING OR SMASHING. ROOT CUTS SHOULD BE MADE BACK TO A LATERAL ROOT. WHENEVER POSSIBLE, TREE ROOTS SHOULD BE CUT BETWEEN LATE FALL AND BUD OPENING, WHEN ROOT ENERGY SUPPLIES ARE HIGH AND CONDITIONS ARE LEAST FAVORABLE FOR DISEASE CAUSING AGENTS. EXPOSED ROOTS SHALL BE COVERED IMMEDIATELY TO PREVENT DEHYDRATION. ROOTS SHALL BE COVERED WITH SOIL OR BURLAP AND KEPT MOIST.
- WATERING OF PROTECTED TREES IN WHICH ROOTS WERE CUT SHALL BE PROVIDED BY THE CONTRACTOR.
- AUGER TUNNELING RATHER THAN TRENCHING SHOULD BE USED FOR UTILITY PLACEMENT WITHIN DRIP LINE OF TREE.
- FENCING MATERIAL SHALL ENCIRCLE ANY TREE WHOSE OUTER DRIP LINE EDGE IS WITHIN 20 FEET OF ANY CONSTRUCTION ACTIVITIES.
- FENCING MATERIAL SHALL BE BRIGHT, CONTRASTING COLOR, DURABLE, AND A MINIMUM OF FOUR FEET IN HEIGHT.
- FENCING MATERIAL SHALL BE SET AT THE DRIP LINE OR 15 FEET FROM TREE TRUNK, WHICHEVER IS GREATER, AND MAINTAINED IN AN UPRIGHT POSITION THROUGHOUT THE DURATION OF CONSTRUCTION ACTIVITIES.
- ANY GRADE CHANGES (SUCH AS THE REMOVAL OF TOPSOIL OR ADDITION OF FILL MATERIAL) WITHIN THE DRIP LINE SHOULD BE AVOIDED FOR EXISTING TREES TO REMAIN. RETAINING WALLS AND TREE WELLS ARE ACCEPTABLE ONLY WHEN CONSTRUCTED PRIOR TO GRADE CHANGE.

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2023 COLBY PARK IMPROVEMENTS

TYPICAL SECTIONS

SHEET

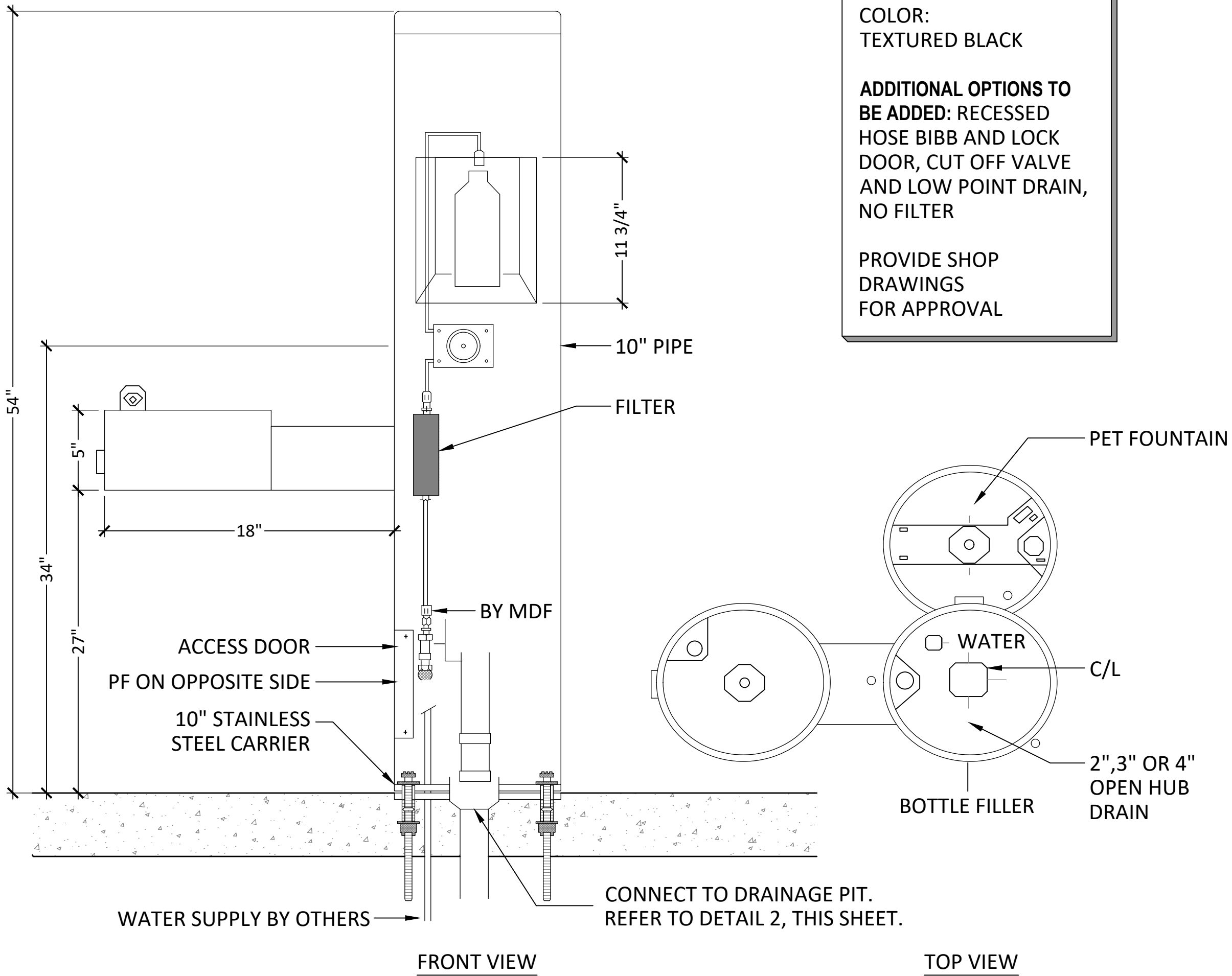
B.02

MOST DEPENDABLE FOUNTAINS, INC.
5705 COMMANDER DR. P.O. BOX 587
ARLINGTON, TN 38002-0587
PHONE: (901) 867-0039
www.mostdependable.com

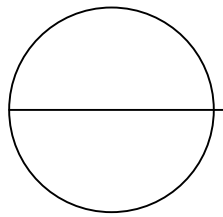
NOTE:
COLOR:
TEXTURED BLACK

ADDITIONAL OPTIONS TO
BE ADDED: RECESSED
HOSE BIBB AND LOCK
DOOR, CUT OFF VALVE
AND LOW POINT DRAIN,
NO FILTER

PROVIDE SHOP
DRAWINGS
FOR APPROVAL

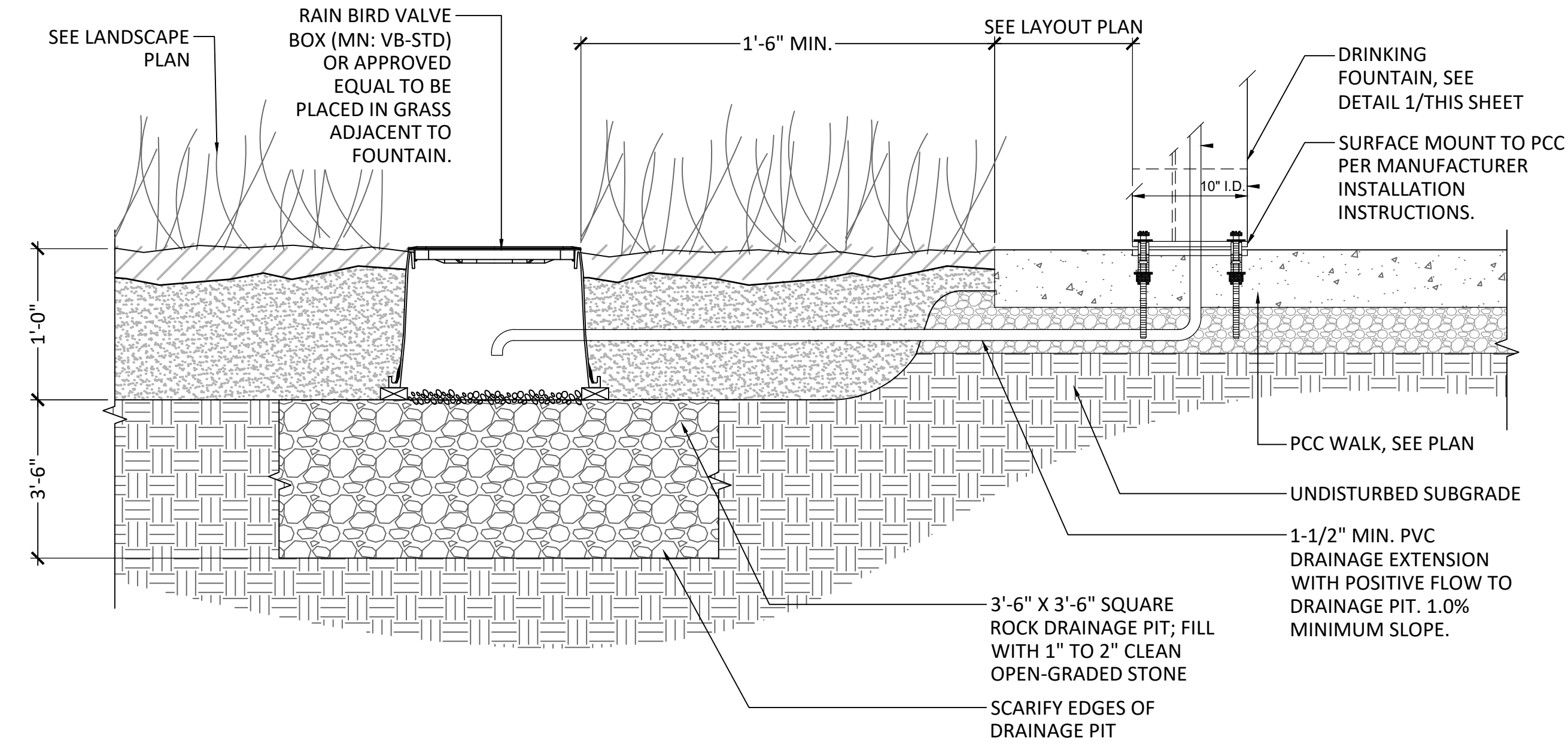


- NOTES:
1. OPTIONAL STAINLESS STEEL SURFACE CARRIER RECOMMENDED.
 2. INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.
 3. DO NOT SCALE DRAWING.
 4. THIS DRAWING IS INTENDED FOR USE BY ARCHITECTS, ENGINEERS, CONTRACTORS, CONSULTANTS AND DESIGN PROFESSIONALS FOR PLANNING PURPOSES ONLY. THIS DRAWING MAY NOT BE USED FOR CONSTRUCTION.
 5. ALL INFORMATION CONTAINED HEREIN WAS CURRENT AT THE TIME OF DEVELOPMENT BUT MUST BE REVIEWED AND APPROVED BY THE PRODUCT MANUFACTURER TO BE CONSIDERED ACCURATE.
 6. CONTRACTOR'S NOTE: FOR PRODUCT AND COMPANY INFORMATION VISIT www.CADdetails.com/info AND ENTER REFERENCE NUMBER 3354-17.7.

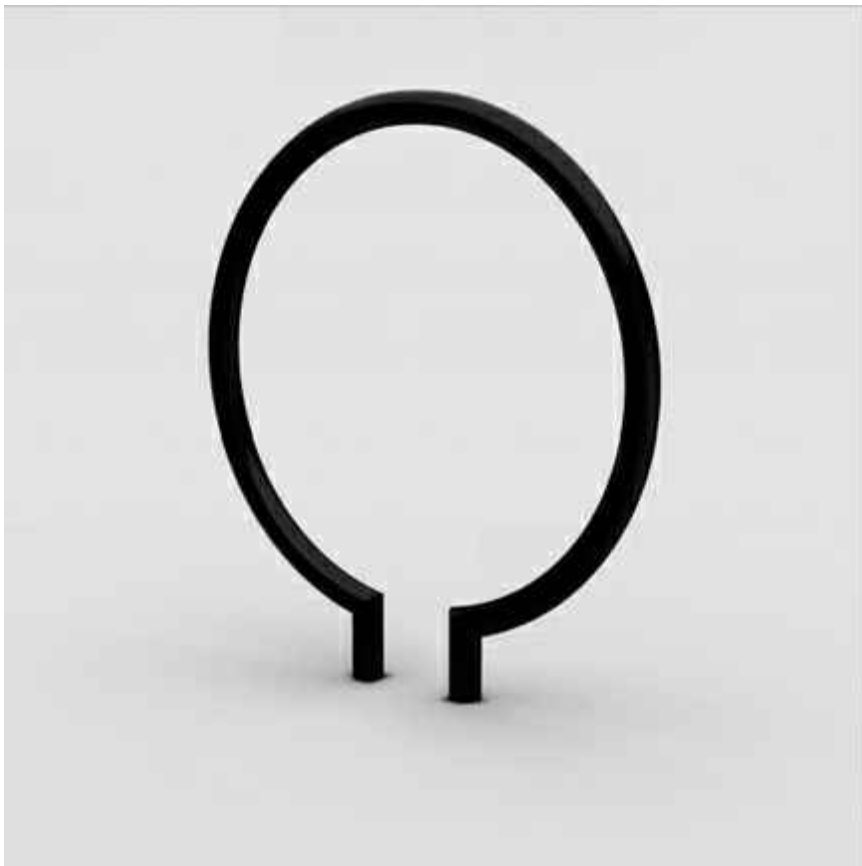
 **MODEL 10155SM**
10155SM SHOWN WITH OPTIONAL 10" SS SURFACE CARRIER

MUST BE INSTALLED
BY MAY 2024

1 DRINKING FOUNTAIN (MDF MODEL 10155SM)
SCALE: N.T.S.



2 DRINKING FOUNTAIN DRAINAGE PIT
SCALE: N.T.S.

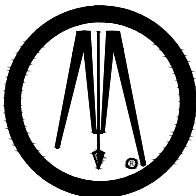


- BIKE RACK:
1. MANUFACTURER: LANDSCAPE FORMS
 2. MODEL: RING
 3. COLOR: BLACK
 4. FINISH: POWDERCOAT, BLACK
 5. MOUNTING: EMBEDDED PER MANUFACTURER
- OR APPROVED EQUAL

CONTACT: STACY ERNST
Site Source, Ilc.
816-444-4376
stacye@landscapeforms.com

3 BIKE RACK

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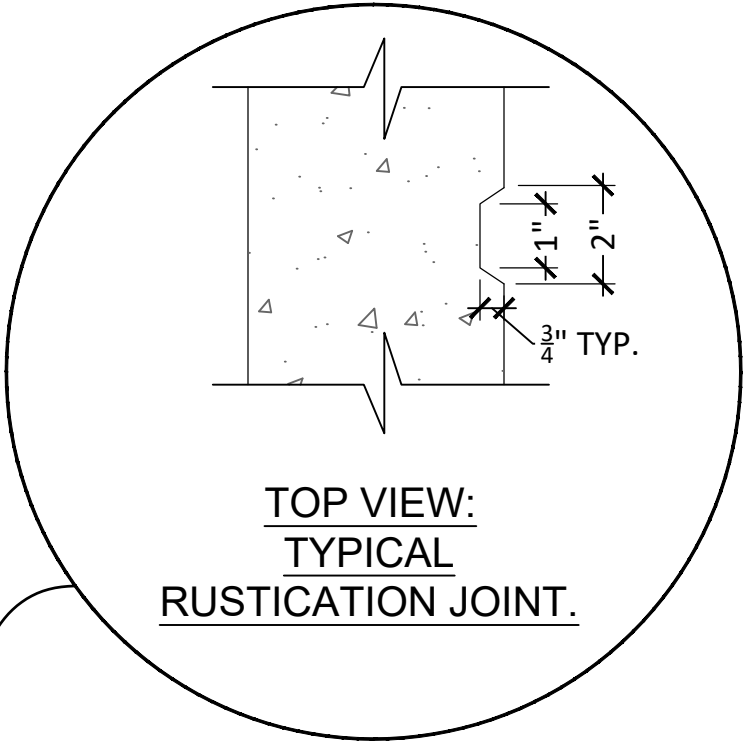
2023 COLBY PARK IMPROVEMENTS

TYPICAL SECTIONS

SHEET

B.03

1



2



1

SHOP DRAWINGS REQUIRED

NOTE:
GUARDRAILS ON THIS SHEET TO BE INCIDENTAL TO PLAYGROUND EQUIPMENT. HANDRAILS PAID SEPARATELY.

HANDRAILS & GUARDRAILS SHALL FOLLOW ALL ADA DESIGN REQUIREMENTS.

HANDRAILS & GUARDRAILS SHALL FOLLOW ALL ADA DESIGN REQUIREMENTS.


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2023 COLBY PARK IMPROVEMENTS
TYPICAL SECTIONS

SHEET

3.04

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Structure:

Stainless Steel Fabrication,
(see specification for details)

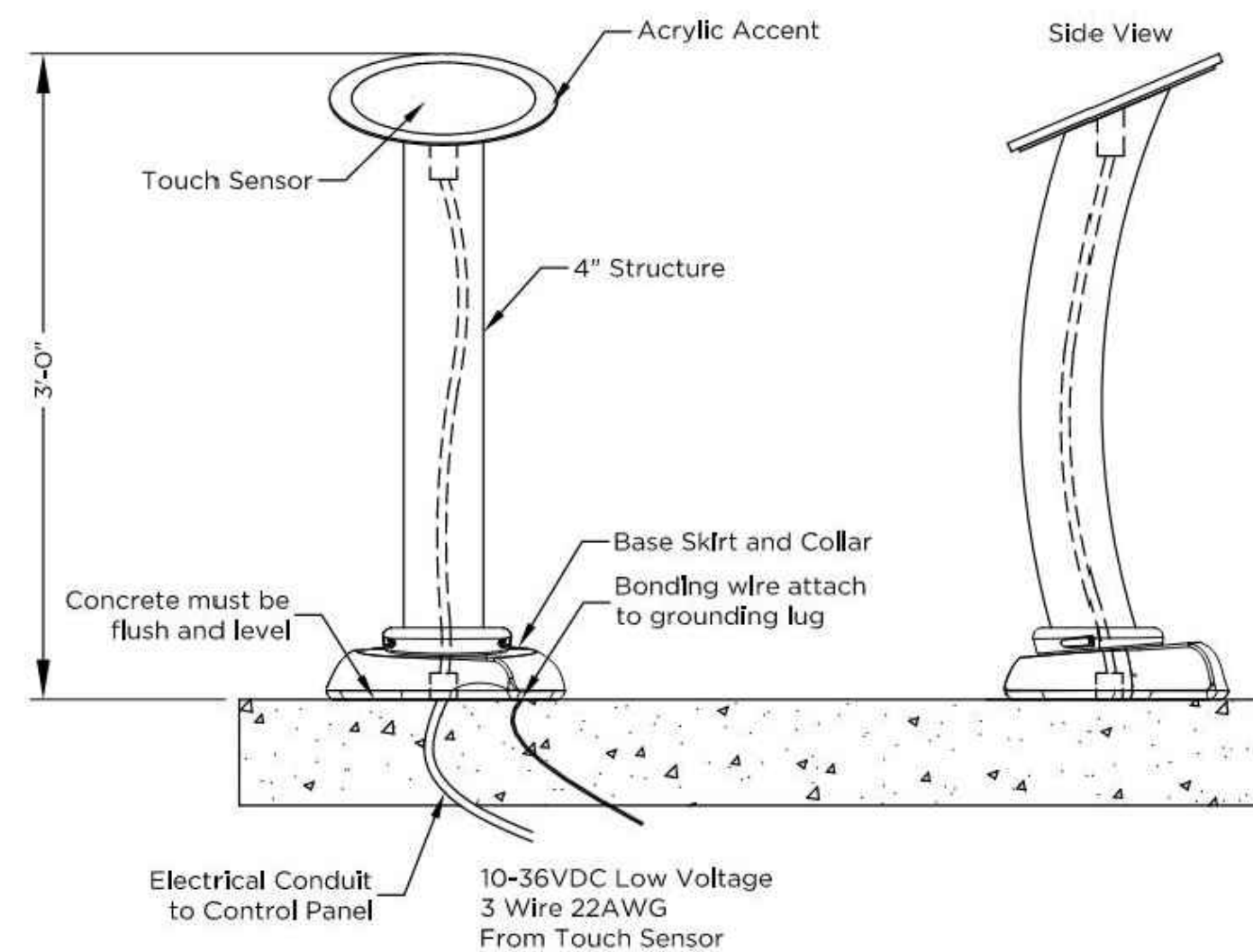
Acrylic Accents
(see specification for details)

Skirt
Fiberglass Fabrication
(see specification for details)

Collar
Urethane
(see specification for details)

Aquavator Data:

Recommended Distance From Aquavator(s) to
Control Panel 50'



Aquavator:

Model No.	Description
ACT-BP	Aquavator



877-632-0503
Local 952-445-5135
Fax 952-345-6444
aquatix.playlsi.com

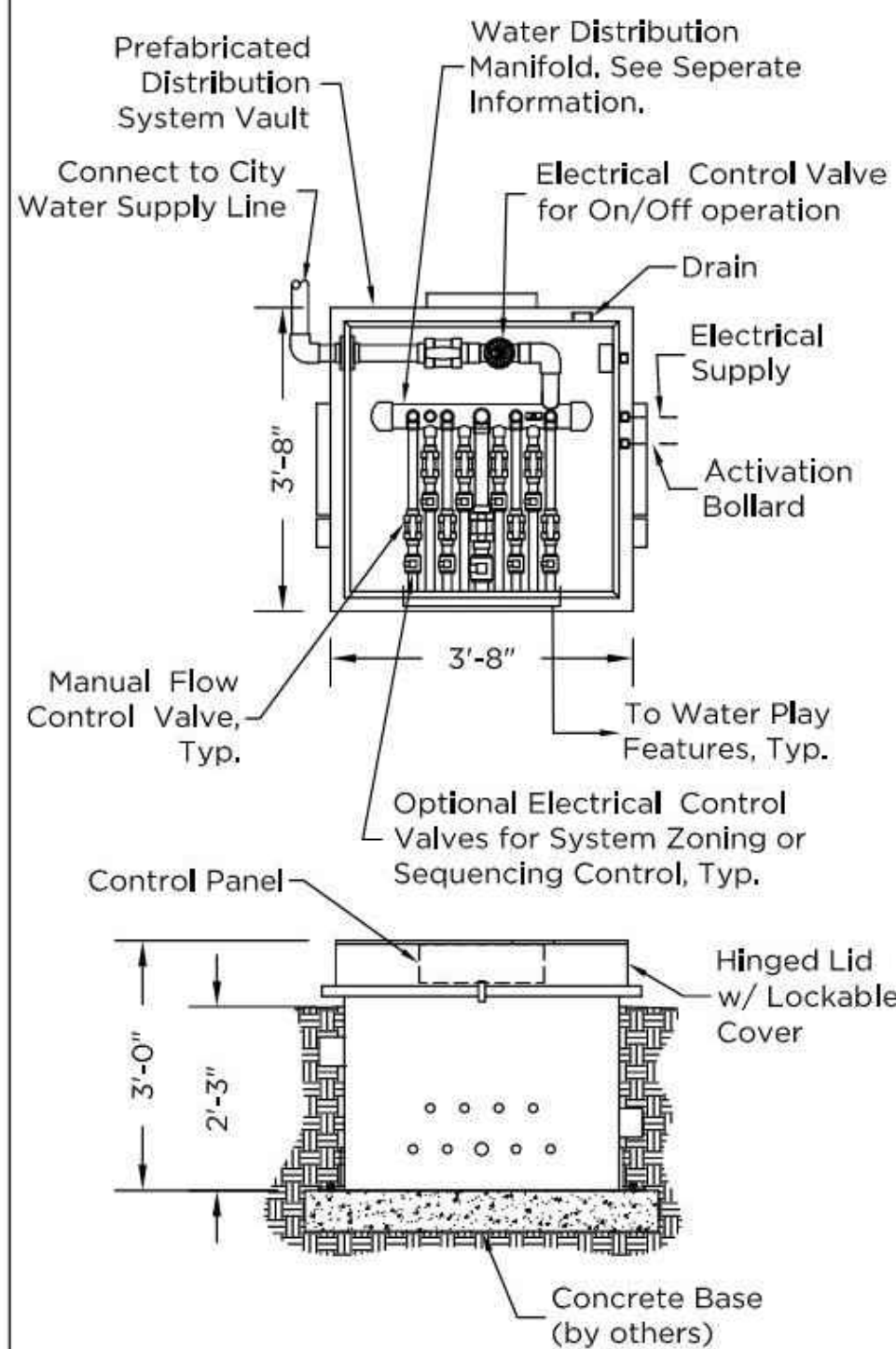
AQUAVATOR

JLS
DRAWN BY

1/4"=1'-0"
SCALE

1/18/17
DATE

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Note:
-Configuration of manifold to be project specific.
-All discharge lines are supplied with manual ball valves to regulate flow.
-If system is designed for zone or sequencing, electrical activation valves will be added and controlled by PLC in control panel.
-To avoid erosion of copper supply line pipe, velocities should not exceed 8 feet per second.
-All plumbing lines and valving shall be installed per local codes and regulations.

Distribution Sizing Chart:

Model No.	Max. Feature Flow Rate:	Water Supply Line**
WDM-300-175	175 gpm	3"

** Note: Water supply line flow rates are based on 20 to 30 psi.



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PREFABRICATED DISTRIBUTION VAULT SYSTEM

KML
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SCALE

9/21/16
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Domestic Vault System:

- Water Distribution Manifold -

Total Feature Flow Rate:	Project Specific
Optional Zoning Electrical Control Valves:	Yes / No
Optional Sequencing Electrical Control Valves:	Yes / No
Discharge Lines (11 max):	

- Control Panel -

Standard Panel design for all on/off controls only:	Yes / No
PLC Based Panel for Zoned Controlled System:	Yes / No
PLC Based Panel for Sequenced Controlled System:	Yes / No

Power Feeds to Manifold: _____ (# of Valves)

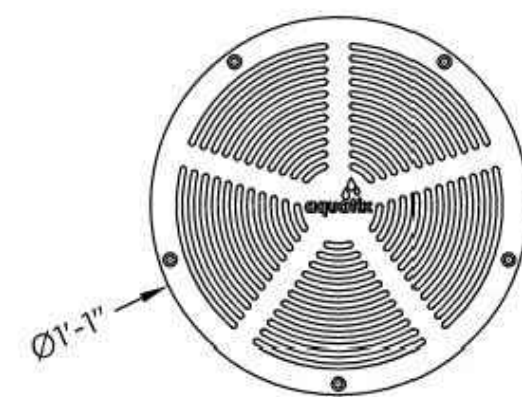
Activation Bollard Relay: _____ (# of Bollards)

Main Power Supply #1:
120 volts Single phase 20A max.
(1 ph, 120 v, 60 Hz.)
(*Power Supply to be GFI protected.)

- Prefabricated Distribution System Vault -

Note:
-Information provided is preliminary except the required main power supply NEEDS 120v, / 1ph.

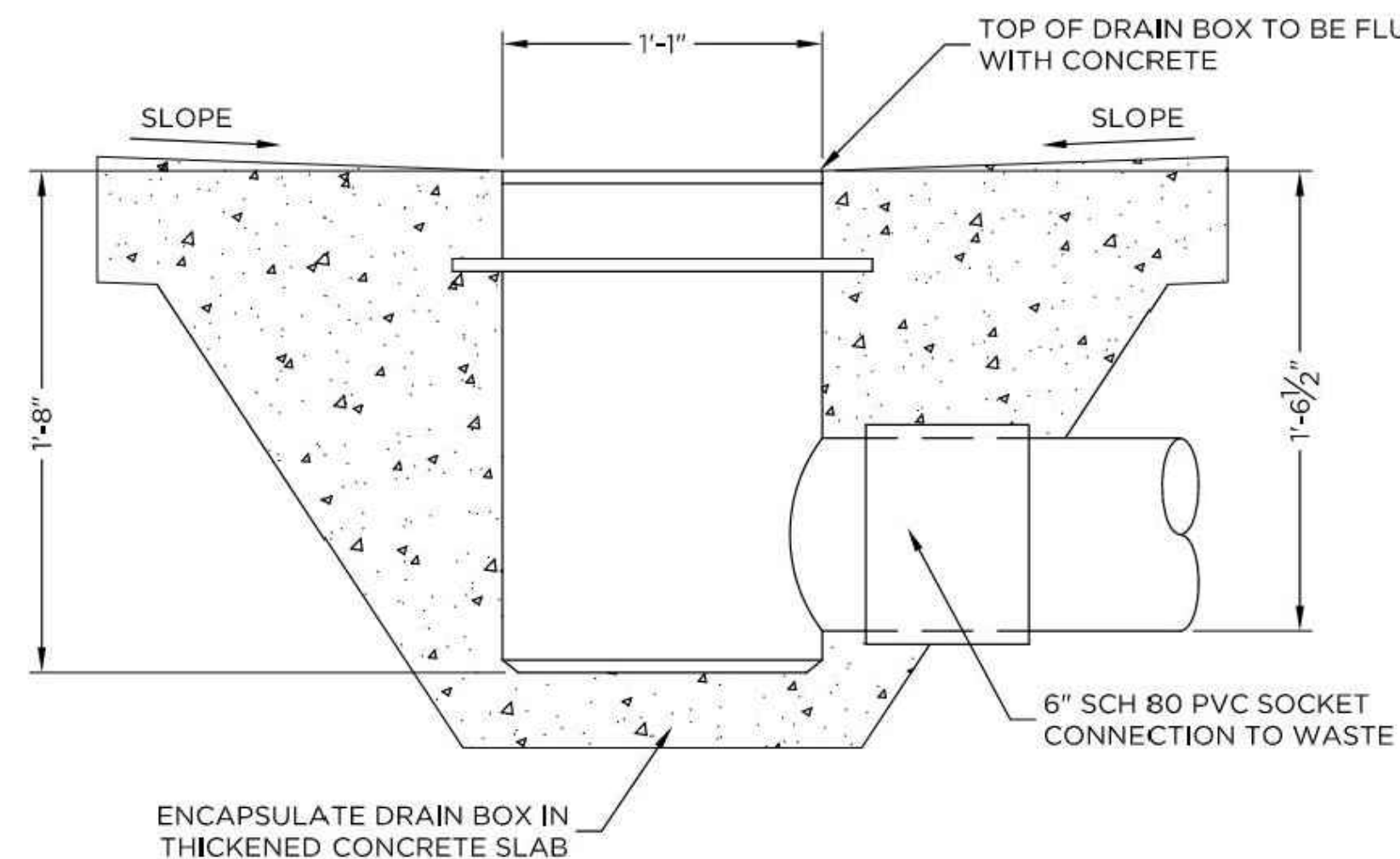
Top View



Single Port Drain Box Data:

Max 120 gpm Gravity Flow Per Unit

Note:
-Above Information is preliminary. Exact number of collector boxes needed for splash pad design based on total feature flow rate, size of splash pad, drainage needs for splash pad layout, and elevation/distance of collector box(s) to waste.



Drain Box:

Model No.	Max. Gravity Flow Rate: (Per Box)
DB-120-6	120 gpm

Note:
-120gpm MAXIMUM drainage is based on a 1/4" per foot slope from 6" collector box drainage line to waste.



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SINGLE PORT DRAIN BOX

P.J.
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1 1/2"=1'-0"
SCALE

2/13/18
DATE

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1 ELEMENTS FOR THE SPLASHPAD

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2023 COLBY PARK IMPROVEMENTS

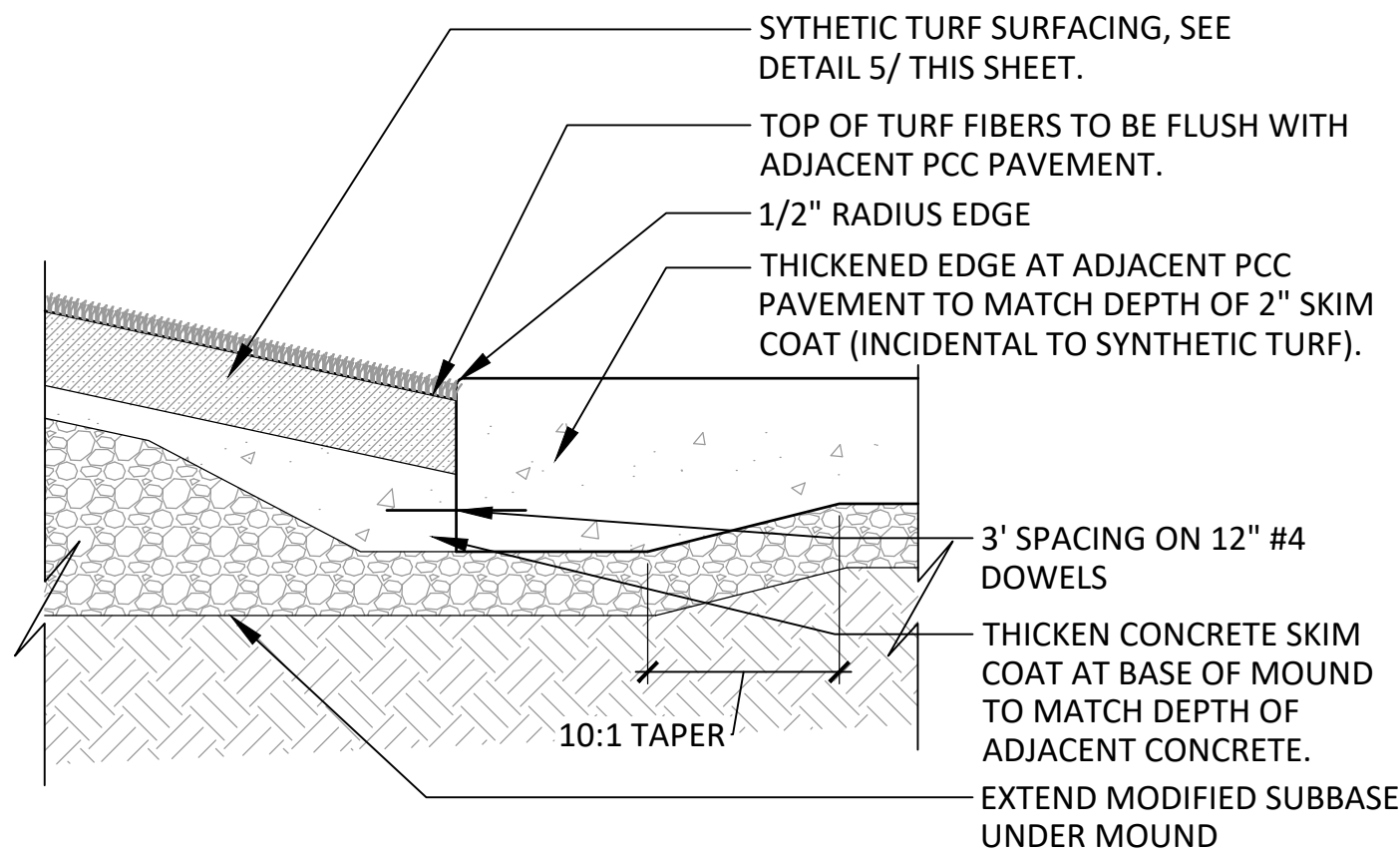
TYPICAL SECTIONS

SHEET

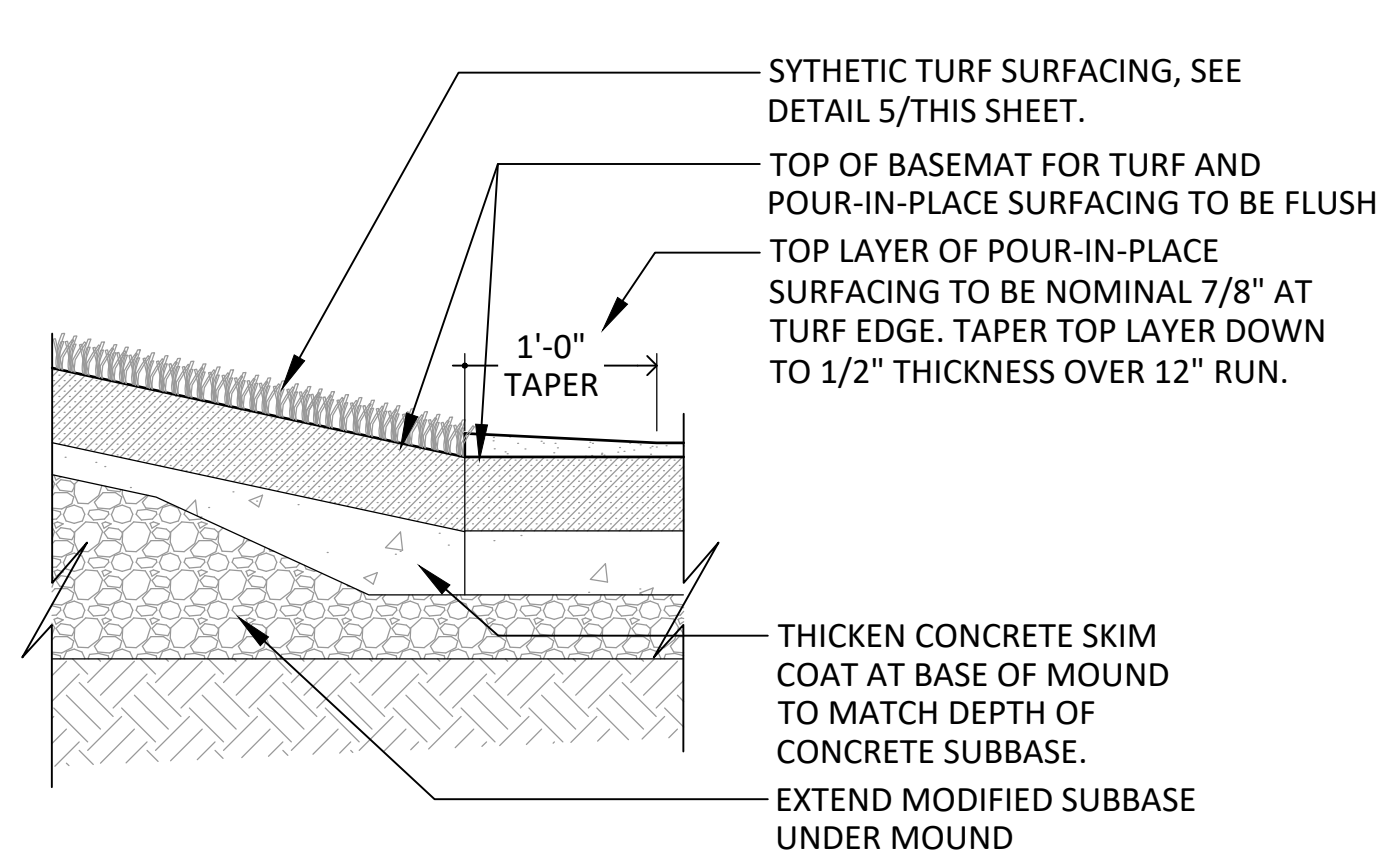
B.05

POURED-IN-PLACE PLAYGROUND SURFACING NOTES:

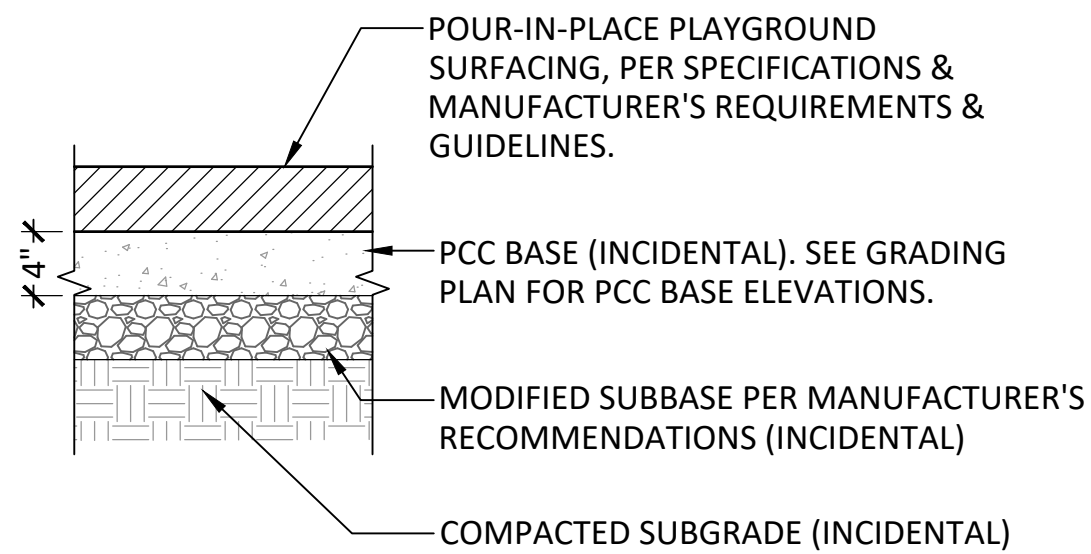
- A. MANUFACTURER: SURFACE AMERICA
CONTACT: DIANE WITT, OUTDOOR RECREATION PRODUCTS
WEST DES MOINES, IOWA
515-802-9861
DIANE@OUTDOORREC.NET
- B. PLAYGROUND SURFACING:
- PLAYBOUND - POURED-IN-PLACE SURFACING
- ALIPHATIC SYSTEM (EXTREME 10 WARRANTY)
- FIVE (5) COLOR VARIATIONS, PATTERN TBD; NO MORE THAN 25% OF PATTERN TO BE MANUFACTURER'S PREMIUM COLORS
- COLOR MIX RATIO: 50% COLOR, 50% BLACK.
- MINIMUM SURFACING DEPTH: 5 1/2" (CONTRACTOR TO VERIFY WITH MANUFACTURER)
- C. ALL COLORS AND AVAILABLE OPTIONS TO BE SUBMITTED TO OWNER FOR APPROVAL.
- D. PROVIDE SHOP DRAWINGS FOR APPROVAL. MANUFACTURER TO CONFIRM SURFACING DEPTH BASED ON SPECIFIED PLAYGROUND LAYOUT.
- E. SURFACING, CONCRETE BASE AND AGGREGATE SUBBASE TO BE INSTALLED PER MANUFACTURER SPECIFICATIONS



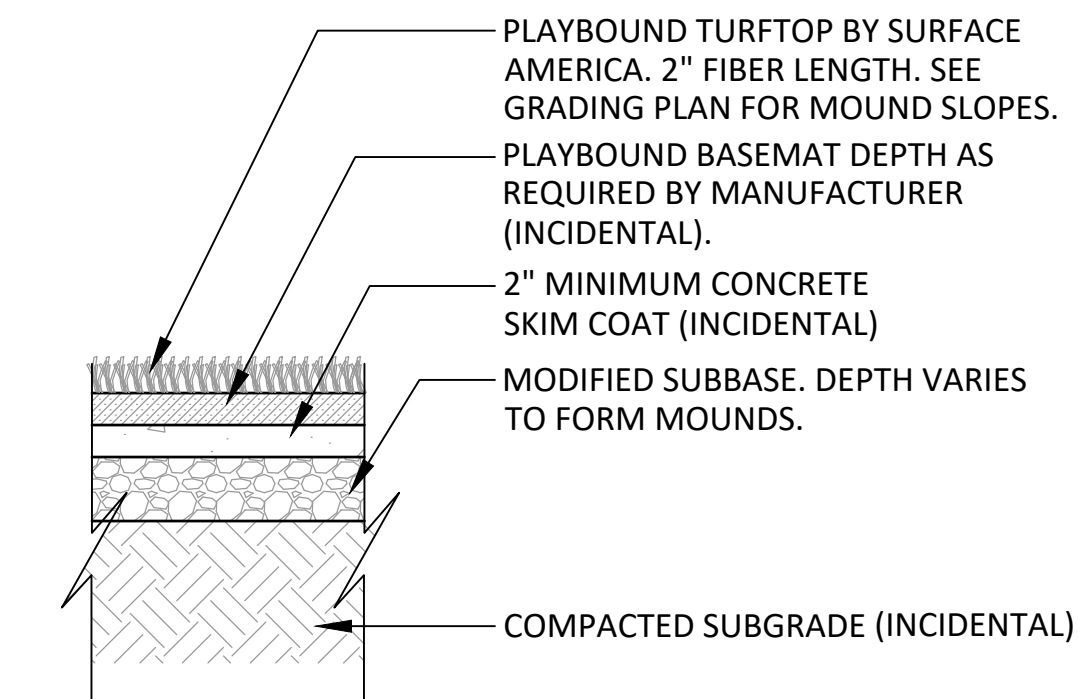
2 SYNTHETIC TURF AT CONCRETE EDGE
SCALE: N.T.S.



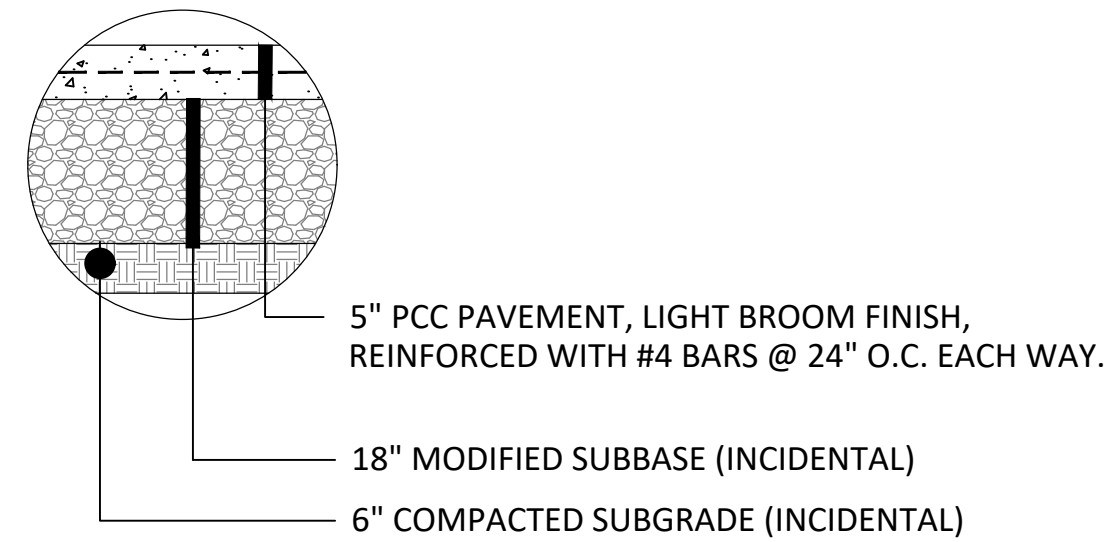
3 SYNTHETIC TURF AT POUR-IN-PLACE SURFACING EDGE
SCALE: N.T.S.



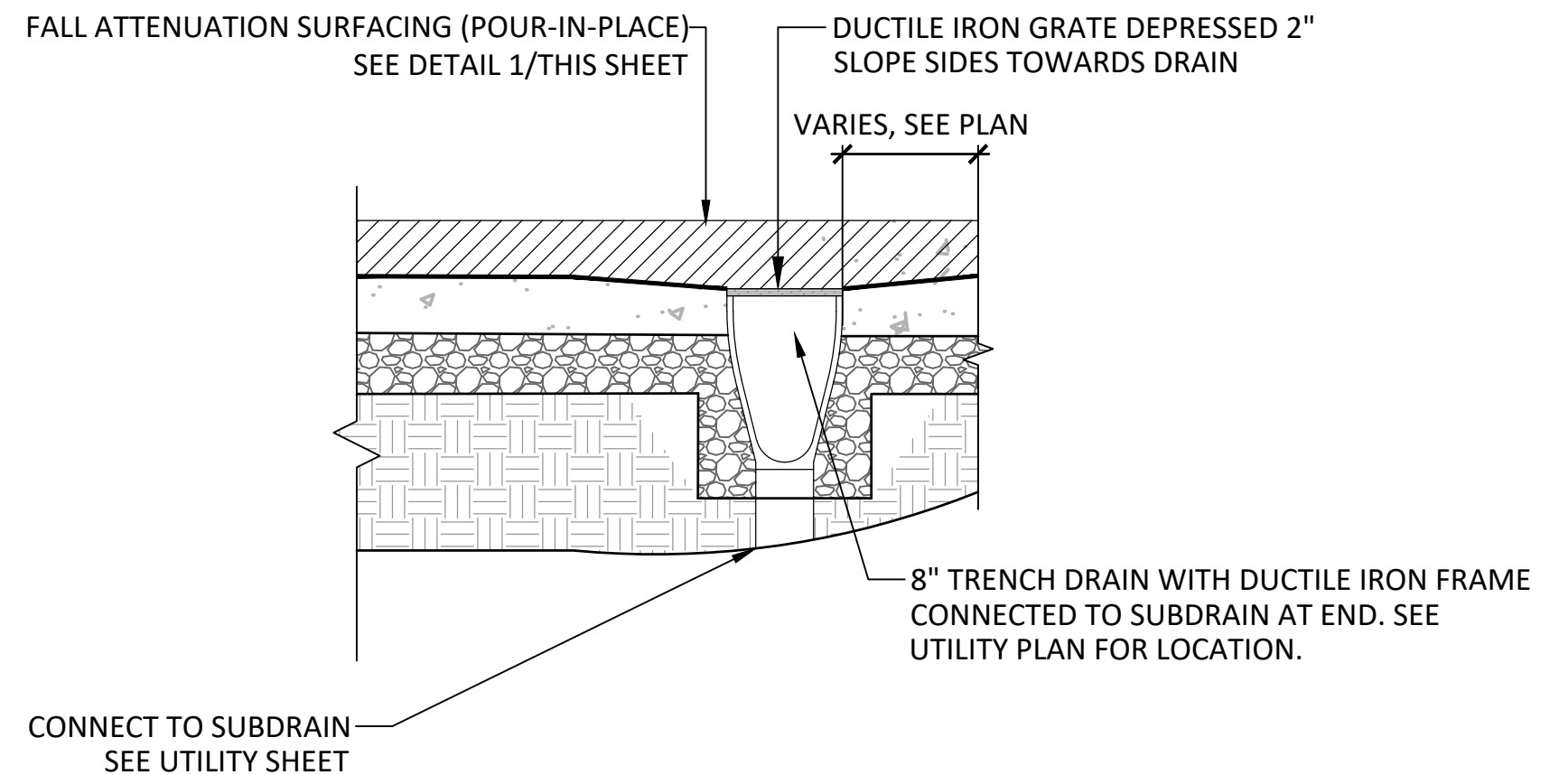
1 FALL ATTENUATION SURFACING (POUR-IN-PLACE)
SCALE: N.T.S.



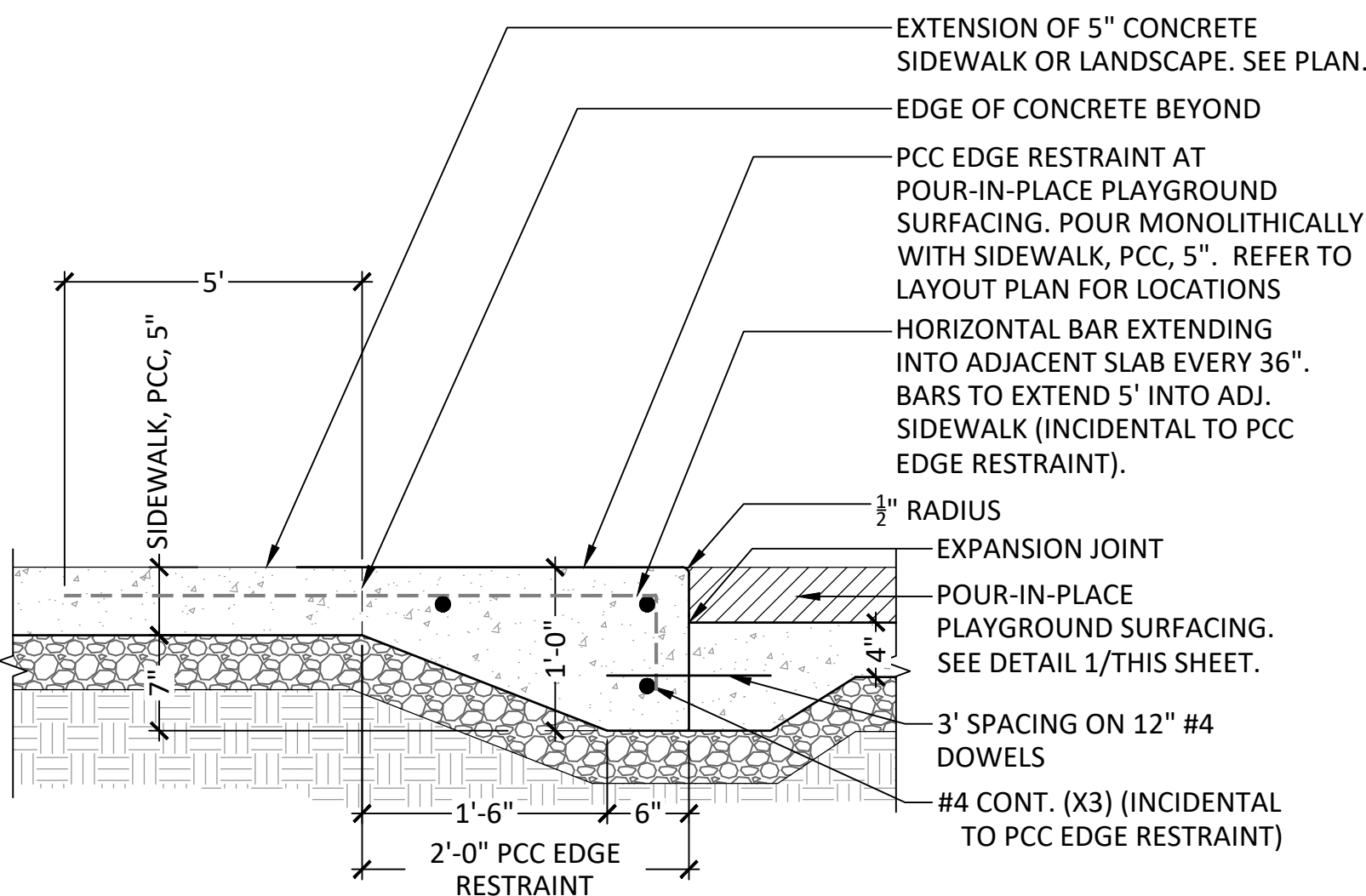
4 FALL ATTENUATION SURFACING (SYNTHETIC TURF)
SCALE: N.T.S.



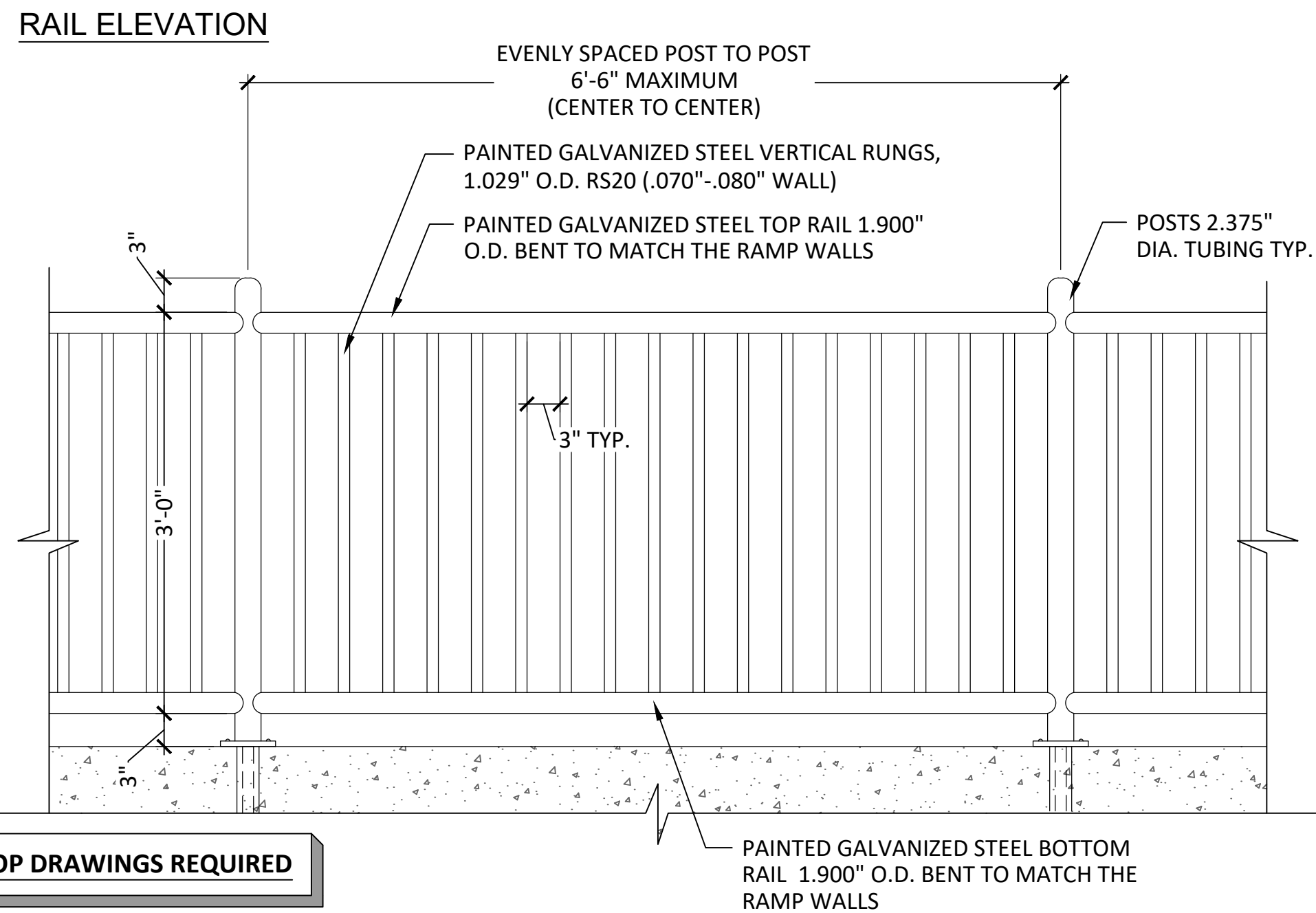
5 PAVEMENT, PCC, 5" REINFORCED (SPASH PAD)
SCALE: N.T.S.



6 LINEAR TRENCH DRAIN
SCALE: N.T.S.

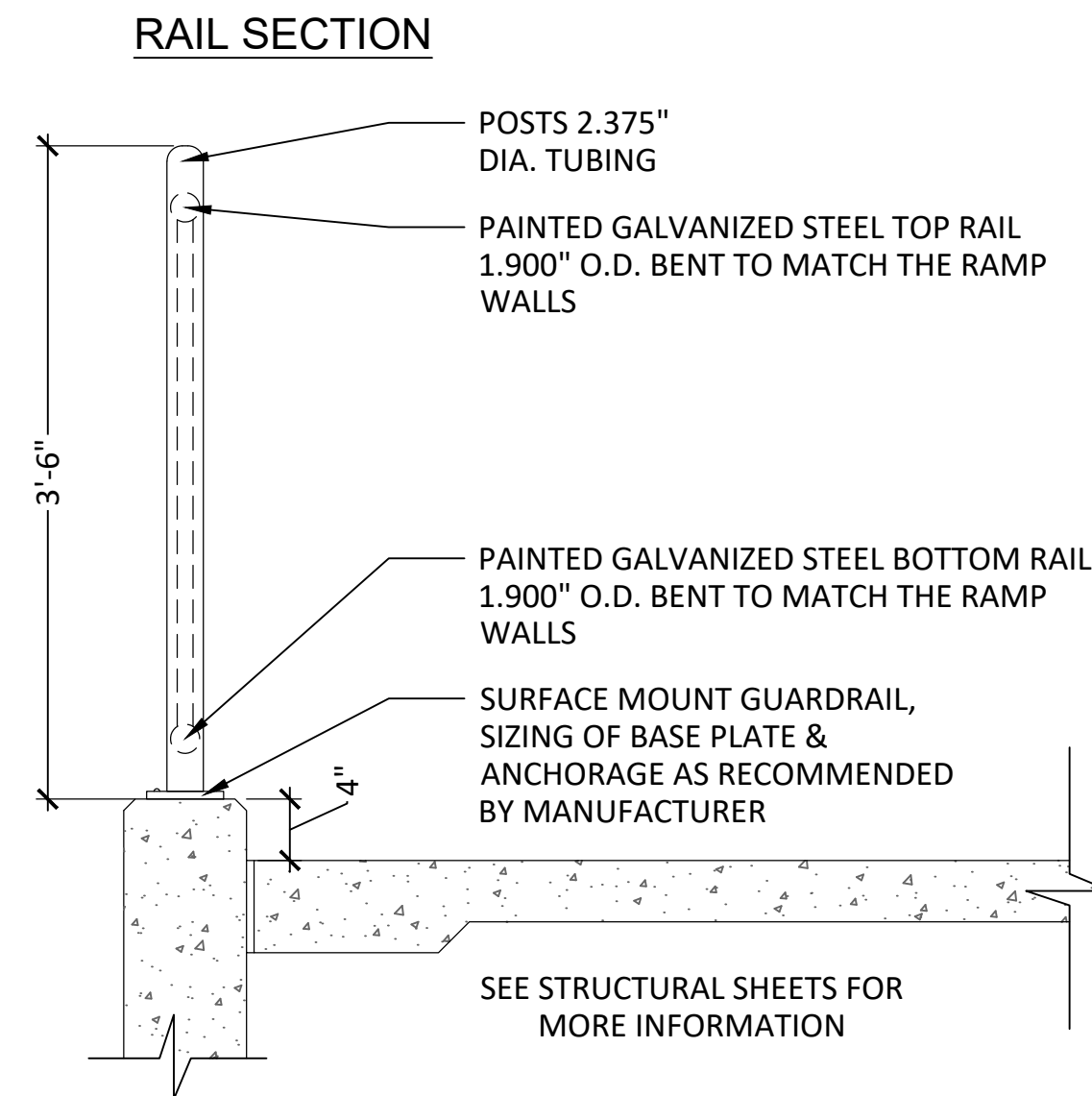


7 PCC EDGE RESTRAINT AT PLAYGROUND SURFACING
SCALE: N.T.S.



SHOP DRAWINGS REQUIRED

8 PLAYGROUND GUARDRAILS (ELEVATION)
SCALE: N.T.S.



- GUARDRAILS/HANDRAILS:
1. MANUFACTURER: LANDSCAPE STRUCTURES
 2. FINISH: PROSHIELD BY LANDSCAPE STRUCTURES
 3. COLOR: TO BE SELECTED FROM MANUFACTURER'S STANDARD COLORS.
 4. MOUNTING: SURFACE MOUNT

OR APPROVED EQUAL
CONTACT: DIANE WITT
402-289-0400
diane@oudoorrec.net
outdoorrecreationproducts.com

SHOP DRAWINGS REQUIRED

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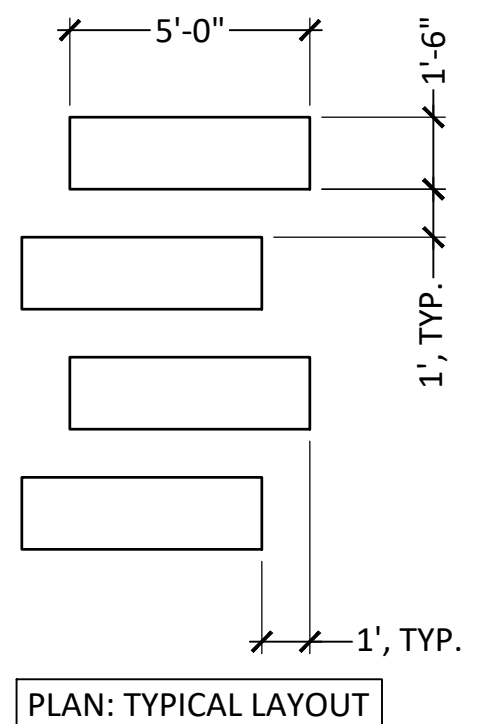
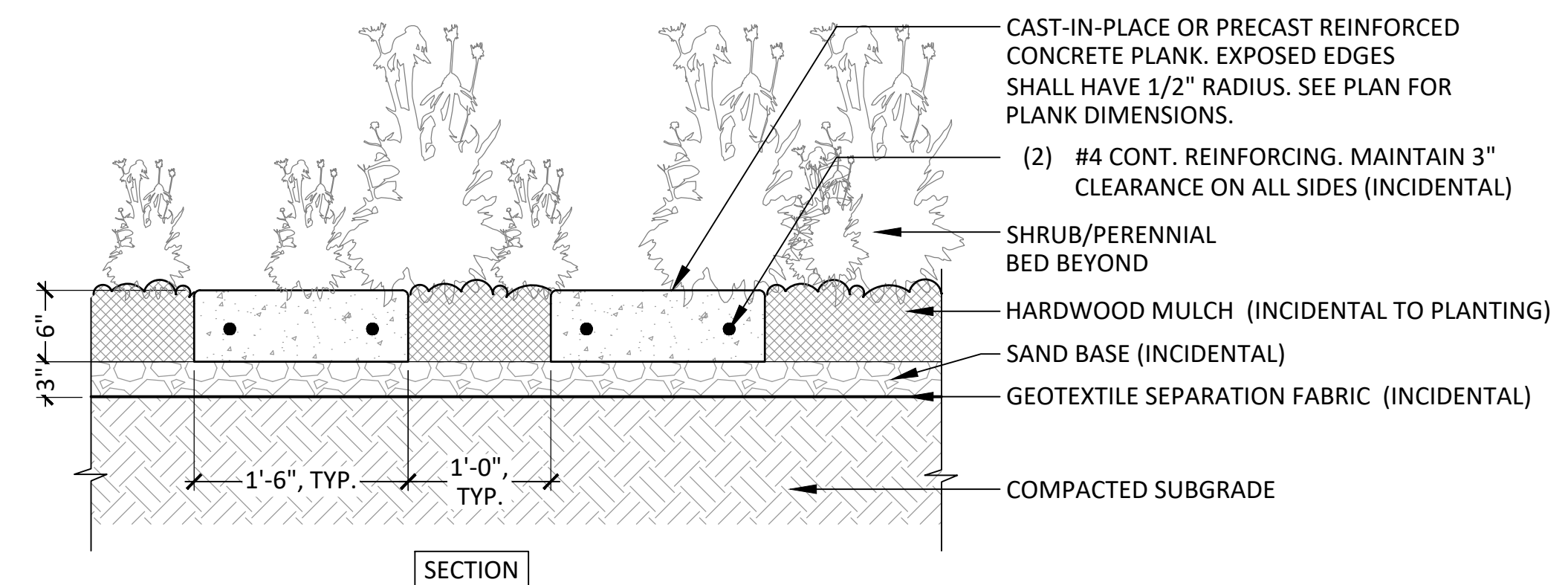
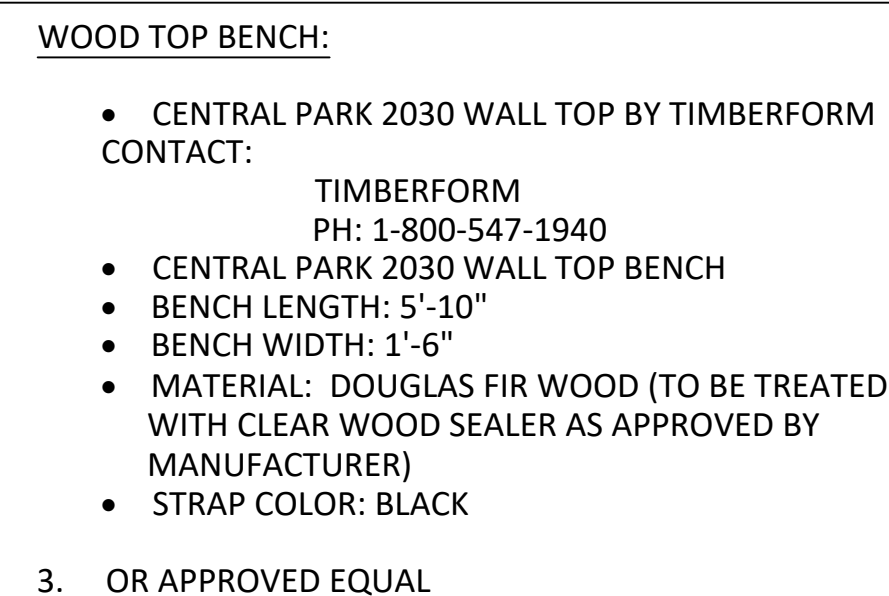
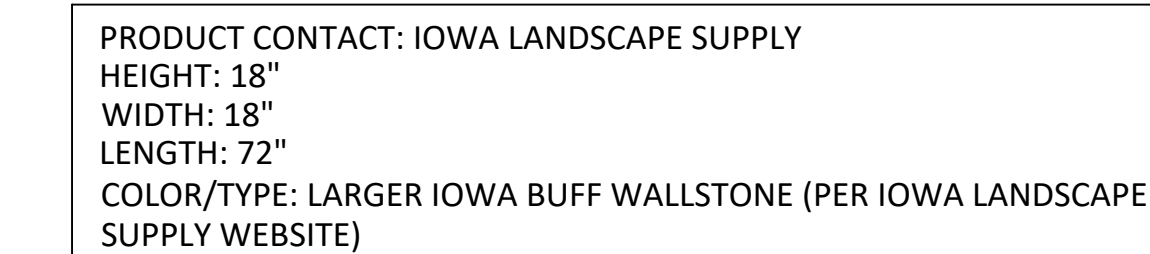
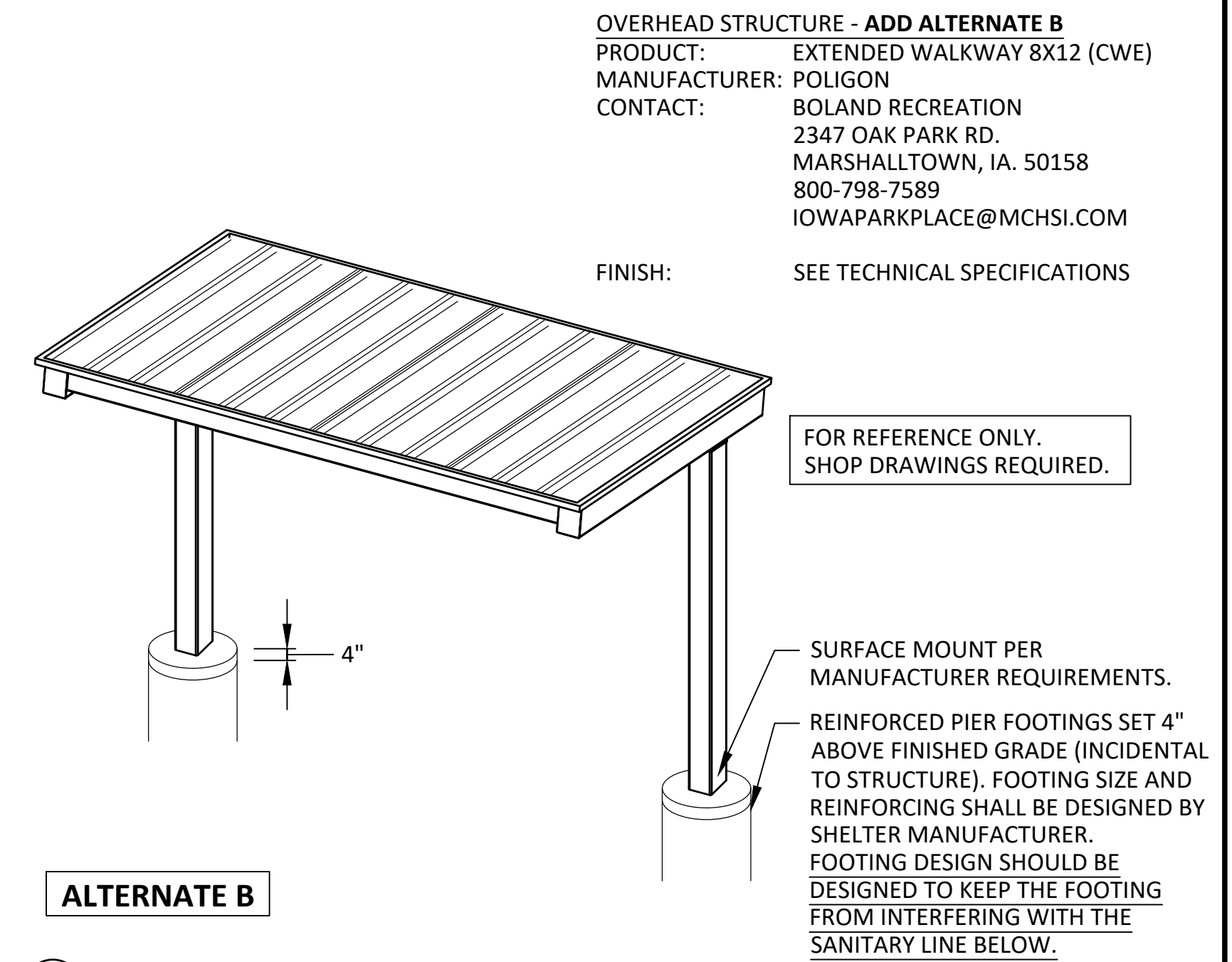
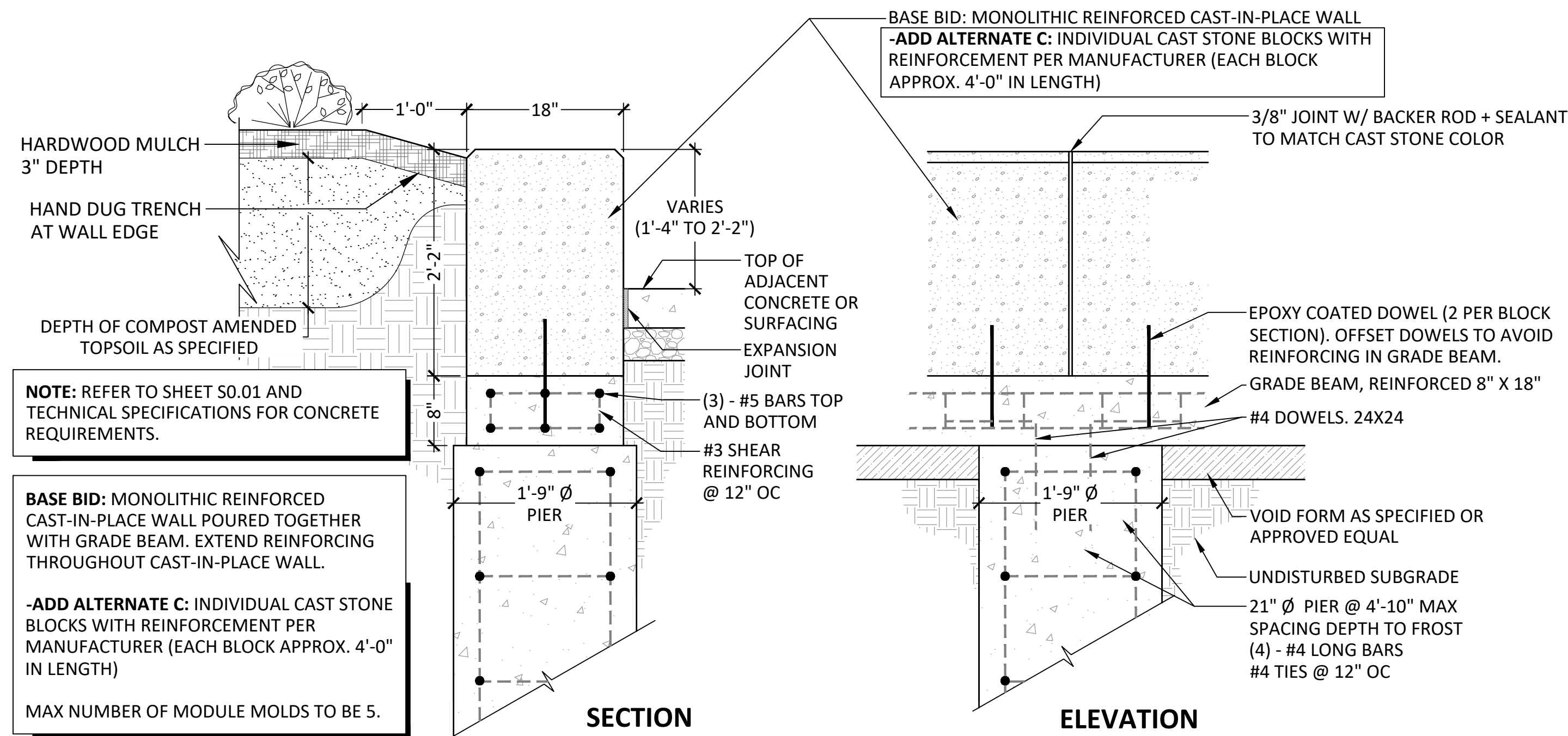


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CITY OF WINDSOR HEIGHTS, IOWA
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TYPICAL DETAILS



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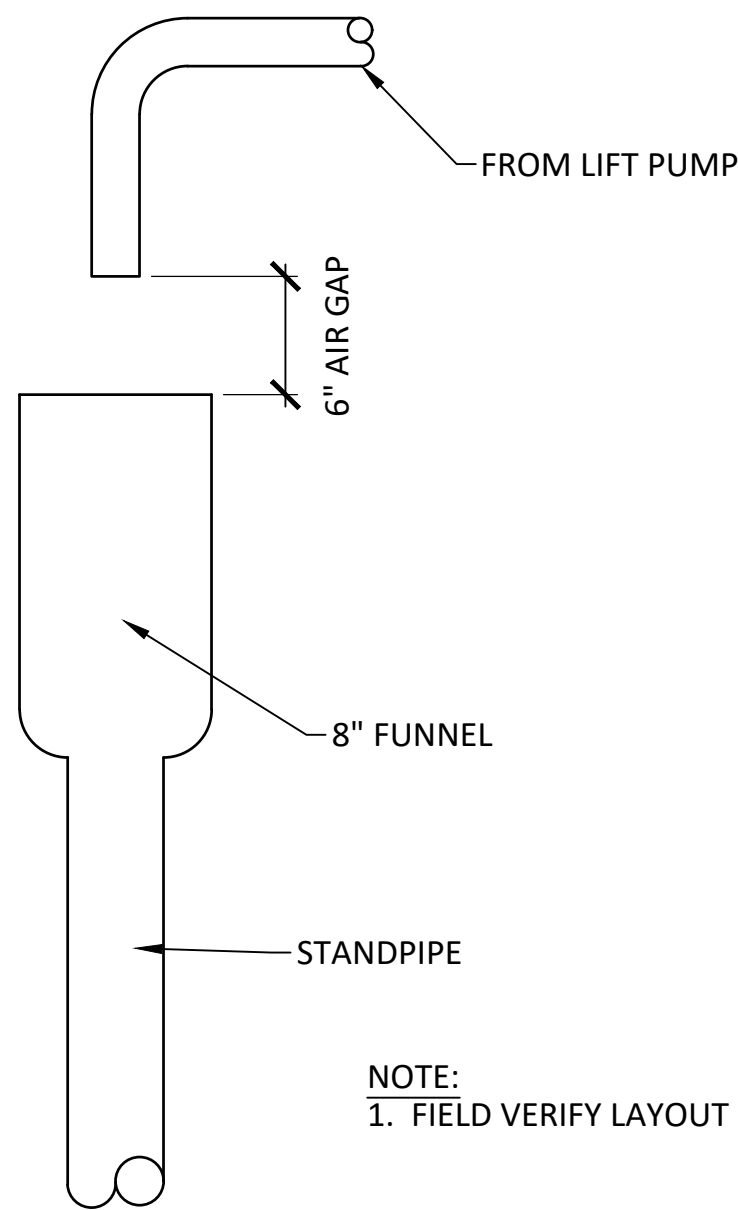
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2023 COLBY PARK IMPROVEMENTS

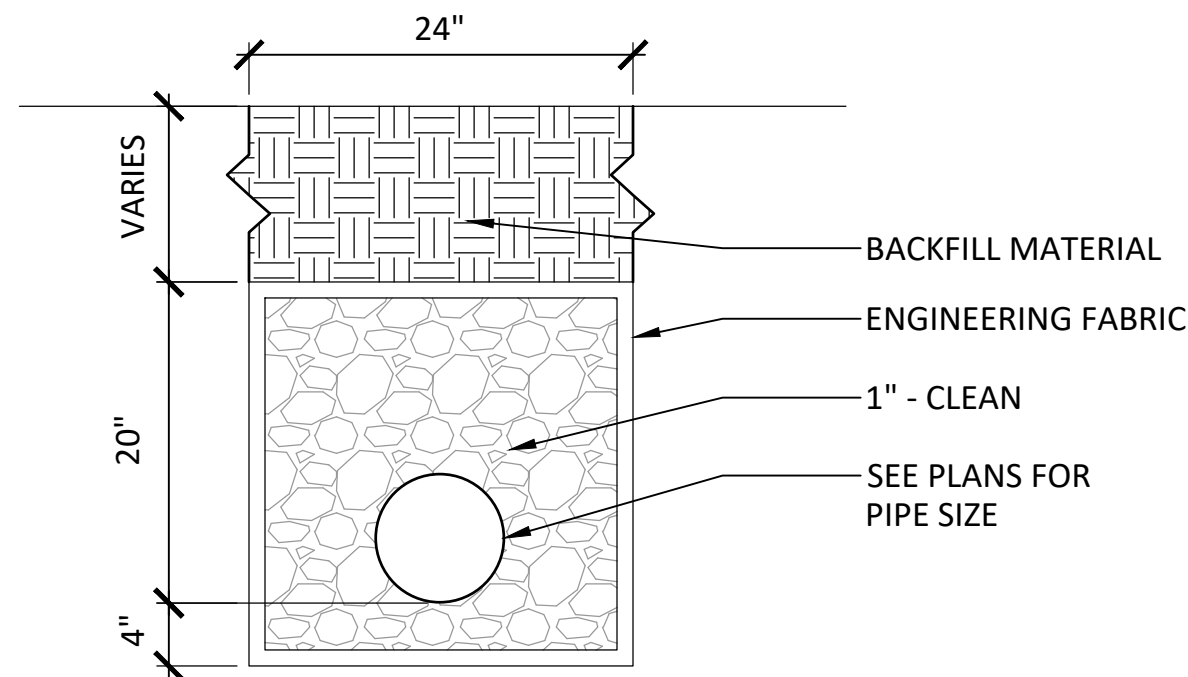
TYPICAL DETAILS

SHEET

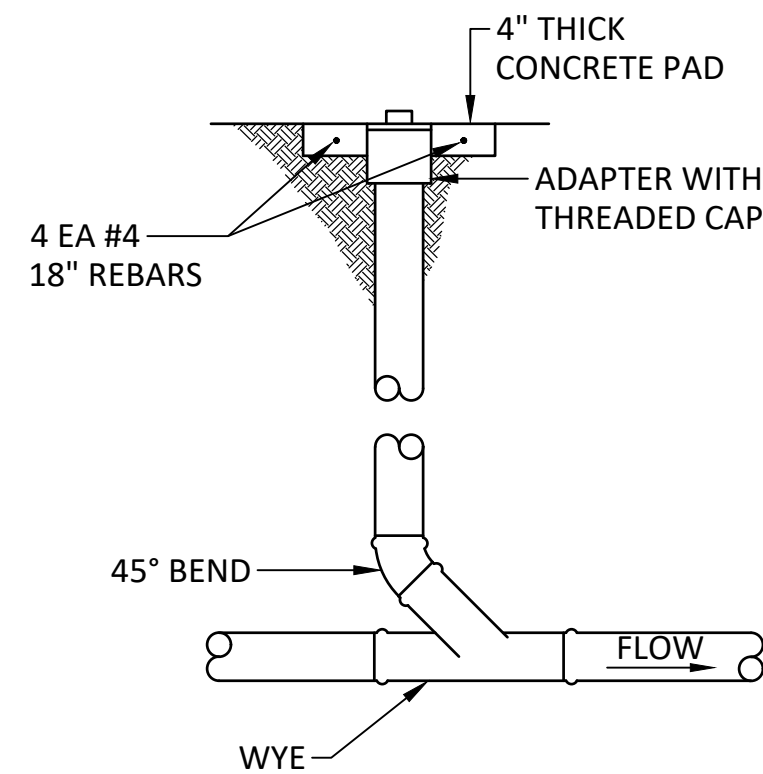
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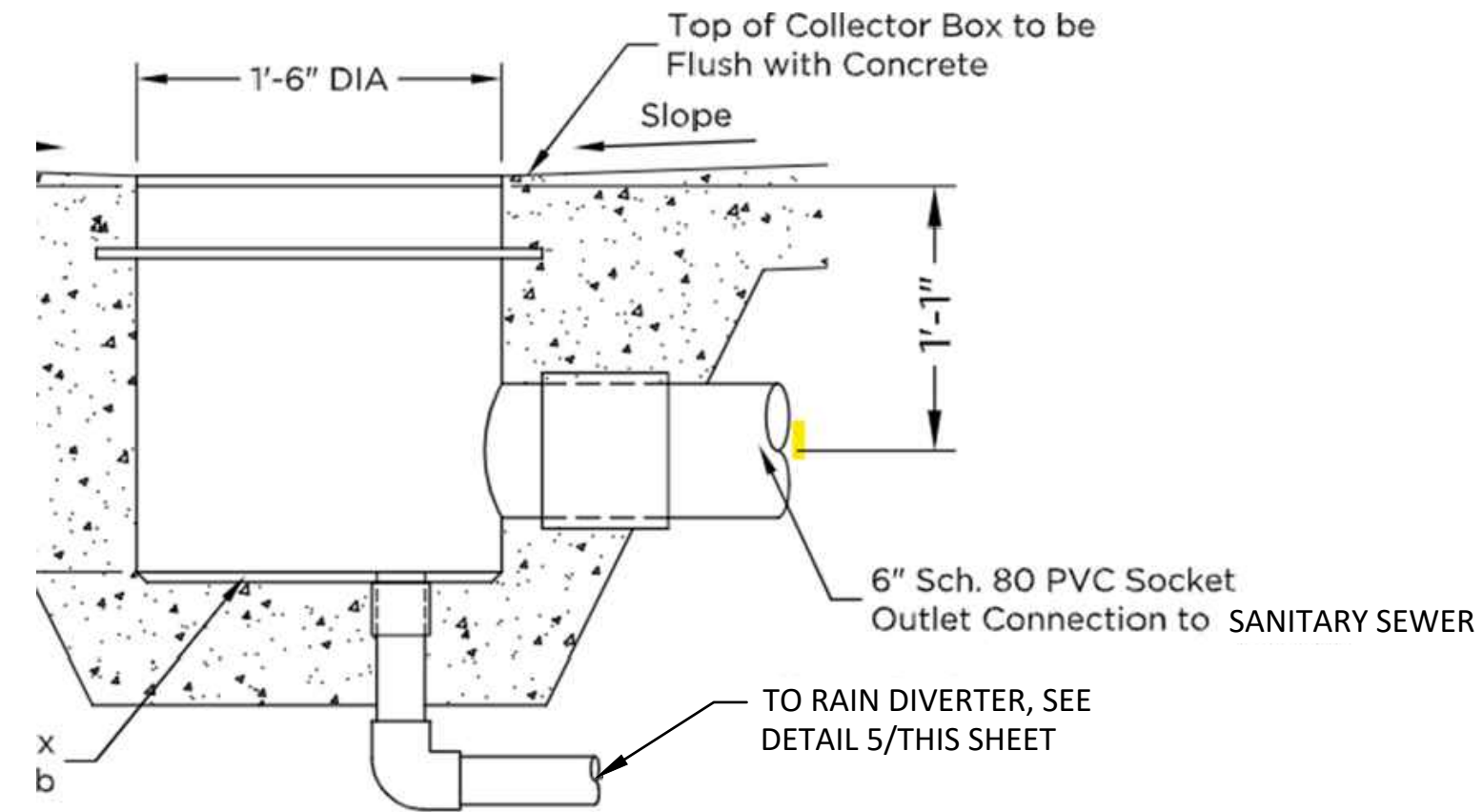
1 BACKWASH STANDPIPE
SCALE: N.T.S.



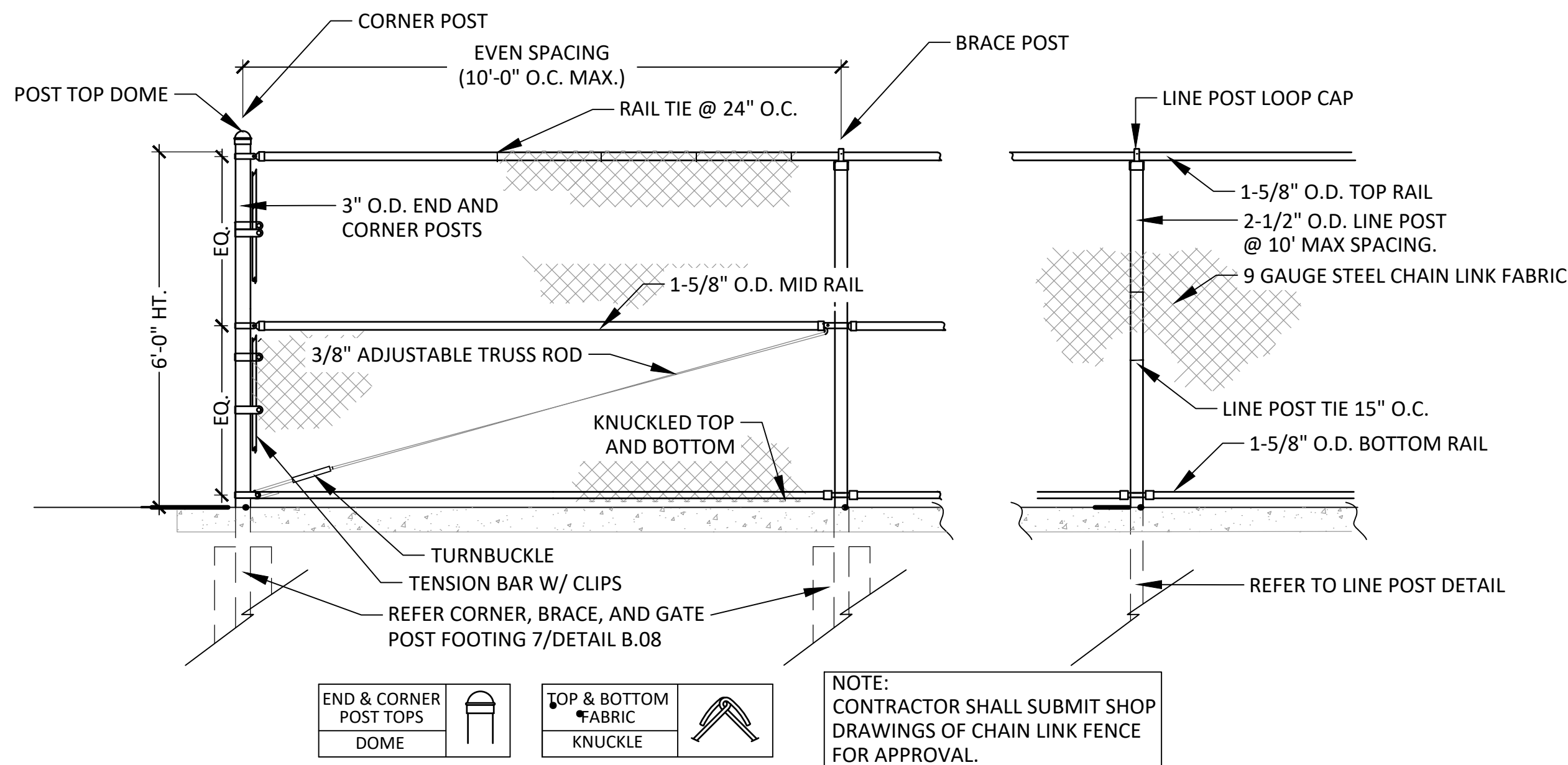
2 DRAIN TILE DETAIL
SCALE: N.T.S.



3 CLEANOUT
SCALE: N.T.S.



4 CATCH BASIN (INCIDENTAL TO SPLASHPAD)
SCALE: N.T.S.



6 6' HT. FENCE
SCALE: N.T.S.

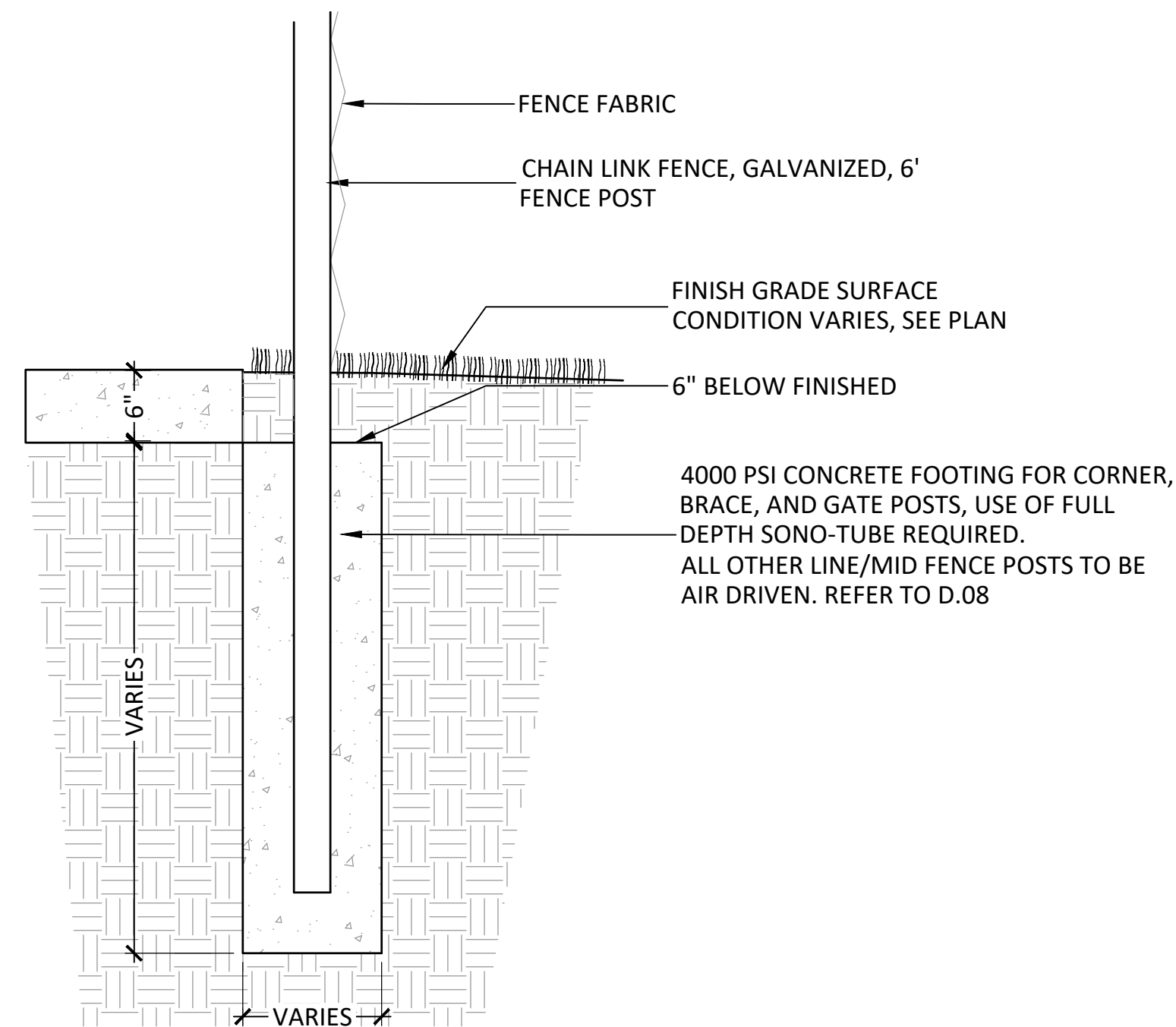
FENCE INFORMATION

MANUFACTURER:
AMERICA'S FENCE STORE
CONTACT: SCOTT MATTIS
EMAIL: dsm1@americafence.com
ADDRESS: 6300 NW BEAVER DR JOHNSTON, IA 50131
PHONE: 515-265-6100

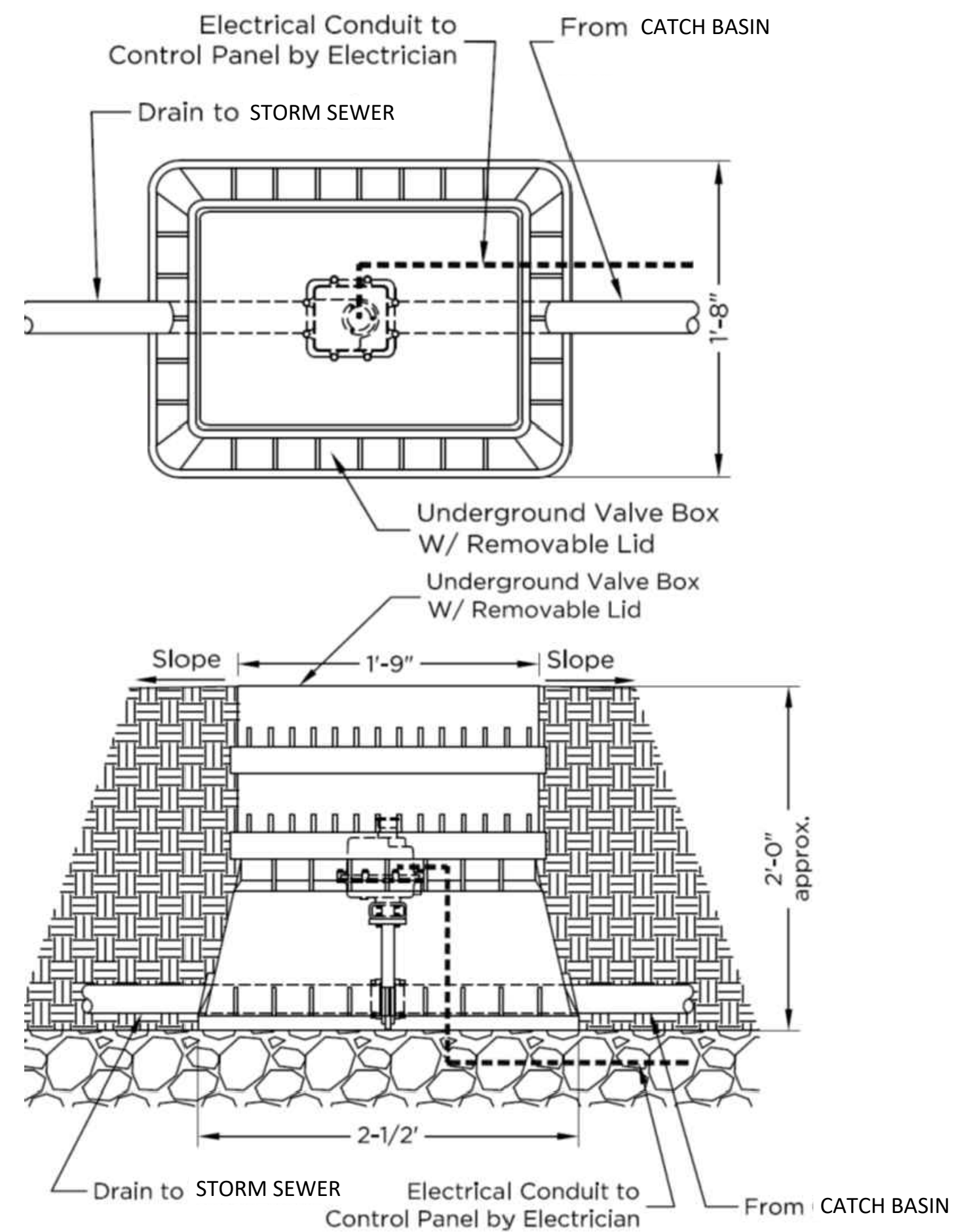
FENCE

- CHAIN LINK FENCE, GALVANIZED, 6' COMMERCIAL CHAIN LINK FENCE TO MEET ASTM F668 FOR FINISHES FOR COATED FABRIC. CONTRACTOR TO PROVIDE SHOP DRAWINGS, PRODUCT MATERIALS, AND CUT SHEETS.
- CHAIN LINK FENCE, GALVANIZED, 6' FABRIC FITTINGS & FRAMEWORK
- EXPOSED HARDWARE USED ON POWDER COATED ELEMENTS TO BE PAINTED TO MATCH & CONTRACTOR RESPONSIBLE FOR ALL HARDWARE REQUIRED FOR INSTALLATION COMPLETE.
- CONTRACTOR RESPONSIBLE FOR STRUCTURAL INTEGRITY OF FENCE AND SHALL AD TENSION RODS AS REQUIRED FOR STRUCTURAL STABILITY. DETAILS SHOWN IN THE BID SET ARE FOR AESTHETICS AND DESIGN GUIDANCE ONLY. NOTIFY OWNER AND ENGINEER IF FENCE DESIGN AND DETAILING REQUIRE ADJUSTMENTS TO ACHIEVE ADEQUATE STRUCTURAL STABILITY.

OR APPROVED EQUAL

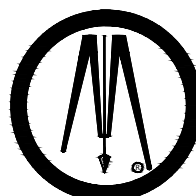


7 CORNER AND BRACE POSTS AND FOOTINGS
SCALE: N.T.S.



5 RAIN DIVERTER (INCIDENTAL TO SPLASHPAD)
SCALE: N.T.S.

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SEALED CB
CHECKED CB
CLIENT PROJ. NO. 076.128908

CITY OF WINDSOR HEIGHTS, IOWA

2023 COLBY PARK IMPROVEMENTS

TYPICAL DETAILS

SHEET

B.08

GENERAL NOTES:

1. TYPICAL STRUCTURAL DETAILS AND NOTES SHALL APPLY UNLESS NOTED OTHERWISE ON THE DRAWINGS.
2. EXAMINE SITE AND DRAWINGS TO DETERMINE LOCATIONS AND DIMENSIONS OF UTILITIES, AND SITE IMPROVEMENTS.
3. BEFORE CONSTRUCTION FABRICATION AND ERECTION OF ANY MATERIALS, CONTRACTOR SHALL FIELD VERIFY ALL EXISTING ELEVATIONS, DIMENSIONS AND CONDITIONS AS SHOWN ON THE DRAWINGS AND REPORT DISCREPANCIES TO THE ENGINEER AT ONCE FOR RESOLUTION.
4. ALL DIMENSIONS, LOCATIONS, ELEVATIONS AND CONDITIONS OF EXISTING STRUCTURES SHOWN ON THE CONTRACT DRAWINGS SHALL BE FIELD VERIFIED BY THE CONTRACTOR.
5. THE STRUCTURAL DESIGN IS BASED ONLY ON THE STRUCTURE IN ITS COMPLETED STATE. CONTRACTORS AND THEIR SUBCONTRACTORS SHALL TAKE WHATEVER PRECAUTIONS ARE NECESSARY TO WITHSTAND ALL HORIZONTAL AND VERTICAL LOADING THAT MAY BE ENCOUNTERED DURING THE CONSTRUCTION PROCESS PRIOR TO THE COMPLETION OF THE STRUCTURE.
6. WRITTEN DISTANCES & ELEVATIONS SHALL GOVERN OVER SCALED DISTANCES & ELEVATIONS.
7. ELEVATIONS ARE BASED ON THE BENCH MARKS NOTED ON THE DRAWINGS.

MATERIAL NOTES:

REINFORCED CONCRETE:

CONCRETE:

4000 PSI @ 28 DAYS

REINFORCEMENT BARS:
DEFORMED BARS

ASTM A615, GRADE 60

DESIGN CRITERIA & LOADING NOTES:

1. CODE: 2018 INTERNATIONAL BUILDING CODE (IBC)
2. DESIGN LOADING

DEAD LOADS (D)
MATERIALS

CALCULATED

LIVE LOADS (L)

WALKWAY & LANDINGS

60 PSF

LATERAL EARTH PRESSURE LOADS (H)

BACKFILL FRICTION ANGLE

30 DEGREES (ASSUMED)

K_a

0.30

K_p

4.9

SOIL UNIT WEIGHT, MOIST

130 PCF (ASSUMED)

CONCRETE NOTES:

1. LAP SPLICES AND 90 DEGREE END HOOKS SHALL BE AS SHOWN BELOW UNLESS NOTED. WHEN BARS OF TWO DIFFERENT SIZES ARE SPLICED, THE LONGER LAP LENGTH SHALL APPLY.

F'c=4,000 PSI	SLAB, WALL, COLUMN		BEAM		90 DEGREE HOOK
	BAR LAP	TOP BAR	BAR LAP	TOP BAR	
#3	19 IN.	24 IN.	28 IN.	36 IN.	6 IN.
#4	25 IN.	32 IN.	37 IN.	48 IN.	8 IN.
#5	31 IN.	40 IN.	46 IN.	60 IN.	10 IN.

*TOP BAR LAP SPLICES ARE HORIZONTAL REINFORCEMENT PLACED SUCH THAT MORE THAN 12 IN. OF CONCRETE IS CAST IN THE MEMBER BELOW THE SPLICE

2. REINFORCING BARS SHALL HAVE THE FOLLOWING CONC. COVER UNLESS NOTED OTHERWISE.

FOOTINGS AND OTHER UNFORMED SURFACES

3"

CONCRETE EXPOSED TO EARTH, WEATHER OR FLUIDS

#6 BARS OR LARGER

2"

#5 BARS OR SMALLER

1-1/2"

CONCRETE NOT EXPOSED TO WEATHER OR IN CONTACT WITH GROUND

BEAMS, COLUMNS, TIES, SPIRALS AND STIRRUPS

1-1/2"

SLABS, WALLS & JOISTS

3/4"

3. CONCRETE SHALL BE PLACED WITHOUT CONSTRUCTION JOINTS EXCEPT WHERE SPECIFICALLY SHOWN ON THE DRAWINGS OR AS APPROVED BY THE ENGINEER.
4. CAST-IN-PLACE CONCRETE SHALL NOT BE PLACED IN STANDING WATER, ON FROZEN SOIL OR ON FROZEN CONCRETE.
5. FOR LOCATIONS AND DIMENSIONS OF SLEEVES, CURB, OPENINGS AND DEPRESSIONS NOT SHOWN ON THE STRUCTURAL DRAWINGS, SEE ARCHITECTURAL, CIVIL/MECHANICAL, YARDWORK, PLUMBING, HVAC AND ELECTRICAL DRAWINGS. CONTRACTOR SHALL VERIFY AND COORDINATE REQUIREMENTS FOR AND LOCATION OF ABOVE ITEMS WHETHER SHOWN ON THE STRUCTURAL DRAWINGS OR NOT.
6. BEVEL ALL EXPOSED CORNERS OF CONCRETE 3/4" x 3/4".

EXCAVATION NOTES:

1. TEMPORARY GROUND CONTROL IS BY CONTRACTOR DESIGN.
2. CONTRACTOR SHALL PROVIDE AND MAINTAIN ALL TEMPORARY SHEETING AND BRACING NECESSARY TO PROTECT PERSONNEL AND ADJACENT PROPERTY FROM INJURY OR DAMAGE DURING CONSTRUCTION OPERATION.
3. EXCAVATIONS OR TRENCHING WITHIN CLOSE PROXIMITY TO UNDERGROUND STRUCTURES, UTILITIES, OR UTILITY POLES WILL REQUIRE PROTECTION AND SUPPORT TO PREVENT DAMAGE OR INTERRUPTION TO SERVICE. THE COST TO PROVIDE THIS PROTECTION SHALL BE INCLUDED IN THE CONTRACTOR'S TOTAL BASE BID PRICE.

FOUNDATION & SOIL NOTES:

1. THE GEOTECHNICAL ENGINEER SHALL REVIEW AND APPROVE FOUNDATION BEARING SURFACES PRIOR TO THE PLACEMENT OF FOOTINGS OR FOUNDATION.
2. PROVIDE A MINIMUM OF 3'-6" OF SOIL COVER AT EXTERIOR WALL FOOTINGS.
3. REFER TO GEOTECHNICAL REPORT FOR BACKFILL REQUIREMENTS
4. PROTECT FOUNDATION SOILS FROM FREEZING DURING CONSTRUCTION.
5. PLACE FILL AND BACKFILL AND COMPACT TO FOLLOWING MAXIMUM STANDARD PROCTOR DENSITIES UNLESS NOTED OTHERWISE IN THE SPECIFICATIONS:

LOCATION

DENSITY

FILL BELOW FOOTINGS

98%

FILL BELOW SLABS ON GRADE

95%
6. FOUNDATION DESIGN IS BASED ON REQUIREMENTS OF GEOTECHNICAL EVALUATION
REPORT NO. 222114CPR
DATED: 11/2/2022
PREPARED BY: CONSTRUCTION MATERIALS TESTING (CMT)
7. SOIL BEARING PRESSURES:
ALLOWABLE SOIL BEARING PRESSURE: 3,000 PSF (AFTER BACKFILL OVER-EXCAVATION AND FILL CORRECTION)

INTERPRETATION OF CONFLICT NOTES:

1. SHOULD CONFLICT OCCUR IN THE CONTRACT DOCUMENTS, THE CONTRACTOR SHALL REQUEST INTERPRETATION BEFORE PROCEEDING WITH THE ASSOCIATED WORK. ALL SUCH REQUESTS SHALL FIRST BE PRECEDED BY A DILIGENT INVESTIGATION INTO THE CONTRACT DOCUMENTS. EVIDENCE OF SUCH INVESTIGATION SHALL BE COMBINED IN ALL REQUESTS FOR INTERPRETATIONS SUBMITTED.
2. IF THE CONTRACTOR FAILS TO MAKE SUCH A REQUEST, NO EXCUSE WILL THEREAFTER BE ENTERTAINED FOR FAILURE TO CARRY OUT THE WORK IN A SATISFACTORY MANNER. SHOULD CONFLICTS OCCUR IN OR BETWEEN DRAWINGS AND SPECIFICATIONS, THE CONTRACTOR IS DEEMED TO HAVE ESTIMATES ON THE MORE EXPENSIVE WAY OF DOING THE WORK UNLESS HAVING ASKED FOR, AND OBTAINED, WRITTEN DECISION BEFORE SUBMISSION OF PROPOSAL AS TO WHICH METHOD OF MATERIALS WILL BE REQUIRED.

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	BID SET	09-19-2023



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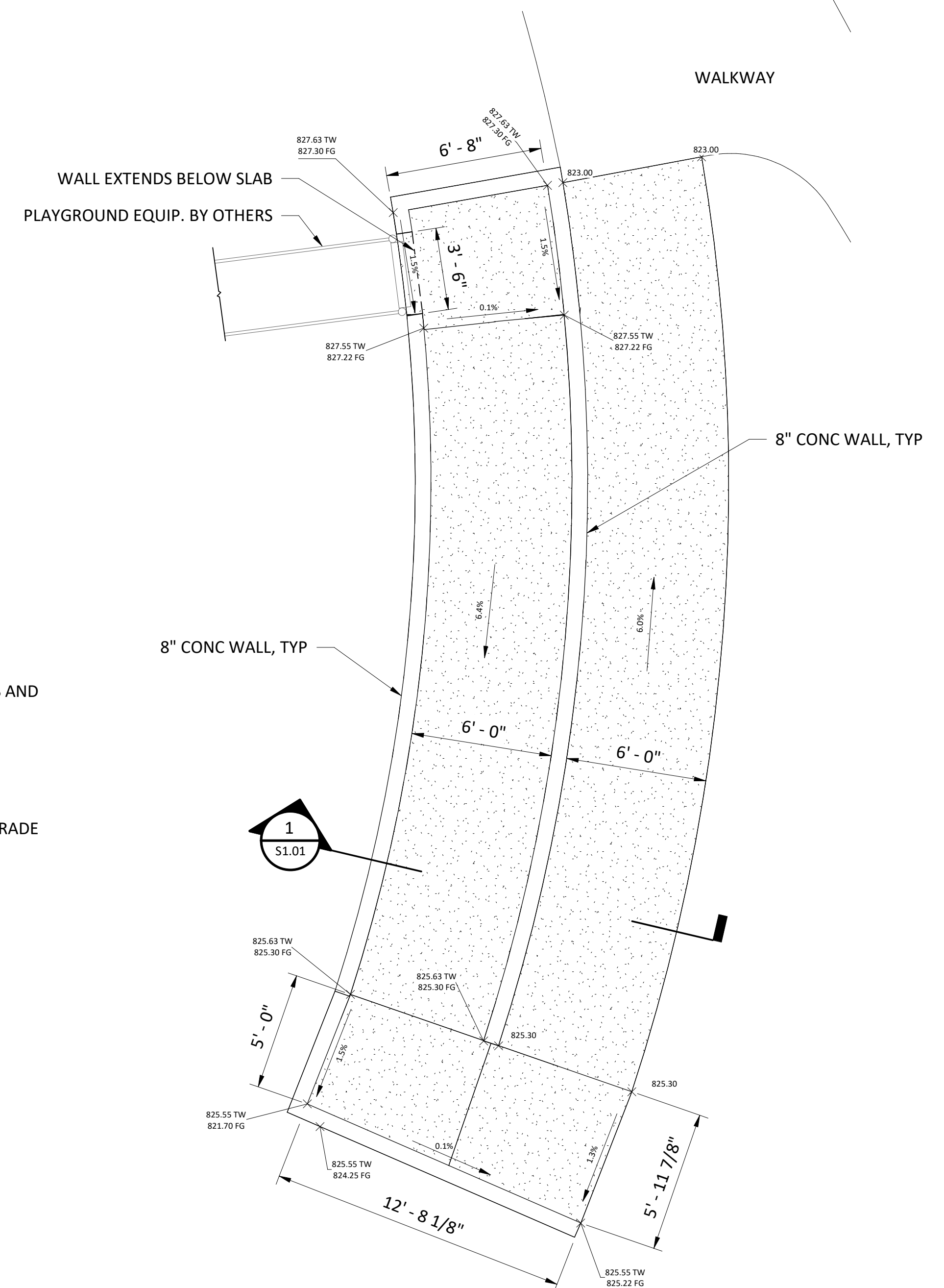
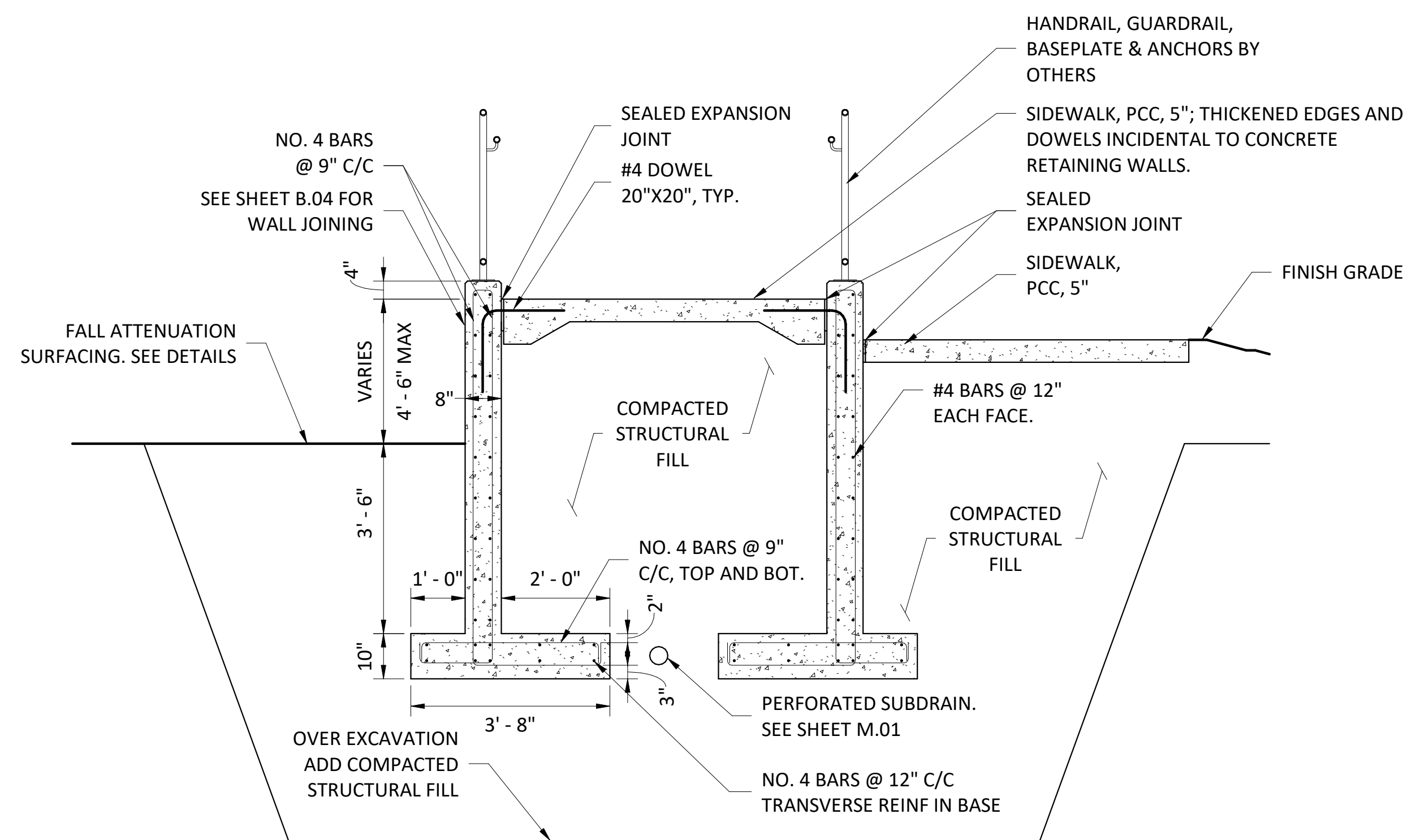


**WINDSOR
HEIGHTS**
THE HEART OF IT ALL

DESIGNED	JCG
DRAWN	MDH
CHECKED	JCG
CLIENT PROJ. NO.	0TG.128908

CITY OF WINDSOR HEIGHTS, IOWA	
2023 COLBY PARK IMPROVEMENTS	
GENERAL (DESIGN CRITERIA & LOADING)	

SHEET
S0.01



1 DETAIL - RETAINING WALL & WALKWAY REINFORCEMENT
S1.01 1/2" = 1'-0"

2 RAMP TOP
S1.01 1/4" = 1'-0"

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DESIGNED	JCG
DRAWN	MDH
CHECKED	JCG
CLIENT PROJ. NO.	0T6 128908

CITY OF WINDSOR HEIGHTS, IOWA
2023 COLBY PARK IMPROVEMENTS

PLAYGROUND RAMP & RETAINING WALLS PLAN & SECTION

SHEET
1.01

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ESTIMATED PROJECT QUANTITIES - BASE BID					
ITEM NO.	ITEM CODE	ITEM	UNIT	QUANTITY	AS BUILT QUANT.
1	2010-C	CLEARING AND GRUBBING	LS	1	
2	2010-D-2	TOPSOIL, COMPOST AMENDED	CY	500	
3	2010-E	EXCAVATION, CLASS 13	CY	2500	
4	2010-J	SUBBASE, MODIFIED, BERM	TON	255	
5	4020-C	LINEAR TRENCH DRAIN, 8 INCH	LF	75	
6	4020-X	SUBDRAIN, SOLID WALL PVC, 4 INCH	LF	50	
7	4020-X	SUBDRAIN, SOLID WALL PVC, 8 INCH	LF	288	
8	4040-A	SUBDRAIN, HDPE, 8 INCH	LF	85	
9	4040-C	SUBDRAIN CLEANOUT, 8 INCH, TYPE A-1	EA	2	
10	4040-D	SUBDRAIN OUTLETS AND CONNECTIONS, 8 INCH, TO STRUCTURE	EA	2	
11	5010-X-1	WATER SERVICE	LS	1	
12	5010-X-1	WATER SERVICE, WATER FOUNTAIN	LS	1	
13	5020-A	VALVE, GATE, 4 INCH	EA	1	
14	5020-X	BACKFLOW PREVENTER	EA	1	
15	5020-X1	METER PIT	EA	1	
16	5020-X1	PRESSURE REDUCING VALVE	EA	1	
17	5020-E	FLUSHING DEVICE (BLOW OFF), 4 INCH	EA	1	
18	5020-X	PREPARE EXCAVATION FOR TAPPING SLEEVE AND VALVE	EA	1	
19	6010-B	INTAKE, SW-512, 48 INCH	EA	2	
20	6010-X	NYLOPLAST DRAIN BASIN, 12 INCH	EA	3	
21	6010-C-2	EXTERNAL DROP CONNECTION	EA	1	
22	6010-E	MANHOLE ADJUSTMENT, MINOR	EA	1	
23	6010-F	MANHOLE ADJUSTMENT, MAJOR	EA	2	
24	6010-F	MANHOLE ADJUSTMENT, MAJOR, WRA	EA	1	
25	6010-H	REMOVE INTAKE	EA	2	
26	7010-A	PAVEMENT, PCC, 7 INCH	SY	345	
27	7010-A	PAVEMENT, PCC, 5 INCH, REINFORCED (SPLASHPAD)	SY	258	
28	7010-A	PAVEMENT, PCC, 7 INCH, INTEGRAL COLOR	SY	305	
29	7010-E	CURB AND GUTTER, 2 FT, 7 INCH	LF	45	
30	7030-A	REMOVAL OF SIDEWALK	SY	1275	
31	7030-E	SIDEWALK, PCC, 5 INCH	SY	2410	
32	7030-E	SIDEWALK, PCC, 6 INCH	SY	175	
33	7040-H	PAVEMENT REMOVAL	SY	895	
34	7040-H	SALVAGE BRICK PAVERS	SY	250	
35	7040-I	CURB AND GUTTER REMOVAL	LF	45	
36	7080-G	PCC EDGE RESTRAINT, FLUSH, 2 FEET	LF	210	
37	8030-A	TEMPORARY TRAFFIC CONTROL	LS	1	
38	9010-A	CONVENTIONAL SEEDING, SEEDING, FERTILIZING, AND MULCHING (LOW GROW FESCUE)	AC	1	
39	9020-A	SOD	SQ	250	
40	9030-B	DECIDUOUS SHRUBS	EA	195	
41	9030-B	ORNAMENTAL TREE	EA	18	
42	9030-B	PERENNIAL GROUND COVER (1 GAL)	EA	897	
43	9030-B	DECIDUOUS TREE	EA	19	
44	9030-B	EVERGREEN TREE	EA	7	
45	9040-A-1	SWPPP PREPARATION	LS	1	
46	9040-A-2	SWPPP MANAGEMENT	LS	1	
47	9040-D-1	FILTER SOCK, 8", INSTALL, MAINTAIN, AND REMOVE	LF	5000	
48	9080-B	HANDRAIL, PAINTED	LF	442	
49	11020-A	MOBILIZATION	LS	1	
50	11050-A	CONCRETE WASHOUT	LS	1	
51	12000-X-X	TENNIS COURT PAVEMENT AND FENCE REMOVAL	LS	1	
52	12010-X-X	CONCRETE SURFACE STAIN	SF	1335	
53	12010-X-X	NON-SKID RUBBERIZED COATING (SPLASHPAD)	SF	1945	
54	12010-X-X	REINFORCED CAST-IN-PLACE CONCRETE RETAINING WALL (PLAYGROUND RAMP WALL)	CY	30	
55	12010-X-X	REINFORCED CAST-IN-PLACE CONCRETE PIERS (LEAF SEAT WALLS)	EA	36	
56	12010-X-X	REINFORCED CAST-IN-PLACE CONCRETE WALL (LEAF SEAT WALLS)	CF	785	
57	12010-X-X	CONCRETE STEPPING PLANKS	EA	7	
58	12010-X-X	DRINKING FOUNTAIN	EA	1	
59	12010-X-X	SPLASH PAD EQUIPMENT & INSTALLATION	LS	1	
60	12010-X-X	SALVAGE & REINSTALL FURNISHINGS	LS	1	
61	12010-X-X	PLAYGROUND EQUIPMENT & INSTALLATION	LS	1	

62	12010-X-X	FALL ATTENUATION SURFACING, POUR-IN-PLACE	SF	6825	
63	12010-X-X	FALL ATTENUATION SURFACING, SYNTHETIC TURF	SF	2000	
64	12010-X-X	BIKE RACK	EA	8	
65	12010-X-X	BENCH (WOOD)	EA	4	
66	12010-X-X	STONE BLOCK BENCH	EA	8	
67	12010-X-X	ELECTRICAL IMPROVEMENTS, DEMO & SITE PREP	LS	1	
68	12030-X-X	ELECTRICAL IMPROVEMENTS, CIRCUITS	LS	1	
69	12030-X-X	ELECTRICAL IMPROVEMENTS, POLE-TOP LIGHTS	LS	1	
70	12030-X-X	ELECTRICAL IMPROVEMENTS, BOLLARDS	LS	1	
71	12030-X-X	ELECTRICAL IMPROVEMENTS, SALVAGE & RELOCATE B-CYCLE	LS	1	
72	12030-X-X	SALVAGE AND REINSTALL SCULPTURE (BUTTERFLY)	LS	1	
73	12030-X-X	IRRIGATION CAP	LS	1	

ESTIMATED PROJECT QUANTITIES (ALTERNATE A)					
ITEM NO.	ITEM CODE	ITEM	UNIT	QUANTITY	AS BUILT QUANT.
A1	7010-A	PAVEMENT, PCC, 7 INCH	SY	227	
A2	7010-E	CURB AND GUTTER, 2 FT, 7 INCH	LF	64	
A3	7040-H	PAVEMENT REMOVAL	SY	155	
A4	7040-I	CURB AND GUTTER REMOVAL	LF	64	

ESTIMATED PROJECT QUANTITIES (ALTERNATE B)					
ITEM NO.	ITEM CODE	ITEM	UNIT	QUANTITY	AS BUILT QUANT.
B1	12010-X-X	SPLASH PAD OVERHEAD STRUCTURES	EA	3	

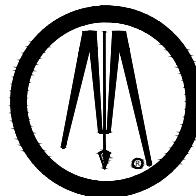
ESTIMATED PROJECT QUANTITIES (ALTERNATE C)					
ITEM NO.	ITEM CODE	ITEM	UNIT	QUANTITY	AS BUILT QUANT.
C1	12010-X-X	CAST STONE CUSTOM WALLS (LEAF SEAT WALLS)	CF	599	

ESTIMATED PROJECT QUANTITIES (ALTERNATE D)					
ITEM NO.	ITEM CODE	ITEM	UNIT	QUANTITY	AS BUILT QUANT.
D1	12030-X-X	IRRIGATION MODIFY AND EXTEND	LS	1	

ESTIMATED PROJECT QUANTITIES (ALTERNATE E)					
ITEM NO.	ITEM CODE	ITEM	UNIT	QUANTITY	AS BUILT QUANT.
E1	12030-X-X	CHAIN LINK FENCE, GALVANIZED, 6'	LF	87	

ESTIMATE REFERENCE INFORMATION		
ITEM NO.	ITEM CODE	DESCRIPTION
1	2010-C	<u>CLEARING AND GRUBBING</u> THIS ITEM SHALL INCLUDE ALL NECESSARY TRIMMING AND CLEARING AND GRUBBING TO COMPLETE CONSTRUCTION. PLANTING BED REMOVALS SHALL BE INCIDENTAL TO THIS ITEM. PROTECTION OF ALL TREES NOT MARKED FOR REMOVAL SHALL BE INCIDENTAL TO THIS ITEM.
2	2010-D-2	<u>TOPSOIL, COMPOST AMENDED</u> ITEM INCLUDES FURNISHING AND INCORPORATING TOPSOIL, SAND, AND COMPOST TO BE PLACED IN PLANTINGS BEDS AT THE DEPTHS INDICATED IN THE B SHEETS. MEASUREMENT SHALL BE THE AMOUNT OF COMPOST AMENDED TOPSOIL PLACED. MIX RATIO IS SPECIFIED ON SHEET L.01. EXCESS HAUL OFF INCIDENTAL.
3	2010-E	<u>EXCAVATION, CLASS 13</u> ALL EXCESS MATERIAL TO BECOME THE PROPERTY OF THE CONTRACTOR AND HAULED OFFSITE. TOPSOIL SHALL BE STRIPPED, SALVAGED AND RESPREAD TO A MINIMUM THICKNESS OF 6" IN ALL DISTURBED TURF AREAS (INCIDENTAL). ITEM INCLUDES HAULING OFF-SITE TO STORE AND HAULING BACK IN IF NEEDED.
4	2010-J	<u>SUBBASE, MODIFIED, BERM</u> THIS ITEM INCLUDES, BUT IS NOT LIMITED TO, FURNISHING, PLACING, COMPACTING, AND TRIMMING TO THE PROPER GRADE FOR THE SYNTHETIC TURF BERMS IN THE PLAYGROUND AREA.
5	4020-C	<u>LINEAR TRENCH DRAIN, 8 INCH</u> THIS ITEM SHALL INCLUDE ALL LABOR, EQUIPMENT, AND MATERIAL REQUIRED TO FURNISH THE LINEAR TRENCH DRAIN INCLUDING FITTINGS FOR CONNECTIONS TO SUBDRAINS. THE TRENCH DRAIN SHALL BE 8 INCH WIDE AND SHALL HAVE A DUCTILE IRON GRATE AND FRAME. THIS ITEM SHALL USE A BOTTOM STYLE OUTLET.
6	4020-X	<u>SUBDRAIN, SOLID WALL PVC, 4 INCH</u> INCLUDES THE INSTALLATION OF ALL REQUIRED BENDS AND TRACER WIRE WITH A TERMINATION POINT INSIDE OF CLEANOUT CASTING.
7	4020-X	<u>SUBDRAIN, SOLID WALL PVC, 8 INCH</u> INCLUDES THE INSTALLATION OF ALL REQUIRED BENDS AND TRACER WIRE WITH A TERMINATION POINT INSIDE OF CLEANOUT CASTING.
8	4040-A	<u>SUBDRAIN, HDPE, 8 INCH</u> INCLUDES THE INSTALLATION OF ALL REQUIRED BENDS AND TRACER WIRE WITH A TERMINATION POINT INSIDE OF CLEANOUT CASTING.

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CITY OF WINDSOR HEIGHTS, IOWA

2023 COLBY PARK IMPROVEMENTS

QUANTITIES AND ESTIMATE REFERENCE NOTES

SHEET

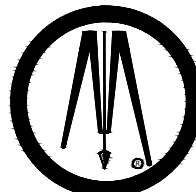
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9	4040-C	<u>SUBDRAIN CLEANOUT, 8 INCH, TYPE A-1</u> THIS ITEM SHALL INCLUDE CONNECTING THE CLEANOUT TO NEW SUBDRAIN.
10	4040-D	<u>SUBDRAIN OUTLETS AND CONNECTIONS, 8 INCH, TO STRUCTURE</u>
11	5010-X-1	<u>WATER SERVICE</u> BID ITEM INCLUDES THE INSTALLATION OF APPROXIMATELY 65 FEET OF NEW 4" C900, DR-14, RESTRAINED JOINT, PVC WATER SERVICE FROM THE TAP AT THE STREET TO THE SPLASHPAD CABINET. THE WATER SERVICE SHALL BE OPEN TRENCHED AT BOTH ENDS OF THE WATER SERVICE WITH THE OPTION OF OPEN TRENCH OR DIRECTIONAL DRILLING BETWEEN AS NECESSARY. FITTINGS SHALL BE DI WITH MEGA-LUG RESTAINED CONNECTIONS. TRACER WIRE SHALL ALSO BE INSTALLED ALONG THE LENGTH OF THE SERVICE LINE. TRACER WIRE SHALL BE IN ACCORDANCE WITH SECTION 5010, 2.05.B AND FIGURE 5010.102. CONTRACTOR SHALL OBTAIN AND PAY FOR ALL REQUIRED PERMITS. CONTRACTOR SHALL BE REQUIRED TO SUBMIT ALL NECESSARY APPLICATIONS REQUIRED FOR WORK. WORK SHALL BE PERFORMED BY A LICENSED PLUMBER AS REQUIRED. INCIDENTAL TO THIS ITEM IS THE SHUTOFF GATE VALVE AND VALVE BOX LOCATED JUST OUTSIDE THE SPLASH PAD CONTROL VAULT, AT THE END OF THE 4" WATER SERVICE. INCLUDED IN THIS BID ITEM IS ALL INSTALLATION, MATERIALS, AND TESTING, WHICH SHALL BE IN ACCORDANCE WITH SUPPLEMENTAL SPECIFICATIONS, SUDAS DIVISION 5, DMWW RULES, CODES AND FIGURES, CITY OF WINDSOR HEIGHTS PLUMBING CODE, AND PROJECT PLANS. CONTRACTOR SHALL COORDINATE WITH DMWW INSPECTOR AND CITY PLUMBING INSPECTON DURING CONSTRUCTION.
12	5010-X-1	<u>WATER SERVICE, WATER FOUNTAIN</u> BID ITEM INCLUDES THE INSTALLATION OF APPROXIMATELY 200 FEET OF NEW 1/2" C900, DR-14, RESTRAINED JOINT, PVC WATER SERVICE FROM THE WYE ON THE 4" SERVICE TO THE WATER FOUNTAIN. THE WATER SERVICE SHALL BE OPEN TRENCHED AT BOTH ENDS OF THE WATER SERVICE WITH THE OPTION OF OPEN TRENCH OR DIRECTIONAL DRILLING BETWEEN AS NECESSARY. FITTINGS SHALL BE DI WITH MEGA-LUG RESTAINED CONNECTIONS. TRACER WIRE SHALL ALSO BE INSTALLED ALONG THE LENGTH OF THE SERVICE LINE. TRACER WIRE SHALL BE IN ACCORDANCE WITH SECTION 5010, 2.05.B AND FIGURE 5010.102. CONTRACTOR SHALL OBTAIN AND PAY FOR ALL REQUIRED PERMITS. CONTRACTOR SHALL BE REQUIRED TO SUBMIT ALL NECESSARY APPLICATIONS REQUIRED FOR WORK. WORK SHALL BE PERFORMED BY A LICENSED PLUMBER AS REQUIRED. INCIDENTAL TO THIS ITEM IS THE SHUTOFF GATE VALVE AND VALVE BOX LOCATED JUST OUTSIDE THE SPLASH PAD CONTROL VAULT, AT THE END OF THE 4" WATER SERVICE. INCLUDED IN THIS BID ITEM IS ALL INSTALLATION, MATERIALS, AND TESTING, WHICH SHALL BE IN ACCORDANCE WITH SUPPLEMENTAL SPECIFICATIONS, SUDAS DIVISION 5, DMWW RULES, CODES AND FIGURES, CITY OF WINDSOR HEIGHTS PLUMBING CODE, AND PROJECT PLANS. CONTRACTOR SHALL COORDINATE WITH DMWW INSPECTOR AND CITY PLUMBING INSPECTON DURING CONSTRUCTION.
13	5020-A	<u>VALVE, GATE, 4 INCH</u>
14	5020-X	<u>BACKFLOW PREVENTER</u> BID ITEM INCLUDES THE INSTALLATION OF THE BACKFLOW PREVENTER, THE BACKFLOW PREVENTER CABINET, ALL PIPE AND FITTINGS FROM THE GATE VALVES ON EACH SIDE OF THE BACKFLOW PREVENTER, INCLUDING THE TWO GATE VALVES WITH VALVE BOXES AS SHOWN IN THE TYPICAL DETAILS. ALL WORKAND MATERIALS REFERRING TO THE BACKFLOW PREVENTER DETAIL SHALL BE INCLUDED IN THIS BID ITEM. CONTRACTOR SHALL PROVIDE NECESSARY INITIAL TESTING. CERTIFICATION OF BACKFLOW PREVENTER UPON COMPLETION OF WORK, WHICH IS INCIDENTAL TO THIS ITEM. BACKFLOW PREVENTER SHALL BE A WATTS 957NRS, OR ENGINEER APPROVED EQUAL. BACKFLOW PREVENTER CABINET SHALL BE AN AQUASHIELD, MODEL BFP3 OR WATTS WB, OR ENGINEER APPROVED EQUAL, SIZED APPROPRIATELY FOR THE BACKFLOW ASSEMBLY AND PIPING AS SHOWN IN THE TYPICAL DETAIL. ALSO INCLUDED IN THIS ITEM IS THE REINFORCED 6" PCC SLAB, ON 6" COMPACTED ROCK BASE, FOR SETTING AND ANCHORING THE BACKFLOW ENCLOSURETO, INCLUDING THE GRADING REQUIRED FOR THE SLAB. ALL WORK AND MATERIALS SHALL BE DONE IN ACCORDANCE AND AS REQUIRED BY THE DES MOINES WATER WORKS, THE SUPPLEMENTAL SPECIFICATIONS, SUDAS DIVISION 5, DMWW RULES, CODES, AND FIGURES, AND CITY OF WINDSOR HEIGHTS PLUMBING CODE. CONTRACTOR SHALL OBTAIN NECESSARY PERMITS AND COORDINATE WITH DMWW INSPECTOR AND CITY PLUMBING INSPECTION DURING CONSTRUCTION.
15	5020-X1	<u>METER PIT</u> BID ITEM INCLUDES THE INSTALLATION OF THE METER PIT. ALL WORK AND MATERIALS SHALL BE DONE IN ACCORDANCE AND AS REQUIRED BY THE DES MOINES WATER WORKS, THE SUPPLEMENTAL SPECIFICATIONS, SUDAS DIVISION 5, DMWW RULES, CODES, AND FIGURES, AND CITY OF WINDSOR HEIGHTS PLUMBING CODE. CONTRACTOR SHALL OBTAIN NECESSARY PERMITS AND COORDINATE WITH DMWW INSPECTOR AND CITY PLUMBING INSPECTION DURING CONSTRUCTION.
16	5020-X1	<u>PRESSURE REDUCING VALVE</u> BID ITEM INCLUDES THE INSTALLATION OF THE METER PIT. ALL WORK AND MATERIALS SHALL BE DONE IN ACCORDANCE AND AS REQUIRED BY THE DES MOINES WATER WORKS, THE SUPPLEMENTAL SPECIFICATIONS, SUDAS DIVISION 5, DMWW RULES, CODES, AND FIGURES, AND CITY OF WINDSOR HEIGHTS PLUMBING CODE. CONTRACTOR SHALL OBTAIN NECESSARY PERMITS AND COORDINATE WITH DMWW INSPECTOR AND CITY PLUMBING INSPECTION DURING CONSTRUCTION.
17	5020-E	<u>FLUSHING DEVICE (BLOW OFF), 4 INCH</u>
18	5020-X	<u>PREPARE EXCAVATION FOR TAPPING SLEEVE AND VALVE</u>
19	6010-B	<u>INTAKE, SW-512, 48 INCH</u> SEE STRUCTURE TABLE FOR GRATE TYPE.
20	6010-X	<u>NYLOPLAST DRAIN BASIN, 12 INCH</u> THIS ITEM SHALL INCLUDE ALL NECESSARY LABOR AND MATERIALS FOR INSTALLING THE DRAIN BASINS INCLUDING GRATES. SEE STRUCTURE TABLE FOR GRATE TYPE.
21	6010-C-2	<u>EXTERNAL DROP CONNECTION</u> CORING AN OPENING IN EXISTING MANHOLE SHALL BE INCIDENTAL TO THIS ITEM.
22	6010-E	<u>MANHOLE ADJUSTMENT, MINOR</u>
23	6010-F	<u>MANHOLE ADJUSTMENT, MAJOR</u> ADJUSTING RINGS TO BE CRETEX PRO-RING OR APPROVED EQUAL.
24	6010-F	<u>MANHOLE ADJUSTMENT, MAJOR, WRA</u> CASTING AND FRAME TO BE COMPOSITE ACCESS PRODUCT (CAP) OR EAST JORDAN GMI COMPOSITE CASTING WITH TWO LOCKING TABS. THE TOOL FOR THE LOCKING TABS MUST BE PROVIDED TO THE WRA. THE WORD "SEWER" SHALL BE STAMPED ON THE TOP OF THE MANHOLE COVER. CONTACT BRETT WARGA AT 402-575-8988 FOR INFORMATION ON COMPOSITE ACCESS PRODUCTS.
25	6010-H	<u>REMOVE INTAKE</u>

26	7010-A	<u>PAVEMENT, PCC, 7 INCH</u> CONCRETE WILL BE C MIX WITH A MINIMUM COMPRESSIVE STRENGTH OF 4,000 PSI AT 28 DAYS. SLAG IS NOT ALLOWED. FINAL TRIMMING OF SUBGRADE OR SUBBASE, INTEGRAL CURB, BARS AND REINFORCEMENT, JOINTS AND SEALING, SURFACE CURING, PAVEMENT PROTECTION, SAFETY FENCING, CONCRETE FOR RIGID HEADERS, AND BOXOUTS FOR FIXTURES SHALL BE INCIDENTAL TO THIS ITEM. NO EXTRA PAYMENT FOR COLD WEATHER PAVING.
27	7010-A	<u>PAVEMENT, PCC, 5 INCH, REINFORCED (SPLASHPAD)</u> CONCRETE WILL BE C MIX WITH A MINIMUM COMPRESSIVE STRENGTH OF 4,000 PSI AT 28 DAYS. SLAG IS NOT ALLOWED. FINAL TRIMMING OF SUBGRADE OR SUBBASE, MODIFIED SUBBASE, SUBGRADE PREP, INTEGRAL CURB, BARS AND REINFORCEMENT, JOINTS AND SEALING, SURFACE CURING, PAVEMENT PROTECTION, SAFETY FENCING, CONCRETE FOR RIGID HEADERS, AND BOXOUTS FOR FIXTURES SHALL BE INCIDENTAL TO THIS ITEM. WIRE MESH REINFORCEMENT IN THE SPLASH PAD APRON AS SPECIFIED IS INCIDENTAL. NO EXTRA PAYMENT FOR COLD WEATHER PAVING.
28	7010-A	<u>PAVEMENT, PCC, 7 INCH, INTEGRAL COLOR</u> CONCRETE WILL BE C MIX WITH A MINIMUM COMPRESSIVE STRENGTH OF 4,000 PSI AT 28 DAYS. SLAG IS NOT ALLOWED. FINAL TRIMMING OF SUBGRADE OR SUBBASE, INTEGRAL CURB, BARS AND REINFORCEMENT, JOINTS AND SEALING, SURFACE CURING, PAVEMENT PROTECTION, SAFETY FENCING, CONCRETE FOR RIGID HEADERS, AND BOXOUTS FOR FIXTURES SHALL BE INCIDENTAL TO THIS ITEM. NO EXTRA PAYMENT FOR COLD WEATHER PAVING. INCLUDES INCORPORATION OF INTEGRAL COLOR PIGMENTATION IN THE MIX, MOCKUPS OF EACH SPECIFIED COLOR FOR REVIEW BY THE ENGINEER, AND SURFACE SEALANT AS RECOMMENDED BY THE MANUFACTURER.
29	7010-E	<u>CURB AND GUTTER, 2 FT, 7 INCH</u> CONCRETE WILL BE C MIX WITH A MINIMUM COMPRESSIVE STRENGTH OF 4,000 PSI AT 28 DAYS. SLAG IS NOT ALLOWED. FINAL TRIMMING OF SUBGRADE OR SUBBASE, INTEGRAL CURB, BARS AND REINFORCEMENT, JOINTS AND SEALING, SURFACE CURING, PAVEMENT PROTECTION, SAFETY FENCING, CONCRETE FOR RIGID HEADERS, AND BOXOUTS FOR FIXTURES SHALL BE INCIDENTAL TO THIS ITEM. NO EXTRA PAYMENT FOR COLD WEATHER PAVING.
30	7030-A	<u>REMOVAL OF SIDEWALK</u>
31	7030-E	<u>SIDEWALK, PCC, 5 INCH</u> CONCRETE WILL BE C MIX WITH A MINIMUM COMPRESSIVE STRENGTH OF 4,000 PSI AT 28 DAYS. SLAG IS NOT ALLOWED. FINAL TRIMMING OF SUBGRADE OR SUBBASE, INTEGRAL CURB, BARS AND REINFORCEMENT, JOINTS AND SEALING, SURFACE CURING, PAVEMENT PROTECTION, SAFETY FENCING, CONCRETE FOR RIGID HEADERS, AND BOXOUTS FOR FIXTURES SHALL BE INCIDENTAL TO THIS ITEM. NO EXTRA PAYMENT FOR COLD WEATHER PAVING.
32	7030-E	<u>SIDEWALK, PCC, 6 INCH</u> CONCRETE WILL BE C MIX WITH A MINIMUM COMPRESSIVE STRENGTH OF 4,000 PSI AT 28 DAYS. SLAG IS NOT ALLOWED. FINAL TRIMMING OF SUBGRADE OR SUBBASE, INTEGRAL CURB, BARS AND REINFORCEMENT, JOINTS AND SEALING, SURFACE CURING, PAVEMENT PROTECTION, SAFETY FENCING, CONCRETE FOR RIGID HEADERS, AND BOXOUTS FOR FIXTURES SHALL BE INCIDENTAL TO THIS ITEM. NO EXTRA PAYMENT FOR COLD WEATHER PAVING.
33	7040-H	<u>PAVEMENT REMOVAL</u>
34	7040-H	<u>SALVAGE BRICK PAVERS</u> ITEM INCLUDES THE REMOVAL, CLEANING, PALLETIZING, AND DELIVERY OF BRICK PAVERS TO PUBLIC WORKS AT 6900 SCHOOL STREET, WINDSOR HEIGHTS, IOWA. REMOVAL AND DISPOSAL OF ANY SUBBASE MATERIALS (CONCRETE OR AGGREGATE) WILL BE INCIDENTAL TO THIS ITEM. PAYMENT SHALL BE MADE FOR THE AREA OF PAVER REMOVAL REGARDLESS OF THICKNESS OF THE SUBBASE MATERIALS.
35	7040-I	<u>CURB AND GUTTER REMOVAL</u>
36	7080-G	<u>PCC EDGE RESTRAINT, FLUSH, 2 FEET</u> MEASUREMENT WILL BE IN LINEAR FEET MEASURED FROM CENTER OF EDGE RESTRAINT. INCLUDES ALL REINFORCING AS SHOWN IN DETAIL 2/B.06.
37	8030-A	<u>TEMPORARY TRAFFIC CONTROL</u> REFER TO J SHEETS FOR DETAILS. THIS ITEM SHALL INCLUDE ALL SIGNAGE DIRECTING VEHICLE AND PEDESTRIAN TRAFFIC DURING ALL PHASES OF CONSTRUCTION. ANY ADDITIONAL SIGNS REQUIRED SHALL BE INCIDENTAL TO THIS ITEM.
38	9010-A	<u>CONVENTIONAL SEEDING, SEEDING, FERTILIZING, AND MULCHING (LOW GROW FESCUE)</u> SEE PLANS FOR SEED MIX AND REQUIREMENTS. REINFORCED EROSION CONTROL PRODUCT AS SPECIFIED IN THE DRAWINGS IS INCIDENTAL TO THIS ITEM.
39	9020-A	<u>SOD</u> THIS ITEM INCLUDES BUT IS NOT LIMITED TO, PREPERATION OF SOD AND SODBED, STAKES, FERTILIZING, WATERING, MAINTENANCE, AND CLEAN UP. ALSO INCLUDES ANY NECESSARY SOD REPLACEMENTS DURING MAINTENANCE PERIOD.
40	9030-B	<u>DECIDUOUS SHRUBS</u> THIS ITEM INCLUDES LABOR, MATERIAL, AND EQUIPMENT TO FURNISH AND INSTALL SHRUBS AS INDICATED IN THE PLANS. PLANTINGS SHALL HAVE ONE YEAR WARRANTY FROM DATE OF FINAL ACCEPTANCE FOR ALL PLANTINGS IN THE PROJECT. ACCEPTANCE OF PLANT MATERIALS CONSTRUES FULL PAYMENT (MINUS ANY PROJECT RETAINAGE). INCLUDES ALL, BUT NOT LIMITED TO, WATERING, EXCAVATION, INSTALLATION, MULCHING, HERBICIDE, MAINTENANCE DURING ESTABLISHMENT PERIOD, AND WARRANTY AND REJECTION REPLACEMENTS.
41	9030-B	<u>ORNAMENTAL TREE</u> THIS ITEM INCLUDES LABOR, MATERIAL, AND EQUIPMENT TO FURNISH AND INSTALL ORNAMENTAL TREES AS INDICATED IN THE PLANS. PLANTINGS SHALL HAVE ONE YEAR WARRANTY FROM DATE OF FINAL ACCEPTANCE FOR ALL PLANTINGS IN THE PROJECT. ACCEPTANCE OF PLANT MATERIALS CONSTRUES FULL PAYMENT (MINUS ANY PROJECT RETAINAGE). INCLUDES ALL, BUT NOT LIMITED TO, WATERING BAG, AMENDED SOILS DELIVERY, EXCAVATION, INSTALLATION, MULCHING, HERBICIDE, MAINTENANCE DURING ESTABLISHMENT PERIOD, AND WARRANTY AND REJECTION REPLACEMENTS.
42	9030-B	<u>PERENNIAL GROUND COVER (1 GAL)</u> THIS ITEM INCLUDES LABOR, MATERIAL, AND EQUIPMENT TO FURNISH AND INSTALL PERENNIALS AND ORNAMENTAL GRASSES AS INDICATED IN THE PLANS. PLANTINGS SHALL HAVE ONE YEAR WARRANTY FROM DATE OF FINAL ACCEPTANCE FOR ALL PLANTINGS IN THE PROJECT. ACCEPTANCE OF PLANT MATERIALS CONSTRUES FULL PAYMENT (MINUS ANY PROJECT RETAINAGE). INCLUDES ALL, BUT NOT LIMITED TO, WATERING, EXCAVATION, INSTALLATION, MULCHING, HERBICIDE, MAINTENANCE DURING ESTABLISHMENT PERIOD, AND WARRANTY AND REJECTION REPLACEMENTS.
43	9030-B	<u>DECIDUOUS TREE</u> THIS ITEM INCLUDES LABOR, MATERIAL, AND EQUIPMENT TO FURNISH AND INSTALL TREES AS INDICATED IN THE PLANS. PLANTINGS SHALL HAVE ONE YEAR WARRANTY FROM DATE OF FINAL ACCEPTANCE FOR ALL PLANTINGS IN THE PROJECT. ACCEPTANCE OF PLANT MATERIALS CONSTRUES FULL PAYMENT (MINUS ANY PROJECT RETAINAGE). INCLUDES ALL, BUT NOT LIMITED TO, WATERING BAG, AMENDED SOILS DELIVERY, EXCAVATION, INSTALLATION, MULCHING, HERBICIDE, MAINTENANCE DURING ESTABLISHMENT PERIOD, AND WARRANTY AND REJECTION REPLACEMENTS.
44	9030-B	<u>EVERGREEN TREE</u> THIS ITEM INCLUDES LABOR, MATERIAL, AND EQUIPMENT TO FURNISH AND INSTALL EVERGREEN TREES AS INDICATED IN THE PLANS. PLANTINGS SHALL HAVE ONE YEAR WARRANTY FROM DATE OF FINAL ACCEPTANCE FOR ALL PLANTINGS IN THE PROJECT. ACCEPTANCE OF PLANT MATERIALS CONSTRUES FULL PAYMENT (MINUS ANY PROJECT RETAINAGE). INCLUDES ALL, BUT NOT LIMITED TO, WATERING BAG, AMENDED SOILS DELIVERY, EXCAVATION, INSTALLATION, MULCHING, HERBICIDE, MAINTENANCE DURING ESTABLISHMENT PERIOD, AND WARRANTY AND REJECTION REPLACEMENTS.

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0	BID SET	09-19-2023



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& MENK**

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CITY OF WINDSOR HEIGHTS, IOWA

2023 COLBY PARK IMPROVEMENTS

ESTIMATE REFERENCE NOTES

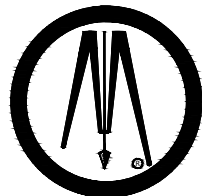
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45	9040-A-1	<u>SWPPP PREPARATION</u>
46	9040-A-2	<u>SWPPP MANAGEMENT</u>
47	9040-D-1	<u>FILTER SOCK, 8", INSTALL, MAINTAIN, AND REMOVE</u> INCLUDES INSTALLATION, MAINTENANCE, AND REMOVAL.
48	9080-B	<u>HANDRAIL, PAINTED</u> INCLUDES ALL MATERIALS, LABOR, AND EQUIPMENT TO INSTALL HANDRAILS AS INDICATED IN THE PLANS. MEASUREMENT AND PAYMENT SHALL BE FOR THE LINEAL FOOT OF HANDRAILS INSTALLED ON THE PROJECT.
49	11020-A	<u>MOBILIZATION</u> THIS ITEM IS FOR ALL PREPARATORY WORK AND COSTS INCURRED BEFORE BEGINNING THE WORK ON THE PROJECT AND DURING THE PROJECT INCLUDING INSTALLING, MAINTAINING, AND REMOVING CONSTRUCTION FENCING TO SECURE THE JOBSITE. THIS ITEM SHALL ALSO INCLUDE THE COSTS FOR ANY STAGED CONSTRUCTION AND EQUIPMENT SET UP TO COMPLETE THE WORK. NO CHANGE IN THE CONTRACT PRICE WILL BE MADE FOR ANY CHANGE IN STAGING OR COMBINATION THEREOF.
50	11050-A	<u>CONCRETE WASHOUT</u>
51	12000-X-X	<u>TENNIS COURT PAVEMENT AND FENCE REMOVAL</u> ALL REMOVALS TO BE MARKED AND MEASURED BY THE ENGINEER. FULL DEPTH SAW CUTS ALONG THE REMOVAL LIMITS ARE INCIDENTAL TO THIS ITEM. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ADDITIONAL REMOVAL, EARTHWORK, SUBGRADE PREPARATION, MODIFIED SUBBASE AND PAVING EXPENSES DUE TO DAMAGED EDGES. ADDITIONAL REMOVAL TO BE DETERMINED BY ENGINEER. PAYMENT SHALL BE MADE FOR THE AREA OF PAVEMENT REMOVED REGARDLESS OF THICKNESS. REMOVAL OF TENNIS COURT FENCING, PAVEMENT, NETTING, AND POSTS SHALL BE CONSIDERED INCIDENTAL TO THIS ITEM.
52	12010-X-X	<u>CONCRETE SURFACE STAIN</u> INCLUDES ALL LABOR, MATERIALS, AND EQUIPMENT NECESSARY FOR DECORATIVE STAINING OF CONCRETE IN AREAS INDICATED ON THE PLANS. MEASUREMENT AND PAYMENT SHALL BE PER SQUARE FOOT OF STAIN APPLIED AS SPECIFIED ON THE DRAWINGS. ALL SURFACE PREP, LIGHT SANDBLASTING, STAINING, SEALER, PROTECTION OF SURROUNDINGS, CLEAN UP, AND TOUCH UP AS REQUIRED AND DETAILED IN THE PLANS ARE CONSIDERED INCIDENTAL. SEE SUPPLEMENTAL SPECIFICATIONS FOR CONCRETE SURFACE STAIN IN THE CONTRACT DOCUMENTS.
53	12010-X-X	<u>NON-SKID RUBBERIZED COATING (SPLASHPAD)</u> INCLUDES ALL LABOR, MATERIALS, AND EQUIPMENT NECESSARY FOR FURNISHING AND COMPLETE APPLICATION OF NON-SKID RUBBERIZED COATING. MEASUREMENT AND PAYMENT SHALL BE PER SQUARE FOOT OF COATING AS SPECIFIED ON THE DRAWINGS. ALL SURFACE PREP AND PRIMING COATS ARE CONSIDERED INCIDENTAL. SEE SUPPLEMENTAL SPECIFICATIONS FOR NON-SKID RUBBERIZED COATING (TUFFCOAT) IN CONTRACT DOCUMENTS.
54	12010-X-X	<u>REINFORCED CAST-IN-PLACE CONCRETE RETAINING WALL (PLAYGROUND RAMP WALL)</u> THIS ITEM INCLUDES LABOR, MATERIALS AND EQUIPMENT TO FURNISH MATERIALS AND CONSTRUCT THE CONCRETE RETAINING WALLS FOR THE PEDESTRIAN RAMP SYSTEM AT THE PLAYGROUND. SEE SHEETS S0.01 AND S1.01 FOR DETAILS AND SPECIFICATIONS. ITEM IS TO BE MEASURED AND PAID FOR ON A CUBIC YARD BASIS OF CONCRETE RETAINING WALL AND FOOTINGS CONSTRUCTED. ALL ITEMS NECESSARY FOR COMPLETE EXCAVATION, COMPACTION, FORMWORK, REINFORCING, TESTING AND PLACEMENT OF CONCRETE, BACKFILL, REINFORCING TIES TO RAMP SURFACE PAVEMENT, AND ANY OTHER ITEMS REQUIRED FOR COMPLETE CONSTRUCTION OF THE WALLS ARE CONSIDERED INCIDENTAL TO THIS ITEM. MOCKUPS TO BE USED FOR QUALITY CONTROL, AS STATED IN THE SPEC, ARE ALSO INCIDENTAL TO THIS ITEM.
55	12010-X-X	<u>REINFORCED CAST-IN-PLACE CONCRETE PIERS (LEAF SEAT WALLS)</u> THIS ITEM INCLUDES LABOR, MATERIALS AND EQUIPMENT TO FURNISH MATERIALS AND CONSTRUCT THE CONCRETE PIERS SUPPORTING THE LEAF SEATWALLS IN THE PLAYGROUND AND PLAZA AREAS. ITEM IS TO BE MEASURED AND PAID FOR ON A COUNT BASIS FOR EACH CONCRETE PIER CONSTRUCTED. ALL ITEMS NECESSARY FOR COMPLETE EXCAVATION, REINFORCING, TESTING AND PLACEMENT OF CONCRETE, BACKFILL AND ANY OTHER ITEMS REQUIRED FOR COMPLETE CONSTRUCTION OF THE PIER FOUNDATIONS ARE CONSIDERED INCIDENTAL TO THIS ITEM. MOCKUPS TO BE USED FOR QUALITY CONTROL, AS STATED IN THE SPEC, ARE ALSO INCIDENTAL TO THIS ITEM.
56	12010-X-X	<u>REINFORCED CAST-IN-PLACE CONCRETE WALL (LEAF SEAT WALLS)</u> THIS ITEM INCLUDES LABOR, MATERIALS AND EQUIPMENT TO FURNISH MATERIALS AND CONSTRUCT THE DECORATIVE CONCRETE LEAF SEATWALLS IN THE PLAYGROUND AND PLAZA AREAS. ITEM IS TO BE MEASURED AND PAID FOR ON A CUBIC FOOT BASIS OF CONCRETE SEATWALLS CONSTRUCTED. ALL ITEMS NECESSARY FOR COMPLETE EXCAVATION, COMPACTION, FORMWORK, VOID FORMS, REINFORCING, TESTING AND PLACEMENT OF CONCRETE, BACKFILL AND ANY OTHER ITEMS REQUIRED FOR COMPLETE CONSTRUCTION OF THE WALLS ARE CONSIDERED INCIDENTAL TO THIS ITEM. MOCKUPS TO BE USED FOR QUALITY CONTROL, AS STATED IN THE SPEC, ARE ALSO INCIDENTAL TO THIS ITEM.
57	12010-X-X	<u>CONCRETE STEPPING PLANKS</u> THIS ITEM INCLUDES LABOR, MATERIALS AND EQUIPMENT TO FURNISH MATERIALS AND INSTALL THE CONCRETE STEPPING PLANKS. ITEM IS TO BE MEASURED AND PAID FOR ON A COUNT BASIS FOR EACH CONCRETE STEPPING PLANK INSTALLED. ALL ITEMS NECESSARY FOR COMPLETE EXCAVATION, SAND SETTING BED, SEPARATION FABRIC, REINFORCING, PLACEMENT OF CONCRETE, BACKFILL AND ANY OTHER ITEMS REQUIRED FOR COMPLETE INSTALLATION OF THE CONCRETE STEPPING PLANKS ARE CONSIDERED INCIDENTAL TO THIS ITEM.
58	12010-X-X	<u>DRINKING FOUNTAIN</u> THIS ITEM INCLUDES ALL LABOR, MATERIAL, AND EQUIPMENT TO FURNISH AND INSTALL THE DRINKING FOUNTAIN AND ASSOCIATED ROCK DRAINAGE PIT. THE CONNECTION TO WATER SERVICE, ROCK DRAINAGE PIT, AND AT-GRADE MAINTENANCE VAULT TO DRAINAGE PIT ARE INCIDENTAL TO THIS ITEM AS DETAILED. THIS ITEM MUST BE INSTALLED BY MAY 2024 AND THE PROJECT SHALL BE STAGED BY THE CONTRACTOR TO FACILITATE THIS INSTALLATION TIMELINE.
59	12010-X-X	<u>SPLASH PAD EQUIPMENT & INSTALLATION</u> THIS ITEM INCLUDES ALL LABOR, MATERIALS, AND EQUIPMENT NECESSARY FOR COMPLETE INSTALLATION OF THE SPLASH PAD EQUIPMENT AS INDICATED IN THE DRAWINGS AND SPECS. ITEM INCLUDES ALL FURNISHING AND INSTALLATION OF ALL EQUIPMENT MAKING UP THE SPLASH PAD SYSTEM BEGINNING WITH THE DISTRIBUTION MANIFOLD VAULT AND EXTENDING TO AND INCLUDING THE RAIN DIVERTING WASTE VALVE BOX. SEE SUPPLEMENTAL SPECIFICATIONS FOR SPLASHPADS IN CONTRACT DOCUMENTS.
60	12010-X-X	<u>SALVAGE & REINSTALL FURNISHINGS</u> THIS ITEM INCLUDES ALL LABOR, MATERIALS, AND EQUIPMENT NECESSARY FOR SALVAGING, RELOCATING, AND SURFACE MOUNTING SIGNS AND KIOSKS AND THE HARMONY PARK PLAY EQUIPMENT PER MANUFACTURER INSTALLATION REQUIREMENTS WITH NEW STAINLESS STEEL MOUNTING HARDWARE. MANUFACTURER-APPROVED STORAGE OF THE EQUIPMENT DURING THE CONSTRUCTION OF THE PROJECT IS INCIDENTAL TO THIS ITEM.
61	12010-X-X	<u>PLAYGROUND EQUIPMENT & INSTALLATION</u> THIS ITEM INCLUDES FURNISHING AND INSTALLATION OF ALL PLAY EQUIPMENT IN THE PLAYGROUND IN ADDITION TO THE MATCHING GUARDRAIL SYSTEM ON THE ACCESSIBLE RAMP. ALL MANUFACTURER FEES TO PROVIDE FINAL DESIGN OF EQUIPMENT, FOOTINGS, AND GUARDRAILS ARE INCLUDED IN THIS ITEM. ITEM INCLUDES OVEREXCAVATION, EXPLORATORY POTHOLING FOR UTILITY CONFLICTS, SUBGRADE PREP, FORMWORK, REINFORCING, AND PLACEMENT OF CONCRETE FOOTINGS FOR THE PLAYGROUND EQUIPMENT AS REQUIRED BY THE MANUFACTURER. PLAYGROUND EQUIPMENT TO BE INSTALLED IN ACCORDANCE WITH THE PLAYGROUND MANUFACTURER'S RECOMMENDATIONS, REQUIREMENTS, AND SPECIFICATIONS. PLAYGROUND EQUIPMENT TO BE INSTALLED BY AN INSTALLER CERTIFIED BY THE PLAYGROUND EQUIPMENT MANUFACTURER.

62	12010-X-X	<u>FALL ATTENUATION SURFACING, POUR-IN-PLACE</u> THIS ITEM INCLUDES ALL TESTING, LABOR, MATERIALS, AND EQUIPMENT TO PLACE POURED-IN-PLACE FALL ATTENUATION SURFACING IN THE PLAYGROUND AREA AS INDICATED IN THE DOCUMENTS. INCIDENTAL TO THIS ITEM IS ALL BASE MATERIAL, INCLUDING CONCRETE PAVING, AGGREGATE SUBBASE, AND ANY SUBGRADE PREPARATION AS NECESSARY TO OBTAIN PROPER COMPACTION LEVELS. SEE SUPPLEMENTAL SPECIFICATIONS FOR POURED-IN-PLACE RUBBER SURFACING IN CONTRACT DOCUMENTS.
63	12010-X-X	<u>FALL ATTENUATION SURFACING, SYNTHETIC TURF</u> THIS ITEM INCLUDES ALL TESTING, LABOR, MATERIALS, AND EQUIPMENT TO PLACE SYNTHETIC TURF FALL ATTENUATION SURFACING AND SYSTEM BUILDUP IN THE PLAYGROUND AREA AS INDICATED IN THE DOCUMENTS AND AS REQUIRED BY THE MANUFACTURER. INCIDENTAL TO THIS ITEM IS ALL MANUFACTURER PROVIDED BASE MATTING, AND CONCRETE SKIM COAT REQUIRED FOR THE CONSTRUCTION OF THE SYNTHETIC TURF MOUNDS. INCREASED MATERIAL SQUARE FOOTAGE RESULTING FROM VERTICAL DIMENSIONS OF SYNTHETIC TURF BERMS ARE INCIDENTAL TO THIS ITEM.
64	12010-X-X	<u>BIKE RACK</u> THIS ITEM INCLUDES LABOR, MATERIALS AND EQUIPMENT TO FURNISH AND INSTALL BIKE RACKS. SEE PLANS FOR LOCATIONS, DETAILS, AND SPEC INFORMATION. ITEM IS TO BE MEASURED AND PAID FOR ON A COUNT BASIS PER EACH.
65	12010-X-X	<u>BENCH (WOOD)</u> THIS ITEM INCLUDES LABOR, MATERIALS AND EQUIPMENT TO FURNISH AND INSTALL WOOD BENCHES TO BE SURFACE MOUNTED ON TOP OF STONE BENCHES. SEE PLANS FOR LOCATIONS, DETAILS, AND SPEC INFORMATION. ITEM IS TO BE MEASURED AND PAID FOR ON A COUNT BASIS PER EACH.
66	12010-X-X	<u>STONE BLOCK BENCH</u> THIS ITEM INCLUDES LABOR, MATERIALS AND EQUIPMENT TO FURNISH AND INSTALL STONE BENCHES. CONCRETE BASE, PINS, AND MODIFIED SUBBASE UNDER THE STONES IS INCLUDED IN THIS ITEM. SEE PLANS FOR LOCATIONS, DETAILS, AND SPEC INFORMATION. ITEM IS TO BE MEASURED AND PAID FOR ON A COUNT BASIS PER EACH.
67	12010-X-X	<u>ELECTRICAL IMPROVEMENTS, DEMO & SITE PREP</u> THIS ITEM INCLUDES LABOR, MATERIAL, AND EQUIPMENT TO REMOVE OR ABANDON ANY EXISTING CIRCUITS NOTED TO BE REMOVED IN THE PLANS. INCLUDES REMOVAL AND DISPOSAL OF EXISTING LIGHTPOLES, BOLLARDS, AND FOOTINGS, INCLUDING EXISTING TENNIS COURT LIGHT POLES, NOTED TO BE REMOVED OR REPLACED. SEE ELECTRICAL SUPPLEMENTAL SPECIFICATION SECTION FOR ADDITIONAL INFORMATION. THIS ITEM WILL BE PAID ON A LUMP SUM BASIS.
68	12030-X-X	<u>ELECTRICAL IMPROVEMENTS, CIRCUITS</u> THIS ITEM INCLUDES LABOR, MATERIALS AND EQUIPMENT TO FURNISH AND INSTALL NEW CIRCUITS, PANELS, AND CONDUIT FOR ELECTRICAL IMPROVEMENTS. SEE PLANS FOR LOCATION, DETAILS, AND SPEC INFORMATION. ITEM IS TO BE MEASURED AND PAID AS A LUMP SUM FOR CIRCUITRY COMPLETE. CABINETS, CONDUIT & FEEDERS (TRENCHED OR BORED AS NECESSARY), PERMITS, TESTING, AND SITE RESTORATION TO ORIGINAL CONDITIONS IN TRENCHED AREAS ARE INCIDENTAL TO THIS ITEM. SEE ELECTRICAL SUPPLEMENTAL SPECIFICATION SECTION FOR ADDITIONAL INFORMATION. ELECTRICAL SERVICE AND CONNECTIONS TO THE SPLASH PAD MANIFOLD, RAIN DIVERTING WASTE VALVE BOX, AND AQUAVATOR ACTUATION UNIT.
69	12030-X-X	<u>ELECTRICAL IMPROVEMENTS, POLE-TOP LIGHTS</u> THIS ITEM INCLUDES LABOR, MATERIALS AND EQUIPMENT TO FURNISH AND INSTALL POLE TOP AREA LIGHTS (NOTED AS "S2" IN THE PLANS). SEE PLANS FOR LOCATION, DETAILS, AND SPEC INFORMATION. ITEM IS TO BE MEASURED AND PAID AS A LUMP SUM FOR POLE TOP AREA LIGHTS COMPLETE. LIGHTS, POLES, FOOTINGS, AND CONNECTIONS ARE INCIDENTAL TO THIS ITEM. SEE ELECTRICAL SUPPLEMENTAL SPECIFICATION SECTION FOR ADDITIONAL INFORMATION.
70	12030-X-X	<u>ELECTRICAL IMPROVEMENTS, BOLLARDS</u> THIS ITEM INCLUDES LABOR, MATERIALS AND EQUIPMENT TO FURNISH AND INSTALL BOLLARD LIGHTS AND PERSONAL CHARGING PEDESTALS (NOTED AS "S1" AND "PED-1" IN THE PLANS, RESPECTIVELY). SEE PLANS FOR LOCATION, DETAILS, AND SPEC INFORMATION. ITEM IS TO BE MEASURED AND PAID AS A LUMP SUM FOR BOLLARD LIGHTS AND PERSONAL CHARGING STATIONS COMPLETE. FOOTINGS AND CONNECTIONS ARE INCIDENTAL TO THIS ITEM. SEE ELECTRICAL SUPPLEMENTAL SPECIFICATION SECTION FOR ADDITIONAL INFORMATION.
71	12030-X-X	<u>ELECTRICAL IMPROVEMENTS, SALVAGE & RELOCATE B-CYCLE</u> THIS ITEM INCLUDES LABOR, MATERIALS AND EQUIPMENT TO SALVAGE, RELOCATE, AND CONNECT B-CYCLE BICYCLE RENTAL UNIT. SEE PLANS FOR LOCATIONS. ITEM IS TO BE MEASURED AND PAID AS A LUMP SUM FOR RELOCATION OF THE B-CYCLE STATION COMPLETE. COORDINATION WITH VENDOR TO INSTALL PER VENDOR'S REQUIREMENTS IS INCIDENTAL TO THIS ITEM. SEE ELECTRICAL SUPPLEMENTAL SPECIFICATION SECTION FOR ADDITIONAL INFORMATION.
72	12030-X-X	<u>SALVAGE AND REINSTALL SCULPTURE (BUTTERFLY)</u> THIS ITEM INCLUDES LABOR, MATERIALS AND EQUIPMENT TO SALVAGE, RELOCATE, AND CONNECT B-CYCLE BICYCLE RENTAL UNIT. SEE PLANS FOR LOCATIONS. ITEM IS TO BE MEASURED AND PAID AS A LUMP SUM FOR RELOCATION OF THE B-CYCLE STATION COMPLETE. COORDINATION WITH VENDOR TO INSTALL PER VENDOR'S REQUIREMENTS IS INCIDENTAL TO THIS ITEM. SEE ELECTRICAL SUPPLEMENTAL SPECIFICATION SECTION FOR ADDITIONAL INFORMATION.
73	12030-X-X	<u>IRRIGATION CAP</u> INCLUDES ALL LABOR, MATERIALS, AND EQUIPMENT NECESSARY FOR THE DESIGN MODIFICATIONS AND CAPPING OF EXISTING IRRIGATION ZONES IMPACTED BY THE PROJECT. INCLUDES ALL ITEMS NECESSARY TO PROVIDE A FULLY FUNCTIONAL MODIFIED IRRIGATION SYSTEM TO BE CAPPED AT AREAS IMPACTED BY THE PROJECT.

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ESTIMATE REFERENCE NOTES

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ESTIMATE REFERENCE INFORMATION (ALTERNATE A)		
ITEM NO.	ITEM CODE	DESCRIPTION
A1	7010-A	<u>PAVEMENT, PCC, 7 INCH</u> CONCRETE WILL BE C MIX WITH A MINIMUM COMPRESSIVE STRENGTH OF 4,000 PSI AT 28 DAYS. SLAG IS NOT ALLOWED. FINAL TRIMMING OF SUBGRADE OR SUBBASE, INTEGRAL CURB, BARS AND REINFORCEMENT, JOINTS AND SEALING, SURFACE CURING, PAVEMENT PROTECTION, SAFETY FENCING, CONCRETE FOR RIGID HEADERS, AND BOXOUTS FOR FIXTURES SHALL BE INCIDENTAL TO THIS ITEM. NO EXTRA PAYMENT FOR COLD WEATHER PAVING.
A2	7010-E	<u>CURB AND GUTTER, 2 FT, 7 INCH</u> CONCRETE WILL BE C MIX WITH A MINIMUM COMPRESSIVE STRENGTH OF 4,000 PSI AT 28 DAYS. SLAG IS NOT ALLOWED. FINAL TRIMMING OF SUBGRADE OR SUBBASE, INTEGRAL CURB, BARS AND REINFORCEMENT, JOINTS AND SEALING, SURFACE CURING, PAVEMENT PROTECTION, SAFETY FENCING, CONCRETE FOR RIGID HEADERS, AND BOXOUTS FOR FIXTURES SHALL BE INCIDENTAL TO THIS ITEM. NO EXTRA PAYMENT FOR COLD WEATHER PAVING.
A3	7040-H	<u>PAVEMENT REMOVAL</u> ALL REMOVALS TO BE MARKED AND MEASURED BY THE ENGINEER. FULL DEPTH SAW CUTS ALONG THE REMOVAL LIMITS ARE INCIDENTAL TO THIS ITEM. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ADDITIONAL REMOVAL, EARTHWORK, SUBGRADE PREPARATION, MODIFIED SUBBASE AND PAVING EXPENSES DUE TO DAMAGED EDGES. ADDITIONAL REMOVAL TO BE DETERMINED BY ENGINEER. PAYMENT SHALL BE MADE FOR THE AREA OF PAVEMENT REMOVED REGARDLESS OF THICKNESS.
A4	7040-I	<u>CURB AND GUTTER REMOVAL</u>

ESTIMATE REFERENCE INFORMATION (ALTERNATE B)		
ITEM NO.	ITEM CODE	DESCRIPTION
B1	12010-X-X	<u>SPLASH PAD OVERHEAD STRUCTURES</u> THIS ITEM INCLUDES ALL LABOR, MATERIALS, AND EQUIPMENT NECESSARY FOR COMPLETE FURNISHING AND INSTALLATION OF ALL COMPONENTS OF THE OVERHEAD STRUCTURES AS INDICATED IN THE DRAWINGS AND SPECIAL PROVISIONS. INCIDENTAL TO THIS ITEM IS THE REINFORCED CONCRETE FOOTING PER MANUFACTURER AND MANUFACTURER'S STRUCTURAL ENGINEERING FEES. CONSTRUCTION OF THE FOOTINGS, INCLUDING EXCAVATION, REINFORCING, AND BACKFILL, ARE ALSO INCIDENTAL TO THIS ITEM. THIS ITEM WILL BE PAID ON A COUNT BASIS PER EACH STRUCTURE INSTALLED. SEE SUPPLEMENTAL SPECIFICATIONS FOR SHELTERS IN CONTRACT DOCUMENTS.

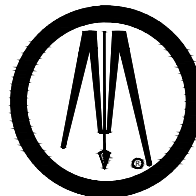
ESTIMATE REFERENCE INFORMATION (ALTERNATE C)		
ITEM NO.	ITEM CODE	DESCRIPTION
C1	12010-X-X	<u>CAST STONE CUSTOM WALLS (LEAF SEAT WALLS)</u> THIS ITEM INCLUDES THE ADDITIONAL COST TO UPGRADE THE PORTION OF THE REINFORCED CAST-IN-PLACE CONCRETE WALL (LEAF SEAT WALLS) TO CAST STONE AS INDICATED ON SHEET B.07. THIS ITEM INCLUDES LABOR, MATERIALS AND EQUIPMENT TO FURNISH MATERIALS AND CONSTRUCT THE CAST STONE CUSTOM WALLS (LEAF SEATWALLS) IN THE PLAYGROUND AND PLAZA AREAS. ITEM IS TO BE MEASURED AND PAID FOR ON A CUBIC FOOT BASIS OF CAST STONE SEATWALLS CONSTRUCTED. ALL ITEMS NECESSARY FOR COMPLETE PROCUREMENT AND INSTALLATION OF CAST STONE, SEALING OF JOINTS, AND BACKFILLING REQUIRED FOR COMPLETE CONSTRUCTION OF THE WALLS AS RECOMMENDED BY THE MANUFACTURER ARE CONSIDERED INCIDENTAL TO THIS ITEM. CAST STONE MANUFACTURER SHALL BE EDWARDS CAST STONE, DUBUQUE, IOWA -- OR APPROVED EQUAL.

ESTIMATE REFERENCE INFORMATION (ALTERNATE D)		
ITEM NO.	ITEM CODE	DESCRIPTION
D1	12030-X-X	<u>IRRIGATION MODIFY AND EXTEND</u> THIS ITEM INCLUDES THE ADDITIONAL COST ASSOCIATED WITH EXTENDING THE EXISTING IRRIGATION SYSTEM INTO THE PROJECT AREA AS INDICATED ON THE L-SERIES SHEETS. ITEM INCLUDES ALL LABOR, MATERIALS, AND EQUIPMENT NECESSARY FOR THE DESIGN AND INSTALLATION OF THE EXPANSION OF THE IRRIGATION SYSTEM AS INDICATED IN THE PLANS FOR ADD ALTERNATE D. INCLUDES ALL ITEMS NECESSARY TO PROVIDE A FULLY FUNCTIONAL IRRIGATION SYSTEM IN THE EXISTING IRRIGATED AREAS AND THE ADDITIONAL AREAS INDICATED ON THE PLAN SET.

ESTIMATE REFERENCE INFORMATION (ALTERNATE E)		
ITEM NO.	ITEM CODE	DESCRIPTION
E1	12030-X-X	<u>CHAIN LINK FENCE, GALVANIZED, 6'</u> INCLUDES ALL LABOR, MATERIALS, AND EQUIPMENT NECESSARY FOR THE DESIGN AND INSTALLATION OF THE CHAINLINK FENCE AS INDICATED IN THE PLANS FOR ADD ALTERNATE E. INCLUDES ALL ITEMS NECESSARY TO PROVIDE A FULLY INSTALLED FENCE SYSTEM IN THE AREAS INDICATED ON THE PLAN SET INCLUDING BUT NOT LIMITED TO EXCAVATIONS, CONCRETE FOOTINGS, BACKFILLING AND INSTALLATION OF ALL COMPONENTS AND HARDWARE.

Structure Table					
Structure Name	Structure Details	HEIGHT	SUMP/INV	STRUCTURE TYPE	BID ITEM
CO - 1	RIM = 821.14 SUMP = 816.75 Pipe - (25) INV OUT = 817.20	4.48	816.75	SUBDRAIN CLEANOUT, 8 INCH	SUBDRAIN CLEANOUT, 8 INCH
CO - 2	RIM = 824.58 SUMP = 820.10	4.48	820.10	SUBDRAIN CLEANOUT, 8 INCH	Structure Text
EX - 2	RIM = 823.55 SUMP = 812.12 Pipe - (26) (1) INV IN =812.94 Pipe - (19) INV IN =812.84 Pipe - (27) INV IN =812.94 Pipe - (26) INV IN =818.15 Pipe - (18) INV OUT = 812.84	11.42	812.12	EX SANITARY	EXTERNAL DROP CONNECTION MANHOLE ADJUSTMENT, MAJOR
INT - 0	RIM = 821.00 SUMP = 816.87 Pipe - (20) INV IN =816.97 Pipe - (17) INV OUT = 816.87	4.13	816.87	SW-512 (24in, TYPE 3B GRATE)	INTAKE, SW-512
INT - 1	RIM = 823.55 SUMP = 819.36 Pipe - (2) (2) INV IN =819.60 Pipe - (4) INV IN =819.50 Pipe - (20) INV OUT = 819.50	4.19	819.36	NYLOPLAST 12" DRAIN BASIN: 2812AG GRATE: 1299CGSL	NYLOPLAST DRAIN BASIN, 12 INCH
INT - 2	RIM = 824.26 SUMP = 820.95 Pipe - (1) INV IN =820.95 Pipe - (2) INV OUT = 820.95	3.31	820.95	NYLOPLAST 12" DRAIN BASIN: 2812AG GRATE: 1299CGPL	NYLOPLAST DRAIN BASIN, 12 INCH
INT - 3	RIM = 824.24 SUMP = 821.20 Pipe - (1) INV OUT = 821.36	3.03	821.20	NYLOPLAST 12" DRAIN BASIN: 2812AG GRATE: 1299CGPL	NYLOPLAST DRAIN BASIN, 12 INCH
INT - 4	RIM = 824.30 SUMP = 819.77 Pipe - (3) INV IN =819.82 Pipe - (16) INV IN =820.04 Pipe - (4) INV OUT = 819.82	4.53	819.77	NYLOPLAST 12" DRAIN BASIN: 2812AG GRATE: 1299CGSL	NYLOPLAST DRAIN BASIN, 12 INCH
INT - 5	RIM = 824.06 SUMP = 820.36 Pipe - (3) INV OUT = 820.45	3.70	820.36	NYLOPLAST 12" DRAIN BASIN: 2812AG GRATE: 1299CGSL	NYLOPLAST DRAIN BASIN, 12 INCH
INT - 6	RIM = 820.30 SUMP = 816.62 Pipe - (25) INV IN =817.11 Pipe - (21) INV OUT = 817.11	3.69	816.62	TRENCH DRAIN, ACO KLASSIKDRAIN KS100	LINEAR TRENCH DRAIN
INT - 7	RIM = 820.22 SUMP = 816.42 Pipe - (21) INV IN =816.77 Pipe - (28) INV IN =816.87 Pipe - (22) INV OUT = 816.77	3.79	816.42	TRENCH DRAIN, ACO KLASSIKDRAIN KS100	LINEAR TRENCH DRAIN
INT - 8	RIM = 820.39 SUMP = 816.60 Pipe - (28) INV OUT = 817.36	3.79	816.60	TRENCH DRAIN, ACO KLASSIKDRAIN KS100	LINEAR TRENCH DRAIN
INT - 9	RIM = 821.36 SUMP = 815.87 Pipe - (22) INV IN =815.97 Pipe - (23) INV OUT = 815.87	5.49	815.87	SW-512 (18in, TYPE 4A GRATE)	INTAKE, SW-512

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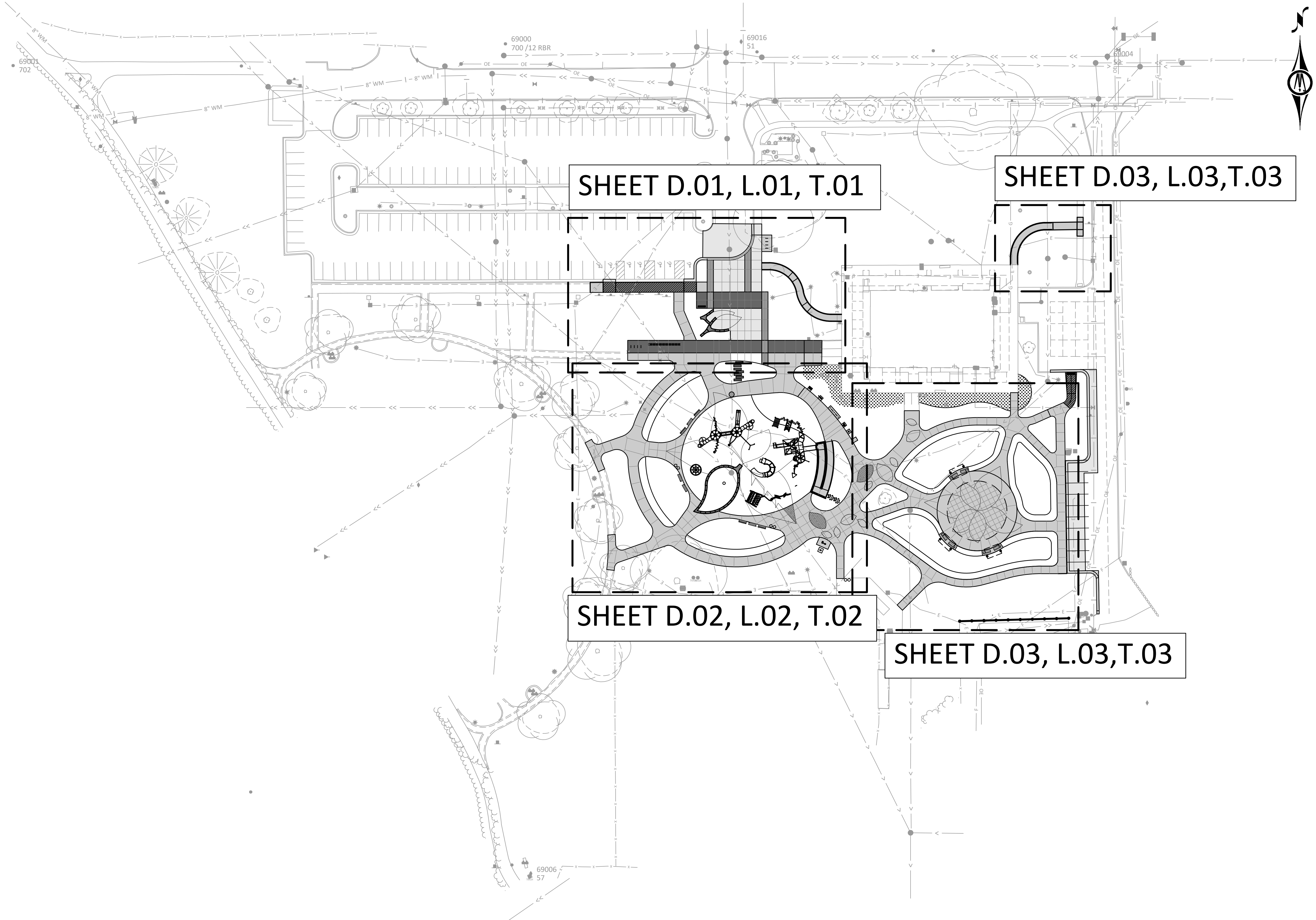
CITY OF WINDSOR HEIGHTS, IOWA

2023 COLBY PARK IMPROVEMENTS

ESTIMATE REFERENCE NOTES

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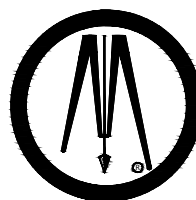
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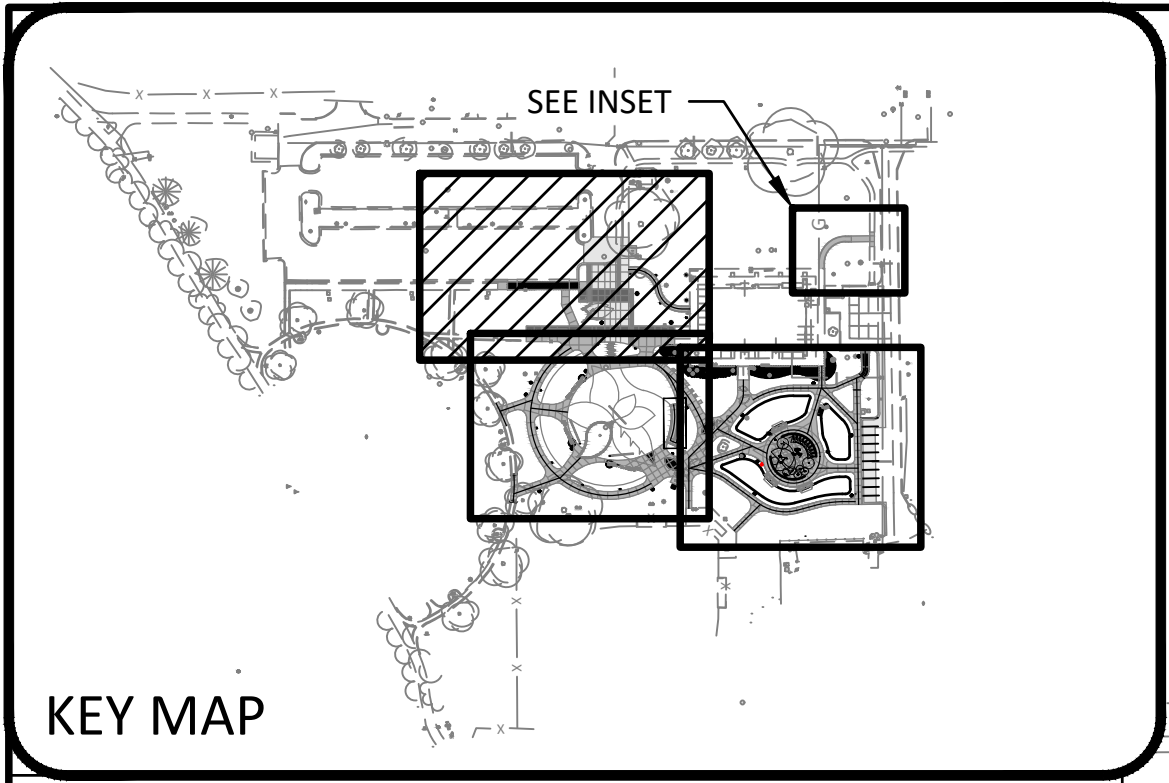
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CITY OF WINDSOR HEIGHTS, IOWA
2023 COLBY PARK IMPROVEMENTS
OVERALL SITE MAP

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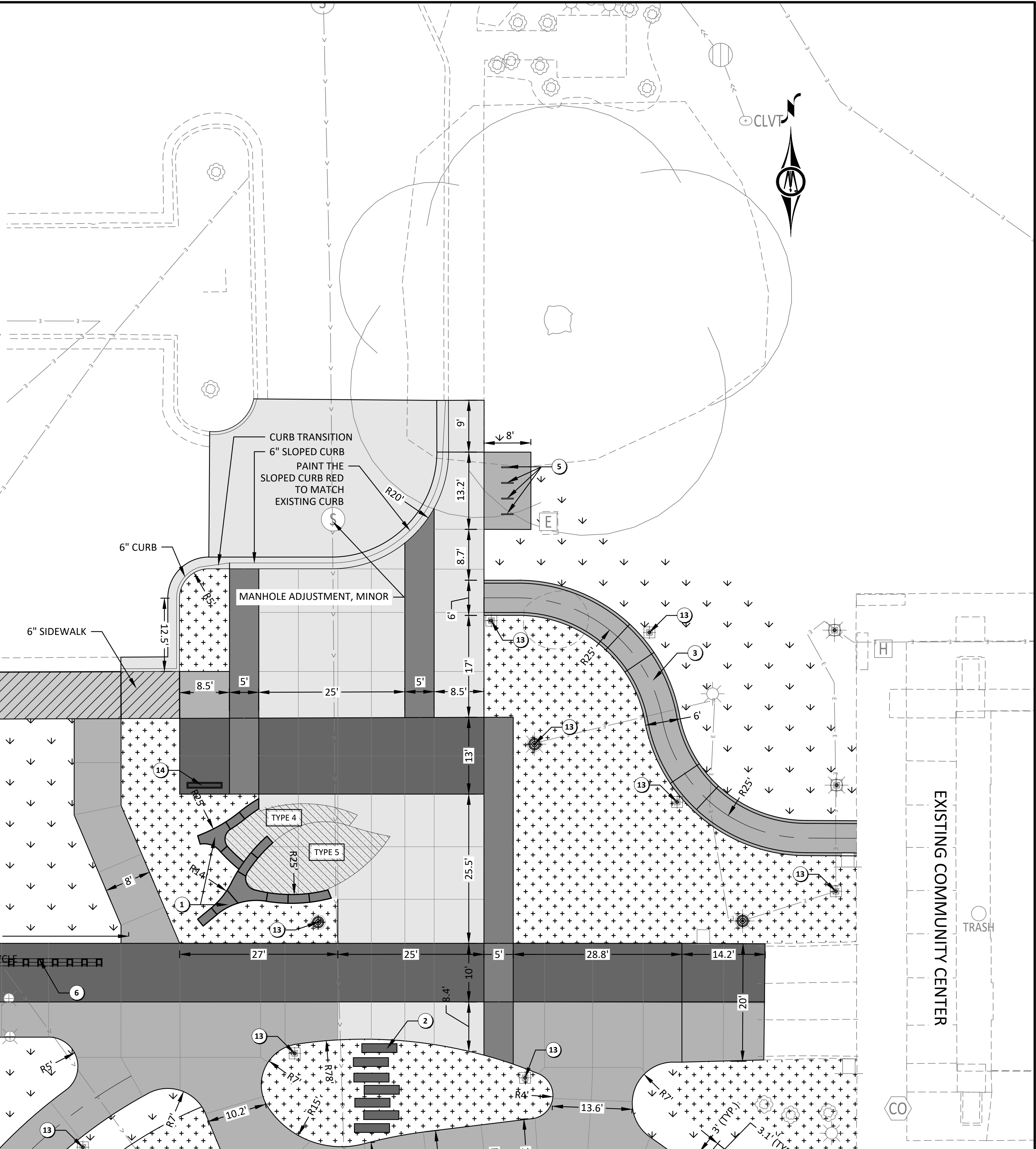
SITE LAYOUT KEYNOTES:

- 1 REINFORCED CAST-IN-PLACE CONCRETE WALL (LEAF SEAT WALLS) OR CAST STONE CUSTOM WALLS, SEE DETAIL 1/B.07
- 2 CONCRETE STEPPING PLANKS, SEE DETAIL 5/B.07
- 3 RAMP WITH HANDRAIL, SEE GRADING SHEETS & DETAIL SHEET 8/B.01
- 4 NOT USED
- 5 BIKE RACK, SEE DETAIL 3/B.03
- 6 B-CYCLE STATION, (COORDINATE W/B-CYCLE BEFORE REMOVAL & NEW PLACEMENT)
- 7 LANDSCAPE BERM, SEE GRADING SHEETS
- 8 STONE BLOCK BENCH, SEE DETAIL 3/B.07
- 9 STONE BLOCK BENCH WITH BENCH (WOOD), SEE DETAIL 4/B.07
- 10 DRINKING FOUNTAIN, SEE DETAIL SHEET 8.03 (WATER FOUNTAIN MUST BE INSTALLED BY MAY 2024)
- 11 TRASH & RECYCLING RECEPTACLES, BY OTHERS
- 12 DUMOR BENCH, BY OTHERS
- 13 LIGHTING, SEE ELECTRICAL SHEETS
- 14 EXISTING KIOSK, REMOVE AND REINSTALL (BY OWNER)
- 15 REINSTALL SALVAGED BUTTERFLY SCULPTURE AND CONCRETE BASE

LEGEND			
	PAVEMENT, PCC 7"		FALL ATTENUATION SURFACING, POUR-IN-PLACE
	SIDEWALK, PCC 5"		LANDSCAPE BED
	SIDEWALK, PCC 6"		SOD
	PAVEMENT, PCC, 7" INTEGRAL COLOR CONCRETE, TYPE 1 (PER SPECS)		FALL ATTENUATION SURFACING, POUR-IN-PLACE
	PAVEMENT, PCC, 7" INTEGRAL COLOR CONCRETE, TYPE 2 (PER SPECS)		NON-SKID RUBBERIZED COATING (SPLASHPAD)
	CONCRETE SURFACE STAIN (PER SPECS)		
SEE B SHEETS FOR ALL CONSTRUCTION DETAILS			

GENERAL NOTES:

1. UNDERGROUND UTILITIES: FIELD LOCATE UNDERGROUND UTILITIES PRIOR TO EXCAVATION FOR INSTALLATION OF SITE IMPROVEMENTS. IF A CONFLICT EXISTS BETWEEN PROPOSED SITE IMPROVEMENTS AND EXISTING OR PROPOSED UTILITIES, IMMEDIATELY ADVISE THE LANDSCAPE ARCHITECT.
2. HORIZONTAL CONTROL: HORIZONTAL CONTROL FOR THE LAYOUT OF SITE IMPROVEMENTS WILL BE PROVIDED BY THE ENGINEER. STATIONS AND OFFSETS INDICATED ON THE DRAWINGS ARE RELATIVE TO THE ROADWAY STATIONING.
3. ISOLATION JOINTS IN SIDEWALK PAVING: GENERALLY, ISOLATION JOINTS WILL BE LOCATED ALONG THE BACK OF CURB BETWEEN SIDEWALK PAVEMENTS AND PERMANENT STRUCTURES, WALLS AND BUILDINGS. ISOLATION JOINTS WILL ALSO BE LOCATED WHERE THE SIDEWALK PAVEMENT TURNS OR CHANGES DIRECTION, AND AT EVERY 100 FOOT MARK OF LINEAR SIDEWALK.
4. ALL SIDEWALKS AND CONCRETE SURFACES TO HAVE A LIGHT BROOM FINISH PERPENDICULAR TO DIRECTION OF TRAVEL UNLESS OTHERWISE NOTED, TYPICAL.
5. SAWCUTS TO BE MADE AS SHOWN ON PLANS UNLESS DIRECTED OTHERWISE BY LANDSCAPE ARCHITECT.
6. CONTRACTOR IS TO PRESERVE AND PROTECT EXISTING VEGETATION TO REMAIN AT ALL STAGES OF CONSTRUCTION. DAMAGED PLANT MATERIAL WILL BE REPLACED AT CONTRACTOR'S EXPENSE.
7. CONTRACTOR IS TO PRESERVE AND PROTECT EXISTING BUILDINGS AND FOUNDATIONS AT ALL STAGES OF CONSTRUCTION.
8. CONTRACTOR IS TO VERIFY THAT ALL SLOPES, CROSS SLOPES, LONGITUDINAL SLOPES, DROP CURB SLOPES, ETC. DO NOT EXCEED PROWAG MAXIMUMS. CONTRACTOR IS TO NOTIFY OWNER'S REPRESENTATIVE IF SLOPES EXCEED GUIDELINE RECOMMENDATIONS.
9. HATCH PATTERNS ON PLAN DRAWINGS SHALL NOT BE USED FOR CONSTRUCTION OR SCALING PURPOSES. REFER TO CONSTRUCTION DETAILS FOR PAVER PATTERNS AND FINISHES.



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CITY OF WINDSOR HEIGHTS, IOWA
2023 COLBY PARK IMPROVEMENTS
LAYOUT PLAN

SHEET

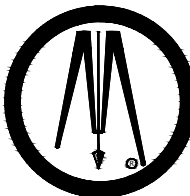
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- ① REINFORCED CAST-IN-PLACE CONCRETE WALL (LEAF SEAT WALLS) OR CAST STONE CUSTOM WALLS, SEE DETAIL 1/B.07
- ② CONCRETE STEPPING PLANKS, SEE DETAIL 5/B.07
- ③ RAMP WITH HANDRAIL, SEE GRADING SHEETS & DETAIL SHEET 8/B.01
- ④ NOT USED
- ⑤ BIKE RACK, SEE DETAIL 3/B.03
- ⑥ B-CYCLE STATION, **(COORDINATE W/B-CYCLE BEFORE REMOVAL & NEW PLACEMENT)**
- ⑦ LANDSCAPE BERM, SEE GRADING SHEETS
- ⑧ STONE BLOCK BENCH, SEE DETAIL 3/B.07
- ⑨ STONE BLOCK BENCH WITH BENCH (WOOD), SEE DETAIL 4/B.07
- ⑩ DRINKING FOUNTAIN, SEE DETAIL SHEET B.03 **(WATER FOUNTAIN MUST BE INSTALLED BY MAY 2024)**
- ⑪ TRASH & RECYCLING RECEPTACLES, BY OTHERS
- ⑫ DUMOR BENCH, BY OTHERS
- ⑬ LIGHTING, SEE ELECTRICAL SHEETS
- ⑭ EXISTING KIOSK, REMOVE AND REINSTALL (BY OWNER)
- ⑮ REINSTALL SALVAGED BUTTERFLY SCULPTURE AND CONCRETE BASE
- ⑯ SPLASHPAD OVERHEAD STRUCTURES **(ALTERNATE B)**, SEE DETAIL SHEET 2/B.07
- ⑰ ARIA (HARMONY PARK ELEMENT), TO BE SURFACE MOUNTED PER MANUFACTURER REQ.
- ⑱ HARP (HARMONY PARK ELEMENT), TO BE SURFACE MOUNTED PER MANUFACTURER REQ.
- ⑲ CONTRABASS CHIMES (HARMONY PARK ELEMENT), TO BE SURFACE MOUNTED PER MANUFACTURER REQ.
- ⑳ LILYPAD CYMBALS (HARMONY PARK ELEMENT), TO BE SURFACE MOUNTED PER MANUFACTURER REQ.
- ㉑ PAGODA BELLS (HARMONY PARK ELEMENT), TO BE SURFACE MOUNTED PER MANUFACTURER REQ.
- ㉒ MANTA RAY (HARMONY PARK ELEMENT), TO BE SURFACE MOUNTED PER MANUFACTURER REQ.
- ㉓ 6' HIGH GALVANIZED CHAIN LINK FENCE, SEE DETAIL 6/B.08 **(ALTERNATE F)**



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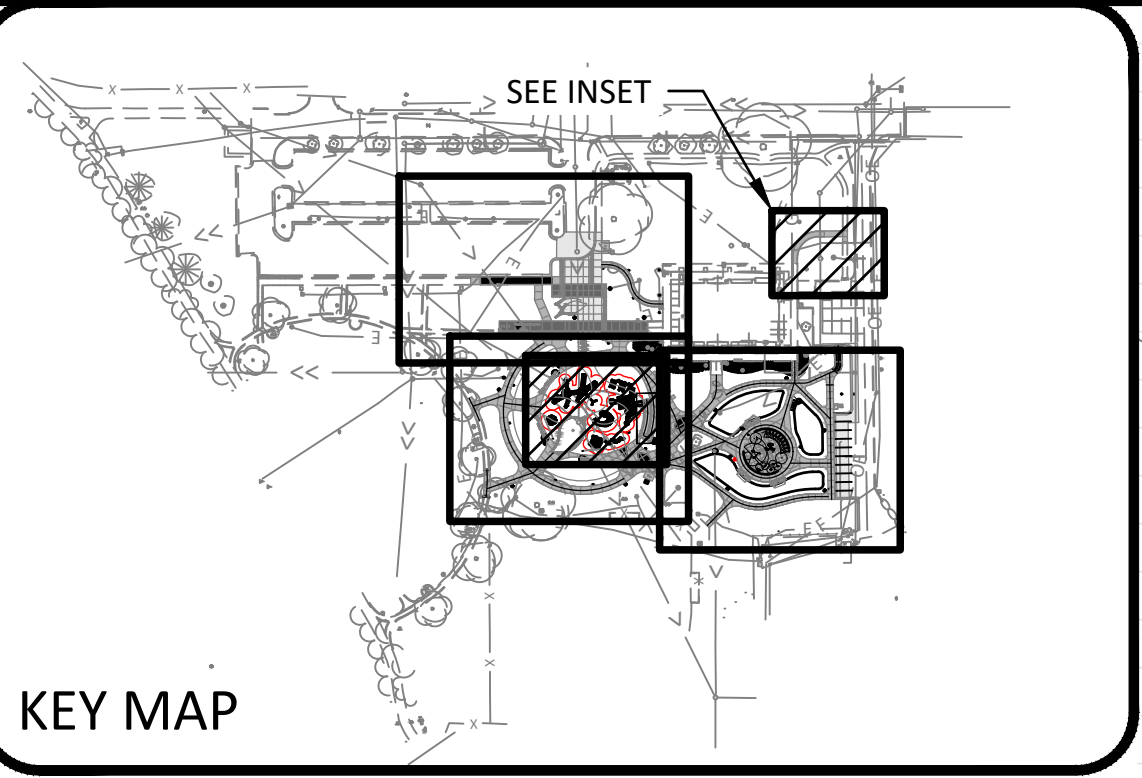
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CITY OF WINDSOR HEIGHTS, IOWA
2023 COLBY PARK IMPROVEMENTS

LAYOUT PLAN

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KEY MAP

PLAYGROUND EQUIPMENT KEYNOTES:

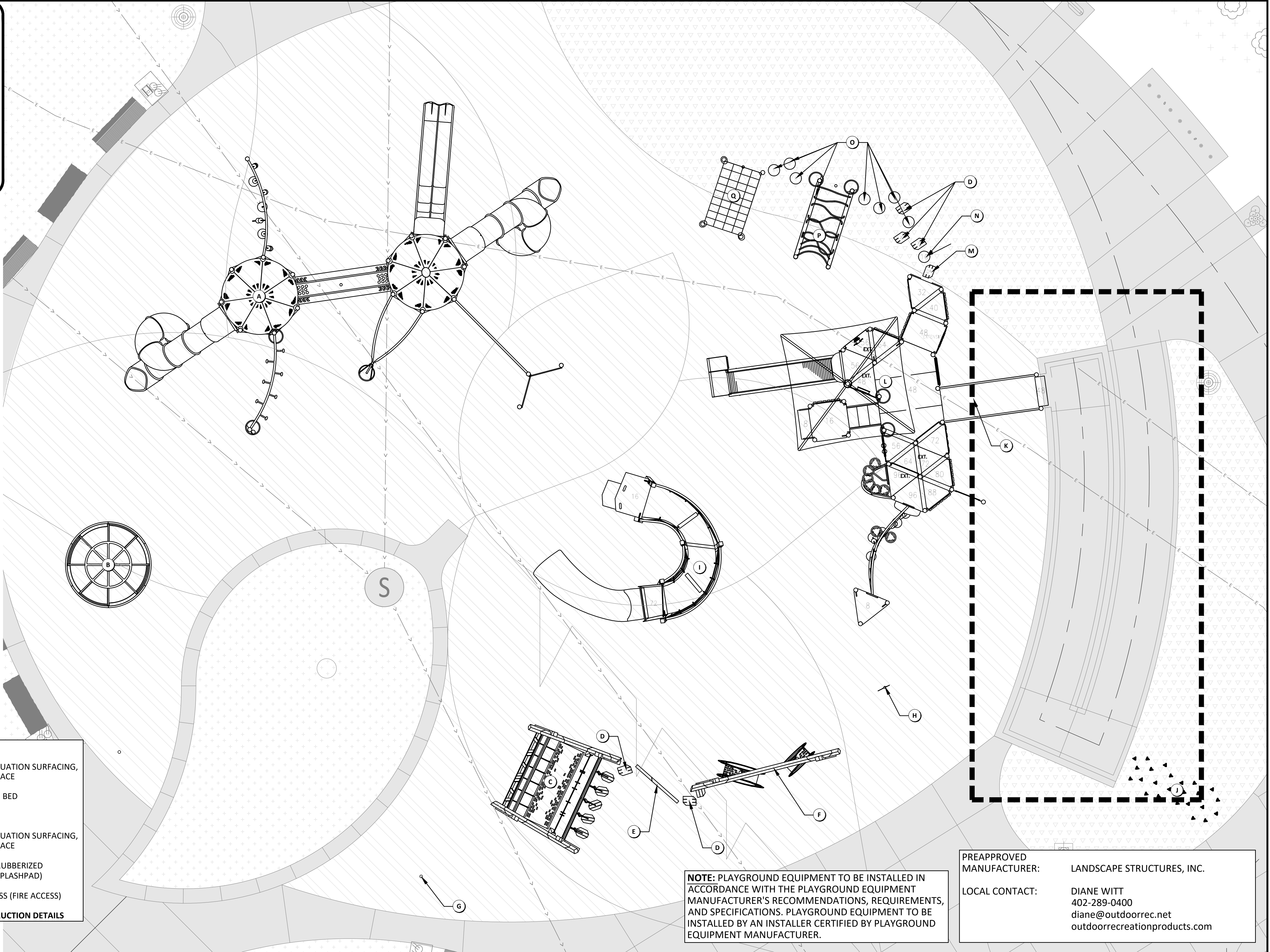
- (A) SUPER NETPLEX BY LANDSCAPE STRUCTURES
- (B) WE-GO-ROUND W/ DIGIFUSE PANELS BY LANDSCAPE STRUCTURES
- (C) FOXTROT MULTI-CLIMBER
- (D) FOOTPRINT STEPPER 8"
- (E) FOOTPRINT BALANCE BEAM
- (F) FOX DEN HANGOUTS
- (G) WELCOME SIGN (2-5 YEARS)
- (H) WELCOME SIGN (5-12 YEARS)
- (I) FORMA ALPINE SLIDE
- (J) HILLSIDE CLIMBING HANDGRIPS
- (K) RAMP W/BARRIER
- (L) PLAYBOOSTER STRUCTURE FOR 5-12Y AGE GROUP. INCLUDES: TRANSFER DECK, RAMP ACCESS, MULTIPLE ACTIVITY PANELS, DECK PLATFORMS, MULTIPLE CLIMBERS. SEE DETAIL SHEET.
- (M) FOOTPRINT STEPPER 24"
- (N) POD CLIMBER 16"
- (O) POD CLIMBER 8"
- (P) RING TANGLE CLIMBER
- (Q) HILL NET CLIMBER

NOTE: LAYOUT OF PLAY EQUIPMENT SHOWN FOR REFERENCE ONLY. FINAL LAYOUT OF PLAY EQUIPMENT BY MANUFACTURER.

LEGEND

- PAVEMENT, PCC 7"
- SIDEWALK, PCC 5"
- SIDEWALK, PCC 6"
- PAVEMENT, PCC, 7" INTEGRAL COLOR CONCRETE, TYPE 1 (PER SPECS)
- PAVEMENT, PCC, 7" INTEGRAL COLOR CONCRETE, TYPE 2 (PER SPECS)
- CONCRETE SURFACE STAIN (PER SPECS)
- FALL ATTENUATION SURFACING, POUR-IN-PLACE
- LANDSCAPE BED
- SOD
- FALL ATTENUATION SURFACING, POUR-IN-PLACE
- NON-SKID RUBBERIZED COATING (SPLASHPAD)
- 7" THICKNESS (FIRE ACCESS)

SEE B SHEETS FOR ALL CONSTRUCTION DETAILS



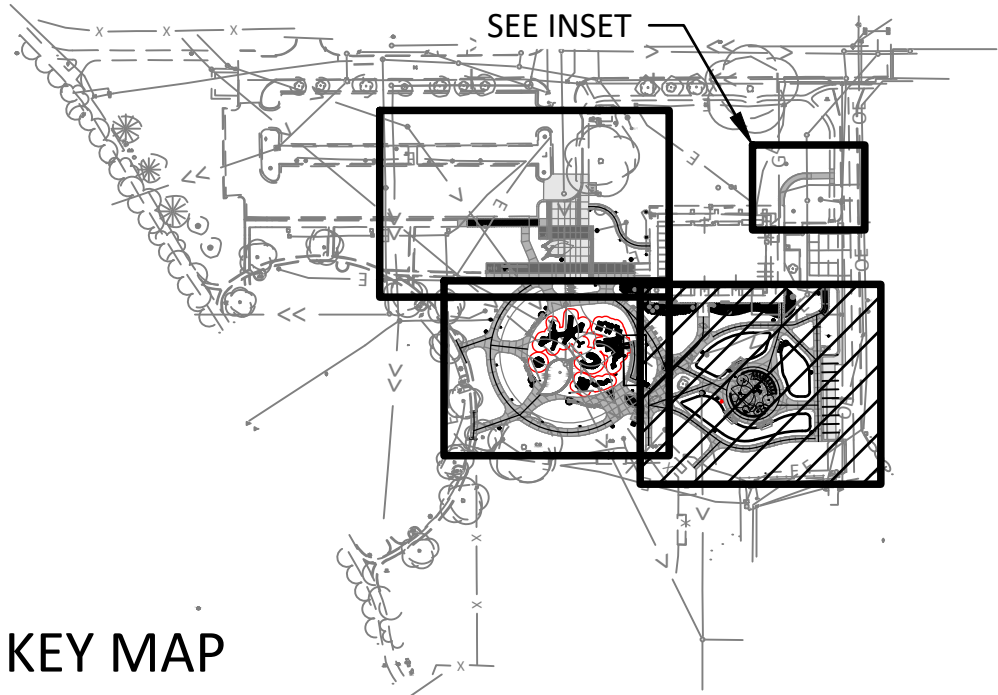
NOTE: PLAYGROUND EQUIPMENT TO BE INSTALLED IN ACCORDANCE WITH THE PLAYGROUND EQUIPMENT MANUFACTURER'S RECOMMENDATIONS, REQUIREMENTS, AND SPECIFICATIONS. PLAYGROUND EQUIPMENT TO BE INSTALLED BY AN INSTALLER CERTIFIED BY PLAYGROUND EQUIPMENT MANUFACTURER.

PREAPPROVED MANUFACTURER: LANDSCAPE STRUCTURES, INC.

LOCAL CONTACT: DIANE WITT
402-289-0400
diane@outdoorrec.net
outdoorrecreationproducts.com

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SEALED JLE
CHECKED CB
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KEY MAP

SPLASHPAD EQUIPMENT KEYNOTES:

- ⑤ CANOPY CLUSTER W/ ACRYLIC
- ① HYDROSPHERE
- ④ ARCH JET
- ⑥ CRACKLE CORN
- ⑦ CROWN JET
- ⑧ GROUND FUNNEL
- ⑨ JUNIOR WATER JEWEL
- AA STREAM JET
- BB STREAM JET TRIANGLE
- CC AQUAVATOR
- DD DRAIN BOX
- EE VALVE VAULT

LEGEND

- PAVEMENT, PCC 7"
- SIDEWALK, PCC 5"
- SIDEWALK, PCC 6"
- PAVEMENT, PCC, 7" INTEGRAL COLOR CONCRETE, TYPE 1 (PER SPECS)
- PAVEMENT, PCC, 7" INTEGRAL COLOR CONCRETE, TYPE 2 (PER SPECS)
- CONCRETE SURFACE STAIN (PER SPECS)
- FALL ATTENUATION SURFACING, POUR-IN-PLACE
- LANDSCAPE BED
- SOD
- FALL ATTENUATION SURFACING, POUR-IN-PLACE
- NON-SKID RUBBERIZED COATING (SPLASHPAD)

SEE B SHEETS FOR ALL CONSTRUCTION DETAILS

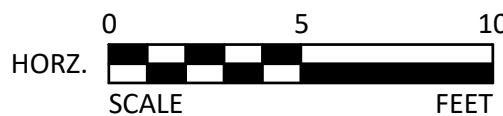
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outdoorrecreationproducts.com

NOTE: SPLASHPAD EQUIPMENT TO BE INSTALLED IN ACCORDANCE WITH THE SPLASHPAD EQUIPMENT MANUFACTURER'S RECOMMENDATIONS, REQUIREMENTS, AND SPECIFICATIONS. SPLASHPAD EQUIPMENT TO BE INSTALLED BY AN INSTALLER CERTIFIED BY SPLASHPAD EQUIPMENT MANUFACTURER.

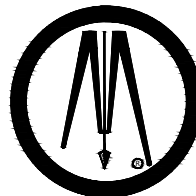
NON-SKID RUBBERIZED COATING TO BE APPLIED TO SPLASHPAD SURFACE.

MANUFACTURER: TUFFCOAT

COLOR: TBD



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CITY OF WINDSOR HEIGHTS, IOWA
2023 COLBY PARK IMPROVEMENTS
SPLASHPAD LAYOUT PLAN

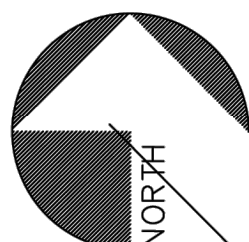
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SCALE IN FEET:
0' 2.5' 5' 10'



Colby Park Playground
Playground Improvements
6900 School St, Windsor Heights, IA 50324

Outdoor Recreation
Products
Diane Witt

SYSTEM TYPE:
PlayBooster

DRAWING #:
1171503-02-03_ORP

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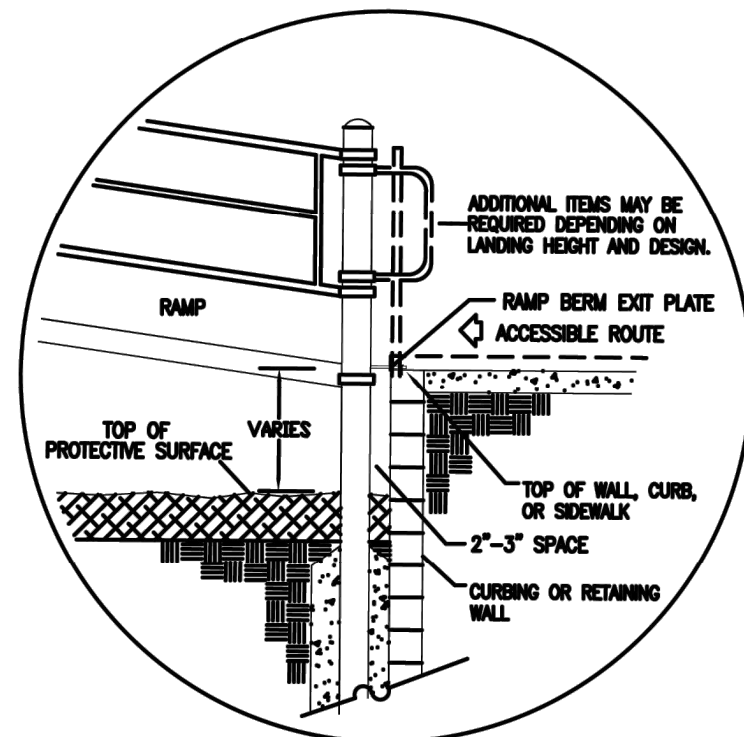
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CITY OF WINDSOR HEIGHTS, IOWA
2023 COLBY PARK IMPROVEMENTS
PLAYGROUND LAYOUT PLAN

SHEET

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PlayBooster®EvoS®and Forma™
(5-12 years)
Max Fall Height: 144 Inches



SUGGESTED ELEVATED RAMP BERM EXIT PLATE
24" PLUS DECK TO GRADE/DB INSTALLATION
REFER TO RAMP BERM EXIT PLATE INSTALLATION SHEET
SEE PLAN FOR ELEVATION OF PLATE

landscape
structures

IT IS THE MANUFACTURERS OPINION AND
INTENT THAT THE USE AND LAYOUT OF
THESE COMPONENTS CONFORM WITH THE
AMERICAN SOCIETY FOR TESTING AND
MATERIALS (ASTM) STANDARD ASTM F1487

THIS PLAY AREA & PLAY EQUIPMENT IS
DESIGNED FOR AGES 2-12 YEARS
UNLESS OTHERWISE NOTED ON PLAN.

IT IS THE MANUFACTURERS OPINION THAT
THIS PLAY AREA DOES CONFORM TO
THE A.D.A. ACCESSIBILITY STANDARDS,
ASSUMING AN ACCESSIBLE PROTECTIVE
SURFACING IS PROVIDED, AS INDICATED, OR
WITHIN THE ENTIRE USE ZONE.

THIS CONCEPTUAL PLAN WAS BASED ON
INFORMATION AVAILABLE TO US. PRIOR TO
CONSTRUCTION, DETAILED SITE INFORMATION
INCLUDING SITE DIMENSIONS, TOPOGRAPHY, EXISTING
UTILITIES, SOIL CONDITIONS, AND DRAINAGE
SOLUTIONS SHOULD BE OBTAINED, EVALUATED, &
UTILIZED IN THE FINAL DESIGN. PLEASE VERIFY ALL
DIMENSIONS OF PLAY AREA, SIZE, ORIENTATION, AND
LOCATION OF ALL EXISTING UTILITIES, EQUIPMENT,
AND SITE FURNISHINGS PRIOR TO ORDERING. SLIDES
SHOULD NOT FACE THE HOT AFTERNOON SUN.

CHOOSE A PROTECTIVE SURFACING MATERIAL THAT
HAS A CRITICAL HEIGHT VALUE TO MEET THE
MAXIMUM FALL HEIGHT FOR THE EQUIPMENT (REF.
ASTM F1487 STANDARD CONSUMER SAFETY
PERFORMANCE SPECIFICATION FOR PLAYGROUND
EQUIPMENT FOR PUBLIC USE, SECTION 8 CURRENT
REVISION). THE SUBSURFACE MUST BE WELL
DRAINED. IF THE SOIL DOES NOT DRAIN NATURALLY
IT MUST BE TILED OR SLOPED 1/8" TO 1/4" PER
FOOT TO A STORM SEWER OR A "FRENCH DRAIN".

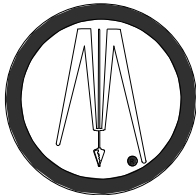
DESIGNED BY:
DEW

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LANDSCAPE STRUCTURES, INC.
601 7th STREET SOUTH - P.O. BOX 198
DELANO, MINNESOTA 55328
PH: 1-800-328-0035 FAX: 1-763-972-6091

7/6/2023	1171503-02-02	VAO
5/11/23	1171503-02-01	VAO
4/19/23	1171503-01-01	VAO
Date	Previous Drawing #	Initials

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CITY OF WINDSOR HEIGHTS, IOWA
2023 COLBY PARK IMPROVEMENTS
ELECTRICAL COVER SHEET

ONE LINE/SCHEDULE GENERAL NOTES	
SYMBOL	DESCRIPTION
[LSIG]	ELECTRONIC TRIP CIRCUIT BREAKER (LONG TIME, SHORT TIME, INST. GROUND FAULT)
[LSI]	ELECTRONIC TRIP CIRCUIT BREAKER (LONG TIME, SHORT TIME, INST)
[LSIA]	ELECTRONIC TRIP CIRCUIT BREAKER (LONG TIME, SHORT TIME, INST. GROUND FAULT ALARM)
HL	HANDLE LOCK
SD	DENOTES SERVICE DISCONNECT
(ST)	120V SHUNT TRIP OPERATOR
(GF)	GROUND FAULT CIRCUIT INTERRUPTER
(E)	EXISTING BREAKER IN EXISTING PANEL
(N)	NEW BREAKER IN EXISTING PANEL
(NE)	NEW BREAKER, EXTEND EXISTING LOAD

GENERAL ELECTRICAL SYMBOLS	
	CONNECTION TO MECHANICAL EQUIPMENT
	ELECTRICAL CNNECTION TO MISC EQUIPMENT
	BOILER EMERGENCY STOP PUSH BUTTON, ONE NORMALLY OPEN AND ONE NORMALLY CLOSED CONTACT. RED MUSHROOM HEAD WITH ALARMED, CLEAR, HINGED COVER. PROVIDE WITH ENGRAVED LABEL, "EMERGENCY BOILER SHUT-DOWN"
	DIGITAL POWER METER, LCD DISPLAY, MONITORING OF VOLTAGE, CURRENT, POWER, PF, FREQUENCY, MIN/MAX AND AVERAGE VALUES, AND ENERGY
	PANELBOARD - SEE SCHEDULES FOR MORE INFORMATION
	TRANSFORMER - SEE SCHEDULES FOR MORE INFORMATION
	SWITCHBOARD - SEE SCHEDULES FOR MORE INFORMATION
	TRANSFORMER - SEE SCHEDULES FOR MORE INFORMATION
	DISCONNECT SWITCH, HEAVY DUTY, SIZE INDICATED ON PLANS (A/B/C) WHERE A = RATING IN AMPS, B = NUMBER OF POLES, C = NEMA RATING (E.G. 1 = NEMA 1), XXX = NAME OF LOAD SERVED
	POWER METER

GENERAL ELECTRICAL SYMBOLS	
C.M.	CONSTRUCTION MANAGER
M.C.	MECHANICAL CONTRACTOR
P.C.	PLUMBING/PIPING CONTRACTOR
E.C.	ELECTRICAL CONTRACTOR
A.T.C.	AUTOMATIC TEMPERATURE CONTROLS CONTRACTOR
G.C.	GENERAL CONTRACTOR
F.P.C.	FIRE PROTECTION CONTRACTOR
K.E.C.	KITCHEN EQUIPMENT CONTRACTOR
EQUIPMENT	SCHEDULED EQUIPMENT (UNDERLINED)
EQUIPMENT	NON-SCHEDULED EQUIPMENT
X_EQUIPMENT	EXISTING EQUIPMENT (X_ PREFIX)
A	6" ABOVE COUNTER OR BACKSPLASH TO CENTERLINE OF DEVICE
M	INSTALL DEVICE IN MILLWORK
XX	LOCATION-SPECIFIC MOUNTING HEIGHT ABOVE FINISHED FLOOR TO CENTERLINE OF DEVICE
H	INSTALL DEVICE HORIZONTALLY
B	BLACK DEVICE COLOR WITH BLACK UNBREAKABLE THERMOPLASTIC COVER PLATE
/	USED BETWEEN TWO OR MORE SUBSCRIPTS
	SECTION VIEW, TOP REPRESENTS DETAIL NUMBER, BOTTOM REPRESENTS SHEET NUMBER

GENERAL LIGHTING SYMBOLS	
SYMBOL	DESCRIPTION
	DOUBLE FACED EXIT SIGN
	SINGLE FACED EXIT SIGN
	RECESSED ARCHITECTURAL TROFFER
	RECESSED DOWNLIGHT
	EMERGENCY FIXTURE
	POLE MOUNTED SITE FIXTURE
	POLE MOUNTED SITE FIXTURE
	INDUSTRIAL FIXTURE
	SURFACE OR PENDANT LINEAR FIXTURE
	SURFACE OR PENDANT CIRCULAR FIXTURE
	WALL MOUNTED FIXTURE
	WALL SCONCE

GENERAL SWITCH SYMBOLS	
SYMBOL	DESCRIPTION
	SWITCH.REFER TO SUBSCRIPT SCHEDULE FOR MORE INFORMATION.
	REFER TO SUBSCRIPT SCHEDULE FOR MORE INFORMATION
	REFER TO SUBSCRIPT SCHEDULE FOR MORE INFORMATION
	REFER TO SUBSCRIPT SCHEDULE FOR MORE INFORMATION

GENERAL POWER SYMBOLS	
SYMBOL	DESCRIPTION
	DUPLEX RECEPTACLE, NEMA 5-20R, EMERGENCY POWER
	DUPLEX RECEPTACLE, REFER TO SUBSCRIPT SCHEDULE FOR MORE INFORMATION.
	CORD REEL
	CORD DROP
	DOUBLE DUPLEX RECEPTACLE, NEMA 5-20R
	SIMPLEX RECEPTACLE, NEMA 5-20R
	SPECIAL RECEPTACLE
	RECESSED FLOOR BOX OR POKE-THRU
	DOUBLE DUPLEX RECEPTACLE, NEMA 5-20R, EMERGENCY POWER

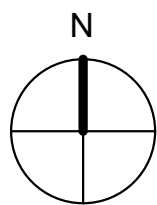
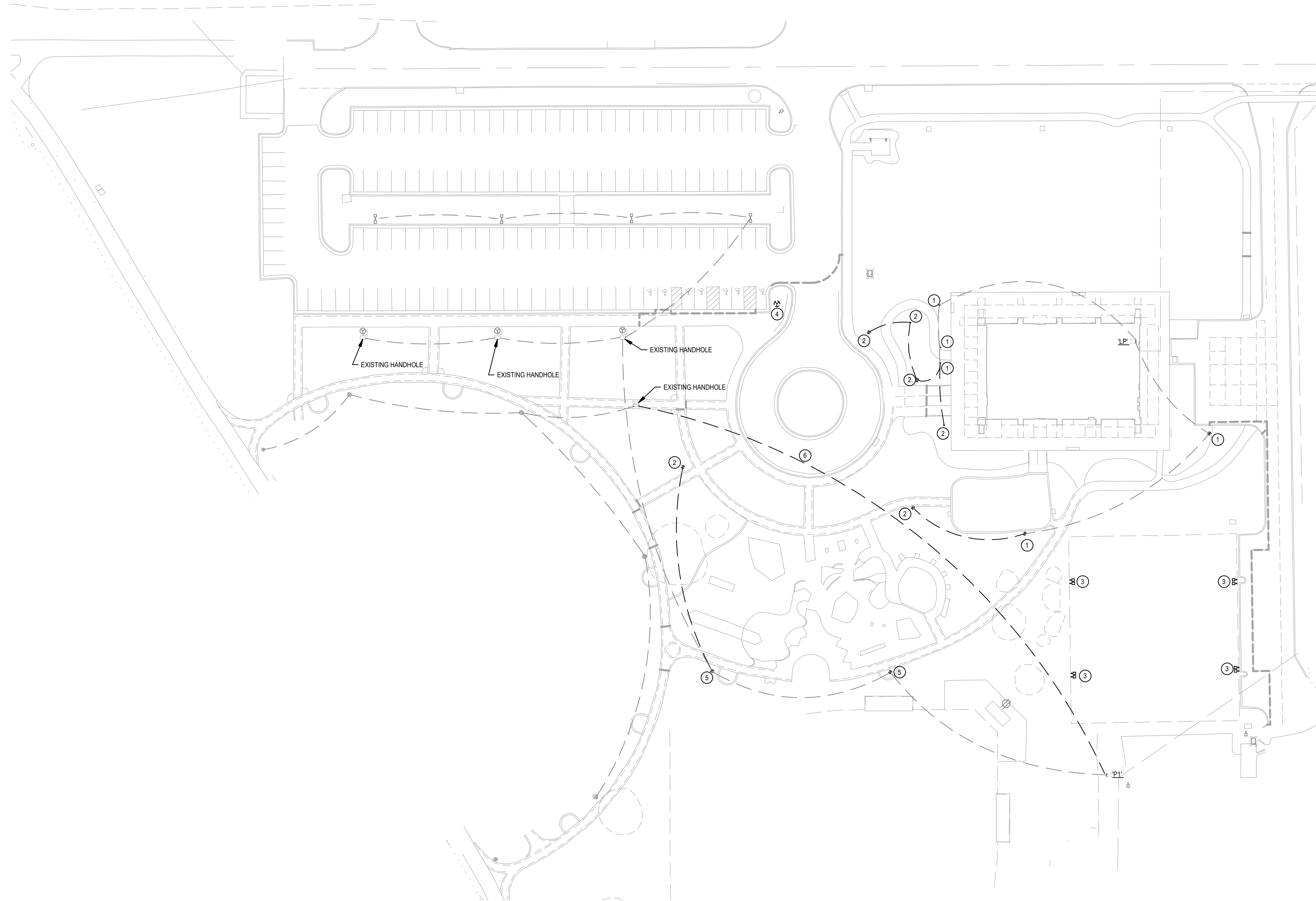
DEMOLITION NOTES	
1.	REFER TO SPECIFICATION SECTION 260502 FOR ADDITIONAL DEMOLITION INFORMATION.
2.	REMOVE POWER, LIGHTING, CONTROL, AND COMMUNICATIONS DEVICES SHOWN, UNLESS NOTED OTHERWISE. REMOVE ALL UNUSED CONDUIT, RACEWAYS, WIRING, JUNCTION BOXES, DISCONNECTS, AND ACCESSORIES COMPLETELY BACK TO THE SOURCE.
3.	MAKE PROVISIONS AND BACK-FEED OR RE-CIRCUIT ANY ITEMS THAT ARE EXISTING TO REMAIN WHICH ARE AFFECTED BY DEMOLITION.
4.	INVESTIGATION OF EXISTING POWER AND LIGHTING SYSTEMS WILL BE REQUIRED BY THE E.C. AS PART OF THE BIDDING PROCESS TO DETERMINE THE FULL EXTENT OF DEMOLITION WORK REQUIRED. THE E.C. SHALL BE RESPONSIBLE FOR REMOVAL OF SOME PORTIONS OF POWER AND LIGHTING SYSTEMS NOT EXPLICITLY SHOWN ON THESE DRAWINGS, BUT ARE REQUIRED FOR THE PROJECT.
5.	E.C. SHALL FIELD VERIFY ACTUAL LOCATION AND SIZES OF EXISTING CONDUIT, WIRING, AND EQUIPMENT.
6.	PROTECT ALL FINISHED SURFACES THAT ARE NOT SCHEDULED FOR DEMOLITION. IF DAMAGED, THE RESPONSIBLE CONTRACTOR SHALL REPAIR TO MATCH EXISTING CONDITIONS AT NO ADDITIONAL COST TO THE OWNER.
7.	ALL SALVAGE SHALL REMAIN THE PROPERTY OF THE OWNER. DELIVER TO A LOCATION ON SITE AS DESIGNATED BY THE OWNER. IN THE EVENT THE OWNER DOES NOT WANT TO RETAIN THE SALVAGE MATERIAL, THE MATERIAL BECOMES THE PROPERTY OF THE CONTRACTOR AND SHALL BE DISPOSED OF OR RECYCLED BY THE CONTRACTOR.

GENERAL ELECTRICAL NOTES	
1.	ALL ELECTRICAL WORK SHALL BE IN ACCORDANCE WITH N.E.C., LOCAL, AND ALL OTHER APPLICABLE CODES.
2.	INSTALLATION OF EQUIPMENT SHALL BE IN ACCORDANCE WITH CURRENT STANDARDS AND SPECIFICATIONS APPROVED BY THE AUTHORITY HAVING JURISDICTION (AHJ). PLACE ALL CABLE/WIRING IN CONDUIT OR RACEWAY UNLESS NOTED OTHERWISE. PROVIDE NEW WIRING FOR ALL BRANCH CIRCUITS AND FEEDERS.
3.	FEEDERS ON DRAWINGS ARE SCHEMATIC ONLY. CONDUIT RUNS SHALL COMPLY WITH CONDUIT SPECIFICATIONS AND CONTAIN BENDS THAT ARE NOT GREATER THAN 90 DEGREES.
4.	ALL FEEDER AND BRANCH CIRCUITS TO PANELS, MOTORS, LIGHTS, RECEPTACLES, GENERAL DISTRIBUTION, ETC. SHALL CONTAIN AN EQUIPMENT GROUNDING CONDUCTOR SIZED ACCORDING TO THE N.E.C. THE CONDUIT SYSTEM SHALL NOT BE CONSIDERED AN ACCEPTABLE GROUND.
5.	ALL WIRING AND FEEDER SIZES ON DRAWINGS ARE SIZED FOR COPPER WIRING UNLESS SPECIFICALLY NOTED OTHERWISE.
EQUIPMENT/DEVICE HOME RUN KEY	
1.	BRANCH CIRCUIT WIRING SHALL BE #10AWG UNLESS NOTED OTHERWISE ON THE PLAN OR IN THE SCHEDULES.
2.	AS A MINIMUM USE 10 AWG CONDUCTOR FOR 20 AMPERE, 120 VOLT BRANCH CIRCUIT HOME RUNS LONGER THAN 100 FEET.
3.	REFER TO SPECIFICATION SECTION 260519 FOR ADDITIONAL REQUIREMENTS.
LINE TYPE KEY	
	NEW WORK BY THE E.C. (DARK SOLID LINE)
	NEW UNDERGROUND WORK BY THE E.C. (DARK DASHED LINE)
	WORK BY OTHERS AND/OR EXISTING (LIGHT SOLID LINE)
	DEMO WORK BY THE E.C. (DARK DASHED LINE)



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1 ELECTRICAL DEMO PLAN
1" = 40'-0"

KEYED NOTES:

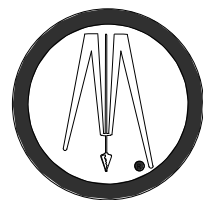
1. REMOVE LIGHT FIXTURE. MAINTAIN BASE AND WIRING FOR USE WITH NEW LIGHT FIXTURE IN SAME LOCATION.
2. REMOVE LIGHT FIXTURE, BASE, AND WIRE BACK TO LOCATION OF LAST EXISTING LIGHT FIXTURE LOCATION TO REMAIN. ABANDON THE EXISTING CONDUIT IN PLACE.
3. DEMO EXISTING TENNIS COURT LIGHTING, POLES, CONDUIT, AND CONDUCTORS BACK TO PANEL "P1".
4. DISCONNECT B-CYCLE POWER CONNECTION FOR RELOCATION. CONTRACTOR SHALL COORDINATE WITH DSM B-CYCLE PRIOR TO DISCONNECTING AND RELOCATING.
5. REMOVE LIGHT FIXTURE AND BASE. A HAND HOLE IS TO BE INSTALLED IN THIS LOCATION DURING CONSTRUCTION FOR SPLICING AND EXTENDING EXISTING CIRCUITS.
6. DISCONNECT THE EXISTING LIGHTING CIRCUIT AND REMOVE WIRE FROM HANDHOLE TO PANEL. CONDUIT TO BE ABANDONED IN PLACE. CIRCUITS SHALL BE REFEED DURING CONSTRUCTION TO AVOID THE PLAYGROUND.



bluestone
engineering

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ELECTRICAL DEMO PLAN

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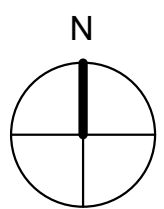
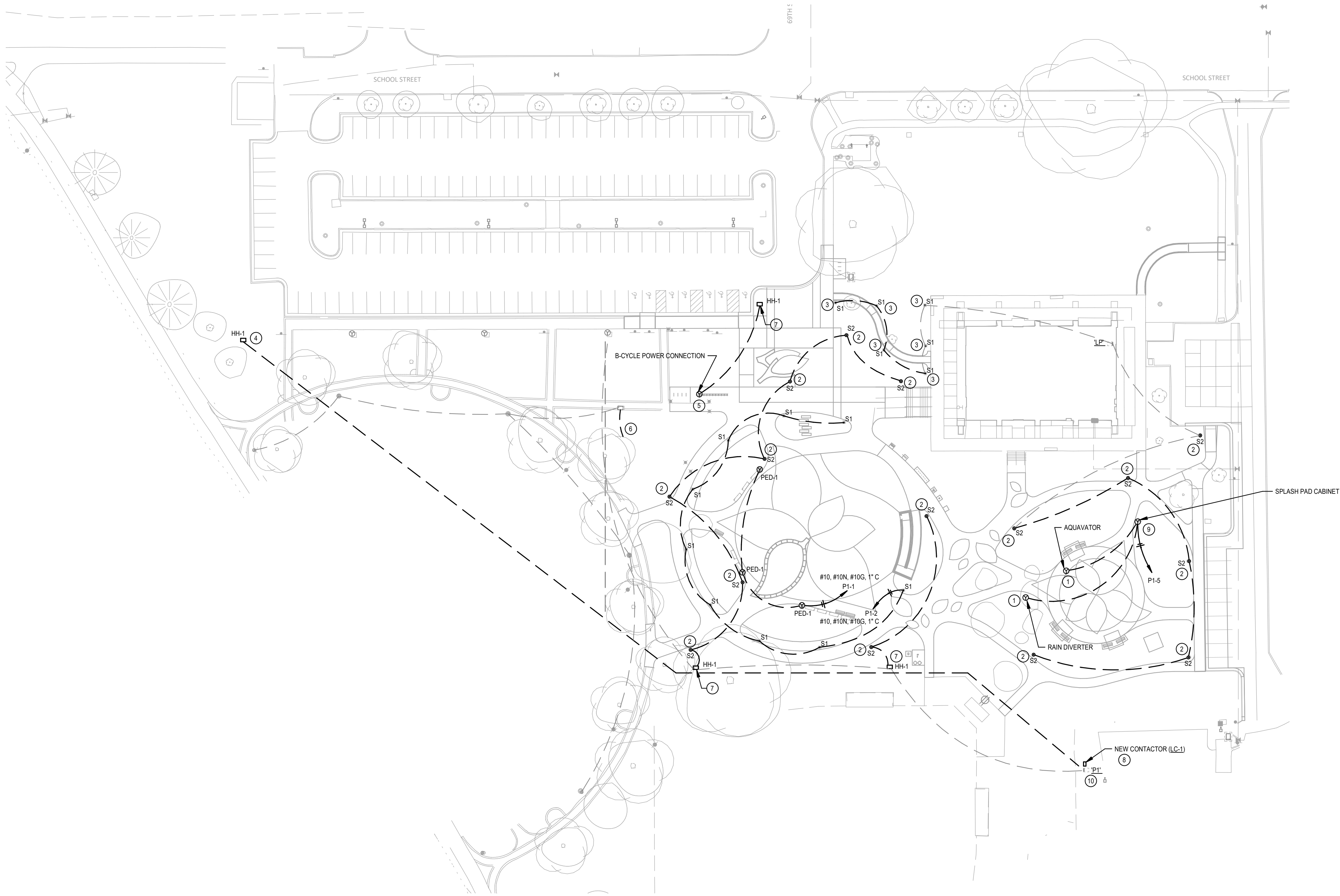
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GENERAL NOTES:

- SEE SHEET E.50 FOR DETAILS AND SCHEDULES.
- CONDUITS AND WIRES SHALL NOT BE ROUTED UNDER THE PLAYGROUND OR SPLASH PAD AREA.

KEYED NOTES:

- INSTALL 1" CONDUIT FROM SPASH PAD CONTROLLER TO AQUAVATOR AND 1" CONDUIT FROM SPASH PAD CONTROLLER TO RAIN DIVERTER. CONFIRM LOCATION OF AQUAVATOR AND RAIN DIVERTER WITH SPASH PAD INSTALLER.
- UTILIZE THE EXISTING SITE LIGHT CIRCUIT FOR THE NEW POLE FIXTURES. EXTEND CIRCUIT TO NEW LIGHT FIXTURE LOCATIONS. 2#10, #10N, #10G, 1" CONDUIT.
- UTILIZE THE EXISTING SITE LIGHT CIRCUIT FOR THE NEW BOLLARD. EXTEND CIRCUIT TO NEW LIGHT FIXTURE LOCATIONS. #10, #10N, #10G, 1" CONDUIT.
- INSTALL THREE 1" CONDUITS AND ONE 1 1/2" CONDUIT FROM PANEL TO NEW HANDHOLE ON PLANS FOR FUTURE TENNIS COURT LIGHTING. INSTALL PULL STRING IN EACH CONDUIT.
- EXTEND EXISTING CIRCUIT SERVING THE B-CYCLE POWER CONNECTION TO NEW LOCATION. #10, #10N, #10G, 1" CONDUIT.
- PUMP OUT AND CLEAN WATER AND MUD OUT OF THE EXISTING HAND HOLD. REFEED LIGHTING CIRCUITS FROM PANEL P1 TO AVOID THE PLAYGROUND. 2#10, #10N, #10G, 1" CONDUIT.
- INSTALL NEW HANDHOLES AT THE PREVIOUS LOCATION OF SITE LIGHT FIXTURES OR ELECTRICAL CONNECTION AS A SPLICE POINT FOR THE EXISTING CIRCUITS.
- INSTALL NEW LIGHTING CONTACTOR (LC-1) FOR SITE LIGHTING. THE EXISTING PHOTOCELL NEAR PANEL P1 SHALL CONTROL THE NEW LIGHTING CONTACTOR. CONTROL WITH CIRCUIT P1-3. MOUNT LC-1 TO THE EXISTING UNISTRUT RACK.
- INSTALL BONDING AND EQUIPMENT GROUNDING IN ACCORDANCE WITH NEC 680.6 FOR ALL ELECTRICAL EQUIPMENT ASSOCIATED WITH THE SPLASH PAD.
- ELECTRICAL CONTRACTOR SHALL VERIFY THE CIRCUITING OF THE EXISTING LOADS IN PANEL P1. PROVIDE UPDATED PANEL SCHEDULE AT END OF PROJECT.



1

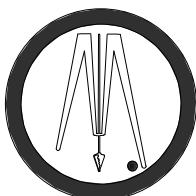
ELECTRICAL SITE PLAN

1" = 40'-0"



HORZ. SCALE
0 40 80
SCALE FEET

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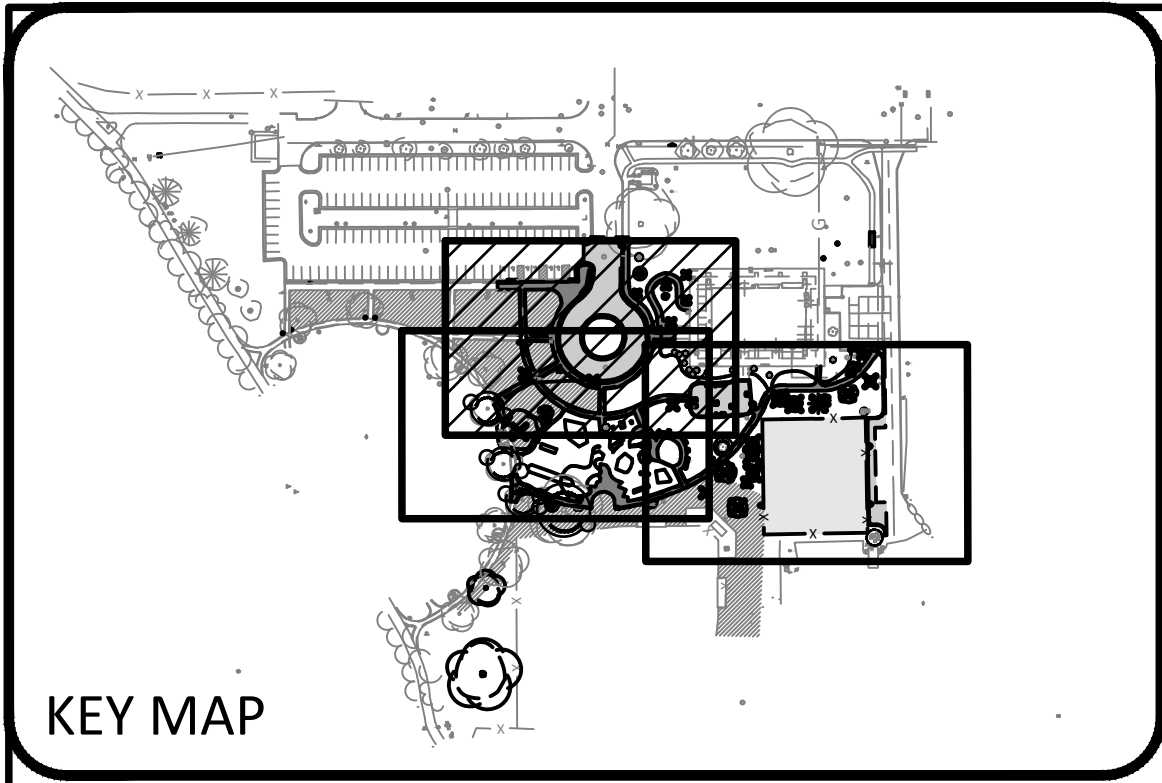
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2023 COLBY PARK IMPROVEMENTS
ELECTRICAL SITE PLAN

SHEET

E.10



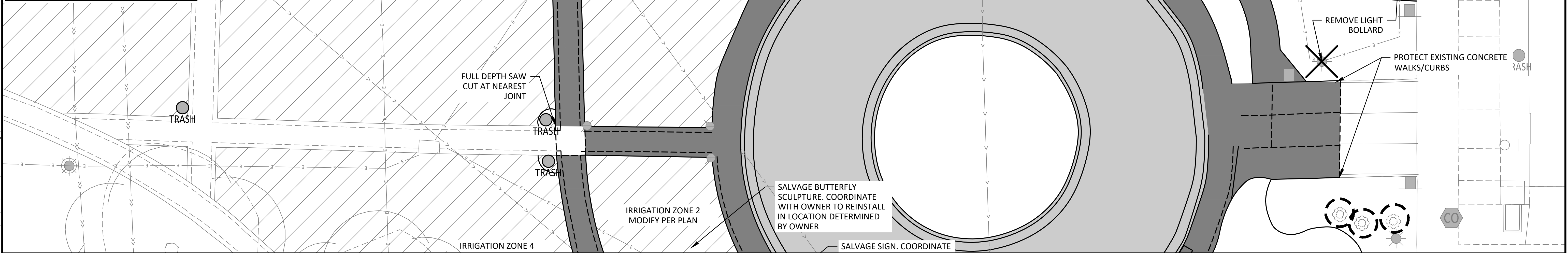
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- NOTES**
1. FIELD VERIFY ALL UTILITIES PRIOR TO REMOVALS. IF THE CONTRACTOR DETERMINES THAT FIELD CONDITIONS DIFFER FROM INFORMATION PROVIDED, THEY SHALL CEASE CONSTRUCTION ACTIVITIES AND CONTACT THE ENGINEER FOR DIRECTION.
 2. SAW PAVEMENT FULL DEPTH AND IN STRAIGHT LINE (WHEN POSSIBLE) TO PROVIDE A UNIFORM EDGE.
 3. PROTECT ALL EXISTING FEATURES NOT DESIGNATED FOR REMOVAL. ALL PUBLICLY-OWNED SIGNS SHALL BE SALVAGED TO THE CITY. ALL IN GRADE UTILITY BOXES AND HANDHOLES SHALL BE COORDINATED WITH THE UTILITY PROVIDER TO BE PROTECTED OR TEMPORARILY REMOVED AND REPLACED AND/OR ADJUSTED TO NEW FINISHED GRADES.
 4. ALL SITE FURNISHING TO BE REMOVED BY THE OWNER (N.I.C) **(NEED SEVERAL WEEKS NOTICE BEFORE REMOVAL OF FRONT PLAZA AND EXISTING VEGETATION)**
 5. UNLESS NOTED OTHERWISE, ALL DEMOLISHED AND/OR REMOVED ITEMS SHALL BE HAULED COMPLETELY AWAY FROM THE SITE AND LEGALLY DISPOSED OF BY THE CONTRACTOR.
 6. ALL VOIDS REMAINING AFTER THE REMOVAL OF PIPE, MANHOLES AND INLET STRUCTURES SHALL BE FILLED AND RECOMPACTED PER IOWA DOT STANDARDS.
 7. CONTRACTOR TO COORDINATE WITH OWNER TO MODIFY OR CAP THE IRRIGATION SYSTEM AT THE NEW PROJECT EXTENTS.
 8. REFER TO ELECTRICAL DEMO PLAN FOR ADDITIONAL REMOVALS.

LEGEND

- REMOVE PAVEMENT
- REMOVE SIDEWALK
- PROTECT ITEM
- REMOVE ITEM
- CURB REMOVAL
- TREE PROTECTION FENCE



0 10 20
HORIZ. SCALE FEET

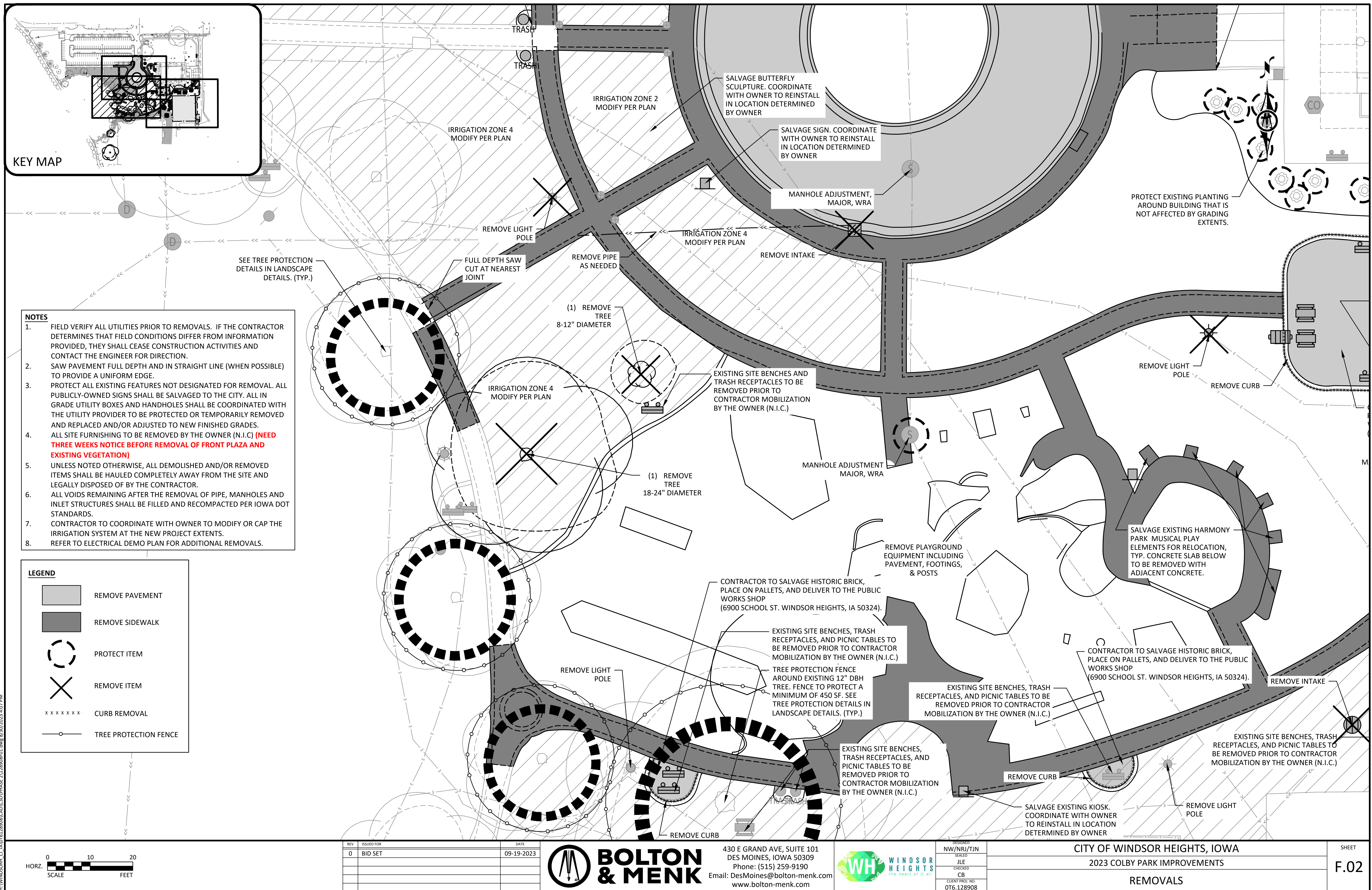
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2023 COLBY PARK IMPROVEMENTS
REMOVALS

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F.01





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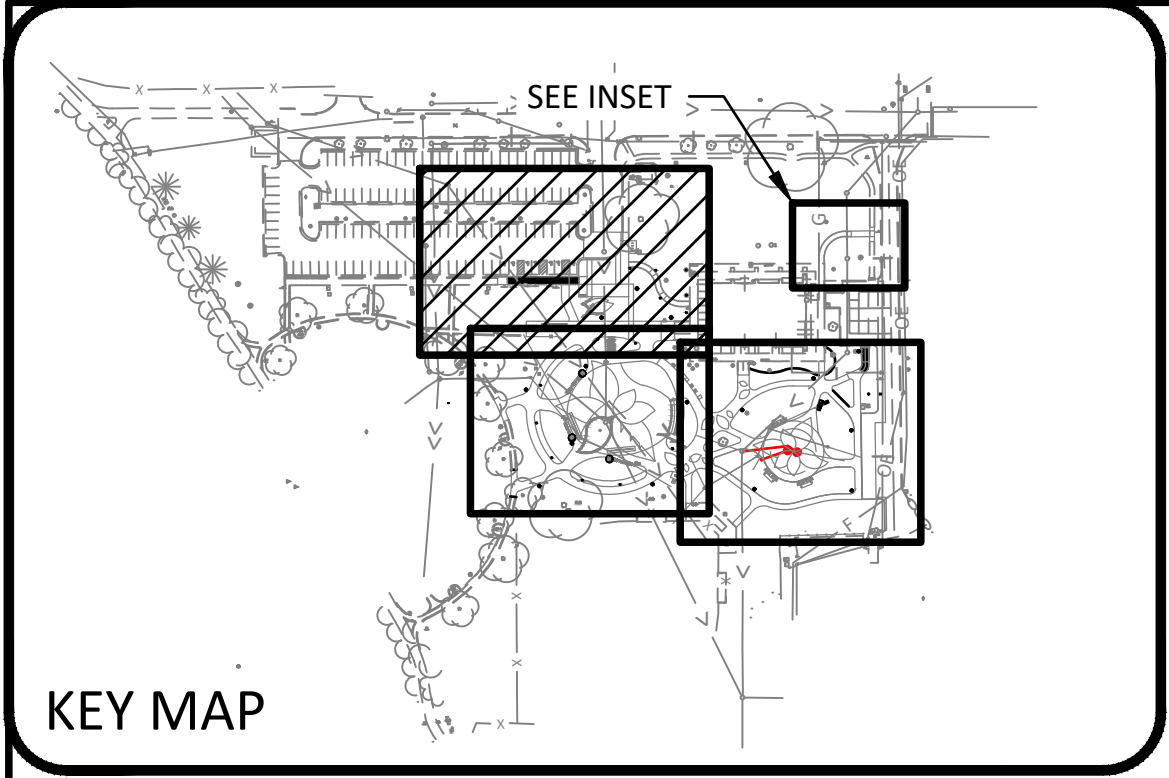
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STAGING AND TRAFFIC CONTROL

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IRRIGATION NOTES:

THE BASE BID WILL INCLUDE CAPPING ANY EXISTING IMPACTED IRRIGATION ZONES.

IN ALTERNATE D ALL AFFECTED IRRIGATION ZONES AND NEW TURF AREAS TO THE SOUTH OF THE COMMUNITY CENTER WILL HAVE NEW AND ADDITIONAL IRRIGATION.

IRRIGATION NOTES:

- CONTRACTOR IS RESPONSIBLE FOR IRRIGATION SYSTEM DESIGN & INSTALLATION. SUBMIT DESIGN DRAWINGS FOR REVIEW AND APPROVAL BY THE LANDSCAPE ARCHITECT.
 - CONTRACTOR TO COORDINATE WITH IRRIGATION COMPANY ON SCHEDULING AND INSTALLATION OF DRIP LINE IRRIGATION FOR PLANTING BED AREAS.
 - ALL PLANTING BEDS TO BE IRRIGATED WITH AUTOMATIC DRIP LINE IRRIGATION SYSTEM BY RAINBIRD & TURF AREAS WITH SPRAY HEADS.
- OR APPROVED EQUAL.

LEGEND

LOW-GROW FESCUE
(SEE LANDSCAPE NOTES)

SOD PER SUDAS (TYP.)

EXISTING PLANTING BED

IRRIGATION EXTENTS
(ALTERNATE D)

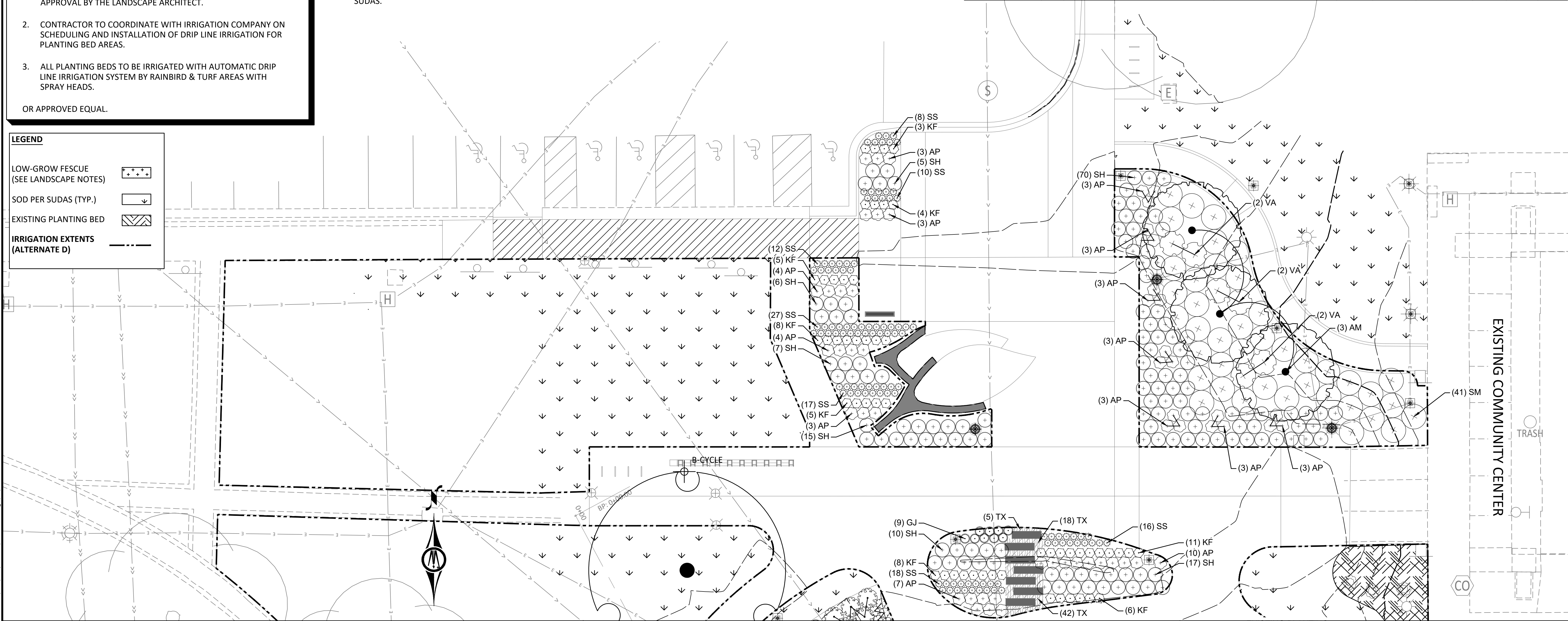
PLANTING & SITE RESTORATION NOTES:

- PERENNIALS/GRASSES ARE LISTED IN THE MASTER PLANT SCHEDULE. IF THERE IS A CONFLICT BETWEEN THE QUANTITIES SHOWN ON THE DRAWINGS AND THE QUANTITIES SHOWN IN THE PLANT SCHEDULE, THE PLAN QUANTITIES SHALL PREVAIL.
- CONTRACTOR SHALL LAYOUT A TYPICAL PLANTING BED, AND OBTAIN APPROVAL OF THE LANDSCAPE ARCHITECT PRIOR TO PLANTING.
- SHRUB & PERENNIAL GROUPINGS SHALL BE PLANTED AND MULCHED IN ONE CONTINUOUSLY MULCHED BED. ALL BEDS ABUTTING TURF AREAS SHALL BE SPADE CUT EDGE.
- HARDWOOD MULCH PER SUDAS TO BE PLACED IN ALL PLANTING BEDS.
- CONTRACTOR TO VERIFY LOCATIONS AND DEPTHS OF EXISTING UTILITIES AND NOTIFY OWNER'S REPRESENTATIVE OF CONFLICTS WITH TREE PLANTINGS.
- ALL DISTURBED AREAS NOT INDICATED AS PAVING, STRUCTURES, PLANTINGS, OR SIGNAGE SHALL BE SODDED UNLESS NOTED OTHERWISE ON THE PLANS.
- LOW-GROW FESCUE MIX:

- SUPER SHADE FINE FESCUE MIX BY UNITED SEEDS, INC. (OR APPROVED EQUAL)
- APPLICATION RATES, PLACEMENT, AND FERTILIZER AS RECOMMENDED BY THE SUPPLIER.
- ALL SEEDED AREAS SHALL BE COVERED WITH RECP TYPE 2.C PER SUDAS.

- COMPOST AMENDED TOPSOIL: DEPTH AS SPECIFIED IN PLANTING DETAILS ON B-SHEETS. PLANTING BACKFILL SHALL CONSIST OF SUITABLE TOPSOIL AMENDED TO CONSIST OF 60% TOPSOIL, 30% SAND AND 10% COMPOST.

PLANT SCHEDULE									
EVERGREEN TREES	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	HABIT/FORM	SPREAD	HEIGHT	SPACING
AC	3	ABIES CONCOLOR	WHITE FIR	6' HT.	B&B	PYRAMID	20'-25'	40'-60'	SEE PLAN
PD	4	PICEA GLAUCA 'DENSATA'	BLACK HILLS WHITE SPRUCE	6' HT.	B&B	PYRAMID	10'-15'	20'-40'	SEE PLAN
ORNAMENTAL TREES	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	HABIT/FORM	SPREAD	HEIGHT	SPACING
AM	5	AMELANCHIER CANADENSIS	CANADIAN SERVICEBERRY MULTI-TRUNK	1.5" CAL.	B&B	MULTI-STEM	15'-20'	15'-20'	SEE PLAN
CE	9	CERCIS CANADENSIS	EASTERN REDBUD MULTI-TRUNK	1.5" CAL.	B&B	MULTI-STEM	15'-25'	15'-20'	SEE PLAN
CK	4	CORNUS KOUSA	KOUSA DOGWOOD	1.5" CAL.	B&B	UPRIGHT/OVAL	15'-25'	15'-25'	SEE PLAN
OVERSTORY TREES	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	HABIT/FORM	SPREAD	HEIGHT	SPACING
CP	3	CLADRASTIS KENTUEKA 'PERKINS PINK'	PERKINS PINK YELLOWWOOD	2" CAL.	B&B	ROUNDED	40'	40'	SEE PLAN
GB	2	GINKGO BILOBA 'PRINCETON SENTRY'	PRINCETON SENTRY MAIDENHAIR TREE	2" CAL.	B&B	BROAD/UPRIGHT	20'-30'	40'-50'	SEE PLAN
PO	2	PLATANUS OCCIDENTALIS	AMERICAN SYCAMORE	2" CAL.	B&B	ROUNDED	30'-40'	30'-60'	SEE PLAN
QM2	4	QUERCUS MACROCARPA	BUR OAK	2.5" CAL.	B&B	ROUNDED	40'-70'	40'-70'	SEE PLAN
QM	3	QUERCUS MUEHLENBERGII	CHINKAPIN OAK	2" CAL.	B&B	ROUNDED	40'-60'	40'-50'	SEE PLAN
UP	5	ULMUS AMERICANA 'PRINCETON'	PRINCETON AMERICAN ELM	2" CAL.	B&B	BROAD/UPRIGHT	30'-50'	50'-70'	SEE PLAN
SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	SIZE	SPREAD	HEIGHT			SPACING
CS	46	CLETHRA ALNIFOLIA 'SIXTEEN CANDLES'	SIXTEEN CANDLES SUMMERSWEET	#3 CONT.	3'-5'	3' - 5'			48" o.c.
SA	38	SYMPHORICARPUS X DOOR 'CANDY'	CANDY CORALBERRY	#3 CONT.	2'-3'	2'-3'			36" o.c.
SM	65	SYRINGA MEYERI 'PALIBIN'	DWARF KOREAN LILAC	#3 CONT.	5'-7'	4'-5'			60" o.c.
VA	46	VIBURNUM DENTATUM 'CHRISTOM'	BLUE MUFFIN® ARROWWOOD VIBURNUM	#3 CONT.	3'-4'	3' - 5'			60" o.c.
ORNAMENTAL GRASSES	QTY	BOTANICAL NAME	COMMON NAME	SIZE	SPREAD	HEIGHT			SPACING
KF	85	CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER'	KARL FOERSTER FEATHER REED GRASS	#1 CONT.	1.5' - 2.5'	3' - 5'			24" o.c.
SS	239	SCHIZACHYRIUM SCOPARIUM 'STANDING OVATION'	STANDING OVATION LITTLE BLUESTEM	#1 CONT.	1.5'-2'	2'-4'			18" o.c.
SH	286	SPOROBOLUS HETEROLEPIS	PRAIRIE DROPSEED	#1 CONT.	2'-3'	2'-3'			36" o.c.
PERENNIALS	QTY	BOTANICAL NAME	COMMON NAME	SIZE	SPREAD	HEIGHT			SPACING
AP	152	ASTER NOVAE-ANGLIAE 'PURPLE DOME'	PURPLE DOME NEW ENGLAND ASTER	#1 CONT.	1' - 2'	1'-2'			30" o.c.
GJ	35	GERANIUM X 'JOHNSON'S BLUE'	JOHNSON'S BLUE GERANIUM	#1 CONT.	2'-2.5'	1'-1.5'			24" o.c.
MC	32	MONARDA DIDYMA 'CROFTWAY PINK'	CROFTWAY PINK BEE BALM	#1 CONT.	1' - 2'	2'-3'			24" o.c.
GROUND COVERS	QTY	BOTANICAL NAME	COMMON NAME	TYPE					SPACING
TX	65	THYMUS X 'RUBY CARPET'	RUBY CARPET THYME	PLUG					12" o.c.



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HORZ.

SCALE

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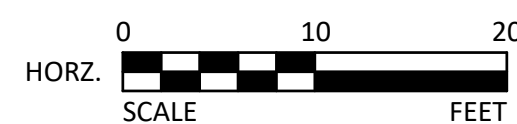
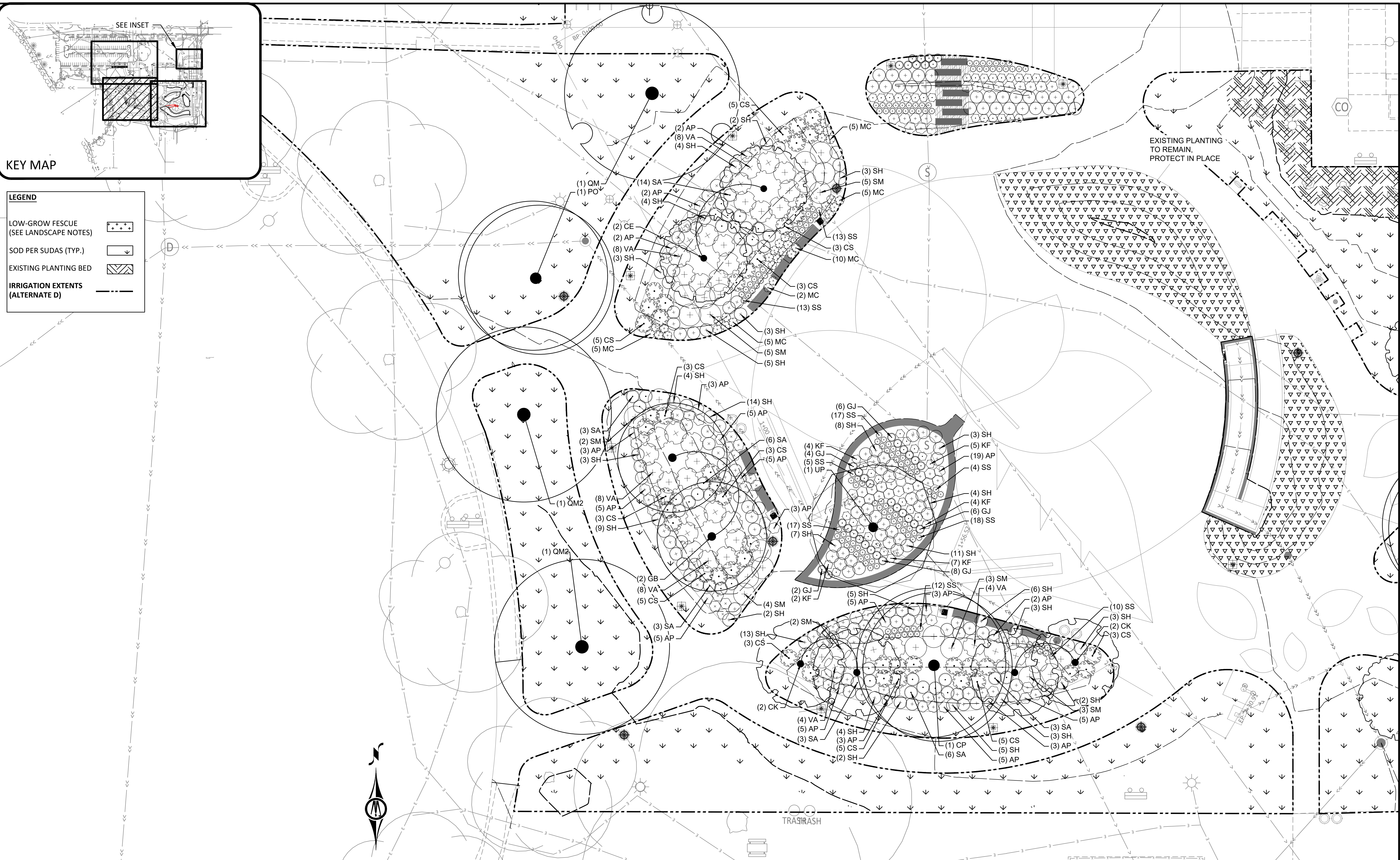
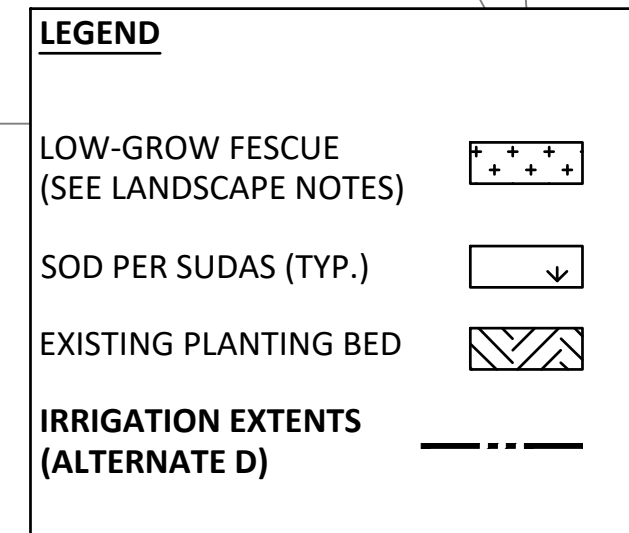
LANDSCAPE PLAN

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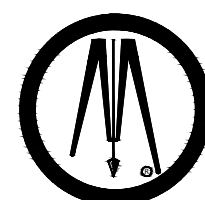
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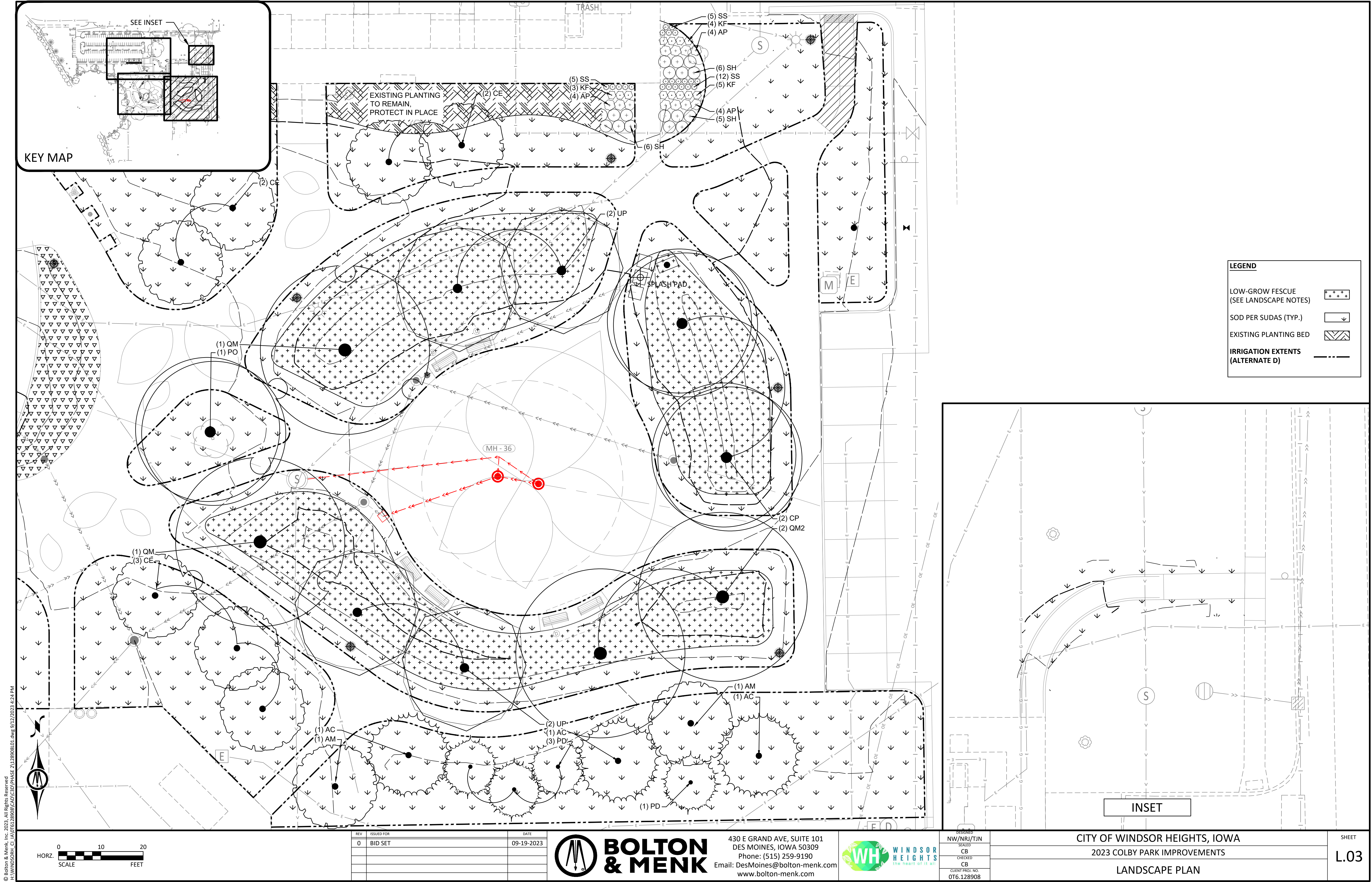
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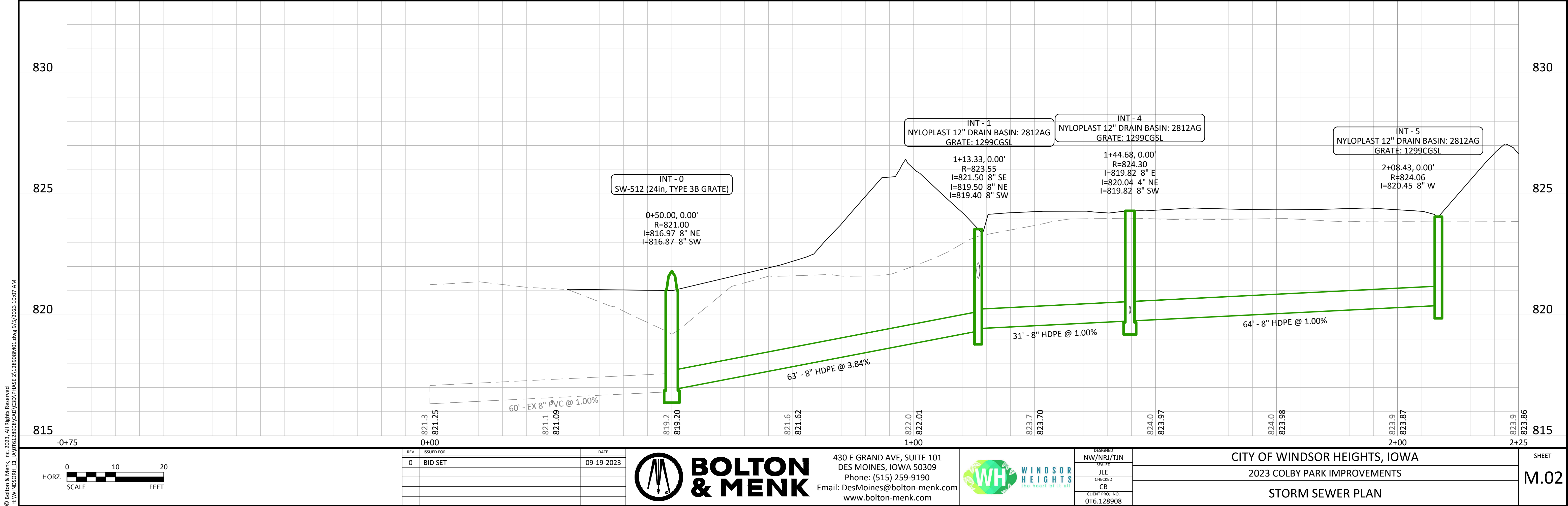
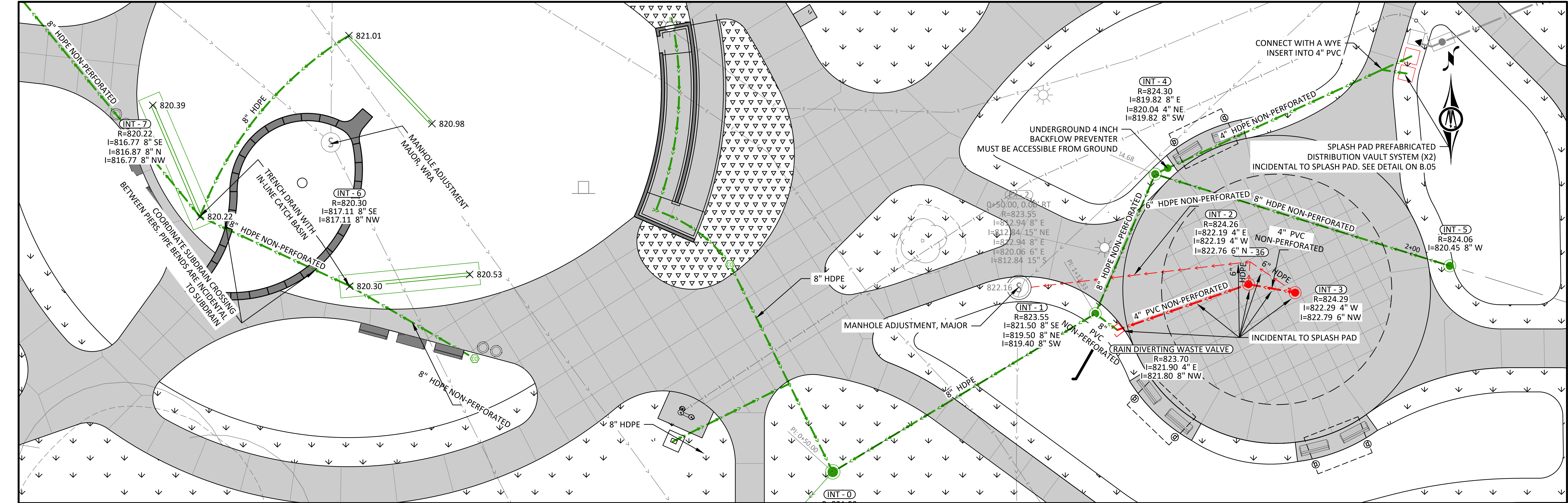
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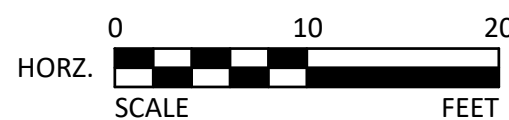
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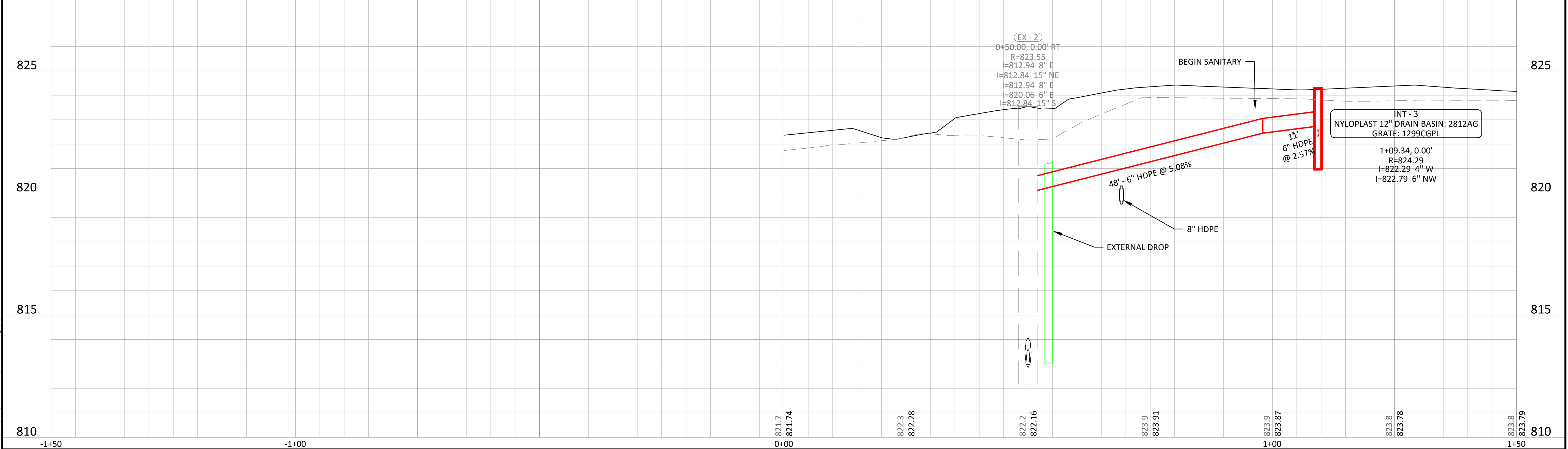
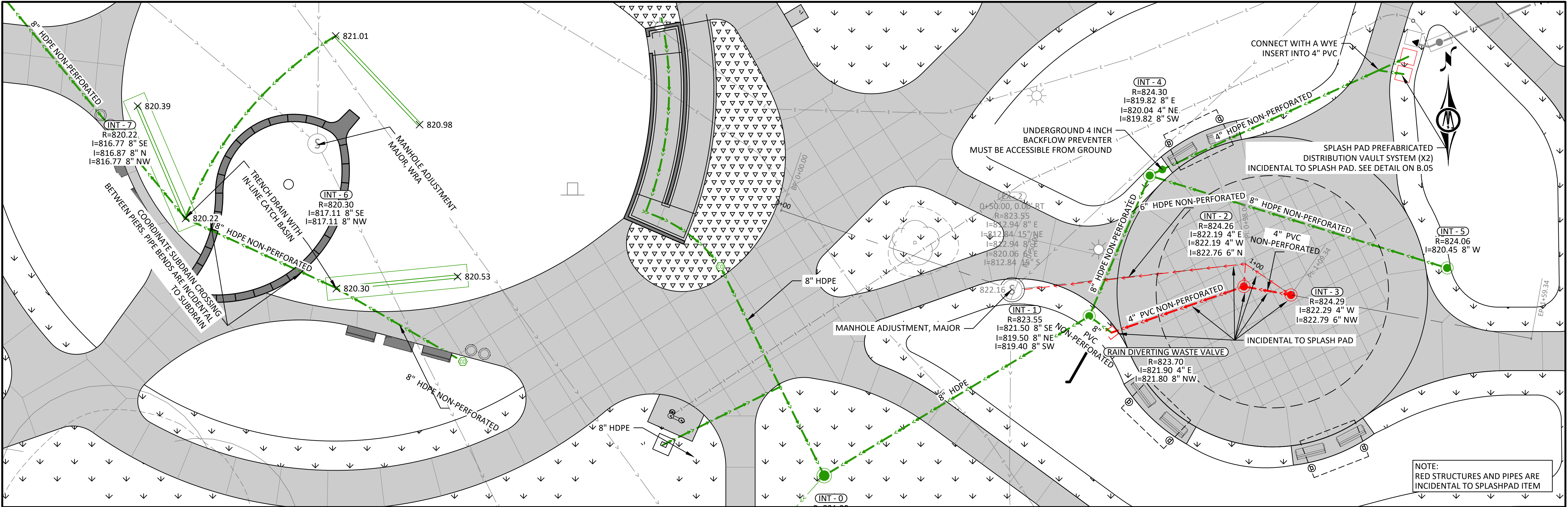
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STORM SEWER PLAN

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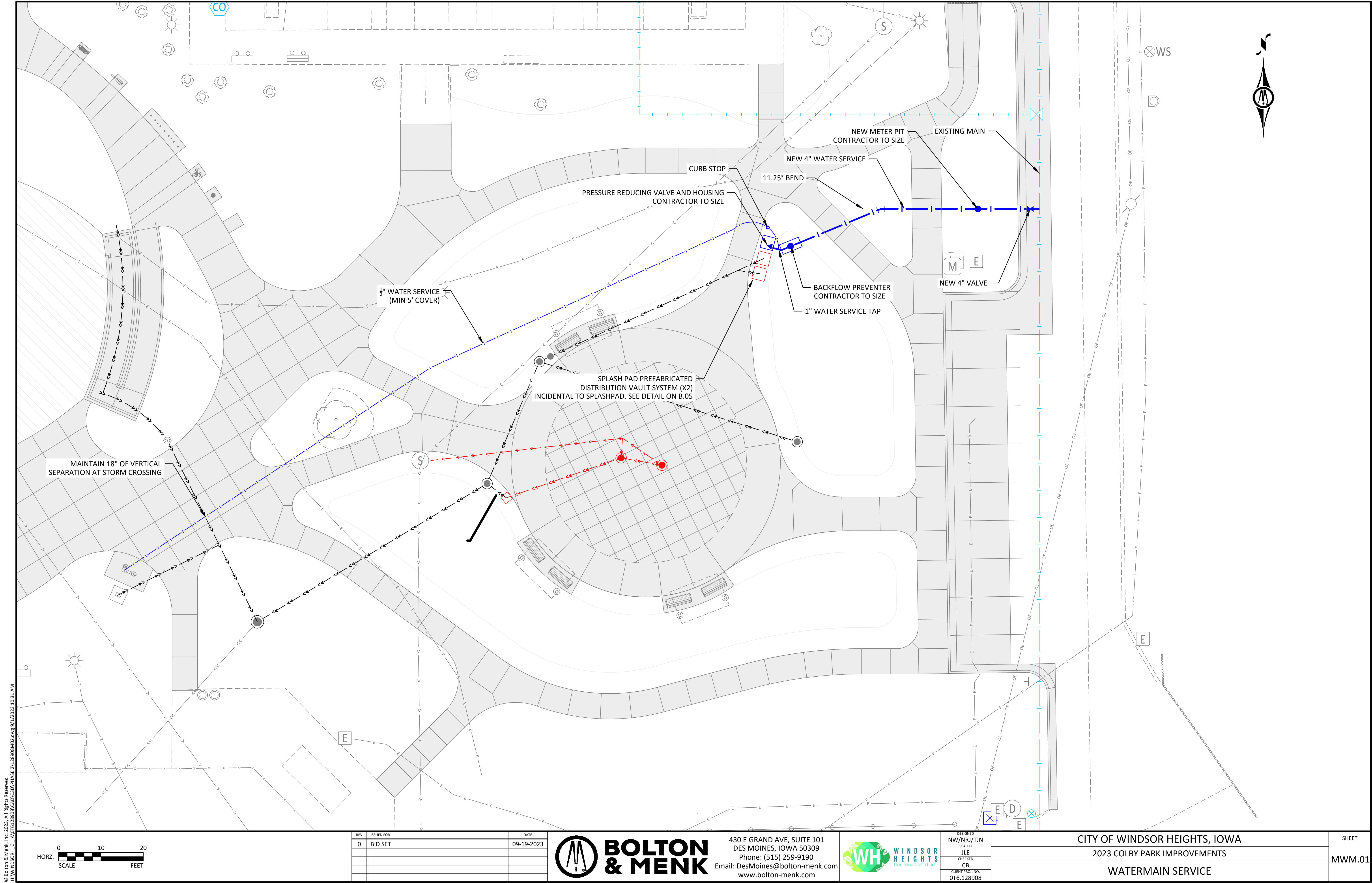
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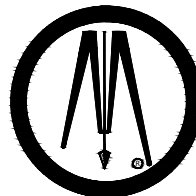
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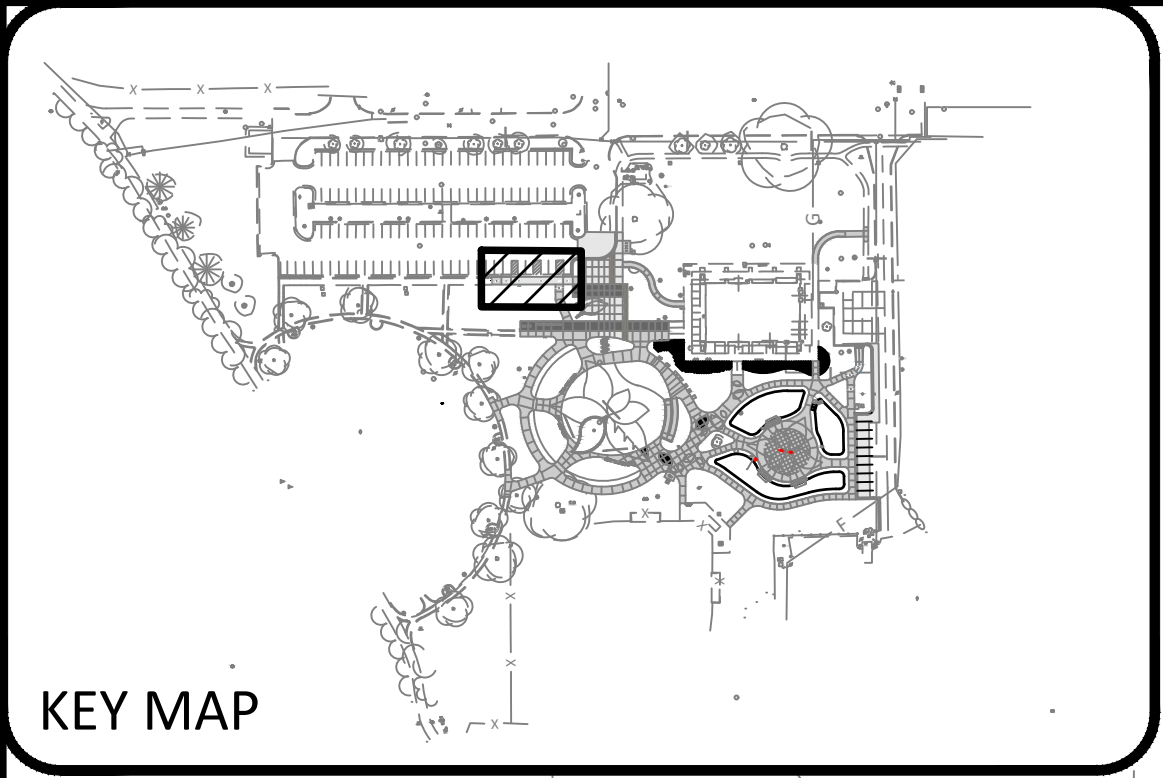
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WATERMAIN SERVICE

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LEGEND

RAMP SPACE

TURNING SPACE

SIDEWALK

TRUNCATED DOME



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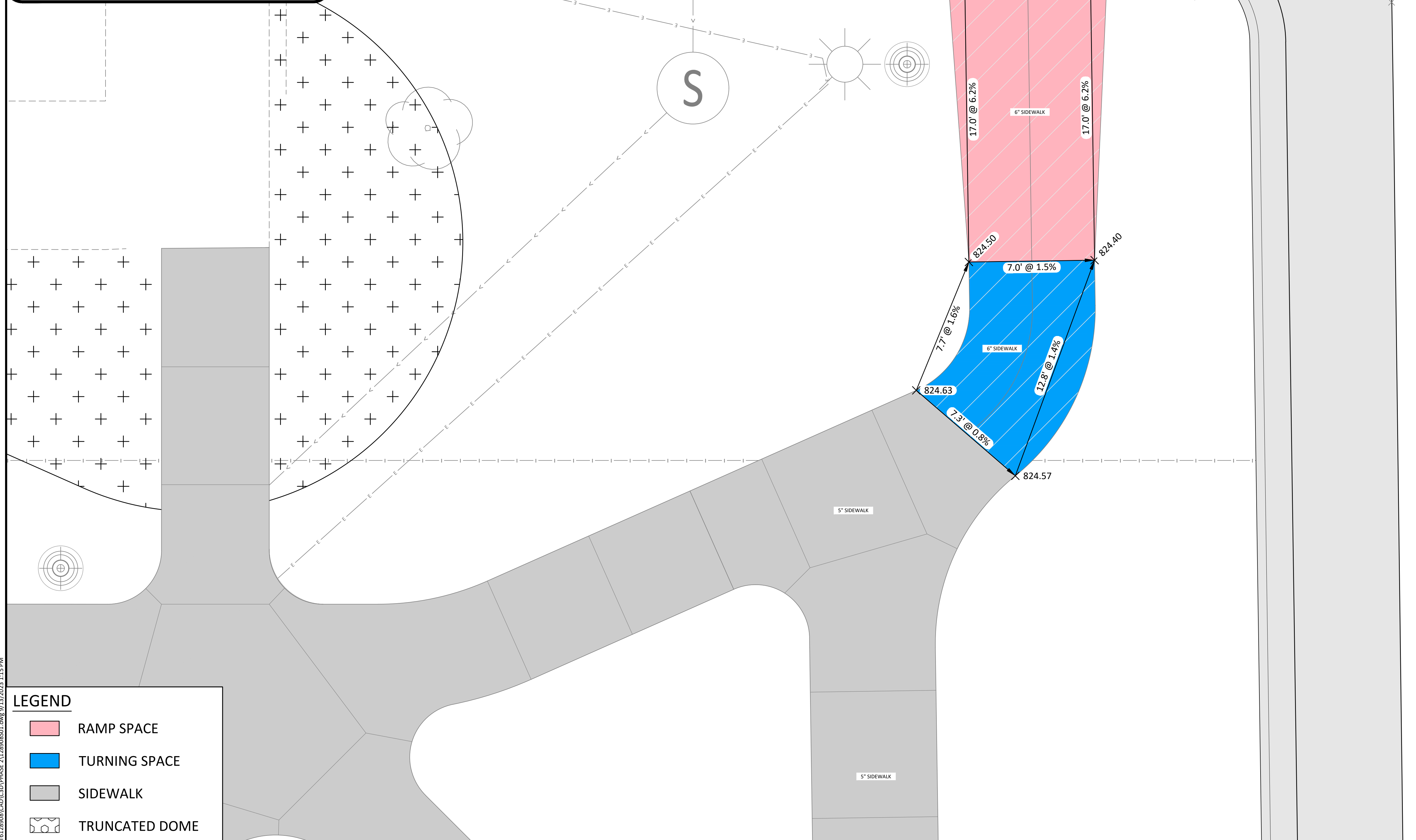
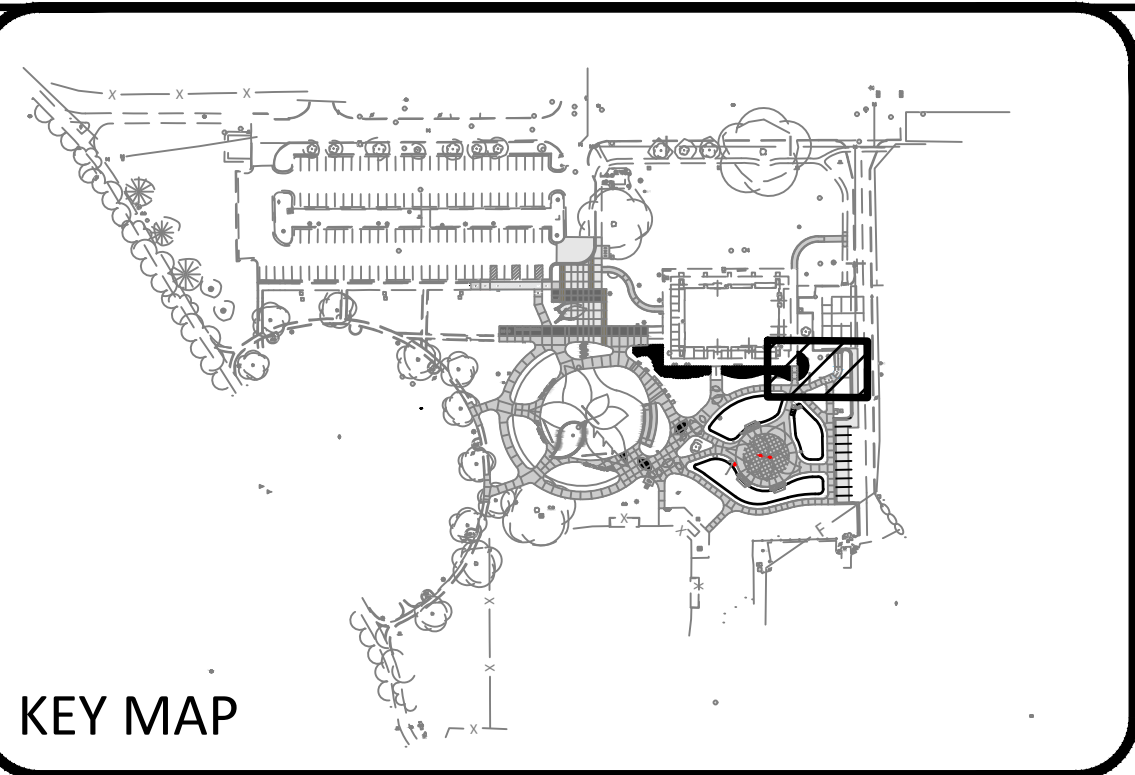


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ADA RAMPS

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LEGEND

-  RAMP SPACE
 TURNING SPACE
 SIDEWALK
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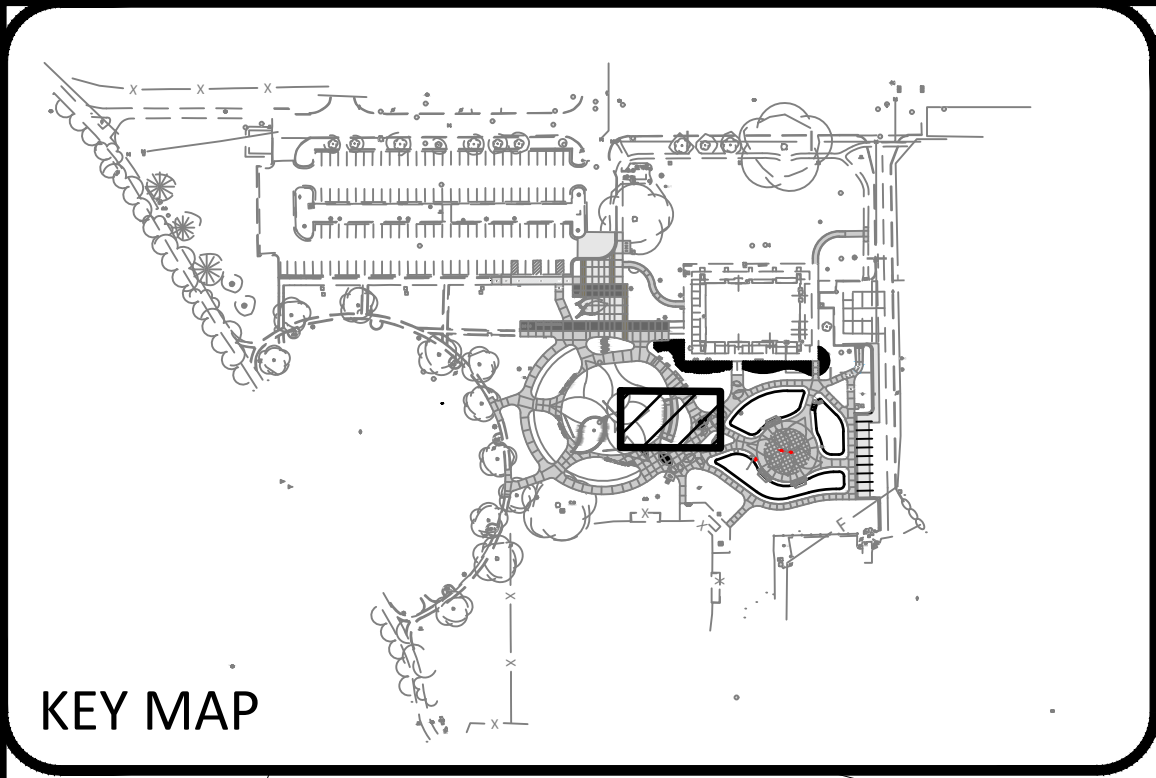
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CITY OF WINDSOR HEIGHTS, IOWA
2023 COLBY PARK IMPROVEMENTS

ADA RAMPS

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KEY MAP



LEGEND

- RAMP SPACE
- TURNING SPACE
- SIDEWALK
- TRUNCATED DOME



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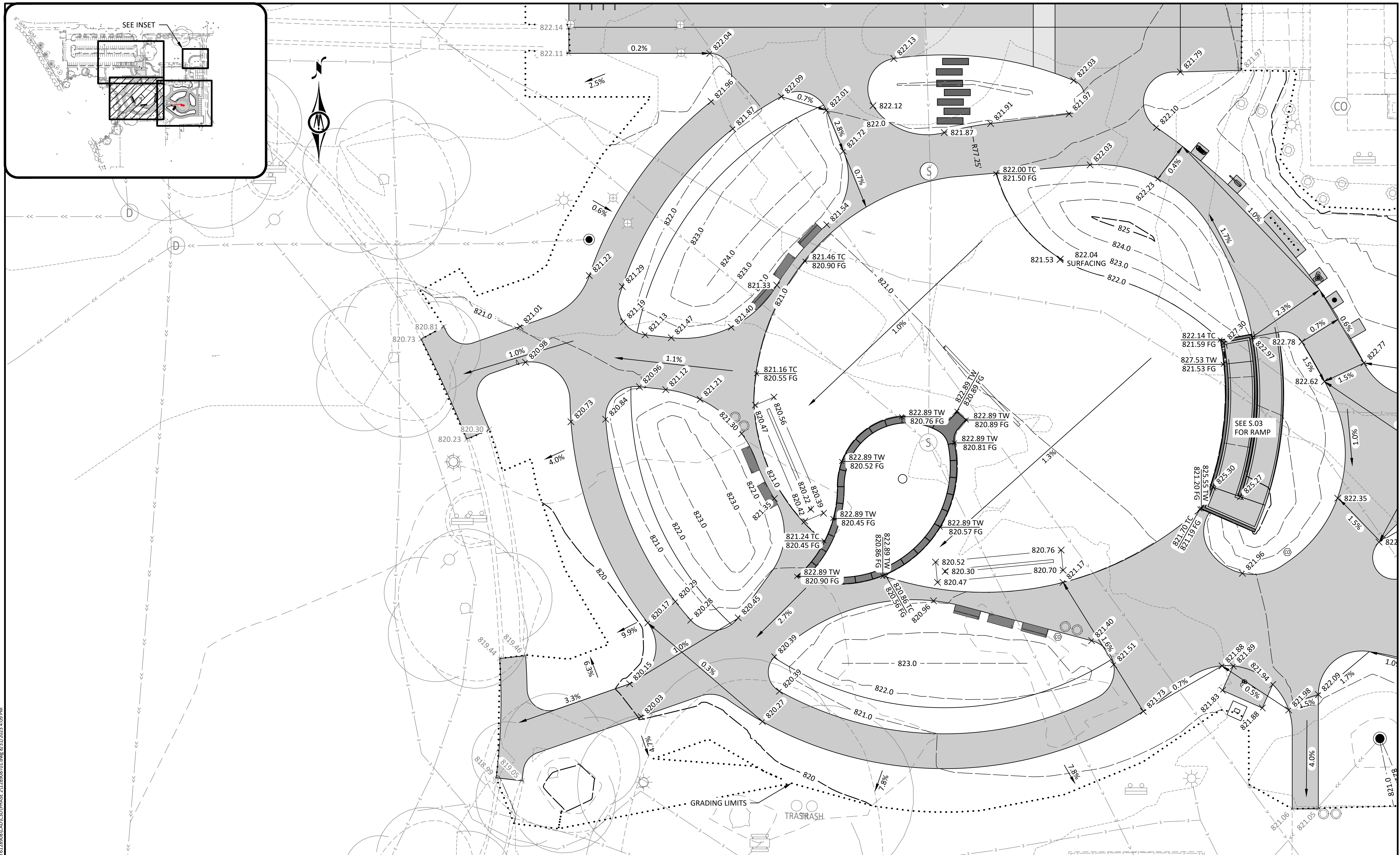


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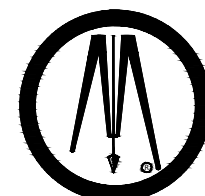
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ADA RAMPS

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GRADING PLAN

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Chapter 165 – 177 Windsor Heights Ordinance Update

City Council Public Hearing
November 6, 2023

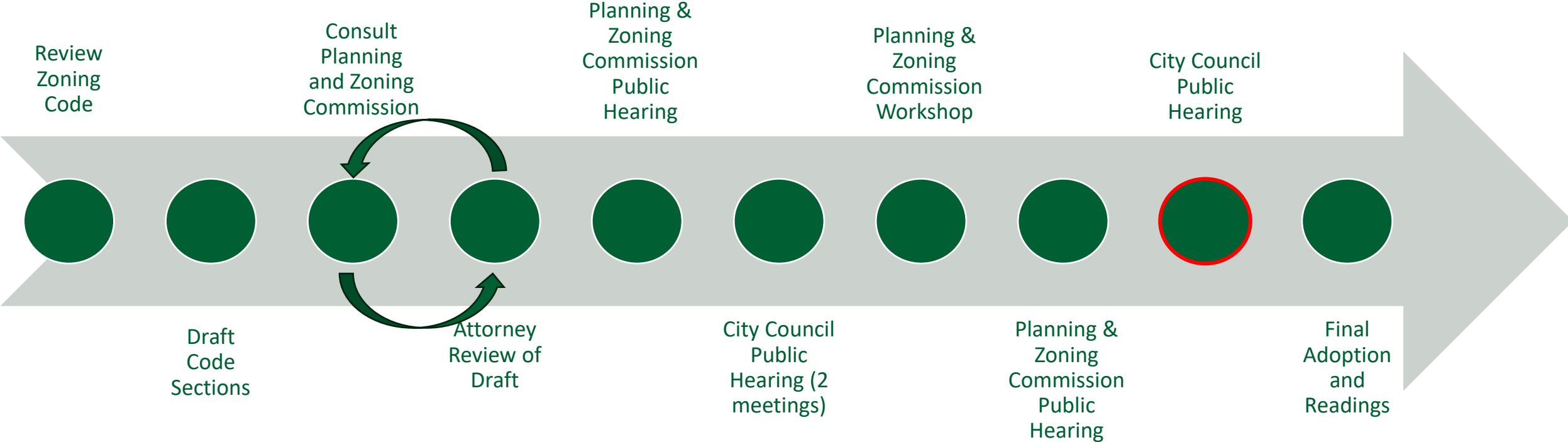


WINDSOR
HEIGHTS
the heart of it all

Agenda

- Process Recap
- Purpose of New Public Hearing
- General Code Overview
- Recap of Previous Changes
- Review of New Changes
- Next steps

Process Recap





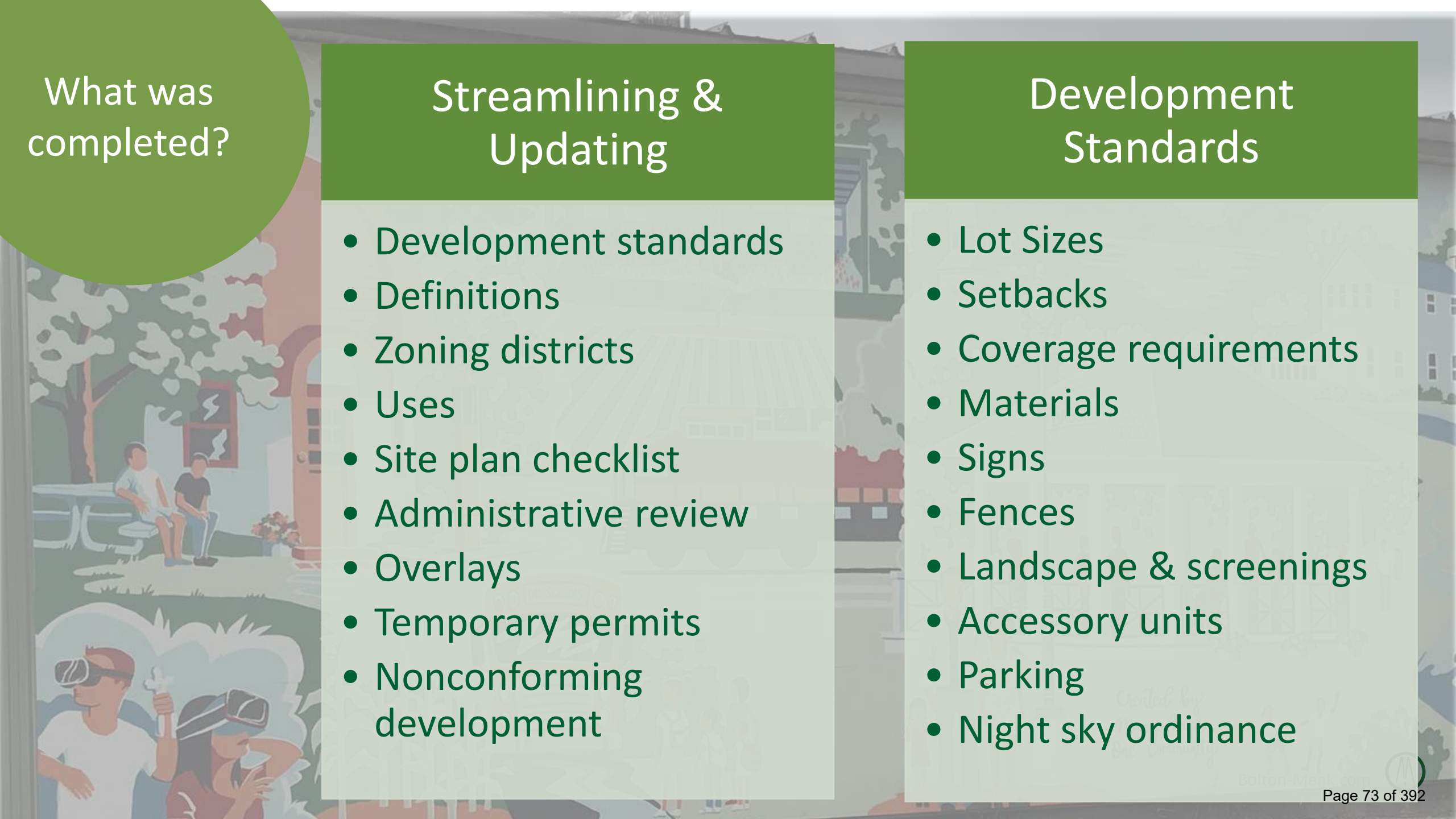
Purpose of New Public Hearing

- City Council requested additional language and changes following September public hearing
- Council also requested Planning Commission input on some issues
- The public hearing is to specifically review the new changes

An aerial photograph of a suburban neighborhood featuring numerous brick houses with green tiled roofs. The houses are arranged in a dense, staggered pattern, with some featuring white window frames and small front gardens. The overall scene is a typical representation of a residential zoning area.

Overview

- A zoning code is the set of rules that govern development in Windsor Heights
- This includes:
 - Building size, height and location
 - Uses permitted in each district
 - Parking, signage, lighting and landscaping requirements



What was completed?

Streamlining & Updating

- Development standards
- Definitions
- Zoning districts
- Uses
- Site plan checklist
- Administrative review
- Overlays
- Temporary permits
- Nonconforming development

Development Standards

- Lot Sizes
- Setbacks
- Coverage requirements
- Materials
- Signs
- Fences
- Landscape & screenings
- Accessory units
- Parking
- Night sky ordinance

Recap of Previous Changes

Chapter 165 General Provisions

- Minor changes only

Chapter 166 Definitions

- Updated definitions to reflect what is used in the code
- Eliminated unused terms
- Added use definitions to this section

Chapter 167 Use Types

- Removed this section – included in Chapter 166

Chapter 168 Zoning Districts

- Combined some districts (R-1 & R-2, TC & UC, CC & GC)
- Updated uses and site development regulations

Chapter 169 Overlay Districts

- Update PUD and removed Mixed Use Overlay

Chapter 170 Development & Design Standards

- Modernized site plan review process

Chapter 171 Temporary Uses & Structures

- Updated to clearly define uses and structures and modernized permits

Chapter 172 Development Regulations

- Moved many sections here: this is the home for supplemental regulations
- Updated accessory uses and structures, fences, wind ordinance, night sky standards & architectural standards

Chapter 173 Landscaping & Screening

- Overhauled entire section and updated requirements for new developments

Chapter 174 Access & Parking

- Consolidated parking requirements in one section and updated requirements

Chapter 175 Sign Regulations

- Overhauled section so it complies with current federal law

Chapter 176 Nonconforming Development

- Ensured lots, uses and structures are well defined

Chapter 177 Administration & Process

- Removed codified site plan table; it is included in Chapter 168

Review of New Changes



Building Façade

Summary of Planning Commission Recommendation

- Specifically listed materials included in each grade (A,B,C)
- Identified process to consider materials not listed
- In the UC District:
 - 75% of the first floor of any street facing façade must be brick
 - Grade A or Grade B permitted on second floor and above, and on non-street facing facades
- In the CC District:
 - 50% of street facing façade must be Grade A
 - Other facades may be Grade B or C,
 - Maximum of 10% Grade C

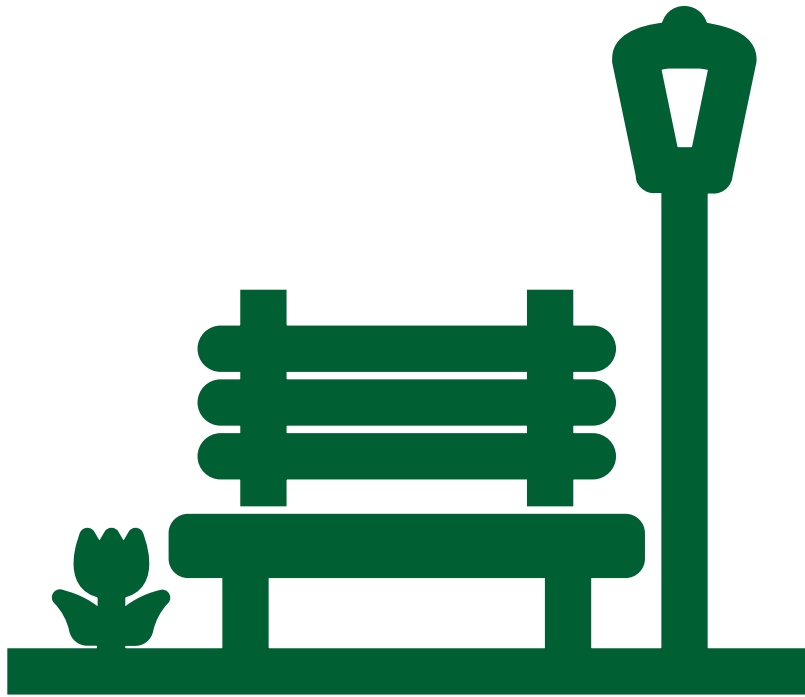


Recommended Language – Section 172.14, Building Façade

1. Applicability. Except as described below, all façade requirements and materials are to be subject to their respective zoning requirements as listed by the zoning district design regulations.
2. Façade Material. All building façade materials that face the primary street will need to be included within the defined groups of façade materials allowed to be used within each zoning district. The Façade Material groups are the following definitive lists:
 - a. Grade A Materials
 - A. Brick
 - B. Natural Stone
 - C. Glass
 - D. Stucco
 - E. Architectural Grade Precast Panels
 - b. Grade B Materials
 - A. Wood
 - B. Metal Wall Panel Systems
 - C. Textured Concrete Panels
 - D. Fiber Cement Panels and Lap Siding
 - c. Grade C Materials
 - A. Vinyl Siding
 - B. Corrugated Metal Wall Panels
 - C. Concrete Block
 - D. Smooth Tip-up Panels
 - d. Not Listed Here
 - A. Any material that is being proposed to be used as a material for a proposed development must supply the City with descriptive information on the material including but not limited to:
 1. The name of the material
 2. Provider of the material
 3. Longevity of material as it will be used
 4. Description of look, color, and accent to the building
 5. Any other information requested by City Staff, Planning & Zoning Commission, or City Council

Proposed Language – Section 172.14, Building Façade

3. Façade Coverage. The percentage of the façade that each material covers will conform to design standards within the respective zoning district and any additional condition listed further within this section.
 - a. In the UC – Urban Center District
 - A. The primary street facing façade on the first floor of any structure on University Avenue, excluding windows or doorways on that façade, will require a minimum of 75% of the material used on that façade must be brick.
 1. For corner lots that exist on University Avenue, both the street facing façade on University Avenue and the street facing façade on the connecting street to University Avenue must meet the UC – Urban Center District primary street facing façade material requirements.
 - B. Façades facing the primary street that are not on the first floor of the structure may use Grade A and/or Grade B materials.
 - C. Façades not street facing may use Grade A and/or Grade B materials for those façades.
 - b. In the CC – Community Commercial District:
 - A. The primary street facing façade will require a minimum of 50% of Grade A Materials.
 1. For corner lots that exist within the CC – Community Commercial District, both street facing façades must meet the primary street facing façade material minimum requirement.
 - B. The remainder of the building on all sides can utilize Grade B and Grade C materials with a maximum of 10% of the total of each façade being Grade C materials.
4. The Zoning Administrator will be responsible for the initial determination of the general compliance with these criteria for a proposed development. Through the Site Plan review process, the Planning & Zoning Commission and City Council will make the final determination on the materials requested and their compliance with this code section.



Parkland Dedication

Summary of Planning Commission Recommendation

Provided 2 options:

- Option 1:
 - Required specific percentage (5%) of developable land be dedicated for park
 - Same percentage applied to cash dedication
- Option 2:
 - Parkland dedication based on number and types of units to be developed
 - Cash dedication is negotiated

Planning Commission recommended Option 2

Parkland Dedication – Applicable Language

172.15 PARKLAND DEDICATION

1. Applicability. Any developer who seeks to develop or redevelop land for residential purposes within the City shall be required to dedicate public parkland. No new plats or site plans for residential development shall be approved unless and until the provisions of this Chapter are complied with. For the purposes of this section, residential development is defined as the combination and/or redevelopment of existing lots, new multi-family developments, and new mixed-use development.
 - a. The dedicated public parkland may include waterways and ponds, provided the area of such waterways and ponds is not used to satisfy the amount of public parkland required in Section 172.15.3 Computation of Amount of Public Parkland Required.
 - b. Where proposed subdivisions abut undeveloped lands, the dedicated public parkland shall be located adjacent to the subdivision boundaries with the undeveloped land, at the discretion of the City Council, to allow the public parkland to be increased in size when the adjacent property develops.
 - c. The development of private recreational amenity space shall not be used to satisfy parkland dedication requirements.
 - d. Alternative to Development of Public Parkland. If a developer does not desire to dedicate public parkland required in Section 172.15.3 Computation of Amount of Public Parkland Required, the developer may make a request to the City Council that the developer be allowed to meet the requirements of such section through other arrangements agreeable to the City Council and the developer as long as such agreement provides equal value to the city. Such arrangements shall be made between the City Council and the developer in the form of a Development Agreement. The determination of equal value shall be based on the most recent City appraisal study.

Parkland Dedication – Applicable Language

1. Exceptions. The following shall be exempted from the requirements of this Chapter:
 - a. Alterations or expansion of an existing building where no additional residential units are created and where the use is not changed.
 - b. The construction of accessory buildings or structures.
 - c. The replacement of a destroyed or partially destroyed building or structure with a new building or structure of the same use and the same number of units.
 - d. Construction of a new single-family home, structure, or building on an existing, platted lot.
 - e. The installation of a replacement manufactured or mobile home.
 - f. The construction of any nonresidential building or structure or the installation of a nonresidential manufactured or mobile home.
 - g. The construction of a residential care facility, assisted living facility, nursing facility, or continuing care facility.
 - h. Any claim of exemption shall be made no later than the time of application for a preliminary plat approval or a building permit, whichever occurs first. Any claim not so made shall be deemed waived.



Parkland Dedication – Applicable Language

- 1. This Section shall prescribe the minimum amount of space to be provided in a proposed development for use as a public park. Such space shall be required to be provided for by a developer who seeks to develop land within the City by submitting a plat or site plan for approval.
 - a. The amount of public parkland required in a proposed development shall be computed as follows:
 - A. Residential Occupancy per Living Unit. In determining the anticipated occupancy for the proposed development, it shall be assumed that the following dwellings will accommodate the following number of individuals:

Land Use Type (Unit)	Individuals Per Residential Living Unit
Dwelling, Single-Unit	2.5 Individuals
Dwelling; Two, Three, or Four Unit; Townhouse,	2.0 Individuals
Dwelling; Apartment or Live-Work Unit	1.5 Individuals
Manufactured or Mobile Home	1.5 Individuals

Parkland Dedication – Applicable Language

A. Public Parkland per Individual. In determining the space required for public parkland in a proposed development, it shall be required that five (5) acres of recreational space be provided for every 1,000 individuals. Since some developments will not house 1,000 individuals, the space requirement is to be applied on a per-individual basis. Therefore, .005 acres of public parkland shall be provided for each individual proposed to be housed in the new development based on the assumptions contained above.

B. The following is an example of a calculation using the previous sections above for illustration purposes only:

1. For a multi-family development intended for rental ownership, the following formula would be utilized:

a. If the development would have 125 units, then the calculation based on the information above would be as follows:

$$(\text{number of units}) \times (1.5 \text{ individuals/unit}) \times (.005 \text{ acres/individual})$$

In this example, the developer would be required to dedicate at least 0.9375 acres of public parkland within the proposed development.

$$125 \text{ Units} \times 1.5 \times .005 = 0.9375 \text{ acres}$$



Parking Requirements

Parking Minimums for Bars & Restaurants

Section 174.04, Table 174.04-01

Use	Required Spaces (Current Ordinance)	Required Spaces (Original Proposal)	Required Spaces (Revised Proposal)
Bars	1 space per 150 square feet	1 space per 500 square feet	1 space per 350 square feet
Restaurants (Drive-In)	1 space per 50 square feet of customer service area	1 space per 500 square feet	1 space per 350 square feet
Restaurants (General)	1 space per 3-person capacity in dining area plus 1 space per each 150 square feet in cocktail lounge	1 space per 500 square feet	1 space per 350 square feet

Planning Commission recommended 1 space per 350 square feet





Urban Center Setbacks

UC Development Setbacks

Section 168.08, Table 168-3

Section 173.05, Table 173.05-03

Minimum Yards	Required Feet (Current Ordinance)	Required Feet (Original Proposal)	Required Feet (Revised Proposal)
Front Yard	25 feet	0 feet	10 feet
Street Side Yard	25 feet	0 feet	10 feet
Interior Side Yard	0 feet	0 feet	10 feet
Rear Yard	10 feet	10 feet	10 feet
Bufferyards adjacent to Residential Districts	20 feet (R-1, R-2) 15 feet (R-3) 10 feet (R-4)	10 feet (all R districts)	10 feet (all R districts)

Summary of Planning Commission Discussion & Recommendation

Discussion

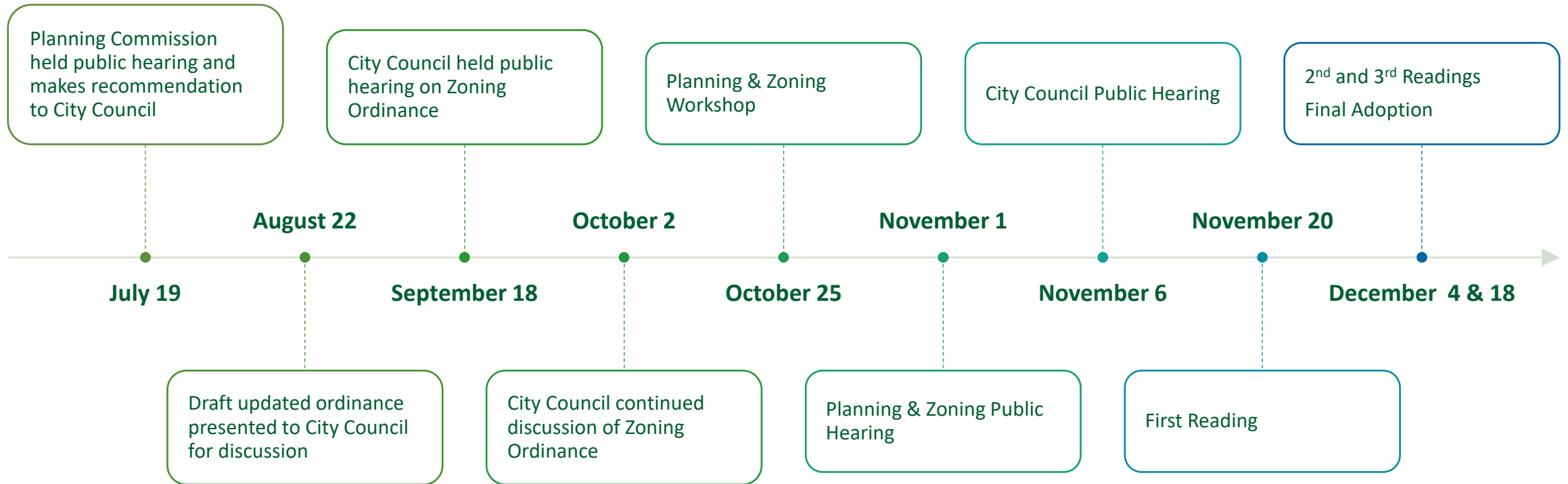
- University Avenue is intended to be the main street of the City
- The intent is to provide a traditional downtown environment
- The 0' setback encourages walkability and easy access to storefronts from the sidewalk

Recommendation

- Planning Commission recommended following setbacks (6-1 vote):
 - Front Yard = 0'
 - Side Street Yard = 0'
 - Interior Side Yard = 0'
 - Bufferyard (adjacent to residential district) = 10'

Next Steps

Code Adoption



Additional Action

- Zoning Map update for consistency with new code
 - Requires public hearing and Planning Commission review

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WINDSOR HEIGHTS MUNICIPAL CODE

CHAPTER 165 – CHAPTER 177

CHAPTER 165 ZONING CODE – GENERAL PROVISIONS

165.01 Title	165.05 Conflicting Provisions
165.02 Jurisdiction	165.06 Relief from Other Provisions
165.03 Purpose	165.07 Publication
165.04 Consistency with Comprehensive Development Plan	165.08 Severability

165.01 TITLE.

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

165.02 JURISDICTION.

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

165.03 PURPOSE.

The purposes of the Zoning Code are to:

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

165.04 CONSISTENCY WITH COMPREHENSIVE DEVELOPMENT PLAN.

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

165.05 CONFLICTING PROVISIONS.

The Zoning Code shall be held to provide the minimum requirements necessary for the promotion of public health, safety, and welfare. If any provision of the Zoning Code conflicts

with any other provision of the Zoning Code, any other Ordinance of the City, or any applicable State or federal law, the more restrictive provision shall apply.

165.06 RELIEF FROM OTHER PROVISIONS.

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

165.07 PUBLICATION.

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

165.08 SEVERABILITY.

If any section, provision, or part of the Zoning Code be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

CHAPTER 166

ZONING CODE – DEFINITIONS

166.01 Purpose

166.03 Definition of Terms

166.02 General Construction of Language

166.01 PURPOSE.

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

166.02 GENERAL CONSTRUCTION OF LANGUAGE.

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

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

166.03 DEFINITION OF TERMS.

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

1. “Absolute Photometry” means photometric measurements (usually of a solid-state luminaire) that directly measure the footprint of the luminaire. Reference Standard IES LM-79.
2. “Abutting” means having lot lines or district boundaries in common, including property separated by a public street or alley. This term is used interchangeably with “adjacent.”
3. “Accessory Structure” means a structure which is incidental to and customarily associated with a specific principal use or building on the same site. The structure may or may not contain a dwelling unit. See Dwelling, Accessory.

4. “Accessory Use” means a use which is incidental to and customarily associated with a specific principal use on the same site.
5. “Addition” means any construction which increases the size of a building or structure in terms of site coverage, height, length, width, or gross floor area.
6. “Administration” means governmental office uses providing administrative, clerical, or public contact services that deal directly with the citizen, together with incidental storage and maintenance of necessary vehicles. Typical uses include Federal, State, County, and City offices.
7. “Administrative Official” means the Windsor Heights Administrative Official or appropriate designee.
8. “Adult Entertainment” means any business activity which offers the opportunity to view sexual activities or view or touch anatomical areas for entertainment purposes, depicts or describes sexual conduct. This category includes the sale or viewing of visual or print materials that meet these criteria. Typical uses include retail services or stores which are distinguished by an emphasis on activities or materials that emphasize sexual content; businesses which offer live performances characterized by exposure of specified anatomical areas; and adult theaters.
9. “Alley” means a public right-of-way which is used as a secondary means of access to abutting property.
10. “Alteration” means any construction or physical change in the internal arrangement of spaces, the supporting members, the positioning on a site, or the appearance of a building or structure.
11. “Amateur Radio Tower” means a structure for the transmission or broadcasting of electromagnetic signals by FCC-licensed amateur radio operators.
12. “Apartment” means a dwelling unit within a building designed for and suitable for occupancy by only one family. Apartments are generally located within multi-family residential buildings.
13. “Astronomic Time Switch” means an automatic lighting control device that switches outdoor lighting relative to the time of solar day with the time of year.
14. “Attached” means having one or more walls in common with a principal building or connected to a principal building by an integral architectural element, such as a covered passageway, façade wall extension, or archway.
15. “Automotive and Equipment Services” is an overarching term for the following establishments or places of business primarily engaged in the sale and/or service of automobiles, trucks, or heavy equipment. The following are considered automotive and equipment use types:
 - a. Auto Services: Provision of fuel, lubricants, parts and accessories, and incidental services to motor vehicles; and washing and cleaning and/or repair of automobiles, non-commercial trucks, motorcycles, motor homes, recreational vehicles, or boats, including the sale, installation, and servicing of equipment and parts. Typical uses include service stations, car washes, muffler shops, auto repair garages, tire sales and installation, wheel and brake shops, and similar repair and service activities but exclude dismantling, salvage, or body and fender repair services.

- b. Repair Services: Repair, painting, or refinishing of the body, fender, or frame of automobiles, trucks, motorcycles, motor homes, recreational vehicles, boats, tractors, construction equipment, agricultural implements, and similar vehicles or equipment. Typical uses include body and fender shops, painting shops, and other similar repair or refinishing garages.
 - c. Equipment Rental and Sales: Sale or rental of trucks, tractors, construction equipment, agricultural implements, mobile homes, and similar heavy equipment, including incidental storage, maintenance, and servicing. Typical uses include truck dealerships, construction equipment dealerships, and mobile home sales establishments.
 - d. Vehicle Storage (Short-term): Storage of operating or non-operating vehicles for a period of no more than 21 days. Typical uses include storage of private parking tow-aways or impound yards but exclude dismantling or salvage. Long-term storage of operating or non-operating vehicles beyond 21 days constitutes an industrial use type.
 - e. Vehicle Storage (Long-Term): Long-term storage of operating or non-operating vehicles for a period exceeding 21 days. Typical uses include storage of private parking tow-aways or impound yards but exclude dismantling or salvage.
- 16. “Backlight” means, for an exterior luminaire, lumens emitted in the quarter sphere below horizontal and in the opposite direction of the intended orientation of the luminaire. For luminaires with symmetric distribution, backlight will be the same as front light.
 - 17. “Base Zoning District” means a district established by this Zoning Code which prescribes basic regulations governing land use and site development standards. For any actions taken after the effective date of this Code, no more than one Base Zoning District shall apply to any individually plated lot or parcel unless the lot or parcel is part of a Planned Unit Development.
 - 18. “Basement” means a level of a building below street level that has at least one-half of its height below the surface of adjacent ground. A basement used for independent dwelling or business purposes shall be considered a story for the purposes of height measurement. Chapter 185 sets forth floodplain and floodway regulations governing building standards in flood-prone areas.
 - 19. “Bar” means a use engaged in the preparation and retail sale of alcoholic beverages for consumption on the premises, including taverns, bars, cocktail lounges, and similar uses other than a restaurant as that term is defined in this section.
 - 20. “Bed and Breakfast” means a lodging service that provides overnight or short-term accommodations to guests or visitors, usually including the provision of breakfast. Bed and breakfasts are usually located in large residential structures that have been adapted for this use. For the purpose of this definition, bed and breakfasts are always owned and operated by the resident owner of the structure, include no more than ten units, and accommodate each guest or visitor for no more than seven consecutive days during any one-month period.
 - 21. “Berm” means a mound of earth or fill material designed to blend into a landscape either to block out unwanted views or uses, to decrease noise, or to improve the design of a property.

22. “Block” means an area of land within a subdivision that is entirely bounded by streets, or by streets and the exterior boundaries of the subdivision, or by a combination of the above with a watercourse or lake, and which has been designated as such on a plat for the purposes of the legal description of a property.
23. “Blockface” means the property abutting one side of a street and lying between the two nearest intersection streets or between the one nearest intersecting street and a major physical barrier, including, but not limited to, railroads, streams, lakes, or the corporate limits of the City.
24. “Board of Adjustment” means a body established by the Code of Iowa for the purpose of issuing conditional use permits, interpreting and granting variances, and hearing appeals as provided by this Zoning Code.
25. “Broadcasting Tower” means a structure for the transmission or broadcasting of radio, television, radar, or microwaves, ordinarily exceeding the maximum height permitted in its zoning district.
26. “BUG” means a luminaire classification system that classifies backlight (B), uplight (U), and glare (G).
27. “Buffer” means a combination of horizontal space (land) and vertical elements (plants, berm, fences, and walls), used to physically separate or visually screen incompatible adjacent land uses.
28. “Buffer Yard” means a landscaped area intended to separate and partially obstruct the view of two adjacent land uses or properties from one another.
29. “Building” means a structure entirely separated from any other structure by space or by walls and having a roof and being built to provide shelter, support, or enclosure for persons or property.
30. “Building Coverage” means the area of a site covered by buildings or roofed areas, excluding allowed projecting eaves, balconies, and similar features.
31. “Building Envelope” means the three-dimensional space within which a structure is permitted to be built on a lot after all zoning and other applicable municipal requirements have been met.
32. “Building Line” means the outer boundary of a building established by the location of its exterior walls.
33. “Building Marker” means an historic or commemorative plaque, or a building name or cornerstone carved into a masonry surface.
34. “Building Official” means the designee of the City Council, responsible for the enforcement of Chapter 155 of this Code of Ordinances.
35. “Business” means activities that include the exchange or manufacture of goods or services on a site.
36. “Caliper” means the diameter of a tree trunk. Usually used for trees less than 12 inches in diameter.
37. “Campground” means facilities providing camping or parking areas and incidental services for travelers in recreational vehicles or tents, which accommodate each guest or visitor for no more than seven consecutive days during any one-month period.
38. “Canopy” means a projecting non-movable structure cantilevered or suspended from a building, supported by the main structural members to which it is attached, and used only

as a roof or fixed shelter. A canopy may include a printed message or graphic, or not, and is treated no differently as a result under this ordinance.

39. "Cemetery" means land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbaria, crematoria, mausoleums, and mortuaries when operated in conjunction with and within the boundary of such cemetery.
40. "Certificate of Occupancy" means an official certificate issued by the Building Official, upon finding of conformance with the City's Building Code (Chapter 155), and upon receipt of a Certificate of Zoning Compliance.
41. "Certificate of Zoning Compliance" means an official certificate issued by the Building Official, which indicates that the proposed use of a building or land complies with the provisions of this Zoning Code.
42. "Change of use" means the replacement of an existing use by a new use.
43. "Clearance" means the distance from the bottom of a sign face elevated above grade and the grade below.
44. "Civic Organizations" means uses providing meeting, recreational, or social facilities for a private, nonprofit, or non-commercial association, primarily for use by members and guests.
45. "Commercial Recreation" means private businesses or other organizations, which may or may not be commercial by structure or by nature, which are primarily engaged in the provision or sponsorship of sports, entertainment, or recreation for participants or spectators. Typical uses include driving ranges, theaters, private dance halls, or private skating facilities. Commercial recreation is divided into the following categories:
 - a. Commercial Recreation (Limited): Facilities which include a structure of 10,000 square feet or less and/or a site covering an area of no more than one-half acre.
 - b. Commercial Recreation (General): Facilities which include a structure of more than 10,000 square feet and/or a site covering an area of more than one-half acre.
46. "Communications Services" means establishments primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic and telephonic mechanisms but not including those classified as Utilities. Typical uses include television studios, telecommunication service centers, telegraph service offices, or film and sound recording facilities. Broadcast towers and their minor ancillary ground structures are classified as miscellaneous use types.
47. "Common Area" means an area held, designed, and designated for common or cooperative use within a development.
48. "Common Development" means a development proposed and planned as one unified project not separated by a public street or alley.
49. "Commercial Breeders" means a person, engaged in the business of breeding dogs, cats, or other small animals who sells, exchanges, or leases animals in return for consideration or who offers to do so, whether or not the animals are raised, trained, groomed, or boarded by the person. Typical uses are large-scale animal breeding operations.
50. "Compatibility" means the degree to which two or more different land use types are able to exist together in close proximity, with no one use having significant negative effects on any other use.
51. "Comprehensive Plan" means the duly adopted Comprehensive Development Plan of the City to address future growth and development.

52. “Conditional Use Permit (CUP)” means a permit that is intended to accommodate those types of uses that don’t fit neatly into any particular zoning district, and which have the potential to impact surrounding properties. As part of the approval process, the Board of Adjustment can impose conditions on the proposed use to help minimize the potential impacts on surrounding properties.
53. “Conservation Subdivision” means, wholly or in the majority, a residential subdivision that permits a reduction in lot area, setback, or other site development regulations, provided:
- a. there is no increase in the overall density permitted for a conventional subdivision in a given zoning district; and
 - b. the remaining land area is used for common space.
54. “Construction Yards” means establishments, housing facilities, or businesses primarily engaged in construction activities, including incidental storage of materials and equipment on lots other than construction sites. Typical uses are building contractor’s yards.
55. “Consumer Services” means establishments which provide services primarily to individuals and households, excluding automotive use types. Typical uses include automated banking machines, appliance repair shops, watch or jewelry repair shops, or musical instrument repair shops.
56. “Convenience Storage” means storage services primarily for personal effects and household goods within enclosed storage areas having individual access but excluding the use of such areas as workshops, hobby shops, manufacturing, or commercial activity. Typical uses include mini warehousing.
57. “Court” means an approved private right-of-way which provides access to residential properties and meets at least three of the following conditions:
- a. Serves 12 or fewer housing units or platted lots.
 - b. Does not function as a local street because of its alignment, design, or location.
 - c. Is completely internal to a development.
 - d. Does not exceed 600 feet in length.
58. “Crop Production” means the raising and harvesting of tree crops, row crops, or field crops on an agricultural or commercial basis. This definition may include accessory retail sales under certain conditions.
59. “Cultural Services” means a library, museum, or similar registered nonprofit organizational use displaying, preserving, and exhibiting objects of community and cultural interest in one or more of the arts and sciences.
60. “Custom Manufacturing” means establishments primarily engaged in the on-site production of goods by hand manufacturing, within enclosed structures. This category also includes the incidental direct sale to consumers of only those goods produced on site. Typical uses include ceramic studios, custom jewelry manufacturing, and candle making shops. This involves:
- a. The use of hand tools, or
 - b. The use of domestic mechanical equipment not exceeding 2 horsepower, or
 - c. A single kiln not exceeding 8 KW or equivalent.

61. “Curb” means a stone, concrete, or other improved boundary marking the edge of a road or other paved area.
62. “Curb Line” means a line, whether curbing exists or not, which is the edge of the pavement or shoulder.
63. “Day Care Services” means care for children in the absence of parents or adults requiring supervision for a portion of the day, but less than 24 hours.
 - a. Day Care Services (Limited): This use type includes all classifications of day care facilities regulated by the State of Iowa that operate providing care for not more than six children. This term includes nursery schools, preschools, day care centers for children or adults, and similar uses but excludes public and private primary and secondary educational facilities.
 - b. Day Care Services (General): This use type includes all classifications of day care facilities regulated by the State of Iowa that operate providing care for more than six children. This term includes nursery schools, preschools, day care centers for children or adults, and similar uses but excludes public and private primary and secondary educational facilities.
64. “Deck” means an unroofed platform, unenclosed except by a railing, which is attached to the ground and/or another structure.
65. “Density” means the amount of development per specific unit of a site.
66. “Detention Facilities” means a publicly operated or contracted use providing housing and care for individuals legally confined, designed to isolate those individuals from the community.
67. “Drive-In Services” means uses which involve the sale of products or provision of services to occupants in vehicles.
68. “Detached” means fully separated from any other building or jointed to another building in such a manner as not to constitute an enclosed or covered connection.
69. “Driveway” means a permanent surface area providing vehicular access between a street and an off-street parking or loading area. A driveway surface area shall be asphaltic, Portland cement binder pavement, paver block, concrete block, or similar surface so as to provide a durable and dustless surface. Gravel or rock is not deemed to be a dustless surface.
70. “Drive-Thru” means an establishment that provides or dispenses products or services, through an attendant or an automated machine, to persons remaining in their vehicle that are in designated drive-thru stacking lanes. A drive-thru facility may be in combination with other uses, such as financial institutions, restaurants, pharmacies, and service providers such as dry cleaners.
71. “Dwelling Unit” means one or more rooms, designed, occupied, or intended for occupancy as a separate living quarter, with cooking, sleeping, and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household.
72. “Easement” means a privilege or right of use granted on, above, under, or across a particular tract of land for a specific purpose by one owner to another owner, public or private agency, or utility.
73. “Emergency Conditions” means lighting that is only energized during an emergency power source; or the path of egress solely during a fire or other emergency situation; or,

- lighting for security purposes used solely during an alarm; or lighting fed from a backup lighting for illuminating
74. “Enclosed” means a roofed or covered space fully surrounded by walls.
75. “Extended Stay Hotel or Motel” see “Lodging.”
76. “Façade” means the exterior face of a building which is the architectural front, sometimes distinguished from the other faces by elaboration of architectural or ornamental details.
77. “Family” means one or more persons occupying a single dwelling unit, related by blood, marriage, domestic partnership, adoption, or other custodial arrangement.
78. “Family Home” Means a facility as defined in Section 414.22 of the Code of Iowa, including, but not limited to, Elder Family Homes and Elder Group Homes.
- a. “Elder Group Home” means a facility as defined in Section 231B of the Code of Iowa.
79. “Federal” means pertaining to the Government of the United States of America.
80. “Fence” means a structure made of wood, metal, masonry, or other material, typically used to screen, enclose, or divide open space for a setback or along a design site line.
81. “Financial Services” means the provision of financial and banking services to consumers or clients. Walk-in and drive-in services to consumers are provided on site. Typical uses include banks, savings and loan associations, savings banks, and loan companies. An ATM (automatic teller machine) which is not accompanied on-site by an office of its primary financial institution is considered a general retail service use type.
82. “Firework Sales” means establishments selling consumer first class fireworks and consumer second class fireworks. A firework Seller License issued by the State Fire Marshal is required. Firework establishments must comply with all standards of the National Fire Protection Act 1124 and Code of Iowa, [Section 100.19](#).
83. “Food Sales” means establishments or places of business primarily engaged in the retail sale of food or household products for home consumption. Typical uses include groceries, delicatessens, meat markets, retail bakeries, and candy shops.
- a. Food Sales (Convenience): Establishments occupying facilities of less than 10,000 square feet; and characterized by sales of specialty foods or a limited variety of general items, and by the sales of fuel for motor vehicles.
- b. Food Sales (Limited): Establishments occupying facilities of less than 10,000 square feet; and characterized by sales of specialty foods or a limited variety of general items but excluding the accessory sale of fuel for motor vehicles. Typical uses include delicatessens, meat markets, retail bakeries, candy shops, and small grocery stores.
- c. Food Sales (General): Establishments selling a wide variety of food commodities, using facilities larger than 10,000 square feet. Typical uses include supermarkets.
84. “Footcandle” means the unit of measure expressing the quantity of light received on a surface. One footcandle is the illuminance produced by a candle on a surface one-foot square from a distance of one foot.
85. “Frontage” means the length of a property line of any one premise abutting and parallel to a public street, private way, or court.
86. “Fully Shielded Luminaire” means a luminaire constructed and installed in such a manner that all light emitted by the luminaire, either directly from the lamp or a diffusing

- element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal plane through the luminaire's lowest light-emitting part.
87. “Funeral Services” means establishments engaged in undertaking services such as preparing the human dead for burial and arranging and managing funerals. Typical uses include funeral homes or mortuaries.
88. “Gaming Facilities” means establishments engaged in the lawful, on-site operation of games of chance that involve the risk of money for financial gain by patrons. Gaming facilities shall include the accessory sale of liquor and food, pursuant to licensing regulations of the City or the State.
89. “General Retail Services” means the sale or rental with incidental service of commonly used goods and merchandise for personal or household use but excludes those classified more specifically by these use type classifications. Typical uses include department stores, apparel stores, furniture stores, or establishments providing the following products or services: household cleaning and maintenance products; drugs, cards, stationery, notions, books, tobacco products, cosmetics, and specialty items; flowers, plants, hobby materials, toys, and handcrafted items; apparel jewelry, fabrics and like items; cameras, photographic services, household electronic equipment, records, sporting equipment, kitchen utensils, home furnishing and appliances, art supplies and framing, arts and antiques, paint and wallpaper, hardware, carpeting and floor covering; interior decorating services; retail sales of pets; office supplies; mail order or catalog sales; bicycles; and automotive parts and accessories (excluding service and installation).
- a. General retail services (small scale) include facilities with no more than 10,000 square feet in a single establishment or 30,000 square feet within a multiple-tenant common development.
 - b. General retail services (large scale) include facilities of 10,000 or more square feet in a single establishment or 30,000 square feet within a multiple-tenant common development.
90. “General Offices” means the use of a site for business, professional, or administrative offices. Typical uses include real estate, insurance, management, travel, or other business offices; organization and association offices; banks or financial offices; or professional offices. The use may contain more than one commercial business or a group of nonresidential buildings within a common development.
91. “General Industry” means enterprises engaged in the processing, manufacturing, compounding, assembly, packaging, storage, treatment, or fabrication of materials and products from prepared materials or from raw materials without noticeable noise, odor, vibration, or air pollution effects across property lines.
92. “Glare” means lighting entering the eye directly from luminaires or indirectly from reflective surfaces that causes visual discomfort or reduced visibility.
93. “Grade” means the horizontal elevation of the finished surface of ground, paving, or sidewalk adjacent to any building line.
- a. For buildings having walls facing one street only, the grade shall be the elevation of the sidewalk (or the boundary line between the property and the street right-of-way in the absence of sidewalks) perpendicular to the center of the wall facing the street.

- b. For buildings having walls facing more than one street, the grade shall be the average elevation of the grades of all walls facing each street.
 - c. For buildings having no walls facing a street, the grade shall be the average level of the finished surface of the ground adjacent to the exterior walls of the building.
- 94. “Groundcover” means vegetation that helps in stabilizing the soil such as vines, turf, low growing shrubs, and perennials.
- 95. “Group Residential” means the use of a site for a residence by four or more unrelated persons or distinct individuals, not defined as a family, on a weekly or longer basis.
- 96. “Group Care Facility” means a government-licensed or approved facility which provides for resident care and short or long-term, continuous multi-day occupancy of more than 8 but no more than 30 unrelated persons, not including resident staff. Group Care Facilities include facilities which provide services in accordance with individual needs for the:
 - a. Adaptation to living with, or rehabilitation from, the handicaps of physical disability.
 - b. Adaptation to living with, or rehabilitation from, the handicaps of emotional or mental disorders or developmental disabilities.
 - c. Rehabilitation from the effects of drug or alcohol abuse.
 - d. Supervision while under a program alternative to imprisonment, including (but not limited to) pre-release, work-release, and probationary programs.
 - e. Others who require direct adult supervision.
- 97. “Group Home” means a facility licensed by the State of Iowa in which at least three but no more than eight persons (not including resident managers or house parents), who are unrelated by blood, marriage, or adoption, reside while receiving therapy, training, living assistance, or counseling for the purpose of adaptation to living with or rehabilitation from a physical or mental disability as defined by the relevant provisions of the Code of Iowa or by the Fair Housing Amendments Act of 1988.
- 98. “Gross Floor Area” means the total enclosed area of all floors of a building, measured to the inside surfaces of the exterior walls. This definition excludes the areas of basements, elevator shafts, airspaces above atriums, and enclosed off-street parking and loading areas serving a principal use.
- 99. “Guidance Services” means a use providing counseling, direction, recuperative, or similar services to persons requiring rehabilitation assistance as a result of mental illness, alcoholism, detention, drug addiction, or similar condition on a daytime care basis.
- 100. “Hardscape” means permanent hardscape improvements to the site including parking lots, drives, entrances, curbs, ramps, stairs, steps, medians, walkways, and non-vegetated landscaping that is 10 feet or less in width. Materials may include concrete, asphalt, stone, gravel, etc.
- 101. “Hardscape Area” means the area measured in square feet of all hardscape. It is used to calculate the Total Site Lumen Limit in both the Prescriptive Method and Performance Methods. Refer to Hardscape definition.
- 102. “Heavy Industry” means enterprises involved in the basic processing and manufacturing of products, predominately from raw materials, with noticeable noise, odor, vibration, or air pollution effects across property lines; or a use or process engaged in the storage of or processes involving potentially or actually hazardous, explosive, flammable, radioactive, or other commonly recognized hazardous materials.

103. “Height” means the vertical distance from the established grade to the highest point of the coping of a flat roof, the deck line of a mansard roof, gable, hip, shed, or gambrel roof. For other cases, height shall be measured as the vertical distance from the established grade to the highest point of a structure as herein defined. Where a building or structure is located on a slope, height shall be measured from the average grade level adjacent to the building or structure.
104. “Health Care” means a facility providing medical, psychiatric, or surgical service for sick or injured persons exclusively on an outpatient basis including emergency treatment, diagnostic services, training, administration, and services to outpatients, employees, or visitors.
- a. Health Care (Small-Scale) includes facilities with no more than 10,000 square feet in a single establishment or 30,000 square feet within a multiple-tenant common development.
 - b. Health Care (Large-Scale) includes facilities of 10,000 or more square feet in a single establishment or 30,000 square feet within a multiple-tenant common development.
105. “Hotel” see “Lodging.”
106. “Home Based Business” or “Home Occupation” means an accessory occupational use conducted entirely within a dwelling unit by its inhabitants, which is clearly incidental to the residential use of the dwelling unit or residential structure and does not change the residential character of its site or have any external evidence of such use.
107. “Horticulture” means the growing of horticultural and floricultural specialties, such as flowers, shrubs, or trees intended for ornamental or landscaping purposes. This definition may include accessory retail sales under certain conditions. Typical uses include wholesale plant nurseries and greenhouses.
108. “Housing Unit” or “Dwelling Unit” means a building or portion of a building arranged for and intended for occupancy as an independent living facility for one family, including permanent provisions for cooking.
109. “Impervious Coverage” means the total horizontal area of all buildings, roofed or covered spaces, paved surface areas, walkways and driveways, and any other site improvements that decrease the ability of the surface of the site to absorb water, expressed as a percent of site area. The surface water area of pools is excluded from this definition.
110. “Industry Standard Lighting Software” means lighting software that calculates point-by-point illuminance that includes reflected light using either raytracing or radiosity methods.
111. “In-Patient Services” means uses providing bed care and in-patient services for persons requiring regular medical attention but excluding a facility providing surgical or emergency medical services and excluding a facility providing care for alcoholism, drug addiction, mental illness, or communicable disease. Typical uses include nursing homes.
112. “Lamp” means a generic term for a source of optical radiation (i.e. “light”), often called a “bulb” or “tube”. Examples include incandescent, fluorescent, high-intensity discharge (HID) lamps, and low pressure sodium (LPS) lamps, as well as light-emitting diode (LED) modules and arrays.
113. “Landscaped Area” means the area within the boundaries of a given lot, site, or common development consisting primarily of plant material, including but not limited to grass,

- trees, shrubs, vines, groundcover, and other organic plant materials; or grass paver masonry units installed such that the appearance of the area is primarily landscaped.
114. “Landscape Lighting” means lighting of trees, shrubs, or other plant material as well as ponds and other landscape features.
115. “Laundry Services” means establishments primarily engaged in the provision of laundering, cleaning, or dyeing services other than those classified as personal services. Typical uses include bulk laundry and cleaning plants, diaper services, or linen supply services.
116. “LED” means Light Emitting Diode.
117. “Light Industry” means establishments engaged in the manufacture or processing of finished products from previously prepared materials, including processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales, and distribution. These establishments are characterized by having no major external environmental effects across property lines and include no unscreened or un-enclosed outdoor storage. Typical uses include commercial bakeries, dressed beef processing plants, soft drink bottling, apparel assembly from fabrics, electronics, manufacturing, print shops, and publishing houses.
118. “Lighting” means “electric,” “man-made,” or “artificial” lighting. See “Lighting Equipment.”
119. “Lighting Equipment” means equipment specifically intended to provide gas or electric illumination, including but not limited to, lamp(s), luminaire(s), ballast(s), poles, posts, lens(s), and related structures, electrical wiring, and other necessary or auxiliary components.
120. “Lighting Zone” means a lighting category establishing legal limits for lighting for particular parcels, areas, or districts in a community.
121. “Light Trespass” means light that falls beyond the property it is intended to illuminate.
122. “Liquor Sales” means establishments or places of business engaged in retail sale for off-premises consumption of alcoholic beverages. Typical uses include liquor stores, bottle shops, or any licensed sales of liquor, beer, or wine for off-site consumption.
123. “Lodging” means lodging services involving the provision of room and/or board, but not meeting the classification criteria of bed and breakfasts. Typical uses include the following definitions:
- a. “Extended Stay Hotel or Motel” means any structure consisting of one or more buildings, with more than five specific dwelling units with provisions for living, eating, contain kitchen facilities for food preparation including, but not limited to, refrigerators, stoves and ovens, sanitation, separate bathroom and kitchen sink, and sleeping in each unit, that is specifically constructed, kept, used, maintained, advertised, and held out to the public to be a place where temporary residence is offered for pay to persons, for a minimum stay of more than thirty days and a maximum stay of ten months within the dwelling units at the structure, that is approved pursuant to a valid certificate of occupancy issued by the building official having jurisdiction as having all of the required dwelling unit features, and for which such valid certificate of occupancy indicates the specific rooms within the structure that can be used as dwelling units, and that is approved by the Fire Marshal for extended stay temporary residence purposes. Each room shall be

a minimum of 275 square feet in area, exclusive of bathroom, closet, or balcony space. Weekly services for each dwelling unit of linen change, towel change, soap change, general cleanup, and a registration lobby staffed on a 12-hour daily basis and 24-hour daily registration and emergency phone number are provided by the management. Each extended stay dwelling unit and facilities are subject to the City's rental inspection outlined in Chapter 156 of this Code of Ordinances (Rental Housing Code). For the purposes of parking requirements, extended stay hotels or motels will have to meet the Multi-Family Residential parking requirements.

- b. "Hotel" means one or more buildings containing 20 or more guest rooms, with such rooms being designed or intended to be used, or which are used as temporary or overnight accommodations for guests in which daily services of linen change, central telephone switchboard, towel change, soap change, general cleanup, and a registration lobby staffed on a 24-hour daily basis are provided by the management. Each room shall be a minimum of 250 square feet in area, exclusive of bathroom, closet, or balcony space. No room may be used by the same person or persons for a period exceeding 30 days per year. Access to all rooms shall be provided through one or more common entrances. Accessory uses are encouraged and permitted accessory uses include restaurants, cocktail lounges, banquet halls, ballrooms, or meeting rooms.
 - c. "Motel" means a building or group of buildings containing dwelling units, intended to be used or which are used as temporary or overnight accommodations for guests, in which daily services of linen change, central telephone switchboard, towel change, soap change, general cleanup, and a registration lobby staffed on a 12-hour daily basis and 24-hour daily registration and emergency phone number are provided by the management. Each room shall be a minimum of 250 square feet in area, exclusive of bathroom, closet, or balcony space. No room may be used by the same person or persons for a period exceeding 30 days per year. Each living or sleeping unit shall have an individual entrance from outside the building. Living or sleeping units may be equipped with cooking facilities. Parking close to the entrance of each living or sleeping unit should be made available.
124. "Illumination" means lighting sources installed for the primary purpose of lighting a specific sign or group of signs.
125. "Landfill" means the use of a site as a depository for solid wastes, including:
- a. Landfill (Non-Putrescible Solid Waste Disposal) is the use of a site as a depository for solid wastes that do not readily undergo chemical or biological breakdown under conditions normally associated with land disposal operations. Typical disposal material would include ashes, concrete, paving wastes, rock, brick, lumber, roofing materials, and ceramic tile.
 - b. Landfill (Putrescible and Non-Putrescible Solid Waste Disposal) is the use of a site as a depository for any solid waste except hazardous and toxic waste as defined by the Federal Environmental Protection Agency and/or the State of Iowa. Typical disposal material would include non-putrescible wastes and putrescible wastes such as vegetation, tree parts, agricultural wastes (garbage), and manure.

126. “Landscape Islands” means a raised unpaved area located within or protruding into a parking lot or the center, unpaved area of a cul-de-sac or traffic circle. The area of a landscape island is measured from the back of the curb to the back of curb.
127. “Landscape Pod” means a small individual unpaved area within a parking lot incorporated to provide locations for vegetation, thus increasing the aesthetic quality of the parking lot.
128. “Low Voltage Landscape Lighting” means landscape lighting powered at less than 15 volts and limited to luminaires having a rated initial luminaire lumen output of 525 lumens or less.
129. “Loading Area” means an off-street area used for the loading or unloading of goods from a vehicle in connection with the use of the site on which such area is located.
130. “Lot” means a parcel of property with a separate and distinct number or other identifying designation which has been created, assigned, and recorded in the Office of the Polk County Recorder. Each individual lot is subject to the provisions of a particular Base Zoning District and shall have a minimum frontage of 20 feet, except as provided in an approved Planned Unit Development and/or Conservation Subdivision.
- a. “Lot, Corner” means a lot located at the junction of at least two streets, private ways or courts, or at least two segments of a curved street, private way or court, at which the angle of intersection is no greater than 135 degrees.
 - b. “Lot, Double Frontage” (also known as a “through lot”) means a lot, other than a corner lot, having frontage on two streets, private ways, or courts. Primary access shall be restricted on a double frontage lot to the minor of the two streets or to the front line as determined at the time of platting or as defined by this Zoning Code.
 - c. “Lot, Interior” means a lot other than a corner lot.
 - d. “Lot, Common Development” means a lot which is considered a single lot for the purposes of this Zoning Code, when two or more contiguous lots are developed as part of a Planned Unit Development.
131. “Lot Area” means the total horizontal area within the lot lines of a lot.
132. “Lot Line” means a property boundary line of record that divides one lot from another lot or a lot from the public or private street right-of-way or easement. Once established, lot lines may not be redefined due to a change of address which would result in a new definition of the prior defined lot lines.
- a. “Lot Line, Front” means the lot line separating a lot and a public or private street right-of-way or easement:
 - i. In the case of an Interior Lot, the front lot line is the line separating the lot from the right-of-way or easement;
 - ii. In the case of a Corner Lot, the front lot line is the shorter lot line abutting a public or private street or easement. In instances of equal line dimension, the front lot line shall be determined by the Building Official, or as may be noted on the final plat.
 - iii. In the case of a Double Frontage lot, the front lot line is the line separating the lot from the right-of-way or easement of the more minor street. In cases where each street has the same classification, the front lot line shall be determined by the Building Official at the time of application for the original building permit for the lot, or as may be noted on the final plat.

- b. “Lot Line, Rear” means the lot line which is opposite and most distant from the front line.
 - c. “Lot Line, Side” means any lot line that is neither a front nor rear lot line. A side lot line separating a lot from a street, private way, or court is a street side lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.
- 133. “Lot Width” means the horizontal distance measured between the side lot lines of a lot, at right angles to its depth along a straight line parallel to the front lot line at the minimum required setback line.
 - 134. “Lumen” means the unit of measure used to quantify the amount of light produced by a lamp or emitted from a luminaire (as distinct from “watt,” a measure of power consumption).
 - 135. “Luminaire” means the complete lighting unit (fixture), consisting of a lamp, or lamps and ballast(s) (when applicable), together with the parts designed to distribute the light (reflector, lens, diffuser), to position and protect the lamps, and to connect the lamps to the power supply.
 - 136. “Luminaire Lumens” means luminaires with relative photometry per IES, it is calculated as the sum of the initial lamp lumens for all lamps within an individual luminaire, multiplied by the luminaire efficiency. If the efficiency is not known for a residential luminaire, assume 70%. For luminaires with absolute photometry per IES LM-79, it is the total luminaire lumens. The lumen rating of a luminaire assumes the lamp or luminaire is new and has not depreciated in light output.
 - 137. “Lux” means the SI unit of illuminance. One lux is one lumen per square meter. 1 Lux is a unit of incident illuminance approximately equal to 1/10 footcandle.
 - 138. “Main Entrance” means that entrance of the building which is most architecturally prominent and contains operable doors. If multiple entrances are equal, the entrance that faces the most used street.
 - 139. “Maintenance Facilities” means a public facility supporting maintenance, repair, vehicular or equipment servicing, material storage, and similar activities including street or sewer yards, equipment service centers, and similar uses having characteristics of commercial services or contracting or industrial activities.
 - 140. “Manufactured Home Dwelling” means a factory-built, single-family dwelling structure which is to be used as a place for human habitation, which is manufactured or constructed under the authority of 42 U.S. 3. Sec. 5403, Federal Manufactured Home Construction and Safety Standards, and which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than to a permanent site, and which does not have permanently attached to its body or frame any wheels or axles. A mobile home constructed to the National Manufactured Home Construction and Safety Standards promulgated by the US Department of Housing and Urban Development is not a manufactured home unless it has been converted to real property and is taxed as a site-built dwelling as is provided in the Code of Iowa, Section 435. For the purpose of any of these regulations, a manufactured home shall be considered the same as a single-family detached dwelling.
 - 141. “Medical Offices” means the use of a site for facilities which provide diagnoses and outpatient care on a routine basis, but which do not provide prolonged, in-house medical

or surgical care. Medical offices are operated by doctors, dentists, or similar practitioners licensed for practice in the State of Iowa.

142. “Mixed-Use” means a single building containing two or more types of land uses; or a single development of more than one building and use, where the different types of land uses are in close proximity, planned as a unified complementary whole, and functionally integrated to the use of shared vehicular and pedestrian access and parking areas.
143. “Mixed-Use Development” means a single development which incorporates complementary land use types into a single development.
144. “Mobile Home” means a building type designed to be transportable in one or more sections, constructed on a permanent chassis or undercarriage, and designed to be used as a dwelling unit or other use with or without a permanent foundation when connected to the required utilities, but not bearing a seal attesting to the approval and issuance of the Iowa Department of Health or conformance to the Manufactured Home Procedural and Enforcement Regulations, as adopted by the US Department of Housing and Urban Development; or not otherwise satisfying the definition of “manufactured home dwelling.”
145. “Mobile Home Park” means a unified development under single ownership, developed, subdivided, planned, and improved for the placement of mobile home units for non-transient use. Mobile home parks include common areas and facilities for management, recreation, laundry, utility services, storage, storm shelter, and other services; but do not include mobile home sales lots on which unoccupied mobile homes are parked for the purposes of display, inspection, sale, or storage.
146. “Motel” see “Lodging.”
147. “Mounting Height” means the height of the photometric center of a luminaire above grade level.
148. “Nonconforming Development” means a building, structure, or improvement which does not comply with the regulations for its zoning district set forth by this Zoning Code, but which complied with applicable regulations at the time of construction. No action can be taken which would increase the nonconforming characteristics of the development.
149. “Nonconforming Lot” means a lot which was lawful prior to the adoption, revision, or amendment of this Zoning Code but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of this Zoning Code. No action can be taken which would increase the nonconforming characteristics of the lot.
150. “Nonconforming Structure” means a structure which was lawful prior to the adoption, revision, or amendment of this Zoning Code but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of this Zoning Code. No action can be taken which would increase the nonconforming characteristics of the structure.
151. “Nonconforming Use” means a land use which was lawful prior to the adoption, revision, or amendment of this Zoning Code but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of this Zoning Code. No action can be taken which would increase the nonconforming characteristics of the land use.
152. “Nuisance” means an unreasonable and continuous invasion of the use and enjoyment of a property right which a person would find annoying, unpleasant, obnoxious, or offensive.

153. “Object” means a permanent structure located on a site. Objects may include statues or artwork, garages or canopies, outbuildings, etc.
154. “Object Height” means the highest point of an entity but shall not include antennas or similar structures.
155. “Open Space” means any area within a single site or lot that is not covered by a building, structure, parking lot, or driveway. Sidewalks and patios may be counted as open space. Open space is an area which serves the need for leisure, recreation, or pedestrian interaction. Spaces may include (but are not limited to) plaza areas, open lawn areas, trails, recreation facilities, gardens, and pedestrian walkways.
156. “Outdoor Lighting” means lighting equipment installed within the property line and outside the building envelopes, whether attached to poles, building structures, the earth, or any other location; and any associated lighting control equipment.
157. “Outdoor Storage” means the storage of materials, parts, or products that are related to the primary use of a site for a period exceeding three days.
158. “Overlay District” means a district established by this Zoning Code to prescribe special regulations to be applied to a site only in combination with a Base Zoning District.
159. “Owner” means an individual, firm, association, syndicate, partnership, or corporation having sufficient proprietary interest to seek the development of land.
160. “Parapet” means a low, solid, protective screening or decorative wall, often used around a balcony, or along the edge of a roof to screen roof equipment.
161. “Parking Facility” means an area on a lot and/or within a building, including one or more parking spaces, along with provision for access circulation, maneuvering, and landscaping, meeting the requirements of this Zoning Code. Parking facilities include parking lots, private garages, and parking structures. Vehicle storage is distinct from parking and is regulated by provisions of Chapter 174 – Access & Parking.
162. “Parking Space” means an area on a lot and/or within a building, intended for the use of temporary parking of a personal vehicle. This term is used interchangeably with “parking stall.” Each parking space must have a means of access to a public street. Tandem parking stalls in single-family detached, single-family attached, and townhouse residential uses shall be considered to have a means of access to a public street.
163. “Parking Structure” means the use of a site for a multi-level building which provides for the parking of motor vehicles on a temporary basis, other than as an accessory to a principal use on the same site.
164. “Paved” means permanently surfaced with poured concrete, concrete pavers, masonry units, brick, or asphalt.
165. “Pawn Shop” means the location at which or premises upon which a pawnbroker regularly conducts business. Pawnbroker is defined in Chapter 124 of this Code of Ordinances.
166. “Pawnbroker” means a person or individual, group of individuals, partnership, association, corporation, or any other business unit or legal entity who for a fee:
- a. Accepts a check, draft, share draft, or other instrument for the payment of money dated subsequent to the date it was written.
 - b. Accepts a check, draft, share draft, or other instrument for the payment of money dated on the date it was written and holds it for a period of time prior to deposit or

presentment pursuant to an agreement with, or any representation made to, the maker of the check, draft, or other instrument whether express or implied.

- 167. “Pet Services” means pet health services and grooming and boarding, when totally within a building, of dogs, cats, birds, fish, and similar small animals customarily used as household pets. Typical uses include pet stores, small animal clinics, dog bathing and clipping salons, and pet grooming shops, but exclude uses for livestock and large animals.
- 168.
- 169. “Permitted Use” means a land use type allowed as a matter of right in a zoning district, subject only to special requirements of this Zoning Code.
- 170. “Photoelectric Switch” means a control device employing a photocell or photodiode to detect daylight and automatically switch lights off when sufficient daylight is available.
- 171. “Planning Commission” means the Planning and Zoning Commission of the City, as authorized pursuant to Chapter 414 of the Code of Iowa.
- 172. “Planned Unit Development” means a development of land which is under unified control and is planned and developed as a whole in a single development operation or programmed series of development stages. The development may include streets, circulation ways, utilities, buildings, open spaces, and other site features and improvements.
- 173. “Plaza” means a public square or an open space.
- 174. “Porch, Unenclosed” means a roofed or unroofed open structure projecting from an exterior wall of a building and having no enclosed features more than 30 inches above its floor other than wire screening and a roof with supporting structure.
- 175. “Postal Facilities” means postal services, including post offices, bulk mail processing, or sorting centers operated by the United States Postal Service.
- 176. “Premises” means a lot, parcel, tract, or plot of land, contiguous and under common ownership or control, together with the buildings and structure thereon.
- 177. “Primary Street Frontage” means the building frontage that corresponds to the main street that provides access to the Primary Building Frontage for the structure or building. In the case of corner lots, both of the streets the building fronts are considered to be Primary Street Frontages.
- 178. “Primary Building Frontage” means the building frontage that is most accessed by patrons or users of the building.
- 179. “Private Garage” means a building for the storage of motor vehicles where no repair service facilities are maintained and where no motor vehicles are kept for rental or sale.
- 180. “Property Line” see “lot line.”
- 181. “Public Assembly” means facilities owned and operated by a public agency or a charitable nonprofit organization accommodating the public for recreation, sports, amusement, religious worship, religious education, or entertainment purposes. Typical uses include civic or community auditoriums, sports stadiums, convention facilities, fairgrounds, incidental sales, and exhibition facilities.
- 182. “Recreational Vehicle” means a vehicle towed or self-propelled on its own chassis or attached to the chassis of another vehicle and designed or used for temporary dwelling, recreational, or sporting purposes. Recreational vehicles include (but are not limited to)

- travel trailers; campers; motor coach homes; converted buses and trucks, snowmobiles, boats, and boat trailers.
183. “Regulation” means a specific requirement set forth by this Zoning Code which must be followed.
184. “Relative Photometry” means photometric measurements made of the lamp plus luminaire, adjusted to allow for light loss due to reflection or absorption within the luminaire. Reference standard: IES LM-63.
185. “Research Services” means establishments primarily engaged in research of an industrial or scientific nature. Typical uses include electronics research laboratories, space research and development firms, testing laboratories, or pharmaceutical research labs.
186. “Restaurant, Drive-In or Fast-Food” means an establishment whose principal business is cooking and preparation of food to sell for consumption within a motor vehicle parked on the premises or within the restaurant building, or any combination thereof, and whose principal method of operation includes the following characteristics as contrasted to a standard restaurant; designed to attract and depend upon a large volume of customers; limited, relatively low-cost menu items; quick-order service at a window or counter, from where the customer generally carries the food to another counter or table for consumption; and most food is served in or on paper, plastic or other disposable containers; and any other restaurant not defined as a standard restaurant.
187. “Restaurant, General” means an establishment whose principal business is cooking and preparation of food to sell for consumption within the restaurant building and whose principal method of operation is characterized by customers being seated by a restaurant employee and provided with an individual menu, and who are served by a restaurant employee at the same table or counter at which food and beverages are consumed; also including cafeteria line service offering a wide selection of main courses and other menu items, including restaurants with limited drive-thru service to customers in a motor vehicle. Delicatessens, establishments whose principal business is the sale of pizza or of ice cream, yogurt, coffee, or milk products are specifically included in the definition.
188. “Residential” means the use of a site for one or more dwelling units.
- a. “Residential, Single-Family Detached” means a single-family residential use in which one dwelling unit is located on a single lot, with no physical or structural connection to any other dwelling unit.
 - b. “Residential, Townhomes” means a townhome residential use with six or more units, in which the dwelling units have a common wall with or abutting one or more adjacent dwelling units in a townhouse structure, with its own front and rear access to the outside, and neither above nor below any other dwelling unit.
 - c. “Residential, Accessory Dwelling Unit” means a non-principal dwelling unit that is separate from the principal dwelling.
 - d. “Residential, Duplex” means a residential use with two dwelling units contained within the same structure. Units do not have to contain a common wall and may be above or below each other.
 - e. “Residential, Multi-Family” means a residential use with more than three units on a single lot in which all units do not contain at least one common wall with another unit. Units do not have to contain a common wall and may be above or below each other. Also known as Residential, Multiple-Family.

- f. “Residential, Downtown” means the use of upper levels above the street level of a building within the Urban Center District of the City for single- or multiple-family residential uses.
189. “Retirement Residence” means a building or group of buildings which provide residential facilities for four or more residents of at least 50 years of age, or households headed by a householder of at least 50 years of age. A retirement residence may provide a range of residential building types and may also provide support services to residents, including (but not limited to) food service, general health supervision, medication services, housekeeping services, personal services, recreation facilities, and transportation services. The retirement residence may accommodate food preparation in independent units or meal service in one or more common areas. Retirement residences with more than 50 living units may include additional health care supervision or nursing care, provided that the number of beds for such residences shall not exceed 25% of the total number of individual living units. Typical uses include continuing care retirement centers.
190. “Recycling Collection” means any site which is used in whole or part for the receiving or collection of any post-consumer, non-durable goods including (but not limited to) glass, plastic, paper, cardboard, aluminum, tin, or other recyclable commodities.
191. “Recycling Processing” means any site which is used for the processing of any post-consumer, non-durable goods including (but not limited to) glass, plastic, paper, cardboard, aluminum, tin, or other recyclable commodities.
192. “Resource Extraction” means a use involving on-site extraction of surface or subsurface mineral products or natural resources, excluding the grading and removal of dirt. Typical uses are quarries, borrow pits, sand and gravel operations, and mining.
193. “Right-of-Way” means an area dedicated for public use or contained in an easement or other conveyance or grant to the City, including (but not limited to) streets, alleys, boulevards, sidewalks, public greenways, and other public property between the lateral property lines in which a roadway lies.
194. “Safety Services” means facilities for the conduct of public safety and emergency services including police and fire protection services and emergency medical and ambulance services.
195. “Salvage Services” means places of business primarily engaged in the storage, sale, dismantling, or other processing of used or waste materials which are not intended for reuse in their original forms. Typical uses include automotive wrecking yards, junk yards, or paper salvage yards.
196. “Screening” means the method by which a view of one site from another adjacent site is shielded, concealed, or hidden. Screening techniques include fences, walls, hedges, berms, or other features as may be permitted by the landscape provisions of this Code.
197. “Secondary Educational Facilities” means a public, private, or parochial school offering instruction at the junior high or high school level in the branches of learning and study required to be taught in the schools of the State of Iowa.
198. “Setback” means the distance, as required by the minimum setback, which establishes the horizontal component of the building envelope.
199. “Short Term Vacation Rental (STVR)” means a lodging service that provides overnight or short-term accommodations to guests and visitors. For the purpose of this definition,

STVRs are always owned and operated by the resident owner of the structure and accommodate each guest or visitor for no more than 14 consecutive days during any one-month period. For the purpose of this definition, the lodging service must be approved by a national accommodation service such as Airbnb, VRBO, or other similar service. To be used as an STVR, property owners shall reside at the residence a minimum of 180 calendar days per year.

200. “Shrub” means a small woody plant generally less than 12 feet in height that is either deciduous or evergreen.
201. “Sign” is any device, display, or structure that is visible from a public place and that has words, letters, figures, designs, symbols, logos, illumination, or projected images. This definition does not include architectural elements incorporated into the structure or façade of a building. For the purposes of this sign code, “signs” do not include those only visible from the inside of a building or athletic field/stadium; nor do “signs” include those held by or attached to a person. Sign regulations are set forth in Chapter 175 of this Zoning Code.
- a. “Sign, Abandoned” means a sign, including sign face and supporting structure, which refers to a discontinued business, profession, commodity, service, or other activity or use formerly occupying the site; or which contains no sign copy on all sign faces for a continuous period of six months.
 - b. “Sign, Attached” means a sign which is structurally connected to a building or depends upon that building for support.
 - c. “Sign, Auxiliary Design Elements” means terms which describe secondary characteristics of a sign, including its method of illumination and other features within the bounds of its basic shape.
 - d. “Sign, Awning” means a temporary or movable shelter supported entirely from the exterior wall of a building and composed of non-rigid materials, except for a supporting framework. An awning sign is a message printed on such a shelter.
 - e. “Sign, Banner” means material with a printed message or graphic secured or mounted from a structure in such a way as to allow wind movement under which pedestrian or vehicle traffic passes but does not include signs or materials under which peoples or traffic do not pass, such as that tied or secured within or to a window or porch opening, or tied or secured flush against a building.
 - f. “Sign, Billboard” means a freestanding sign that is at least 14 feet by 30 feet.
 - g. “Sign, Detached” means a sign which is self-supporting and structurally independent from any building.
 - h. “Sign, Directional” means a sign which serves only to designate the location or direction of any area or place.
 - i. “Sign, Double-Faced” means a sign consisting of no more than two parallel faces supported by a single structure.
 - j. “Sign, Electronic Changeable Copy” means a sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged manually without altering the face or surface of the sign.
 - k. “Sign, Ground” means a detached on-premises sign built on a freestanding frame, mast, or pole with a clearance no greater than 3 feet.

- l. “Sign, Marquee” means a permanent roofed structure attached to and supported by a building and extending over the public right-of-way.
 - m. “Sign, Maximum Permitted Area” means the maximum permitted combined area of all signs allowed on a specific property.
 - n. “Sign, Monument” means an on-premises freestanding sign with the appearance of a solid base. The base shall be at least 75% of the sign.
 - o. “Sign, Moving” means a sign which conveys its message through rotating, changing, or animated elements.
 - p. “Sign, Nonconforming” means a sign that was legally erected prior to the adoption, revision, or amendment of this Zoning Code but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of this Zoning Code. No action can be taken which would increase the nonconforming characteristics of the sign.
 - q. “Sign, Pole” means an on-premises sign, including any flag, built on a freestanding frame, mast, or pole with a clearance greater than 3 feet, and where the support encompasses less than 75% of the width of the sign.
 - r. “Sign, Portable” means any sign supported by frames or posts rigidly attached to bases not permanently attached to the ground or a building and capable of being moved from place to place.
 - s. “Sign, Roof” means any sign or part of a sign erected upon, against, or directly above a roof or on top of or above the parapet or cornice of a building.
 - i. “Integral roof sign” means a roof sign positioned between an eave line and the peak or highest point on a roof, substantially parallel to the face of a building.
 - ii. “Above-peak roof sign” means a roof sign positioned above the peak of a roof or above a parapet or cornice.
 - t. “Sign, Sidewalk” means a portable sign that is placed on the sidewalk close to an establishment. These are traditionally in the shape of an “A” or an inverted “T.”
 - u. “Sign, Temporary” means a sign constructed of cloth, canvas, vinyl, paper, plywood, fabric, plastic, or other lightweight material that is neither permanently installed in the ground nor permanently affixed to a building or structure that is permanently installed in the ground, and which is displayed less than 60 days. The term “temporary sign” includes, but is not limited to, A-frame signs, lawn signs, banners, and inflatable signs. The term “temporary sign” does not include flags and signs that are intended to regularly move, such as a moving sign.
 - v. “Sign, Wall” means a sign attached to and parallel with the side of a building, including works of graphic art painted or applied to building walls.
 - w. “Sign, Window” means a sign painted on or installed inside a window for the purpose of viewing from outside the premises. Window signs do not include messages, signs, or speech hung from or exercised in the interior of the home which are visible from the exterior of the home. Residents may elect for window signs to count towards residential signs or temporary signs.
202. “Sign Area” means the area of the surface of the sign to be measured.

- a. “Signs on a background” require the entire area of the framework or background of the sign.
 - b. “Sign with a base” require the background not including the base.
 - c. “Individually mounted letters or features” requires a rectangle that would encompass each word or feature.
 - d. “Signs with two faces” requires the larger of two faces to be measured.
 - e. “3-D signs” requires 50% of a rectangular prism that encompasses the object.
203. “Site” means the parcel of land to be developed or built upon. A site may encompass a single lot or a group of lots developed as a common development under the special and overlay districts provisions of this Zoning Code.
204. “Site Plan” means a plan, prepared to scale, showing accurately and with complete dimensioning, the boundaries of a site and the location of all buildings, structures, uses, and principal site development features proposed for a specific parcel of land, and which includes any other information that may reasonably be requested by the City in order that an informed decision can be made on the associated request.
205. “Small Wind Energy System” means a wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of not more than 100 kilowatts (kW), and which is intended to primarily reduce on-site consumption of utility-supplied electricity.
206. “Surplus Sales” means businesses engaged in the sale of used or new items, involving regular, periodic outdoor display of merchandise for sale. Typical uses include flea markets and factory outlets or discount businesses with outdoor displays.
207. “Story” means the portion of a building included between the surface of any floor and the surface of the next floor above it or, if there is no floor above it, the space between such floor and the next ceiling above it. A half story is a story under a sloped roof, the wall heights of which on at least two opposite exterior walls are less than four feet.
208. “Street” means a right-of-way dedicated to public use, which affords a primary means of access to the abutting property. This definition is intended to be inclusive of the term as defined in Iowa statutes.
- a. In regard to a site, the principal street shall be the street to which the majority of lots on a blockface are oriented;
 - b. The intersecting street shall be a street other than a principal street.
209. “Street, Local” means a street which is used primarily for access to the abutting properties.
210. “Street, Major” means a street carrying traffic between neighborhoods, connecting neighborhoods with major activity centers, or accommodating major through traffic. Major streets are designated as collectors, arterials, or expressways by the Comprehensive Plan.
211. “Street Façade” means any separate external face of a building, including parapet walls and omitted wall lines, oriented to and facing a public street, private way, or court. Separate faces oriented in the same direction or within 45 degrees of one another are considered part of the same street façade.

212. “Streetscape” means a combination of vegetation, amenities such as bike racks, and special visual features along either side of vehicular travel lanes for the purpose of aesthetics or shade.
213. “Structure” means any object constructed or built, the use of which requires location on the ground or attachment to something located on the ground.
214. “Temporary Use” means a conduct of an activity or the performance of a function or operation on a site or in a building or facility that is not intended to be permanent.
- a. “Temporary Use (Short-term)” means a short-term use with a maximum duration of four consecutive days or less.
 - b. “Temporary Use (Long-term)” means a long-term use in duration of more than four consecutive days but less than six months.
215. “Temporary Structure” means any shed, structure, building, trailer, tent, or enclosure of any kind used for storage, commercial, business, or residential purposes which any person or business intends to place on the same lot with or on any lot immediately adjacent to, any permanent structure used for business or commercial or residential purposes. This term includes “Temporary Portable Storage Container,” which is defined as a large container designed and rented or leased for the temporary storage of commercial, industrial, or residential household goods and that does not contain a foundation or wheels for movement. All other words or phrases shall have the same meaning assigned to them in Chapter 166 of this Code of Ordinances.
216. “Time Switch” means an automatic lighting control device that switches lights according to the time of day.
217. “Tower Height” means the height above grade of the fixed portion of the tower, excluding the wind turbine itself.
218. “Total Extended Height” means the height above grade to a blade tip at its highest point.
219. “Trade Services” means establishments or places of business primarily engaged in the provision of services that are not retail or primarily dedicated to walk-in clientele. These services often involve services to construction or building trades and may involve a small amount of screened, outdoor storage in appropriate zoning districts. Typical uses include shops or operating bases for plumbers, electricians, or HVAC (heating, ventilating, and air conditioning) contractors.
220. “Translucent” means allowing light to pass through, diffusing it so that objects beyond cannot be seen clearly (not transparent or clear).
221. “Transportation Terminal” means a facility for loading, unloading, and interchange of passengers, baggage, and incidental freight or package express, including bus terminals, railroad stations, and public transit facilities.
222. “Truck Terminal” means a facility for the receipt, transfer, short term storage, and dispatching of goods transported by truck.
223. “Unshielded Luminaire” means a luminaire capable of emitting light in any direction including downwards.
224. “Uplight” means for an exterior luminaire, flux radiated in the hemisphere at or above the horizontal plane.
225. “Use” means the conduct of an activity or the performance of a function or operation on a site or in a building or facility.

226. “Utilities” means any above-ground structure or facilities other than lines, poles, and other incidental facilities or installations, either above or below ground, necessary for the production, generation, transmission, delivery, collection, treatment, or storage of water, solid or fluid wastes, storm water, energy media, gas, electronic or electromagnetic signals, or other services which are precedent to development and use of land.
227. “Vertical Illuminance” means illuminance measured or calculated in a plane perpendicular to the site boundary or property line.
228. “Veterinary Services” means veterinary services and hospitals for animals. Typical uses include pet clinics, dog and cat hospitals, pet cemeteries, and veterinary hospitals for livestock and large animals.
229. “Vision-Clearance Triangle” means a triangle with legs of 15 feet from the point at which the curbs or edges of two intersecting streets, private ways, or courts or an intersecting street, private way, or court and driveway, meet at grade.
230. “Warehousing” means uses including open-air storage, distribution, and handling of goods and materials, but not including storage of hazardous materials. Typical uses include monument yards or open storage.
231. “Yard, Required” means that portion of a lot which lies between a lot line and the corresponding building setback line or the required landscape area. This area shall be unoccupied and unobstructed from the ground upward except as may be specifically provided for or required by this Zoning Code.
- a. “Front Yard” means the space extending the full width of a lot, lying between the front lot line and the front setback line. For a corner lot, the front yard shall normally be defined as that yard along a street which meets one of the following two criteria:
 - i. The yard along the blockface to which a greater number of structures are oriented; or
 - ii. The yard along a street that has the smaller horizontal dimension.
 - b. “Rear Yard” means the space extending the full width of a lot, lying between the rear lot line and the rear setback line.
 - c. “Interior Side Yard” means the space extending the depth of a lot from the front to rear lot lines, lying between the side yard setback line and the interior lot line.
 - d. “Street Side Yard” means, on a corner lot, the space extending from the front yard to the rear yard, between the street side yard setback line and the street side lot line.
232. “Zoned Lot” means a parcel of land in single ownership that is large enough to meet the minimum zoning requirements of its zoning district and can provide such yards and other open spaces that are required by the site development regulations.
233. “Zoning District” means a designated specified land classification, within which all sites are subject to a unified group of use and site development regulations set forth in this Zoning Code.

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

CHAPTER 168

ZONING CODE – ZONING DISTRICT REGULATIONS

168.01 Purpose	168.06 Interpretation of District Boundaries
168.02 Establishment of Districts	168.07 Vacation of Streets and Alleys
168.03 Application of Districts	168.08 Permitted Uses
168.04 Development Regulations	
168.05 Zoning Map	

168.01 PURPOSE.

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

168.02 ESTABLISHMENT OF DISTRICTS.

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

<u>BASE ZONING DISTRICT</u>	<u>DISTRICT NAME</u>
R-1	Low Intensity Residential District
R-2	Urban Family Residential District
R-3	Multiple-Family Residential District
MH	Mobile Home Residential District
CC	Community Commercial District
UC	Urban Center District
LI	Limited Industrial District

<u>OVERLAY DISTRICT</u>	<u>DISTRICT NAME</u>
PUD	Planned Unit Development Overlay District
F	Floodplain/Floodway Overlay District

168.03 APPLICATION OF DISTRICTS.

A base district designation shall apply to each lot or site within the City and its planning jurisdiction. Each site must be in one base district. The Planned Unit Development and Floodplain/Floodway Overlay Districts may be applied to any lot or site or any portion thereof, in addition to any base district designation.

168.04 DEVELOPMENT REGULATIONS.

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

168.05 ZONING MAP.

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

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

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

168.06 INTERPRETATION OF DISTRICT BOUNDARIES.

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

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

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

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

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

168.07 VACATION OF STREETS AND ALLEYS.

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

168.08 PERMITTED USES

Table 168-1 – Purposes of Zoning Districts

Symbol	Title	Purpose
R-1	Low Intensity Density Residential	This district is intended to provide for low to medium-density residential neighborhoods, characterized by single-family and two-family dwellings on moderately sized lots with supporting community facilities and urban services. Its regulations apply to established parts of Windsor Heights and to new areas which are developed to higher residential densities. Regulations are intended to minimize traffic congestion and to assure that density is consistent with the carrying capacity of infrastructure.

R-2	Urban Family Residential	This district is intended to provide for medium-density residential neighborhoods, characterized by single-family dwellings on small to moderately sized lots and low-density, multiple-family development. It provides special regulations to encourage innovative forms of housing development. It adapts to both established and newer neighborhoods, as well as transitional areas between single-family and multi-family neighborhoods. Its regulations are intended to minimize traffic congestion and to assure that density is consistent with the carrying capacity of infrastructure.
R-3	Multiple-Family Residential	This district is intended to provide locations primarily for residential multiple-family housing, with supporting and appropriate community facilities. It also permits some nonresidential uses such as offices through a special permit procedure, to permit the development of mixed-use neighborhoods.
MH	Mobile Home Residential	This district recognizes that mobile home development, properly planned, can provide important opportunities for affordable housing. It provides opportunities for mobile home development within planned parks or subdivisions, along with the supporting services necessary to create quality residential neighborhoods.
CC	Community Commercial	This district is intended for commercial facilities which serve the needs of markets ranging from several neighborhoods to the overall region. CC Districts are appropriate at major intersections, at the junction of several neighborhoods, or at substantial commercial sub-centers.
UC	Urban Center	This district recognizes the mixed-use character primarily along the University Avenue corridor, which is the principal route through central Windsor Heights. This district contains a combination of residential, commercial, and office uses and is known for its walkability and main street feel.
LI	Limited Industrial	This district is intended to reserve sites appropriate for the location of industrial uses with relatively limited environmental effects. The district is designed to provide appropriate space and regulations to encourage good quality industrial development while assuring that facilities are served with adequate parking and loading facilities.
Special and Overlay Districts: These districts may be applied to a parcel in combination with a Base Zoning District. Overlay Districts are intended to help the City manage development in areas that exhibit special characteristics or features that warrant a greater differentiation of standards. Special and Overlay Districts include:		
Planned Unit Development District		
Floodplain/Floodway District		
Specific purposes and standards for each Overlay District are detailed in Chapter 169: Special and Overlay Districts.		

Table 168-2 – Permitted Uses by Zoning District

Use Types	R-1	R-2	R-3	MH	CC	UC	LI
Administration	C	C	C	C	P	P	P
Adult Entertainment							C
Agricultural Sales/Service					C		P
Alternative Energy Production Devices	C	C	C	C	C		P
Amateur Radio Tower	P	P	P	P	P	P	P
Animal Production							C
Auto Rental/Sales					P		P
Auto Services					P	C	P
Bars					P	P	P
Bed and Breakfast	C	C	C		P	P	
Body Repair					C		P
Broadcasting Tower					C		C
Business Support					P	P	P
Business/Trade School					P	P	P
Cemetery	C	C	C				
Civic Organizations	C	C	C	C	P	P	
College/University	C	C	C	C	P	C	
Commercial Breeders							P
Commercial Recreation (General)					C	C	P
Commercial Recreation (Limited)					P	P	P
Communications Services					P	P	P
Construction Batch Plant							P
Construction Sales/Service					P		P
Construction Yards							C
Consumer Services					P	P	P
In-Patient Services	C	C	C	C	P	C	
Convenience Storage					C		P
Crop Production							
Cultural Services	C	C	P	P	P	P	P
Custom Manufacturing					C	C	P
Day Care (General)	C	C	P	C	P	P	C
Day Care (Limited)	P	P	P	P	P	P	C

Use Types	R-1	R-2	R-3	MH	CC	UC	LI
Pawn Shop							C
Detention Facilities							C
Emergency Residential	C	C	C	C	P	P	C
Equipment Rental/Sales							P
Equipment Repair							P
Family Home	C	C	P	C		P	
Financial Services			C		P	P	P
Firework Sales							P
Food Sales (Convenience)					P	C	
Food Sales (General)					P	C	
Food Sales (Limited)					P	P	
Funeral Services		C	C		P	P	
Gaming Facility					C	C	
General Industry							C
General Offices			C		P	P	P
General Retail (Large-Scale)					P	C	
General Retail (Small-Scale)					P	P	
Group Care Facility	C	C	P	C	P	P	C
Group Home	C	C	P	P	P	P	
Guidance Services			C		P	P	P
Health Care (Large-Scale)			C		C	C	C
Health Care (Small-Scale)		C	C		P	P	P
Heavy Industry							C
Horticulture					C		
Landfill (Putrescible)							C
Landfill (Non-Putrescible)							C
Laundry Services					P	C	P
Liquor Sales					P	P	
Light Industry							P
Lodging					P	P	
Maintenance Facility							P
Manufactured Housing Residential	P	P	P	P			

Use Types	R-1	R-2	R-3	MH	CC	UC	LI
Medical Offices			C		P	P	P
Mobile Home Park				C			
Off-Street Parking					C	C	P
Parking Structure					C	P	P
Parks/Recreation	P	P	P	P	P	P	P
Pet Services					P	C	P
Postal Facilities					P	P	P
Primary Education	P	P	P	P	P	P	
Public Assembly	P	P	P	P	P	P	
Railroad Facilities							P
Recycling Collection					C		P
Recycling Processing							C
Repair Services							P
Research Services					P	P	P
Residential, Accessory Dwelling Unit	C	P	P				
Residential, Downtown						P	
Residential, Duplex	C	P	P			P	
Residential, Multi-Family		C	P		C	P	
Residential, Single-Family Detached	P	P	P	P		P	
Residential, Townhouse		C	P		C	P	
Resource Extraction							C
Restaurants (Drive-In)					P	C	P
Restaurants (General)					P	P	C
Retirement Residential	C	C	P	C		C	
Safety Services	C	C	P	P	P	P	P
Salvage Services							C
Secondary Education	C	C	C	C	P	P	
Surplus Sales					C	C	P
STVR (Short Term Vacation Rental)	P	P	P	P	P	P	
Trade Services					P	C	P
Transportation Terminal					P	C	P
Truck Terminal							C

Use Types	R-1	R-2	R-3	MH	CC	UC	LI
Utilities	C	C	C	C	P	P	P
Vehicle Storage (Short-term)							P
Vehicle Storage (Long-term)							C
Veterinary Services					P	P	P
Warehousing							C

Note:

P = Uses Permitted by Right

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

Blank = Use Not Permitted

Table 168-3 – Summary of Site Development Regulations

Regulator	R-1	R-2	R-3	MH
Minimum Lot Area (square feet)	7,200	7,200	7,200	See Section 171.02
Minimum Lot Width (feet)	50	50	50	See Section 171.02
Minimum Yards (feet)				
Front Yard	25	25	25	See Section 171.02
Street Side Yard	25	25	25	See Section 171.02
Interior Side Yard	5	5	5	See Section 171.02
Rear Yard	15	15	15	See Section 171.02
Maximum Height (feet)				
Main Building	35	35	35	See

				Section 171.02
Accessory Building	25	25	25	See Section 171.02
Maximum Building Coverage	40%	50%	50%	See Section 171.02
Maximum Impervious Coverage	65%	65%	65%	50%
Maximum Residential Units Per Acre (du/ac)	7.5	10	20	20
Lighting Zone	LZ-1	LZ-1	LZ-2	LZ-2

Regulator	CC	UC	LI
Minimum Lot Area (square feet)	10,000	5,000	10,000
Minimum Lot Width (feet)	50	25	50
Minimum Yards (feet)			
Front Yard	15	0	25
Street Side Yard	15	0	25
Interior Side Yard	10	0	25
Rear Yard	20	10	25
Maximum Height (feet)			
Main Building	60	60	45
Maximum Building Coverage	60%	60%	70%
Maximum Impervious Coverage	80%	N/A	80%
Maximum Residential Units per Acre (du/ac)	20	50	0
Lighting Zone	LZ-3	LZ-3	LZ-2

EDITOR'S NOTE

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

ORDINANCE NO.	DATE ADOPTED	ORDINANCE NO.	DATE ADOPTED
98-1	2-Feb-98		
99-2	5-Apr-99		
2-Jul	16-Jul-07		
3-Sep	6-Apr-09		
19-07	21-Oct-19		

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

CHAPTER 169

ZONING CODE – OVERLAY DISTRICTS

169.01 General Purpose 169.02 Planned Unit Development District

169.01 GENERAL PURPOSE.

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

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

169.02 PLANNED UNIT DEVELOPMENT DISTRICT.

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

1. Permitted Uses. Uses permitted in a PUD Overlay District are those permitted in the underlying base district.
2. Site Development Regulations. Site development regulations are developed individually for each Planned Unit Development District but must comply with minimum or maximum standards established for the base district, with the following exceptions:
 - A. Lot area and lot width are not restricted, provided that the maximum density allowed for each base district is not exceeded.
 - B. Maximum building coverage shall be the smaller of the allowed building coverage in the base district, or 60%.
3. Access to Public Streets. Each PUD District must abut a public street for at least 50 feet and gain access from that street.
4. Adoption of District.
 - A. The Planning and Zoning Commission and City Council shall review and evaluate each Planned Unit Development application. The City may impose reasonable conditions, as deemed necessary to ensure that a PUD shall be compatible with adjacent land uses, will not overburden public services and facilities, and will not be detrimental to public health, safety, and welfare.
 - B. The Planning and Zoning Commission, after proper notice, shall hold a public hearing and act upon each application.

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

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

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

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

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

5. Amendment Procedure. Major amendments to the Development Plan must be approved according to the same procedure set forth in Subsection 4 of this section.

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

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

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

CHAPTER 170

ZONING CODE – DEVELOPMENT AND DESIGN STANDARDS

170.01 Purpose and Scope	170.05 Amendment
170.02 Development and Design Standards	170.06 Site Review Process
170.03 Jurisdiction	170.07 Site Plan Review Requirements
170.04 Validity of Approval	

170.01 PURPOSE AND SCOPE.

The purpose of this Ordinance is to provide guidance and standards for development within the City in order to guide development in a manner which is conducive to protecting the health, safety, and general welfare of residents and property owners within the City. All development and redevelopment of land or property within the City shall minimize adverse effects upon adjacent properties by maintaining or improving upon the aesthetic quality of a surrounding area, and by providing adequate pedestrian and traffic safety, emergency access, water supply, sewage disposal, management of stormwater, and erosion and sediment control. Site Plan review and approval by City Council shall be required for all principal structures other than individual single family detached, duplex, and parking lot as a primary use in any zoning district.

170.02 DEVELOPMENT AND DESIGN STANDARDS.

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

170.03 JURISDICTION.

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

170.04 VALIDITY OF APPROVAL.

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

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

grant an exemption on the time construction shall begin after their approval is given for a utility service structure.

170.05 AMENDMENT.

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

Minor changes include, but are not limited to the following:

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

170.06 SITE REVIEW PROCESS.

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

1. Notice and Hearings.
 - a. Public Hearing. Before submitting its recommendation on a Site Plan to the City Council, the Planning and Zoning Commission shall hold at least one public hearing thereon, notice of which will be given to all property owners within 200 feet whenever possible. Notice shall be published of said hearing in a newspaper of general circulation, as required by, and in conformance with, Iowa law. The notice shall state the place and time at which the proposed amendment to the Ordinance will be held as well as the legal description or address of said property.
2. Submission Requirements. The applicant shall submit a Site Review application and all associated fees with preliminary plans to the Planning Department. The Planning and Zoning Commission is required to review site plans and make a recommendation to the city council. Additionally, the applicant will provide:
 - a. Full name, address, and contact information of the applicant in a reproducible electronic format.
 - b. Full legal description of the property in a reproducible electronic format.
 - c. Name and address of all property owners within 200' of the proposed development in a reproducible electronic format.

3. Applicability. A Site Plan Review shall be required for the following:
 - a. New construction;
 - b. Major reconstruction (more than 30% of the exterior structure is affected);
 - c. Major renovation (more than 30% of the interior structure is affected);
 - d. Changes to parking (more than 30% of the existing area);
 - e. Any Development the Zoning Administrator deems is substantial enough to require oversight by the Planning Commission with Site Plan Review.
4. Pre-application Meeting. The applicant is required to attend a scheduled predevelopment meeting with City staff to review a conceptual Site Plan prior to the submittal of a full Site Plan. Following the predevelopment meeting, the applicant shall submit a complete Site Plan in accordance with the requirements of the Site Plan and any other information determined to be necessary for review at the Planning and Zoning Commission meeting.
5. Elevations. As part of the review process, an applicant shall provide colored architectural elevation drawings for each elevation of the building or buildings proposed for new construction, addition, alteration, or the like.
 - a. The elevation drawings should be provided in 11" by 17" format unless otherwise approved by the Administrative Official.
 - b. Each elevation drawing should include massing dimensions and callouts of the proposed materials indicated on the elevation.
 - c. In the event that accessory structures are proposed as a part of the site plan review process, the Administrative Official shall have the ability to request elevation drawings or colored details of said accessory structures to ensure compliance with the provisions of this ordinance.

170.07 SITE PLAN REVIEW REQUIREMENTS.

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

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

exist as a measurement determined by the City to meet the objectives outlined by the Windsor Heights Comprehensive Plan.

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

1. Narrative Information to be provided:

- A. Name and address of property owner; including telephone and email.
- B. Name and address of applicant; provide if different than the property owner.
- C. Name and address of plan preparer; including telephone and email.
- D. Following City Council or administrative approval, the certification of the Architect and Civil Engineer licensed in the State of Iowa. Include seal, date, and signature on all applicable drawings prior to City Council approval of the Site Plan. Other certification may be requested when appropriate by the Administrative Official.
- E. Certification of a Registered Land Surveyor licensed in the State of Iowa. Include seal, date, and signature on applicable drawings prior to City Council Approval.
- F. Current Zoning of Property. List the property's existing zoning consistent with the City of Windsor Heights' Official Zoning Map. Include any overlay districts the property may be within and the land use identified in the current City of Windsor Heights Comprehensive Plan where the property is located.
- G. Legal Description of Site. Include the plat name and lot number for all new Site Plans.
- H. Total Area of Site. The total area of the site should be indicated in acres and square feet.
- I. Open Space.
 - (1) Indicate the total area of the proposed site in square feet, the area of open space within the site, and its percentage of the total site. The calculation should include all open space pervious areas and permitted pedestrian plazas.
 - (2) The total area of the site reserved for parking facilities, the open space within the defined parking area, and its percentages of the total parking area should be calculated and indicated in square feet.
- J. Pervious and Impervious Surface. Indicate the total area of the proposed site in square feet, the area of pervious surface, and the area of impervious surface including all structures.
- K. Proposed Use of Site. Indicate all proposed uses for the site and building(s) as known at the time of application.
- L. Parking Stalls. The total number of parking stalls required based on the proposed building use(s) of the site should be indicated. If more than one building use is proposed for the site, each individual parking stall requirement should be indicated separately of the total.
- M. Loading Areas. If applicable to the proposed building uses of the site, the number of required and provided loading stalls should be indicated.
- N. Setback Requirements. All setback requirements of the applicable zoning district within which the proposed site is located should be provided.
- O. Special Flood Hazard Area. The 100-year flood elevation should be indicated based on the most recent FEMA FIRM Map.

2. Plan Information.

- A. General and Survey Information.

- (1) North Arrow. Include on Site Plan and all other applicable sketches, drawings, and details.
- (2) Scale of Drawing. A minimum scale of 1" = 30' shall be required.
- (3) Vicinity Sketch. A minimum scale of 1" = 800' shall be used to indicate the properties within 300 feet of the proposed site location. The boundary of the proposed site location should be clearly defined in relation to other properties shown within the vicinity sketch.
- (4) Site Boundary. All property lines shall be delineated with a heavy line.
- (5) Bearing and Distances or Curve Data along Boundary. Information shall be indicated as platted. Any measured information different than platted should be identified.
- (6) Name and address of all Adjoining Property Owners. All property lines adjacent to the proposed site, or across street right-of-way, shall be indicated with the owner and/or subdivision name(s) in addition to any adjoining lot numbers, as appropriate.
- (7) Existing Features. All existing physical features shall be indicated on the Site Plan including but not limited to plant materials, drainage ways, structures, fences, and any encroachments. Projects involving numerous existing features may be requested to submit a demolition, removal, or relocation plan as determined to be most beneficial.
- (8) Soil Tests and Similar Information. Soil tests and similar information may be required to determine the feasibility of the proposed development in relation to the design standards set forth herein.
- (9) Topography. The existing and proposed topography shall be indicated with a maximum of two (2) foot intervals. Spot elevations may also be required at the request of the Administrative Official.
- (10) Limits of Phased Construction. If the site is to be developed in more than one phase, the limits of each proposed construction/development phase shall be indicated, including all facets of the phasing proposed.
- (11) Additional Information. Drawings or other materials necessary to describe a proposed project may be requested by the Planning and Zoning Commission or Administrative Official. The applicant may include additional information or materials such as sketches, videos, models, or photos if they help explain the proposal.

B. Building Footprint.

- (1) Footprint. An accurate representation of the proposed building(s) footprint(s), including exterior structures incorporated into the building mass and proposed internal demising walls known at the time of application.
- (2) Size. Include the total square footage of each proposed floor, the number of floors, and the amount of finished area on each floor including any proposed basement area. For all multi-family and townhome proposals, the total number of units proposed for each building footprint should be indicated.
- (3) Entryways. The location of all proposed entries, service doors, and overhead doors.
- (4) Mechanical Units. Indicate the proposed location and type of all proposed ground mechanical units including air conditioning units, telephone pedestals, transformers, coolers, or other similar units.
- (5) Trash Enclosures. Indicate the proposed location of all trash enclosures for the site and provide a detail of the structure for review.

C. Building Façade

- (1) Façade Material. Indicate the proposed materials on each building.
- (2) Façade Coverage. The percentage of the façade that each material covers will be indicated on the site plan and conform to design standards within the respective zoning district.

D. Pedestrian Circulation.

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

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

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

E. Streets and Access.

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

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

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

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

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

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

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

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

(4) Shared Access.

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

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

F. Parking and Loading Areas.

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

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

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

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

G. Lighting.

(1) A lighting plan should be provided with all site plans indicating the location, type, height, power rating, and any shielding methods required of all existing and/or proposed lighting fixtures. The lighting shall follow all applicable City ordinances including Dark-Sky standards. See Chapter 172.13 Lighting.

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

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

H. Lighting Standards.

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

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

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

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

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

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

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

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

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

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

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

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

I. Lighting Design.

(1) Required Lamps – Generally, all lamps shall be halogen, metal halide, LED, or others with similar qualities to reduce glare and provide for improved color correct vision. Full cut-off high pressure sodium lamps, not exceeding a maximum lumen rating of 16,000 lumens, may be used in outdoor storage areas where the need for good color rendering capabilities for safety and security is not necessary. Such areas shall not be accessible to the general public or adjacent to R-1, R-2, & R-3 zoned property.

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

(3) Commercial and Industrial Architectural and Decorative Lighting.

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

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

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

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

(4) Site and Parking Lot Lighting.

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

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

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

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

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

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

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

(7) Pedestrian Walkway Lighting. All pedestrian walkways shall be lit by pedestrian-level, bollard-type lighting (4 ft. height max.), ground mounted lighting, pole lighting (12 ft. height max.), or other low, glare-controlled fixtures that are mounted on building or landscape walls. University Avenue lighting should be followed as above.

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

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

a. Airport lighting required by law.

b. Temporary emergency lighting.

c. Temporary lighting, other than security lighting, at construction projects.

d. Governmental facilities where a compelling need for safety and security has been demonstrated.

e. Lighting for flag poles, church steeples, or other similar non-commercial items provided they do not cause distraction within public rights-of-way.

J. Signage.

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

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

K. Landscaping.

(1) Common and scientific names for all proposed plant material.

(2) Quantity, height/caliper/gallon size (as applicable) of all proposed plant material.

(3) Location of all proposed plant materials.

(4) Number of ground cover plants per square foot to be planted, and/or pounds of seed per 1,000 square feet and species/characteristics of grass in all areas to be seeded.

(5) Location, size, and species of all existing plant material to remain. This includes a diagram and/or tree survey noting the location, size, and species of existing trees and shrubs.

(6) Location of retaining walls, fences, utility easements, existing and proposed structures, and parking areas.

(7) Plant installation details.

(8) Drainage areas.

(9) All proposed trees and plantings of any existing trees larger than six inches in diameter to be removed.

(10) All landscaping necessary for the fulfillment of all City Ordinances shall be indicated on the Site Plan and will conform to Chapter 173 of this Ordinance.

CHAPTER 171

TEMPORARY USES AND STRUCTURES

171.01 Purpose	171.06 General Regulations
171.02 Temporary Uses and Structures	171.07 Specific Requirements for Related Areas
171.03 Compliance with Chapter Provisions	171.09 Conditions of Approval
171.04 Permit Required	171.10 Fees
171.05 Prior Determination for Temporary Use Permit Approved	171.11 Violations and Penalties

171.01 PURPOSE.

The Supplemental Use Regulations set forth additional standards for certain uses located within the various zoning districts. These regulations recognize that certain use types have characteristics that require additional controls in order to protect public health, safety, and welfare. These regulations complement the use regulations contained in Chapter 168 of this Code of Ordinances.

171.02 TEMPORARY USES AND STRUCTURES.

These regulations are intended to prescribe the conditions under which limited duration activities (e.g., Christmas tree sales, pumpkin sales, landscape material sales, grand openings, special events, etc.) may be conducted. The intent is to allow for the temporary storage, display, and marketing of merchandise on a seasonal basis in an attractive manner to serve the desires of the general public but prevent the creation of any nuisance or annoyance to the occupants of adjacent buildings, premises or property, and the general public. It is also the intent to establish minimum standards for the operation of temporary uses in a manner that will provide for the health, safety, and welfare of the patrons, employees, the general public, etc. that may utilize or be affected by the establishment of the temporary use.

1. Exemptions.

- a. Garage sales. The casual and occasional sales of used household goods by the owner thereof to the public, on a non-receiving basis, if the seller, at the time of the sale, is not engaged for profit in the business of selling goods of that or a similar nature, so long as such sales are not conducted in excess of three consecutive days and no more than two times annually.

171.03 COMPLIANCE WITH CHAPTER PROVISIONS.

No temporary use or structure permit shall be issued except for when hereinafter provided.

171.04 PERMIT REQUIRED.

The following uses are eligible for a temporary permit, provided they meet the following criteria and obtain prior approval from the Zoning Administrator. No temporary use shall occur, and no temporary structures shall be erected, without first obtaining a permit from the Zoning Administrator. All permits are subject to approval by the Zoning Administrator. Further, the

Zoning Administrator may impose certain reasonable requirements as may be required to prevent any negative impact to surrounding properties. City sponsored events are exempt from these requirements.

1. Construction Office. If a building permit has been issued for the construction of a new building on the same property or if a contractor has another non-building related construction project, the applicant may also apply for a temporary use permit for the purpose of installing any temporary structures used as temporary office, shop, or storage on the property provided they directly relate to the new construction activity and the temporary structure is removed upon completion of the construction project. Specific uses under this category may include the following:
 - a. Real estate offices and model homes;
 - b. Any structure used for construction offices, workshops, and storage;
2. Any other construction-related uses not specified in this section which, in the opinion of the Zoning Administrator, are similar to the uses listed in this section.
 - a. Special Events. These uses are intended to serve special events such as grand openings, parking lot sales, group assembly activities, etc. These uses typically involve the use of a tent, outdoor shelter, or any other enclosure and temporary structure. Garage sales are exempt from these provisions, provided they do not occur any more frequently than one 3-day event per 180-day period. Garage sales occurring more frequently shall be considered a commercial retail sales business in a residential zone, which is prohibited. Specific uses under this category may include the following:
 - i. Parking lot sales, sidewalk sales (private sidewalks only), clearance sales, or other temporary uses which, in the opinion of the Zoning Administrator, are similar to the uses listed in this section. (For purposes of this section, the term “sidewalks” does not apply to outside areas adjacent to sidewalks that were specifically built for outside sales.)
 - ii. Grand openings and special events, and grand openings which are not sponsored by the City or Chamber.
 - iii. Group assembly activities not sponsored or endorsed by the City (e.g. carnivals, fairs, rodeos, sports events, concerts, and shows).
 - b. Temporary food and beverage uses must meet the requirements of Chapter 183. (Subsection D – Ord. 18-03 – Apr. 18 Supp.)
 - c. Any other event related uses not specified in this section which, in the opinion of the Zoning Administrator, are similar to the uses listed in this section.
3. Seasonal Related. These uses typically involve the erection or setup of a temporary structure in order to display seasonal goods and wares. This does not include the sale of fireworks. These permitted uses and any related structures expire upon the completion of the season or at another specified date. Specific uses under this category may include the following:
 - a. Retail sales of Christmas trees and pumpkins.
 - b. Retail sale of agricultural products and landscape nursery material, unless the establishment sells and is zoned for sales of similar materials.
 - c. Nurseries and greenhouses.

- d. Any other seasonal related uses not specified in this section which, in the opinion of the Zoning Administrator, are similar to the uses listed in this section.

171.05 TEMPORARY USE PERMIT APPROVAL.

The Zoning Administrator shall only approve an application for a temporary use permit if all of the following findings can be made:

1. The proposed temporary use will be compatible with adjacent uses and will not adversely affect the surrounding neighborhood by means of odor, noise, dust, or other nuisance.
2. The additional parking required by the temporary use will be provided on site, if applicable, or adequate street parking is available in the immediate area.
3. Increased traffic caused by the temporary use will not adversely affect the surrounding neighborhood or City at large.
4. The proposed temporary use is consistent with the comprehensive plan, this Code of Ordinances, and all City and State regulations.

171.06 GENERAL REGULATIONS.

Each temporary use shall be described in a permit issued by the Zoning Administrator prior to commencement of the use. This permit shall be in addition to all other licenses, permits, or approvals otherwise required by any governmental entity. Each temporary use shall adhere to the following regulations.

1. Length. The temporary use shall be defined as either short-term or long-term.
 - a. "Temporary Use (Short-term)" means a short-term use is a use with a maximum duration of four consecutive days or less.
 - b. "Temporary Use (Long-term)" means a long-term use in duration of more than four consecutive days but less than six months.
2. Parking Spaces.
 - a. The number of additional parking spaces required, if any, and the location of such additional parking spaces, for the temporary activity shall be determined by the Zoning Administrator. The number of permanent parking spaces allowed to be used under the short-term temporary use permit shall be reviewed and determined by the Zoning Administrator.
 - b. The maximum number of permanent parking spaces allowed to be used for the operation of a long-term temporary use shall not exceed 20% of the parking on a site plan that was approved by the City to be counted toward the allowable size of the long-term temporary use or 20% of the site area, whichever is more restrictive.
3. Signs.
 - a. Non-illuminated detached signs.
 - A. Amount.
 1. A maximum of two detached signs.
 - B. Size.
 1. The total size area much be below 60 square feet.

2. Each sign may have a maximum size area of 30 square feet.
4. Cleanliness.
 - a. All sites shall be completely cleaned of debris and temporary structures including (but not limited to) trash receptacles, signs, stands, poles, electric wiring, or any other fixtures and appurtenances or equipment connected therewith, within five days after the termination of the sale or special event.
 - b. A bond or cash deposit in the amount of five hundred dollars (\$500.00) shall be deposited with the City to assure adequate cleanup of activities that occur on vacant or undeveloped lots, and/or involving the construction or placement of temporary structures. The bond for long-term temporary food and beverage uses shall be in the amount of seven hundred fifty dollars (\$750.00). Activities located in fully developed shopping centers will be exempt from bonding, with the exception of uses that involve the construction or placement of a temporary structure, and any long-term temporary food and beverage facilities shall be required to post a bond or cash deposit. The Zoning Administrator may waive this requirement for normal and customary uses incidental complementary to the principal use.
5. Sanitary facilities.
 - a. Sanitary facilities, either portable or permanent, shall be made available to all employees, attendants, and participants of the activity during its operational hours, as approved by the Zoning Administrator in concurrence with the City Engineer and County Health Department unless stipulated otherwise in this chapter. If the restroom facilities are located within an adjacent building, the written authorization of the owner of the adjacent building shall be required specifically stating that the restroom facilities will be made available to the employees, attendants, and participants at all times during the hours of operation of the temporary use activity.
6. General Regulations.
 - a. No area of public right-of-way may be used without obtaining approval from the Zoning Administrator, who will confer with the Chief of Police, Fire Chief, Public Works Director, and the City Administrator.
 - b. Proof of ownership or a signed letter, either from the property owner or an authorized representative for the property on which the activity is to take place, shall be presented at the time the temporary permit is requested.
 - c. All temporary structures including, but not limited to, greenhouses, trailers, mobile homes, signs, etc., shall conform to the zoning setback requirements unless stated otherwise in this chapter. Temporary structures are also subject to permit requirements as set forth in Chapter 152 of this Code of Ordinances.
7. Application Requirements. Applications for the temporary use shall be accompanied by the prescribed number of copies of a project plan and such other detailed elevations, plans, and other information as may be required to adequately evaluate the proposed use. A plan of the layout of the proposed use shall be submitted to the City with the application on a base plan prepared in accordance with the site plan requirements of the City. The proposed layout of the garden center area may be drawn onto a copy of a

previously approved site plan for the temporary use permit submittal. The layout plan shall identify the following:

- a. Area. The area on the site proposed to be utilized as part of the temporary use and associated sales areas.
 - A. Delineate how different areas will be used.
- b. Traffic.
 - A. Proposed modifications to the traffic patterns and methods proposed to notify patrons and identify the temporary traffic pattern changes, i.e., signage, traffic cones, fencing and barriers, etc.
 - B. Proposed vehicle loading zone.
 - C. Proposed temporary barriers or corrals with an architectural elevation, photo, or sketch of the barriers' proposed construction.
- c. Location of Facilities.
 - A. Electrical connection
 - 1. Overhead power connection with a minimum clearance above a grade of 14 feet;
 - 2. Installation of an underground conduit; or
 - 3. Other method acceptable to the City. The use of an overhead connection shall only be allowed in those areas where overhead electrical service currently exists in the area. Use of extension cords, cables, or wires, whether lying on the ground or otherwise connected to a power source, is expressly prohibited for long-term garden center uses. An electrical permit shall be obtained prior to any electrical installation or connection.
 - B. Water connection
 - C. The applicant shall provide, as determined by the Zoning Administrator, adequate facilities for the disposal of trash, waste, pallets, and display racks.
 - D. Restroom facilities shall be provided at all times during the temporary use activity.
- d. Indemnification and Proof of Insurance.
 - A. The owner or operator of any long term temporary use shall provide evidence of comprehensive general liability coverage and contractual liability insurance by an insurance company licensed to do business in the State of Iowa in the limits of at least \$1,000,000.00 for each personal injury accident and/or death; \$1,000,000.00 for each aggregate personal injury and/or death; and \$1,000,000.00 for each property damage accident. The evidence shall name the City as a coinsured and shall state that it cannot be canceled or materially altered without giving the City at least 30 days written notice by registered mail, return receipt requested. The owner or operator of a temporary garden center or the property owner shall execute an agreement, acceptable to the City, which indemnifies and holds harmless the City from any and all liability, damages, claims, costs, expenses, interest, and reasonable

attorney fees relating to the temporary use and associated facilities on the property.

- e. Removal. At the expiration of the temporary use permit, any structures, barricades, shelving, pallets, leftover merchandise, or other facilities associated with the temporary use shall be removed from the site.
- f. Safety Standards. In order to promote the safety of the patrons of these facilities, the following shall be required:
 - A. Bulk material shall be neatly and safely stacked.
 - B. All sales areas shall be separated from vehicular uses by the placement of a fence or barrier acceptable to the Zoning Administrator to prevent pedestrian and vehicular conflicts. If a barrier is of an open nature where patrons can reach through and obtain access to the merchandise, a four foot walkway shall be located adjacent to the barrier to prevent patrons from standing outside the barrier in traffic ways to shop.
 - C. The door openings for any greenhouses, shade structures, or similar enclosures shall have a minimum ten-foot setback from drive aisles where an opening in the barrier is provided aligned with the door of the structure.
- 8. Where openings in the barriers occur for pedestrian access, sight visibility shall be maintained so that vehicles can clearly see pedestrians approaching the opening from a distance of no less than 50 feet.
- 9. Temporary drive aisles shall be maintained at a minimum 24-foot width for two-way traffic and shall be delineated by the placement of traffic barriers, fencing, or some other physical marker that clearly informs drivers of the end of the parking area and the start of the drive aisle. A clear line of sight shall be maintained at the entrance and exit of the temporary drive aisles.
- 10. Vehicle loading areas shall be located in an area that minimizes pedestrian and vehicle conflict and provides for the safe loading of merchandise and vehicle access to and from the traffic lanes to the loading area, preferably without backing movements.

171.07 SPECIFIC REQUIREMENTS FOR RELATED AREAS.

- 1. Construction Office
 - a. Construction Offices and Related Structures.
 - A. Zoning.
 - 1. The use and structure are allowed in any zoning district. All requirements such as, but not limited to, setbacks, landscaping, parking, etc. are required to be complied with.
 - B. Maximum Duration.
 - 1. 24 months.
 - C. Amount.
 - 1. Limited to one per property and located entirely within the property boundaries.
- 2. Special Event.
 - a. Zoning.

- A. The use is allowed in any zoning district.
 - B. Events occurring in an R-1, R-2, or R-3 District shall occur between 7:00 a.m. to 10:00 p.m. except with the approval of the Chief of Police; all other zones as determined by the Zoning Administrator.
 - b. Maximum Duration.
 - A. Four consecutive days, not to exceed four events in a 12-month period.
- 3. Seasonal Related.
 - a. Retail Sales of Christmas Trees and Pumpkins.
 - A. Zoning.
 - 1. The use is allowed in any zoning district.
 - B. Maximum Duration.
 - 1. Forty (40) calendar days prior to December 25 for Christmas tree sales; October 1 through November 1 for pumpkin sales.
 - b. Agricultural Produce Stands.
 - A. Zoning.
 - 1. The use is allowed in any zoning district.
 - B. Termination.
 - 1. Stands and displays shall be removed when not used for a period of 30 consecutive days.
 - c. Retail Sales of Landscape Nursery Materials.
 - A. Zoning.
 - 1. The use is allowed in the CC, UC, and LI Zoning Districts.
 - B. Termination.
 - 1. Stands and displays shall be removed when not used for a period of 30 consecutive days.
- 4. Other structures or uses determined to be consistent with the intent of this subsection, with the approval of the Zoning Administrator.

171.08 CONDITIONS OF APPROVAL.

The Zoning Administrator may impose such conditions on a temporary use permit as is necessary to meet the purposes of this section and protect the public health, safety, and welfare and adjacent uses.

171.09 FEES.

The application fee for a temporary use permit shall be in the amount as established from time to time by resolution of the Council, payable each year of operation.

171.10 VIOLATIONS AND PENALTIES.

The operation of a temporary use is a privilege allowed by this section. Failure to maintain a temporary use in compliance with the conditions of approval and the regulations of this section shall constitute a nuisance and may be punished as set forth in Chapter 50 of this Code of Ordinances. A written notice of a violation of the temporary use permit shall be sent to the operator of the temporary use and the property owner, if different than the operator, and the

operator shall have a maximum of five (5) days, as determined by the Zoning Administrator, to bring the site into compliance. If the operator fails to correct the violation in the prescribed time, the City may revoke the temporary use permit and issue a cease and desist order for the temporary use. There shall also be a one-year moratorium from that date on the issuance of any other temporary use permits on the property and a one-year probationary period for the second year following the violation. During the probationary period, if the operator of a temporary use fails to maintain the premises and the use in conformance with the conditions of approval and this Code, after the notification procedures noted above, the City may revoke the temporary use permit and no other temporary use permits shall be issued on the property for a period of two (2) years.

DRAFT

**CHAPTER 172
ZONING CODE –
SUPPLEMENTAL SITE DEVELOPMENT REGULATIONS**

172.01 Purpose	172.07 Accessory Structure
172.02 Mobile Home Parks	172.08 Outdoor Storage
172.03 Commercial Uses	172.9 Setback Adjustments
172.04 Performance Standards for Industrial Uses	172.10 Height Exceptions
172.05 Maximum Permitted Sound Levels Adjacent to Residential Zoning Districts	172.11 Small Wind Innovation Zone Ordinance
Table 172.05-1 Maximum Permitted Sound Levels at Residential Boundaries	172.12 Fence Regulations
172.06 Accessory Uses	172.13 Outdoor Lighting
	172.14 Building Façade
	172.15 Parkland Dedication

172.01 PURPOSE.

The Supplemental Site Development Regulations recognize the existence of special conditions that cannot comply literally with the site development regulations set out for each zoning district. Therefore, these regulations qualify or modify the district regulations of this Zoning Code and provide for specific areas of exception.

172.02 MOBLIE HOME PARKS.

Mobile Home Parks in the MH District. Mobile home parks are permitted in the MH District as conditional uses, subject to approval by the Board of Adjustment. Following the effective date of this Zoning Code, no mobile home shall be located outside of a mobile home park. A mobile home park is subject to the approval of a special use permit and compliance with the following regulations:

1. Certification. A certification of compliance with all ordinances and regulations regarding mobile home licensing, zoning, health, plumbing, electrical, building, fire protection, and any other applicable requirements shall be required of all mobile home parks.
2. Minimum and Maximum Area. A mobile home park shall be considered to be one zoned lot. The minimum contiguous area of a mobile home park shall be 100,000 square feet.
3. Density Requirements.
 - a. The maximum gross density of a mobile home park shall be 10 units per acre.
 - b. The minimum size of an individual mobile home space shall be 3,500 square feet for singlewide mobile home units and 5,000 square feet for doublewide mobile home units.
 - c. Each mobile home space shall have a width of at least 40 feet wide and a length of at least 75 feet.
4. Site Development Standards.
 - a. Setbacks. Each mobile home park shall have a minimum perimeter setback of 35 feet from adjacent nonresidential uses and 50 feet from adjacent residential

uses. No space for a dwelling unit or any other structure shall be permitted in the required setback.

- b. **Setback Landscaping.** All area contained within the required setbacks except sidewalks and private drives shall be landscaped and screened in conformance with Chapter 173 of this Zoning Code. Screening shall be provided in conformance with Chapter 173 for any common property line with another nonresidential use.
 - c. **Impervious Coverage.** Impervious coverage for a mobile home park shall not exceed 50% of the total site area.
 - d. **Open Space.** Each mobile home park shall provide a minimum of 400 square feet of open recreational space per unit. Such space shall be provided at a central location accessible from all parts of the park by pedestrians. Required perimeter setbacks or buffers shall not be credited toward the fulfillment of this requirement.
 - e. **Separation Between Mobile Home Units.** The minimum separation between a mobile home unit and attached accessory structure and any other mobile home units and/or accessory structure shall be 20 feet.
 - f. **Separation and Setbacks for Accessory Buildings.** An accessory building on a mobile home space shall maintain a minimum rear and side yard setback of five feet. A minimum distance of ten feet shall be provided between any mobile home and an unattached accessory building.
5. **Street Access and Circulation Requirements.**
- a. **Access to Public Street.** Each mobile home park must abut and have access to a dedicated public street with a right-of-way of at least 60 feet. Direct access to a mobile home space from a public street is prohibited.
 - b. **Vehicular Circulation.** The mobile home park must provide interior vehicular circulation on a private internal street system. The minimum interior street width shall be 27 feet. The street system shall be continuous and connected with other internal and public streets or shall have a cul-de-sac with a minimum diameter of 90 feet. No such cul-de-sacs may exceed 300 feet in length.
 - c. **Separation between Units and Circulation Areas.** The minimum distance between a mobile home unit and any attached accessory structure and the pavement of an internal street or parking area shall be ten feet.
 - d. **Sidewalks.** Each mobile home park shall provide a sidewalk system to connect each mobile home space to common buildings or community facilities constructed for the use of its residents; and to the fronting public right of way. Sidewalk width shall be at least five feet.
 - e. **Street and Sidewalk Standards.** All internal streets and sidewalks shall be hard-surfaced. Electric street lighting is required along all internal streets.
 - f. **Parking Requirements.** Each mobile home park must provide at least one off-street parking stall for each mobile home space.
6. **Tornado Shelters.** Underground or other approved tornado shelters shall be provided in the mobile home park. Such shelter or shelters shall be built according to the recommendations of the Civil Defense Authority and be large enough to meet the specific needs of the park and its residents.

7. Utilities.
 - a. All mobile home parks shall provide individual units and common facilities with an adequate, piped supply of hot and cold water for both drinking and domestic purposes; and standard electrical service, providing at least one 120-volt and one 240-volt electrical service outlet to each mobile home space.
 - b. Complete sanitary and sewer service shall be provided within each mobile home park in accordance with this Code of Ordinances.
 - c. Properly spaced and operating fire hydrants shall be provided for proper fire protection within each mobile home park in accordance with this Code of Ordinances.
 - d. All electric, telephone, gas, and other utility lines shall be installed underground.
8. Financial Responsibility. Each application for a mobile home park shall include a demonstration by the developer of financial capability to complete the project, and a construction schedule.
 - a. Completion Schedule. Construction must begin on any approved mobile home park within one year of the date of approval by the Planning and Zoning Commission. Such construction shall be completed within two years of approval unless otherwise extended by the Planning Commission.

172.03 COMMERCIAL USES.

1. Auto Service, Repair, Equipment Repair, Body Repair, Convenience Stores, and Gas Stations.
 - a. Where permitted in commercial districts, all repair activities, including oil drainage, lifts, and other equipment, must take place within a completely enclosed building. Outdoor storage is permitted only where incidental to auto repair and body repair, provided that such storage is completely screened so as not to be visible from residential areas or public rights-of-way. Screening is subject to provisions of Chapter 173 of this Zoning Code.
 - b. Any spray painting must take place within structures designed for that purpose and approved by the Building Official.
 - c. All gasoline pumps shall be set back at least 15 feet from any right-of-way line.
2. Automobile and Equipment Rental and Sales.
 - a. All outdoor display areas for rental and sales facilities shall be hard-surfaced.
 - b. Body repair services are permitted as an accessory use to automobile rental and sales facilities, provided that such repair services shall not exceed 25% of the gross floor area of the building.
3. Convenience Storage. When permitted in the CC and LI Districts, convenience storage facilities shall be subject to the following additional requirements:
 - a. The minimum size of a convenience storage facility shall be two acres.
 - b. Activities within the facility shall be limited to the rental of storage cubicles and the administration and maintenance of the facility.
 - c. All driveways within the facility shall provide a paved surface with a minimum width of 25 feet.

- d. All storage must be within enclosed buildings and shall not include the storage of hazardous materials.
- e. No storage buildings may open into required front yards.
- f. Facilities must maintain landscaped buffer yards of 35 feet adjacent to any public right-of-way and 20 feet adjacent to other property lines unless greater setbacks are required by Chapter 173.

172.04 PERFORMANCE STANDARDS FOR INDUSTRIAL USES.

The following performance standards apply to all industrial uses permitted within an LI Limited Industrial zoning district:

1. Physical Appearance. All operations shall be carried on within an enclosed building except that new materials or equipment in operable condition may be stored outside. Normal daily inorganic wastes may be stored outside in containers, provided that such containers are not visible from the street.
2. Fire Hazard. No operation shall involve the use of highly flammable gases, acids, liquids, or other inherent fire hazards. This prohibition shall not apply to the normal use of heating or motor fuels and welding gases when handled in accordance with the regulations of Polk County and the City of Windsor Heights.
3. Maximum Permitted Sound Levels Adjacent to Residential Zoning Districts. No operation in the LI District shall generate sound levels in excess of those specified in Table 172.06-1 at the boundary of a residential district. All noises shall be muffled so as not to be objectionable because of intermittence, beat frequency, or shrillness.
4. Sewage and Wastes. No operation shall discharge into a sewer, drainage way, or the ground any material which is radioactive, poisonous, detrimental to normal sewer plant operation, or corrosive to sewer pipes and installations.
5. Air Contaminants. No material may be discharged into the air from any source in such quantity as to cause injury, detriment, nuisance, or annoyance to any considerable number of people or to the public in general; or to endanger the health, comfort, or safety of any considerable number of people or to the public in general; or to damage other businesses, vegetation, or property.
6. Odor. The emission of odors determined by the Planning and Zoning Commission to be obnoxious to most people shall be prohibited. Such odors shall be measured at the property line of the operation.
7. Gases. No release of noxious or poisonous gases shall be permitted except as provided in this section. Measurements of sulfur dioxide, hydrogen sulfide, or carbon monoxide shall not exceed 5 parts per million taken at the property line of the operation.
8. Vibration. All machines shall be mounted to minimize vibration. No measurable vibration shall occur at the property line of the operation which exceeds a displacement of 0.003 inch.
9. Glare and Heat. All glare generated by a use shall be shielded or directed so as not to be visible at the property line of the operation. No heat may be generated from an operation that raises the air temperature at the property line of the operation by more than five degrees Fahrenheit above the ambient air temperature.
10. Storage of Chemical Products. If allowed by special use permit, any above or below ground storage of liquid petroleum products or chemicals of a flammable or noxious nature shall not exceed 150,000 gallons when stored on one lot less than one acre. Such storage shall not

exceed 25,000 gallons in any one tank. Storage of liquid petroleum products or chemicals of a flammable or noxious nature in excess of 25,000 gallons shall be located at least 50 feet from any structure intended for human habitation and at least 200 feet from any Residential, Office, or Commercial zoning district.

172.05 MAXIMUM PERMITTED SOUND LEVELS ADJACENT TO RESIDENTIAL ZONING DISTRICTS.

Table 171.06-1 displays the maximum permitted sound levels that may be generated by uses in the CC, UC, or LI zoning districts where adjacent to residential zoning districts. All measurements shall be taken at or within the boundary between the originating district and the adjacent residential zoning district with a sound level meter meeting American National Standards Institute (ANSI) specifications for a Type II or better general purpose sound level meter. The A-weighted response shall be used.

Table 172.05-1 – Maximum Permitted Sound Levels At Residential Boundaries

Originating Zoning District	Time	Maximum One Hour LEQ* (dBA)
CC, UC	7:00 a.m. – 10:00 p.m.	60
	10:00 p.m. – 7:00 a.m.	50
LI	7:00 a.m. – 10:00 p.m.	65
	10:00 p.m. – 7:00 a.m.	50
*LEQ (or equivalent continuous sound level) is the constant sound level that, in a given situation and time period, conveys the same sound energy as the actual time-varying A-weighted sound. It is the average sound level and accurately portrays the sound the human ear actually hears.		

172.06 ACCESSORY USES.

1. Home-Based Businesses; Home Occupations. Each home-based business shall register with the City, on a form established by the Zoning Administrator. Home-based businesses and home occupations are permitted as an accessory use in residential units subject to the following conditions:

- a. External Effects.
 - A. There shall be no change in the exterior appearance of the building or premises housing the home occupation other than signage permitted within this section.
 - B. No noise, odors, bright lights, electronic interference, storage, or other external effects attributable to the home occupation shall be noticeable from any adjacent property or public right-of-way.

- C. A home occupation that is run within a detached accessory building shall be approved by the Board of Adjustment in accordance with these zoning regulations. All “external effects” criteria in subparagraphs (1), (2), (4), (5), and (6) of this paragraph A are applicable for the detached accessory building. Signage is not allowed upon the detached accessory building.
- D. Mechanical or electrical equipment supporting the home occupation shall be limited to that which is self-contained within the structure and normally used for office, domestic or household purposes.
- E. No outdoor storage of materials or equipment used in the home occupation shall be permitted, other than motor vehicles used by the owner to conduct the occupation. Parking or storage of heavy commercial vehicles to conduct the home occupation is prohibited.
- F. No home occupation shall discharge into any sewer, drainage way, or the ground any material which is radioactive, poisonous, detrimental to normal sewer plant operation, or corrosive to sewer pipes and installations.
- b. Employees. The home occupation shall employ no more than one full time or part time employee on site other than the residents of the dwelling unit.
- c. Extent of Use. For all residential zoning districts, a maximum of 30% of the floor area of the dwelling may be devoted or used for a home based business/home occupation, inclusive of any attached garage or detached accessory buildings used for the home occupation.
- d. Signage. Signage designating the home occupation shall be consistent with regulations for zoning districts set forth in Chapter 175 of this Zoning Code.
- e. Traffic Generation.
 - a. Delivery or service by commercial vehicles or trucks over ten tons gross empty weight is prohibited for any home-based business located on a local street.
- f. Nuisance. No home occupation shall be noxious, offensive, or hazardous due to vehicular traffic generation or emission of noise, vibration, smoke, dust or other particulate matter, odorous matter, heat, humidity, glare, refuse, radiation, or other objectionable emissions that would cause an adverse impact on the neighborhood, as determined by the zoning administrator.

172.07 ACCESSORY STRUCTURE.

- 1. Accessory structures are enclosed, covered, or walled structures that are customarily incidental and subordinate to the principal use or structure. The accessory buildings and structures include free standing garages, trash enclosures, sheds, play structures, underground shelters, and above-ground and in-ground pools and hot tubs.
- 2. Standards.
 - a. Construction. No accessory structure shall be constructed upon a lot until the construction of the principal building has been commenced, and no accessory structure shall be used if the principal building has not completed construction within a 2 year period.
 - b. Setback. Structures shall maintain a minimum distance of five feet from any lot lines, alley lines, and adjoining lots.

- A. Must have a greater front yard setback than the primary structure.
- c. Height. All structures shall have a maximum height of 25 feet.
- d. Zoning. Must comply with all underlying standards set forth in Chapter 168.
- e. Exempt Structures.
 - A. Unwalled structures under 120 square feet in size and under 15 feet in height.
 - 1. This does not include carports or concrete slabs.

172.08 OUTDOOR STORAGE.

Outdoor storage is prohibited in all zoning districts except the LI Limited Industrial zoning district, except as provided in this section.

- 1. Outdoor storage is permitted where incidental to auto services, equipment repair, and body repair, provided that such storage is completely screened at property lines by an opaque barrier, as set forth in Chapter 173 Landscaping and Screening Standards. This provision shall apply to any auto services, equipment repair, or body repair use established after the effective date of this Zoning Code.

172.09 SETBACK ADJUSTMENTS.

- 1. Allowable Encroachments Into Setback
 - a. Architectural projections, including roofs which cover porches, enclosed porches, windowsills, belt courses, cornices, eaves, flues, and chimneys, and ornamental features may project three feet into a required yard.
 - b. Terraces, patios, and attached features must be set back at least five feet from an adjacent side lot line, ten feet from the rear lot line, or 20 feet from any street property.
 - c. Fire escapes, fireproof outside stairways, and balconies opening to fire towers may project a maximum of 4.5 feet into a required rear or interior side yard, provided that they do not obstruct the light and ventilation of adjacent buildings.
 - d. In commercial districts, a canopy may extend into a required front yard, provided that the canopy is set back at least five feet from the front property line, covers less than 15% of the area of the required front yard, and has a vertical clearance of at least 8 feet, 6 inches.
- 2. Setback Adjustments.
 - a. Setbacks on Built-Up Blockfaces. These provisions apply if 40% or more of the buildings on that blockface have front yard setbacks different from those required for the specific district.
 - A. If a building is to be built on a parcel of land within 100 feet of existing buildings on both sides, the minimum front yard shall be the mean setbacks of the adjacent buildings.
 - B. If a building is to be built on a parcel of land within 100 feet of an existing building on one side only, the minimum front yard shall be the setback of the adjacent building.

- C. If a building is to be built on a parcel of land not within 100 feet of an existing building on either side, then the minimum front yard shall be the mean setback of all existing buildings on the blockface.
 - D. No setback adjustment pursuant to this section shall create a required front yard setback more than five feet greater than that otherwise required by the applicable zoning district.
 - b. Corner Lots. Required setbacks shall not reduce the buildable width of any corner lot to less than 24 feet. Appropriate setback adjustments shall be allowed to maintain this minimum width.
- 3. Rear Yard Exceptions – Residential Uses. When an irregular lot is used for residential purposes, the rear yard may be measured as the average horizontal distance between the building and rear lot line, provided that the minimum setback shall not be less than 60% of the rear yard required by the zoning district.
- 4. Double Frontage Lots. Residentially zoned double frontage lots on a major street, and with no access to that street, may have a 25-foot minimum front yard setback along said street. All other double frontage lots must provide full front yard setbacks from each adjacent street.
- 5. Satellite Antennas.
 - a. Antennas with a surface area over 6.3 square feet which are accessory to a primary use and are designed to receive and transmit electromagnetic signals, or to receive signals from satellites, shall not be located within any front yard of the primary use.
 - b. Such antennas shall be located no less than 15 feet from the property line of an adjacent property within a residential zoning district.
- 6. Vision Clearance Triangle. No structure, including a fence, shall be built to a height of more than three feet above the established curb grade on the part of the lot bounded by the street lines of the streets which intersect and a line connecting a point on each of such lines 30 feet from their point of intersection. No landscaping shall be planted in such area which will materially obstruct the view of drivers approaching the street intersection. However, in no case shall there be any interference with the required sight distance as determined by the Department of Engineering.

172.10 HEIGHT EXCEPTIONS.

These provisions allow exceptions to the height limit of any zoning district in certain situations.

- 1. Vertical Projections. Chimneys, cooling towers, building mechanical equipment, elevator bulkheads, fire towers, grain elevators, non-parabolic receiving antennas, tanks, solariums, steeples, penthouses not exceeding 25% of total roof area, flag poles, stage towers or scenery lofts, and water towers may be built to any height in accordance with existing and future ordinances. Such structures shall not extend into the approach zones, clear zones, or other restricted air space required for the protection of any public airport.
- 2. Amateur Radio Towers and FCC Pronouncements.
 - a. Radio towers, antennas, and other appurtenances operated by licensed amateur radio operators, where and when permitted, may not exceed 75 feet in height. This height has been determined by the City to reasonably accommodate amateur service

communications and further represents the minimum practicable regulation to accomplish legitimate municipal land use regulation purpose, as recognized under published guidelines of the Federal Communications Commission.

- b. Special instances may require that amateur radio tower heights exceed 75 feet to achieve effective and reliable communications. In such cases, the Council may grant a special use permit to a licensed amateur radio operator for a specific tower height that exceeds 75 feet. In determining whether to grant such permission, the Council shall consider the federal guidelines contained in PRB-1 (Amateur Radio Preemption, 101 FCC 2d (1985), codified at C.F.R. Section 97.15(e).

- c. Such radio towers shall not be located within any front yard of the primary use.

3. Broadcast Towers. Broadcast towers, when operated by a federally licensed commercial or nonprofit organization, may be built to any height in accordance with existing and future ordinances, subject to the approval of a conditional use permit. This exception does not apply to radio towers, antennas, and other appurtenances operated by licensed amateur radio operators.

3. Small Wind Energy Systems. Small wind energy systems as outlined in 172.11.

172.11 SMALL WIND INNOVATION ZONE ORDINANCE

The purpose of this regulation is to promote the safe, effective, and efficient use of small wind energy systems installed to reduce the on-site consumption of utility-supplied electricity.

1. Findings. The City of Windsor Heights finds that wind energy is an abundant, renewable, and nonpolluting energy resource and that its conversion to electricity will reduce our dependence on nonrenewable energy resources and decrease the air and water pollution that results from the use of nonrenewable energy sources. Distributed small wind energy systems will help diversify the state's energy portfolio. Small wind energy systems also make the electricity supply market more competitive by promoting customer choice. The State of Iowa has enacted a number of laws and programs to encourage the use of small-scale renewable energy systems, including net metering, sales tax exemptions, property tax exemptions, production tax credits, and the Small Wind Innovation Zone program.
2. Permitted Use. Small wind energy systems shall be a permitted use in all zoning classifications where structures of any sort are allowed, subject to certain requirements as set forth below. The City of Windsor Heights may require the installer of the small wind energy system, or the owner of the property upon which the system will be installed, to obtain a building permit for the system, if required by City of Windsor Heights code.

- a. Tower height and setback. The base of the small wind energy system tower shall be set back from all property lines, public right of ways, and above ground public utility lines at a distance no less than 115% of the total extended height of the tower. Towers shall be allowed closer to a property line than its total extended height if the abutting property owner(s) grants written permission, provided that the tower installation complies with the other applicable setbacks herein provided. As long as the total extended height meets the setback requirements in this section, there shall be no specific height limitation, except as imposed by Federal Aviation Administration

regulations as stated in section 4.3.

b. Requirement for engineered drawings/approval and soil studies.

A small wind energy system of greater than 20 kW, or a small wind energy system mounted on a structure other than a free-standing tower, shall not be erected in the City of Windsor Heights unless the plans and specifications for the system have received the stamped approval of an Iowa registered engineer. In lieu of obtaining the stamped approval of an Iowa registered engineer for each small wind energy system of 20 kW or less mounted on a free-standing tower, a manufacturer may submit its standard plans and specifications for a 20 kW system on a free-standing tower, including its soils study and foundation plans for such system, for a one-time review and stamped approval by an Iowa registered engineer as suitable for construction in any soil condition that exists in the State of Iowa. If such one-time stamped approval is obtained, that manufacturer may thereafter construct such small wind energy systems of 20 kW or less in the City of Windsor Heights, utilizing the approved soils study and foundation plans for the 20 kW small wind energy system, without obtaining and presenting the stamped approval of an Iowa registered engineer for each such installation.

c. Compliance with Federal Aviation Administration Regulations (FAA). No small wind

energy system shall be constructed, altered, or maintained so as to project above any of the imaginary airspace surfaces described in FAR Part 77 of the FAA guidance on airspace protection.

d. Safety. Any climbing foot pegs or rungs below 12 feet of a freestanding tower shall

be removed to prevent unauthorized climbing. For lattice or guyed towers, sheets of metal or wood may be fastened to the bottom tower section such that it cannot readily be climbed.

e. Sound. Sound produced by the small wind energy system under normal operating conditions, as measured at the property line, shall: a) not produce sound at a level that would constitute a nuisance; and b) comply with any local ordinance regulating the volume of sound as a nuisance, if applicable. Sound levels, however, may be exceeded during short-term events out of anyone's control, such as utility outages and/or severe wind storms.

f. Compliance with National Electric Code. Building permit applications for small wind

energy systems shall be accompanied by a line drawing of the electrical components, as supplied by the manufacturer, in sufficient detail to allow for a determination that the design and manner of installation conforms to the state National Electric Code.

g. Utility Notification. No small wind energy system shall be installed until evidence has been given that the utility company has authorized interconnection of the small wind energy system to its electric distribution or transmission, under an agreement approved by and subject to regulation adopted by the Iowa Utilities Board. Properties not

connected the public utility system shall be exempt from this requirement.

- h. Insurance. A person seeking a building permit to erect a small wind energy system

shall provide evidence, in the form of a certificate of insurance satisfactory to the City of Windsor Heights showing general liability insurance coverage for the installation and operation of the system under a standard homeowner's or standard business owner's insurance policy, separate and distinct from any insurance requirements of a public utility.

- i. Abandonment. If a wind turbine is inoperable for six consecutive months, the owner shall be notified that they must, within six months of receiving the notice, restore the small wind energy system to operating condition. If the owner fails to restore the system to operating condition within the six-month time frame, it shall be considered abandoned and the owner shall be required, at the owner's expense, to remove the small wind energy system. A small wind energy system that has been abandoned may be abated as a public nuisance.

- j. Signage. No signs, other than appropriate warning signs or standard manufacturer's or installer's identification signage, shall be displayed on a wind generator, tower, building, or other structure associated with a small wind energy system, subject to local sign regulation if any.

- k. Lighting. No illumination of the turbine or tower shall be allowed unless required by the FAA or unless allowed by applicable City of Windsor Heights ordinance.

172.12 FENCE REGULATIONS.

1. General Requirements

- a. Location Restriction. No fence shall be built on any lot or tract outside of the property owner's surveyed lot lines. If a fence is erected along the property lines the owner installing the fence must ensure there is a permanent means for maintaining both sides of the fence subject to state and local ordinances.

- A. No landscape retaining wall shall be installed within two feet of the lot line of another property that is in excess of 24" without first conducting a consultation meeting with the City's stormwater coordinator and the adjoining property owner.

- b. Vision Clearance Triangle. No fence permitted or required by this Zoning Code or other sections of this Code of Ordinances shall be built within the vision clearance triangle, formed by the adjacent curb lines of two intersecting streets and a line connecting points 30' on each leg from their point of intersection; or otherwise in any manner create a traffic hazard or obstruction to visibility.
- c. Facing. The finished surfaces or decorative side of any fence shall face toward adjacent properties and street frontage. If no finished side can be determined, the support side shall face the interior.
- d. Prohibited Materials. A fence or wall may not be designed to cause pain or injury to humans or animals. Therefore, the use of spikes, broken glass, barbed wire, electric, razor wire, nails, electrical charge, or other similar materials shall be prohibited.

- e. Sidewalk. Fences may not be constructed within two feet of a public sidewalk.
 - f. Easements. No fence may be allowed to be constructed, built, or located over a public easement unless otherwise noted in this ordinance or approved by the zoning administrator.
 - g. Overland flowage easements.
 - A. Fences may encroach into an overland flowage easement providing measures are taken to make certain that the fence does not restrict the water flow, cause siltation buildup, etc.
 - B. Permitted fence material includes chain link, wrought iron fencing, picket style fencing that is at least 30% open, or other fencing styles that are at least 30% open.
 - C. Solid fencing shall be elevated a minimum of 6" through the swale part of the easement to allow water flowage.
 - h. Miscellaneous. Fences which enclose public or institutional parks, playgrounds, or schoolyards in residential areas shall be of open type not exceeding 6' in height except as required for recreational purposes such as baseball backstop when a limited section(s) of open fence up to 10' in height is allowed, where necessary to provide for such backstop or similar purposes.
2. Temporary Construction and Maintenance Fences. Unless otherwise approved by the City or zoning administrator, any temporary fences shall be removed if construction ceases for a period of six months or upon the issuance of an occupancy permit, including temporary occupancy.
- a. Height. The maximum height of a fence for any construction shall be 8' feet.
3. Residential Fences. Fences constructed within residential districts or on land used for residential purposes are subject to the following provisions:
- a. Height. The maximum height of a fence within a front yard or street side yard setback shall be 4'. The maximum height for any fence outside of a required front yard shall be 6' and is measured from the property grade.
 - A. Exception for Street Side Yards. On corner lots, a fence built parallel to the street side yard line but in complete conformance with all other regulations of this code based upon sight clearance and set back from the sidewalk for ADA compliance may have a maximum height of six feet.
 - b. Materials. Fences shall be constructed of wood, PVC/ resin, stone, wrought iron, masonry, or chain link materials only. Wood fences shall utilize standard building lumber only.
 - c. Location restrictions. Fences may not be constructed on lots unless a primary building is in place.
4. Nonresidential fences.
- a. Height. The maximum height of a fence for any permitted use in a nonresidential district shall be 8'.

(Ord. 15-06 – Nov. 15 Supp.)

172.13 OUTDOOR LIGHTING

1. General Requirements
 - a. Location Restriction.
2. Applicability. Except as described below, all outdoor lighting installed after the date of effect of this Ordinance shall comply with these requirements. This includes, but is not limited to, new lighting, replacement lighting, or any other lighting whether attached to structures, poles, the earth, or any other location, including lighting installed by any third party.
 - a. Exceptions.
 - A. Lighting within public right-of-way or easement for the principal purpose of illuminating streets or roads. No exemption shall apply to any lighting within the public right of way or easement when the purpose of the luminaire is to illuminate areas outside the public right of way or easement.
 - B. Lighting for public monuments and statues.
 - C. Underwater lighting for pools or water features.
 - D. Low voltage landscape lighting controlled by an automatic device that is set to turn the lights off at one hour after the site is closed to the public or at a time established by the Zoning Administrator.
 - E. Lighting solely for signs. See Chapter 175 Sign Regulations
 - F. Repairs to existing luminaires not exceeding 50% of total installed luminaires.
 - G. Temporary lighting.
 - H. Lighting for emergency conditions.
 - I. Lighting specified or identified in a conditional use permit.
 - J. Lighting required by federal or state law.
3. Lighting Control Requirement
 - a. Automatic Switching Requirements
 - A. Controls shall be provided that automatically extinguish all outdoor lighting when sufficient daylight is available using a control device or system such as a photoelectric switch, astronomic time switch or equivalent functions from a programmable lighting controller, building automation system or lighting energy management system, all with battery or similar backup power or device.
 - b. Automatic Lighting Reduction Requirements
 - A. Outdoor lights shall be set to be reduced by at least 30% or extinguished by 12:00 am.
 1. Exceptions. Lighting reductions are not required for any of the following:
 - a. With the exception of landscape lighting, lighting for residential properties including multiple residential properties not having common areas.
 - b. When the outdoor lighting consists of one luminaire.

- c. Code required lighting for steps, stairs, walkways, and building entrances.
- d. When in the opinion of the Authority, lighting levels must be maintained.
- e. Motion activated lighting.
- f. Lighting governed by special use permit in which times of operation are specifically identified.
- g. Businesses that operate on a 24 hour basis.

4. Residential properties

- a. For residential properties including multiple residential properties not having common areas, all outdoor luminaires shall be fully shielded and shall not exceed the allowed lumen output in Table 172.14-03.
- b. Low voltage landscaping lighting shall be aimed away from adjacent properties.
- c. Shielding directional flood lighting aimed so that direct glare is not visible from adjacent properties.
- d. Exceptions.
 - A. Lighting installed with a vacancy sensor, where the sensor extinguishes the lights no more than 15 minutes after the area is vacated.
 - B. Open flame gas lamps.

Table 172.13-01 Purposes of Lighting Zones

Zone	Overview
LZ-0: Limited lighting	Areas where lighting might adversely affect flora and fauna or disturb the character of the area. Lighting may be used for safety and convenience but it is not necessarily uniform or continuous.
LZ-1: Low ambient lighting	Areas of human activity where the vision of human residents and users is adapted to low light levels. Lighting may be used for safety and convenience, but it is not necessarily uniform or continuous.
LZ-2: Moderate ambient lighting	Areas of human activity where the vision of human residents and users is adapted to moderate light levels. Lighting may typically be used for safety and convenience, but it is not necessarily uniform or continuous.
LZ-3: Moderately high ambient lighting	Areas of human activity where the vision of human residents and users is adapted to moderately high light levels. Lighting is generally desired for safety, security, and/or convenience and it is often uniform and/or continuous.
LZ-4: High ambient lighting	Areas of human activity where the vision of human residents and users is adapted to high light levels. Lighting is generally considered necessary for safety, security and/or convenience and it is mostly uniform and/or continuous.

Table 172.13-02 Lighting Zones for Districts

Zoning District	Lighting Zone
R-1, R-2	LZ-1
R-3, MH, LI	LZ-2
CC, UC	LZ-3

Table 172.13-03 Maximum Allowed Luminaire Lumens

Lighting Application by Maximum Allowed Luminaire Lumens	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Unshielded luminaires at one entry	N/A	420 lumens	630 lumens	630 lumens	630 lumens
Fully shielded luminaire lumens	N/A	630 lumens	1,260 lumens	1,260 lumens	1,260 lumens
Unshielded luminaire excluding main entry	N/A	315 lumens	315 lumens	315 lumens	315 lumens
Landscape lighting	N/A	630 lumens	1,050 lumens	2,100 lumens	2,100 lumens
Shielded directional flood lighting	N/A	630 lumens	1,260 lumens	2,100 lumens	2,100 lumens
Low voltage landscape lighting	N/A	N/A	525 lumens	525 lumens	525 lumens

5. Non-residential properties. Non-residential may follow either the Prescriptive Method or the Performance Method listed below

- a. Prescriptive Method

- A. Total Site Lumen Limit

1. The total installed initial luminaire lumens of all outdoor lighting shall not exceed the total site lumen limit. The total site lumen limit shall be determined using either the Parking Space Method 174.14-04 or the Hardscape Area Method 174.14-05. Only one method shall be used per permit application, and for sites with

existing lighting, existing lighting shall be included in the calculation of total installed lumens. The total installed initial luminaire lumens is calculated as the sum of the initial luminaire lumens for all luminaires.

B. Limits to Off Site Impacts

1. All luminaires shall be rated and installed according to Table 174.14-06.

- a. Less than 2 mounting heights shall be mounted with the backlight portion of the light output oriented perpendicular and towards the property line of concern.

C. Light Shielding for Parking Lot Illumination

1. All parking lot lighting shall have no light emitted above 90 degrees.

Table 172.13-04 Allowed Total Initial Luminaire Lumens per Site for Non-residential Outdoor Lighting, Per Parking Space Method

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
350 lms/space	490 lms/space	630 lms/space	840 lms/space	1,050 lms/space

Table 172.13-05 Allowed Total Initial Luminaire Lumens per Site for Non-residential Outdoor Lighting, Hardscape Area Method

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
0.5 lumens per SF of Hardscape	1.25 lumens per SF of Hardscape	2.5 lumens per SF of Hardscape	5.0 lumens per SF of Hardscape	7.5 lumens per SF of Hardscape

Table 172.13-06 Maximum Allowable Backlight, Uplight, and Glare (BUG) Rating

	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Allowable Backlight Rating					
Greater than 2 mounting heights from property line	B1	B3	B4	B5	B5
1 to less than 2 mounting heights from property line	B1	B2	B3	B4	B4
0.5 to 1 mounting heights from property line	B0	B1	B2	B3	B3
Less than 0.5 mounting height to property line	B0	B0	B0	B1	B2
Allowable Uplight Rating	U0	U1	U2	U3	U4
Allowed % light emission above 90° for street or Area lighting	0%	0%	0%	0%	0%
Allowable Glare Rating	G0	G1	G2	G3	G4
Any luminaire not properly oriented with 1 to less than 2 mounting heights to any property line of concern	G0	G0	G1	G1	G2
Any luminaire not properly oriented with 0.5 to less than 1 mounting heights to any property line of concern	G0	G0	G0	G1	G1

Any luminaire not properly oriented with less than 0.5 mounting heights to any property line of concern	G0	G0	G0	G0	G1
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b. Performance Method

A. Total Site Lumen Limit

1. The total installed initial luminaire lumens of all lighting systems on the site shall not exceed the allowed total initial site lumens. The allowed total initial site lumens shall be determined using Table 172.13-07. For sites with existing lighting, existing lighting shall be included in the calculation of total installed lumens. The total installed initial luminaire lumens of all is calculated as the sum of the initial luminaire lumens for all luminaires.

B. Limits to Off Site Impacts

1. All luminaries shall be rated and installed according to 172.13-06 OR
2. The entire outdoor lighting design shall be analyzed using industry standard lighting software including inter-reflections in the following manner:
 - a. Input data shall describe the lighting system including luminaire locations, mounting heights, aiming directions, and employing photometric data tested in accordance with IES guidelines. Buildings or other physical objects on the site within three object heights of the property line must be included in the calculations.
 - b. Analysis shall utilize an enclosure comprised of calculation planes with zero reflectance values around the perimeter of the site. The top of the enclosure shall be no less than 33 feet (10 meters) above the tallest luminaire. Calculations shall include total lumens upon the inside surfaces of the box top and vertical sides and maximum vertical illuminance (footcandles and/or lux) on the sides of the enclosure.
 - c. The design complies if
 - i. The total lumens on the inside surfaces of the virtual enclosure are less than 15% of the total site lumen limit; and
 - ii. The maximum vertical illuminance on any vertical surface is less than the allowed maximum illuminance per 172.13-08.

Table 172.13-07 Allowed Total Initial Site Lumens

Lighting Zone	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Allowed Lumens Per SF	0.5	1.25	2.5	5.0	7.5
Allowed Base Lumens Per Site	0	3,500	7,000	14,000	21,000

Table 172.13-08 Allowed Total Initial Site Lumens

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
0.05 FC or 0.5 LUX	0.1 FC or 1.0 LUX	0.3 FC or 3.0 LUX	0.8 FC or 8.0 LUX	1.5 FC or 15.0 LUX

172.14 BUILDING FAÇADE

1. Applicability. Except as described below, all façade requirements and materials are to be subject to their respective zoning requirements as listed by the zoning district design regulations.
2. Façade Material. All building façade materials that face the primary street will need to be included within the defined groups of façade materials allowed to be used within each zoning district. The Façade Material groups are the following within this definitive list:
 - a. Grade A Materials
 - A. Brick
 - B. Natural Stone
 - C. Glass
 - D. Stucco
 - E. Architectural Grade Precast Panels
 - b. Grade B Materials
 - A. Wood
 - B. Metal Wall Panel Systems
 - C. Textured Concrete Panels
 - D. Fiber Cement Panels and Lap Siding
 - c. Grade C Materials
 - A. Vinyl Siding
 - B. Corrugated Metal Wall Panels
 - C. Concrete Block
 - D. Smooth Tip-up Panels
 - d. Not Listed Here
 - A. Any material that is being proposed to be used as a material for a proposed development must supply the City with descriptive information on the material including but not limited to:
 1. The name of the material
 2. Provider of the material

3. Longevity of material as it will be used
 4. Description of look, color, and accent to the building
 5. Any other information requested by City Staff, Planning & Zoning Commission, or City Council
3. Façade Coverage. The percentage of the façade that each material covers will conform to design standards within the respective zoning district and any additional condition listed further within this section.
- a. In the UC – Urban Center District
 - A. The primary street facing façade on the first floor of any structure on University Avenue, excluding windows or doorways on that façade, will require a minimum of 75% of the material used on that façade must be brick.
 1. For corner lots on University Avenue, both the street facing façade on University Avenue and the street facing façade on the connecting street to University Avenue must meet the UC – Urban Center District primary street facing façade material requirements.
 - B. Façades facing the primary street that are not on the first floor of the structure may use Grade A and/or Grade B materials.
 - C. Façades not street facing may use Grade A and/or Grade B materials for those façades.
 - b. In the CC – Community Commercial District:
 - A. The primary street facing façade will require a minimum of 50% of Grade A Materials.
 1. For corner lots that exist within the CC – Community Commercial District, both street facing façades must meet the primary street facing façade material minimum requirement.
 - B. The remainder of the building on all sides can utilize Grade B and Grade C materials with a maximum of 10% of the total of each façade being Grade C materials.
4. The Zoning Administrator will be responsible for the initial determination of the general compliance with these criteria for a proposed development. Through the Site Plan review process, the Planning & Zoning Commission and City Council will make the final determination on the materials requested and their compliance with this code section.

172.15 PARKLAND DEDICATION

1. Applicability. Any developer who seeks to develop or redevelop land for residential purposes within the City shall be required to dedicate public parkland. No new plats or site plans for residential development shall be approved unless and until the provisions of this Chapter are complied with. For the purposes of this section, residential development is defined as the combination and/or redevelopment of existing lots, new multi-family developments, and new mixed-use development.

- a. The dedicated public parkland may include waterways and ponds, provided the area of such waterways and ponds is not used to satisfy the amount of public parkland required in Section 172.15.3 Computation of Amount of Public Parkland Required.
 - b. Where proposed subdivisions abut undeveloped lands, the dedicated public parkland shall be located adjacent to the subdivision boundaries with the undeveloped land, at the discretion of the City Council, to allow the public parkland to be increased in size when the adjacent property develops.
 - c. The development of private recreational amenity space shall not be used to satisfy parkland dedication requirements.
 - d. The City reserves the right to not accept land that in its discretion is not useable or consistent with city plans and/or policies.
 - e. Alternative to Development of Public Parkland. If a developer does not desire to dedicate public parkland required in Section 172.15.3 Computation of Amount of Public Parkland Required, the developer may make a request to the City Council that the developer be allowed to meet the requirements of such section through other arrangements agreeable to the City Council and the developer as long as such agreement provides equal value to the city. Such arrangements shall be made between the City Council and the developer in the form of a Development Agreement. The determination of equal value shall be based on the most recent City appraisal study or County.
2. Exceptions. The following shall be exempted from the requirements of this Chapter:
- a. Alterations or expansion of an existing building where no additional residential units are created and where the use is not changed.
 - b. The construction of accessory buildings or structures.
 - c. The replacement of a destroyed or partially destroyed building or structure with a new building or structure of the same use and the same number of units.
 - d. Construction of a new single-family home, structure, or building on an existing, platted lot.
 - e. The installation of a replacement manufactured or mobile home.
 - f. The construction of any nonresidential building or structure or the installation of a nonresidential manufactured or mobile home.
 - g. The construction of a residential care facility, assisted living facility, nursing facility, or continuing care facility.
 - h. Any claim of exemption shall be made no later than the time of application for a preliminary plat approval or a building permit, whichever occurs first. Any claim not so made shall be deemed waived.

3. This Section shall prescribe the minimum amount of space to be provided in a proposed development for use as a public park. Such space shall be required to be provided for by a developer who seeks to develop land within the City by submitting a plat or site plan for approval.

a. The amount of public parkland required in a proposed development shall be computed as follows:

A. Residential Occupancy per Living Unit. In determining the anticipated occupancy for the proposed development, it shall be assumed that the following dwellings will accommodate the following number of individuals:

Land Use Type (Unit)	Individuals Per Residential Living Unit
Dwelling, Single-Unit	2.5 Individuals
Dwelling; Two, Three, or Four Unit; Townhouse,	2.0 Individuals
Dwelling; Apartment or Live-Work Unit	1.5 Individuals
Manufactured or Mobile Home	1.5 Individuals

B. Public Parkland per Individual. In determining the space required for public parkland in a proposed development, it shall be required that five (5) acres of recreational space be provided for every 1,000 individuals. Since some developments will not house 1,000 individuals, the space requirement is to be applied on a per-individual basis. Therefore, .005 acres of public parkland shall be provided for each individual proposed to be housed in the new development based on the assumptions contained above.

C. The following is an example of a calculation using the previous sections above for illustration purposes only:

1. For a multi-family development intended for rental ownership, the following formula would be utilized:

a. If the development would have 125 units, then the calculation based on the information above would be as follows:

(number of units) x (1.5 individuals/unit) x (.005
acres/individual)

In this example, the developer would be required to dedicate at least 0.9375 acres of public parkland within the proposed development.

$$125 \text{ Units} \times 1.5 \times .005 = 0.9375 \text{ acres}$$

CHAPTER 173 ZONING CODE – LANDSCAPING AND SCREENING STANDARDS

173.01 Purpose	173.06 Screening Standards
173.02 Applicability	173.07 Screening Standards of
173.03 Landscaping Requirements	Dumpsters and Recycling Areas
173.04 Planting requirements	173.08 Landscaping Materials and Installation Standards
173.05 Buffer Yard Provisions	

173.01 PURPOSE.

The Landscaping and Screening Regulations provide guidance on the development of sites within the City by addressing landscaping and screening requirements. They are designed to improve the appearance of the community, buffer potentially incompatible land uses from one another, and conserve the value of properties within the City.

173.02 APPLICABILITY.

The provisions of this chapter apply to all new development or redevelopment of land on each lot or site upon application for a building permit, except for the following:

1. Reconstruction or replacement of a lawfully existing use or structure following a casualty loss of less than 50% of the total value.
2. Remodeling, rehabilitation, or improvements to existing uses or structures which do not substantially change the location of structures, parking, or other site improvements.
3. Additions or enlargements of existing uses or structures which increase floor area or impervious coverage area by less than 20%. Where such additions or enlargements are 20% or greater, these provisions apply only to that portion where the new development occurs.

173.03 LANDSCAPING REQUIREMENTS.

1. Landscaping shall be required adjacent to each street property line and within street yards as set forth in Table 173-3 Screened Buffer Yard Requirements.
2. Ground Cover. All areas without buildings, paving, or hard surfaces shall be landscaped with grass or continuous plant beds containing shrubs and flowering perennials.
 - a. No mow and low maintenance yards may be utilized in all areas except within parking lots, and street rights-of-way.
 - A. No mow and low maintenance yards shall: Not contain any noxious weeds outlined in Chapter 317 of the Iowa Code.
 - B. Have a 5 foot buffer of maintained grass with a maintained edge along all property lines and sidewalks.
3. Obstruction of View. Landscaping or screening installed in any landscaped area shall not obstruct the view from or to any driveway approach, street, alley, or sidewalk, and must maintain the Vision Clearance Triangle.
4. Earth Berm Locations. All earth berm locations shall be reviewed by the Public Works Director to determine how the berms shall relate to drainage and public utilities.
5. Exceptions. A development may continue to comply with the buffer yard and screening requirements in effect at the time of issuance of its original permit, regardless of whether an adjacent lot or site is subsequently rezoned to a less intensive district which would otherwise require compliance with buffer yard or screening provisions.
6. Supplements to the Official List of Plant Materials. The list of Official List of Plant Materials has been compiled using the latest research data available. Plants other than those listed may be used to fulfill minimum landscaping requirements as approved by the Zoning Administrator. To be considered for approval, a proposed plant material must be submitted for review with the following information or additional information as requested:
 - a. Common name and scientific name of plant material;
 - b. Habitat, geographic climate range, and original native region;
 - c. Growing characteristics, including evergreen or deciduous, height and spread at maturity;
 - d. Suitability for different landscape uses and applications;

- e. Susceptibility to disease and tolerance of environment: heat, drought, pollution stress;
 - f. Fruit bearing characteristics which may be hazardous in pedestrian and parking areas.
- 7. Encouragement of Native Landscaping Materials. The use of suitable native plant materials is encouraged to fulfill landscaping requirements. Native plants, or those plants which occur naturally in this region, have shown greater adaptability to the seasonal and periodic climate changes which occur in this region.
- 8. Standards for Required Landscaping.
 - a. Plants shall be from the approved plant lists in 173.09 Landscaping Materials. Substitutions will be reviewed by the Zoning Administrator on a case-by-case basis.
 - b. Plants shall *not* be from the “Windsor Heights Restricted Tree/Plant List” as defined in said table.
 - c. All other specifications shall conform with the latest version of the American Standards for Nursery Stock, published by the American Association of Nurserymen for that type of tree or shrub at the time of installation.
 - d. All plant material shall be installed free of disease and in a manner that ensures the availability of sufficient soil and water to sustain healthy growth.
- 9. Minimum Spacing of Plant Materials.
 - a. Spacing of trees: spacing consistent with generally accepted species spread dimension at maturity defined by American Standards for Nursery Stock, or a minimum of one tree for every 30 feet, whichever is less.
 - b. Groundcover turf: immediate and complete coverage of an area within the season.
 - c. Groundcover, creeping: spacing adequate to provide complete coverage in three years.
 - d. Groundcover: maximum spacing upon installation of 18 inches on center, should have immediate and complete coverage of area within the season, and with spacing adequate to provide complete coverage in three years.
- 10. Supplemental Installation Requirements for Shrubs.
 - a. Shrubs shall be installed in a manner that promotes ease of maintenance and quality appearance.
 - b. All shrubs shall be installed in continuous beds or naturalized settings containing a minimum of 3 inches of organic mulch contained by a properly maintained spade edge or other manufactured edging material as approved by the Zoning Administrator.
 - c. Shrub installations shall contain groundcovers, native perennials, or seasonal annuals. Other shrub installations without these features will need approval of the Zoning Administrator, upon demonstration of quality design and a maintenance contract/commitment.
- 11. Use of Inorganic Landscaping Materials.
 - a. No artificial trees, shrubs, plants, or turf shall be used to fulfill the minimum requirements for landscaping.

- b. Inorganic materials, such as stone or decorative pavers, may be used provided that such material does not comprise more than 35% of the minimum required landscaped area.
- c. Concrete and/or asphalt pavement surfaces may not be used within the minimum required landscaped area, except for walkways less than 5 feet in width.
- d. Buffer yards may not include any paving, regardless of use.

173.04 PLANTING REQUIREMENTS

Table 173.04-01 – Minimum Amount Plantings Required

Planting requirements	R-1, R-2	R-3, CC, UC, LI
Trees	1 per dwelling unit	1 per 2,000 sq.ft. of pervious area
Shrubs	N/A	5 per 2,000 sq.ft. of pervious area

Table 173.04-02 – Minimum Size at Time of Planting

Plant Type	Trunk Minimum	Height Minimum	Other Requirements
Deciduous Overstory Tree	2" (Measured 6" above root collar)	3.5'	N/A
Deciduous Understory Trees	1.5" (Measured 6" above root collar)	3.5'	N/A
Deciduous Scrubs 5' or Greater Mature Height	N/A	3'	N/A
Deciduous Scrubs 3' to 5' Mature Height	N/A	2'	N/A
Deciduous Scrubs 3' or Shorter Mature Height	N/A	15"	N/A
Evergreen Trees	N/A	6'	N/A
Evergreen Shrubs	N/A	2'	N/A
Ground Covers or Perennials	N/A	N/A	Minimum of a 4" container

173.05 BUFFER YARD PROVISIONS.

These provisions apply when use is established in a more intensive zoning district (District A) which is adjacent to a less intensive zoning district (District B). The owner, developer, or operator of the use within District A shall install and maintain a screened buffer yard on his/her lot or site, as set forth in this section. Buffer yard requirements apply only to those districts indicated in Table 173-3. Buffer yards are not required for single-family, two-family, or townhouse use types in the more intensive zoning district.

1. The buffer yard dimensions set forth in Table 173-3 apply to zoning districts which share a common lot line or are adjacent but separated by an intervening alley.

2. When a street separates adjacent zoning districts requiring a buffer yard, the size of the buffer yard shall be one-half the required buffer yard set forth in Table 173-2.
3. Each required buffer yard must be entirely landscaped and free of paved areas, accessways, storage, or other disturbances.
 - a. Buffer areas shall follow Section 173.06 Screening Standards.

Table 173.05-03 – Screened Buffer Yard Requirements

		Less Intensive Adjacent District
		R-1*, R-2*, & R-3
More Intensive District	UC, CC	10 Feet
	LI	20 Feet
*Applies to residential uses only.		

173.06 SCREENING STANDARDS.

1. Application. Screening is required between adjacent zoning districts indicated in Table 173-3 when one or more of the following conditions in the more intensive zoning district is directly visible from and faces toward the boundary of the less intensive zoning district.
 - a. The rear elevation of buildings.
 - b. Outdoor storage areas or storage tanks, unless otherwise screened.
 - c. Loading docks, refuse collection points, and other service areas.
 - d. Machinery or areas housing a manufacturing process.
 - e. Major on-site traffic circulation areas or truck and/or trailer parking.
 - f. Sources of glare, noise, or other environmental effects.
 - g. Mechanical equipment and utility appurtenances.
2. Opaque Barrier. An opaque barrier shall be provided which visually screens the conditions listed in subsection 1 from less intensive uses by employing one or more of the following in any combination to obtain a solid barrier of at least 6' in height:
 - a. A solid wood and/or masonry fence or wall at least six feet in height.
 - b. A landscaped screen, using a minimum of 50% evergreen plant material, capable of providing a substantially opaque, hedge-like barrier and attaining a minimum height of six feet within three years of planting. (Note: All planting materials shall conform to the minimum caliper/size requirements set in Table 173-02)
 - c. A landscaped earth berm with a maximum slope of three to one, rising no less than six feet above the existing grade of the lot line separating the zoning districts.
 - d. Any combination of these methods that achieves a cumulative height of six feet.
 - e. Machinery or equipment that raise above the six feet may need additional screening at the Zoning Administrator's discretion.
 - f. Utility equipment and appurtenances and screenings shall be consistent with the building design, colors, and materials.

3. Location of Screening Wall. A screening wall or fence shall be installed no closer to the less intensive zoning district than one-half the width of the required buffer yard.
4. Effect on Drainage. Screening shall not adversely affect surface water drainage.

173.07 SCREENING STANDARDS OF DUMPSTERS AND RECYCLING AREAS

1. Application. Screening is required to reduce the visibility of dumpster enclosures and recycling areas in R-3, MH, CC, UC, & LI.
2. Opaque Barrier. A six-foot opaque barrier shall be provided which visually screens the area.
 - a. A solid wood and/or masonry fence or wall at least six feet in height.
 - b. Must enclose the area around at least three sides.
 - c. Contain a pedestrian entrance.
 - d. Have an access gate that meets Metro Waste Authority standards.
3. Landscaping. If the area is located within a larger paved area, such as a parking lot, the following applies:
 - a. A landscape buffer of at least 5 feet shall be located along all sides of the non-gated sides.
 - b. One tree shall be provided in the landscape buffer.
 - c. Ornamental grasses, shrubs, or similar landscape materials shall cover a minimum of 50% of the buffer area.

173.08 LANDSCAPING MATERIALS AND INSTALLATION STANDARDS.

1. Restricted List of Plant Material. No plant material contained on the Restricted List of Plant Material shall be used to fulfill landscape requirements. This list is provided through the office of the Zoning Administrator. These plants are restricted from use because of problems with disease, maintenance, or suitability.

2. Official List of Plant Materials. All plant material installed in landscaped areas or buffer yards shall be consistent with the Official List of Plant Materials provided below or approved as a substitute by the office of the Zoning Administrator. All plant materials shall conform in size, species, and spacing with this section of the Zoning Code. The following materials are permitted, encouraged, or prohibited, based on categories. See the Iowa Urban Tree Council website for the ash tree replacement list.

3. Delay in Planting. All planting shall be installed prior to occupancy or commencement of a use. If the plantings cannot be installed prior to occupancy or commencement of a use due to seasonal conditions that may reduce survivability, the Zoning Administrator may issue a temporary certificate of occupancy and grant a delay of installation until the seasonal calendar dates of June 1 or November 1, whichever occurs first, and the property owner must place in an escrow account, established with the city, an amount which will cover 110% of the estimated cost of plants and installation.

Windsor Heights Tree/Plant List		
Partial Listing of Large Shade Trees for Planting on Public and Private Property		
Common Name	Botanical or Latin Name	Typical Mature Width/Height/Rate
Blackgum	<i>Nyssa sylvatica</i>	
Yellowwood	<i>Cladrastis kentuckea</i>	
Tuliptree	<i>Liriodendron tulipifera</i>	
Bald Cypress	<i>Taxodium distichum</i>	
River Birch	<i>Betula nigra</i>	
Hackberry	<i>Celtis occidentalis</i>	
Honeylocust varieties (thornless)	<i>Gleditsia triacanthos</i> var. <i>inermis</i>	72-100ft
Kentucky Coffetree – Male Only	<i>Gymnocladus dioicus</i>	
Ginkgo, Maidenhair Tree – Male Only	<i>Ginkgo biloba</i>	
Oaks	<i>Quercus</i> sp.	
Lindens	<i>Tilia</i> sp.	
American Elm (Dutch Elm Disease resistant cultivars)	<i>Ulmus americana</i> cultivars	

Windsor Heights Tree/Plant List		
Evergreens for Planting on Public and Private Property		
Common Name	Botanical or Latin Name	Typical Mature Width/Height/Rate

Densiformis Yews	Taxus x media 'Densiformis'	
Eastern Red Cedar	Juniperus virginiana	
Norway Spruce	Picea abies	
Blackhills Spruce	Picea glauca densata	
Colorado Blue Spruce	Picea pungens glauca	
Jack Pine	Pinus banksiana	
Ponderosa Pine	Pinus ponderosa	
Swiss Mountain Pine	Pinus mugho mughus	
Eastern White Pine	Pinus strobus	
White Fir	Abies concolor	
Arborvitae	Thuja occidentalis	
Colorado Blue Spruce (Fat Albert)	Picea pungens	

Windsor Heights Restricted Tree/Plant List		
Tree Planting Prohibited on Street Right-of-Way and Not Recommended for Private Property		
Common Name	Botanical or Latin Name	Typical Mature Width/Height/Rate
Amur Maple	Acer ginnala	
Box Elder	Acer negundo	
Silver Maples	Acer saccharinum	
Norway Maples	Acer platanoides	
Tree of Heaven	Ailanthus altissima	
White Birch*	Betula papyrifera	
Catalpa*	Catalpa species	
Ash	Fraxinus species	
Thorny Honeylocust	Gleditsia tricanthos	
Honeysuckle	Lonicera species	
Mulberry	Morus species	
Pin Oak*	Quercus palustris	
Black Locust	Robinia pseudoacacia	
White Poplar	Populus alba	
Lobardy Poplar	Populus nigra	
Cherries*	Prunus species	
Willows*	Salix species	
All evergreen trees*		
All “weeping” plants*		
Trees bearing fruits and nuts over one foot diameter*		
* - denotes allowable for private property		

Windsor Heights Tree/Plant List		
Dense Deciduous Shrub List for Screening		
Common Name	Botanical or Latin Name	Typical Mature Width/Height/Rate
Large		
Hedge Cotoneaster	Cotoneaster lucida	8-10¢ x 4-5¢
Ninebark	Physocarpus opulifolius 'Diablo'	8-10¢ x 8-10¢
Nanking Cherry	Prunus tomentosa	8-10¢
Preston Lilac	Syringa x prestoniae	
Arrowwood Viburnum	Viburnum dentatum	8¢ x 8¢
European Cranberry Viburnum	Viburnum opulus	8-12¢ x 10-12¢
American Cranberrybush Viburnum	Viburnum trilobum	10¢ x 8¢
Arborvitae – any species not prone to splitting		
Medium:		
Fragrant Sumac	Rhus aromatica	6¢ x 5¢
Alpine Current	Ribes alpinum	5¢ x 8¢
Bridal Wreath Spirea	Spirea x vanhouttei	6¢ x 6¢
Dwarf Korean Lilac	Syringa meyeri palibin	6¢ x 10¢
Compact American Cranberry Viburnum	Viburnum trilobum Compact cv.	6¢ x 6¢
Small:		
Dwarf Ninebark	Physocarpus opulifolius nanus	3¢ x 3¢
Potentilla varieties	Potentilla fruticosa cv.	3¢ x 3¢
Gro-Low Sumac	Rhus aromatica Gro-Low	2 x 4-5¢
Green Mound Alpine Current	Ribes alpinum Green Mound	3-4¢ x 2-3¢
Dwarf Blue Leaf Arctic Willow	Salix purpurea nana	4 x 4
Spirea varieties	Spirea bumalda cv.	2¢ x 2¢ – 4¢ x 4¢ – varies with cultivar
Japanese Spirea varieties	Spirea japonica cv.	2¢ x 2¢ – 4¢ x 4¢ – varies with cultivar
Dwarf European Cranberry Bush Viburnum	Viburnum opulus nanum	3¢ x 3¢
Densiformus Yews		
Hardy shrub roses		

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

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

Windsor Heights Tree List		
Small Trees for Under High Wires (where sidewalk clearance is not an issue)		
Common Name	Botanical or Latin Name	Typical Mature Width/Height/Rate
Shadblow Serviceberry, tree form	<i>Amelanchier canadensis</i>	25¢ x 15¢
Autumn Brilliance Serviceberry	<i>Amelanchier g. Autumn Brilliance</i>	20¢ x 25¢
American Hornbeam	<i>Carpinus caroliniana</i>	25¢ x 20¢
Eastern Redbud	<i>Cercis canadensis</i>	25¢ x 20¢
Pagoda Dogwood	<i>Cornus alternifolia</i>	20¢ x 15¢
Washington Hawthorn	<i>Crataegus phaenopyrum</i>	20¢ x 20¢

Winter King Hawthorn	Crataegus v. Winter King	20¢ x 20¢
Common Witch-hazel	Hamamelis virginiana	12-15¢ x 12¢
American Hophornbeam	Ostrya virginiana	35¢ x 25¢
Cherry – Manchurian cherry	Prunus maackii	25¢ x 25¢
Chanticleer Flowering Pear	Pyrus calleryana ‘Chanticleer’	35¢ x 15¢

Windsor Heights Tree List		
Permitted Disease Resistant Flowering Crabapples (not a comprehensive list)		
Common Name	Botanical or Latin Name	Typical Mature Width/Height/Rate
Adams Crabapple (red to pink flowers, red persistent fruit)	Malus ‘Adams’	15¢ x 20¢
Baccata ‘Jackii’	Malus baccata ‘Jackii’	20¢ x 20¢
Beverly (white flowers, red fruit)	Malus (crabapple) x. ‘Beverly’	20¢ x 20¢
Candied Apple (pink flowers, red persistent fruit,)	Malus hybrida	15¢ x 15¢
Callaway	Malus x ‘Callaway’	20¢ x 20¢
Cardinal	Malus ‘Cardinal’	16¢ x 20¢
David (white flowers, red persistent fruit)	Malus ‘David’	12¢ x 12¢
Donald Wyman (white flowers, red persistent fruit)	Malus ‘Donald Wyman’	20¢ x 24¢
Golden Raindrops (white flowers, yellow persistent fruit)	Malus ‘Schmidtcutleaf’	20¢ x 15¢
Jewelberry (white flowers, red fruit)	Malus ‘Jewelberry’	8¢ x 12¢
Liset (dark red flowers, maroon fruit)	Malus x moerlandsii ‘Liset’	15¢ x 15¢
Louisa (pink flowers, yellow fruit)	Malus ‘Louisa’	15¢ x 15¢
Ormiston Roy (white flowers, amber persistent fruit)	Malus ‘Ormiston Roy’	20¢ x 25¢
Pink Princess (pink flowers, deep red fruit)	Malus ‘Parrsi’	8¢ x 12¢
Prairifire (rose-red flowers, dark red persistent fruit)	Malus ‘Prairifire’	20¢ x 20¢
Professor Sprenger (white flowers, orange-red persistent fruit)	Malus ‘Professor Sprenger’	20¢ x 20¢

Robinson (deep pink flowers, red fruit)	Malus 'Robinson'	25¢ x 20¢
Sargent (white flowers, red persistent fruit)	Malus sargentii	8¢ x 12¢
Strawberry Parfait	Malus 'Strawbery Parfait'	18¢ x 22¢
Sugar Tyme (white flowers, red fruit)	Malus 'Sutyzam'	18¢ x 15¢
Zumi Calocarpa (white flowers, red fruit)	Malus x zumi 'Calocarpa'	15¢ x 15¢

Windsor Heights Tree/Plant List		
Plants with Good to Moderate Salt Tolerance		
Common Name	Botanical or Latin Name	Typical Mature Width/Height/Rate
Deciduous Shrubs		
St. John's Wort	Hypericum prolificum	4¢ x 4¢
Lilacs (Miss Kim)	Syringa pubescens subsp. patula	
Northern Bayberry	Myrica pennsylvanica	9¢ x 6¢
Mockorange, size varies with species	Philadelphus spp. & cvs.	
Cinquefoil, 3¢ x 3¢	Potentilla spp. & cvs.	3¢ x 3¢
Smooth Sumac	Rhus glabra	10¢ x 5¢
Staghorn Sumac	Rhus typhina	24¢ x 12¢
Snowberry	Symphoricarpos albus	3¢ x 3¢
Common Lilac	Syringa vulgaris	12¢x10¢
Arrowwood Viburnum	Viburnum dentatum	6¢ x 6¢
Deciduous Trees:		
Common Horsechestnut	Aesculus hippocastanum	
Shadblow Serviceberry	Amelanchier Canadensis	
Northern Catalpa	Catalpa speciosa	
Hackberry	Celtis occidentalis	
Cockspur Hawthorn	Crataegus crus-galli	
Maidenhair/ Ginkgo	Ginkgo biloba - Male only	
Honeylocust	Gleditsia tricanthos	
Kentucky Coffeetree) – Male only	Gymnocladus dioicus	
Cottonwood	Populus deltoides	
Quaking Aspen	Populus tremuloides	

Black Cherry	Prunus serotina	
Choke Cherry	Prunus virginiana	
White Oak	Quercus alba	
Burr Oak	Quercus macrocarpa	
Red Oak	Quercus rubra	
Groundcovers:		
Bugleweed	Ajuga reptans	
Goutweed	Aegopodium podagraria	
Creeping Cotoneaster	Cotoneaster adpressa	
Bearberry Cotoneaster	Cotoneaster dammeri	
Rockspray Cotoneaster	Cotoneaster horizontalis	
Hesse Cotoneaster	Cotoneaster horizontalis 'Hessei'	
Wintercreeper	Euonymus fortunei cultivars	
English Ivy	Hedera helix	
Plantain Lily	Cultivars Hosta cultivars	
Japanese Garden Juniper	Juniperus chinensis procumbens	
Gro-low sumac	Rhus aromatica 'Gro-low'	
Periwinkle	Vinca minor	

CHAPTER 174

ZONING CODE – ACCESS & PARKING

174.01 Purpose

174.02 General Provisions

174.03 Pedestrian Connectivity

174.04 Schedule of Off-Street Parking Requirements

174.05 Short-Term Bike Parking

174.06 Long-Term Bike Parking

174.07 Parking Facility Location

174.08 Parking for People with Disabilities

174.09 Off-Street Parking Design Standards

174.10 Off-Street Loading

174.11 Parking for Personal Vehicles

174.12 Parking for Recreational Vehicles

174.13 Storage and Parking of Unlicensed Vehicles

174.01 PURPOSE.

The Access & Parking Regulations require that developments provide safe, direct, and convenient access for pedestrians, bicycles, automobiles, and loading in proportion to the need created by each use. The regulations further establish standards for the functional design of parking facilities. These regulations are intended to accommodate vehicles in a functionally satisfactory manner and to minimize external effects on neighboring properties.

174.02 GENERAL PROVISIONS.

1. Applicability. Off-street parking shall be provided for any new building constructed, for new uses or conversions of existing buildings, or for enlargements of existing structures.
2. Heavy commercial vehicles, including tractor cab units weighing more than 2.5 tons gross empty weight, shall not be parked on any lot within the R-1, R-2, R-3, and MH residential zoning districts. Recreational vehicles meeting the definition of heavy commercial vehicles shall only be allowed on any lot within the R-1, R-2, R-3, and MH residential zoning districts if they comply with the special provisions listed below.
3. Exemptions. Any current use existing within the UC Urban Center District before the effective date of this code is exempt from the off-street parking requirements provided by Section 174.04. Any off-street parking facility constructed in the UC District after the effective date of this Zoning Code must comply with the design standards set forth in this chapter.

174.03 PEDESTRIAN CONNECTIVITY

1. Sites shall be designed with delineated sidewalks, walkways, and paths to provide continuous circulation throughout the site connecting principal structures, dwelling units, parking areas, parking garages, and other prominent features. Pedestrian connection(s) shall be made between the internal circulation system and the adjacent public sidewalk or trail

systems. The site shall be organized so that the buildings frame and reinforce pedestrian circulation between lots.

2. Sites shall be designed to limit the number of pedestrian and motorist conflict points.
3. Sidewalks shall be a minimum of six (6) feet unless specifically exempted by the Administrative Official or other Administrative Official.
4. Developments shall have pedestrian amenities such as walkways, benches, etc.
5. Enhanced pedestrian elements at the sidewalk level including decorative lighting, seating or low sitting walls, planters, enhanced paving techniques, etc., shall be incorporated into the theme.
6. To promote a higher level of pedestrian awareness, the use of alternate paving materials to designate pedestrian traffic areas from vehicular use areas and travel lanes is required. Mere cuts in the concrete will not be sufficient to meet the requirements of this section.

174.04 SCHEDULE OF OFF-STREET PARKING REQUIREMENTS.

Parking facilities for each use shall be provided in accord with the minimum requirements set forth in Table 174-1.

1. When a computation of required parking results in a fraction of 0.5 or greater, the requirement should be rounded up to the next whole number.
2. Unless otherwise indicated, parking requirements are based on gross floor area. Gross floor areas for the purpose of this calculation exclude any interior space used for the parking or loading of vehicles.
3. When parking requirements are computed on the basis of capacity, capacity shall be determined by the Building Code in effect for the City at the time the use is established.
4. For sites with more than one use, the parking requirement shall be the sum of spaces required for each use, except as provided below.
5. The Board of Adjustment may authorize an adjustment in the total parking requirement for separate uses located on the same site or for separate uses located on adjoining sites and served by the same parking facility. The Board shall consider at least the following criteria in determining approval of such an adjustment:
 - a. The characteristics and time of operation of each use, and differences in projected peak parking demand.
 - b. Potential reduction in total expected vehicle movements afforded by multiple uses of the parking facilities.
 - c. Functional design of the development and its parking facilities.
 - d. Evidence of a written agreement that provides for the joint use of parking facilities within 300ft of the use.

Table 174.04-01 – Minimum Off-Street Parking Requirements

Use	Required Spaces
Administration	1 space for 1,000 square feet
Agricultural Sales/Service	1 space per 5,000 square feet

Landfills (All types)	No requirement
Auto Rental and Sales	1 space per 1,000 square feet
Auto Service	1 space per 500 square feet
Body Repair	1 space per 500 square feet
Broadcasting Tower	No requirement
Business Support	1 space per 500 square feet
Campground	1 space per camping unit
Cemetery	No requirement
Civic Organizations	1 space per 1,000 square feet
Bars	1 space per 350 square feet
Commercial Recreation (All types)	1 space per 500 square feet
Communications Services	1 space per 500 square feet
Community Garden	No requirement
Construction Sales	1 space per 2,000 square feet
Construction Yards	1 space per 5,000 square feet
Consumer Services	1 space per 500 square feet
In-Patient Services	1 space for 1,000 square feet
Convenience Storage	1 space per 20 storage units
Crop Production	No requirement
Cultural Services	1 space per 2,000 square feet
Custom Manufacturing	1 space per 2,000 square feet
Day Care Services	1 space per 500 square feet
Two Unit Residential	1 space per dwelling unit
Equipment Sales/Service	1 space per 1,000 square feet
Food Sales (all types)	1 space per 200 square feet
Financial Services	1 space per 1,000 square feet
Gaming Facilities	1 space per 500 square feet
General Industry	1 space per 2,000 square feet or as approved by the Zoning Administrator
General Offices	1 space per 500 square feet
General Retail Services (All types)	1 space per 500 square feet
Group Care Facility	1 space per 1,000 square feet
Group Home	1 space per 1,000 square feet

Group Residential	1 space for each two residents
Guidance Services	1 space per 1,000 square feet
Health Care (Small-scale)	1 space per 1.5 beds
Health Care (Large-scale)	1 space per 1.5 beds
Heavy Industry	1 space per 5,000 square feet or as approved by the Zoning Administrator
Horticulture	No requirement
Library/Museum/Cultural Facility	1 space per 1,000 square feet
Light Industry	1 space per 1,000 square feet or as approved by the Zoning Administrator
Liquor Sales	1 space per 500 square feet
Lodging	1 space per sleeping room
Maintenance Facilities	1 space per 1,000 square feet
Medical Offices	1 space per 500 square feet
Mobile Home Residential	1 space per dwelling unit
Multi-Family Residential	1 space per dwelling unit
Non-Putrescible Landfill	No requirement
Pawn Shop	1 space per 500 square feet
Personal Improvement Services	1 space per 250 square feet
Personal Services	1 space per 500 square feet
Pet Services	1 space per 1,000 square feet
Railroad Facilities	1 space per 1,000 square feet
Resource Extraction	1 space per 5,000 square feet
Restaurants (Drive-In)	1 space per 350 square feet
Restaurants (General)	1 space per 350 square feet
Salvage Services	1 space per 2,000 square feet or as approved by the Zoning Administrator
Single-Family Residential	2 spaces per dwelling unit
Commercial breeders	1 space per 1000 square feet
Surplus Sales	1 space per 2,000 square feet
Trade Services	1 space per 500 square feet
Veterinary Services	1 space per 500 square feet
Warehousing	1 space per 5,000 square feet or as approved by the Zoning Administrator

174.05 SHORT-TERM BIKE PARKING

1. Minimum Number of Required Off-Street Parking Spaces for Bicycles
 - a. Refer to Table 174-3 for minimum space requirements.

2. Dimensions
 - a. Each rack must be at least 3' apart from each other and 6' long. (There shall be an unimpeded rectangle of space centered on the bike rack that is 6' long and 3' wide.)
3. Location of Bicycle Parking Areas
 - a. Bicycle parking shall be placed within 100' of and clearly visible from the main entrance.
 - b. The zoning administrator may approve an alternate location provided that the location meets the intent of this section.
4. Design and Construction of Bicycle Parking Areas
 - a. All bicycle parking areas shall be hard surfaced with asphalt, concrete, pervious pavement, pavers, or other material to provide a durable, dust-free surface.
 - b. All bike racks shall be:
 - A. Securely anchored;
 - B. Able to support the bicycle frame in at least two places;
 - C. Allow the locking of a bicycle frame and at least one wheel with a U-lock.
 - c. All short-term bicycle racks shall either be an "inverted u" or "post & ring" style.
 - d. All bicycle parking spaces shall be constructed in accordance with the latest version of the Association of Pedestrian & Bicycle Professionals Bicycle Parking Guidelines.
5. Minimum Number of Required Off-Street Parking Spaces for Bicycles
 - a. Refer to Table 174-3 for minimum requirements.

174.06 LONG-TERM BIKE PARKING

1. Minimum Number of Required Off-Street Parking Spaces for Bicycles
 - a. Refer to Table 174-3 for minimum space requirements.
2. Dimensions
 - a. The total space of the bike room shall be at least 18 square feet for each required bike space with a minimum overall size of 100sq. ft.
3. Location of Bicycle Parking Areas
 - a. Bicycle parking shall be located on the same site and within the building, or within 300' of the main entrance.
 - b. The zoning administrator may approve an alternate location provided that the location meets the intent of this section.
4. Design and Construction of Bicycle Parking Areas
 - a. All bicycle parking areas shall be hard surfaced with asphalt, concrete, pervious pavement, pavers, or other material to provide a durable, dust-free surface.
 - b. All bicycle parking areas shall be within a building or provided with a permanent cover including, but not limited to, roof overhangs, awnings, or bicycle storage lockers.
 - c. All bike racks shall be:
 - A. Securely anchored;
 - B. Able to support the bicycle frame in at least two places;
 - C. Allow the locking of a bicycle frame and at least one wheel with a U-lock.
 - d. Long-term bicycle racks shall be:

- A. "inverted u" or "post & ring" style or
 - B. "staggered wheel," "well-secure," "vertical," or "two-tier" style with no more than 75% of total long-term bicycle racks being this type.
 - e. All bicycle parking spaces shall be constructed in accordance with the latest version of the Association of Pedestrian & Bicycle Professionals Bicycle Parking Guidelines.
5. Minimum Number of Required Off-Street Parking Spaces for Bicycles
- a. Refer to Table 174-3 for minimum requirements.

Table 174.06-01 – Minimum Bicycle Parking Requirements

Use Type	Short Term Spaces required	Long-Term Spaces
Agricultural Use Types	None required	None required
Residential Use Types	1 per 4 dwelling units	1 per 10 dwelling units
Commercial Use Types	1 per 4,000sq.ft.	1 per 10,000sq.ft.
Civic Use Types	1 per 4,000sq.ft.	1 per 10,000sq.ft.
Office Use Types	1 per 4,000sq.ft.	1 per 10,000sq.ft.
Industrial Use Types	None required	1 per 20,000sq.ft.

174.07 PARKING FACILITY LOCATION.

- 1. Residential Parking.
 - a. Off-street parking for residential one or two-family uses shall be located on the same lot or site as the use.
 - i. Restriction. Off-street parking shall not be located in the required front yard setback.
 - ii. Continuous. The parking stalls shall be continuous with the improved drive.
 - b. Off-street parking areas for multi-family residential uses shall be at least six feet from any residential building and shall not be located within a required front yard.

174.08 OFF-STREET PARKING DESIGN STANDARDS.

- 1. Dimensions

- a. All parking spaces shall follow Table 174-4 Minimum Parking Lot Design Requirements.
- 2. Pavement and Drainage.
 - a. Off-street parking facilities shall be hard surfaced and maintained with materials sufficient to prevent mud, dust, or loose material. Acceptable hard surface materials shall include concrete, asphalt, brick, or concrete pavers.
 - A. Off-street parking facilities shall be designed and built to prevent the free flow of water onto adjacent properties or public rights-of-way.
- 3. Areas where parking lots or drive lanes are visible from the public street shall provide a significant level of screening through the use of any of the following:
 - A. Earthen berms;
 - B. Three feet or higher in conjunction with vegetation;
 - C. Landscaped walls;
 - D. Walls constructed for the retainment of soil which are greater than 4 feet in height shall be designed by an individual knowledgeable and certified in structural engineering;
 - E. Walls may be brick, individual decorative modular wall stone, natural stacked wall, or filed stone. Walls composed of landscape timbers or other wood products are not desired due to the deterioration potential of the material. Wood walls may be used, with approval by the Administrative Official or Planning and Zoning Commission and City Council, in areas where views of the wall are minimal.
 - F. Plants shall be at least every 10ft along all types of walls to soften the visual impact, visually break up long expanses of the wall, and to visually anchor it to the site. Accessory plant screening shall be of evergreen materials.
 - G. Perimeter masonry screen walls are required accessory plants at least every 10ft. Where possible, landscaping shall be provided within a minimum 4' wide planting bed and include trees, shrubs, and/or groundcovers. Landscaping shall coordinate with the streetscape landscaping. Landscaping shall be kept in a neat and orderly manner.
- 4. Landscape and Screening Requirements. Unless otherwise noted, each unenclosed parking facility of over 3,000 square feet shall comply with the following regulations:
 - a. Each unenclosed parking facility shall provide a minimum landscaped buffer of ten feet along any street property line.
 - b. Each parking facility that abuts a residential district shall provide a ten-foot landscaped buffer along its common property line with the residential district.
 - c. Any parking facility which abuts property in a residential district shall provide a fence, wall, landscape screen, or earth berm not less than four feet in height for the length of the common boundary. A grade change, terrace, or other site feature which blocks the sight line of headlights into a residential property may satisfy this requirement, subject to the determination of the Zoning Administrator.

- d. All off-street parking areas shall include at least 1 required landscape island for every 12 required parking spaces.
 - A. Each required landscape island shall measure a minimum of 190 square feet in area.
 - B. Each required island shall contain a minimum of 1 deciduous shade tree or 1 deciduous ornamental tree.
 1. At least 10% of the island's land area shall have plant material other than sod or grass installed, not including the minimum required tree.
 2. The remainder of the landscape pods and islands shall be sodded or mulched. If mulched, mulch shall be replenished annually; volcano mulching around trees is not permissible. Pea gravel and lava rocks will not be allowed.
 - C. Parking islands should be located at the end of parking bays so as to define vehicular and pedestrian traffic patterns.
 - D. The zoning administrator may approve a design where landscape islands are aggregated into one or more larger landscape islands.
 - e. Interior landscaping shall be credited toward the satisfaction of overall landscaping requirements set forth in Chapter 173 of this Zoning Code.
5. Entrances and Exits.
 - a. Adequate access to each parking facility shall be provided by means of clearly defined and limited driveways or access points. Such driveways shall be designed to direct nonresidential traffic away from residential areas.
 - b. Parking facilities other than driveways for single-family, two-family, or mobile home residential uses must permit vehicles to enter streets in a forward position.
 - c. Shared driveways between abutting properties are encouraged, provided that an access easement exists between all property owners.
 6. Lighting. Lighting is required for all parking lots.
 - a. Lighting used to illuminate any off-street parking area shall be arranged to direct light away from residential uses and the right-of-way.
 7. Maintenance. All parking facilities shall be maintained to assure the continued usefulness and compatibility of the facility. Acceptable maintenance includes keeping the facility free of refuse, debris, carts, and litter; maintaining parking surfaces in sound condition; maintaining aisle lines and the painted surfaces of signs; and providing proper care of landscaped areas.
 8. Adjustment. For uses subject to conditional use permit approval, the Board of Adjustment may adjust the minimum requirements of this section, in order to provide design, usability, attractiveness, or protection to adjoining uses in a manner equal to or greater than the minimum requirements of this chapter.

Table 174.08-01 – Minimum Parking Lot Design Requirements

Space Angle	Space Width	Parking Row Depth	Curb Width	Drive Aisle Width: One-Way	Drive Aisle Width: Two Way

Parallel (0°)	8'	8'	22'	12'	22'
45°	8'6"	18'	12'9"	15'	24'
60°	9'	19'	10'5"	18'	24'
Perpendicular(90°)	9'	18'	9'	24'	24'

174.09 OFF-STREET LOADING.

1. Loading Requirement. Any use which involves the receipt or distribution of freight, merchandise, supplies, vehicles, or equipment as part of its typical operation shall provide and maintain adequate space for off-street loading and circulation. Loading areas shall be designed to avoid undue interference with the public use of streets and sidewalks.

Schedule of Loading Spaces. Loading spaces for each use requiring them shall be provided in accord with the minimum requirements set forth in Table 174-5 Off-Street Loading Requirements Structures.

Table 174.09-01 – Off-Street Loading Requirements Structures

Gross Floor Area of Use (square feet)	Number of Required Loading Spaces
5,000 or less	None
5,001 – 25,000	1
25,001 – 75,000	2
Larger than 75,000	3

3. Design Standards.

A. Each loading space shall be at least 10 feet wide by 50 feet long, with a vertical clearance of at least 14 feet.

B. Paving of loading spaces and access areas shall be permanent, durable, and free of dust.

C. Off-street loading areas are subject to the landscaping and buffering requirements for parking facilities set forth in this chapter.

174.10 PARKING FOR PEOPLE WITH DISABILITIES.

Each off-street parking facility shall provide the number of parking spaces set forth in Table 174-6 designed and designated for use by people with disabilities. Design criteria and dimensions are set forth in the Off-Street Parking Design Standards and the requirements of the Americans with Disabilities Act. Please refer to sections 208 and 502 of the 2010 ADA Standards for Accessible Design for parking spaces and 209 and 503 of the 2010 ADA Standards for Accessible Design for passenger loading zones.

1. Location. In parking lots or garages, accessible parking spaces must be located on the shortest accessible route to the accessible entrance. An accessible route is the path a person with a disability takes to enter and move through a building or facility.
2. Access Aisles. Accessible parking spaces must have access aisles. Access aisles provide a designated area for people who use wheelchairs or other mobility devices to get in and

out of their car or van. Mobility devices allow people with disabilities to move about independently. They include walkers, canes, crutches, braces, manual or power wheelchairs, Segways, and electric scooters. Access aisles shall be:

- a. Marked
 - b. The same length as the space
 - c. Level with the parking space.
3. Van Accessible.
- a. The first space and at least one out of every six parking spaces shall be van accessible.
 - A. Van accessible spaces option 1:
 1. Be at least 132" inches wide.
 2. Have an access aisle at least 60" wide.
 3. Have no more than a 1.48 (2.08%) slope in all directions.
 4. Provide at least 98" of vertical clearance (van height) for the parking space, access aisle, and vehicular route.
 5. Have a surface that is firm, stable, and slip resistant.
 6. Have two signs, the international symbol of accessibility and another stating that the space is van accessible, mounted at least 60 inches above the ground measured to the bottom of the sign.
 - B. Van accessible spaces option 2:
 1. Be at least 96" inches wide.
 2. Have an access aisle at least 96" wide.
 3. Have no more than a 1.48 (2.08%) slope in all directions.
 4. Provide at least 98" of vertical clearance (van height) for the parking space, access aisle, and vehicular route.
 5. Have a surface that is firm, stable, and slip resistant.
 6. Have two signs, the international symbol of accessibility and another stating that the space is van accessible, mounted at least 60 inches above the ground measured to the bottom of the sign.
4. Car Accessible. All spaces that are not van accessible shall be car accessible as defined below.
- a. Be at least 96" wide.
 - b. Have an access aisle at least 60 inches wide.
 - c. Have no more than a 1.48 (2.08%) slope in all directions.
 - d. Have a surface that is firm, stable, and slip resistant.
 - e. Have a sign with the international symbol of accessibility on it, mounted at least 60 inches above the ground measured to the bottom of the sign.

Table 174.10-01 – Accessible Parking Requirements

Number of Stalls	Minimum Number of Required Accessible Spaces
01-25	1
26-50	2

51-75	3
76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401-500	9
501-1,000	2% of total parking provided
1,001 and over	20, plus 1 for every 100 stalls over 1,000
*One in every six accessible spaces (but not less than one) shall be served by an access aisle with a minimum width of 96 inches and shall be designated as "Van Accessible."	

174.11 PARKING FOR PERSONAL VEHICLES.

1. Applicability. This section permits the parking of personal vehicles on a single lot in a residential district subject to specific conditions. Personal vehicles include passenger cars; vans; pickup trucks, recreational vehicles, camper shells, toppers, and other similar items intended for attachment to a personal vehicle; Trucks, tractor cab units, trailers, trailers longer than 20 feet, and vehicles over 2.5 tons gross empty weight shall be defined as heavy commercial vehicles.

2. Location of Parking for Personal Vehicles.

- a. Parking is permitted within any enclosed structure when such structure conforms to the regulations of its zoning district.
- b. Parking of personal vehicles is permitted on a paved driveway (outside of an enclosed structure) within the front yard setback, but shall in no case encroach upon the public right-of-way.
- c. Parking of personal vehicles may occur in the rear yard setback (outside of an enclosed structure and not on the front yard paved driveway) if such parking meets the following conditions:
 - A. The parking space is provided on a surface consisting of asphalt, concrete, brick, or paving stones made of one of the aforementioned substances. Parking is prohibited on gravel, regrind, crushed concrete/asphalt, sand, dirt, grass or other surfaces not mentioned in this section.
 - B. The parking surface shall be no less than the overall length and width of the vehicle parked on the surface.
 - C. The parking surface shall not exceed the maximum impervious coverage limit for the lot.
- d. In areas not zoned for commercial use, parking of vehicles on private property for the purpose of sale of such vehicles is prohibited.

174.12 PARKING FOR RECREATIONAL VEHICLES

1. Special Provisions for Recreational Vehicles and Boats. Parking and storage of recreational vehicles and boats within residential districts are subject to the following additional conditions. These conditions are in addition to those requirements for the parking of personal vehicles.

- a. Recreational vehicles and boats must be maintained in a clean, well-kept state.
- b. Recreational vehicles and boats equipped with liquefied petroleum gas containers must ensure that such containers meet the current standards of the Interstate Commerce Commission, the United States Department of Transportation, or the American Society of Mechanical Engineers. Any valves must be closed at all times that the vehicle is not in preparation for immediate use. Leaks in containers must be repaired immediately.
- c. Recreational vehicles may be used as temporary housing by non-paying guests for a maximum of three consecutive days and no more than 14 days total during any calendar year. Cooking in the recreational vehicle is prohibited at all times.
- d. Recreational vehicles and boats may not be permanently connected to utility lines.
- e. Recreational vehicles and boats may not be used for the storage of goods, materials, or equipment other than those items which pertain to the use of the vehicle.
- f. Recreational vehicles and boats shall be parked outside of required front yard setbacks.
- g. No more than two recreational vehicles and/or boats may be parked on a single property at any one time. Any recreational vehicle or boat parked on a property must be owned in whole or in part by the resident of the property.

(Section 174.08 – Ord. 21-03 – May 21 Supp.)

174.13 STORAGE AND PARKING OF UNLICENSED OR OTHER VEHICLES.

1. The storage or keeping of motor vehicles not having a properly issued current motor vehicle registration and current motor vehicle license plate properly displayed is prohibited on any lot, parcel, or tract of land or part thereof, situated within the zoning jurisdiction of the City; provided, conformance with the following shall not constitute a violation of this section:

- a. The storage of any unlicensed and/or unregistered motor vehicle in a fully enclosed garage.
- b. Parking, storage, or keeping, other than in a fully enclosed garage of any non-operable motor vehicle is prohibited on any residential zoned lot, parcel or tract of land or part thereof, situated within the zoning jurisdiction of the City; provided, however, automobiles that are non-operable by reasons of repair work being done thereon may be parked on the residential lot of the owner of said automobile within the City's zoning jurisdiction under the following conditions:
 - A. The automobile is owned by the occupier of the premises and registered to him/her at that address.
 - B. The period of said repair work does not exceed ten days in duration.
 - C. Repair work is at all times conducted on a paved driveway.
 - D. No more than one automobile in need of repair is situated on the premises at the same time.

CHAPTER 175

ZONING CODE – SIGN REGULATIONS

175.01 Purpose	175.07 Use of Compatible Materials
175.02 General Permit Procedures	175.08 Sign Area
175.03 Exempt Signs	175.09 Permitted Signs
175.04 General Sign and Street Graphics Regulations	175.10 Nonconforming Signs
175.05 Basic Design Elements for On-Premises Signs	
175.06 Other Design Elements	

175.01 PURPOSE.

The Sign Regulations provide standards for communicating information in the environment of the City and its jurisdiction. The regulations recognize the need to protect public health, safety, and welfare; to maintain the City's attractive appearance; to provide for adequate business identification, advertising, and communication of information; all while protecting and promoting the free speech and expression rights of citizens within Windsor Heights. Any complaint received regarding a sign that comports with these regulations does not constitute a violation of this code section.

175.02 GENERAL PERMIT PROCEDURES.

Any installation, modification, or expansion of any sign which is not exempt from the provisions of this chapter shall be subject to the following permit procedure.

1. Maintenance of Valid Sign Permit. The owner of a property containing signs requiring a permit under this Zoning Code shall at all times maintain in force a sign permit for such property. Sign permits may be issued for individual zoned lots, tenants, or sign owners. A sign permit may be revoked if the sign is not maintained in good condition.
2. Any person who displays a sign in compliance with this code may substitute the message on that sign without first securing any additional approval, permitting, or notice, provided that any such substitution would not result in the sign becoming noncompliant.
3. Nothing in this code is intended or shall be construed so as to prevent the strengthening or restoration to a safe condition of a nonconforming sign for purposes of public health and safety.
4. Sign Permit Applications. All applications for sign permits shall be submitted to the Zoning Administrator in accordance with application specifications established by the ordinance.
5. Application Fees. Each application for a sign permit shall be accompanied by any applicable fees, which shall be established by the Council from time to time by resolution.
6. Permit Expiration. If a permanent sign is not constructed in accordance with an approved permit within six months of the date of approval, such permit shall lapse. Permits on non-permanent signs lapse in accordance with the timeline identified on the permit. After 60 days, permits are required to maintain temporary signs or more than a single temporary sign with a maximum of two renewals.
7. Assignment of Sign Permits. A current and valid sign permit shall be freely assignable to a successor as owner of the property or holder of a business license for the same premises.

175.03 EXEMPT SIGNS

The following signs are permitted in any zoning district and are exempt from other provisions of this chapter.

1. Up to three non-temporary signs on R-1, R-2, or R-3 that are smaller than 4 square feet in area.
2. Official signs authorized by a government or governmental subdivision, which give traffic, directional, or warning information, or other official information.
3. Temporary signs less than 8 square feet.
4. Neighborhood or subdivision identification signs under 50 square feet.
5. Street numbers or address signs that identify the address of a lot, structure, or establishment.
6. Signs which are not visible from a public right-of-way, private way, or court or from a property other than that on which the sign is installed, such as window signs.
7. Sidewalk signs which include two sided portable signs that are placed on the sidewalk outside of an establishment. 1 sign maximum per business and they must not interfere with a minimum of 5 feet of sidewalk clearance at all times.

175.04 GENERAL SIGN AND STREET GRAPHICS REGULATIONS.

1. Compliance. Each sign or part of a sign erected within the zoning jurisdiction of the City must comply with the provisions of this chapter and of other relevant provisions of this Code of Ordinances.
2. Resolution of Conflicting Regulations. This chapter is not meant to repeal or interfere with the enforcement of other sections of this Code of Ordinances. In cases of conflicts between Code sections, or State or Federal regulations, the more restrictive regulations shall apply, except where State law or the State Constitution preempts municipal law, in which case State law or the State Constitution will govern, or where Federal law of the U.S. Constitution preempts State and municipal law, in which case Federal law or the U.S. Constitution will govern.
3. Prohibited Signs. The following signs are prohibited in all zoning districts.
 - a. Any sign which is structurally unsafe, unsafely installed, or otherwise hazardous to physical safety.
 - b. Any sign that obstructs free ingress to or egress from a fire escape, door, window, or other required access way to or from a building or site.
 - c. Any sign not maintained in good condition.
 - d. Any sign that blocks the vision clearance areas or would obstruct a driver's clear line of sight of traffic or pedestrians, or which obscures official signs or signals.
 - e. Any sign that interferes with the view of, or is confused with, any traffic control sign or device, and any sign that misleads or confuses traffic flow. A sign's position, size, shape, color, and illumination, but not its content, shall be considered when making such a determination.
 - f. Abandoned signs, which must be removed within six months of the date of abandonment.
 - g. Electronic changeable copy signs which incorporate in any manner any rolling, flashing, pulsating, rotating, beacons, or moving lights.
 - h. Any sign nailed, fastened, or affixed to any tree.

- i. Any sign that otherwise violates this sign code.
 - j. Any sign displaying any obscene matter, as that term is defined by Iowa Code Chapter 728.
4. Buffer Yards. No sign other than on-premises directional signs shall be placed within any buffer yard required by Chapter 173, Landscaping and Screening Standards, except buffer yards adjacent to intervening major streets.
5. Vision-Clearance Triangle. No sign may project into or be placed within a vision-clearance area.
6. Removal of Signs. If a sign owner's business, profession, commodity, service, or other activity or use formerly occupying the site is discontinued, the sign must be removed within fifteen (15) days of closure. If the owner does not remove the sign, the City will remove it at the owner's expense.

175.05 BASIC DESIGN ELEMENTS FOR ON-PREMISES SIGNS.

1. Professional Design and Construction. All signs must be designed and constructed by an individual or company pre-approved by the City and familiar with the City's sign ordinance. The proposed individual or company shall be designated on the applicant's sign permit and approved by the City in advance of sign construction.
2. Wall Signs and Graphics. Wall signs and graphics are subject to the following general regulations.
 - a. A wall sign shall not extend more than 12 inches from the wall to which it is attached.
 - b. A wall sign must be parallel to the wall to which it is attached.
 - c. A wall sign may not extend beyond the corner of the wall to which it is attached, except where attached to another wall sign, it may extend to provide for the attachment.
 - d. A wall sign may not extend beyond its building's roofline.
 - e. A wall sign attached to a building on its front property line may encroach upon public right-of-way by no more than 12 inches. Such a wall sign shall provide a minimum clearance of eight feet, six inches.
 - f. For the purpose of calculating permitted sign areas pursuant to this chapter, signs painted on the walls of buildings shall be considered wall signs.
 - g. Where permitted, canopy signs are counted as wall signs when calculating the total permitted sign area.
3. Projecting Signs and Graphics. Projecting signs and graphics are subject to the following general regulations.
 - a. The maximum projection of any projecting sign shall be three feet.
 - b. A projecting sign may be no closer than two feet from the vertical plane of the inside curb line.
 - c. Each projecting sign must maintain at least the following vertical clearances:
 - A. 8 feet, 6 inches over sidewalks, except that a canopy may reduce its vertical clearance to 7 feet, 6 inches;
 - B. 14 feet over parking lots;
 - C. 18 feet over alleys or driveways;

- D. Unless noted above, no projecting sign shall be placed over a roadway.
- d. No projecting sign extending three feet from a property line may be located within 22 feet of any other projecting sign extending three feet from a property line.
- e. The support structure for projecting signs cannot be visible.
- 4. Roof Signs. Roof signs are subject to the following regulations:
 - a. Where permitted, integral roof signs may be used interchangeably with wall signs.
 - b. Above peak roof signs are prohibited.

175.06 OTHER DESIGN ELEMENTS.

- 1. Illumination. Lighting, when installed, must be positioned in such a manner that light is not directed onto an adjoining property or onto a public street or highway.
- 2. Marquees and Marquee Signs. Signs placed on, attached to, or constructed on a marquee are subject to the maximum projection and clearance regulations of projecting signs.
- 3. Banners.
 - a. A banner sign projecting from a building may not exceed the wall height of the building.
 - b. Maximum projection for any banner is three feet with a minimum vertical clearance of 8 feet, 6 inches.

175.07 USE OF COMPATIBLE MATERIALS.

All signs, excluding temporary signs, shall be constructed of materials that are similar to those used on the principal building. Such signage shall be dominated with materials of permanency and strength and shall be compatible with other structures and signs in the development.

175.08 SIGN AREA.

- 1. Maximum Permitted Sign Area. Maximum permitted sign area for a premises is set forth as a numerical limit and is the combined total of all signs on the premise.
- 2. Sign Area.
 - a. Sign area includes the entire area within the perimeter enclosing the extreme limits of the sign, excluding any structure essential for support or service of the sign, or architectural elements of the building.
 - b. The area of double-faced signs is calculated on the largest face only.
 - c. The sign area for ground signs, monument signs, and architectural sign bands is calculated as the area enclosing the extreme limits of the copy only.
 - d. In the case of individual letters mounted to a wall, the total area in a simple shape such as a rectangle around the letters will be calculated.
- 3. Height. The height of a sign is measured from the average grade level below the sign to the topmost point of the sign or sign structure.
- 4. Setback. The setback of a sign is measured from the property line to the supporting frame, mast, pole, or base of the sign.

175.09 PERMITTED SIGNS

Table 175.09-01 – Permitted Signs by Type and Zoning Districts

Sign Types	R-1	R-2	R-3	MH	CC	UC	LI
Detached Signs							
Monument	P	P	P	P	P	P	P
Ground	P	P	P	P	P	P	P
Pole	N	N	N	N	N	N	N
Attached Signs							
Awning	N	N	N	P	P	P	P
Banner	N	N	N	N	P	P	P
Building Marker	P	P	P	P	P	P	P
Canopy	N	N	N	N	P	P	P
Marquee	N	N	N	N	P	P	P
Projecting	N	N	N	N	P	N	P
Roof, Integral	N	N	N	N	P	N	P
Wall	P	P	P	P	P	P	P
Window	N	N	N	N	P	P	P
Miscellaneous							
Portable	N	N	N	N	P	P	N

P = Permitted for All Uses; N = Not Permitted

Table 175.09-02 – Auxiliary Design Elements by Zoning District

Sign Types	R-1	R-2	R-3	MH	CC	UC	LI
Illumination							
Indirect	P	P	P	P	P	P	P
Direct	N	N	N	N	N	N	N
Internal	P	P	P	P	P	P	P
Neon	N	N	N	N	P	P	P
Flashing	N	N	N	N	N	N	N
Flame	N	N	N	N	N	N	N
Other							
Electronic Changeable Copy	N	N	N	N	P	P	P
Moving	N	N	N	N	N	N	N
Rotating	N	N	N	N	N	N	N

P = Permitted for All Uses; N = Not Permitted

Table 175.09-03 - Permitted Signs by Maximum Permitted Area and District

The Maximum Permitted Area for all signs on a premises, excluding exempt signs:

Zoning district	Maximum total square feet
R-1, R-2	8
R-3	32
MH	48
CC, UC	150
LI	200

Table 175.09-04 – Permitted Signs by Numbers, Dimensions, and Locations

Each individual sign shall comply with the regulations for maximum quantity, maximum size, minimum setbacks, and height limits shown in this table:

Zoning District:		R-1 R-2	R-3 MH	CC UC	LI
	Detached Signs				
Number Permitted Per Premises		1	1	NA	NA
Maximum Size* (square feet)		8	32	90	90
Maximum Height (feet) of Structure Above Ground		10	10	10	10
Front Yard Setback (feet)		5	5	10	0
Side Yard Setback (feet)		10	10	5	0
	Attached Signs				
Maximum Size* (square feet)		8	32	150	200
* For those uses only permitted a sufficient maximum sign area in Table 175-3					

(Ch. 175 – Ord. 18-14 – Nov. 18 Supp.)

175.10 NONCONFORMING SIGNS.

1. Any permanent sign that was in place and lawfully established on December 21, 1998, shall be considered as a legal nonconforming sign to the extent that such a sign does not comply with the provisions of this chapter. The cover of such sign may be changed from time to time,

provided that the sign area shall not be enlarged or reduced beyond the sign area in existence on December 21, 1998.

2. Any nonconforming sign which presently is or becomes structurally damaged or deteriorated or is altered by more than 50% of its replacement cost, shall be either removed or altered so as to comply with this chapter.

DRAFT

CHAPTER 176

ZONING CODE – NONCONFORMING DEVELOPMENT

176.01 Purpose

176.02 Regulations Additive

176.03 Nonconforming Lots

176.04 Nonconforming Structures

176.05 Nonconforming Uses

176.01 PURPOSE.

This chapter contains the Nonconforming Development Regulations. The purposes of these regulations are:

1. To allow for reasonable use of legally created lots of record which do not meet current minimum requirements for their respective zoning districts.
2. To provide for reasonable use of legally constructed structures which do not meet current site development regulations for their respective zoning districts.
3. To allow for the reasonable continuation of legally established uses which do not meet current use regulations for their respective zoning districts.
4. To limit the continuation and provide for the gradual replacement of nonconforming uses.

176.02 EXISTING DEVELOPMENT.

Any maintenance to any structure or site feature shall not cause the site or building to become non-compliant with the regulations set forth in this Ordinance. If the site or building is already non-compliant, the change to the building or site proposed by the owner shall not cause them to become more non-compliant. In such instances, improvements shall be completed in a manner which makes the building, site, or related items more substantially compliant with the current provisions of this Ordinance than was previous to the improvements. Any improvement proposed to modify the size of a building, lot, parking area, etc. shall be submitted for review by the City. If the proposed improvement(s) modify the size of a building or lot by less than 30%, it shall be submitted for review by City staff and approved or disapproved by the Administrative Official. The Administrative Official shall have the authority to require such a project be reviewed by the Planning and Zoning Commission and City Council if they feel such review is warranted. If the proposed change is in excess of 30% in size, it shall be submitted for full review and approval or disapproval by the Planning and Zoning Commission and City Council. See 170.07 for full site plan review requirements.

176.03 LEGAL NON-CONFORMING USES.

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

176.04 NONCONFORMING LOTS.

1. Pre-Existing Lots of Record. Nonconforming lots of record existing at the time of the adoption of this Zoning Code shall be exempt, unless otherwise provided, from the minimum lot

area and lot width requirements of each zoning district. Such lots may be developed with any use allowed by the regulations for the district and must comply with all other site development regulations set forth by this Zoning Code.

2. Reductions Due to Public Acquisition. If a portion of a legally existing lot in any district is acquired for public use, the remainder of this lot shall be considered a conforming lot.

176.05 NONCONFORMING STRUCTURES.

These regulations apply to buildings and structures which were constructed legally under regulations in effect before the effective date of this Zoning Code.

1. Continuation. A lawful nonconforming structure existing on the effective date of this Zoning Code may be continued, repaired, maintained, or altered, subject to the provisions of this section.

2. Additions or Enlargements to Nonconforming Structures.

a. A lawful nonconforming structure may be added to or enlarged if the addition satisfies one or more of the following conditions:

A. The enlargement or addition, when considered independently of the existing building, complies with all applicable setback, height, off-street parking, and landscaping requirements.

B. The nonconforming building and impervious surface coverages on the site are not increased and the building, after the addition, conforms to height and off-street parking regulations applicable to its zoning district.

3. Moving of Nonconforming Structures. A lawful nonconforming building or structure shall not be moved in whole or in part to another location on its lot unless every part of the structure conforms to all site development regulations applicable to its zoning district.

4. Repair of Nonconforming Structures. A lawful nonconforming building damaged by fire, explosion, storm, or other calamity, except flood damages, may be repaired and reconstructed, provided there is no increase in the degree of nonconformity. Repair and reconstruction within the designated floodplain shall be in conformance with Floodplain development regulations. Any repairs must be completed in compliance with all applicable building codes and regulations.

5. Applicability of Landscaping and Screening Regulations. A pre-existing structure, building, or development shall be exempt from Chapter 173, Landscaping and Screening Regulations. However, any expansion of such structure, building, or development or any adjacent new development onto a property that is or becomes vacant on or after the effective date of this Zoning Code shall be subject to Chapter 173.

6. Allowance for Repairs. Repairs and maintenance of a structure occupied by a nonconforming use may be made, provided that no structural alterations are made other than those required by law.

7. Damage or Destruction of Structures. Should a structure occupied by a lawful nonconforming use be damaged to the extent that the cost of restoration exceeds 50% of the replacement cost of the structure, the nonconforming use shall no longer be permitted.

176.06 NONCONFORMING USES.

1. Continuation of Nonconforming Uses. Any nonconforming use lawfully existing on the effective date of this Zoning Code may continue, subject to the limitations of this section.
2. Enlargement of Nonconforming Uses. A lawful nonconforming use may not be expanded.
3. Abandonment of Nonconforming Use. If use becomes abandoned or unused for a continuous period of six months, any subsequent use must conform to all use regulations applicable to the property's zoning district.
4. Change of Use. A lawful nonconforming use may be changed only to a use type permitted in a zoning district that is equal to or less intensive than that normally required for the previous use.
5. Nonconforming Uses and Conditional Use and Special Use Permits. A lawful pre-existing use which would require a conditional use or special use permit in its zoning district shall be presumed to have the appropriate permit and shall be considered a conforming use. The use shall be subject to the regulations governing lapses or revocation of permits, set forth in Chapter 176.

CHAPTER 177

ZONING CODE – ADMINISTRATION AND PROCEDURES

177.01 Purpose	177.04 Extension of The Extra-Territorial Jurisdiction
177.02 Site Plan Review Procedure	Table 177-1 Criteria for Site Plan Review
177.03 Amendment Procedure	

177.01 PURPOSE.

The Administration and Procedures provisions establish the methods for implementation of site plan review, rezoning, and amendments to the zoning code.

177.02 SITE PLAN REVIEW PROCEDURE.

1. Purpose. The Site Plan Review Procedure provides for special review in addition to plan review required by other sections of this Code of Ordinances of projects that have potentially significant effects on traffic circulation or a significant effect on land uses in adjacent neighborhoods. The procedure provides for the review and evaluation of site development features and possible mitigation of unfavorable effects on surrounding property.

2. Administration. The Zoning Administrator shall review, evaluate, and act on all site plans submitted pursuant to this procedure. The Planning and Zoning Commission shall review site plans and shall transmit its recommendation to the City Council for approval.

3. Uses Requiring Site Plan Review. Select uses as required by Chapter 170.

4. Application Requirements. An application for a site plan review may be filed by the owner of a property or the owner's authorized agent with the Zoning Administrator. Site plan application forms are available in the offices of the Zoning Administrator. The application shall include the criteria listed in Chapter 170.

5. Administrative Action. The Zoning Administrator shall review each site plan and provide a written recommendation to the Planning and Zoning Commission and City Council. The Planning and Zoning Commission shall transmit its recommendation to the City Council, which will then act on the application.

6. Review and Evaluation.

- a. The Planning and Zoning Commission and City Council shall review and approve the site plan based on the criteria established in Chapter 170 and conformance with applicable regulations in this Zoning Code and the vision of the comprehensive plan.
- b. The Planning and Zoning Commission shall make the following findings before recommending approval of the site plan to the City Council:
 - A. The proposed development, together with any necessary modifications, is compatible with the criteria established in Chapter 170.
 - B. Any required modifications to the site plan are reasonable and are the minimum necessary to minimize potentially unfavorable effects.
 - C. The site plan conforms to this Zoning Code and to the vision of the comprehensive plan.

7. Modification of Site Plan. The Zoning Administrator, Planning and Zoning Commission, and City Council may require modification of a site plan as a prerequisite for approval. Required modifications may be more restrictive than base district regulations and may include (but are not limited to) additional landscaping or screening; installation of erosion control measures; improvement of access or circulation; rearrangement of structures on the site; or other modifications deemed necessary to protect the public health, safety, welfare, community character, property values, and/or aesthetics.

8. Term and Modification of Approval.

- a. A site plan approval shall become void one year after the date of approval unless the applicant receives a building permit and diligently carries out development prior to the expiration of this period.
- b. The Zoning Administrator may approve an application to modify a previously approved site plan if he/she determines that the modification does not affect findings related to the criteria set forth in Table 177-1.
- c. The Zoning Administrator may revoke a site plan approval if said official determines that the development is not complying with the terms and conditions of the approval. Such revocation may be appealed to the Board of Adjustment.

177.03 AMENDMENT PROCEDURE.

The amendment procedures describe the methods by which changes may be made in the text of this Zoning Code (text amendment) and/or the official boundaries of zoning districts (rezoning).

1. Initiation of Amendments.

- a. Text amendments may be initiated by the Planning and Zoning Commission or City Council.
- b. Rezoning may be initiated by a property owner or authorized agent, the Planning and Zoning Commission, or the City Council.

2. Rezoning Application Requirements. An application for a rezoning may be filed with the Zoning Administrator. The application shall include the following information:

- a. Name and address of the applicant.
- b. Owner, address, and legal description of the property.
- c. A description of the reason for the rezoning application and the nature and operating characteristics of the proposed use.
- d. Any graphic information, including site plans, elevations, other drawings, or other materials determined by the Zoning Administrator to be necessary to describe the proposed use to approving agencies.

3. Amendment Process.

- a. The Planning Commission, following not less than 4 days notice and publication shall hold a public hearing on each proposed text or rezoning and shall recommend action to the City Council.
- b. The City Council, after publication and public hearing, shall act on the proposed amendment. A majority vote of those members either elected or appointed to the City Council is required for approval. If the proposed amendment is recommended for

disapproval by the Planning Commission, a majority vote plus one of the City Council shall be required for approval.

- c. Protest. If a valid protest petition opposing an amendment is filed with the City Clerk by eligible property owners, a majority vote plus one of those members either elected or appointed to the City Council is required for approval. A valid protest petition must meet the following criteria:
 - A. Submission of the petition in the office of the City Clerk within 14 days after the conclusion of the public hearing on the amendment by the Planning Commission.
 - B. Notarized signatures by at least one of the following:
 - 1. The owner or owners of at least 20% of the property proposed for rezoning.
 - 2. The owners of 20% of the total area, excluding public rights-of-way and public property, within the zoning jurisdiction of the City and within 200 feet of the proposed rezoning.
- 4. Required Notice and Publication. Prior to consideration of amending, supplementing, changing, modifying, or repealing this Zoning Code by the governing body, notice of public hearings shall be provided by two of the three following methods, as determined by the City:
 - a. Publication. Not less than 4 days before the date of hearing, the City Clerk shall have published in a newspaper published at least once weekly and having a general circulation in the City a notice of the time, place, and subject matter of such hearing.
 - b. Notification by Mail. At least ten days prior to the date of hearing, the party initiating the rezoning request shall present the City Clerk a certified address list of those persons who own property within 500 feet of the subject site. The City Clerk shall mail notice of the time, place, and subject matter of the hearing to such property owners at least ten days prior to the date of the hearing.

177.04 EXTENSION -OF THE EXTRA-TERRITORIAL JURISDICTION.

Upon the automatic extension of the two-mile extra-territorial jurisdiction due to annexation, the City Council with the recommendation of the Planning Commission shall zone properties within the newly established jurisdiction concurrent with adoption of the annexation ordinance. The zoning shall consider the Comprehensive Development Plan of the City and the present use of the land.

ORDINANCE NO. 23-06

AN ORDINANCE AMENDING CHAPTERS 165 THROUGH 177 OF THE CODE OF ORDINANCES FOR THE CITY OF WINDSOR HEIGHTS RELATED TO ZONING

WHEREAS, the City of Windsor Heights seeks to promote the public health, safety, general welfare, and aesthetics of the community through consistent, content- neutral and nondiscriminatory code requirements within its city limits; and

WHEREAS, the Planning and Zoning Commission reviewed Chapters 165 through 177 and proposed changes and recommended approval of the same; and

WHEREAS, the City Council of the City of Windsor Heights do hereby find and declare that the amendments to Chapters 165 through 177 are necessary.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WINDSOR HEIGHTS, POLK COUNTY, IOWA:

SECTION 1. Purpose. The purpose of this ordinance is to amend Chapters 165 through 177 as follows.

SECTION 2. Amended. See Exhibit 1.

SECTION 3. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. Severability. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 5. Effective Date. This ordinance shall be effective after the final passage, approval and publication as provided by law.

Passed and Approved this Day of 2023.

1st Reading:

2nd Reading:

3rd Reading:

Publish Date:

Mike Jones, Mayor

(SEAL)

ATTEST:

Adam Strait, City Clerk

WINDSOR HEIGHTS MUNICIPAL CODE

CHAPTER 165 – CHAPTER 177

CHAPTER 165 ZONING CODE – GENERAL PROVISIONS

165.01 Title	165.05 Conflicting Provisions
165.02 Jurisdiction	165.06 Relief from Other Provisions
165.03 Purpose	165.07 Publication
165.04 Consistency with Comprehensive Development Plan	165.08 Severability

165.01 TITLE.

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

165.02 JURISDICTION.

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

165.03 PURPOSE.

The purposes of the Zoning Code are to:

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

165.04 CONSISTENCY WITH COMPREHENSIVE DEVELOPMENT PLAN.

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

165.05 CONFLICTING PROVISIONS.

The Zoning Code shall be held to provide the minimum requirements necessary for the promotion of public health, safety, and welfare. If any provision of the Zoning Code conflicts

with any other provision of the Zoning Code, any other Ordinance of the City, or any applicable State or federal law, the more restrictive provision shall apply.

165.06 RELIEF FROM OTHER PROVISIONS.

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

165.07 PUBLICATION.

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

165.08 SEVERABILITY.

If any section, provision, or part of the Zoning Code be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

CHAPTER 166

ZONING CODE – DEFINITIONS

- 166.01 Purpose
166.02 General Construction of Language
- 166.03 Definition of Terms

166.01 PURPOSE.

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

166.02 GENERAL CONSTRUCTION OF LANGUAGE.

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

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

166.03 DEFINITION OF TERMS.

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

1. “Absolute Photometry” means photometric measurements (usually of a solid-state luminaire) that directly measure the footprint of the luminaire. Reference Standard IES LM-79.
2. “Abutting” means having lot lines or district boundaries in common, including property separated by a public street or alley. This term is used interchangeably with “adjacent.”
3. “Accessory Structure” means a structure which is incidental to and customarily associated with a specific principal use or building on the same site. The structure may or may not contain a dwelling unit. See Dwelling, Accessory.

4. "Accessory Use" means a use which is incidental to and customarily associated with a specific principal use on the same site.
5. "Addition" means any construction which increases the size of a building or structure in terms of site coverage, height, length, width, or gross floor area.
6. "Administration" means governmental office uses providing administrative, clerical, or public contact services that deal directly with the citizen, together with incidental storage and maintenance of necessary vehicles. Typical uses include Federal, State, County, and City offices.
7. "Administrative Official" means the Windsor Heights Administrative Official or appropriate designee.
8. "Adult Entertainment" means any business activity which offers the opportunity to view sexual activities or view or touch anatomical areas for entertainment purposes, depicts or describes sexual conduct. This category includes the sale or viewing of visual or print materials that meet these criteria. Typical uses include retail services or stores which are distinguished by an emphasis on activities or materials that emphasize sexual content; businesses which offer live performances characterized by exposure of specified anatomical areas; and adult theaters.
- ~~9. "Agent of Owner" means any person showing written verification that he/she is acting for and with the knowledge and consent of a property owner.~~
- ~~10. "Agricultural Sales and Service" means establishments or places of business engaged in sale from the premises of feed, grain, fertilizers, farm equipment, pesticides, and similar goods or in the provision of agriculture related services with incidental storage on lots other than where the service is rendered. Typical uses include nurseries, hay, farm implement dealerships, feed and grain stores, and tree service firms.~~
- ~~11.9.~~ "Alley" means a public right-of-way which is used as a secondary means of access to abutting property.
- ~~12.10.~~ "Alteration" means any construction or physical change in the internal arrangement of spaces, the supporting members, the positioning on a site, or the appearance of a building or structure.
- ~~13.11.~~ "Amateur Radio Tower" means a structure for the transmission or broadcasting of electromagnetic signals by FCC-licensed amateur radio operators.
- ~~14.12.~~ "Apartment" means a dwelling unit within a building designed for and suitable for occupancy by only one family. Apartments are generally located within multi-family residential buildings.
- ~~15. "Architectural Lighting" means lighting designed to reveal architectural beauty, shape, and/or form and for which lighting for any other purpose is incidental.~~
- ~~16.13.~~ "Astronomic Time Switch" means an automatic lighting control device that switches outdoor lighting relative to the time of solar day with the time of year.
- ~~17.14.~~ "Attached" means having one or more walls in common with a principal building or connected to a principal building by an integral architectural element, such as a covered passageway, façade wall extension, or archway.
- ~~18.15.~~ "Automotive and Equipment Services" ~~means is an overarching term for the following~~ establishments or places of business primarily engaged in the sale and/or service of automobiles, trucks, or heavy equipment. The following are considered automotive and equipment use types:

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

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

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

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

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

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

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

~~19.16.~~ “Backlight” means, for an exterior luminaire, lumens emitted in the quarter sphere below horizontal and in the opposite direction of the intended orientation of the luminaire. For luminaires with symmetric distribution, backlight will be the same as front light.

~~20.17.~~ “Base Zoning District” means a district established by this Zoning Code which prescribes basic regulations governing land use and site development standards. For any actions taken after the effective date of this Code, no more than one Base Zoning District shall apply to any individually plated lot or parcel unless the lot or parcel is part of a Planned Unit Development.

- ~~21-18.~~ “Basement” means a level of a building below street level that has at least one-half of its height below the surface of adjacent ground. A basement used for independent dwelling or business purposes shall be considered a story for the purposes of height measurement. Chapter 185 sets forth floodplain and floodway regulations governing building standards in flood-prone areas.
- ~~22-19.~~ “Bar” means a use engaged in the preparation and retail sale of alcoholic beverages for consumption on the premises, including taverns, bars, cocktail lounges, and similar uses other than a restaurant as that term is defined in this section.
- ~~23-20.~~ “Bed and Breakfast” means a lodging service that provides overnight or short-term accommodations to guests or visitors, usually including the provision of breakfast. Bed and breakfasts are usually located in large residential structures that have been adapted for this use. For the purpose of this definition, bed and breakfasts are always owned and operated by the resident owner of the structure, include no more than ten units, and accommodate each guest or visitor for no more than seven consecutive days during any one-month period.
- ~~24.~~ “Beginning of Construction” means the initial incorporation of labor and materials within the foundation of a building or structure.
- ~~25-21.~~ “Berm” means a mound of earth or fill material designed to blend into a landscape either to block out unwanted views or uses, to decrease noise, or to improve the design of a property.
- ~~26-22.~~ “Block” means an area of land within a subdivision that is entirely bounded by streets, or by streets and the exterior boundaries of the subdivision, or by a combination of the above with a watercourse or lake, and which has been designated as such on a plat for the purposes of the legal description of a property.
- ~~27-23.~~ “Blockface” means the property abutting one side of a street and lying between the two nearest intersection streets or between the one nearest intersecting street and a major physical barrier, including, but not limited to, railroads, streams, lakes, or the corporate limits of the City.
- ~~28-24.~~ “Board of Adjustment” means a body established by the Code of Iowa for the purpose of issuing conditional use permits, interpreting and granting variances, and hearing appeals as provided by this Zoning Code.
- ~~29-25.~~ “Broadcasting Tower” means a structure for the transmission or broadcasting of radio, television, radar, or microwaves, ordinarily exceeding the maximum height permitted in its zoning district.
- ~~30-26.~~ “BUG” means a luminaire classification system that classifies backlight (B), uplight (U), and glare (G).
- ~~31-27.~~ “Buffer” means a combination of horizontal space (land) and vertical elements (plants, berm, fences, and walls), used to physically separate or visually screen incompatible adjacent land uses.
- ~~32-28.~~ “Buffer Yard” means a landscaped area intended to separate and partially obstruct the view of two adjacent land uses or properties from one another.
- ~~33-29.~~ “Building” means a structure entirely separated from any other structure by space or by walls and having a roof and being built to provide shelter, support, or enclosure for persons or property.

- ~~34.30.~~ “Building Coverage” means the area of a site covered by buildings or roofed areas, excluding allowed projecting eaves, balconies, and similar features.
- ~~35.31.~~ “Building Envelope” means the three-dimensional space within which a structure is permitted to be built on a lot after all zoning and other applicable municipal requirements have been met.
- ~~36.32.~~ “Building Line” means the outer boundary of a building established by the location of its exterior walls.
- ~~37.33.~~ “Building Marker” means an historic or commemorative plaque, or a building name or cornerstone carved into a masonry surface.
- ~~38.34.~~ “Building Official” means the designee of the City Council, responsible for the enforcement of Chapter 155 of this Code of Ordinances.
- ~~39.35.~~ “Business” means activities that include the exchange or manufacture of goods or services on a site.
- ~~40.~~ ~~“Business Support Services” means an establishment or place of business primarily engaged in the sale, rental, or repair of equipment, supplies, and materials or the provision of services used by office, professional, and service establishments to the firms themselves but excluding automotive, construction, and farm equipment; or engaged in the provision of maintenance or custodial services to businesses. Typical uses include office equipment and supply firms, small business machine repair shops or hotel equipment and supply firms, janitorial services, photography studios, and convenience printing and copying.~~
- ~~41.36.~~ “Caliper” means the diameter of a tree trunk. Usually used for trees less than 12 inches in diameter.
- ~~42.37.~~ “Campground” means facilities providing camping or parking areas and incidental services for travelers in recreational vehicles or tents, which accommodate each guest or visitor for no more than seven consecutive days during any one-month period.
- ~~43.38.~~ “Canopy” means a projecting non-movable structure cantilevered or suspended from a building, supported by the main structural members to which it is attached, and used only as a roof or fixed shelter. A canopy may include a printed message or graphic, or not, and is treated no differently as a result under this ordinance.
- ~~44.39.~~ “Cemetery” means land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbaria, crematoria, mausoleums, and mortuaries when operated in conjunction with and within the boundary of such cemetery.
- ~~45.40.~~ “Certificate of Occupancy” means an official certificate issued by the Building Official, upon finding of conformance with the City’s Building Code (Chapter 155), and upon receipt of a Certificate of Zoning Compliance.
- ~~46.41.~~ “Certificate of Zoning Compliance” means an official certificate issued by the Building Official, which indicates that the proposed use of a building or land complies with the provisions of this Zoning Code.
- ~~47.42.~~ “Change of use” means the replacement of an existing use by a new use.
- ~~48.43.~~ “Clearance” means the distance from the bottom of a sign face elevated above grade and the grade below.
- ~~49.44.~~ “Civic Organizations” means uses providing meeting, recreational, or social facilities for a private, nonprofit, or non-commercial association, primarily for use by members and guests.

- ~~50. “College and University Facilities” means an educational institution of higher learning which offers courses of study designed to culminate in the issuance of a degree certified by a generally recognized accrediting organization.~~
- ~~51. “Collector street” means a street connecting neighborhoods within the same communities, designed to carry traffic from local to arterial streets.~~
- ~~52-45.~~ “Commercial Recreation” means private businesses or other organizations, which may or may not be commercial by structure or by nature, which are primarily engaged in the provision or sponsorship of sports, entertainment, or recreation for participants or spectators. Typical uses include driving ranges, theaters, private dance halls, or private skating facilities. Commercial recreation is divided into the following categories:
- a. Commercial Recreation (Limited): Facilities which include a structure of 10,000 square feet or less and/or a site covering an area of no more than one-half acre.
 - b. Commercial Recreation (General): Facilities which include a structure of more than 10,000 square feet and/or a site covering an area of more than one-half acre.
- ~~53-46.~~ “Communications Services” means establishments primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic and telephonic mechanisms but not including those classified as Utilities. Typical uses include television studios, telecommunication service centers, telegraph service offices, or film and sound recording facilities. Broadcast towers and their minor ancillary ground structures are classified as miscellaneous use types.
- ~~54-47.~~ “Common Area” means an area held, designed, and designated for common or cooperative use within a development.
- ~~55-48.~~ “Common Development” means a development proposed and planned as one unified project not separated by a public street or alley.
- ~~56. “Common Open Space” means land within or related to a development that is not individually owned or dedicated for public use, designed, and generally intended for the common use of the residents of the development.~~
- ~~57-49.~~ “Commercial Breeders” means a person, engaged in the business of breeding dogs, cats, or other small animals who sells, exchanges, or leases animals in return for consideration or who offers to do so, whether or not the animals are raised, trained, groomed, or boarded by the person. Typical uses are large-scale animal breeding operations.
- ~~58-50.~~ “Compatibility” means the degree to which two or more different land use types are able to exist together in close proximity, with no one use having significant negative effects on any other use.
- ~~59-51.~~ “Comprehensive Plan” means the duly adopted Comprehensive Development Plan of the City to address future growth and development.
- ~~60-52.~~ “Conditional Use Permit (CUP)” means a permit that is intended to accommodate those types of uses that don’t fit neatly into any particular zoning district, and which have the potential to impact surrounding properties. As part of the approval process, the Board of Adjustment can impose conditions on the proposed use to help minimize the potential impacts on surrounding properties.
- ~~61. “Conditioned Space” means an area, room, or space normally occupied and being heated and/or cooled by any equipment for human habitation.~~

- 62-53. “Conservation Subdivision” means, wholly or in the majority, a residential subdivision that permits a reduction in lot area, setback, or other site development regulations, provided:
- there is no increase in the overall density permitted for a conventional subdivision in a given zoning district; and
 - the remaining land area is used for common space.
- 63-54. “Construction Yards” means establishments, housing facilities, or businesses primarily engaged in construction activities, including incidental storage of materials and equipment on lots other than construction sites. Typical uses are building contractor’s yards.
- 64-55. “Consumer Services” means establishments which provide services primarily to individuals and households, excluding automotive use types. Typical uses include automated banking machines, appliance repair shops, watch or jewelry repair shops, or musical instrument repair shops.
- 65-56. “Convenience Storage” means storage services primarily for personal effects and household goods within enclosed storage areas having individual access but excluding the use of such areas as workshops, hobby shops, manufacturing, or commercial activity. Typical uses include mini warehousing.
- 66-57. “Court” means an approved private right-of-way which provides access to residential properties and meets at least three of the following conditions:
- Serves 12 or fewer housing units or platted lots.
 - Does not function as a local street because of its alignment, design, or location.
 - Is completely internal to a development.
 - Does not exceed 600 feet in length.
- 67-58. “Crop Production” means the raising and harvesting of tree crops, row crops, or field crops on an agricultural or commercial basis. This definition may include accessory retail sales under certain conditions.
- 68-59. “Cultural Services” means a library, museum, or similar registered nonprofit organizational use displaying, preserving, and exhibiting objects of community and cultural interest in one or more of the arts and sciences.
- 69-60. “Custom Manufacturing” means establishments primarily engaged in the on-site production of goods by hand manufacturing, within enclosed structures. This category also includes the incidental direct sale to consumers of only those goods produced on site. Typical uses include ceramic studios, custom jewelry manufacturing, and candle making shops. This involves:
- The use of hand tools, or
 - The use of domestic mechanical equipment not exceeding 2 horsepower, or
 - A single kiln not exceeding 8 KW or equivalent.
- 70-61. “Curb” means a stone, concrete, or other improved boundary marking the edge of a road or other paved area.
- 71-62. “Curb Line” means a line, whether curbing exists or not, which is the edge of the pavement or shoulder.
- 72-63. “Day Care Services” means care for children in the absence of parents or adults requiring supervision for a portion of the day, but less than 24 hours.

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

~~73-64.~~ “Deck” means an unroofed platform, unenclosed except by a railing, which is attached to the ground and/or another structure.

~~74-65.~~ “Density” means the amount of development per specific unit of a site.

~~75-66.~~ “Detention Facilities” means a publicly operated or contracted use providing housing and care for individuals legally confined, designed to isolate those individuals from the community.

~~76-67.~~ “Drive-In Services” means uses which involve the sale of products or provision of services to occupants in vehicles.

~~77-68.~~ “Detached” means fully separated from any other building or jointed to another building in such a manner as not to constitute an enclosed or covered connection.

~~78-69.~~ “Driveway” means a permanent surface area providing vehicular access between a street and an off-street parking or loading area. A driveway surface area shall be asphaltic, Portland cement binder pavement, paver block, concrete block, or similar surface so as to provide a durable and dustless surface. Gravel or rock is not deemed to be a dustless surface.

~~79-70.~~ “Drive-Thru” means an establishment that provides or dispenses products or services, through an attendant or an automated machine, to persons remaining in their vehicle that are in designated drive-thru stacking lanes. A drive-thru facility may be in combination with other uses, such as financial institutions, restaurants, pharmacies, and service providers such as dry cleaners.

~~80-71.~~ “Dwelling Unit” means one or more rooms, designed, occupied, or intended for occupancy as a separate living quarter, with cooking, sleeping, and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household.

~~81-72.~~ “Easement” means a privilege or right of use granted on, above, under, or across a particular tract of land for a specific purpose by one owner to another owner, public or private agency, or utility.

~~82-73.~~ “Emergency Conditions” means lighting that is only energized during an emergency power source; or the path of egress solely during a fire or other emergency situation; or, lighting for security purposes used solely during an alarm; or lighting fed from a backup lighting for illuminating

~~83. “Emergency Residential Services” means a facility or use of a building to provide a protective sanctuary for victims of crime or abuse, including emergency housing during crisis intervention for victims of rape, abuse, or physical beatings. Such facilities are limited to no more than ten victims at any one time.~~

- ~~84-74.~~ “Enclosed” means a roofed or covered space fully surrounded by walls.
- ~~85-75.~~ “Extended Stay Hotel or Motel” see “Lodging.”
- ~~86-76.~~ “Façade” means the exterior face of a building which is the architectural front, sometimes distinguished from the other faces by elaboration of architectural or ornamental details.
- ~~87-77.~~ “Family” means one or more persons occupying a single dwelling unit, related by blood, marriage, domestic partnership, adoption, or other custodial arrangement.
- ~~88-78.~~ “Family Home” Means a facility as defined in Section 414.22 of the Code of Iowa, including, but not limited to, Elder Family Homes and Elder Group Homes.
- a. “Elder Group Home” means a facility as defined in Section 231B of the Code of Iowa.
- ~~89-79.~~ “Federal” means pertaining to the Government of the United States of America.
- ~~90-80.~~ “Fence” means a structure made of wood, metal, masonry, or other material, typically used to screen, enclose, or divide open space for a setback or along a design site line.
- ~~91-81.~~ “Financial Services” means the provision of financial and banking services to consumers or clients. Walk-in and drive-in services to consumers are provided on site. Typical uses include banks, savings and loan associations, savings banks, and loan companies. An ATM (automatic teller machine) which is not accompanied on-site by an office of its primary financial institution is considered a general retail service use type.
- ~~92-82.~~ “Firework Sales” means establishments selling consumer first class fireworks and consumer second class fireworks. A firework Seller License issued by the State Fire Marshal is required. Firework establishments must comply with all standards of the National Fire Protection Act 1124 and Code of Iowa, [Section 100.19](#).
- ~~93.~~ ~~“Floor Area Ratio” means the quotient of gross floor area divided by gross site area.~~
- ~~94-83.~~ “Food Sales” means establishments or places of business primarily engaged in the retail sale of food or household products for home consumption. Typical uses include groceries, delicatessens, meat markets, retail bakeries, and candy shops.
- a. Food Sales (Convenience): Establishments occupying facilities of less than 10,000 square feet; and characterized by sales of specialty foods or a limited variety of general items, and by the sales of fuel for motor vehicles.
- b. Food Sales (Limited): Establishments occupying facilities of less than 10,000 square feet; and characterized by sales of specialty foods or a limited variety of general items but excluding the accessory sale of fuel for motor vehicles. Typical uses include delicatessens, meat markets, retail bakeries, candy shops, and small grocery stores.
- c. Food Sales (General): Establishments selling a wide variety of food commodities, using facilities larger than 10,000 square feet. Typical uses include supermarkets.
- ~~95-84.~~ “Footcandle” means the unit of measure expressing the quantity of light received on a surface. One footcandle is the illuminance produced by a candle on a surface one-foot square from a distance of one foot.
- ~~96-85.~~ “Frontage” means the length of a property line of any one premise abutting and parallel to a public street, private way, or court.
- ~~97-86.~~ “Fully Shielded Luminaire” means a luminaire constructed and installed in such a manner that all light emitted by the luminaire, either directly from the lamp or a diffusing

element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal plane through the luminaire's lowest light-emitting part.

~~98-87.~~ “Funeral Services” means establishments engaged in undertaking services such as preparing the human dead for burial and arranging and managing funerals. Typical uses include funeral homes or mortuaries.

~~99-88.~~ “Gaming Facilities” means establishments engaged in the lawful, on-site operation of games of chance that involve the risk of money for financial gain by patrons. Gaming facilities shall include the accessory sale of liquor and food, pursuant to licensing regulations of the City or the State.

~~100-89.~~ “General Retail Services” means the sale or rental with incidental service of commonly used goods and merchandise for personal or household use but excludes those classified more specifically by these use type classifications. Typical uses include department stores, apparel stores, furniture stores, or establishments providing the following products or services: household cleaning and maintenance products; drugs, cards, stationery, notions, books, tobacco products, cosmetics, and specialty items; flowers, plants, hobby materials, toys, and handcrafted items; apparel jewelry, fabrics and like items; cameras, photographic services, household electronic equipment, records, sporting equipment, kitchen utensils, home furnishing and appliances, art supplies and framing, arts and antiques, paint and wallpaper, hardware, carpeting and floor covering; interior decorating services; retail sales of pets; office supplies; mail order or catalog sales; bicycles; and automotive parts and accessories (excluding service and installation).

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

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

~~101-90.~~ “General Offices” means the use of a site for business, professional, or administrative offices. Typical uses include real estate, insurance, management, travel, or other business offices; organization and association offices; banks or financial offices; or professional offices. The use may contain more than one commercial business or a group of nonresidential buildings within a common development.

~~102-91.~~ “General Industry” means enterprises engaged in the processing, manufacturing, compounding, assembly, packaging, storage, treatment, or fabrication of materials and products from prepared materials or from raw materials without noticeable noise, odor, vibration, or air pollution effects across property lines.

~~103-92.~~ “Glare” means lighting entering the eye directly from luminaires or indirectly from reflective surfaces that causes visual discomfort or reduced visibility.

~~104-93.~~ “Grade” means the horizontal elevation of the finished surface of ground, paving, or sidewalk adjacent to any building line.

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

- b. For buildings having walls facing more than one street, the grade shall be the average elevation of the grades of all walls facing each street.
- c. For buildings having no walls facing a street, the grade shall be the average level of the finished surface of the ground adjacent to the exterior walls of the building.

~~105-94.~~ “Groundcover” means vegetation that helps in stabilizing the soil such as vines, turf, low growing shrubs, and perennials.

~~106-95.~~ “Group Residential” means the use of a site for a residence by four or more unrelated persons or distinct individuals, not defined as a family, on a weekly or longer basis.

~~107-96.~~ “Group Care Facility” means a government-licensed or approved facility which provides for resident care and short or long-term, continuous multi-day occupancy of more than 8 but no more than 30 unrelated persons, not including resident staff. Group Care Facilities include facilities which provide services in accordance with individual needs for the:

- a. Adaptation to living with, or rehabilitation from, the handicaps of physical disability.
- b. Adaptation to living with, or rehabilitation from, the handicaps of emotional or mental disorders or developmental disabilities.
- c. Rehabilitation from the effects of drug or alcohol abuse.
- d. Supervision while under a program alternative to imprisonment, including (but not limited to) pre-release, work-release, and probationary programs.
- e. Others who require direct adult supervision.

~~108-97.~~ “Group Home” means a facility licensed by the State of Iowa in which at least three but no more than eight persons (not including resident managers or house parents), who are unrelated by blood, marriage, or adoption, reside while receiving therapy, training, living assistance, or counseling for the purpose of adaptation to living with or rehabilitation from a physical or mental disability as defined by the relevant provisions of the Code of Iowa or by the Fair Housing Amendments Act of 1988.

~~109-98.~~ “Gross Floor Area” means the total enclosed area of all floors of a building, measured to the inside surfaces of the exterior walls. This definition excludes the areas of basements, elevator shafts, airspaces above atriums, and enclosed off-street parking and loading areas serving a principal use.

~~110-99.~~ “Guidance Services” means a use providing counseling, direction, recuperative, or similar services to persons requiring rehabilitation assistance as a result of mental illness, alcoholism, detention, drug addiction, or similar condition on a daytime care basis.

~~111-100.~~ “Hardscape” means permanent hardscape improvements to the site including parking lots, drives, entrances, curbs, ramps, stairs, steps, medians, walkways, and non-vegetated landscaping that is 10 feet or less in width. Materials may include concrete, asphalt, stone, gravel, etc.

~~112-101.~~ “Hardscape Area” means the area measured in square feet of all hardscape. It is used to calculate the Total Site Lumen Limit in both the Prescriptive Method and Performance Methods. Refer to Hardscape definition.

~~113.~~ “Hardscape Perimeter” means the perimeter measured in linear feet that is used to calculate the Total Site Lumen Limit in the Performance Method. Refer to Hardscape definition.

- ~~114-102.~~ “Heavy Industry” means enterprises involved in the basic processing and manufacturing of products, predominately from raw materials, with noticeable noise, odor, vibration, or air pollution effects across property lines; or a use or process engaged in the storage of or processes involving potentially or actually hazardous, explosive, flammable, radioactive, or other commonly recognized hazardous materials.
- ~~115-103.~~ “Height” means the vertical distance from the established grade to the highest point of the coping of a flat roof, the deck line of a mansard roof, gable, hip, shed, or gambrel roof. For other cases, height shall be measured as the vertical distance from the established grade to the highest point of a structure as herein defined. Where a building or structure is located on a slope, height shall be measured from the average grade level adjacent to the building or structure.
- ~~116-104.~~ “Health Care” means a facility providing medical, psychiatric, or surgical service for sick or injured persons exclusively on an outpatient basis including emergency treatment, diagnostic services, training, administration, and services to outpatients, employees, or visitors.
- a. Health Care (Small-Scale) includes facilities with no more than 10,000 square feet in a single establishment or 30,000 square feet within a multiple-tenant common development.
 - b. Health Care (Large-Scale) includes facilities of 10,000 or more square feet in a single establishment or 30,000 square feet within a multiple-tenant common development.
- ~~117-105.~~ “Hotel” see “Lodging.”
- ~~118-106.~~ “Home Based Business” or “Home Occupation” means an accessory occupational use conducted entirely within a dwelling unit by its inhabitants, which is clearly incidental to the residential use of the dwelling unit or residential structure and does not change the residential character of its site or have any external evidence of such use.
- ~~119-107.~~ “Horticulture” means the growing of horticultural and floricultural specialties, such as flowers, shrubs, or trees intended for ornamental or landscaping purposes. This definition may include accessory retail sales under certain conditions. Typical uses include wholesale plant nurseries and greenhouses.
- ~~120-108.~~ “Housing Unit” or “Dwelling Unit” means a building or portion of a building arranged for and intended for occupancy as an independent living facility for one family, including permanent provisions for cooking.
- ~~121.~~ ~~“IESNA” means Illuminating Engineering Society of North America.~~
- ~~122-109.~~ “Impervious Coverage” means the total horizontal area of all buildings, roofed or covered spaces, paved surface areas, walkways and driveways, and any other site improvements that decrease the ability of the surface of the site to absorb water, expressed as a percent of site area. The surface water area of pools is excluded from this definition.
- ~~123.~~ ~~“Impervious Material” means sealed to severely restrict water entry and movement.~~
- ~~124-110.~~ “Industry Standard Lighting Software” means lighting software that calculates point-by-point illuminance that includes reflected light using either raytracing or radiosity methods.
- ~~125-111.~~ “In-Patient Services” means uses providing bed care and in-patient services for persons requiring regular medical attention but excluding a facility providing surgical or

emergency medical services and excluding a facility providing care for alcoholism, drug addiction, mental illness, or communicable disease. Typical uses include nursing homes.

~~126.112.~~ “Lamp” means a generic term for a source of optical radiation (i.e. “light”), often called a “bulb” or “tube”. Examples include incandescent, fluorescent, high-intensity discharge (HID) lamps, and low pressure sodium (LPS) lamps, as well as light-emitting diode (LED) modules and arrays.

~~127.113.~~ “Landscaped Area” means the area within the boundaries of a given lot, site, or common development consisting primarily of plant material, including but not limited to grass, trees, shrubs, vines, groundcover, and other organic plant materials; or grass paver masonry units installed such that the appearance of the area is primarily landscaped.

~~128.114.~~ “Landscape Lighting” means lighting of trees, shrubs, or other plant material as well as ponds and other landscape features.

~~129.115.~~ “Laundry Services” means establishments primarily engaged in the provision of laundering, cleaning, or dyeing services other than those classified as personal services. Typical uses include bulk laundry and cleaning plants, diaper services, or linen supply services.

~~130.116.~~ “LED” means Light Emitting Diode.

~~131.117.~~ “Light Industry” means establishments engaged in the manufacture or processing of finished products from previously prepared materials, including processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales, and distribution. These establishments are characterized by having no major external environmental effects across property lines and include no unscreened or un-enclosed outdoor storage. Typical uses include commercial bakeries, dressed beef processing plants, soft drink bottling, apparel assembly from fabrics, electronics, manufacturing, print shops, and publishing houses.

~~132.118.~~ “Lighting” means “electric,” “man-made,” or “artificial” lighting. See “Lighting Equipment.”

~~133.119.~~ “Lighting Equipment” means equipment specifically intended to provide gas or electric illumination, including but not limited to, lamp(s), luminaire(s), ballast(s), poles, posts, lens(s), and related structures, electrical wiring, and other necessary or auxiliary components.

~~134.120.~~ “Lighting Zone” means a lighting category establishing legal limits for lighting for particular parcels, areas, or districts in a community.

~~135.121.~~ “Light Trespass” means light that falls beyond the property it is intended to illuminate.

~~136.122.~~ “Liquor Sales” means establishments or places of business engaged in retail sale for off-premises consumption of alcoholic beverages. Typical uses include liquor stores, bottle shops, or any licensed sales of liquor, beer, or wine for off-site consumption.

~~137.123.~~ “Lodging” means lodging services involving the provision of room and/or board, but not meeting the classification criteria of bed and breakfasts. Typical uses include the following definitions:

- a. “Extended Stay Hotel or Motel” means any structure consisting of one or more buildings, with more than five specific dwelling units with provisions for living, eating, contain kitchen facilities for food preparation including, but not limited to, refrigerators, stoves and ovens, sanitation, separate bathroom and kitchen sink, and sleeping in each unit, that is specifically constructed, kept, used, maintained,

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

- b. "Hotel" means one or more buildings containing 20 or more guest rooms, with such rooms being designed or intended to be used, or which are used as temporary or overnight accommodations for guests in which daily services of linen change, central telephone switchboard, towel change, soap change, general cleanup, and a registration lobby staffed on a 24-hour daily basis are provided by the management. Each room shall be a minimum of 250 square feet in area, exclusive of bathroom, closet, or balcony space. No room may be used by the same person or persons for a period exceeding 30 days per year. Access to all rooms shall be provided through one or more common entrances. Accessory uses are encouraged and permitted accessory uses include restaurants, cocktail lounges, banquet halls, ballrooms, or meeting rooms.
- c. "Motel" means a building or group of buildings containing dwelling units, intended to be used or which are used as temporary or overnight accommodations for guests, in which daily services of linen change, central telephone switchboard, towel change, soap change, general cleanup, and a registration lobby staffed on a 12-hour daily basis and 24-hour daily registration and emergency phone number are provided by the management. Each room shall be a minimum of 250 square feet in area, exclusive of bathroom, closet, or balcony space. No room may be used by the same person or persons for a period exceeding 30 days per year. Each living or sleeping unit shall have an individual entrance from outside the building. Living or sleeping units may be equipped with cooking facilities. Parking close to the entrance of each living or sleeping unit should be made available.

~~138-124.~~ "Illumination" means lighting sources installed for the primary purpose of lighting a specific sign or group of signs.

~~139.~~ "~~Interior Landscaped Area~~" means ~~any landscaped area within a site exclusive of required perimeter landscaping.~~

~~140-125.~~ "Landfill" means the use of a site as a depository for solid wastes, including:

- a. Landfill (Non-Putrescible Solid Waste Disposal) is the use of a site as a depository for solid wastes that do not readily undergo chemical or biological breakdown under conditions normally associated with land disposal operations. Typical disposal material would include ashes, concrete, paving wastes, rock, brick, lumber, roofing materials, and ceramic tile.
- b. Landfill (Putrescible and Non-Putrescible Solid Waste Disposal) is the use of a site as a depository for any solid waste except hazardous and toxic waste as defined by the Federal Environmental Protection Agency and/or the State of Iowa. Typical disposal material would include non-putrescible wastes and putrescible wastes such as vegetation, tree parts, agricultural wastes (garbage), and manure.

~~141. "Landscape Amenities" means living or non-living materials used to augment the beauty or usability of a landscaped area. Amenities may include (but are not limited to) additional vegetation, flower gardens, tables, sculptures, monuments, benches, gardens, banners, enhanced pavement, pedestrian plaza areas, fountains, and planters.~~

~~142.126.~~ "Landscape Islands" means a raised unpaved area located within or protruding into a parking lot or the center, unpaved area of a cul-de-sac or traffic circle. The area of a landscape island is measured from the back of the curb to the back of curb.

~~143.127.~~ "Landscape Pod" means a small individual unpaved area within a parking lot incorporated to provide locations for vegetation, thus increasing the aesthetic quality of the parking lot.

~~144.128.~~ "Low Voltage Landscape Lighting" means landscape lighting powered at less than 15 volts and limited to luminaires having a rated initial luminaire lumen output of 525 lumens or less.

~~145.129.~~ "Loading Area" means an off-street area used for the loading or unloading of goods from a vehicle in connection with the use of the site on which such area is located.

~~146.130.~~ "Lot" means a parcel of property with a separate and distinct number or other identifying designation which has been created, assigned, and recorded in the Office of the Polk County Recorder. Each individual lot is subject to the provisions of a particular Base Zoning District and shall have a minimum frontage of 20 feet, except as provided in an approved Planned Unit Development and/or Conservation Subdivision.

- a. "Lot, Corner" means a lot located at the junction of at least two streets, private ways or courts, or at least two segments of a curved street, private way or court, at which the angle of intersection is no greater than 135 degrees.
- b. "Lot, Double Frontage" (also known as a "through lot") means a lot, other than a corner lot, having frontage on two streets, private ways, or courts. Primary access shall be restricted on a double frontage lot to the minor of the two streets or to the front line as determined at the time of platting or as defined by this Zoning Code.
- c. "Lot, Interior" means a lot other than a corner lot.
- d. "Lot, Common Development" means a lot which is considered a single lot for the purposes of this Zoning Code, when two or more contiguous lots are developed as part of a Planned Unit Development.

~~147.131.~~ "Lot Area" means the total horizontal area within the lot lines of a lot.

~~148. "Lot Depth" means the mean or average horizontal distance measured between the front and rear lot lines.~~

- ~~149-132.~~ “Lot Line” means a property boundary line of record that divides one lot from another lot or a lot from the public or private street right-of-way or easement. Once established, lot lines may not be redefined due to a change of address which would result in a new definition of the prior defined lot lines.
- a. “Lot Line, Front” means the lot line separating a lot and a public or private street right-of-way or easement:
 - i. In the case of an Interior Lot, the front lot line is the line separating the lot from the right-of-way or easement;
 - ii. In the case of a Corner Lot, the front lot line is the shorter lot line abutting a public or private street or easement. In instances of equal line dimension, the front lot line shall be determined by the Building Official, or as may be noted on the final plat.
 - iii. In the case of a Double Frontage lot, the front lot line is the line separating the lot from the right-of-way or easement of the more minor street. In cases where each street has the same classification, the front lot line shall be determined by the Building Official at the time of application for the original building permit for the lot, or as may be noted on the final plat.
 - b. “Lot Line, Rear” means the lot line which is opposite and most distant from the front line.
 - c. “Lot Line, Side” means any lot line that is neither a front nor rear lot line. A side lot line separating a lot from a street, private way, or court is a street side lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.
- ~~150-133.~~ “Lot Width” means the horizontal distance measured between the side lot lines of a lot, at right angles to its depth along a straight line parallel to the front lot line at the minimum required setback line.
- ~~151-134.~~ “Lumen” means the unit of measure used to quantify the amount of light produced by a lamp or emitted from a luminaire (as distinct from “watt,” a measure of power consumption).
- ~~152-135.~~ “Luminaire” means the complete lighting unit (fixture), consisting of a lamp, or lamps and ballast(s) (when applicable), together with the parts designed to distribute the light (reflector, lens, diffuser), to position and protect the lamps, and to connect the lamps to the power supply.
- ~~153-136.~~ “Luminaire Lumens” means luminaires with relative photometry per IES, it is calculated as the sum of the initial lamp lumens for all lamps within an individual luminaire, multiplied by the luminaire efficiency. If the efficiency is not known for a residential luminaire, assume 70%. For luminaires with absolute photometry per IES LM-79, it is the total luminaire lumens. The lumen rating of a luminaire assumes the lamp or luminaire is new and has not depreciated in light output.
- ~~154-137.~~ “Lux” means the SI unit of illuminance. One lux is one lumen per square meter. 1 Lux is a unit of incident illuminance approximately equal to 1/10 footcandle.
- ~~155-138.~~ “Main Entrance” means that entrance of the building which is most architecturally prominent and contains operable doors. If multiple entrances are equal, the entrance that faces the most used street.

- ~~156-139.~~ “Maintenance Facilities” means a public facility supporting maintenance, repair, vehicular or equipment servicing, material storage, and similar activities including street or sewer yards, equipment service centers, and similar uses having characteristics of commercial services or contracting or industrial activities.
- ~~157-140.~~ “Manufactured Home Dwelling” means a factory-built, single-family dwelling structure which is to be used as a place for human habitation, which is manufactured or constructed under the authority of 42 U.S. 3. Sec. 5403, Federal Manufactured Home Construction and Safety Standards, and which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than to a permanent site, and which does not have permanently attached to its body or frame any wheels or axles. A mobile home constructed to the National Manufactured Home Construction and Safety Standards promulgated by the US Department of Housing and Urban Development is not a manufactured home unless it has been converted to real property and is taxed as a site-built dwelling as is provided in the Code of Iowa, Section 435. For the purpose of any of these regulations, a manufactured home shall be considered the same as a single-family detached dwelling.
- ~~158.~~ ~~“Manufactured Home Residential” means the use of a site for one or more manufactured home dwellings.~~
- ~~159-141.~~ “Medical Offices” means the use of a site for facilities which provide diagnoses and outpatient care on a routine basis, but which do not provide prolonged, in-house medical or surgical care. Medical offices are operated by doctors, dentists, or similar practitioners licensed for practice in the State of Iowa.
- ~~160-142.~~ “Mixed-Use” means a single building containing two or more types of land uses; or a single development of more than one building and use, where the different types of land uses are in close proximity, planned as a unified complementary whole, and functionally integrated to the use of shared vehicular and pedestrian access and parking areas.
- ~~161-143.~~ “Mixed-Use Development” means a single development which incorporates complementary land use types into a single development.
- ~~162-144.~~ “Mobile Home” means a building type designed to be transportable in one or more sections, constructed on a permanent chassis or undercarriage, and designed to be used as a dwelling unit or other use with or without a permanent foundation when connected to the required utilities, but not bearing a seal attesting to the approval and issuance of the Iowa Department of Health or conformance to the Manufactured Home Procedural and Enforcement Regulations, as adopted by the US Department of Housing and Urban Development; or not otherwise satisfying the definition of “manufactured home dwelling.”
- ~~163-145.~~ “Mobile Home Park” means a unified development under single ownership, developed, subdivided, planned, and improved for the placement of mobile home units for non-transient use. Mobile home parks include common areas and facilities for management, recreation, laundry, utility services, storage, storm shelter, and other services; but do not include mobile home sales lots on which unoccupied mobile homes are parked for the purposes of display, inspection, sale, or storage.
- ~~164.~~ ~~“Modular Housing Unit” means a factory-built structure that is manufactured in components. They must comply with the Iowa State Building Code for modular factory-built structures.~~

- ~~165-146.~~ “Motel” see “Lodging.”
- ~~166-147.~~ “Mounting Height” means the height of the photometric center of a luminaire above grade level.
- ~~167-148.~~ “Nonconforming Development” means a building, structure, or improvement which does not comply with the regulations for its zoning district set forth by this Zoning Code, but which complied with applicable regulations at the time of construction. No action can be taken which would increase the nonconforming characteristics of the development.
- ~~168-149.~~ “Nonconforming Lot” means a lot which was lawful prior to the adoption, revision, or amendment of this Zoning Code but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of this Zoning Code. No action can be taken which would increase the nonconforming characteristics of the lot.
- ~~169-150.~~ “Nonconforming Structure” means a structure which was lawful prior to the adoption, revision, or amendment of this Zoning Code but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of this Zoning Code. No action can be taken which would increase the nonconforming characteristics of the structure.
- ~~170-151.~~ “Nonconforming Use” means a land use which was lawful prior to the adoption, revision, or amendment of this Zoning Code but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of this Zoning Code. No action can be taken which would increase the nonconforming characteristics of the land use.
- ~~171-152.~~ “Nuisance” means an unreasonable and continuous invasion of the use and enjoyment of a property right which a person would find annoying, unpleasant, obnoxious, or offensive.
- ~~172-153.~~ “Object” means a permanent structure located on a site. Objects may include statues or artwork, garages or canopies, outbuildings, etc.
- ~~173-154.~~ “Object Height” means the highest point of an entity but shall not include antennas or similar structures.
- ~~174-155.~~ “Open Space” means any area within a single site or lot that is not covered by a building, structure, parking lot, or driveway. Sidewalks and patios may be counted as open space. Open space is an area which serves the need for leisure, recreation, or pedestrian interaction. Spaces may include (but are not limited to) plaza areas, open lawn areas, trails, recreation facilities, gardens, and pedestrian walkways.
- ~~175-156.~~ “Outdoor Lighting” means lighting equipment installed within the property line and outside the building envelopes, whether attached to poles, building structures, the earth, or any other location; and any associated lighting control equipment.
- ~~176-157.~~ “Outdoor Storage” means the storage of materials, parts, or products that are related to the primary use of a site for a period exceeding three days.
- ~~177-158.~~ “Overlay District” means a district established by this Zoning Code to prescribe special regulations to be applied to a site only in combination with a Base Zoning District.
- ~~178-159.~~ “Owner” means an individual, firm, association, syndicate, partnership, or corporation having sufficient proprietary interest to seek the development of land.
- ~~179-160.~~ “Parapet” means a low, solid, protective screening or decorative wall, often used around a balcony, or along the edge of a roof to screen roof equipment.
- ~~180.~~ “Park and Recreation Services” means publicly owned and operated parks, playgrounds, recreation facilities, and open spaces.

- ~~181.161.~~ “Parking Facility” means an area on a lot and/or within a building, including one or more parking spaces, along with provision for access circulation, maneuvering, and landscaping, meeting the requirements of this Zoning Code. Parking facilities include parking lots, private garages, and parking structures. Vehicle storage is distinct from parking and is regulated by provisions of Chapter 174 – Access & Parking.
- ~~182.162.~~ “Parking Space” means an area on a lot and/or within a building, intended for the use of temporary parking of a personal vehicle. This term is used interchangeably with “parking stall.” Each parking space must have a means of access to a public street. Tandem parking stalls in single-family detached, single-family attached, and townhouse residential uses shall be considered to have a means of access to a public street.
- ~~183.163.~~ “Parking Structure” means the use of a site for a multi-level building which provides for the parking of motor vehicles on a temporary basis, other than as an accessory to a principal use on the same site.
- ~~184.~~ ~~“Partly Shielded Luminaire” means a luminaire with opaque top and translucent or perforated sides, designed to emit most light downward.~~
- ~~185.164.~~ “Paved” means permanently surfaced with poured concrete, concrete pavers, masonry units, brick, or asphalt.
- ~~186.165.~~ “Pawn Shop” means the location at which or premises upon which a pawnbroker regularly conducts business. Pawnbroker is defined in Chapter 124 of this Code of Ordinances.
- ~~187.166.~~ “Pawnbroker” means a person or individual, group of individuals, partnership, association, corporation, or any other business unit or legal entity who for a fee:
- a. Accepts a check, draft, share draft, or other instrument for the payment of money dated subsequent to the date it was written.
 - b. Accepts a check, draft, share draft, or other instrument for the payment of money dated on the date it was written and holds it for a period of time prior to deposit or presentment pursuant to an agreement with, or any representation made to, the maker of the check, draft, or other instrument whether express or implied.
- ~~188.~~ ~~“Pedestrian Hardscape” means stone, brick, concrete, asphalt, or other similar finished surfaces intended primarily for walking, such as sidewalks and pathways.~~
- ~~189.167.~~ “Pet Services” means pet health services and grooming and boarding, when totally within a building, of dogs, cats, birds, fish, and similar small animals customarily used as household pets. Typical uses include pet stores, small animal clinics, dog bathing and clipping salons, and pet grooming shops, but exclude uses for livestock and large animals.
- ~~190.~~ ~~“Perimeter Landscaped Area” means any required landscaped area that adjoins the exterior boundary of a lot, site, or common development.~~
- ~~191.168.~~ ~~“Pedestrian Style or Scale” or “Human Scale” means the establishment of appropriate proportions for building mass and features in relation to pedestrians and the surrounding context.~~
- ~~192.169.~~ “Permitted Use” means a land use type allowed as a matter of right in a zoning district, subject only to special requirements of this Zoning Code.
- ~~193.170.~~ “Photoelectric Switch” means a control device employing a photocell or photodiode to detect daylight and automatically switch lights off when sufficient daylight is available.

- ~~194.171.~~ “Planning Commission” means the Planning and Zoning Commission of the City, as authorized pursuant to Chapter 414 of the Code of Iowa.
- ~~195.172.~~ “Planned Unit Development” means a development of land which is under unified control and is planned and developed as a whole in a single development operation or programmed series of development stages. The development may include streets, circulation ways, utilities, buildings, open spaces, and other site features and improvements.
- ~~196.173.~~ “Plaza” means a public square or an open space.
- ~~197.174.~~ “Porch, Unenclosed” means a roofed or unroofed open structure projecting from an exterior wall of a building and having no enclosed features more than 30 inches above its floor other than wire screening and a roof with supporting structure.
- ~~198.175.~~ “Postal Facilities” means postal services, including post offices, bulk mail processing, or sorting centers operated by the United States Postal Service.
- ~~199.176.~~ “Premises” means a lot, parcel, tract, or plot of land, contiguous and under common ownership or control, together with the buildings and structure thereon.
- ~~177.~~ “Primary Educational Facilities” means a public, private, or parochial school offering instruction at the elementary school level in the branches of learning study required to be taught in schools within the State of Iowa. “Primary Street Frontage” means the building frontage that corresponds to the main street that provides access to the Primary Building Frontage for the structure or building. In the case of corner lots, both of the streets the building fronts are considered to be Primary Street Frontages.
- ~~200.178.~~ “Primary Building Frontage” means the building frontage that is most accessed by patrons or users of the building.
- ~~201.179.~~ “Private Garage” means a building for the storage of motor vehicles where no repair service facilities are maintained and where no motor vehicles are kept for rental or sale.
- ~~202.180.~~ “Property Line” see “lot line.”
- ~~203.181.~~ “Public Assembly” means facilities owned and operated by a public agency or a charitable nonprofit organization accommodating the public for recreation, sports, amusement, religious worship, religious education, or entertainment purposes. Typical uses include civic or community auditoriums, sports stadiums, convention facilities, fairgrounds, incidental sales, and exhibition facilities.
- ~~204.182.~~ “Recreational Vehicle” means a vehicle towed or self-propelled on its own chassis or attached to the chassis of another vehicle and designed or used for temporary dwelling, recreational, or sporting purposes. Recreational vehicles include (but are not limited to) travel trailers; campers; motor coach homes; converted buses and trucks, snowmobiles, boats, and boat trailers.
- ~~205.183.~~ “Regulation” means a specific requirement set forth by this Zoning Code which must be followed.
- ~~206.184.~~ “Relative Photometry” means photometric measurements made of the lamp plus luminaire, adjusted to allow for light loss due to reflection or absorption within the luminaire. Reference standard: IES LM-63.
- ~~207.185.~~ “Research Services” means establishments primarily engaged in research of an industrial or scientific nature. Typical uses include electronics research laboratories, space research and development firms, testing laboratories, or pharmaceutical research labs.

~~208-186.~~ “Restaurant, Drive-In or Fast-Food” means an establishment whose principal business is cooking and preparation of food to sell for consumption within a motor vehicle parked on the premises or within the restaurant building, or any combination thereof, and whose principal method of operation includes the following characteristics as contrasted to a standard restaurant; designed to attract and depend upon a large volume of customers; limited, relatively low-cost menu items; quick-order service at a window or counter, from where the customer generally carries the food to another counter or table for consumption; and most food is served in or on paper, plastic or other disposable containers; and any other restaurant not defined as a standard restaurant.

~~209-187.~~ “Restaurant, General” means an establishment whose principal business is cooking and preparation of food to sell for consumption within the restaurant building and whose principal method of operation is characterized by customers being seated by a restaurant employee and provided with an individual menu, and who are served by a restaurant employee at the same table or counter at which food and beverages are consumed; also including cafeteria line service offering a wide selection of main courses and other menu items, including restaurants with limited drive-thru service to customers in a motor vehicle. Delicatessens, establishments whose principal business is the sale of pizza or of ice cream, yogurt, coffee, or milk products are specifically included in the definition.

~~210-188.~~ “Residential” means the use of a site for one or more dwelling units.

- a. “Residential, Single-Family Detached” means a single-family residential use in which one dwelling unit is located on a single lot, with no physical or structural connection to any other dwelling unit.
- b. “Residential, Townhomes” means a townhome residential use with six or more units, in which the dwelling units have a common wall with or abutting one or more adjacent dwelling units in a townhouse structure, with its own front and rear access to the outside, and neither above nor below any other dwelling unit.
- c. “Residential, Accessory Dwelling Unit” means a non-principal dwelling unit that is separate from the principal dwelling.
- d. “Residential, Duplex” means a residential use with two dwelling units contained within the same structure. Units do not have to contain a common wall and may be above or below each other.
- e. “Residential, Multi-Family” means a residential use with more than three units on a single lot in which all units do not contain at least one common wall with another unit. Units do not have to contain a common wall and may be above or below each other. Also known as Residential, Multiple-Family.
- f. “Residential, Downtown” means the use of upper levels above the street level of a building within the Urban Center District of the City for single- or multiple-family residential uses.

~~211-189.~~ “Retirement Residence” means a building or group of buildings which provide residential facilities for four or more residents of at least 50 years of age, or households headed by a householder of at least 50 years of age. A retirement residence may provide a range of residential building types and may also provide support services to residents, including (but not limited to) food service, general health supervision, medication services, housekeeping services, personal services, recreation facilities, and transportation services. The retirement residence may accommodate food preparation in independent

units or meal service in one or more common areas. Retirement residences with more than 50 living units may include additional health care supervision or nursing care, provided that the number of beds for such residences shall not exceed 25% of the total number of individual living units. Typical uses include continuing care retirement centers.

~~212.190.~~ “Recycling Collection” means any site which is used in whole or part for the receiving or collection of any post-consumer, non-durable goods including (but not limited to) glass, plastic, paper, cardboard, aluminum, tin, or other recyclable commodities.

~~213.191.~~ “Recycling Processing” means any site which is used for the processing of any post-consumer, non-durable goods including (but not limited to) glass, plastic, paper, cardboard, aluminum, tin, or other recyclable commodities.

~~214.192.~~ “Resource Extraction” means a use involving on-site extraction of surface or subsurface mineral products or natural resources, excluding the grading and removal of dirt. Typical uses are quarries, borrow pits, sand and gravel operations, and mining.

~~215.193.~~ “Right-of-Way” means an area dedicated for public use or contained in an easement or other conveyance or grant to the City, including (but not limited to) streets, alleys, boulevards, sidewalks, public greenways, and other public property between the lateral property lines in which a roadway lies.

~~216.~~ “Roof Line” means the top of the exterior wall on buildings without a pitched roof. On pitched roof buildings, it means the ridgeline of the roof.

~~217.194.~~ “Safety Services” means facilities for the conduct of public safety and emergency services including police and fire protection services and emergency medical and ambulance services.

~~218.195.~~ “Salvage Services” means places of business primarily engaged in the storage, sale, dismantling, or other processing of used or waste materials which are not intended for reuse in their original forms. Typical uses include automotive wrecking yards, junk yards, or paper salvage yards.

~~219.196.~~ “Screening” means the method by which a view of one site from another adjacent site is shielded, concealed, or hidden. Screening techniques include fences, walls, hedges, berms, or other features as may be permitted by the landscape provisions of this Code.

~~220.~~ “Seasonal Lighting” means temporary lighting installed and operated in connection with holidays or traditions.

~~221.197.~~ “Secondary Educational Facilities” means a public, private, or parochial school offering instruction at the junior high or high school level in the branches of learning and study required to be taught in the schools of the State of Iowa.

~~222.198.~~ “Setback” means the distance, as required by the minimum setback, which establishes the horizontal component of the building envelope.

~~223.~~ “Shielded Directional Luminaire” means a luminaire that includes an adjustable mounting device allowing aiming in any direction and contains a shield, louver, or baffle to reduce direct view of the lamp.

~~224.199.~~ “Short Term Vacation Rental (STVR)” means a lodging service that provides overnight or short-term accommodations to guests and visitors. For the purpose of this definition, STVRs are always owned and operated by the resident owner of the structure and accommodate each guest or visitor for no more than 14 consecutive days during any one-month period. For the purpose of this definition, the lodging service must be approved

by a national accommodation service such as Airbnb, VRBO, or other similar service. To be used as an STVR, property owners shall reside at the residence a minimum of 180 calendar days per year.

~~225.200.~~ “Shrub” means a small woody plant generally less than 12 feet in height that is either deciduous or evergreen.

~~226.201.~~ “Sign” is any device, display, or structure that is visible from a public place and that has words, letters, figures, designs, symbols, logos, illumination, or projected images. This definition does not include architectural elements incorporated into the structure or façade of a building. For the purposes of this sign code, “signs” do not include those only visible from the inside of a building or athletic field/stadium; nor do “signs” include those held by or attached to a person. Sign regulations are set forth in Chapter 175 of this Zoning Code.

- a. “Sign, Abandoned” means a sign, including sign face and supporting structure, which refers to a discontinued business, profession, commodity, service, or other activity or use formerly occupying the site; or which contains no sign copy on all sign faces for a continuous period of six months.
- b. “Sign, Attached” means a sign which is structurally connected to a building or depends upon that building for support.
- c. “Sign, Auxiliary Design Elements” means terms which describe secondary characteristics of a sign, including its method of illumination and other features within the bounds of its basic shape.
- d. “Sign, Awning” means a temporary or movable shelter supported entirely from the exterior wall of a building and composed of non-rigid materials, except for a supporting framework. An awning sign is a message printed on such a shelter.
- e. “Sign, Banner” means material with a printed message or graphic secured or mounted from a structure in such a way as to allow wind movement under which pedestrian or vehicle traffic passes but does not include signs or materials under which peoples or traffic do not pass, such as that tied or secured within or to a window or porch opening, or tied or secured flush against a building.
- f. “Sign, Billboard” means a freestanding sign that is at least 14 feet by 30 feet.
- g. “Sign, Detached” means a sign which is self-supporting and structurally independent from any building.
- h. “Sign, Directional” means a sign which serves only to designate the location or direction of any area or place.
- i. “Sign, Double-Faced” means a sign consisting of no more than two parallel faces supported by a single structure.
- j. “Sign, Electronic Changeable Copy” means a sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged manually without altering the face or surface of the sign.
- k. “Sign, Ground” means a detached on-premises sign built on a freestanding frame, mast, or pole with a clearance no greater than 3 feet.
- l. “Sign, Marquee” means a permanent roofed structure attached to and supported by a building and extending over the public right-of-way.
- m. “Sign, Maximum Permitted Area” means the maximum permitted combined area of all signs allowed on a specific property.

- n. “Sign, Monument” means an on-premises freestanding sign with the appearance of a solid base. The base shall be at least 75% of the sign.
- o. “Sign, Moving” means a sign which conveys its message through rotating, changing, or animated elements.
- p. “Sign, Nonconforming” means a sign that was legally erected prior to the adoption, revision, or amendment of this Zoning Code but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of this Zoning Code. No action can be taken which would increase the nonconforming characteristics of the sign.
- q. “Sign, Pole” means an on-premises sign, including any flag, built on a freestanding frame, mast, or pole with a clearance greater than 3 feet, and where the support encompasses less than 75% of the width of the sign.
- r. “Sign, Portable” means any sign supported by frames or posts rigidly attached to bases not permanently attached to the ground or a building and capable of being moved from place to place.
- s. “Sign, Roof” means any sign or part of a sign erected upon, against, or directly above a roof or on top of or above the parapet or cornice of a building.
 - i. “Integral roof sign” means a roof sign positioned between an eave line and the peak or highest point on a roof, substantially parallel to the face of a building.
 - ii. “Above-peak roof sign” means a roof sign positioned above the peak of a roof or above a parapet or cornice.
- t. “Sign, Sidewalk” means a portable sign that is placed on the sidewalk close to an establishment. These are traditionally in the shape of an “A” or an inverted “T.”
- u. “Sign, Temporary” means a sign constructed of cloth, canvas, vinyl, paper, plywood, fabric, plastic, or other lightweight material that is neither permanently installed in the ground nor permanently affixed to a building or structure that is permanently installed in the ground, and which is displayed less than 60 days. The term “temporary sign” includes, but is not limited to, A-frame signs, lawn signs, banners, and inflatable signs. The term “temporary sign” does not include flags and signs that are intended to regularly move, such as a moving sign.
- v. “Sign, Wall” means a sign attached to and parallel with the side of a building, including works of graphic art painted or applied to building walls.
- w. “Sign, Window” means a sign painted on or installed inside a window for the purpose of viewing from outside the premises. Window signs do not include messages, signs, or speech hung from or exercised in the interior of the home which are visible from the exterior of the home. Residents may elect for window signs to count towards residential signs or temporary signs.

227.202. “Sign Area” means the area of the surface of the sign to be measured.

- a. “Signs on a background” require the entire area of the framework or background of the sign.
- b. “Sign with a base” require the background not including the base.
- c. “Individually mounted letters or features” requires a rectangle that would encompass each word or feature.

- d. "Signs with two faces" requires the larger of two faces to be measured.
- e. "3-D signs" requires 50% of a rectangular prism that encompasses the object.
- ~~228-203.~~ "Site" means the parcel of land to be developed or built upon. A site may encompass a single lot or a group of lots developed as a common development under the special and overlay districts provisions of this Zoning Code.
- ~~229-204.~~ "Site Plan" means a plan, prepared to scale, showing accurately and with complete dimensioning, the boundaries of a site and the location of all buildings, structures, uses, and principal site development features proposed for a specific parcel of land, and which includes any other information that may reasonably be requested by the City in order that an informed decision can be made on the associated request.
- ~~230-205.~~ "Small Wind Energy System" means a wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of not more than 100 kilowatts (kW), and which is intended to primarily reduce on-site consumption of utility-supplied electricity.
- ~~231-206.~~ "Surplus Sales" means businesses engaged in the sale of used or new items, involving regular, periodic outdoor display of merchandise for sale. Typical uses include flea markets and factory outlets or discount businesses with outdoor displays.
- ~~232-207.~~ "Story" means the portion of a building included between the surface of any floor and the surface of the next floor above it or, if there is no floor above it, the space between such floor and the next ceiling above it. A half story is a story under a sloped roof, the wall heights of which on at least two opposite exterior walls are less than four feet.
- ~~233-208.~~ "Street" means a right-of-way dedicated to public use, which affords a primary means of access to the abutting property. This definition is intended to be inclusive of the term as defined in Iowa statutes.
 - a. In regard to a site, the principal street shall be the street to which the majority of lots on a blockface are oriented;
 - b. The intersecting street shall be a street other than a principal street.
- ~~234-209.~~ "Street, Local" means a street which is used primarily for access to the abutting properties.
- ~~235-210.~~ "Street, Major" means a street carrying traffic between neighborhoods, connecting neighborhoods with major activity centers, or accommodating major through traffic. Major streets are designated as collectors, arterials, or expressways by the Comprehensive Plan.
- ~~236-211.~~ "Street Façade" means any separate external face of a building, including parapet walls and omitted wall lines, oriented to and facing a public street, private way, or court. Separate faces oriented in the same direction or within 45 degrees of one another are considered part of the same street façade.
- ~~237-212.~~ "Streetscape" means a combination of vegetation, amenities such as bike racks, and special visual features along either side of vehicular travel lanes for the purpose of aesthetics or shade.
- ~~238-213.~~ "Structure" means any object constructed or built, the use of which requires location on the ground or attachment to something located on the ground.
- ~~239-214.~~ "Temporary Use" means a conduct of an activity or the performance of a function or operation on a site or in a building or facility that is not intended to be permanent.

- a. "Temporary Use (Short-term)" means a short-term use with a maximum duration of four consecutive days or less.
- b. "Temporary Use (Long-term)" means a long-term use in duration of more than four consecutive days but less than six months.

~~240-215.~~ "Temporary Structure" means any shed, structure, building, trailer, tent, or enclosure of any kind used for storage, commercial, business, or residential purposes which any person or business intends to place on the same lot with or on any lot immediately adjacent to, any permanent structure used for business or commercial or residential purposes. This term includes "Temporary Portable Storage Container," which is defined as a large container designed and rented or leased for the temporary storage of commercial, industrial, or residential household goods and that does not contain a foundation or wheels for movement. All other words or phrases shall have the same meaning assigned to them in Chapter 166 of this Code of Ordinances.

~~241-216.~~ "Time Switch" means an automatic lighting control device that switches lights according to the time of day.

~~242-217.~~ "Tower Height" means the height above grade of the fixed portion of the tower, excluding the wind turbine itself.

~~243-218.~~ "Total Extended Height" means the height above grade to a blade tip at its highest point.

~~244-219.~~ "Trade Services" means establishments or places of business primarily engaged in the provision of services that are not retail or primarily dedicated to walk-in clientele. These services often involve services to construction or building trades and may involve a small amount of screened, outdoor storage in appropriate zoning districts. Typical uses include shops or operating bases for plumbers, electricians, or HVAC (heating, ventilating, and air conditioning) contractors.

~~245-220.~~ "Translucent" means allowing light to pass through, diffusing it so that objects beyond cannot be seen clearly (not transparent or clear).

~~246. "Travel Way" means a pedestrian or automotive path.~~

~~247-221.~~ "Transportation Terminal" means a facility for loading, unloading, and interchange of passengers, baggage, and incidental freight or package express, including bus terminals, railroad stations, and public transit facilities.

~~248-222.~~ "Truck Terminal" means a facility for the receipt, transfer, short term storage, and dispatching of goods transported by truck.

~~249. "Turf Grass" means a surface layer of earth containing mowed grass with its roots.~~

~~250-223.~~ "Unshielded Luminaire" means a luminaire capable of emitting light in any direction including downwards.

~~251-224.~~ "Uplight" means for an exterior luminaire, flux radiated in the hemisphere at or above the horizontal plane.

~~252-225.~~ "Use" means the conduct of an activity or the performance of a function or operation on a site or in a building or facility.

~~253-226.~~ "Utilities" means any above-ground structure or facilities other than lines, poles, and other incidental facilities or installations, either above or below ground, necessary for the production, generation, transmission, delivery, collection, treatment, or storage of water, solid or fluid wastes, storm water, energy media, gas, electronic or electromagnetic signals, or other services which are precedent to development and use of land.

- ~~254.~~ “Vehicle Use Area” means the area of a development subject to vehicle traffic, including access ways, loading and service areas, areas used for parking or storage of vehicles, boats, or portable construction equipment, and all land which vehicles cross over as a function of the primary use.
- ~~255-227.~~ “Vertical Illuminance” means illuminance measured or calculated in a plane perpendicular to the site boundary or property line.
- ~~256-228.~~ “Veterinary Services” means veterinary services and hospitals for animals. Typical uses include pet clinics, dog and cat hospitals, pet cemeteries, and veterinary hospitals for livestock and large animals.
- ~~257-229.~~ “Vision Clearance Triangle” means a triangle with legs of 15 feet from the point at which the curbs or edges of two intersecting streets, private ways, or courts or an intersecting street, private way, or court and driveway, meet at grade.
- ~~258-230.~~ “Warehousing” means uses including open-air storage, distribution, and handling of goods and materials, but not including storage of hazardous materials. Typical uses include monument yards or open storage.
- ~~259-231.~~ “Yard, Required” means that portion of a lot which lies between a lot line and the corresponding building setback line or the required landscape area. This area shall be unoccupied and unobstructed from the ground upward except as may be specifically provided for or required by this Zoning Code.
- a. “Front Yard” means the space extending the full width of a lot, lying between the front lot line and the front setback line. For a corner lot, the front yard shall normally be defined as that yard along a street which meets one of the following two criteria:
 - i. The yard along the blockface to which a greater number of structures are oriented; or
 - ii. The yard along a street that has the smaller horizontal dimension.
 - b. “Rear Yard” means the space extending the full width of a lot, lying between the rear lot line and the rear setback line.
 - c. “Interior Side Yard” means the space extending the depth of a lot from the front to rear lot lines, lying between the side yard setback line and the interior lot line.
 - d. “Street Side Yard” means, on a corner lot, the space extending from the front yard to the rear yard, between the street side yard setback line and the street side lot line.
- ~~260-232.~~ “Zoned Lot” means a parcel of land in single ownership that is large enough to meet the minimum zoning requirements of its zoning district and can provide such yards and other open spaces that are required by the site development regulations.
- ~~261-233.~~ “Zoning District” means a designated specified land classification, within which all sites are subject to a unified group of use and site development regulations set forth in this Zoning Code.

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

CHAPTER 168
ZONING CODE – ZONING DISTRICT REGULATIONS

168.01 Purpose	168.06 Interpretation of District Boundaries
168.02 Establishment of Districts	168.07 Vacation of Streets and Alleys
168.03 Application of Districts	168.08 Permitted Uses
168.04 Development Regulations	
168.05 Zoning Map	

168.01 PURPOSE.

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

168.02 ESTABLISHMENT OF DISTRICTS.

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

<u>BASE ZONING DISTRICT</u>	<u>DISTRICT NAME</u>
R-1	Low Intensity Residential District
R-2	Urban Family Residential District
R-3	Multiple-Family Residential District
MH	Mobile Home Residential District
CC	Community Commercial District
UC	Urban Center District
LI	Limited Industrial District

<u>OVERLAY DISTRICT</u>	<u>DISTRICT NAME</u>
PUD	Planned Unit Development Overlay District
F	Floodplain/Floodway Overlay District

168.03 APPLICATION OF DISTRICTS.

A base district designation shall apply to each lot or site within the City and its planning jurisdiction. Each site must be in one base district. The Planned Unit Development and Floodplain/Floodway Overlay Districts may be applied to any lot or site or any portion thereof, in addition to any base district designation.

168.04 DEVELOPMENT REGULATIONS.

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

168.05 ZONING MAP.

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

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

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

168.06 INTERPRETATION OF DISTRICT BOUNDARIES.

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

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

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

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

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

168.07 VACATION OF STREETS AND ALLEYS.

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

168.08 PERMITTED USES

Table 168-1 – Purposes of Zoning Districts

Symbol	Title	Purpose
R-1	Low Intensity Density Residential	This district is intended to provide for low to medium-density residential neighborhoods, characterized by single-family and two-family dwellings on moderately sized lots with supporting community facilities and urban services. Its regulations apply to established parts of Windsor Heights and to new areas which are developed to higher residential densities. Regulations are intended to minimize traffic congestion and to assure that density is consistent with the carrying capacity of infrastructure.

R-2	Urban Family Residential	This district is intended to provide for medium-density residential neighborhoods, characterized by single-family dwellings on small to moderately sized lots and low-density, multiple-family development. It provides special regulations to encourage innovative forms of housing development. It adapts to both established and newer neighborhoods, as well as transitional areas between single-family and multi-family neighborhoods. Its regulations are intended to minimize traffic congestion and to assure that density is consistent with the carrying capacity of infrastructure.
R-3	Multiple-Family Residential	This district is intended to provide locations primarily for residential multiple-family housing, with supporting and appropriate community facilities. It also permits some nonresidential uses such as offices through a special permit procedure, to permit the development of mixed-use neighborhoods.
MH	Mobile Home Residential	This district recognizes that mobile home development, properly planned, can provide important opportunities for affordable housing. It provides opportunities for mobile home development within planned parks or subdivisions, along with the supporting services necessary to create quality residential neighborhoods.
CC	Community Commercial	This district is intended for commercial facilities which serve the needs of markets ranging from several neighborhoods to the overall region. CC Districts are appropriate at major intersections, at the junction of several neighborhoods, or at substantial commercial sub-centers.
UC	Urban Center	This district recognizes the mixed-use character primarily along the University Avenue corridor, which is the principal route through central Windsor Heights. This district contains a combination of residential, commercial, and office uses and is known for its walkability and main street feel.
LI	Limited Industrial	This district is intended to reserve sites appropriate for the location of industrial uses with relatively limited environmental effects. The district is designed to provide appropriate space and regulations to encourage good quality industrial development while assuring that facilities are served with adequate parking and loading facilities.
Special and Overlay Districts: These districts may be applied to a parcel in combination with a Base Zoning District. Overlay Districts are intended to help the City manage development in areas that exhibit special characteristics or features that warrant a greater differentiation of standards. Special and Overlay Districts include:		
Planned Unit Development District		
Floodplain/Floodway District		
Specific purposes and standards for each Overlay District are detailed in Chapter 169: Special and Overlay Districts.		

Table 168-2 – Permitted Uses by Zoning District

Use Types	R-1	R-2	R-3	MH	CC	UC	LI
Administration	C	C	C	C	P	P	P
Adult Entertainment							C
Agricultural Sales/Service					C		P
Alternative Energy Production Devices	C	C	C	C	C		P
Amateur Radio Tower	P	P	P	P	P	P	P
Animal Production							C
Auto Rental/Sales					P		P
Auto Services					P	C	P
Bars					P	P	P
Bed and Breakfast	C	C	C		P	P	
Body Repair					C		P
Broadcasting Tower					C		C
Business Support					P	P	P
Business/Trade School					P	P	P
Cemetery	C	C	C				
Civic Organizations	C	C	C	C	P	P	
College/University	C	C	C	C	P	C	
Commercial Breeders							P
Commercial Recreation (General)					C	C	P
Commercial Recreation (Limited)					P	P	P
Communications Services					P	P	P
Construction Batch Plant							P
Construction Sales/Service					P		P
Construction Yards							C
Consumer Services					P	P	P
In-Patient Services	C	C	C	C	P	C	
Convenience Storage					C		P
Crop Production							
Cultural Services	C	C	P	P	P	P	P
Custom Manufacturing					C	C	P
Day Care (General)	C	C	P	C	P	P	C
Day Care (Limited)	P	P	P	P	P	P	C

Use Types	R-1	R-2	R-3	MH	CC	UC	LI
Pawn Shop							C
Detention Facilities							C
Emergency Residential	C	C	C	C	P	P	C
Equipment Rental/Sales							P
Equipment Repair							P
Family Home	C	C	P	C		P	
Financial Services			C		P	P	P
Firework Sales							P
Food Sales (Convenience)					P	C	
Food Sales (General)					P	C	
Food Sales (Limited)					P	P	
Funeral Services		C	C		P	P	
Gaming Facility					C	C	
General Industry							C
General Offices			C		P	P	P
General Retail (Large-Scale)					P	C	
General Retail (Small-Scale)					P	P	
Group Care Facility	C	C	P	C	P	P	C
Group Home	C	C	P	P	P	P	
Guidance Services			C		P	P	P
Health Care (Large-Scale)			C		C	C	C
Health Care (Small-Scale)		C	C		P	P	P
Heavy Industry							C
Horticulture					C		
Landfill (Putrescible)							C
Landfill (Non-Putrescible)							C
Laundry Services					P	C	P
Liquor Sales					P	P	
Light Industry							P
Lodging					P	P	
Maintenance Facility							P
Manufactured Housing Residential	P	P	P	P			

Use Types	R-1	R-2	R-3	MH	CC	UC	LI
Medical Offices			C		P	P	P
Mobile Home Park				C			
Off-Street Parking					C	C	P
Parking Structure					C	P	P
Parks/Recreation	P	P	P	P	P	P	P
Pet Services					P	C	P
Postal Facilities					P	P	P
Primary Education	P	P	P	P	P	P	
Public Assembly	P	P	P	P	P	P	
Railroad Facilities							P
Recycling Collection					C		P
Recycling Processing							C
Repair Services							P
Research Services					P	P	P
Residential, Accessory Dwelling Unit	C	P	P				
Residential, Downtown						P	
Residential, Duplex	C	P	P			P	
Residential, Multi-Family		C	P		C	P	
Residential, Single-Family Detached	P	P	P	P		P	
Residential, Townhouse		C	P		C	P	
Resource Extraction							C
Restaurants (Drive-In)					P	C	P
Restaurants (General)					P	P	C
Retirement Residential	C	C	P	C		C	
Safety Services	C	C	P	P	P	P	P
Salvage Services							C
Secondary Education	C	C	C	C	P	P	
Surplus Sales					C	C	P
STVR (Short Term Vacation Rental)	P	P	P	P	P	P	
Trade Services					P	C	P
Transportation Terminal					P	C	P
Truck Terminal							C

Use Types	R-1	R-2	R-3	MH	CC	UC	LI
Utilities	C	C	C	C	P	P	P
Vehicle Storage (Short-term)							P
Vehicle Storage (Long-term)							C
Veterinary Services					P	P	P
Warehousing							C

Note:

P = Uses Permitted by Right

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

Blank = Use Not Permitted

Table 168-3 – Summary of Site Development Regulations

Regulator	R-1	R-2	R-3	MH
Minimum Lot Area (square feet)	7,200	7,200	7,200	See Section 171.02
Minimum Lot Width (feet)	50	50	50	See Section 171.02
Minimum Yards (feet)				
Front Yard	25	25	25	See Section 171.02
Street Side Yard	25	25	25	See Section 171.02
Interior Side Yard	5	5	5	See Section 171.02
Rear Yard	15	15	15	See Section 171.02
Maximum Height (feet)				
Main Building	35	35	35	See

				Section 171.02
Accessory Building	25	25	25	See Section 171.02
Maximum Building Coverage	40%	50%	50%	See Section 171.02
Maximum Impervious Coverage	65%	65%	65%	50%
Maximum Residential Units Per Acre (du/ac)	7.5	10	20	20
Lighting Zone	LZ-1	LZ-1	LZ-2	LZ-2

Regulator	CC	UC	LI
Minimum Lot Area (square feet)	10,000	5,000	10,000
Minimum Lot Width (feet)	50	25	50
Minimum Yards (feet)			
Front Yard	15	0	25
Street Side Yard	15	0	25
Interior Side Yard	10	0	25
Rear Yard	20	10	25
Maximum Height (feet)			
Main Building	60	60	45
Maximum Building Coverage	60%	60%	70%
Maximum Impervious Coverage	80%	N/A	80%
Maximum Residential Units per Acre (du/ac)	20	50	0
Lighting Zone	LZ-3	LZ-3	LZ-2

EDITOR'S NOTE

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

ORDINANCE NO.	DATE ADOPTED	ORDINANCE NO.	DATE ADOPTED
98-1	2-Feb-98		
99-2	5-Apr-99		
2-Jul	16-Jul-07		
3-Sep	6-Apr-09		
19-07	21-Oct-19		

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

CHAPTER 169
ZONING CODE – OVERLAY DISTRICTS

169.01 General Purpose 169.02 Planned Unit Development District

169.01 GENERAL PURPOSE.

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

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

169.02 PLANNED UNIT DEVELOPMENT DISTRICT.

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

1. Permitted Uses. Uses permitted in a PUD Overlay District are those permitted in the underlying base district.
2. Site Development Regulations. Site development regulations are developed individually for each Planned Unit Development District but must comply with minimum or maximum standards established for the base district, with the following exceptions:
 - A. Lot area and lot width are not restricted, provided that the maximum density allowed for each base district is not exceeded.
 - B. Maximum building coverage shall be the smaller of the allowed building coverage in the base district, or 60%.
3. Access to Public Streets. Each PUD District must abut a public street for at least 50 feet and gain access from that street.
4. Adoption of District.
 - A. The Planning and Zoning Commission and City Council shall review and evaluate each Planned Unit Development application. The City may impose reasonable conditions, as deemed necessary to ensure that a PUD shall be compatible with adjacent land uses, will not overburden public services and facilities, and will not be detrimental to public health, safety, and welfare.
 - B. The Planning and Zoning Commission, after proper notice, shall hold a public hearing and act upon each application.

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

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

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

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

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

5. Amendment Procedure. Major amendments to the Development Plan must be approved according to the same procedure set forth in Subsection 4 of this section.

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

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

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

CHAPTER 170
ZONING CODE – DEVELOPMENT AND DESIGN STANDARDS

170.01 Purpose and Scope	170.05 Amendment
170.02 Development and Design Standards	170.06 Site Review Process
170.03 Jurisdiction	170.07 Site Plan Review Requirements
170.04 Validity of Approval	

170.01 PURPOSE AND SCOPE.

The purpose of this Ordinance is to provide guidance and standards for development within the City in order to guide development in a manner which is conducive to protecting the health, safety, and general welfare of residents and property owners within the City. All development and redevelopment of land or property within the City shall minimize adverse effects upon adjacent properties by maintaining or improving upon the aesthetic quality of a surrounding area, and by providing adequate pedestrian and traffic safety, emergency access, water supply, sewage disposal, management of stormwater, and erosion and sediment control. Site Plan review and approval by City Council shall be required for all principal structures other than individual single family detached, duplex, and parking lot as a primary use in any zoning district.

170.02 DEVELOPMENT AND DESIGN STANDARDS.

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

170.03 JURISDICTION.

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

170.04 VALIDITY OF APPROVAL.

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

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

grant an exemption on the time construction shall begin after their approval is given for a utility service structure.

170.05 AMENDMENT.

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

Minor changes include, but are not limited to the following:

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

170.06 SITE REVIEW PROCESS.

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

1. Notice and Hearings.
 - a. Public Hearing. Before submitting its recommendation on a Site Plan to the City Council, the Planning and Zoning Commission shall hold at least one public hearing thereon, notice of which will be given to all property owners within 200 feet whenever possible. Notice shall be published of said hearing in a newspaper of general circulation, as required by, and in conformance with, Iowa law. The notice shall state the place and time at which the proposed amendment to the Ordinance will be held as well as the legal description or address of said property.
2. Submission Requirements. The applicant shall submit a Site Review application and all associated fees with preliminary plans to the Planning Department. The Planning and Zoning Commission is required to review site plans and make a recommendation to the city council. Additionally, the applicant will provide:
 - a. Full name, address, and contact information of the applicant in a reproducible electronic format.
 - b. Full legal description of the property in a reproducible electronic format.
 - c. Name and address of all property owners within 200' of the proposed development in a reproducible electronic format.

3. Applicability. A Site Plan Review shall be required for the following:
 - a. New construction;
 - b. Major reconstruction (more than 30% of the exterior structure is affected);
 - c. Major renovation (more than 30% of the interior structure is affected);
 - d. Changes to parking (more than 30% of the existing area);
 - e. Any Development the Zoning Administrator deems is substantial enough to require oversight by the Planning Commission with Site Plan Review.
4. Pre-application Meeting. The applicant is required to attend a scheduled predevelopment meeting with City staff to review a conceptual Site Plan prior to the submittal of a full Site Plan. Following the predevelopment meeting, the applicant shall submit a complete Site Plan in accordance with the requirements of the Site Plan and any other information determined to be necessary for review at the Planning and Zoning Commission meeting.
5. Elevations. As part of the review process, an applicant shall provide colored architectural elevation drawings for each elevation of the building or buildings proposed for new construction, addition, alteration, or the like.
 - a. The elevation drawings should be provided in 11" by 17" format unless otherwise approved by the Administrative Official.
 - b. Each elevation drawing should include massing dimensions and callouts of the proposed materials indicated on the elevation.
 - c. In the event that accessory structures are proposed as a part of the site plan review process, the Administrative Official shall have the ability to request elevation drawings or colored details of said accessory structures to ensure compliance with the provisions of this ordinance.

170.07 SITE PLAN REVIEW REQUIREMENTS.

Site Plans shall be submitted in electronic format with the ability to provide physical copies sized 24" by 36" upon request by the Zoning Administrator. A Site Plan will not be submitted to the Planning and Zoning Commission for action until it is deemed complete. The Administrative Official has the authority to deem the submittal complete. Review and comment by the Fire Inspector, Public Works, Engineer, and other Administrative Officials will be obtained before Planning and Zoning Commission review. It is permissible and encouraged to introduce large and potentially controversial projects to City staff as far in advance as possible.

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

exist as a measurement determined by the City to meet the objectives outlined by the Windsor Heights Comprehensive Plan.

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

1. Narrative Information to be provided:
 - A. Name and address of property owner; including telephone and email.
 - B. Name and address of applicant; provide if different than the property owner.
 - C. Name and address of plan preparer; including telephone and email.
 - D. Following City Council or administrative approval, the certification of the Architect and Civil Engineer licensed in the State of Iowa. Include seal, date, and signature on all applicable drawings prior to City Council approval of the Site Plan. Other certification may be requested when appropriate by the Administrative Official.
 - E. Certification of a Registered Land Surveyor licensed in the State of Iowa. Include seal, date, and signature on applicable drawings prior to City Council Approval.
 - F. Current Zoning of Property. List the property's existing zoning consistent with the City of Windsor Heights' Official Zoning Map. Include any overlay districts the property may be within and the land use identified in the current City of Windsor Heights Comprehensive Plan where the property is located.
 - G. Legal Description of Site. Include the plat name and lot number for all new Site Plans.
 - H. Total Area of Site. The total area of the site should be indicated in acres and square feet.
 - I. Open Space.
 - (1) Indicate the total area of the proposed site in square feet, the area of open space within the site, and its percentage of the total site. The calculation should include all open space pervious areas and permitted pedestrian plazas.
 - (2) The total area of the site reserved for parking facilities, the open space within the defined parking area, and its percentages of the total parking area should be calculated and indicated in square feet.
 - J. Pervious and Impervious Surface. Indicate the total area of the proposed site in square feet, the area of pervious surface, and the area of impervious surface including all structures.
 - K. Proposed Use of Site. Indicate all proposed uses for the site and building(s) as known at the time of application.
 - L. Parking Stalls. The total number of parking stalls required based on the proposed building use(s) of the site should be indicated. If more than one building use is proposed for the site, each individual parking stall requirement should be indicated separately of the total.
 - M. Loading Areas. If applicable to the proposed building uses of the site, the number of required and provided loading stalls should be indicated.
 - N. Setback Requirements. All setback requirements of the applicable zoning district within which the proposed site is located should be provided.
 - O. Special Flood Hazard Area. The 100-year flood elevation should be indicated based on the most recent FEMA FIRM Map.
2. Plan Information.
 - A. General and Survey Information.

- (1) North Arrow. Include on Site Plan and all other applicable sketches, drawings, and details.
 - (2) Scale of Drawing. A minimum scale of 1" = 30' shall be required.
 - (3) Vicinity Sketch. A minimum scale of 1" = 800' shall be used to indicate the properties within 300 feet of the proposed site location. The boundary of the proposed site location should be clearly defined in relation to other properties shown within the vicinity sketch.
 - (4) Site Boundary. All property lines shall be delineated with a heavy line.
 - (5) Bearing and Distances or Curve Data along Boundary. Information shall be indicated as platted. Any measured information different than platted should be identified.
 - (6) Name and address of all Adjoining Property Owners. All property lines adjacent to the proposed site, or across street right-of-way, shall be indicated with the owner and/or subdivision name(s) in addition to any adjoining lot numbers, as appropriate.
 - (7) Existing Features. All existing physical features shall be indicated on the Site Plan including but not limited to plant materials, drainage ways, structures, fences, and any encroachments. Projects involving numerous existing features may be requested to submit a demolition, removal, or relocation plan as determined to be most beneficial.
 - (8) Soil Tests and Similar Information. Soil tests and similar information may be required to determine the feasibility of the proposed development in relation to the design standards set forth herein.
 - (9) Topography. The existing and proposed topography shall be indicated with a maximum of two (2) foot intervals. Spot elevations may also be required at the request of the Administrative Official.
 - (10) Limits of Phased Construction. If the site is to be developed in more than one phase, the limits of each proposed construction/development phase shall be indicated, including all facets of the phasing proposed.
 - (11) Additional Information. Drawings or other materials necessary to describe a proposed project may be requested by the Planning and Zoning Commission or Administrative Official. The applicant may include additional information or materials such as sketches, videos, models, or photos if they help explain the proposal.
- B. Building Footprint.
- (1) Footprint. An accurate representation of the proposed building(s) footprint(s), including exterior structures incorporated into the building mass and proposed internal demising walls known at the time of application.
 - (2) Size. Include the total square footage of each proposed floor, the number of floors, and the amount of finished area on each floor including any proposed basement area. For all multi-family and townhome proposals, the total number of units proposed for each building footprint should be indicated.
 - (3) Entryways. The location of all proposed entries, service doors, and overhead doors.
 - (4) Mechanical Units. Indicate the proposed location and type of all proposed ground mechanical units including air conditioning units, telephone pedestals, transformers, coolers, or other similar units.
 - (5) Trash Enclosures. Indicate the proposed location of all trash enclosures for the site and provide a detail of the structure for review.

C. Building Façade

- (1) Façade Material. Indicate the proposed materials on each building.
- (2) Façade Coverage. The percentage of the façade that each material covers will be indicated on the site plan and conform to design standards within the respective zoning district.

D. Pedestrian Circulation.

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

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

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

E. Streets and Access.

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

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

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

- a. Proposed private streets are built to Windsor Heights Standard Specifications for public streets.
- b. They are maintained by the property owners requiring the private street(s) through a Homeowners Association or through an approved development agreement between the developer(s) and the City.
- c. The width and thickness of the private street(s) are appropriate as determined by the City Engineer or a traffic impact study in accordance with the city specifications.
- d. Sidewalks should be installed on both sides of the private street(s) unless additional landscaping or open space is incorporated into the site in an amount approved by the City Council in relief of one sidewalk per street.
- e. A public ingress/egress easement is provided over the private street(s) location.

(4) Shared Access.

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

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

F. Parking and Loading Areas.

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

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

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

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

G. Lighting.

(1) A lighting plan should be provided with all site plans indicating the location, type, height, power rating, and any shielding methods required of all existing and/or proposed lighting fixtures. The lighting shall follow all applicable City ordinances including Dark-Sky standards. See Chapter 172.13 Lighting.

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

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

H. Lighting Standards.

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

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

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

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

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

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

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

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

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

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

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

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

I. Lighting Design.

(1) Required Lamps – Generally, all lamps shall be halogen, metal halide, LED, or others with similar qualities to reduce glare and provide for improved color correct vision. Full cut-off high pressure sodium lamps, not exceeding a maximum lumen rating of 16,000 lumens, may be used in outdoor storage areas where the need for good color rendering capabilities for safety and security is not necessary. Such areas shall not be accessible to the general public or adjacent to R-1, R-2, & R-3 zoned property.

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

(3) Commercial and Industrial Architectural and Decorative Lighting.

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

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

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

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

(4) Site and Parking Lot Lighting.

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

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

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

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

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

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

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

(7) Pedestrian Walkway Lighting. All pedestrian walkways shall be lit by pedestrian-level, bollard-type lighting (4 ft. height max.), ground mounted lighting, pole lighting (12 ft. height max.), or other low, glare-controlled fixtures that are mounted on building or landscape walls. University Avenue lighting should be followed as above.

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

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

a. Airport lighting required by law.

b. Temporary emergency lighting.

c. Temporary lighting, other than security lighting, at construction projects.

d. Governmental facilities where a compelling need for safety and security has been demonstrated.

e. Lighting for flag poles, church steeples, or other similar non-commercial items provided they do not cause distraction within public rights-of-way.

J. Signage.

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

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

K. Landscaping.

(1) Common and scientific names for all proposed plant material.

(2) Quantity, height/caliper/gallon size (as applicable) of all proposed plant material.

(3) Location of all proposed plant materials.

(4) Number of ground cover plants per square foot to be planted, and/or pounds of seed per 1,000 square feet and species/characteristics of grass in all areas to be seeded.

(5) Location, size, and species of all existing plant material to remain. This includes a diagram and/or tree survey noting the location, size, and species of existing trees and shrubs.

(6) Location of retaining walls, fences, utility easements, existing and proposed structures, and parking areas.

(7) Plant installation details.

(8) Drainage areas.

(9) All proposed trees and plantings of any existing trees larger than six inches in diameter to be removed.

(10) All landscaping necessary for the fulfillment of all City Ordinances shall be indicated on the Site Plan and will conform to Chapter 173 of this Ordinance.

CHAPTER 171
TEMPORARY USES AND STRUCTURES

171.01 Purpose	171.06 General Regulations
171.02 Temporary Uses and Structures	171.07 Specific Requirements for Related Areas
171.03 Compliance with Chapter Provisions	171.09 Conditions of Approval
171.04 Permit Required	171.10 Fees
171.05 Prior Determination for Temporary Use Permit Approved	171.11 Violations and Penalties

171.01 PURPOSE.

The Supplemental Use Regulations set forth additional standards for certain uses located within the various zoning districts. These regulations recognize that certain use types have characteristics that require additional controls in order to protect public health, safety, and welfare. These regulations complement the use regulations contained in Chapter 168 of this Code of Ordinances.

171.02 TEMPORARY USES AND STRUCTURES.

These regulations are intended to prescribe the conditions under which limited duration activities (e.g., Christmas tree sales, pumpkin sales, landscape material sales, grand openings, special events, etc.) may be conducted. The intent is to allow for the temporary storage, display, and marketing of merchandise on a seasonal basis in an attractive manner to serve the desires of the general public but prevent the creation of any nuisance or annoyance to the occupants of adjacent buildings, premises or property, and the general public. It is also the intent to establish minimum standards for the operation of temporary uses in a manner that will provide for the health, safety, and welfare of the patrons, employees, the general public, etc. that may utilize or be affected by the establishment of the temporary use.

1. Exemptions.
 - a. Garage sales. The casual and occasional sales of used household goods by the owner thereof to the public, on a non-receiving basis, if the seller, at the time of the sale, is not engaged for profit in the business of selling goods of that or a similar nature, so long as such sales are not conducted in excess of three consecutive days and no more than two times annually.

171.03 COMPLIANCE WITH CHAPTER PROVISIONS.

No temporary use or structure permit shall be issued except for when hereinafter provided.

171.04 PERMIT REQUIRED.

The following uses are eligible for a temporary permit, provided they meet the following criteria and obtain prior approval from the Zoning Administrator. No temporary use shall occur, and no temporary structures shall be erected, without first obtaining a permit from the Zoning Administrator. All permits are subject to approval by the Zoning Administrator. Further, the

Zoning Administrator may impose certain reasonable requirements as may be required to prevent any negative impact to surrounding properties. City sponsored events are exempt from these requirements.

1. Construction Office. If a building permit has been issued for the construction of a new building on the same property or if a contractor has another non-building related construction project, the applicant may also apply for a temporary use permit for the purpose of installing any temporary structures used as temporary office, shop, or storage on the property provided they directly relate to the new construction activity and the temporary structure is removed upon completion of the construction project. Specific uses under this category may include the following:
 - a. Real estate offices and model homes;
 - b. Any structure used for construction offices, workshops, and storage;
2. Any other construction-related uses not specified in this section which, in the opinion of the Zoning Administrator, are similar to the uses listed in this section.
 - a. Special Events. These uses are intended to serve special events such as grand openings, parking lot sales, group assembly activities, etc. These uses typically involve the use of a tent, outdoor shelter, or any other enclosure and temporary structure. Garage sales are exempt from these provisions, provided they do not occur any more frequently than one 3-day event per 180-day period. Garage sales occurring more frequently shall be considered a commercial retail sales business in a residential zone, which is prohibited. Specific uses under this category may include the following:
 - i. Parking lot sales, sidewalk sales (private sidewalks only), clearance sales, or other temporary uses which, in the opinion of the Zoning Administrator, are similar to the uses listed in this section. (For purposes of this section, the term “sidewalks” does not apply to outside areas adjacent to sidewalks that were specifically built for outside sales.)
 - ii. Grand openings and special events, and grand openings which are not sponsored by the City or Chamber.
 - iii. Group assembly activities not sponsored or endorsed by the City (e.g. carnivals, fairs, rodeos, sports events, concerts, and shows).
 - b. Temporary food and beverage uses must meet the requirements of Chapter 183. (Subsection D – Ord. 18-03 – Apr. 18 Supp.)
 - c. Any other event related uses not specified in this section which, in the opinion of the Zoning Administrator, are similar to the uses listed in this section.
3. Seasonal Related. These uses typically involve the erection or setup of a temporary structure in order to display seasonal goods and wares. This does not include the sale of fireworks. These permitted uses and any related structures expire upon the completion of the season or at another specified date. Specific uses under this category may include the following:
 - a. Retail sales of Christmas trees and pumpkins.
 - b. Retail sale of agricultural products and landscape nursery material, unless the establishment sells and is zoned for sales of similar materials.
 - c. Nurseries and greenhouses.

- d. Any other seasonal related uses not specified in this section which, in the opinion of the Zoning Administrator, are similar to the uses listed in this section.

171.05 TEMPORARY USE PERMIT APPROVAL.

The Zoning Administrator shall only approve an application for a temporary use permit if all of the following findings can be made:

1. The proposed temporary use will be compatible with adjacent uses and will not adversely affect the surrounding neighborhood by means of odor, noise, dust, or other nuisance.
2. The additional parking required by the temporary use will be provided on site, if applicable, or adequate street parking is available in the immediate area.
3. Increased traffic caused by the temporary use will not adversely affect the surrounding neighborhood or City at large.
4. The proposed temporary use is consistent with the comprehensive plan, this Code of Ordinances, and all City and State regulations.

171.06 GENERAL REGULATIONS.

Each temporary use shall be described in a permit issued by the Zoning Administrator prior to commencement of the use. This permit shall be in addition to all other licenses, permits, or approvals otherwise required by any governmental entity. Each temporary use shall adhere to the following regulations.

1. Length. The temporary use shall be defined as either short-term or long-term.
 - a. "Temporary Use (Short-term)" means a short-term use is a use with a maximum duration of four consecutive days or less.
 - b. "Temporary Use (Long-term)" means a long-term use in duration of more than four consecutive days but less than six months.
2. Parking Spaces.
 - a. The number of additional parking spaces required, if any, and the location of such additional parking spaces, for the temporary activity shall be determined by the Zoning Administrator. The number of permanent parking spaces allowed to be used under the short-term temporary use permit shall be reviewed and determined by the Zoning Administrator.
 - b. The maximum number of permanent parking spaces allowed to be used for the operation of a long-term temporary use shall not exceed 20% of the parking on a site plan that was approved by the City to be counted toward the allowable size of the long-term temporary use or 20% of the site area, whichever is more restrictive.
3. Signs.
 - a. Non-illuminated detached signs.
 - A. Amount.
 1. A maximum of two detached signs.
 - B. Size.
 1. The total size area must be below 60 square feet.

2. Each sign may have a maximum size area of 30 square feet.
4. Cleanliness.
 - a. All sites shall be completely cleaned of debris and temporary structures including (but not limited to) trash receptacles, signs, stands, poles, electric wiring, or any other fixtures and appurtenances or equipment connected therewith, within five days after the termination of the sale or special event.
 - b. A bond or cash deposit in the amount of five hundred dollars (\$500.00) shall be deposited with the City to assure adequate cleanup of activities that occur on vacant or undeveloped lots, and/or involving the construction or placement of temporary structures. The bond for long-term temporary food and beverage uses shall be in the amount of seven hundred fifty dollars (\$750.00). Activities located in fully developed shopping centers will be exempt from bonding, with the exception of uses that involve the construction or placement of a temporary structure, and any long-term temporary food and beverage facilities shall be required to post a bond or cash deposit. The Zoning Administrator may waive this requirement for normal and customary uses incidental complementary to the principal use.
5. Sanitary facilities.
 - a. Sanitary facilities, either portable or permanent, shall be made available to all employees, attendants, and participants of the activity during its operational hours, as approved by the Zoning Administrator in concurrence with the City Engineer and County Health Department unless stipulated otherwise in this chapter. If the restroom facilities are located within an adjacent building, the written authorization of the owner of the adjacent building shall be required specifically stating that the restroom facilities will be made available to the employees, attendants, and participants at all times during the hours of operation of the temporary use activity.
6. General Regulations.
 - a. No area of public right-of-way may be used without obtaining approval from the Zoning Administrator, who will confer with the Chief of Police, Fire Chief, Public Works Director, and the City Administrator.
 - b. Proof of ownership or a signed letter, either from the property owner or an authorized representative for the property on which the activity is to take place, shall be presented at the time the temporary permit is requested.
 - c. All temporary structures including, but not limited to, greenhouses, trailers, mobile homes, signs, etc., shall conform to the zoning setback requirements unless stated otherwise in this chapter. Temporary structures are also subject to permit requirements as set forth in Chapter 152 of this Code of Ordinances.
7. Application Requirements. Applications for the temporary use shall be accompanied by the prescribed number of copies of a project plan and such other detailed elevations, plans, and other information as may be required to adequately evaluate the proposed use. A plan of the layout of the proposed use shall be submitted to the City with the application on a base plan prepared in accordance with the site plan requirements of the City. The proposed layout of the garden center area may be drawn onto a copy of a

previously approved site plan for the temporary use permit submittal. The layout plan shall identify the following:

- a. Area. The area on the site proposed to be utilized as part of the temporary use and associated sales areas.
 - A. Delineate how different areas will be used.
- b. Traffic.
 - A. Proposed modifications to the traffic patterns and methods proposed to notify patrons and identify the temporary traffic pattern changes, i.e., signage, traffic cones, fencing and barriers, etc.
 - B. Proposed vehicle loading zone.
 - C. Proposed temporary barriers or corrals with an architectural elevation, photo, or sketch of the barriers' proposed construction.
- c. Location of Facilities.
 - A. Electrical connection
 - 1. Overhead power connection with a minimum clearance above a grade of 14 feet;
 - 2. Installation of an underground conduit; or
 - 3. Other method acceptable to the City. The use of an overhead connection shall only be allowed in those areas where overhead electrical service currently exists in the area. Use of extension cords, cables, or wires, whether lying on the ground or otherwise connected to a power source, is expressly prohibited for long-term garden center uses. An electrical permit shall be obtained prior to any electrical installation or connection.
 - B. Water connection
 - C. The applicant shall provide, as determined by the Zoning Administrator, adequate facilities for the disposal of trash, waste, pallets, and display racks.
 - D. Restroom facilities shall be provided at all times during the temporary use activity.
- d. Indemnification and Proof of Insurance.
 - A. The owner or operator of any long term temporary use shall provide evidence of comprehensive general liability coverage and contractual liability insurance by an insurance company licensed to do business in the State of Iowa in the limits of at least \$1,000,000.00 for each personal injury accident and/or death; \$1,000,000.00 for each aggregate personal injury and/or death; and \$1,000,000.00 for each property damage accident. The evidence shall name the City as a coinsured and shall state that it cannot be canceled or materially altered without giving the City at least 30 days written notice by registered mail, return receipt requested. The owner or operator of a temporary garden center or the property owner shall execute an agreement, acceptable to the City, which indemnifies and holds harmless the City from any and all liability, damages, claims, costs, expenses, interest, and reasonable

attorney fees relating to the temporary use and associated facilities on the property.

- e. Removal. At the expiration of the temporary use permit, any structures, barricades, shelving, pallets, leftover merchandise, or other facilities associated with the temporary use shall be removed from the site.
- f. Safety Standards. In order to promote the safety of the patrons of these facilities, the following shall be required:
 - A. Bulk material shall be neatly and safely stacked.
 - B. All sales areas shall be separated from vehicular uses by the placement of a fence or barrier acceptable to the Zoning Administrator to prevent pedestrian and vehicular conflicts. If a barrier is of an open nature where patrons can reach through and obtain access to the merchandise, a four foot walkway shall be located adjacent to the barrier to prevent patrons from standing outside the barrier in traffic ways to shop.
 - C. The door openings for any greenhouses, shade structures, or similar enclosures shall have a minimum ten-foot setback from drive aisles where an opening in the barrier is provided aligned with the door of the structure.
- 8. Where openings in the barriers occur for pedestrian access, sight visibility shall be maintained so that vehicles can clearly see pedestrians approaching the opening from a distance of no less than 50 feet.
- 9. Temporary drive aisles shall be maintained at a minimum 24-foot width for two-way traffic and shall be delineated by the placement of traffic barriers, fencing, or some other physical marker that clearly informs drivers of the end of the parking area and the start of the drive aisle. A clear line of sight shall be maintained at the entrance and exit of the temporary drive aisles.
- 10. Vehicle loading areas shall be located in an area that minimizes pedestrian and vehicle conflict and provides for the safe loading of merchandise and vehicle access to and from the traffic lanes to the loading area, preferably without backing movements.

171.07 SPECIFIC REQUIREMENTS FOR RELATED AREAS.

- 1. Construction Office
 - a. Construction Offices and Related Structures.
 - A. Zoning.
 - 1. The use and structure are allowed in any zoning district. All requirements such as, but not limited to, setbacks, landscaping, parking, etc. are required to be complied with.
 - B. Maximum Duration.
 - 1. 24 months.
 - C. Amount.
 - 1. Limited to one per property and located entirely within the property boundaries.
- 2. Special Event.
 - a. Zoning.

- A. The use is allowed in any zoning district.
 - B. Events occurring in an R-1, R-2, or R-3 District shall occur between 7:00 a.m. to 10:00 p.m. except with the approval of the Chief of Police; all other zones as determined by the Zoning Administrator.
 - b. Maximum Duration.
 - A. Four consecutive days, not to exceed four events in a 12-month period.
- 3. Seasonal Related.
 - a. Retail Sales of Christmas Trees and Pumpkins.
 - A. Zoning.
 - 1. The use is allowed in any zoning district.
 - B. Maximum Duration.
 - 1. Forty (40) calendar days prior to December 25 for Christmas tree sales; October 1 through November 1 for pumpkin sales.
 - b. Agricultural Produce Stands.
 - A. Zoning.
 - 1. The use is allowed in any zoning district.
 - B. Termination.
 - 1. Stands and displays shall be removed when not used for a period of 30 consecutive days.
 - c. Retail Sales of Landscape Nursery Materials.
 - A. Zoning.
 - 1. The use is allowed in the CC, UC, and LI Zoning Districts.
 - B. Termination.
 - 1. Stands and displays shall be removed when not used for a period of 30 consecutive days.
- 4. Other structures or uses determined to be consistent with the intent of this subsection, with the approval of the Zoning Administrator.

171.08 CONDITIONS OF APPROVAL.

The Zoning Administrator may impose such conditions on a temporary use permit as is necessary to meet the purposes of this section and protect the public health, safety, and welfare and adjacent uses.

171.09 FEES.

The application fee for a temporary use permit shall be in the amount as established from time to time by resolution of the Council, payable each year of operation.

171.10 VIOLATIONS AND PENALTIES.

The operation of a temporary use is a privilege allowed by this section. Failure to maintain a temporary use in compliance with the conditions of approval and the regulations of this section shall constitute a nuisance and may be punished as set forth in Chapter 50 of this Code of Ordinances. A written notice of a violation of the temporary use permit shall be sent to the operator of the temporary use and the property owner, if different than the operator, and the

operator shall have a maximum of five (5) days, as determined by the Zoning Administrator, to bring the site into compliance. If the operator fails to correct the violation in the prescribed time, the City may revoke the temporary use permit and issue a cease and desist order for the temporary use. There shall also be a one-year moratorium from that date on the issuance of any other temporary use permits on the property and a one-year probationary period for the second year following the violation. During the probationary period, if the operator of a temporary use fails to maintain the premises and the use in conformance with the conditions of approval and this Code, after the notification procedures noted above, the City may revoke the temporary use permit and no other temporary use permits shall be issued on the property for a period of two (2) years.

DRAFT

**CHAPTER 172
ZONING CODE –
SUPPLEMENTAL SITE DEVELOPMENT REGULATIONS**

172.01 Purpose	172.07 Accessory Structure
172.02 Mobile Home Parks	172.08 Outdoor Storage
172.03 Commercial Uses	172.9 Setback Adjustments
172.04 Performance Standards for Industrial Uses	172.10 Height Exceptions
172.05 Maximum Permitted Sound Levels Adjacent to Residential Zoning Districts	172.11 Small Wind Innovation Zone Ordinance
Table 172.05-1 Maximum Permitted Sound Levels at Residential Boundaries	172.12 Fence Regulations
172.06 Accessory Uses	172.13 Outdoor Lighting
	<u>172.14 Building Façade</u>
	<u>172.15 Parkland Dedication</u>

172.01 PURPOSE.

The Supplemental Site Development Regulations recognize the existence of special conditions that cannot comply literally with the site development regulations set out for each zoning district. Therefore, these regulations qualify or modify the district regulations of this Zoning Code and provide for specific areas of exception.

172.02 MOBILE HOME PARKS.

Mobile Home Parks in the MH District. Mobile home parks are permitted in the MH District as conditional uses, subject to approval by the Board of Adjustment. Following the effective date of this Zoning Code, no mobile home shall be located outside of a mobile home park. A mobile home park is subject to the approval of a special use permit and compliance with the following regulations:

1. Certification. A certification of compliance with all ordinances and regulations regarding mobile home licensing, zoning, health, plumbing, electrical, building, fire protection, and any other applicable requirements shall be required of all mobile home parks.
2. Minimum and Maximum Area. A mobile home park shall be considered to be one zoned lot. The minimum contiguous area of a mobile home park shall be 100,000 square feet.
3. Density Requirements.
 - a. The maximum gross density of a mobile home park shall be 10 units per acre.
 - b. The minimum size of an individual mobile home space shall be 3,500 square feet for singlewide mobile home units and 5,000 square feet for doublewide mobile home units.
 - c. Each mobile home space shall have a width of at least 40 feet wide and a length of at least 75 feet.
4. Site Development Standards.
 - a. Setbacks. Each mobile home park shall have a minimum perimeter setback of 35 feet from adjacent nonresidential uses and 50 feet from adjacent residential

uses. No space for a dwelling unit or any other structure shall be permitted in the required setback.

- b. **Setback Landscaping.** All area contained within the required setbacks except sidewalks and private drives shall be landscaped and screened in conformance with Chapter 173 of this Zoning Code. Screening shall be provided in conformance with Chapter 173 for any common property line with another nonresidential use.
- c. **Impervious Coverage.** Impervious coverage for a mobile home park shall not exceed 50% of the total site area.
- d. **Open Space.** Each mobile home park shall provide a minimum of 400 square feet of open recreational space per unit. Such space shall be provided at a central location accessible from all parts of the park by pedestrians. Required perimeter setbacks or buffers shall not be credited toward the fulfillment of this requirement.
- e. **Separation Between Mobile Home Units.** The minimum separation between a mobile home unit and attached accessory structure and any other mobile home units and/or accessory structure shall be 20 feet.
- f. **Separation and Setbacks for Accessory Buildings.** An accessory building on a mobile home space shall maintain a minimum rear and side yard setback of five feet. A minimum distance of ten feet shall be provided between any mobile home and an unattached accessory building.

5. **Street Access and Circulation Requirements.**

- a. **Access to Public Street.** Each mobile home park must abut and have access to a dedicated public street with a right-of-way of at least 60 feet. Direct access to a mobile home space from a public street is prohibited.
- b. **Vehicular Circulation.** The mobile home park must provide interior vehicular circulation on a private internal street system. The minimum interior street width shall be 27 feet. The street system shall be continuous and connected with other internal and public streets or shall have a cul-de-sac with a minimum diameter of 90 feet. No such cul-de-sacs may exceed 300 feet in length.
- c. **Separation between Units and Circulation Areas.** The minimum distance between a mobile home unit and any attached accessory structure and the pavement of an internal street or parking area shall be ten feet.
- d. **Sidewalks.** Each mobile home park shall provide a sidewalk system to connect each mobile home space to common buildings or community facilities constructed for the use of its residents; and to the fronting public right of way. Sidewalk width shall be at least five feet.
- e. **Street and Sidewalk Standards.** All internal streets and sidewalks shall be hard-surfaced. Electric street lighting is required along all internal streets.
- f. **Parking Requirements.** Each mobile home park must provide at least one off-street parking stall for each mobile home space.

6. **Tornado Shelters.** Underground or other approved tornado shelters shall be provided in the mobile home park. Such shelter or shelters shall be built according to the recommendations of the Civil Defense Authority and be large enough to meet the specific needs of the park and its residents.

7. Utilities.
 - a. All mobile home parks shall provide individual units and common facilities with an adequate, piped supply of hot and cold water for both drinking and domestic purposes; and standard electrical service, providing at least one 120-volt and one 240-volt electrical service outlet to each mobile home space.
 - b. Complete sanitary and sewer service shall be provided within each mobile home park in accordance with this Code of Ordinances.
 - c. Properly spaced and operating fire hydrants shall be provided for proper fire protection within each mobile home park in accordance with this Code of Ordinances.
 - d. All electric, telephone, gas, and other utility lines shall be installed underground.
8. Financial Responsibility. Each application for a mobile home park shall include a demonstration by the developer of financial capability to complete the project, and a construction schedule.
 - a. Completion Schedule. Construction must begin on any approved mobile home park within one year of the date of approval by the Planning and Zoning Commission. Such construction shall be completed within two years of approval unless otherwise extended by the Planning Commission.

172.03 COMMERCIAL USES.

1. Auto Service, Repair, Equipment Repair, Body Repair, Convenience Stores, and Gas Stations.
 - a. Where permitted in commercial districts, all repair activities, including oil drainage, lifts, and other equipment, must take place within a completely enclosed building. Outdoor storage is permitted only where incidental to auto repair and body repair, provided that such storage is completely screened so as not to be visible from residential areas or public rights-of-way. Screening is subject to provisions of Chapter 173 of this Zoning Code.
 - b. Any spray painting must take place within structures designed for that purpose and approved by the Building Official.
 - c. All gasoline pumps shall be set back at least 15 feet from any right-of-way line.
2. Automobile and Equipment Rental and Sales.
 - a. All outdoor display areas for rental and sales facilities shall be hard-surfaced.
 - b. Body repair services are permitted as an accessory use to automobile rental and sales facilities, provided that such repair services shall not exceed 25% of the gross floor area of the building.
3. Convenience Storage. When permitted in the CC and LI Districts, convenience storage facilities shall be subject to the following additional requirements:
 - a. The minimum size of a convenience storage facility shall be two acres.
 - b. Activities within the facility shall be limited to the rental of storage cubicles and the administration and maintenance of the facility.
 - c. All driveways within the facility shall provide a paved surface with a minimum width of 25 feet.

- d. All storage must be within enclosed buildings and shall not include the storage of hazardous materials.
- e. No storage buildings may open into required front yards.
- f. Facilities must maintain landscaped buffer yards of 35 feet adjacent to any public right-of-way and 20 feet adjacent to other property lines unless greater setbacks are required by Chapter 173.

172.04 PERFORMANCE STANDARDS FOR INDUSTRIAL USES.

The following performance standards apply to all industrial uses permitted within an LI Limited Industrial zoning district:

1. **Physical Appearance.** All operations shall be carried on within an enclosed building except that new materials or equipment in operable condition may be stored outside. Normal daily inorganic wastes may be stored outside in containers, provided that such containers are not visible from the street.
2. **Fire Hazard.** No operation shall involve the use of highly flammable gases, acids, liquids, or other inherent fire hazards. This prohibition shall not apply to the normal use of heating or motor fuels and welding gases when handled in accordance with the regulations of Polk County and the City of Windsor Heights.
3. **Maximum Permitted Sound Levels Adjacent to Residential Zoning Districts.** No operation in the LI District shall generate sound levels in excess of those specified in Table 172.06-1 at the boundary of a residential district. All noises shall be muffled so as not to be objectionable because of intermittence, beat frequency, or shrillness.
4. **Sewage and Wastes.** No operation shall discharge into a sewer, drainage way, or the ground any material which is radioactive, poisonous, detrimental to normal sewer plant operation, or corrosive to sewer pipes and installations.
5. **Air Contaminants.** No material may be discharged into the air from any source in such quantity as to cause injury, detriment, nuisance, or annoyance to any considerable number of people or to the public in general; or to endanger the health, comfort, or safety of any considerable number of people or to the public in general; or to damage other businesses, vegetation, or property.
6. **Odor.** The emission of odors determined by the Planning and Zoning Commission to be obnoxious to most people shall be prohibited. Such odors shall be measured at the property line of the operation.
7. **Gases.** No release of noxious or poisonous gases shall be permitted except as provided in this section. Measurements of sulfur dioxide, hydrogen sulfide, or carbon monoxide shall not exceed 5 parts per million taken at the property line of the operation.
8. **Vibration.** All machines shall be mounted to minimize vibration. No measurable vibration shall occur at the property line of the operation which exceeds a displacement of 0.003 inch.
9. **Glare and Heat.** All glare generated by a use shall be shielded or directed so as not to be visible at the property line of the operation. No heat may be generated from an operation that raises the air temperature at the property line of the operation by more than five degrees Fahrenheit above the ambient air temperature.
10. **Storage of Chemical Products.** If allowed by special use permit, any above or below ground storage of liquid petroleum products or chemicals of a flammable or noxious nature shall not exceed 150,000 gallons when stored on one lot less than one acre. Such storage shall not

exceed 25,000 gallons in any one tank. Storage of liquid petroleum products or chemicals of a flammable or noxious nature in excess of 25,000 gallons shall be located at least 50 feet from any structure intended for human habitation and at least 200 feet from any Residential, Office, or Commercial zoning district.

172.05 MAXIMUM PERMITTED SOUND LEVELS ADJACENT TO RESIDENTIAL ZONING DISTRICTS.

Table 171.06-1 displays the maximum permitted sound levels that may be generated by uses in the CC, UC, or LI zoning districts where adjacent to residential zoning districts. All measurements shall be taken at or within the boundary between the originating district and the adjacent residential zoning district with a sound level meter meeting American National Standards Institute (ANSI) specifications for a Type II or better general purpose sound level meter. The A-weighted response shall be used.

Table 172.05-1 – Maximum Permitted Sound Levels At Residential Boundaries

Originating Zoning District	Time	Maximum One Hour LEQ* (dBa)
CC, UC	7:00 a.m. – 10:00 p.m.	60
	10:00 p.m. – 7:00 a.m.	50
LI	7:00 a.m. – 10:00 p.m.	65
	10:00 p.m. – 7:00 a.m.	50
*LEQ (or equivalent continuous sound level) is the constant sound level that, in a given situation and time period, conveys the same sound energy as the actual time-varying A-weighted sound. It is the average sound level and accurately portrays the sound the human ear actually hears.		

172.06 ACCESSORY USES.

1. Home-Based Businesses; Home Occupations. Each home-based business shall register with the City, on a form established by the Zoning Administrator. Home-based businesses and home occupations are permitted as an accessory use in residential units subject to the following conditions:

- a. External Effects.
 - A. There shall be no change in the exterior appearance of the building or premises housing the home occupation other than signage permitted within this section.
 - B. No noise, odors, bright lights, electronic interference, storage, or other external effects attributable to the home occupation shall be noticeable from any adjacent property or public right-of-way.

- C. A home occupation that is run within a detached accessory building shall be approved by the Board of Adjustment in accordance with these zoning regulations. All “external effects” criteria in subparagraphs (1), (2), (4), (5), and (6) of this paragraph A are applicable for the detached accessory building. Signage is not allowed upon the detached accessory building.
- D. Mechanical or electrical equipment supporting the home occupation shall be limited to that which is self-contained within the structure and normally used for office, domestic or household purposes.
- E. No outdoor storage of materials or equipment used in the home occupation shall be permitted, other than motor vehicles used by the owner to conduct the occupation. Parking or storage of heavy commercial vehicles to conduct the home occupation is prohibited.
- F. No home occupation shall discharge into any sewer, drainage way, or the ground any material which is radioactive, poisonous, detrimental to normal sewer plant operation, or corrosive to sewer pipes and installations.
- b. Employees. The home occupation shall employ no more than one full time or part time employee on site other than the residents of the dwelling unit.
- c. Extent of Use. For all residential zoning districts, a maximum of 30% of the floor area of the dwelling may be devoted or used for a home based business/home occupation, inclusive of any attached garage or detached accessory buildings used for the home occupation.
- d. Signage. Signage designating the home occupation shall be consistent with regulations for zoning districts set forth in Chapter 175 of this Zoning Code.
- e. Traffic Generation.
 - a. Delivery or service by commercial vehicles or trucks over ten tons gross empty weight is prohibited for any home-based business located on a local street.
- f. Nuisance. No home occupation shall be noxious, offensive, or hazardous due to vehicular traffic generation or emission of noise, vibration, smoke, dust or other particulate matter, odorous matter, heat, humidity, glare, refuse, radiation, or other objectionable emissions that would cause an adverse impact on the neighborhood, as determined by the zoning administrator.

172.07 ACCESSORY STRUCTURE.

1. Accessory structures are enclosed, covered, or walled structures that are customarily incidental and subordinate to the principal use or structure. The accessory buildings and structures include free standing garages, trash enclosures, sheds, play structures, underground shelters, and above-ground and in-ground pools and hot tubs.
2. Standards.
 - a. Construction. No accessory structure shall be constructed upon a lot until the construction of the principal building has been commenced, and no accessory structure shall be used if the principal building has not completed construction within a 2 year period.
 - b. Setback. Structures shall maintain a minimum distance of five feet from any lot lines, alley lines, and adjoining lots.

- A. Must have a greater front yard setback than the primary structure.
- c. Height. All structures shall have a maximum height of 25 feet.
- d. Zoning. Must comply with all underlying standards set forth in Chapter 168.
- e. Exempt Structures.
 - A. Unwalled structures under 120 square feet in size and under 15 feet in height.
 - 1. This does not include carports or concrete slabs.

172.08 OUTDOOR STORAGE.

Outdoor storage is prohibited in all zoning districts except the LI Limited Industrial zoning district, except as provided in this section.

- 1. Outdoor storage is permitted where incidental to auto services, equipment repair, and body repair, provided that such storage is completely screened at property lines by an opaque barrier, as set forth in Chapter 173 Landscaping and Screening Standards. This provision shall apply to any auto services, equipment repair, or body repair use established after the effective date of this Zoning Code.

172.09 SETBACK ADJUSTMENTS.

- 1. Allowable Encroachments Into Setback
 - a. Architectural projections, including roofs which cover porches, enclosed porches, windowsills, belt courses, cornices, eaves, flues, and chimneys, and ornamental features may project three feet into a required yard.
 - b. Terraces, patios, and attached features must be set back at least five feet from an adjacent side lot line, ten feet from the rear lot line, or 20 feet from any street property.
 - c. Fire escapes, fireproof outside stairways, and balconies opening to fire towers may project a maximum of 4.5 feet into a required rear or interior side yard, provided that they do not obstruct the light and ventilation of adjacent buildings.
 - d. In commercial districts, a canopy may extend into a required front yard, provided that the canopy is set back at least five feet from the front property line, covers less than 15% of the area of the required front yard, and has a vertical clearance of at least 8 feet, 6 inches.
- 2. Setback Adjustments.
 - a. Setbacks on Built-Up Blockfaces. These provisions apply if 40% or more of the buildings on that blockface have front yard setbacks different from those required for the specific district.
 - A. If a building is to be built on a parcel of land within 100 feet of existing buildings on both sides, the minimum front yard shall be the mean setbacks of the adjacent buildings.
 - B. If a building is to be built on a parcel of land within 100 feet of an existing building on one side only, the minimum front yard shall be the setback of the adjacent building.

- C. If a building is to be built on a parcel of land not within 100 feet of an existing building on either side, then the minimum front yard shall be the mean setback of all existing buildings on the blockface.
 - D. No setback adjustment pursuant to this section shall create a required front yard setback more than five feet greater than that otherwise required by the applicable zoning district.
 - b. Corner Lots. Required setbacks shall not reduce the buildable width of any corner lot to less than 24 feet. Appropriate setback adjustments shall be allowed to maintain this minimum width.
- 3. Rear Yard Exceptions – Residential Uses. When an irregular lot is used for residential purposes, the rear yard may be measured as the average horizontal distance between the building and rear lot line, provided that the minimum setback shall not be less than 60% of the rear yard required by the zoning district.
- 4. Double Frontage Lots. Residentially zoned double frontage lots on a major street, and with no access to that street, may have a 25-foot minimum front yard setback along said street. All other double frontage lots must provide full front yard setbacks from each adjacent street.
- 5. Satellite Antennas.
 - a. Antennas with a surface area over 6.3 square feet which are accessory to a primary use and are designed to receive and transmit electromagnetic signals, or to receive signals from satellites, shall not be located within any front yard of the primary use.
 - b. Such antennas shall be located no less than 15 feet from the property line of an adjacent property within a residential zoning district.
- 6. Vision Clearance Triangle. No structure, including a fence, shall be built to a height of more than three feet above the established curb grade on the part of the lot bounded by the street lines of the streets which intersect and a line connecting a point on each of such lines 30 feet from their point of intersection. No landscaping shall be planted in such area which will materially obstruct the view of drivers approaching the street intersection. However, in no case shall there be any interference with the required sight distance as determined by the Department of Engineering.

172.10 HEIGHT EXCEPTIONS.

These provisions allow exceptions to the height limit of any zoning district in certain situations.

- 1. Vertical Projections. Chimneys, cooling towers, building mechanical equipment, elevator bulkheads, fire towers, grain elevators, non-parabolic receiving antennas, tanks, solariums, steeples, penthouses not exceeding 25% of total roof area, flag poles, stage towers or scenery lofts, and water towers may be built to any height in accordance with existing and future ordinances. Such structures shall not extend into the approach zones, clear zones, or other restricted air space required for the protection of any public airport.
- 2. Amateur Radio Towers and FCC Pronouncements.
 - a. Radio towers, antennas, and other appurtenances operated by licensed amateur radio operators, where and when permitted, may not exceed 75 feet in height. This height has been determined by the City to reasonably accommodate amateur service

communications and further represents the minimum practicable regulation to accomplish legitimate municipal land use regulation purpose, as recognized under published guidelines of the Federal Communications Commission.

- b. Special instances may require that amateur radio tower heights exceed 75 feet to achieve effective and reliable communications. In such cases, the Council may grant a special use permit to a licensed amateur radio operator for a specific tower height that exceeds 75 feet. In determining whether to grant such permission, the Council shall consider the federal guidelines contained in PRB-1 (Amateur Radio Preemption, 101 FCC 2d (1985), codified at C.F.R. Section 97.15(e).
 - c. Such radio towers shall not be located within any front yard of the primary use.
3. Broadcast Towers. Broadcast towers, when operated by a federally licensed commercial or nonprofit organization, may be built to any height in accordance with existing and future ordinances, subject to the approval of a conditional use permit. This exception does not apply to radio towers, antennas, and other appurtenances operated by licensed amateur radio operators.
3. Small Wind Energy Systems. Small wind energy systems as outlined in 172.11.

172.11 SMALL WIND INNOVATION ZONE ORDINANCE

The purpose of this regulation is to promote the safe, effective, and efficient use of small wind energy systems installed to reduce the on-site consumption of utility-supplied electricity.

1. Findings. The City of Windsor Heights finds that wind energy is an abundant, renewable, and nonpolluting energy resource and that its conversion to electricity will reduce our dependence on nonrenewable energy resources and decrease the air and water pollution that results from the use of nonrenewable energy sources. Distributed small wind energy systems will help diversify the state's energy portfolio. Small wind energy systems also make the electricity supply market more competitive by promoting customer choice. The State of Iowa has enacted a number of laws and programs to encourage the use of small-scale renewable energy systems, including net metering, sales tax exemptions, property tax exemptions, production tax credits, and the Small Wind Innovation Zone program.
2. Permitted Use. Small wind energy systems shall be a permitted use in all zoning classifications where structures of any sort are allowed, subject to certain requirements as set forth below. The City of Windsor Heights may require the installer of the small wind energy system, or the owner of the property upon which the system will be installed, to obtain a building permit for the system, if required by City of Windsor Heights code.
 - a. Tower height and setback. The base of the small wind energy system tower shall be set back from all property lines, public right of ways, and above ground public utility lines at a distance no less than 115% of the total extended height of the tower. Towers shall be allowed closer to a property line than its total extended height if the abutting property owner(s) grants written permission, provided that the tower installation complies with the other applicable setbacks herein provided. As long as the total extended height meets the setback requirements in this section, there shall be no specific height limitation, except as imposed by Federal Aviation Administration

regulations as stated in section 4.3.

b. Requirement for engineered drawings/approval and soil studies.

A small wind energy system of greater than 20 kW, or a small wind energy system mounted on a structure other than a free-standing tower, shall not be erected in the City of Windsor Heights unless the plans and specifications for the system have received the stamped approval of an Iowa registered engineer. In lieu of obtaining the stamped approval of an Iowa registered engineer for each small wind energy system of 20 kW or less mounted on a free-standing tower, a manufacturer may submit its standard plans and specifications for a 20 kW system on a free-standing tower, including its soils study and foundation plans for such system, for a one-time review and stamped approval by an Iowa registered engineer as suitable for construction in any soil condition that exists in the State of Iowa. If such one-time stamped approval is obtained, that manufacturer may thereafter construct such small wind energy systems of 20 kW or less in the City of Windsor Heights, utilizing the approved soils study and foundation plans for the 20 kW small wind energy system, without obtaining and presenting the stamped approval of an Iowa registered engineer for each such installation.

c. Compliance with Federal Aviation Administration Regulations (FAA). No small wind

energy system shall be constructed, altered, or maintained so as to project above any of the imaginary airspace surfaces described in FAR Part 77 of the FAA guidance on airspace protection.

d. Safety. Any climbing foot pegs or rungs below 12 feet of a freestanding tower shall

be removed to prevent unauthorized climbing. For lattice or guyed towers, sheets of metal or wood may be fastened to the bottom tower section such that it cannot readily be climbed.

e. Sound. Sound produced by the small wind energy system under normal operating conditions, as measured at the property line, shall: a) not produce sound at a level that would constitute a nuisance; and b) comply with any local ordinance regulating the volume of sound as a nuisance, if applicable. Sound levels, however, may be exceeded during short-term events out of anyone's control, such as utility outages and/or severe wind storms.

f. Compliance with National Electric Code. Building permit applications for small wind

energy systems shall be accompanied by a line drawing of the electrical components, as supplied by the manufacturer, in sufficient detail to allow for a determination that the design and manner of installation conforms to the state National Electric Code.

g. Utility Notification. No small wind energy system shall be installed until evidence has been given that the utility company has authorized interconnection of the small wind energy system to its electric distribution or transmission, under an agreement approved by and subject to regulation adopted by the Iowa Utilities Board. Properties not

connected the public utility system shall be exempt from this requirement.

- h. Insurance. A person seeking a building permit to erect a small wind energy system

shall provide evidence, in the form of a certificate of insurance satisfactory to the City of Windsor Heights showing general liability insurance coverage for the installation and operation of the system under a standard homeowner's or standard business owner's insurance policy, separate and distinct from any insurance requirements of a public utility.

- i. Abandonment. If a wind turbine is inoperable for six consecutive months, the owner shall be notified that they must, within six months of receiving the notice, restore the small wind energy system to operating condition. If the owner fails to restore the system to operating condition within the six-month time frame, it shall be considered abandoned and the owner shall be required, at the owner's expense, to remove the small wind energy system. A small wind energy system that has been abandoned may be abated as a public nuisance.

- j. Signage. No signs, other than appropriate warning signs or standard manufacturer's or installer's identification signage, shall be displayed on a wind generator, tower, building, or other structure associated with a small wind energy system, subject to local sign regulation if any.

- k. Lighting. No illumination of the turbine or tower shall be allowed unless required by the FAA or unless allowed by applicable City of Windsor Heights ordinance.

172.12 FENCE REGULATIONS.

1. General Requirements

- a. Location Restriction. No fence shall be built on any lot or tract outside of the property owner's surveyed lot lines. If a fence is erected along the property lines the owner installing the fence must ensure there is a permanent means for maintaining both sides of the fence subject to state and local ordinances.
 - A. No landscape retaining wall shall be installed within two feet of the lot line of another property that is in excess of 24" without first conducting a consultation meeting with the City's stormwater coordinator and the adjoining property owner.
- b. Vision Clearance Triangle. No fence permitted or required by this Zoning Code or other sections of this Code of Ordinances shall be built within the vision clearance triangle, formed by the adjacent curb lines of two intersecting streets and a line connecting points 30' on each leg from their point of intersection; or otherwise in any manner create a traffic hazard or obstruction to visibility.
- c. Facing. The finished surfaces or decorative side of any fence shall face toward adjacent properties and street frontage. If no finished side can be determined, the support side shall face the interior.
- d. Prohibited Materials. A fence or wall may not be designed to cause pain or injury to humans or animals. Therefore, the use of spikes, broken glass, barbed wire, electric, razor wire, nails, electrical charge, or other similar materials shall be prohibited.

- e. Sidewalk. Fences may not be constructed within two feet of a public sidewalk.
 - f. Easements. No fence may be allowed to be constructed, built, or located over a public easement unless otherwise noted in this ordinance or approved by the zoning administrator.
 - g. Overland flowage easements.
 - A. Fences may encroach into an overland flowage easement providing measures are taken to make certain that the fence does not restrict the water flow, cause siltation buildup, etc.
 - B. Permitted fence material includes chain link, wrought iron fencing, picket style fencing that is at least 30% open, or other fencing styles that are at least 30% open.
 - C. Solid fencing shall be elevated a minimum of 6" through the swale part of the easement to allow water flowage.
 - h. Miscellaneous. Fences which enclose public or institutional parks, playgrounds, or schoolyards in residential areas shall be of open type not exceeding 6' in height except as required for recreational purposes such as baseball backstop when a limited section(s) of open fence up to 10' in height is allowed, where necessary to provide for such backstop or similar purposes.
2. Temporary Construction and Maintenance Fences. Unless otherwise approved by the City or zoning administrator, any temporary fences shall be removed if construction ceases for a period of six months or upon the issuance of an occupancy permit, including temporary occupancy.
 - a. Height. The maximum height of a fence for any construction shall be 8' feet.
 3. Residential Fences. Fences constructed within residential districts or on land used for residential purposes are subject to the following provisions:
 - a. Height. The maximum height of a fence within a front yard or street side yard setback shall be 4'. The maximum height for any fence outside of a required front yard shall be 6' and is measured from the property grade.
 - A. Exception for Street Side Yards. On corner lots, a fence built parallel to the street side yard line but ~~set back~~ in complete conformance with ~~the street yard setback~~ all other regulations of this code based upon sight clearance and set back from the sidewalk for ADA compliance may have a maximum height of six feet.
 - b. Materials. Fences shall be constructed of wood, PVC/ resin, stone, wrought iron, masonry, or chain link materials only. Wood fences shall utilize standard building lumber only.
 - c. Location restrictions. Fences may not be constructed on lots unless a primary building is in place.
 4. Nonresidential fences.
 - a. Height. The maximum height of a fence for any permitted use in a nonresidential district shall be 8'.

(Ord. 15-06 – Nov. 15 Supp.)

172.13-13 OUTDOOR LIGHTING

1. General Requirements
 - a. Location Restriction.
2. Applicability. Except as described below, all outdoor lighting installed after the date of effect of this Ordinance shall comply with these requirements. This includes, but is not limited to, new lighting, replacement lighting, or any other lighting whether attached to structures, poles, the earth, or any other location, including lighting installed by any third party.
 - a. Exceptions.
 - A. Lighting within public right-of-way or easement for the principal purpose of illuminating streets or roads. No exemption shall apply to any lighting within the public right of way or easement when the purpose of the luminaire is to illuminate areas outside the public right of way or easement.
 - B. Lighting for public monuments and statues.
 - C. Underwater lighting for pools or water features.
 - D. Low voltage landscape lighting controlled by an automatic device that is set to turn the lights off at one hour after the site is closed to the public or at a time established by the Zoning Administrator.
 - E. Lighting solely for signs. See Chapter 175 Sign Regulations
 - F. Repairs to existing luminaires not exceeding 50% of total installed luminaires.
 - G. Temporary lighting.
 - H. Lighting for emergency conditions.
 - I. Lighting specified or identified in a conditional use permit.
 - J. Lighting required by federal or state law.
3. Lighting Control Requirement
 - a. Automatic Switching Requirements
 - A. Controls shall be provided that automatically extinguish all outdoor lighting when sufficient daylight is available using a control device or system such as a photoelectric switch, astronomic time switch or equivalent functions from a programmable lighting controller, building automation system or lighting energy management system, all with battery or similar backup power or device.
 - b. Automatic Lighting Reduction Requirements
 - A. Outdoor lights shall be set to be reduced by at least 30% or extinguished by 12:00 am.
 1. Exceptions. Lighting reductions are not required for any of the following:
 - a. With the exception of landscape lighting, lighting for residential properties including multiple residential properties not having common areas.
 - b. When the outdoor lighting consists of one luminaire.

- c. Code required lighting for steps, stairs, walkways, and building entrances.
 - d. When in the opinion of the Authority, lighting levels must be maintained.
 - e. Motion activated lighting.
 - f. Lighting governed by special use permit in which times of operation are specifically identified.
 - g. Businesses that operate on a 24 hour basis.
4. Residential properties
- a. For residential properties including multiple residential properties not having common areas, all outdoor luminaires shall be fully shielded and shall not exceed the allowed lumen output in Table 172.14-03.
 - b. Low voltage landscaping lighting shall be aimed away from adjacent properties.
 - c. Shielding directional flood lighting aimed so that direct glare is not visible from adjacent properties.
 - d. Exceptions.
 - A. Lighting installed with a vacancy sensor, where the sensor extinguishes the lights no more than 15 minutes after the area is vacated.
 - B. Open flame gas lamps.

Table 172.13-01 Purposes of Lighting Zones

Zone	Overview
LZ-0: Limited lighting	Areas where lighting might adversely affect flora and fauna or disturb the character of the area. Lighting may be used for safety and convenience but it is not necessarily uniform or continuous.
LZ-1: Low ambient lighting	Areas of human activity where the vision of human residents and users is adapted to low light levels. Lighting may be used for safety and convenience, but it is not necessarily uniform or continuous.
LZ-2: Moderate ambient lighting	Areas of human activity where the vision of human residents and users is adapted to moderate light levels. Lighting may typically be used for safety and convenience, but it is not necessarily uniform or continuous.
LZ-3: Moderately high ambient lighting	Areas of human activity where the vision of human residents and users is adapted to moderately high light levels. Lighting is generally desired for safety, security, and/or convenience and it is often uniform and/or continuous.
LZ-4: High ambient lighting	Areas of human activity where the vision of human residents and users is adapted to high light levels. Lighting is generally considered necessary for safety, security and/or convenience and it is mostly uniform and/or continuous.

Table 172.13-02 Lighting Zones for Districts

Zoning District	Lighting Zone
R-1, R-2	LZ-1
R-3, MH, LI	LZ-2
CC, UC	LZ-3

Table 172.13-03 Maximum Allowed Luminaire Lumens

Lighting Application by Maximum Allowed Luminaire Lumens	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Unshielded luminaires at one entry	N/A	420 lumens	630 lumens	630 lumens	630 lumens
Fully shielded luminaire lumens	N/A	630 lumens	1,260 lumens	1,260 lumens	1,260 lumens
Unshielded luminaire excluding main entry	N/A	315 lumens	315 lumens	315 lumens	315 lumens
Landscape lighting	N/A	630 lumens	1,050 lumens	2,100 lumens	2,100 lumens
Shielded directional flood lighting	N/A	630 lumens	1,260 lumens	2,100 lumens	2,100 lumens
Low voltage landscape lighting	N/A	N/A	525 lumens	525 lumens	525 lumens

5. Non-residential properties. Non-residential may follow either the Prescriptive Method or the Performance Method listed below

a. Prescriptive Method

A. Total Site Lumen Limit

1. The total installed initial luminaire lumens of all outdoor lighting shall not exceed the total site lumen limit. The total site lumen limit shall be determined using either the Parking Space Method 174.14-04 or the Hardscape Area Method 174.14-05. Only one method shall be used per permit application, and for sites with

existing lighting, existing lighting shall be included in the calculation of total installed lumens. The total installed initial luminaire lumens is calculated as the sum of the initial luminaire lumens for all luminaires.

B. Limits to Off Site Impacts

1. All luminaires shall be rated and installed according to Table 174.14-06.
 - a. Less than 2 mounting heights shall be mounted with the backlight portion of the light output oriented perpendicular and towards the property line of concern.

C. Light Shielding for Parking Lot Illumination

1. All parking lot lighting shall have no light emitted above 90 degrees.

Table 172.13-04 Allowed Total Initial Luminaire Lumens per Site for Non-residential Outdoor Lighting, Per Parking Space Method

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
350 lms/space	490 lms/space	630 lms/space	840 lms/space	1,050 lms/space

Table 172.13-05 Allowed Total Initial Luminaire Lumens per Site for Non-residential Outdoor Lighting, Hardscape Area Method

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
0.5 lumens per SF of Hardscape	1.25 lumens per SF of Hardscape	2.5 lumens per SF of Hardscape	5.0 lumens per SF of Hardscape	7.5 lumens per SF of Hardscape

Table 172.13-06 Maximum Allowable Backlight, Uplight, and Glare (BUG) Rating

	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Allowable Backlight Rating					
Greater than 2 mounting heights from property line	B1	B3	B4	B5	B5
1 to less than 2 mounting heights from property line	B1	B2	B3	B4	B4
0.5 to 1 mounting heights from property line	B0	B1	B2	B3	B3
Less than 0.5 mounting height to property line	B0	B0	B0	B1	B2
Allowable Uplight Rating	U0	U1	U2	U3	U4
Allowed % light emission above 90° for street or Area lighting	0%	0%	0%	0%	0%
Allowable Glare Rating	G0	G1	G2	G3	G4
Any luminaire not properly oriented with 1 to less than 2 mounting heights to any property line of concern	G0	G0	G1	G1	G2
Any luminaire not properly oriented with 0.5 to less than 1 mounting heights to any property line of concern	G0	G0	G0	G1	G1

Any luminaire not properly oriented with less than 0.5 mounting heights to any property line of concern	G0	G0	G0	G0	G1
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b. Performance Method

A. Total Site Lumen Limit

1. The total installed initial luminaire lumens of all lighting systems on the site shall not exceed the allowed total initial site lumens. The allowed total initial site lumens shall be determined using Table 172.13-07. For sites with existing lighting, existing lighting shall be included in the calculation of total installed lumens. The total installed initial luminaire lumens of all is calculated as the sum of the initial luminaire lumens for all luminaires.

B. Limits to Off Site Impacts

1. All luminaires shall be rated and installed according to 172.13-06 OR
2. The entire outdoor lighting design shall be analyzed using industry standard lighting software including inter-reflections in the following manner:
 - a. Input data shall describe the lighting system including luminaire locations, mounting heights, aiming directions, and employing photometric data tested in accordance with IES guidelines. Buildings or other physical objects on the site within three object heights of the property line must be included in the calculations.
 - b. Analysis shall utilize an enclosure comprised of calculation planes with zero reflectance values around the perimeter of the site. The top of the enclosure shall be no less than 33 feet (10 meters) above the tallest luminaire. Calculations shall include total lumens upon the inside surfaces of the box top and vertical sides and maximum vertical illuminance (footcandles and/or lux) on the sides of the enclosure.
 - c. The design complies if
 - i. The total lumens on the inside surfaces of the virtual enclosure are less than 15% of the total site lumen limit; and
 - ii. The maximum vertical illuminance on any vertical surface is less than the allowed maximum illuminance per 172.13-08.

Table 172.13-07 Allowed Total Initial Site Lumens

Lighting Zone	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Allowed Lumens Per SF	0.5	1.25	2.5	5.0	7.5
Allowed Base Lumens Per Site	0	3,500	7,000	14,000	21,000

Table 172.13-08 Allowed Total Initial Site Lumens

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
0.05 FC or 0.5 LUX	0.1 FC or 1.0 LUX	0.3 FC or 3.0 LUX	0.8 FC or 8.0 LUX	1.5 FC or 15.0 LUX

~~172.14~~ **172.14 BUILDING FAÇADE**

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1. Applicability. Except as described below, all façade requirements and materials are to be subject to their respective zoning requirements ~~and complement currently existing buildings and structures within the district as listed by the zoning district design regulations.~~
2. Façade Material. All building façade materials that face the primary street will ~~complement the surrounding buildings and parcels around the proposed building. These materials will be deemed appropriate by the City's Zoning Administrator, need to be included within the defined groups of façade materials allowed to be used within each zoning district. The Façade Material groups are the following within this definitive list:~~
 - a. Grade A Materials
 - A. Brick
 - B. Natural Stone
 - C. Glass
 - D. Stucco
 - E. Architectural Grade Precast Panels
 - b. Grade B Materials
 - A. Wood
 - B. Metal Wall Panel Systems
 - C. Textured Concrete Panels
 - D. Fiber Cement Panels and Lap Siding
 - c. Grade C Materials
 - A. Vinyl Siding
 - B. Corrugated Metal Wall Panels
 - C. Concrete Block
 - D. Smooth Tip-up Panels
 - d. Not Listed Here
 - A. Any material that is being proposed to be used as a material for a proposed development must supply the City with descriptive information on the material including but not limited to:

1. The name of the material
2. Provider of the material
3. Longevity of material as it will be used
4. Description of look, color, and accent to the building
- 2.5. Any other information requested by City Staff, Planning & Zoning Commission, or City Council

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3. Façade Coverage. The percentage of the façade that each material covers will conform to design standards within the respective zoning district and any additional condition listed further within this section.

a. In the UC – Urban Center District

A. The primary street facing façade on the first floor of any structure on University Avenue, excluding windows or doorways on that façade, will require a minimum of 75% of the material used on that façade must be brick.

1. For corner lots on University Avenue, both the street facing façade on University Avenue and the street facing façade on the connecting street to University Avenue must meet the UC – Urban Center District primary street facing façade material requirements.

B. Façades facing the primary street that are not on the first floor of the structure may use Grade A and/or Grade B materials.

a.C. Façades not street facing may use Grade A and/or Grade B materials for those façades.

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b. In the CC – Community Commercial District:

A. The primary street facing façade will require a minimum of 50% of Grade A Materials.

1. For corner lots that exist within the CC – Community Commercial District, both street facing façades must meet the primary street facing façade material minimum requirement.

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B. The remainder of the building on all sides can utilize Grade B and Grade C materials with a maximum of 10% of the total of each façade being Grade C materials.

- b.4. The Zoning Administrator will be responsible for the initial determination of the general compliance with these criteria for a proposed development. Through the Site Plan review process, the Planning & Zoning Commission and City Council will make the final determination on the materials requested and their compliance with this code section.

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172.15 PARKLAND DEDICATION

1. Applicability. Any developer who seeks to develop or redevelop land for residential purposes within the City shall be required to dedicate public parkland. No new plats or site plans for residential development shall be approved unless and until the provisions of this Chapter are complied with. For the purposes of this section,

residential development is defined as the combination and/or redevelopment of existing lots, new multi-family developments, and new mixed-use development.

- a. The dedicated public parkland may include waterways and ponds, provided the area of such waterways and ponds is not used to satisfy the amount of public parkland required in Section 172.15.3 Computation of Amount of Public Parkland Required.
- b. Where proposed subdivisions abut undeveloped lands, the dedicated public parkland shall be located adjacent to the subdivision boundaries with the undeveloped land, at the discretion of the City Council, to allow the public parkland to be increased in size when the adjacent property develops.
- c. The development of private recreational amenity space shall not be used to satisfy parkland dedication requirements.
- d. The City reserves the right to not accept land that in its discretion is not useable or consistent with city plans and/or policies.
- e. Alternative to Development of Public Parkland. If a developer does not desire to dedicate public parkland required in Section 172.15.3 Computation of Amount of Public Parkland Required, the developer may make a request to the City Council that the developer be allowed to meet the requirements of such section through other arrangements agreeable to the City Council and the developer as long as such agreement provides equal value to the city. Such arrangements shall be made between the City Council and the developer in the form of a Development Agreement. The determination of equal value shall be based on the most recent City appraisal study or County.

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2. Exceptions. The following shall be exempted from the requirements of this Chapter:

- a. Alterations or expansion of an existing building where no additional residential units are created and where the use is not changed.
- b. The construction of accessory buildings or structures.
- c. The replacement of a destroyed or partially destroyed building or structure with a new building or structure of the same use and the same number of units.
- d. Construction of a new single-family home, structure, or building on an existing, platted lot.
- e. The installation of a replacement manufactured or mobile home.
- f. The construction of any nonresidential building or structure or the installation of a nonresidential manufactured or mobile home.
- g. The construction of a residential care facility, assisted living facility, nursing facility, or continuing care facility.

h. Any claim of exemption shall be made no later than the time of application for a preliminary plat approval or a building permit, whichever occurs first. Any claim not so made shall be deemed waived.

3. This Section shall prescribe the minimum amount of space to be provided in a proposed development for use as a public park. Such space shall be required to be provided for by a developer who seeks to develop land within the City by submitting a plat or site plan for approval.

a. The amount of public parkland required in a proposed development shall be computed as follows:

A. Residential Occupancy per Living Unit. In determining the anticipated occupancy for the proposed development, it shall be assumed that the following dwellings will accommodate the following number of individuals:

<u>Land Use Type (Unit)</u>	<u>Individuals Per Residential Living Unit</u>
<u>Dwelling, Single-Unit</u>	<u>2.5 Individuals</u>
<u>Dwelling: Two, Three, or Four Unit; Townhouse,</u>	<u>2.0 Individuals</u>
<u>Dwelling: Apartment or Live-Work Unit</u>	<u>1.5 Individuals</u>
<u>Manufactured or Mobile Home</u>	<u>1.5 Individuals</u>

B. Public Parkland per Individual. In determining the space required for public parkland in a proposed development, it shall be required that five (5) acres of recreational space be provided for every 1,000 individuals. Since some developments will not house 1,000 individuals, the space requirement is to be applied on a per-individual basis. Therefore, .005 acres of public parkland shall be provided for each individual proposed to be housed in the new development based on the assumptions contained above.

C. The following is an example of a calculation using the previous sections above for illustration purposes only:

1. For a multi-family development intended for rental ownership, the following formula would be utilized:

a. If the development would have 125 units, then the calculation based on the information above would be as follows:

(number of units) x (1.5 individuals/unit) x (.005 acres/individual)

In this example, the developer would be required to dedicate at least 0.9375 acres of public parkland within the proposed development.

125 Units x 1.5 x .005 = 0.9375 acres

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CHAPTER 173 ZONING CODE – LANDSCAPING AND SCREENING STANDARDS

- | | |
|---------------------------------|---|
| 173.01 Purpose | 173.06 Screening Standards |
| 173.02 Applicability | 173.07 Screening Standards of |
| 173.03 Landscaping Requirements | Dumpsters and Recycling Areas |
| 173.04 Planting requirements | 173.08 Landscaping Materials and Installation Standards |
| 173.05 Buffer Yard Provisions | |

173.01 PURPOSE.

The Landscaping and Screening Regulations provide guidance on the development of sites within the City by addressing landscaping and screening requirements. They are designed to

improve the appearance of the community, buffer potentially incompatible land uses from one another, and conserve the value of properties within the City.

173.02 APPLICABILITY.

The provisions of this chapter apply to all new development or redevelopment of land on each lot or site upon application for a building permit, except for the following:

1. Reconstruction or replacement of a lawfully existing use or structure following a casualty loss of less than 50% of the total value.
2. Remodeling, rehabilitation, or improvements to existing uses or structures which do not substantially change the location of structures, parking, or other site improvements.
3. Additions or enlargements of existing uses or structures which increase floor area or impervious coverage area by less than 20%. Where such additions or enlargements are 20% or greater, these provisions apply only to that portion where the new development occurs.

173.03 LANDSCAPING REQUIREMENTS.

1. Landscaping shall be required adjacent to each street property line and within street yards as set forth in Table 173-3 Screened Buffer Yard Requirements.
2. Ground Cover. All areas without buildings, paving, or hard surfaces shall be landscaped with grass or continuous plant beds containing shrubs and flowering perennials.
 - a. No mow and low maintenance yards may be utilized in all areas except within parking lots, and street rights-of-way.
 - A. No mow and low maintenance yards shall: Not contain any noxious weeds outlined in Chapter 317 of the Iowa Code.
 - B. Have a 5 foot buffer of maintained grass with a maintained edge along all property lines and sidewalks.
3. Obstruction of View. Landscaping or screening installed in any landscaped area shall not obstruct the view from or to any driveway approach, street, alley, or sidewalk, and must maintain the Vision Clearance Triangle.
4. Earth Berm Locations. All earth berm locations shall be reviewed by the Public Works Director to determine how the berms shall relate to drainage and public utilities.
5. Exceptions. A development may continue to comply with the buffer yard and screening requirements in effect at the time of issuance of its original permit, regardless of whether an adjacent lot or site is subsequently rezoned to a less intensive district which would otherwise require compliance with buffer yard or screening provisions.
6. Supplements to the Official List of Plant Materials. The list of Official List of Plant Materials has been compiled using the latest research data available. Plants other than those listed may be used to fulfill minimum landscaping requirements as approved by the Zoning Administrator. To be considered for approval, a proposed plant material must be submitted for review with the following information or additional information as requested:
 - a. Common name and scientific name of plant material;
 - b. Habitat, geographic climate range, and original native region;
 - c. Growing characteristics, including evergreen or deciduous, height and spread at maturity;

- d. Suitability for different landscape uses and applications;
 - e. Susceptibility to disease and tolerance of environment: heat, drought, pollution stress;
 - f. Fruit bearing characteristics which may be hazardous in pedestrian and parking areas.
7. Encouragement of Native Landscaping Materials. The use of suitable native plant materials is encouraged to fulfill landscaping requirements. Native plants, or those plants which occur naturally in this region, have shown greater adaptability to the seasonal and periodic climate changes which occur in this region.
8. Standards for Required Landscaping.
- a. Plants shall be from the approved plant lists in 173.09 Landscaping Materials. Substitutions will be reviewed by the Zoning Administrator on a case-by-case basis.
 - b. Plants shall *not* be from the “Windsor Heights Restricted Tree/Plant List” as defined in said table.
 - c. All other specifications shall conform with the latest version of the American Standards for Nursery Stock, published by the American Association of Nurserymen for that type of tree or shrub at the time of installation.
 - d. All plant material shall be installed free of disease and in a manner that ensures the availability of sufficient soil and water to sustain healthy growth.
9. Minimum Spacing of Plant Materials.
- a. Spacing of trees: spacing consistent with generally accepted species spread dimension at maturity defined by American Standards for Nursery Stock, or a minimum of one tree for every 30 feet, whichever is less.
 - b. Groundcover turf: immediate and complete coverage of an area within the season.
 - c. Groundcover, creeping: spacing adequate to provide complete coverage in three years.
 - d. Groundcover: maximum spacing upon installation of 18 inches on center, should have immediate and complete coverage of area within the season, and with spacing adequate to provide complete coverage in three years.
10. Supplemental Installation Requirements for Shrubs.
- a. Shrubs shall be installed in a manner that promotes ease of maintenance and quality appearance.
 - b. All shrubs shall be installed in continuous beds or naturalized settings containing a minimum of 3 inches of organic mulch contained by a properly maintained spade edge or other manufactured edging material as approved by the Zoning Administrator.
 - c. Shrub installations shall contain groundcovers, native perennials, or seasonal annuals. Other shrub installations without these features will need approval of the Zoning Administrator, upon demonstration of quality design and a maintenance contract/commitment.
11. Use of Inorganic Landscaping Materials.

- a. No artificial trees, shrubs, plants, or turf shall be used to fulfill the minimum requirements for landscaping.
- b. Inorganic materials, such as stone or decorative pavers, may be used provided that such material does not comprise more than 35% of the minimum required landscaped area.
- c. Concrete and/or asphalt pavement surfaces may not be used within the minimum required landscaped area, except for walkways less than 5 feet in width.
- d. Buffer yards may not include any paving, regardless of use.

173.04 PLANTING REQUIREMENTS

Table 173.04-01 – Minimum Amount Plantings Required

Planting requirements	R-1, R-2	R-3, CC, UC, LI
Trees	1 per dwelling unit	1 per 2,000 sq.ft. of pervious area
Shrubs	N/A	5 per 2,000 sq.ft. of pervious area

Table 173.04-02 – Minimum Size at Time of Planting

Plant Type	Trunk Minimum	Height Minimum	Other Requirements
Deciduous Overstory Tree	2" (Measured 6" above root collar)	3.5'	N/A
Deciduous Understory Trees	1.5" (Measured 6" above root collar)	3.5'	N/A
Deciduous Scrubs 5' or Greater Mature Height	N/A	3'	N/A
Deciduous Scrubs 3' to 5' Mature Height	N/A	2'	N/A
Deciduous Scrubs 3' or Shorter Mature Height	N/A	15"	N/A
Evergreen Trees	N/A	6'	N/A
Evergreen Shrubs	N/A	2'	N/A
Ground Covers or Perennials	N/A	N/A	Minimum of a 4" container

173.05 BUFFER YARD PROVISIONS.

These provisions apply when use is established in a more intensive zoning district (District A) which is adjacent to a less intensive zoning district (District B). The owner, developer, or operator of the use within District A shall install and maintain a screened buffer yard on his/her lot or site, as set forth in this section. Buffer yard requirements apply only to those districts indicated in Table 173-3. Buffer yards are not required for single-family, two-family, or townhouse use types in the more intensive zoning district.

1. The buffer yard dimensions set forth in Table 173-3 apply to zoning districts which share a common lot line or are adjacent but separated by an intervening alley.
2. When a street separates adjacent zoning districts requiring a buffer yard, the size of the buffer yard shall be one-half the required buffer yard set forth in Table 173-2.
3. Each required buffer yard must be entirely landscaped and free of paved areas, accessways, storage, or other disturbances.
 - a. Buffer areas shall follow Section 173.06 Screening Standards.

Table 173.05-03 – Screened Buffer Yard Requirements

		Less Intensive Adjacent District
		R-1*, R-2*, & R-3
More Intensive District	UC, CC	10 Feet
	LI	20 Feet
*Applies to residential uses only.		

173.06 SCREENING STANDARDS.

1. Application. Screening is required between adjacent zoning districts indicated in Table 173-3 when one or more of the following conditions in the more intensive zoning district is directly visible from and faces toward the boundary of the less intensive zoning district.
 - a. The rear elevation of buildings.
 - b. Outdoor storage areas or storage tanks, unless otherwise screened.
 - c. Loading docks, refuse collection points, and other service areas.
 - d. Machinery or areas housing a manufacturing process.
 - e. Major on-site traffic circulation areas or truck and/or trailer parking.
 - f. Sources of glare, noise, or other environmental effects.
 - g. Mechanical equipment and utility appurtenances.
2. Opaque Barrier. An opaque barrier shall be provided which visually screens the conditions listed in subsection 1 from less intensive uses as follows by employing one or more of the following in any combination to obtain a solid barrier of at least 6' in height:
 - a. A solid wood and/or masonry fence or wall at least six feet in height.
 - b. A landscaped screen, using a minimum of 50% evergreen plant material, capable of providing a substantially opaque, hedge-like barrier and attaining a minimum height of six feet within three years of planting. (Note: All planting materials shall conform to the minimum caliper/size requirements set in Table 173-02)
 - c. A landscaped earth berm with a maximum slope of three to one, rising no less than six feet above the existing grade of the lot line separating the zoning districts.
 - d. Any combination of these methods that achieves a cumulative height of six feet.
 - e. Machinery or equipment that raise above the six feet may need additional screening at the Zoning Administrator's discretion.

- f. Utility equipment and appurtenances and screenings shall be consistent with the building design, colors, and materials.
- 3. Location of Screening Wall. A screening wall or fence shall be installed no closer to the less intensive zoning district than one-half the width of the required buffer yard.
- 4. Effect on Drainage. Screening shall not adversely affect surface water drainage.

173.07 SCREENING STANDARDS OF DUMPSTERS AND RECYCLING AREAS

- 1. Application. Screening is required to reduce the visibility of dumpster enclosures and recycling areas in R-3, MH, CC, UC, & LI.
- 2. Opaque Barrier. A six-foot opaque barrier shall be provided which visually screens the area.
 - a. A solid wood and/or masonry fence or wall at least six feet in height.
 - b. Must enclose the area around at least three sides.
 - c. Contain a pedestrian entrance.
 - d. Have an access gate that meets Metro Waste Authority standards.
- 3. Landscaping. If the area is located within a larger paved area, such as a parking lot, the following applies:
 - a. A landscape buffer of at least 5 feet shall be located along all sides of the non-gated sides.
 - b. One tree shall be provided in the landscape buffer.
 - c. Ornamental grasses, shrubs, or similar landscape materials shall cover a minimum of 50% of the buffer area.

173.08 LANDSCAPING MATERIALS AND INSTALLATION STANDARDS.

1. Restricted List of Plant Material. No plant material contained on the Restricted List of Plant Material shall be used to fulfill landscape requirements. This list is provided through the office of the Zoning Administrator. These plants are restricted from use because of problems with disease, maintenance, or suitability.

2. Official List of Plant Materials. All plant material installed in landscaped areas or buffer yards shall be consistent with the Official List of Plant Materials provided below or approved as a substitute by the office of the Zoning Administrator. All plant materials shall conform in size, species, and spacing with this section of the Zoning Code. The following materials are permitted, encouraged, or prohibited, based on categories. See the Iowa Urban Tree Council website for the ash tree replacement list.

3. Delay in Planting. All planting shall be installed prior to occupancy or commencement of a use. If the plantings cannot be installed prior to occupancy or commencement of a use due to seasonal conditions that may reduce survivability, the Zoning Administrator may issue a temporary certificate of occupancy and grant a delay of installation until the seasonal calendar dates of June 1 or November 1, whichever occurs first, and the property owner must place in an escrow account, established with the city, an amount which will cover 110% of the estimated cost of plants and installation.

Windsor Heights Tree/Plant List		
Partial Listing of Large Shade Trees for Planting on Public and Private Property		
Common Name	Botanical or Latin Name	Typical Mature Width/Height/Rate
Blackgum	<i>Nyssa sylvatica</i>	
Yellowwood	<i>Cladrastis kentuckea</i>	
Tuliptree	<i>Liriodendron tulipifera</i>	
Bald Cypress	<i>Taxodium distichum</i>	
River Birch	<i>Betula nigra</i>	
Hackberry	<i>Celtis occidentalis</i>	
Honeylocust varieties (thornless)	<i>Gleditsia triacanthos</i> var. <i>inermis</i>	72-100ft
Kentucky Coffetree – Male Only	<i>Gymnocladus dioicus</i>	
Ginkgo, Maidenhair Tree – Male Only	<i>Ginkgo biloba</i>	
Oaks	<i>Quercus</i> sp.	
Lindens	<i>Tilia</i> sp.	
American Elm (Dutch Elm Disease resistant cultivars)	<i>Ulmus americana</i> cultivars	

Windsor Heights Tree/Plant List		
Evergreens for Planting on Public and Private Property		
Common Name	Botanical or Latin Name	Typical Mature Width/Height/Rate

Densiformis Yews	Taxus x media 'Densiformis'	
Eastern Red Cedar	Juniperus virginiana	
Norway Spruce	Picea abies	
Blackhills Spruce	Picea glauca densata	
Colorado Blue Spruce	Picea pungens glauca	
Jack Pine	Pinus banksiana	
Ponderosa Pine	Pinus ponderosa	
Swiss Mountain Pine	Pinus mugho mughus	
Eastern White Pine	Pinus strobus	
White Fir	Abies concolor	
Arborvitae	Thuja occidentalis	
Colorado Blue Spruce (Fat Albert)	Picea pungens	

Windsor Heights Restricted Tree/Plant List		
Tree Planting Prohibited on Street Right-of-Way and Not Recommended for Private Property		
Common Name	Botanical or Latin Name	Typical Mature Width/Height/Rate
Amur Maple	Acer ginnala	
Box Elder	Acer negundo	
Silver Maples	Acer saccharinum	
Norway Maples	Acer platanoides	
Tree of Heaven	Ailanthus altissima	
White Birch*	Betula papyrifera	
Catalpa*	Catalpa species	
Ash	Fraxinus species	
Thorny Honeylocust	Gleditsia tricanthos	
Honeysuckle	Lonicera species	
Mulberry	Morus species	
Pin Oak*	Quercus palustris	
Black Locust	Robinia pseudoacacia	
White Poplar	Populus alba	
Lobardy Poplar	Populus nigra	
Cherries*	Prunus species	
Willows*	Salix species	
All evergreen trees*		
All "weeping" plants*		
Trees bearing fruits and nuts over one foot diameter*		
* - denotes allowable for private property		

Windsor Heights Tree/Plant List		
Dense Deciduous Shrub List for Screening		
Common Name	Botanical or Latin Name	Typical Mature Width/Height/Rate
Large		
Hedge Cotoneaster	Cotoneaster lucida	8-10¢ x 4-5¢
Ninebark	Physocarpus opulifolius 'Diablo'	8-10¢ x 8-10¢
Nanking Cherry	Prunus tomentosa	8-10¢
Preston Lilac	Syringa x prestoniae	
Arrowwood Viburnum	Viburnum dentatum	8¢ x 8¢
European Cranberry Viburnum	Viburnum opulus	8-12¢ x 10-12¢
American Cranberrybush Viburnum	Viburnum trilobum	10¢ x 8¢
Arboretum – any species not prone to splitting		
Medium:		
Fragrant Sumac	Rhus aromatica	6¢ x 5¢
Alpine Current	Ribes alpinum	5¢ x 8¢
Bridal Wreath Spirea	Spirea x vanhouttei	6¢ x 6¢
Dwarf Korean Lilac	Syringa meyeri palibin	6¢ x 10¢
Compact American Cranberry Viburnum	Viburnum trilobum Compact cv.	6¢ x 6¢
Small:		
Dwarf Ninebark	Physocarpus opulifolius nanus	3¢ x 3¢
Potentilla varieties	Potentilla fruticosa cv.	3¢ x 3¢
Gro-Low Sumac	Rhus aromatica Gro-Low	2 x 4-5¢
Green Mound Alpine Current	Ribes alpinum Green Mound	3-4¢ x 2-3¢
Dwarf Blue Leaf Arctic Willow	Salix purpurea nana	4 x 4
Spirea varieties	Spirea bumalda cv.	2¢ x 2¢ – 4¢ x 4¢ – varies with cultivar
Japanese Spirea varieties	Spirea japonica cv.	2¢ x 2¢ – 4¢ x 4¢ – varies with cultivar
Dwarf European Cranberry Bush Viburnum	Viburnum opulus nanum	3¢ x 3¢
Densiform Yews		
Hardy shrub roses		

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

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

Windsor Heights Tree List		
Small Trees for Under High Wires (where sidewalk clearance is not an issue)		
Common Name	Botanical or Latin Name	Typical Mature Width/Height/Rate
Shadblow Serviceberry, tree form	Amelanchier canadensis	25¢ x 15¢
Autumn Brilliance Serviceberry	Amelanchier g. Autumn Brilliance	20¢ x 25¢
American Hornbeam	Carpinus caroliniana	25¢ x 20¢
Eastern Redbud	Cercis canadensis	25¢ x 20¢
Pagoda Dogwood	Cornus alternifolia	20¢ x 15¢
Washington Hawthorn	Crataegus phaenopyrum	20¢ x 20¢

Winter King Hawthorn	Crataegus v. Winter King	20¢ x 20¢
Common Witch-hazel	Hamamelis virginiana	12-15¢ x 12¢
American Hophornbeam	Ostrya virginiana	35¢ x 25¢
Cherry – Manchurian cherry	Prunus maackii	25¢ x 25¢
Chanticleer Flowering Pear	Pyrus calleryana ‘Chanticleer’	35¢ x 15¢

Windsor Heights Tree List		
Permitted Disease Resistant Flowering Crabapples (not a comprehensive list)		
Common Name	Botanical or Latin Name	Typical Mature Width/Height/Rate
Adams Crabapple (red to pink flowers, red persistent fruit)	Malus ‘Adams’	15¢ x 20¢
Baccata ‘Jackii’	Malus baccata ‘Jackii’	20¢ x 20¢
Beverly (white flowers, red fruit)	Malus (crabapple) x. ‘Beverly’	20¢ x 20¢
Candied Apple (pink flowers, red persistent fruit.)	Malus hybrida	15¢ x 15¢
Callaway	Malus x ‘Callaway’	20¢ x 20¢
Cardinal	Malus ‘Cardinal’	16¢ x 20¢
David (white flowers, red persistent fruit)	Malus ‘David’	12¢ x 12¢
Donald Wyman (white flowers, red persistent fruit)	Malus ‘Donald Wyman’	20¢ x 24¢
Golden Raindrops (white flowers, yellow persistent fruit)	Malus ‘Schmidtcutleaf’	20¢ x 15¢
Jewelberry (white flowers, red fruit)	Malus ‘Jewelberry’	8¢ x 12¢
Liset (dark red flowers, maroon fruit)	Malus x moerlandsii ‘Liset’	15¢ x 15¢
Louisa (pink flowers, yellow fruit)	Malus ‘Louisa’	15¢ x 15¢
Ormiston Roy (white flowers, amber persistent fruit)	Malus ‘Ormiston Roy’	20¢ x 25¢
Pink Princess (pink flowers, deep red fruit)	Malus ‘Parrsi’	8¢ x 12¢
Prairifire (rose-red flowers, dark red persistent fruit)	Malus ‘Prairifire’	20¢ x 20¢
Professor Sprenger (white flowers, orange-red persistent fruit)	Malus ‘Professor Sprenger’	20¢ x 20¢

Robinson (deep pink flowers, red fruit)	Malus 'Robinson'	25¢ x 20¢
Sargent (white flowers, red persistent fruit)	Malus sargentii	8¢ x 12¢
Strawberry Parfait	Malus 'Strawberry Parfait'	18¢ x 22¢
Sugar Tyme (white flowers, red fruit)	Malus 'Sutyzam'	18¢ x 15¢
Zumi Calocarpa (white flowers, red fruit)	Malus x zumi 'Calocarpa'	15¢ x 15¢

Windsor Heights Tree/Plant List		
Plants with Good to Moderate Salt Tolerance		
Common Name	Botanical or Latin Name	Typical Mature Width/Height/Rate
Deciduous Shrubs		
St. John's Wort	Hypericum prolificum	4¢ x 4¢
Lilacs (Miss Kim)	Syringa pubescens subsp. patula	
Northern Bayberry	Myrica pennsylvanica	9¢ x 6¢
Mockorange, size varies with species	Philadelphus spp. & cvs.	
Cinquefoil, 3¢ x 3¢	Potentilla spp. & cvs.	3¢ x 3¢
Smooth Sumac	Rhus glabra	10¢ x 5¢
Staghorn Sumac	Rhus typhina	24¢ x 12¢
Snowberry	Symphoricarpos albus	3¢ x 3¢
Common Lilac	Syringa vulgaris	12¢x10¢
Arrowwood Viburnum	Viburnum dentatum	6¢ x 6¢
Deciduous Trees:		
Common Horsechestnut	Aesculus hippocastanum	
Shadblow Serviceberry	Amelanchier Canadensis	
Northern Catalpa	Catalpa speciosa	
Hackberry	Celtis occidentalis	
Cockspur Hawthorn	Crataegus crus-galli	
Maidenhair/ Ginkgo	Ginkgo biloba - Male only	
Honeylocust	Gleditsia tricanthos	
Kentucky Coffeetree) – Male only	Gymnocladus dioicus	
Cottonwood	Populus deltoides	
Quaking Aspen	Populus tremuloides	

Black Cherry	Prunus serotina	
Choke Cherry	Prunus virginiana	
White Oak	Quercus alba	
Burr Oak	Quercus macrocarpa	
Red Oak	Quercus rubra	
Groundcovers:		
Bugleweed	Ajuga reptans	
Goutweed	Aegopodium podagraria	
Creeping Cotoneaster	Cotoneaster adpressa	
Bearberry Cotoneaster	Cotoneaster dammeri	
Rockspray Cotoneaster	Cotoneaster horizontalis	
Hesse Cotoneaster	Cotoneaster horizontalis 'Hessei'	
Wintercreeper	Euonymus fortunei cultivars	
English Ivy	Hedera helix	
Plantain Lily	Cultivars Hosta cultivars	
Japanese Garden Juniper	Juniperus chinensis procumbens	
Gro-low sumac	Rhus aromatica 'Gro-low'	
Periwinkle	Vinca minor	

CHAPTER 174

ZONING CODE – ACCESS & PARKING

- | | |
|--|---|
| 174.01 Purpose | |
| 174.02 General Provisions | 174.09 Off-Street Parking Design Standards |
| 174.03 Pedestrian Connectivity | 174.10 Off-Street Loading |
| 174.04 Schedule of Off-Street Parking Requirements | 174.11 Parking for Personal Vehicles |
| 174.05 Short-Term Bike Parking | 174.12 Parking for Recreational Vehicles |
| 174.06 Long-Term Bike Parking | 174.13 Storage and Parking of Unlicensed Vehicles |
| 174.07 Parking Facility Location | |
| 174.08 Parking for People with Disabilities | |

174.01 PURPOSE.

The Access & Parking Regulations require that developments provide safe, direct, and convenient access for pedestrians, bicycles, automobiles, and loading in proportion to the need created by each use. The regulations further establish standards for the functional design of parking facilities. These regulations are intended to accommodate vehicles in a functionally satisfactory manner and to minimize external effects on neighboring properties.

174.02 GENERAL PROVISIONS.

1. Applicability. Off-street parking shall be provided for any new building constructed, for new uses or conversions of existing buildings, or for enlargements of existing structures.
2. Heavy commercial vehicles, including tractor cab units weighing more than 2.5 tons gross empty weight, shall not be parked on any lot within the R-1, R-2, R-3, and MH residential zoning districts. Recreational vehicles meeting the definition of heavy commercial vehicles shall only be allowed on any lot within the R-1, R-2, R-3, and MH residential zoning districts if they comply with the special provisions listed below.
3. Exemptions. Any current use existing within the UC Urban Center District before the effective date of this code is exempt from the off-street parking requirements provided by Section 174.04³. Any off-street parking facility constructed in the UC District after the effective date of this Zoning Code must comply with the design standards set forth in this chapter.

174.03 PEDESTRIAN CONNECTIVITY

1. Sites shall be designed with delineated sidewalks, walkways, and paths to provide continuous circulation throughout the site connecting principal structures, dwelling units, parking areas, parking garages, and other prominent features. Pedestrian connection(s) shall be made between the internal circulation system and the adjacent public sidewalk or trail

systems. The site shall be organized so that the buildings frame and reinforce pedestrian circulation between lots.

2. Sites shall be designed to limit the number of pedestrian and motorist conflict points.
3. Sidewalks shall be a minimum of six (6) feet unless specifically exempted by the Administrative Official or other Administrative Official.
4. Developments shall have pedestrian amenities such as walkways, benches, etc.
5. Enhanced pedestrian elements at the sidewalk level including decorative lighting, seating or low sitting walls, planters, enhanced paving techniques, etc., shall be incorporated into the theme.
6. To promote a higher level of pedestrian awareness, the use of alternate paving materials to designate pedestrian traffic areas from vehicular use areas and travel lanes is required. Mere cuts in the concrete will not be sufficient to meet the requirements of this section.

174.04 SCHEDULE OF OFF-STREET PARKING REQUIREMENTS.

Parking facilities for each use shall be provided in accord with the minimum requirements set forth in Table 174-1.

1. When a computation of required parking results in a fraction of 0.5 or greater, the requirement should be rounded up to the next whole number.
2. Unless otherwise indicated, parking requirements are based on gross floor area. Gross floor areas for the purpose of this calculation exclude any interior space used for the parking or loading of vehicles.
3. When parking requirements are computed on the basis of capacity, capacity shall be determined by the Building Code in effect for the City at the time the use is established.
4. For sites with more than one use, the parking requirement shall be the sum of spaces required for each use, except as provided below.
5. The Board of Adjustment may authorize an adjustment in the total parking requirement for separate uses located on the same site or for separate uses located on adjoining sites and served by the same parking facility. The Board shall consider at least the following criteria in determining approval of such an adjustment:
 - a. The characteristics and time of operation of each use, and differences in projected peak parking demand.
 - b. Potential reduction in total expected vehicle movements afforded by multiple uses of the parking facilities.
 - c. Functional design of the development and its parking facilities.
 - d. Evidence of a written agreement that provides for the joint use of parking facilities within 300ft of the use.

Table 174.04-01 – Minimum Off-Street Parking Requirements

Use	Required Spaces
Administration	1 space for 1,000 square feet
Agricultural Sales/Service	1 space per 5,000 square feet

Landfills (All types)	No requirement
Auto Rental and Sales	1 space per 1,000 square feet
Auto Service	1 space per 500 square feet
Body Repair	1 space per 500 square feet
Broadcasting Tower	No requirement
Business Support	1 space per 500 square feet
Campground	1 space per camping unit
Cemetery	No requirement
Civic Organizations	1 space per 1,000 square feet
Bars	1 space per 350 500 square feet
Commercial Recreation (All types)	1 space per 500 square feet
Communications Services	1 space per 500 square feet
Community Garden	No requirement
Construction Sales	1 space per 2,000 square feet
Construction Yards	1 space per 5,000 square feet
Consumer Services	1 space per 500 square feet
In-Patient Services	1 space for 1,000 square feet
Convenience Storage	1 space per 20 storage units
Crop Production	No requirement
Cultural Services	1 space per 2,000 square feet
Custom Manufacturing	1 space per 2,000 square feet
Day Care Services	1 space per 500 square feet
Two Unit Residential	1 space per dwelling unit
Equipment Sales/Service	1 space per 1,000 square feet
Food Sales (all types)	1 space per 200 square feet
Financial Services	1 space per 1,000 square feet
Gaming Facilities	1 space per 500 square feet
General Industry	1 space per 2,000 square feet or as approved by the Zoning Administrator
General Offices	1 space per 500 square feet
General Retail Services (All types)	1 space per 500 square feet
Group Care Facility	1 space per 1,000 square feet
Group Home	1 space per 1,000 square feet

Group Residential	1 space for each two residents
Guidance Services	1 space per 1,000 square feet
Health Care (Small-scale)	1 space per 1.5 beds
Health Care (Large-scale)	1 space per 1.5 beds
Heavy Industry	1 space per 5,000 square feet or as approved by the Zoning Administrator
Horticulture	No requirement
Library/Museum/Cultural Facility	1 space per 1,000 square feet
Light Industry	1 space per 1,000 square feet or as approved by the Zoning Administrator
Liquor Sales	1 space per 500 square feet
Lodging	1 space per sleeping room
Maintenance Facilities	1 space per 1,000 square feet
Medical Offices	1 space per 500 square feet
Mobile Home Residential	1 space per dwelling unit
Multi-Family Residential	1 space per dwelling unit
Non-Putrescible Landfill	No requirement
Pawn Shop	1 space per 500 square feet
Personal Improvement Services	1 space per 250 square feet
Personal Services	1 space per 500 square feet
Pet Services	1 space per 1,000 square feet
Railroad Facilities	1 space per 1,000 square feet
Resource Extraction	1 space per 5,000 square feet
Restaurants (Drive-In)	1 space per 350 500 square feet
Restaurants (General)	1 space per 350 500 square feet
Salvage Services	1 space per 2,000 square feet or as approved by the Zoning Administrator
Single-Family Residential	2 spaces per dwelling unit
Commercial breeders	1 space per 1000 square feet
Surplus Sales	1 space per 2,000 square feet
Trade Services	1 space per 500 square feet
Veterinary Services	1 space per 500 square feet
Warehousing	1 space per 5,000 square feet or as approved by the Zoning Administrator

174.05 SHORT-TERM BIKE PARKING

1. Minimum Number of Required Off-Street Parking Spaces for Bicycles
 - a. Refer to Table 174-3 for minimum space requirements.

2. Dimensions
 - a. Each rack must be at least 3' apart from each other and 6' long. (There shall be an unimpeded rectangle of space centered on the bike rack that is 6' long and 3' wide.)
3. Location of Bicycle Parking Areas
 - a. Bicycle parking shall be placed within 100' of and clearly visible from the main entrance.
 - b. The zoning administrator may approve an alternate location provided that the location meets the intent of this section.
4. Design and Construction of Bicycle Parking Areas
 - a. All bicycle parking areas shall be hard surfaced with asphalt, concrete, pervious pavement, pavers, or other material to provide a durable, dust-free surface.
 - b. All bike racks shall be:
 - A. Securely anchored;
 - B. Able to support the bicycle frame in at least two places;
 - C. Allow the locking of a bicycle frame and at least one wheel with a U-lock.
 - c. All short-term bicycle racks shall either be an "inverted u" or "post & ring" style.
 - d. All bicycle parking spaces shall be constructed in accordance with the latest version of the Association of Pedestrian & Bicycle Professionals Bicycle Parking Guidelines.
5. Minimum Number of Required Off-Street Parking Spaces for Bicycles
 - a. Refer to Table 174-3 for minimum requirements.

174.06 LONG-TERM BIKE PARKING

1. Minimum Number of Required Off-Street Parking Spaces for Bicycles
 - a. Refer to Table 174-3 for minimum space requirements.
2. Dimensions
 - a. The total space of the bike room shall be at least 18 square feet for each required bike space with a minimum overall size of 100sq. ft.
3. Location of Bicycle Parking Areas
 - a. Bicycle parking shall be located on the same site and within the building, or within 300' of the main entrance.
 - b. The zoning administrator may approve an alternate location provided that the location meets the intent of this section.
4. Design and Construction of Bicycle Parking Areas
 - a. All bicycle parking areas shall be hard surfaced with asphalt, concrete, pervious pavement, pavers, or other material to provide a durable, dust-free surface.
 - b. All bicycle parking areas shall be within a building or provided with a permanent cover including, but not limited to, roof overhangs, awnings, or bicycle storage lockers.
 - c. All bike racks shall be:
 - A. Securely anchored;
 - B. Able to support the bicycle frame in at least two places;
 - C. Allow the locking of a bicycle frame and at least one wheel with a U-lock.
 - d. Long-term bicycle racks shall be:

- A. "inverted u" or "post & ring" style or
 - B. "staggered wheel," "well-secure," "vertical," or "two-tier" style with no more than 75% of total long-term bicycle racks being this type.
 - e. All bicycle parking spaces shall be constructed in accordance with the latest version of the Association of Pedestrian & Bicycle Professionals Bicycle Parking Guidelines.
5. Minimum Number of Required Off-Street Parking Spaces for Bicycles
- a. Refer to Table 174-3 for minimum requirements.

Table 174.06-01 – Minimum Bicycle Parking Requirements

Use Type	Short Term Spaces required	Long-Term Spaces
Agricultural Use Types	None required	None required
Residential Use Types	1 per 4 dwelling units	1 per 10 dwelling units
Commercial Use Types	1 per 4,000sq.ft.	1 per 10,000sq.ft.
Civic Use Types	1 per 4,000sq.ft.	1 per 10,000sq.ft.
Office Use Types	1 per 4,000sq.ft.	1 per 10,000sq.ft.
Industrial Use Types	None required	1 per 20,000sq.ft.

174.07 PARKING FACILITY LOCATION.

- 1. Residential Parking.
 - a. Off-street parking for residential one or two-family uses shall be located on the same lot or site as the use.
 - i. Restriction. Off-street parking shall not be located in the required front yard setback.
 - ii. Continuous. The parking stalls shall be continuous with the improved drive.
 - b. Off-street parking areas for multi-family residential uses shall be at least six feet from any residential building and shall not be located within a required front yard.

174.08 OFF-STREET PARKING DESIGN STANDARDS.

- 1. Dimensions

- a. All parking spaces shall follow Table 174-4 Minimum Parking Lot Design Requirements.
2. Pavement and Drainage.
 - a. Off-street parking facilities shall be hard surfaced and maintained with materials sufficient to prevent mud, dust, or loose material. Acceptable hard surface materials shall include concrete, asphalt, brick, or concrete pavers.
 - A. Off-street parking facilities shall be designed and built to prevent the free flow of water onto adjacent properties or public rights-of-way.
3. Areas where parking lots or drive lanes are visible from the public street shall provide a significant level of screening through the use of any of the following:
 - A. Earthen berms;
 - B. Three feet or higher in conjunction with vegetation;
 - C. Landscaped walls;
 - D. Walls constructed for the retainment of soil which are greater than 4 feet in height shall be designed by an individual knowledgeable and certified in structural engineering;
 - E. Walls may be brick, individual decorative modular wall stone, natural stacked wall, or filed stone. Walls composed of landscape timbers or other wood products are not desired due to the deterioration potential of the material. Wood walls may be used, with approval by the Administrative Official or Planning and Zoning Commission and City Council, in areas where views of the wall are minimal.
 - F. Plants shall be at least every 10ft along all types of walls to soften the visual impact, visually break up long expanses of the wall, and to visually anchor it to the site. Accessory plant screening shall be of evergreen materials.
 - G. Perimeter masonry screen walls are required accessory plants at least every 10ft. Where possible, landscaping shall be provided within a minimum 4' wide planting bed and include trees, shrubs, and/or groundcovers. Landscaping shall coordinate with the streetscape landscaping. Landscaping shall be kept in a neat and orderly manner.
4. Landscape and Screening Requirements. Unless otherwise noted, each unenclosed parking facility of over 3,000 square feet shall comply with the following regulations:
 - a. Each unenclosed parking facility shall provide a minimum landscaped buffer of ten feet along any street property line.
 - b. Each parking facility that abuts a residential district shall provide a ten-foot landscaped buffer along its common property line with the residential district.
 - c. Any parking facility which abuts property in a residential district shall provide a fence, wall, landscape screen, or earth berm not less than four feet in height for the length of the common boundary. A grade change, terrace, or other site feature which blocks the sight line of headlights into a residential property may satisfy this requirement, subject to the determination of the Zoning Administrator.

- d. All off-street parking areas shall include at least 1 required landscape island for every 12 **required** parking spaces.
 - A. Each required landscape island shall measure a minimum of 190 square feet in area.
 - B. Each required island shall contain a minimum of 1 deciduous shade tree or 1 deciduous ornamental tree.
 1. At least 10% of the island's land area shall have plant material other than sod or grass installed, not including the minimum required tree.
 2. The remainder of the landscape pods and islands shall be sodded or mulched. If mulched, mulch shall be replenished annually; volcano mulching around trees is not permissible. Pea gravel and lava rocks will not be allowed.
 - C. Parking islands should be located at the end of parking bays so as to define vehicular and pedestrian traffic patterns.
 - D. The zoning administrator may approve a design where landscape islands are aggregated into one or more larger landscape islands.
 - e. Interior landscaping shall be credited toward the satisfaction of overall landscaping requirements set forth in Chapter 173 of this Zoning Code.
5. Entrances and Exits.
- a. Adequate access to each parking facility shall be provided by means of clearly defined and limited driveways or access points. Such driveways shall be designed to direct nonresidential traffic away from residential areas.
 - b. Parking facilities other than driveways for single-family, two-family, or mobile home residential uses must permit vehicles to enter streets in a forward position.
 - c. Shared driveways between abutting properties are encouraged, provided that an access easement exists between all property owners.
6. Lighting. Lighting is required for all parking lots.
- a. Lighting used to illuminate any off-street parking area shall be arranged to direct light away from residential uses and the right-of-way.
7. Maintenance. All parking facilities shall be maintained to assure the continued usefulness and compatibility of the facility. Acceptable maintenance includes keeping the facility free of refuse, debris, carts, and litter; maintaining parking surfaces in sound condition; maintaining aisle lines and the painted surfaces of signs; and providing proper care of landscaped areas.
8. Adjustment. For uses subject to conditional use permit approval, the Board of Adjustment may adjust the minimum requirements of this section, in order to provide design, usability, attractiveness, or protection to adjoining uses in a manner equal to or greater than the minimum requirements of this chapter.

Table 174.08-01 – Minimum Parking Lot Design Requirements

Space Angle	Space Width	Parking Row Depth	Curb Width	Drive Aisle Width: One-Way	Drive Aisle Width: Two Way

Parallel (0°)	8'	8'	22'	12'	22'
45°	8'6"	18'	12'9"	15'	24'
60°	9'	19'	10'5"	18'	24'
Perpendicular(90°)	9'	18'	9'	24'	24'

174.09 OFF-STREET LOADING.

1. Loading Requirement. Any use which involves the receipt or distribution of freight, merchandise, supplies, vehicles, or equipment as part of its typical operation shall provide and maintain adequate space for off-street loading and circulation. Loading areas shall be designed to avoid undue interference with the public use of streets and sidewalks.

Schedule of Loading Spaces. Loading spaces for each use requiring them shall be provided in accord with the minimum requirements set forth in Table 174-5 Off-Street Loading Requirements Structures.

Table 174.09-01 – Off-Street Loading Requirements Structures

Gross Floor Area of Use (square feet)	Number of Required Loading Spaces
5,000 or less	None
5,001 – 25,000	1
25,001 – 75,000	2
Larger than 75,000	3

3. Design Standards.

A. Each loading space shall be at least 10 feet wide by 50 feet long, with a vertical clearance of at least 14 feet.

B. Paving of loading spaces and access areas shall be permanent, durable, and free of dust.

C. Off-street loading areas are subject to the landscaping and buffering requirements for parking facilities set forth in this chapter.

174.10 PARKING FOR PEOPLE WITH DISABILITIES.

Each off-street parking facility shall provide the number of parking spaces set forth in Table 174-6 designed and designated for use by people with disabilities. Design criteria and dimensions are set forth in the Off-Street Parking Design Standards and the requirements of the Americans with Disabilities Act. Please refer to sections 208 and 502 of the 2010 ADA Standards for Accessible Design for parking spaces and 209 and 503 of the 2010 ADA Standards for Accessible Design for passenger loading zones.

1. Location. In parking lots or garages, accessible parking spaces must be located on the shortest accessible route to the accessible entrance. An accessible route is the path a person with a disability takes to enter and move through a building or facility.
2. Access Aisles. Accessible parking spaces must have access aisles. Access aisles provide a designated area for people who use wheelchairs or other mobility devices to get in and

out of their car or van. Mobility devices allow people with disabilities to move about independently. They include walkers, canes, crutches, braces, manual or power wheelchairs, Segways, and electric scooters. Access aisles shall be:

- a. Marked
 - b. The same length as the space
 - c. Level with the parking space.
3. Van Accessible.
- a. The first space and at least one out of every six parking spaces shall be van accessible.
 - A. Van accessible spaces option 1:
 1. Be at least 132" inches wide.
 2. Have an access aisle at least 60" wide.
 3. Have no more than a 1.48 (2.08%) slope in all directions.
 4. Provide at least 98" of vertical clearance (van height) for the parking space, access aisle, and vehicular route.
 5. Have a surface that is firm, stable, and slip resistant.
 6. Have two signs, the international symbol of accessibility and another stating that the space is van accessible, mounted at least 60 inches above the ground measured to the bottom of the sign.
 - B. Van accessible spaces option 2:
 1. Be at least 96" inches wide.
 2. Have an access aisle at least 96" wide.
 3. Have no more than a 1.48 (2.08%) slope in all directions.
 4. Provide at least 98" of vertical clearance (van height) for the parking space, access aisle, and vehicular route.
 5. Have a surface that is firm, stable, and slip resistant.
 6. Have two signs, the international symbol of accessibility and another stating that the space is van accessible, mounted at least 60 inches above the ground measured to the bottom of the sign.
4. Car Accessible. All spaces that are not van accessible shall be car accessible as defined below.
- a. Be at least 96" wide.
 - b. Have an access aisle at least 60 inches wide.
 - c. Have no more than a 1.48 (2.08%) slope in all directions.
 - d. Have a surface that is firm, stable, and slip resistant.
 - e. Have a sign with the international symbol of accessibility on it, mounted at least 60 inches above the ground measured to the bottom of the sign.

Table 174.10-01 – Accessible Parking Requirements

Number of Stalls	Minimum Number of Required Accessible Spaces
01-25	1
26-50	2

51-75	3
76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401-500	9
501-1,000	2% of total parking provided
1,001 and over	20, plus 1 for every 100 stalls over 1,000
*One in every six accessible spaces (but not less than one) shall be served by an access aisle with a minimum width of 96 inches and shall be designated as "Van Accessible."	

174.11 PARKING FOR PERSONAL VEHICLES.

1. Applicability. This section permits the parking of personal vehicles on a single lot in a residential district subject to specific conditions. Personal vehicles include passenger cars; vans; pickup trucks, recreational vehicles, camper shells, toppers, and other similar items intended for attachment to a personal vehicle; Trucks, tractor cab units, trailers, trailers longer than 20 feet, and vehicles over 2.5 tons gross empty weight shall be defined as heavy commercial vehicles.

2. Location of Parking for Personal Vehicles.

- a. Parking is permitted within any enclosed structure when such structure conforms to the regulations of its zoning district.
- b. Parking of personal vehicles is permitted on a paved driveway (outside of an enclosed structure) within the front yard setback, but shall in no case encroach upon the public right-of-way.
- c. Parking of personal vehicles may occur in the rear yard setback (outside of an enclosed structure and not on the front yard paved driveway) if such parking meets the following conditions:
 - A. The parking space is provided on a surface consisting of asphalt, concrete, brick, or paving stones made of one of the aforementioned substances. Parking is prohibited on gravel, regrind, crushed concrete/asphalt, sand, dirt, grass or other surfaces not mentioned in this section.
 - B. The parking surface shall be no less than the overall length and width of the vehicle parked on the surface.
 - C. The parking surface shall not exceed the maximum impervious coverage limit for the lot.
- d. In areas not zoned for commercial use, parking of vehicles on private property for the purpose of sale of such vehicles is prohibited.

174.12 PARKING FOR RECREATIONAL VEHICLES

1. Special Provisions for Recreational Vehicles and Boats. Parking and storage of recreational vehicles and boats within residential districts are subject to the following additional conditions. These conditions are in addition to those requirements for the parking of personal vehicles.

- a. Recreational vehicles and boats must be maintained in a clean, well-kept state.
- b. Recreational vehicles and boats equipped with liquefied petroleum gas containers must ensure that such containers meet the current standards of the Interstate Commerce Commission, the United States Department of Transportation, or the American Society of Mechanical Engineers. Any valves must be closed at all times that the vehicle is not in preparation for immediate use. Leaks in containers must be repaired immediately.
- c. Recreational vehicles may be used as temporary housing by non-paying guests for a maximum of three consecutive days and no more than 14 days total during any calendar year. Cooking in the recreational vehicle is prohibited at all times.
- d. Recreational vehicles and boats may not be permanently connected to utility lines.
- e. Recreational vehicles and boats may not be used for the storage of goods, materials, or equipment other than those items which pertain to the use of the vehicle.
- f. Recreational vehicles and boats shall be parked outside of required front yard setbacks.
- g. No more than two recreational vehicles and/or boats may be parked on a single property at any one time. Any recreational vehicle or boat parked on a property must be owned in whole or in part by the resident of the property.

(Section 174.08 – Ord. 21-03 – May 21 Supp.)

174.13 STORAGE AND PARKING OF UNLICENSED OR OTHER VEHICLES.

1. The storage or keeping of motor vehicles not having a properly issued current motor vehicle registration and current motor vehicle license plate properly displayed is prohibited on any lot, parcel, or tract of land or part thereof, situated within the zoning jurisdiction of the City; provided, conformance with the following shall not constitute a violation of this section:

- a. The storage of any unlicensed and/or unregistered motor vehicle in a fully enclosed garage.
- b. Parking, storage, or keeping, other than in a fully enclosed garage of any non-operable motor vehicle is prohibited on any residential zoned lot, parcel or tract of land or part thereof, situated within the zoning jurisdiction of the City; provided, however, automobiles that are non-operable by reasons of repair work being done thereon may be parked on the residential lot of the owner of said automobile within the City's zoning jurisdiction under the following conditions:
 - A. The automobile is owned by the occupier of the premises and registered to him/her at that address.
 - B. The period of said repair work does not exceed ten days in duration.
 - C. Repair work is at all times conducted on a paved driveway.
 - D. No more than one automobile in need of repair is situated on the premises at the same time.

CHAPTER 175

ZONING CODE – SIGN REGULATIONS

175.01 Purpose	175.07 Use of Compatible Materials
175.02 General Permit Procedures	175.08 Sign Area
175.03 Exempt Signs	175.09 Permitted Signs
175.04 General Sign and Street Graphics Regulations	175.10 Nonconforming Signs
175.05 Basic Design Elements for On-Premises Signs	
175.06 Other Design Elements	

175.01 PURPOSE.

The Sign Regulations provide standards for communicating information in the environment of the City and its jurisdiction. The regulations recognize the need to protect public health, safety, and welfare; to maintain the City's attractive appearance; to provide for adequate business identification, advertising, and communication of information; all while protecting and promoting the free speech and expression rights of citizens within Windsor Heights. Any complaint received regarding a sign that comports with these regulations does not constitute a violation of this code section.

175.02 GENERAL PERMIT PROCEDURES.

Any installation, modification, or expansion of any sign which is not exempt from the provisions of this chapter shall be subject to the following permit procedure.

1. Maintenance of Valid Sign Permit. The owner of a property containing signs requiring a permit under this Zoning Code shall at all times maintain in force a sign permit for such property. Sign permits may be issued for individual zoned lots, tenants, or sign owners. A sign permit may be revoked if the sign is not maintained in good condition.
2. Any person who displays a sign in compliance with this code may substitute the message on that sign without first securing any additional approval, permitting, or notice, provided that any such substitution would not result in the sign becoming noncompliant.
3. Nothing in this code is intended or shall be construed so as to prevent the strengthening or restoration to a safe condition of a nonconforming sign for purposes of public health and safety.
4. Sign Permit Applications. All applications for sign permits shall be submitted to the Zoning Administrator in accordance with application specifications established by the ordinance.
5. Application Fees. Each application for a sign permit shall be accompanied by any applicable fees, which shall be established by the Council from time to time by resolution.
6. Permit Expiration. If a permanent sign is not constructed in accordance with an approved permit within six months of the date of approval, such permit shall lapse. Permits on non-permanent signs lapse in accordance with the timeline identified on the permit. After 60 days, permits are required to maintain temporary signs or more than a single temporary sign with a maximum of two renewals.
7. Assignment of Sign Permits. A current and valid sign permit shall be freely assignable to a successor as owner of the property or holder of a business license for the same premises.

175.03 EXEMPT SIGNS

The following signs are permitted in any zoning district and are exempt from other provisions of this chapter.

1. Up to three non-temporary signs on R-1, R-2, or R-3 that are smaller than 4 square feet in area.
2. Official signs authorized by a government or governmental subdivision, which give traffic, directional, or warning information, or other official information.
3. Temporary signs less than 8 square feet.
4. Neighborhood or subdivision identification signs under 50 square feet.
5. Street numbers or address signs that identify the address of a lot, structure, or establishment.
6. Signs which are not visible from a public right-of-way, private way, or court or from a property other than that on which the sign is installed, such as window signs.
7. Sidewalk signs which include two sided portable signs that are placed on the sidewalk outside of an establishment. 1 sign maximum per business and they must not interfere with a minimum of 5 feet of sidewalk clearance at all times.

175.04 GENERAL SIGN AND STREET GRAPHICS REGULATIONS.

1. Compliance. Each sign or part of a sign erected within the zoning jurisdiction of the City must comply with the provisions of this chapter and of other relevant provisions of this Code of Ordinances.

2. Resolution of Conflicting Regulations. This chapter is not meant to repeal or interfere with the enforcement of other sections of this Code of Ordinances. In cases of conflicts between Code sections, or State or Federal regulations, the more restrictive regulations shall apply, except where State law or the State Constitution preempts municipal law, in which case State law or the State Constitution will govern, or where Federal law of the U.S. Constitution preempts State and municipal law, in which case Federal law or the U.S. Constitution will govern.

3. Prohibited Signs. The following signs are prohibited in all zoning districts.
- a. Any sign which is structurally unsafe, unsafely installed, or otherwise hazardous to physical safety.
 - b. Any sign that obstructs free ingress to or egress from a fire escape, door, window, or other required access way to or from a building or site.
 - c. Any sign not maintained in good condition.
 - d. Any sign that blocks the vision clearance areas or would obstruct a driver's clear line of sight of traffic or pedestrians, or which obscures official signs or signals.
 - e. Any sign that interferes with the view of, or is confused with, any traffic control sign or device, and any sign that misleads or confuses traffic flow. A sign's position, size, shape, color, and illumination, but not its content, shall be considered when making such a determination.
 - f. Abandoned signs, which must be removed within six months of the date of abandonment.
 - g. Electronic changeable copy signs which incorporate in any manner any rolling, flashing, pulsating, rotating, beacons, or moving lights.
 - h. Any sign nailed, fastened, or affixed to any tree.

- i. Any sign that otherwise violates this sign code.
 - j. Any sign displaying any obscene matter, as that term is defined by Iowa Code Chapter 728.
4. Buffer Yards. No sign other than on-premises directional signs shall be placed within any buffer yard required by Chapter 173, Landscaping and Screening Standards, except buffer yards adjacent to intervening major streets.
5. Vision-Clearance Triangle. No sign may project into or be placed within a vision-clearance area.
6. Removal of Signs. If a sign owner's business, profession, commodity, service, or other activity or use formerly occupying the site is discontinued, the sign must be removed within fifteen (15) days of closure. If the owner does not remove the sign, the City will remove it at the owner's expense.

175.05 BASIC DESIGN ELEMENTS FOR ON-PREMISES SIGNS.

- 1. Professional Design and Construction. All signs must be designed and constructed by an individual or company pre-approved by the City and familiar with the City's sign ordinance. The proposed individual or company shall be designated on the applicant's sign permit and approved by the City in advance of sign construction.
- 2. Wall Signs and Graphics. Wall signs and graphics are subject to the following general regulations.
 - a. A wall sign shall not extend more than 12 inches from the wall to which it is attached.
 - b. A wall sign must be parallel to the wall to which it is attached.
 - c. A wall sign may not extend beyond the corner of the wall to which it is attached, except where attached to another wall sign, it may extend to provide for the attachment.
 - d. A wall sign may not extend beyond its building's roofline.
 - e. A wall sign attached to a building on its front property line may encroach upon public right-of-way by no more than 12 inches. Such a wall sign shall provide a minimum clearance of eight feet, six inches.
 - f. For the purpose of calculating permitted sign areas pursuant to this chapter, signs painted on the walls of buildings shall be considered wall signs.
 - g. Where permitted, canopy signs are counted as wall signs when calculating the total permitted sign area.
- 3. Projecting Signs and Graphics. Projecting signs and graphics are subject to the following general regulations.
 - a. The maximum projection of any projecting sign shall be three feet.
 - b. A projecting sign may be no closer than two feet from the vertical plane of the inside curb line.
 - c. Each projecting sign must maintain at least the following vertical clearances:
 - A. 8 feet, 6 inches over sidewalks, except that a canopy may reduce its vertical clearance to 7 feet, 6 inches;
 - B. 14 feet over parking lots;
 - C. 18 feet over alleys or driveways;

- D. Unless noted above, no projecting sign shall be placed over a roadway.
- d. No projecting sign extending three feet from a property line may be located within 22 feet of any other projecting sign extending three feet from a property line.
- e. The support structure for projecting signs cannot be visible.
- 4. Roof Signs. Roof signs are subject to the following regulations:
 - a. Where permitted, integral roof signs may be used interchangeably with wall signs.
 - b. Above peak roof signs are prohibited.

175.06 OTHER DESIGN ELEMENTS.

- 1. Illumination. Lighting, when installed, must be positioned in such a manner that light is not directed onto an adjoining property or onto a public street or highway.
- 2. Marquees and Marquee Signs. Signs placed on, attached to, or constructed on a marquee are subject to the maximum projection and clearance regulations of projecting signs.
- 3. Banners.
 - a. A banner sign projecting from a building may not exceed the wall height of the building.
 - b. Maximum projection for any banner is three feet with a minimum vertical clearance of 8 feet, 6 inches.

175.07 USE OF COMPATIBLE MATERIALS.

All signs, excluding temporary signs, shall be constructed of materials that are similar to those used on the principal building. Such signage shall be dominated with materials of permanency and strength and shall be compatible with other structures and signs in the development.

175.08 SIGN AREA.

- 1. Maximum Permitted Sign Area. Maximum permitted sign area for a premises is set forth as a numerical limit and is the combined total of all signs on the premise.
- 2. Sign Area.
 - a. Sign area includes the entire area within the perimeter enclosing the extreme limits of the sign, excluding any structure essential for support or service of the sign, or architectural elements of the building.
 - b. The area of double-faced signs is calculated on the largest face only.
 - c. The sign area for ground signs, monument signs, and architectural sign bands is calculated as the area enclosing the extreme limits of the copy only.
 - d. In the case of individual letters mounted to a wall, the total area in a simple shape such as a rectangle around the letters will be calculated.
- 3. Height. The height of a sign is measured from the average grade level below the sign to the topmost point of the sign or sign structure.
- 4. Setback. The setback of a sign is measured from the property line to the supporting frame, mast, pole, or base of the sign.

175.09 PERMITTED SIGNS

Table 175.09-01 – Permitted Signs by Type and Zoning Districts

Sign Types	R-1	R-2	R-3	MH	CC	UC	LI
Detached Signs							
Monument	P	P	P	P	P	P	P
Ground	P	P	P	P	P	P	P
Pole	N	N	N	N	N	N	N
Attached Signs							
Awning	N	N	N	P	P	P	P
Banner	N	N	N	N	P	P	P
Building Marker	P	P	P	P	P	P	P
Canopy	N	N	N	N	P	P	P
Marquee	N	N	N	N	P	P	P
Projecting	N	N	N	N	P	N	P
Roof, Integral	N	N	N	N	P	N	P
Wall	P	P	P	P	P	P	P
Window	N	N	N	N	P	P	P
Miscellaneous							
Portable	N	N	N	N	P	P	N

P = Permitted for All Uses; N = Not Permitted

Table 175.09-02 – Auxiliary Design Elements by Zoning District

Sign Types	R-1	R-2	R-3	MH	CC	UC	LI
Illumination							
Indirect	P	P	P	P	P	P	P
Direct	N	N	N	N	N	N	N
Internal	P	P	P	P	P	P	P
Neon	N	N	N	N	P	P	P
Flashing	N	N	N	N	N	N	N
Flame	N	N	N	N	N	N	N
Other							
Electronic Changeable Copy	N	N	N	N	P	P	P
Moving	N	N	N	N	N	N	N
Rotating	N	N	N	N	N	N	N

P = Permitted for All Uses; N = Not Permitted

Table 175.09-03 - Permitted Signs by Maximum Permitted Area and District

The Maximum Permitted Area for all signs on a premises, excluding exempt signs:

Zoning district	Maximum total square feet
R-1, R-2	8
R-3	32
MH	48
CC, UC	150
LI	200

Table 175.09-04 – Permitted Signs by Numbers, Dimensions, and Locations

Each individual sign shall comply with the regulations for maximum quantity, maximum size, minimum setbacks, and height limits shown in this table:

Zoning District:	R-1 R-2	R-3 MH	CC UC	LI
Detached Signs				
Number Permitted Per Premises	1	1	NA	NA
Maximum Size* (square feet)	8	32	90	90
Maximum Height (feet) of Structure Above Ground	10	10	10	10
Front Yard Setback (feet)	5	5	10	0
Side Yard Setback (feet)	10	10	5	0
Attached Signs				
Maximum Size* (square feet)	8	32	150	200
* For those uses only permitted a sufficient maximum sign area in Table 175-3				

(Ch. 175 – Ord. 18-14 – Nov. 18 Supp.)

175.10 NONCONFORMING SIGNS.

1. Any permanent sign that was in place and lawfully established on December 21, 1998, shall be considered as a legal nonconforming sign to the extent that such a sign does not comply with the provisions of this chapter. The cover of such sign may be changed from time to time,

provided that the sign area shall not be enlarged or reduced beyond the sign area in existence on December 21, 1998.

2. Any nonconforming sign which presently is or becomes structurally damaged or deteriorated or is altered by more than 50% of its replacement cost, shall be either removed or altered so as to comply with this chapter.

DRAFT

CHAPTER 176

ZONING CODE – NONCONFORMING DEVELOPMENT

176.01 Purpose	176.04 Nonconforming Structures
176.02 Regulations Additive	176.05 Nonconforming Uses
176.03 Nonconforming Lots	

176.01 PURPOSE.

This chapter contains the Nonconforming Development Regulations. The purposes of these regulations are:

1. To allow for reasonable use of legally created lots of record which do not meet current minimum requirements for their respective zoning districts.
2. To provide for reasonable use of legally constructed structures which do not meet current site development regulations for their respective zoning districts.
3. To allow for the reasonable continuation of legally established uses which do not meet current use regulations for their respective zoning districts.
4. To limit the continuation and provide for the gradual replacement of nonconforming uses.

176.02 EXISTING DEVELOPMENT.

Any maintenance to any structure or site feature shall not cause the site or building to become non-compliant with the regulations set forth in this Ordinance. If the site or building is already non-compliant, the change to the building or site proposed by the owner shall not cause them to become more non-compliant. In such instances, improvements shall be completed in a manner which makes the building, site, or related items more substantially compliant with the current provisions of this Ordinance than was previous to the improvements. Any improvement proposed to modify the size of a building, lot, parking area, etc. shall be submitted for review by the City. If the proposed improvement(s) modify the size of a building or lot by less than 30%, it shall be submitted for review by City staff and approved or disapproved by the Administrative Official. The Administrative Official shall have the authority to require such a project be reviewed by the Planning and Zoning Commission and City Council if they feel such review is warranted. If the proposed change is in excess of 30% in size, it shall be submitted for full review and approval or disapproval by the Planning and Zoning Commission and City Council. See 170.07 for full site plan review requirements.

176.03 LEGAL NON-CONFORMING USES.

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

176.04 NONCONFORMING LOTS.

1. Pre-Existing Lots of Record. Nonconforming lots of record existing at the time of the adoption of this Zoning Code shall be exempt, unless otherwise provided, from the minimum lot

area and lot width requirements of each zoning district. Such lots may be developed with any use allowed by the regulations for the district and must comply with all other site development regulations set forth by this Zoning Code.

2. Reductions Due to Public Acquisition. If a portion of a legally existing lot in any district is acquired for public use, the remainder of this lot shall be considered a conforming lot.

176.05 NONCONFORMING STRUCTURES.

These regulations apply to buildings and structures which were constructed legally under regulations in effect before the effective date of this Zoning Code.

1. Continuation. A lawful nonconforming structure existing on the effective date of this Zoning Code may be continued, repaired, maintained, or altered, subject to the provisions of this section.

2. Additions or Enlargements to Nonconforming Structures.

a. A lawful nonconforming structure may be added to or enlarged if the addition satisfies one or more of the following conditions:

A. The enlargement or addition, when considered independently of the existing building, complies with all applicable setback, height, off-street parking, and landscaping requirements.

B. The nonconforming building and impervious surface coverages on the site are not increased and the building, after the addition, conforms to height and off-street parking regulations applicable to its zoning district.

3. Moving of Nonconforming Structures. A lawful nonconforming building or structure shall not be moved in whole or in part to another location on its lot unless every part of the structure conforms to all site development regulations applicable to its zoning district.

4. Repair of Nonconforming Structures. A lawful nonconforming building damaged by fire, explosion, storm, or other calamity, except flood damages, may be repaired and reconstructed, provided there is no increase in the degree of nonconformity. Repair and reconstruction within the designated floodplain shall be in conformance with Floodplain development regulations. Any repairs must be completed in compliance with all applicable building codes and regulations.

5. Applicability of Landscaping and Screening Regulations. A pre-existing structure, building, or development shall be exempt from Chapter 173, Landscaping and Screening Regulations. However, any expansion of such structure, building, or development or any adjacent new development onto a property that is or becomes vacant on or after the effective date of this Zoning Code shall be subject to Chapter 173.

6. Allowance for Repairs. Repairs and maintenance of a structure occupied by a nonconforming use may be made, provided that no structural alterations are made other than those required by law.

7. Damage or Destruction of Structures. Should a structure occupied by a lawful nonconforming use be damaged to the extent that the cost of restoration exceeds 50% of the replacement cost of the structure, the nonconforming use shall no longer be permitted.

176.06 NONCONFORMING USES.

1. Continuation of Nonconforming Uses. Any nonconforming use lawfully existing on the effective date of this Zoning Code may continue, subject to the limitations of this section.
2. Enlargement of Nonconforming Uses. A lawful nonconforming use may not be expanded.
3. Abandonment of Nonconforming Use. If use becomes abandoned or unused for a continuous period of six months, any subsequent use must conform to all use regulations applicable to the property's zoning district.
4. Change of Use. A lawful nonconforming use may be changed only to a use type permitted in a zoning district that is equal to or less intensive than that normally required for the previous use.
5. Nonconforming Uses and Conditional Use and Special Use Permits. A lawful pre-existing use which would require a conditional use or special use permit in its zoning district shall be presumed to have the appropriate permit and shall be considered a conforming use. The use shall be subject to the regulations governing lapses or revocation of permits, set forth in Chapter 176.

CHAPTER 177
ZONING CODE – ADMINISTRATION AND PROCEDURES

177.01 Purpose	177.04 Extension of The Extra-Territorial Jurisdiction
177.02 Site Plan Review Procedure	Table 177-1 Criteria for Site Plan Review
177.03 Amendment Procedure	

177.01 PURPOSE.

The Administration and Procedures provisions establish the methods for implementation of site plan review, rezoning, and amendments to the zoning code.

177.02 SITE PLAN REVIEW PROCEDURE.

1. Purpose. The Site Plan Review Procedure provides for special review in addition to plan review required by other sections of this Code of Ordinances of projects that have potentially significant effects on traffic circulation or a significant effect on land uses in adjacent neighborhoods. The procedure provides for the review and evaluation of site development features and possible mitigation of unfavorable effects on surrounding property.
2. Administration. The Zoning Administrator shall review, evaluate, and act on all site plans submitted pursuant to this procedure. The Planning and Zoning Commission shall review site plans and shall transmit its recommendation to the City Council for approval.
3. Uses Requiring Site Plan Review. Select uses as required by Chapter 170.
4. Application Requirements. An application for a site plan review may be filed by the owner of a property or the owner's authorized agent with the Zoning Administrator. Site plan application forms are available in the offices of the Zoning Administrator. The application shall include the criteria listed in Chapter 170.
5. Administrative Action. The Zoning Administrator shall review each site plan and provide a written recommendation to the Planning and Zoning Commission and City Council. The Planning and Zoning Commission shall transmit its recommendation to the City Council, which will then act on the application.
6. Review and Evaluation.
 - a. The Planning and Zoning Commission and City Council shall review and approve the site plan based on the criteria established in Chapter 170 and conformance with applicable regulations in this Zoning Code and the vision of the comprehensive plan.
 - b. The Planning and Zoning Commission shall make the following findings before recommending approval of the site plan to the City Council:
 - A. The proposed development, together with any necessary modifications, is compatible with the criteria established in Chapter 170.
 - B. Any required modifications to the site plan are reasonable and are the minimum necessary to minimize potentially unfavorable effects.
 - C. The site plan conforms to this Zoning Code and to the vision of the comprehensive plan.

7. **Modification of Site Plan.** The Zoning Administrator, Planning and Zoning Commission, and City Council may require modification of a site plan as a prerequisite for approval. Required modifications may be more restrictive than base district regulations and may include (but are not limited to) additional landscaping or screening; installation of erosion control measures; improvement of access or circulation; rearrangement of structures on the site; or other modifications deemed necessary to protect the public health, safety, welfare, community character, property values, and/or aesthetics.

8. **Term and Modification of Approval.**

- a. A site plan approval shall become void one year after the date of approval unless the applicant receives a building permit and diligently carries out development prior to the expiration of this period.
- b. The Zoning Administrator may approve an application to modify a previously approved site plan if he/she determines that the modification does not affect findings related to the criteria set forth in Table 177-1.
- c. The Zoning Administrator may revoke a site plan approval if said official determines that the development is not complying with the terms and conditions of the approval. Such revocation may be appealed to the Board of Adjustment.

177.03 AMENDMENT PROCEDURE.

The amendment procedures describe the methods by which changes may be made in the text of this Zoning Code (text amendment) and/or the official boundaries of zoning districts (rezoning).

1. **Initiation of Amendments.**

- a. Text amendments may be initiated by the Planning and Zoning Commission or City Council.
- b. Rezoning may be initiated by a property owner or authorized agent, the Planning and Zoning Commission, or the City Council.

2. **Rezoning Application Requirements.** An application for a rezoning may be filed with the Zoning Administrator. The application shall include the following information:

- a. Name and address of the applicant.
- b. Owner, address, and legal description of the property.
- c. A description of the reason for the rezoning application and the nature and operating characteristics of the proposed use.
- d. Any graphic information, including site plans, elevations, other drawings, or other materials determined by the Zoning Administrator to be necessary to describe the proposed use to approving agencies.

3. **Amendment Process.**

- a. The Planning Commission, following not less than 4 days notice and publication shall hold a public hearing on each proposed text or rezoning and shall recommend action to the City Council.
- b. The City Council, after publication and public hearing, shall act on the proposed amendment. A majority vote of those members either elected or appointed to the City Council is required for approval. If the proposed amendment is recommended for

disapproval by the Planning Commission, a majority vote plus one of the City Council shall be required for approval.

- c. Protest. If a valid protest petition opposing an amendment is filed with the City Clerk by eligible property owners, a majority vote plus one of those members either elected or appointed to the City Council is required for approval. A valid protest petition must meet the following criteria:

- A. Submission of the petition in the office of the City Clerk within 14 days after the conclusion of the public hearing on the amendment by the Planning Commission.
- B. Notarized signatures by at least one of the following:

- 1. The owner or owners of at least 20% of the property proposed for rezoning.
- 2. The owners of 20% of the total area, excluding public rights-of-way and public property, within the zoning jurisdiction of the City and within 200 feet of the proposed rezoning.

- 4. Required Notice and Publication. Prior to consideration of amending, supplementing, changing, modifying, or repealing this Zoning Code by the governing body, notice of public hearings shall be provided by two of the three following methods, as determined by the City:

- a. Publication. Not less than 4 days before the date of hearing, the City Clerk shall have published in a newspaper published at least once weekly and having a general circulation in the City a notice of the time, place, and subject matter of such hearing.
- b. Notification by Mail. At least ten days prior to the date of hearing, the party initiating the rezoning request shall present the City Clerk a certified address list of those persons who own property within 500 feet of the subject site. The City Clerk shall mail notice of the time, place, and subject matter of the hearing to such property owners at least ten days prior to the date of the hearing.

177.04 EXTENSION -OF THE EXTRA-TERRITORIAL JURISDICTION.

Upon the automatic extension of the two-mile extra-territorial jurisdiction due to annexation, the City Council with the recommendation of the Planning Commission shall zone properties within the newly established jurisdiction concurrent with adoption of the annexation ordinance. The zoning shall consider the Comprehensive Development Plan of the City and the present use of the land.

ACCESSORY DWELLING UNIT REGIONAL SURVEY – **DRAFT SUMMARY FOR REVIEW – OCTOBER 2023**
TO SUBMIT EDITS OR CHANGES, E-MAIL MATT HAUGE – MHAUGE@PCHTF.ORG BY NOVEMBER 1 – PLEASE AND THANK YOU

- We produced this chart to give cities a chance to review/send changes to this results summary before we declare it final. This detailed “big chart” version is intended for use by city/government staff and planning professionals. We do not intend to post this big chart publicly because we realize the information here is too complex to be useful to the public.
- Later we do intend to release a shorter description of these findings to the public, but it will be even more condensed. We will share a draft of that with you before we post for your comment.
- 12 jurisdictions responded to the survey. The table below summarizes responses from governments who responded they DO ALLOW ADUS in some fashion.
- Responses have been edited for brevity, consistency, and clarity.
- Where **highlighting** appears, it is intended to draw attention to areas where a theme appears in how jurisdictions answered a question.
- **Clive, West Des Moines, and Waukee** responded to the survey **but did not** identify any areas of the city where ADUs for housing are allowed either by right or through conditional approval/special use permit. In those cities, Clive is considering a change in ADU policy for the eastern portion of the city. West Des Moines says consideration of ADU policy is in the action plan for its comprehensive plan. Waukee says ADUs are mentioned in its comp plan but there is no timeline for consideration.

	Polk County	Des Moines	Johnston	Pleasant Hill	Indianola	Urbandale	Ankeny	Norwalk	Altoona
Zones where ADUs are allowed BY RIGHT	All residential zoning districts	One household districts (N Districts) within a 1/4 mile of a DART (transit) route AND all other districts allowing residential use	R-2 Low Density Mixed Residential Zoning District, subject to requirements	None	None	None	All residential zoning districts EXCEPT R-1	Ag district. Have also allowed them in one PUD.	None currently - Could be allowed in a future R-5 PUD area.
Zones where ADUs are allowed with a Conditional Approval/Special Use Permit		One household districts (N Districts) NOT within a 1/4 mile of a DART (transit) route	R-E, R-1(100), R-1(75), R-1(60)	A-1, R-1, and R-2	R-1 Single Family Residential Detached, R-2 Single-family residential attached, R-3 multi-family residential	Single family detached zone districts: A-1, A-2, R-1L, R-1I, and R-1S	None	None	None
Lot requirements – Do you have any requirements for how large a single-family lot must be in order to have an ADU?	No	No	● Must meet minimum lot size of zoning district or otherwise be an existing lot of record.	No	No	No	10,500 ft2 minimum lot size	-	-

	Polk County	Des Moines	Johnston	Pleasant Hill	Indianola	Urbandale	Ankeny	Norwalk	Altoona
Size of ADU - Briefly describe any policies about how large the ADU may be – examples might be minimum/maximum size of the ADU, floor area ratios, height limits, lot coverage standard requirements, etc.	● ADU not larger than 1,200 ft2 of gross floor area not counting garage, porch or deck ● ADU not larger than principal residence ● ADU in an accessory building must be separated from remaining building and not be larger than 50% of accessory structure	● ADU not larger than 50% of floor area of principal household unit ● ADU footprint may not exceed 25% of rear yard area ● Max height 17 feet, setback from adjoining property of 5 feet	● ADU not smaller than 300ft2 and not larger than 900ft2 ● Max 2 occupants per bedroom ● Max height matches any other accessory structure	● Only reviewed subject to building code	● ADU not larger than 800ft2 OR ● ADU not larger than 80% of the principal structure ● Limit 1 bedroom, must have kitchen and bath ● Setback and other requirements match principal dwelling	● ADU not larger than 800ft2 not counting garage, porch or deck ● ADU may not comprise more than 40% of building's total floor area, not counting garage, porches or deck ● Limit 2 bedrooms	-	● ADU not larger than 650ft2 where allowed by the PUD ● Max height 30 feet for above a garage	● Accessory buildings not over 1,000 ft2 in area ● No room in a habitable area smaller than 70ft2 ● Must include kitchen, bath, heat and hot water ● Height limit 14'
Design standards – Briefly describe any rules you have for the design/appearance of the ADU, such as requiring the ADU have the same design as the house it is next to, or the neighborhood it is located in – or whether you restrict use of modular/manufactured off-site ADUs?	● Standalone ADUs are not permitted, needs to be an addition to the house or to a new accessory building	● Must be in rear yard of primary unit ● Must be set back 5 feet from adjoining property line ● Roof type/exterior materials must match primary unit	● No specific requirements for ADUs	● Must be 'residential in character' ● Incorporate class 1, 2, 3, or 4 materials on 100% of each facade area	● Must be consistent with design, features, material and level of finish of principal building ● Cannot have separate entrance facing the street	● Residential in character in keeping with the neighborhood ● ADU may not be located in/part of guest house, detached garage or other detached building	-	● ADUs are required to have similar architectural design and features as the principal building.	● Same or similar materials to principal building and similar in appearance
Utility connections – Do you require a separate utility connection for the ADU?	No	Dependent on building code.	Typically one per lot.	No - notes that water utility would determine its connection policy.	No - Must share with principal dwelling.	No	Yes	No	-
Parking – Are any off-street parking spaces required specifically for ADUs?	● 1 off street space required ● in addition to 1 space for primary unit	● 1 additional off street space required	● Minimum 2 spaces for adu ● Minimum 2 spaces for principal unit ● Paved/dustless parking only	● Minimum 2 spaces per dwelling unit	● Minimum 1 per ADU ● Minimum 2 for principal dwelling ● ADU may not have its own driveway	● Minimum 2 for the ADU in addition to primary dwelling unit	● 1 space for studio/1BR and 2 spaces for 2+ BR	● 1 space additional to the normal home	Yes - did not elaborate

	Polk County	Des Moines	Johnston	Pleasant Hill	Indianola	Urbandale	Ankeny	Norwalk	Altoona
Occupancy – Do you require that either the house or the ADU be owner-occupied? Do you have any restrictions on the use of the ADU? Include whether rental certificates are required	● Owner shall reside on the property ● Deed restriction required to record acceptable use of ADU ● Exceptions to occupancy requirement under limited conditional use permit	● Either ADU or main residence must be owner occupied ● Rental license required for non owner-occupied units	● deed restriction required restricting the independent sale of an ADU and requiring adherence to size limit and other requirements. ● Property must comply with city rental code including permits and inspections ● Limit 1 ADU per lot	● ADU may not be sold independently of primary residence	● Rental certificates required for any non-owner occupied unit	● Rental is not allowed; ADU must be occupied by family or caregivers. ● ADU may not be subdivided or sold separately from primary residence. ● Limit 1 ADU per lot.	● Rental certificate required	● Principal residence must be owner occupied. ● ADU may not be used for home occupation. ● Rental certificate inspection required if rent is paid by ADU occupant	● Rental certificate required
Public Contact – Who with your city government is the point person residents can ask questions about your ADU policy (if applicable)	Email: publicworks@polkcountyia.gov	City of Des Moines Zoning Enforcement Division DZ@dmgov.org 515-283-4207	City of Johnston Community Development Department 515-727-7778 Clayton Ender, Planner 515-727-7763 David Wilwerding, Community Development Director 515-727-7775	Madeline Sturms	Charlie Dissell (Community Development Director) or Emily Rizvic (Associate Planner).	Department of Community Development (no specific contact)	Planning and Building staff	Luke Parris Elliot Klimowski 981-9530 is the general Community Development number that will get residents in touch with either of us.	John Shaw, Community Development Director. jshaw@altoona-iowa.com 515-957-5114.
What is the status of ADUs or your future plans for them?	Have had inquiries - policy was just changed to allow ADUs in August 2023.	Have seen interest and have permitted ADUs both by right and through conditional process.	Seeing limited but increasing interest.				A few are known to be existing in the city, but few requests to build more.	Council has discussed, current policy would be to allow ADUs in new developments.	There are not currently any PUD districts that allow ADUs but there could be in the future.



November 1 2023

City of Windsor Heights
Attn: Adam Plagge
1145 66th St., Ste. 1
Windsor Heights, IA 50324

RE: Accessory Dwelling Units in your revised zoning code

Dear Mr. Plagge,

The Polk County Housing Trust Fund thanks the City of Windsor Heights for considering a zoning policy to recognize the role accessory dwelling units can play in your community. The Trust Fund has found that residents of all backgrounds from across our region are increasingly concerned about the rising cost of housing. Accessory dwelling units are one way we can initiate reform through adjustments to the zoning code to unlock housing options that are compatible with lower cost. They are also a flexible housing option that can provide different benefits to families through all phases of life. Continuing to work in this area will be critical in the years to come.

Recently, the Trust Fund joined together with AARP Iowa to conduct an informational survey about policy for accessory dwelling units in our region. We received responses from 12 local governments, 9 of which told us they allow accessory dwelling units in some form. Along with this communication, I am sharing additional details with you about how local communities responded.

AARP is a recognized national leader in advocating for accessory dwelling units and has produced a model ordinance¹ local governments can use to incorporate ADUs into your zoning code. We relied on AARP's model local ordinance to inform our survey effort. We encourage you to review this example ordinance which provides excellent treatment of many of the common issues communities seek to address when they create ADU policies.

AARP's model ordinance is informed by the experiences of communities across the country. Its recommendations provide an effective set of principles that can allow communities to fully realize the potential of ADUs. This useful resource can help reduce barriers that could reduce or prevent ADUs from actually being built locally. At the same time, we know you will carefully evaluate relevant factors to create the best policy for your community.

We are encouraged by recent actions taken by Des Moines, Polk County, Johnston and others expand the ability of their residents to consider ADUs on their own properties. We are hopeful you will find that ADUs can play a greater role in meeting the housing needs of Windsor Heights residents as well.

Cordially,

/s/ Matt Hauge

Matt Hauge
Outreach & Communications Director
Polk County Housing Trust Fund

¹ The model ordinance is available at <https://www.aarp.org/livable-communities/housing/info-2021/adu-model-state-act-and-local-ordinance.html>

Zoning Code Update Public Comment

I read through your code and caught a couple things that, in my mind, may need correction/clarification:

At chapters 172.14.3.a.B and 172.14.3.b.B materials percentages are missing (and the numbering convention seems odd to have a capital subsection after a lowercase subsection eg a.B and b.B).

Chapter 168.02 implies UC district is renamed/restructured to Urban Center District. But at 172.14.3 it is called the "University Avenue Mixed Use District" which is being eliminated by this code (should read Urban Center District). It's just a consistency error.

174.02 states any use of the UC district is exempt from the off-street parking requirements of 174.03. Said section 174.03 relates to Pedestrian Connectivity and not off-street parking (174.04). It is unclear what is exempt.

175.04.5 hyphenates Vision-clearance Triangle. In definitions at 258 it is not hyphenated. The inconsistency means that when I am in chapter 175.04.5 and read about vision-clearance and then try to search for the term... the definition doesn't show up in search because one hyphenates and the other doesn't.

173.06.2 is a bit confusing. As read it implies an opaque barrier is required that is a) 6' wood or masonry, AND b)also employs plant material that will obtain 6' height, AND c) contains a berm; however, I believe it should read "An opaque barrier shall be provided which visually screens the conditions listed in subsection 1 from less intensive uses **BY EMPLOYING ONE OR MORE OF THE FOLLOWING IN ANY COMBINATION TO OBTAIN A SOLID BARRIER OF AT LEAST 6' IN HEIGHT.** My suggested wording is an attempt to clarify that you are not requiring all three provisions....

172.14.2. regarding building materials facing "Primary street"; Primary street is not defined anywhere in the ordinance or definitions.

Your site plan requirements mandate a public hearing be held for consideration of a site plan complete with mailing and publication in newspaper. My comments are that by imposing greater notification requirements than are required by law, you are going to run into a situation where someone forgets to publish a notice in the newspaper and you are going to approve a site plan that is later challenged by law because notice wasn't published. By that time a developer's due diligence window is over and you are going to be trying to figure out how to revoke site plan approval on a property that you've already approved because someone didn't publish notice or didn't post it within a valid window and a developer is going to have damages. End result is a lawsuit. 1) code of iowa requires public hearing and published notice for rezonings and some actions conducted by board of adjustment. To extend those requirements to a site plan is asking for trouble. I think a mailing notice is sufficient. You also have notice of action posted in public place on your agendas. And don't interchange/confuse Public hearing with public meeting. I absolutely agree a site plan should be considered at a public meeting. Public hearing is a different thing altogether which mandates certain legal requirements. 2) who the heck is reading the newspaper anymore, let alone the public notice section? In my experience people don't even read the mail we send directly to them regarding site plans. Nobody is going to hear about a proposed site plan in Windsor Heights because they read it buried in the Legal notices section of the paper. Put it on your website, and send a mailing. Done and done. I realize this is probably being

inserted because your comp plan goes at lengths about making the site plan approval process transparent. I really think that is more of a development community comment. I think instituting a "duty to act" timeline would be more beneficial. For example, the development community wants to know that their site plan submittal will be acted upon in a reasonable timeline... will be submitted to P&Z within a certain number of days for consideration and will be placed on council agenda within a certain timeline. Your agendas and minutes could also have more details that would lend clarity to the process. When I read some of the agendas and minutes it was hard to understand what was scheduled to be acted on and also what action had taken place. When I read the comp plan I think those are some changes that lend clarity to both the public and development community that would serve everyone better than a notice in newspaper.

172.14.3.a.A (again with the weird formatting) States UC District shall utilize 90% brick on primary street side. 90 is huge. I don't know that I have time to dig up what all the other city's are doing. I can say Johnston had a 50% brick requirement for certain properties but eliminated it with their most -recent code update. But by imposing a 90% standard I believe you are going to get buildings that are LESS architecturally interesting. They will lack diverse texture that is afforded by using a combination of materials, and lack the ability to use horizontal projection. We are proposing a building that, 3 out of 4 sides would meet the 90% requirement. But the front of the building (primary street side) would not. I've attached elevations marked up with a square-footage breakdown. The total s.f. of the front of the building is 2,132 s.f. After subtracting windows and doors it's 1,900 s.f. The s.f. of brick we are showing is 990 s.f. or 52% brick. We are also proposing the use of manufactured stone to add diverse texture. We can convert said stone to brick but we will still only be at 62% brick after doing so. The aluminum panel system we are showing above windows and doors is used because that portion of building "projects" out from the building. This horizontal projection cannot be bricked because there is nothing to support the weight of the brick. We can eliminate the projection, but then you are losing the visual interest provided by diversity of building materials AND you are left with a visually unappealing flat front to building without a projected awning for weather protection for those persons entering and exiting the store.

General comment: Auto Services lumps convenience store/gas station/service station and auto-body work all together. I think the code should separate these uses better. Convenience Store and Fuel sales is a less intensive use than service station/auto repair/body work. It seems like fuel sales and sale of food items/convenience sundries doesn't rise to the level of conditional use permit, but when we are generating noise from air tools, performing oil changes, doing other repair work or auto body work/auto painting.... Those uses might require more scrutiny afforded by conditional use process.

Thank you for receiving my comments.



Aaron Wolfe
Sr. Site Development Manager
O: 515.381.5518
C: 515.985.9622
Aaron.Wolfe@caseys.com

CASEY'S GENERAL STORES
PO Box 3004 | 3305 SE Delaware Ave
Ankeny, IA 50021
www.caseys.com

“90 to 100% brick is a pretty steep standard. Not unheard, but is a big cost for a new building. I don’t have any specifics for you on actually costs, but might suggest there are better ways to create standards that can get you the building design/quality you want without setting a blanket standard for brick.”

Chris Shires
Confluence Landscape Architecture

City Administration also reached out to Nick Jensen with Caliber Iowa, involved in the proposed “The Windsor” project but did not receive any written comments.

City of Windsor Heights Regular Business Meeting Minutes
Monday, October 16, 2023 - 6:00 PM
WINDSOR HEIGHTS COUNCIL CHAMBERS - 1133 66th ST

1. Call to Order/Roll Call/Pledge of Allegiance

Mayor Jones called the meeting to order at 6:00 PM. Council members present: Susan Skeries, Threase Harms, Joseph Jones, Michael Libbie, and Lauren Campbell. Staff present: City Administrator Adam Plagge, City Clerk Adam Strait, Deputy City Clerk Nate Leuthold, City Attorney Erin Clanton, and Fire Chief Jim Mease.

2. Approval of the Agenda

Motion by Joseph Jones to APPROVE. Seconded by Susan Skeries . Motion passed 5-0.

3. Public Forum: This is time set aside for comments from the public on topics of City business other than those listed on the agenda. No action may be taken. Please come to the podium, state your name and address for the record and keep your comments to no more than 5 minutes.

Marybeth Craven - 7804 College Drive - Spoke about curbs that have been hit by trucks and are destroyed on her road by workers and garbage trucks. Mayor Mike Jones stated the City will look into repairing curbs.

4. Consent Agenda: Any item on the Consent Agenda may be removed for separate consideration.

Motion by Joseph Jones to APPROVE. Seconded by Susan Skeries . Motion passed 5-0.

- A. Approve Minutes of the Regular Council Meeting on October 2, 2023
- B. Approve Payment of Claims
- C. Approve Financial Reports
- D. Approve Liquor License - Aldi 116 - 7100 University Avenue
- E. Approve Resolution No. 2023 - 53 - A Resolution Setting Time and Place for a Public Hearing Amending Chapters 165 through 177

5. New Business:

- A. Consideration of the First Reading of Ordinance No. 23-08 - An Ordinance Amending Section 1.12 (Warrants) Regarding Administrative Search Warrants

Erin Clanton City Attorney with Brick Gentry spoke towards the reasoning for the ordinance due to a court case. Motion by Michael Libbie to APPROVE. Seconded by Susan Skeries . Motion passed 5-0.

- B. Consideration of the Second Reading of Ordinance No. 23-07 - An Ordinance Amending Chapter 180.06 of the Code of Ordinances for the City of Windsor Heights Related to Conditional Use Permit Standards for Approval

Motion by Michael Libbie to APPROVE. Seconded by Joseph Jones . Motion passed 5-0.

C. 73rd Street Reconstruction Update

Justin Ernst City Engineer with Bolton & Menk spoke about delays in the project due to permits currently sitting with Iowa DOT and Federal approvers. It is expected that additional studies will need to be completed. Council discussed the need for courtesy carts during the project.

6. **Reports:**

A. Mayor, Council Reports and Committee Updates, and Administration Reports

Threase Harms - Congratulations on those who put on Fall Fest, gave an update on MAC, and update on Polk County sustainability grant and how that will allow them to help cities identify need and opportunities

Lauren Campbell - Thank you to those who helped with Fall Fest

Micahel Libbie - Update on Economic Development committee, congratulations on the great Fall Fest

Joseph Jones - Update on DART committee and budget deficits

Susan Skeries - Thank you to those who helped with Fall Fest, update on the Veterans Day event

i Mayor's Report

ii City Administrator's Report

iii Fire Chief's Report

iv Police Chief's Report

7. **Adjourn**

Motion by Michael Libbie to adjourn the meeting at 6:35 PM. Seconded by Susan Skeries. Motion passed 5-0.

Mike Jones, Mayor

Adam Strait, City Clerk

CLAIMS REPORT

Vendor Checks: 10/13/2023-10/31/202

Page 1
Payroll Checks: 10/13/2023-10/31/2023

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
ABSOLUTE AUTO REPAIR	SILVERADO 1 TON REPAIRS		101.04	55996	10/26/23
AMAZON CAPITAL SERVICES	POPCORN BAGS		234.81	55997	10/26/23
AMERITAS LIFE INS. CORP.	DENTAL	1,535.28-		4465	10/18/23
AMERITAS LIFE INS. CORP.		3,070.56-		4466	10/18/23
AMERITAS LIFE INS. CORP.	DENTAL	1,633.96		4467	10/18/23
AMERITAS LIFE INS. CORP.	DENTAL	2,580.16		4468	10/18/23
AMERITAS LIFE INS. CORP.	DENTAL	2,958.64		4469	10/18/23
AMERITAS LIFE INS. CORP.	VISION INS	254.64	2,821.56	4511	10/24/23
ASSURITY	ASSURITY		872.28	4515	10/24/23
BANKERS TRUST COMPANY	See Vendor Activity Report		5,825.97	55976	10/17/23
BOB BROWN CHEVROLET INC.			18.14	55977	10/17/23
BOLTON & MENK	COLBY PARK ENGINEERING	31,853.50		55978	10/17/23
BOLTON & MENK	PLANNING SERVICES	13,994.50	45,848.00	55998	10/26/23
BOUND TREE MEDICAL LLC	MEDICAL SUPPLIES		127.22	55999	10/26/23
BULLZEYE, INC	CEC FLOOR REFINISHING	5,375.00		55979	10/17/23
BULLZEYE, INC	CEC DEEP CLEANING	1,058.74	6,433.74	56000	10/26/23
CAMPBELL, LAUREN	REIMBURSEMENT FOR SIGNS/BAGS		2,195.39	55980	10/17/23
CENTURY LINK	TELEPHONE		191.02	56001	10/26/23
CITY OF DES MOINES	SISTER CITY CONTRIBUTION		35.75	56002	10/26/23
CITY OF URBANDALE	CROSSING GUARD SERVICES		254.48	56003	10/26/23
CITY OF WEST DES MOINES	METRO HOME PROGRAM		18,707.00	55981	10/17/23
DES MOINES REGISTER	NEWSPAPER	43.00		55982	10/17/23
DES MOINES REGISTER	NEWSPAPER	45.00	88.00	56004	10/26/23
DIAMOND OIL CO.	FUEL		1,325.86	56005	10/26/23
DIAMOND VOGEL, INC	STREET PAINT		19.53	56006	10/26/23
DINGES FIRE COMPANY	PRICE/MEASE HELMETS		2,600.00	56007	10/26/23
DRAKE UNIVERSITY	PHASE IV MEETING FACILITATION		500.00	56008	10/26/23
EMPLOYEE BENEFIT SYSTEMS	MEDICAL INS		20,584.86	4464	10/17/23
FEDERAL TAX DEPOSIT	FED/FICA TAX		29,789.45	4512	10/24/23
GALLS INC	CLOTHING ALLOWANCE		441.20	56009	10/26/23
GOODRICH, WILLIAM	CDL LICENSE REIMBURSEMENT	67.00		55983	10/17/23
GOODRICH, WILLIAM	OCT CELL PHONE	50.00	117.00	56010	10/26/23
GRAINGER	SUPPLIES	65.42		55984	10/17/23
GRAINGER	CEC SUPPLIES	103.77	169.19	56011	10/26/23
GRIMES ASPHALT & PAVING	STREET MAINTENANCE SUPPLIES	98.25		55985	10/17/23
GRIMES ASPHALT & PAVING	STREET MAINTENANCE SUPPLIES	74.25	172.50	56012	10/26/23
HY-VEE ACCOUNTS RECEIVABLE	PIZZA		550.08	56013	10/26/23
IACP	ANNUAL SUBSCRIPTION		525.00	56014	10/26/23
ICMA RETIREMENT TRUST	ICMA	441.81		4509	10/24/23
ICMA RETIREMENT TRUST	ICMA	1,284.09	1,725.90	4516	10/24/23
IOWA MUNICIPAL FINANCE OFFICER	FALL CONFERENCE NATE		245.00	55986	10/17/23
INDEPENDENT PUBLIC ADVISORS	QUARTERLY RETAINER SERVICES		2,250.00	55987	10/17/23
INTERSTATE ALL BATTERY	CEC		9.70	56015	10/26/23
INTOXIMETERS INC.	SUPPLIES		125.00	55988	10/17/23
IOWA FIRE EQUIPMENT	FIRE EXT SERVICE		80.00	55989	10/17/23
DEPT OF HUMAN SERVICES	NOV 23 STATE SHARE		8,125.80	56016	10/26/23
IOWA LAW ENFORCEMENT ACADEMY	TRAINING		30.00	56017	10/26/23
IOWA PEACE OFFICERS ASSO.	DEPARTMENT MEMBERSHIP		300.00	56018	10/26/23
IPERS	PROTECT IPERS		35,508.77	4508	10/24/23
IRLBECK, MICHAEL	OCT CELL PHONE		80.00	56019	10/26/23
ISOLVED BENEFIT SERVICES	FLEX CLD BENEFI		578.85	4513	10/24/23
JOHNSON, KYLE	OCT CELL PHONE		50.00	56020	10/26/23
LARSON, ANDY	OCT CELL PHONE		50.00	56021	10/26/23
LEUTHOLD, NATE	OCT CELL PHONE		50.00	56022	10/26/23

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
MANHATTANLIFE	MANHATTAN LIFE		298.56	4514	10/24/23
MEASE, JIM	OCT CELL PHONE		50.00	56023	10/26/23
METRO WASTE AUTHORITY	JULY GARBAGE FEES		774.40	55990	10/17/23
MIDAMERICAN ENERGY	1145 66TH ST	154.43		4496	10/24/23
MIDAMERICAN ENERGY	6900 SCHOOL ST	19.38		4497	10/24/23
MIDAMERICAN ENERGY	6900 SCHOOL ST CEC	691.25		4498	10/24/23
MIDAMERICAN ENERGY	6900 SCHOOL ST STAGE	99.28		4499	10/24/23
MIDAMERICAN ENERGY	6540 UNIV AVE	130.84		4500	10/24/23
MIDAMERICAN ENERGY	7290 UNIV AVE	26.51		4501	10/24/23
MIDAMERICAN ENERGY	6739 UNIV AVE	95.27		4502	10/24/23
MIDAMERICAN ENERGY	2227 63RD ST	27.75		4503	10/24/23
MIDAMERICAN ENERGY	6440 HICKMAN RD	62.18		4504	10/24/23
MIDAMERICAN ENERGY	1443 73RD ST	10.00		4505	10/24/23
MIDAMERICAN ENERGY	1804 73RD ST	10.00		4506	10/24/23
MIDAMERICAN ENERGY	6410 HICKMAN RD	27.25		4507	10/24/23
MIDAMERICAN ENERGY	1133 66TH ST	584.05		4517	10/25/23
MIDAMERICAN ENERGY	7001 UNIV AVE	25.47		4518	10/25/23
MIDAMERICAN ENERGY	6300 UNIV AVE	28.19		4519	10/25/23
MIDAMERICAN ENERGY	6800 SCHOOL ST	159.86		4520	10/25/23
MIDAMERICAN ENERGY	6800 SCHOOL ST	69.37		4521	10/25/23
MIDAMERICAN ENERGY	7116 UNIV AVE	24.73		4522	10/25/23
MIDAMERICAN ENERGY	1140 73RD ST	28.64		4523	10/25/23
MIDAMERICAN ENERGY	951 73RD ST	18.95		4524	10/25/23
MIDAMERICAN ENERGY	1601 73RD ST	14.18	2,307.58	4525	10/25/23
NORRIS, CHAD	OCT CELL PHONE		50.00	56024	10/26/23
PLAGGE, ADAM	OCT CELL PHONE		50.00	56025	10/26/23
PLUMB SUPPLY CO.	SUPPLIES	15.30		55991	10/17/23
PLUMB SUPPLY CO.	SUPPLIES	2.22	17.52	56026	10/26/23
PREMIER AUTOMOTIVE	7220 OIL CHANGE		65.14	56027	10/26/23
PREMIUM SOLUTIONS	WHAMM TSHIRTS		515.20	56028	10/26/23
RANGEMASTERS TRAINING CTR	CLOTHING ALLOWANCE		241.22	56029	10/26/23
DES MOINES REGISTER	PUBLICATIONS		491.12	56030	10/26/23
ROBERTS, JASON	OCT CELL PHONE		50.00	56031	10/26/23
ROTH, PETE	OCT CELL PHONE		50.00	56032	10/26/23
SECURITY EQUIPMENT INC	BLANK ACCESS CARDS		173.75	56033	10/26/23
SKERIES, SUSAN	VET DAY LUNCH INVITATIONS		175.00	55992	10/17/23
STRAIT, ADAM	OCT CELL PHONE		50.00	56034	10/26/23
SWISHER, RACHELLE	JULY-DEC 2022 MILEAGE	386.96		55993	10/17/23
SWISHER, RACHELLE	OCT CELL PHONE	50.00	436.96	56035	10/26/23
TREASURER STATE OF IOWA	STATE TAXES		9,319.15	4510	10/24/23
WEX FLEET UNIVERSAL	FUEL		4,315.84	56036	10/26/23
WYCKOFF HEATING & COOLING	CEC REPAIRS		435.90	55994	10/17/23
ZWC CONDOMINIUM ASSOC	WINTERIZING		37.50	55995	10/17/23
Accounts Payable Total			209,662.93		
Payroll Checks					

	001 GENERAL		71,501.70		
	110 ROAD USE TAX		7,899.59		
	740 STORM WATER		1,829.12		

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK CHECK# DATE
	Total Paid On: 10/13/23		81,230.41	
	001 GENERAL		72,636.60	
	110 ROAD USE TAX		8,316.88	
	740 STORM WATER		1,859.42	
	Total Paid On: 10/27/23		82,812.90	
	Total Payroll Paid		164,043.31	
	Report Total		373,706.24	

CLAIMS REPORT
CLAIMS FUND SUMMARY

FUND	NAME	AMOUNT
001	GENERAL	282,314.10
110	ROAD USE TAX	29,888.32
112	EMPLOYEE BENEFITS	24,435.87
303	COLBY PARK	20,869.50
319	2020 STREET PROJECTS	10,984.00
670	LANDFILL/GARBAGE	774.40
740	STORM WATER	4,440.05

	TOTAL FUNDS	373,706.24

ACCOUNTS PAYABLE VENDOR ACTIVITY

INVOICE NO	LN	DATE	PO NO	REFERENCE	CD	GL ACCOUNT	1099	NET	CHECK	PD DATE
58 BANKERS TRUST COMPANY										
10162023 3526	1	10/16/23		OFFICE SUPPLIES		001-620-6506		21.99	55976	10/17/23
10162023 3526	2	10/16/23		STORAGE UNIT		001-470-6499		25.99	55976	10/17/23
10162023 3526	3	10/16/23		DJ		001-470-6497		500.00	55976	10/17/23
10162023 3526	4	10/16/23		ZOOM		001-610-6507		31.98	55976	10/17/23
10162023 3526	5	10/16/23		POPCORN MOVIES IN PARK		001-470-6496		60.00	55976	10/17/23
10162023 3534	1	10/16/23		OFFICE SUPPLIES		001-620-6506		210.02	55976	10/17/23
10162023 3534	2	10/16/23		CONSTANT CONTACT		001-620-6373		81.00	55976	10/17/23
10162023 3534	3	10/16/23		LEAGUE CONF		001-620-6240		15.15	55976	10/17/23
10162023 3534	4	10/16/23		LEAGUE CONF		001-620-6240		213.68	55976	10/17/23
10162023 3534	5	10/16/23		LEAGUE CONF		001-610-6240		213.67	55976	10/17/23
10162023 3534	6	10/16/23		FALL FEST ADVERTISING		001-470-6497		7.00	55976	10/17/23
10162023 3534	7	10/16/23		FALL FEST ADVERTISING		001-470-6497		7.00	55976	10/17/23
10162023 4788	1	10/17/23		PEER SUPPORT TRAINING		001-110-6230		125.00	55976	10/17/23
10162023 4788	2	10/17/23		TASER INSTRUCTOR		001-110-6230		990.00	55976	10/17/23
10162023 7940	1	10/16/23		LEAGUE CONF HOTEL		001-610-6240		680.56	55976	10/17/23
10162023 7940	2	10/16/23		LEAGUE CONF HOTEL		001-620-6240		1024.84	55976	10/17/23
10162023 8417	1	10/16/23		LT BADGES		001-110-6180		505.50	55976	10/17/23
10162023 8417	2	10/16/23		TRAINING		001-110-6230		120.00	55976	10/17/23
10162023 8425	1	10/16/23		551 SCENE LIGHT BULB		001-150-6332		20.95	55976	10/17/23
10162023 8425	2	10/16/23		FD CHIEF LUNCHEON		001-150-6599		25.96	55976	10/17/23
10162023 8425	3	10/16/23		REHAB COOLERS		001-150-6507		385.18	55976	10/17/23
10162023 8425	4	10/16/23		BACKGROUND CHECK		001-150-6411		15.00	55976	10/17/23
10162023 8433	1	10/16/23		LITTLE FREE LIBRARY		001-430-6507		443.87	55976	10/17/23
10162023 8433	2	10/16/23		SAFETY TRAINING		110-210-6230		17.66	55976	10/17/23
10162023 8433	3	10/16/23		CLOTHING ALLOWANCE		110-210-6180		83.97	55976	10/17/23

BANKERS TRUST COMPANY								5825.97		

***** REPORT TOTAL *****								5825.97		



**BOLTON
& MENK**

Real People. Real Solutions.

430 E Grand Avenue
Suite 101
Des Moines, IA 50309

Ph: (515) 259-9190
Fax: (515) 233-4430
Bolton-Menk.com

October 18, 2023

Mr. Adam Plagge
City Administrator
City of Windsor Heights, Iowa

RE: 68th Street Reconstruction Pay Request 5

Dear Mr. Plagge:

Submitted for your approval is Pay Request 5 for the above-mentioned project. Pay Request 5 is for a total payment of \$171,160.35. The total value completed to date is \$1,182,197.56, minus 5% retainage of \$59,109.88. Please see Pay Request 5 for a full summary of the items completed that are included in this payment.

Bolton & Menk, Inc. recommends the approval of Pay Application 5. Please let me know if you have any questions.

Sincerely,

Bolton & Menk, Inc.

Justin Ernst, PE
Project Manager

Contractor's Application for Payment

Owner:	City of Windsor Heights	Owner's Project No.:	
Engineer:	Bolton & Menk, Inc.	Engineer's Project No.:	0A1.127880
Contractor:	All Star Concrete	Other Project No.:	
Project:	68th Street Reconstruction		
Contract:	Paving, Municipal		
Application No.:	5	Application Date:	10/1/2023
Application Period:	From 9/1/2023 to 9/30/2023		

1. Original Contract Price	\$	1,922,231.25
2. Net change by Change Orders	\$	-
3. Current Contract Price (Line 1 + Line 2)	\$	1,922,231.25
4. Total Work completed and materials stored to date (Sum of Column G Lump Sum Total and Column J Unit Price Total)	\$	1,182,197.56
5. Retainage		
a. 5% X \$ 1,182,197.56 Work Completed	\$	59,109.88
b. 5% X \$ - Stored Materials	\$	-
c. Total Retainage (Line 5.a + Line 5.b)	\$	59,109.88
6. Amount eligible to date (Line 4 - Line 5.c)	\$	1,123,087.68
7. Less previous payments (Line 6 from prior application)	\$	951,927.33
8. Amount due this application	\$	171,160.35

Contractor's Certification

The undersigned Contractor certifies, to the best of its knowledge, the following:

- (1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;
- (2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such liens, security interest, or encumbrances); and
- (3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Contractor: All Star Concrete

Signature: Paublo Sanchez

Date: 10/17/2023

Name: Paublo Sanchez

Title: Project Supervisor

Recommended by Engineer**Approved by Owner**

By:

Justin Ernst

By:

Name: Justin Ernst

Name:

Title: Civil Project Manager

Title:

Date: 10/18/2023

Date:

Progress Estimate - Unit Price Work

Contractor's Application for Payment

Owner:	City of Windsor Heights	Owner's Project
Engineer:	Bolton & Menk, Inc.	Engineer's Project
Contractor:	All Star Concrete	Other Project No.: 0A1.127880
Project:	68th Street Reconstruction	
Contract:	Paving, Municipal	

Application No.: 5		Application Period:		From	09/01/23	to	09/30/23	Application Date: 10/01/23				
A	B	C	D	E	F	F1	F2	G	H	J	K	L
Bid Item No.	Description	Contract Information				Previous Estimate		Work Completed		Work Completed and Materials Stored to Date (H + I) (\$)	% of Value of Item (J / F) (%)	Balance to Finish (F - J) (\$)
		Item Quantity	Units	Unit Price (\$)	Value of Bid Item (C X E) (\$)	Quantity Previous Estimate	Value Previous Estimate	Estimated Quantity Incorporated in the Work	Value of Work Completed to Date (E X G) (\$)			
Original Contract												
1	CLEARING AND GRUBBING	1	LS	\$ 8,500.00	\$ 8,500.00	1.00	8,500.00	1.00	\$ 8,500.00	\$ 8,500.00	100%	\$ -
2	TOPSOIL, ON-SITE	375	CY	\$ 20.00	\$ 7,500.00	-	-	-	\$ -	\$ -	-	\$ 7,500.00
3	EXCAVATION, CLASS 10	1,085	CY	\$ 20.00	\$ 21,700.00	434.00	8,680.00	868.00	\$ 17,360.00	\$ 17,360.00	80%	\$ 4,340.00
4	BELOW GRADE EXCAVATION (CORE OUT)	230	CY	\$ 60.00	\$ 13,800.00	-	-	-	\$ -	\$ -	-	\$ 13,800.00
5	SUBGRADE PREPARATION	5,515	SY	\$ 3.25	\$ 17,923.75	2,045.00	6,646.25	2,045.00	\$ 6,646.25	\$ 6,646.25	37%	\$ 11,277.50
6	SUBGRADE TREATMENT, 15% POZZO STONE	560	TON	\$ 50.00	\$ 28,000.00	-	-	-	\$ -	\$ -	-	\$ 28,000.00
7	SUBBASE, MODIFIED, 8"	5,515	SY	\$ 14.50	\$ 79,967.50	2,045.00	29,652.50	2,045.00	\$ 29,652.50	\$ 29,652.50	37%	\$ 50,315.00
8	REPLACEMENT OF UNSUITABLE BACKFILL MATERIAL	200	CY	\$ 70.00	\$ 14,000.00	-	-	-	\$ -	\$ -	-	\$ 14,000.00
9	SANITARY SEWER GRAVITY MAIN, TRENCHED, PVC TRUSS, 8"	20	LF	\$ 210.00	\$ 4,200.00	-	-	-	\$ -	\$ -	-	\$ 4,200.00
10	SANITARY SEWER SERVICE STUB, PVC, 4"	1	EA	\$ 3,500.00	\$ 3,500.00	-	-	-	\$ -	\$ -	-	\$ 3,500.00
11	STORM SEWER, TRENCHED, RCP, 15"	640	LF	\$ 85.00	\$ 54,400.00	632.00	53,720.00	632.00	\$ 53,720.00	\$ 53,720.00	99%	\$ 680.00
12	STORM SEWER, TRENCHED, RCP, 18"	84	LF	\$ 140.00	\$ 11,760.00	90.00	12,600.00	90.00	\$ 12,600.00	\$ 12,600.00	107%	\$ (840.00)
13	STORM SEWER, TRENCHED, RCP, 24"	99	LF	\$ 125.00	\$ 12,375.00	85.00	10,625.00	85.00	\$ 10,625.00	\$ 10,625.00	86%	\$ 1,750.00
14	REMOVAL OF STORM SEWER, LESS THAN 36"	132	LF	\$ 25.00	\$ 3,300.00	132.00	3,300.00	132.00	\$ 3,300.00	\$ 3,300.00	100%	\$ -
15	SUBDRAIN, HDPE, 6"	2,365	LF	\$ 25.00	\$ 59,125.00	1,080.00	27,000.00	1,080.00	\$ 27,000.00	\$ 27,000.00	46%	\$ 32,125.00
16	SUBDRAIN CLEANOUT, TYPE A-1, 6"	11	EA	\$ 700.00	\$ 7,700.00	7.00	4,900.00	7.00	\$ 4,900.00	\$ 4,900.00	64%	\$ 2,800.00
17	SUBDRAIN OUTLETS AND CONNECTIONS, CMP, 6"	9	EA	\$ 350.00	\$ 3,150.00	7.00	2,450.00	7.00	\$ 2,450.00	\$ 2,450.00	78%	\$ 700.00
18	CONNECT TO SUBDRAIN PIPE	1	EA	\$ 125.00	\$ 125.00	-	-	-	\$ -	\$ -	-	\$ 125.00
19	WATER MAIN, TRENCHED, C900 DR18 PVC, RESTRAINED	20	LF	\$ 100.00	\$ 2,000.00	20.00	2,000.00	20.00	\$ 2,000.00	\$ 2,000.00	100%	\$ -
20	WATER MAIN, TRENCHED, C900 DR18 PVC, STAB JOINT, 8"	1,245	LF	\$ 75.00	\$ 93,375.00	855.00	64,125.00	1,245.00	\$ 93,375.00	\$ 93,375.00	100%	\$ -
21	WATER MAIN, TRENCHED, C900 DR18 PVC, RESTRAINED	160	LF	\$ 85.00	\$ 13,600.00	80.00	6,800.00	160.00	\$ 13,600.00	\$ 13,600.00	100%	\$ -
22	FITTING, 6"	120	LB	\$ 25.00	\$ 3,000.00	139.00	3,475.00	139.00	\$ 3,475.00	\$ 3,475.00	116%	\$ (475.00)
23	FITTING, 8"	1,220	LB	\$ 15.00	\$ 18,300.00	876.00	13,140.00	1,220.00	\$ 18,300.00	\$ 18,300.00	100%	\$ -
24	WATER SERVICE TRANSFER, COPPER, 1" (SAME SIDE)	13	EA	\$ 2,500.00	\$ 32,500.00	7.00	17,500.00	7.00	\$ 17,500.00	\$ 17,500.00	54%	\$ 15,000.00
25	WATER SERVICE TRANSFER, COPPER, 1" (OPPOSITE SIDE)	13	EA	\$ 3,500.00	\$ 45,500.00	9.00	31,500.00	9.00	\$ 31,500.00	\$ 31,500.00	69%	\$ 14,000.00
26	WATER MAIN REMOVAL	150	LF	\$ 30.00	\$ 4,500.00	20.00	600.00	20.00	\$ 600.00	\$ 600.00	13%	\$ 3,900.00
27	VALVE, GATE, DUCTILE IRON (DI), 6"	1	EA	\$ 2,400.00	\$ 2,400.00	1.00	2,400.00	1.00	\$ 2,400.00	\$ 2,400.00	100%	\$ -
28	VALVE, GATE, DUCTILE IRON (DI), 8"	4	EA	\$ 3,100.00	\$ 12,400.00	2.00	6,200.00	2.00	\$ 6,200.00	\$ 6,200.00	50%	\$ 6,200.00
29	FIRE HYDRANT ASSEMBLY	3	EA	\$ 8,000.00	\$ 24,000.00	2.00	16,000.00	2.00	\$ 16,000.00	\$ 16,000.00	67%	\$ 8,000.00
30	FLUSHING DEVICE (BLOW OFF), MIN 2 IN DIAMETER,	3	EA	\$ 2,400.00	\$ 7,200.00	1.00	2,400.00	2.00	\$ 4,800.00	\$ 4,800.00	67%	\$ 2,400.00
31	FIRE HYDRANT ASSEMBLY REMOVAL	3	EA	\$ 800.00	\$ 2,400.00	2.00	1,600.00	2.00	\$ 1,600.00	\$ 1,600.00	67%	\$ 800.00
32	VALVE BOX REMOVAL	5	EA	\$ 400.00	\$ 2,000.00	4.00	1,600.00	4.00	\$ 1,600.00	\$ 1,600.00	80%	\$ 400.00
33	TAP FEE, 1", REPLACEMENT TAP FOR WATER SERVICE	26	EA	\$ 450.00	\$ 11,700.00	16.00	7,200.00	16.00	\$ 7,200.00	\$ 7,200.00	62%	\$ 4,500.00
34	PREPARE EXCAVATION FOR TAPPING SLEEVE AND VALVE	2	EA	\$ 2,200.00	\$ 4,400.00	1.00	2,200.00	1.00	\$ 2,200.00	\$ 2,200.00	50%	\$ 2,200.00
35	FOUNDATION ROCK	50	TON	\$ 60.00	\$ 3,000.00	-	-	-	\$ -	\$ -	-	\$ 3,000.00
36	STORM MANHOLE, SW-401, 48"	1	EA	\$ 6,500.00	\$ 6,500.00	1.00	6,500.00	1.00	\$ 6,500.00	\$ 6,500.00	100%	\$ -
37	INTAKE, SW-503	1	EA	\$ 10,500.00	\$ 10,500.00	0.75	7,875.00	1.00	\$ 10,500.00	\$ 10,500.00	100%	\$ -
38	INTAKE, SW-505	6	EA	\$ 10,500.00	\$ 63,000.00	4.50	47,250.00	6.00	\$ 63,000.00	\$ 63,000.00	100%	\$ -
39	INTAKE, SW-508	1	EA	\$ 11,500.00	\$ 11,500.00	0.75	8,625.00	1.00	\$ 11,500.00	\$ 11,500.00	100%	\$ -
40	INTAKE, SW-510, MODIFIED, 13' X 5'	1	EA	\$ 35,000.00	\$ 35,000.00	0.75	26,250.00	1.00	\$ 35,000.00	\$ 35,000.00	100%	\$ -
41	MANHOLE ADJUSTMENT, MINOR	3	EA	\$ 1,600.00	\$ 4,800.00	1.00	1,600.00	2.00	\$ 3,200.00	\$ 3,200.00	67%	\$ 1,600.00

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Contractor:	All Star Concrete	Other Project No.:	
Project:	68th Street Reconstruction		
Contract:	Paving, Municipal		

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Bid Item No.	Description	Contract Information				Previous Estimate		Work Completed		Work Completed and Materials Stored to Date (H + I) (\$)	% of Value of Item (J / F) (%)	Balance to Finish (F - J) (\$)
		Item Quantity	Units	Unit Price (\$)	Value of Bid Item (C X E) (\$)	Quantity Previous Estimate	Value Previous Estimate	Estimated Quantity Incorporated in the Work	Value of Work Completed to Date (E X G) (\$)			
42	MANHOLE ADJUSTMENT, MAJOR	2	EA	\$ 3,700.00	\$ 7,400.00	2.00	7,400.00	2.00	\$ 7,400.00	\$ 7,400.00	100%	\$ -
43	REMOVE INTAKE	5	EA	\$ 800.00	\$ 4,000.00	5.00	4,000.00	5.00	\$ 4,000.00	\$ 4,000.00	100%	\$ -
44	PAVEMENT, PCC, 7"	4,280	SY	\$ 67.00	\$ 286,760.00	2,409.06	161,407.02	2,409.06	\$ 161,407.02	\$ 161,407.02	56%	\$ 125,352.98
45	PAVEMENT, PCC, 10"	35	SY	\$ 100.00	\$ 3,500.00	-	-	-	\$ -	\$ -		\$ 3,500.00
46	REMOVAL OF SIDEWALK	25	SY	\$ 22.00	\$ 550.00	-	-	-	\$ -	\$ -		\$ 550.00
47	REMOVAL OF DRIVEWAY	835	SY	\$ 17.00	\$ 14,195.00	417.50	7,097.50	835.00	\$ 14,195.00	\$ 14,195.00	100%	\$ -
48	SIDEWALK, PCC, 4"	560	SY	\$ 60.00	\$ 33,600.00	262.91	15,774.60	262.91	\$ 15,774.60	\$ 15,774.60	47%	\$ 17,825.40
49	SIDEWALK, PCC, 6"	25	SY	\$ 85.00	\$ 2,125.00	5.20	442.00	5.20	\$ 442.00	\$ 442.00	21%	\$ 1,683.00
50	DETECTABLE WARNING	20	SF	\$ 55.00	\$ 1,100.00	-	-	-	\$ -	\$ -		\$ 1,100.00
51	DRIVEWAY, PAVED, PCC, 6"	885	SY	\$ 70.00	\$ 61,950.00	428.27	29,978.90	428.27	\$ 29,978.90	\$ 29,978.90	48%	\$ 31,971.10
52	DRIVEWAY, GRANULAR	250	TON	\$ 50.00	\$ 12,500.00	-	-	69.55	\$ 3,477.50	\$ 3,477.50	28%	\$ 9,022.50
53	PAVEMENT REMOVAL	4,075	SY	\$ 13.00	\$ 52,975.00	2,045.00	26,585.00	3,838.33	\$ 49,898.29	\$ 49,898.29	94%	\$ 3,076.71
54	TEMPORARY TRAFFIC CONTROL	1	LS	\$ 13,850.00	\$ 13,850.00	0.40	5,540.00	0.80	\$ 11,080.00	\$ 11,080.00	80%	\$ 2,770.00
55	PERFORATED SQUARE STEEL TUBE POSTS	12	EA	\$ 600.00	\$ 7,200.00	-	-	4.00	\$ 2,400.00	\$ 2,400.00	33%	\$ 4,800.00
56	WATERING	25	MGAL	\$ 60.00	\$ 1,500.00	-	-	-	\$ -	\$ -		\$ 1,500.00
57	SOD	215	SQ	\$ 65.00	\$ 13,975.00	-	-	131.00	\$ 8,515.00	\$ 8,515.00	61%	\$ 5,460.00
58	SWPPP PREPARATION	1	LS	\$ 1,500.00	\$ 1,500.00	1.00	1,500.00	1.00	\$ 1,500.00	\$ 1,500.00	100%	\$ -
59	SWPPP MANAGEMENT	1	LS	\$ 2,100.00	\$ 2,100.00	0.40	840.00	0.60	\$ 1,260.00	\$ 1,260.00	60%	\$ 840.00
60	FILTER SOCK, 8"	2,450	LF	\$ 2.00	\$ 4,900.00	205.00	410.00	245.00	\$ 490.00	\$ 490.00	10%	\$ 4,410.00
61	STABILIZED CONSTRUCTION ENTRANCE	100	SY	\$ 15.00	\$ 1,500.00	-	-	-	\$ -	\$ -		\$ 1,500.00
62	EROSION CONTROL MULCHING, HYDRO MULCHING	0.45	AC	\$ 3,000.00	\$ 1,350.00	-	-	-	\$ -	\$ -		\$ 1,350.00
63	INLET PROTECTION DEVICE, MAINTENANCE, AND REMOVAL	15	EA	\$ 200.00	\$ 3,000.00	9.00	1,800.00	9.00	\$ 1,800.00	\$ 1,800.00	60%	\$ 1,200.00
64	MODULAR BLOCK RETAINING WALL	250	SF	\$ 50.00	\$ 12,500.00	-	-	68.31	\$ 3,415.50	\$ 3,415.50	27%	\$ 9,084.50
65	MOBILIZATION	1	LS	\$ 499,000.00	\$ 499,000.00	0.50	249,500.00	0.50	\$ 249,500.00	\$ 249,500.00	50%	\$ 249,500.00
66	MAINTENANCE OF POSTAL SERVICE	1	LS	\$ 3,000.00	\$ 3,000.00	0.40	1,200.00	0.50	\$ 1,500.00	\$ 1,500.00	50%	\$ 1,500.00
67	MAINTENANCE OF SOLID WASTE COLLECTION	1	LS	\$ 13,200.00	\$ 13,200.00	0.40	5,280.00	0.50	\$ 6,600.00	\$ 6,600.00	50%	\$ 6,600.00
68	TEMPORARY PEDESTRIAN RESIDENTIAL ACCESS	1	LS	\$ 75,000.00	\$ 75,000.00	0.40	30,000.00	0.80	\$ 60,000.00	\$ 60,000.00	80%	\$ 15,000.00
69	CONCRETE WASHOUT	1	LS	\$ 2,600.00	\$ 2,600.00	0.60	1,560.00	0.60	\$ 1,560.00	\$ 1,560.00	60%	\$ 1,040.00
70	CURBSIDE MAILBOX	26	EA	\$ 800.00	\$ 20,800.00	8.50	6,800.00	21.50	\$ 17,200.00	\$ 17,200.00	83%	\$ 3,600.00
Original Contract Totals					\$ 1,922,231.25		\$ 1,002,028.77		\$ 1,182,197.56	\$ 1,182,197.56	62%	\$ 740,033.69
Change Orders												
					-				-	-		-
					-				-	-		-
Change Order Totals					\$ -				\$ -	\$ -		\$ -
Original Contract and Change Orders												
Project Totals					\$ 1,922,231.25				\$ 1,182,197.56	\$ 1,182,197.56	62%	\$ 740,033.69



PROCLAMATION
TALK IT UP, LOCK IT UP. GUN SAFETY SAVES LIVES

WHEREAS, cities across Polk County are recognizing Polk County Health Department’s gun safety initiative, and the City of Windsor Heights is participating in the awareness campaign, called **“Talk it Up, Lock it Up. Gun Safety Saves Lives.”**

WHEREAS, gun injuries are now one of the leading causes of death for children and young adults in Polk County;

WHEREAS, one in three homes has a gun in the house;

WHEREAS, 45% of gun-related deaths occurred at home in Polk County and 66% of suicides in Polk County were attributed to gun injuries;

WHEREAS, our youth are suffering from anxiety and depression more than ever before, putting them at a higher risk for suicide.

WHEREAS, we know talking to friends and family members about storing guns locked and unloaded at home and in vehicles helps prevent gun-related injuries and deaths;

WHEREAS, free gun locks are available for pick up at Polk County Health Department and various police departments, including the Windsor Heights Police Department, public libraries and other locations in the county.

NOW, THEREFORE, I, Michael Jones, on behalf of the City of Windsor Heights, do hereby recognize the importance of talking about gun safety and encourage all Windsor Heights residents to talk about the importance of safe gun storage.

SIGNED AND SEALED the 6th of November, 2023.

Mike Jones, Mayor of Windsor Heights

Attest: _____
City Clerk



STAFF REPORT
CITY COUNCIL
November 6, 2023

TO: CITY COUNCIL
FROM: Adam Plagge
SUBJECT: Approve Metronet Service Agreement for Community Center

GENERAL INFORMATION

This is a proposed agreement between the City of Windsor Heights and MetroNet to replace the existing DSL 100(DL)/10(UL) service to the Community Event Center and Public Works which costs \$227.04 a month with a 100/100 fiber connection through Metronet at \$184.85 a month for 60 month duration. The MetroNet service would also come with RUKUS Public Wifi system that would be mounted outside on a light pole to provide free public wifi to much of the park. As part of the free public Wifi, the City would agree to install a 18" by 12" sign on the community center alerting residents that the free public wifi is being provided by MetroNet and place additional signage on the park information board to this effect. Centurylink service will remain in effect until MetroNet is up and running and the transition should result in minimal service downtime.

SUMMARY

ATTACHMENTS

1. MetroNet PW Agreement Draft 10-25-23

Date: 9/5/2023

Business Agreement

If Agreement is not executed, pricing will expire on: 10/31/2023

Paperwork Prepared By: Ron Schmudlach

Customer Name	City of Windsor Heights	Subscriber ID	
Physical Address	6900 School St, Windsor Heights, IA 50324	Billing Address	City of Windsor Heights 1145 66th Street Windsor Heights, IA 50324
Primary Contact: Adam Plagge		Contact to Receive Metronet Text Alerts: Mike Irlbeck	
Primary Contact Number: 5156456808		Contact Phone Number: (515) 321-9771	
Primary Contact Email: aplagge@windsorheights.org		Contact Email Address: mirlbeck@windsorheights.org	

Referring Customer:	Referring Customer Subscriber ID:
Referring Partner:	

Service Agreement Term: 60 month(s)
--

Internet

QTY	PRODUCT NAME	DESCRIPTION	UNIT PRICE	Monthly Total	One Time Total
1	Business Fiber Premium 100Mb/100Mb	Business Fiber Premium providing Internet access at 100Mb download and 100Mb upload speeds.	\$20.00	\$20.00	\$0.00
1	-- Premium SLA	Availability guarantee 99.99%. See "Addendum regarding Service Level Agreement" for complete details.	Included	\$0.00	\$0.00

Internet - Static IP

QTY	PRODUCT NAME	DESCRIPTION	UNIT PRICE	Monthly Total	One Time Total
1	Static IP: 1 - Included	1 static IP included with Business Fiber Internet	Included	\$0.00	\$0.00

Internet - WiFi

QTY	PRODUCT NAME	DESCRIPTION	UNIT PRICE	Monthly Total	One Time Total
1	Managed Wi-Fi Premium Bundle	Premium Service is bundled with Managed Wi-Fi network using Access Points, and provides enhanced maintenance and configuration support for small, medium-sized business' advanced Wi-Fi needs.	\$0.00	\$0.00	\$0.00
1	Managed Wi-Fi T750 Outdoor Access Point	Wi-Fi 6 outdoor access point for very high density environment with data-intensive usage. Includes support for advanced network management.	\$129.95	\$129.95	\$0.00
1	Managed Wi-Fi Install Fee	Installation fee per access point.	\$25.00	\$0.00	\$25.00
1	Adtran 3140 Router for Managed Wi-Fi	Recommended business-class router for Managed Wi-Fi solutions with access points.	\$14.95	\$14.95	\$0.00
1	Managed Switch Adtran 1560-08-150W	Recommended business-class switch (PoE+) for Managed Wi-Fi solutions with up to 8 access points.	\$19.95	\$19.95	\$0.00

Monthly Net Total: \$184.85

Terms & Conditions

By signing this Business Agreement, Customer ("you") acknowledges that Customer has had an opportunity to read and review the terms and conditions of this Business Agreement, and all Metronet terms and conditions applicable to the services that are referenced herein, including our Business Terms and

Conditions, our tariff, our Acceptable Use and Privacy Policy ("AUPP"), our Additional Terms of Service Addendum ("Business"), our Managed Wi-Fi Terms of Service, any Statement of Work ("SOW"), Letters of Authorization, and any other terms and conditions that govern the services specifically included in this Business Agreement (all such documents relating to Customer's Services are collectively the "Agreement"). Customer agrees to abide by the Agreement's terms and conditions as amended or updated from time to time. The Agreement can be found at www.metronet.com/terms-conditions and constitutes the entire agreement between Customer and Metronet with respect to the Services.

Signature:
Title:
Date:

Customer Name	City of Windsor Heights
Subscriber ID	
Physical Address	6900 School St., Windsor Heights, IA 50324

Explanation Of Work To Be Done

Note: If you are submitting an order for Symmetrical Internet Circuits, HPBX, WAN, Wi-Fi etc., it's critical to follow the process for **Complex Orders** and first engage Sales Engineering.

XGS-Ready Market

DATA:

MetroNet will install 100Mb/100Mb Premium Internet package with one (1) static IP, along with additional managed services noted below.

MANAGED Wi-Fi:

Metronet will install a Nokia (or equivalent) ONT that hands off to an Adtran 3140 Network Access Router which provides unrestricted network access. This means that Metronet will not limit, alter, or throttle the bandwidth in any way below the agreed upon 300Mb upload and 300Mb download speeds. The router will be connected to an Adtran 1560 (or equivalent) eight (8) port switch via ethernet cable, to provide management and Power Over Ethernet (POE) service to one (1) Ruckus wireless Access Points (AP). The AP (Ruckus T750) will be installed at the Community Building located at 6900 School St. Windsor Heights, IA 50324. The exact location of the AP will be on a light pole located to the southwest of the Community Building. (See attached documentation for pole placement.) Port, eight (8) of the switch, will be reserved for the customer's existing LAN.

Customer Responsibility:

The city of Windsor Heights will be responsible for ensuring a valid path from the Community Building to the designated light pole. This entails verifying and labeling where the conduit path begins; the continuity of the path from the Community Building to the light pole; space within the conduit for one (1) Cat6e cable; and a useable pull string in the conduit for Metronet's use.

Trade Agreement:

#

Approximate 18" by 12" inch sign on Community Center Building with Wi-Fi information and the Statement "Free Public Wi-Fi Sponsored by MetroNet".

#

Vinyl stickers on patio tables with Wi-Fi Information and the statement "Free Public Wi-Fi Sponsored by MetroNet"

#

Acknowledgement of MetroNet on additional sponsorship signage on park information board

#

Guest Wi-Fi users are routed to a Community Building Landing page that predominately displays "Free Public Wi-Fi sponsored by MetroNet". Landing page to be developed by MetroNet in consultation with the City of Windsor Heights.

METRONET WILL CONDUCT A THOROUGH SITE SURVEY PRIOR TO THE INSTALLATION. THE PURPOSE OF THE SITE SURVEY IS TO DETERMINE THE EXACT LOCATION OF FIBER DROPS AND ANY METRONET PROVIDED EQUIPMENT AS APPLICABLE (ROUTERS, SWITCHES, ACCESS POINTS, PHONES, ETC.) THAT WILL SUPPORT THE SOLUTION. QUANTITIES, NETWORK DESIGN AND INSTALLATION TIMELINES COULD CHANGE PENDING THE RESULTS OF THE SITE SURVEY

Day of Service Installation

MetroNet will assign an installation date for your Fiber Services. On the Installation Date you will experience service down time due to factors outside of our control. In some cases, this may mean you may not have phone or computer service for several hours. Such downtime is unavoidable, but we will use commercially reasonable efforts to minimize the inconvenience to you.

DMARC (ONT)

When an ONT/fiber drop is installed MetroNet is responsible for service up to the DMARC (ONT). Anything beyond the DMARC is the customer's internal network and the **business owner's financial responsibility** to contact an IT vendor for support and/or repairs.

Customer Phone Vendor / Cut Sheet

Phone Vendor Name:	Self
--------------------	------

Customer designates the above mentioned Phone Vendor to be responsible for maintaining the internal phone systems on behalf of Customer. Phone Vendor will be responsible for locating all lines prior to the Installation Date provided by MetroNet and will be responsible for connecting Customer's internal phone system to MetroNet's demarcation point. Phone Vendor must be present on the Installation Date at the designated time. **Customer will be responsible for scheduling the Phone Vendor on the Installation Date and shall pay all expenses associated with the Phone Vendor.** MetroNet will provide Customer with a document detailing the lines/circuits to be installed for the benefit of the Phone Vendor ("Cut Sheet")

Changes

Customer understand that any changes made to the SOW or Fiber Services, including but not limited to database information, after execution of this SOW may result in the assignment of a new Installation Date by MetroNet or otherwise delay the provisioning of the Fiber Services to you.

This SOW is hereby incorporated by reference into the Agreement between Customer and MetroNet, as that term is defined in the terms and conditions. Any capitalized terms not defined herein shall have the same meanings as ascribed to them in the Agreement.

Name:

Signature:

Date	9/5/2023
Sales Associate	Ron Schmudlach
Customer	City of Windsor Heights
Subscriber ID	
Address	6900 School St., Windsor Heights IA 50324

The Primary Contact and Additional Authorized Contacts listed below, have authorization to act on this account (e.g. make billing changes, request changes and upgrades in service/equipment, cancel service, make address changes, request and provide account information, give and accept notices, etc.) whether such action is taken by telephone, electronically or other manner. In the event the Primary Contact or an Additional Authorized Contact ceases to be authorized or a new individual becomes authorized, it is the responsibility of the Primary Contact (or an Additional Authorized Contact in the event of a change in Primary Contact) to provide MetroNet written notice of such change. MetroNet may, but shall have no obligation to, verify authorizations or the identity of the authorizer.

Primary Contact will be responsible for **setting up the myMetroNetPortal Account**. Anyone logging in to the business's customer portal account will be able to manage the contacts on your account.

Primary Contact will **receive** (and hereby expressly authorizes MetroNet to send) **transactional and/or relationship messages and notifications regarding install Notifications, Payment Notifications, Maintenance Notification, and Service Disruptions via email, text, and phone**. Primary Contact **will have ability to modify this authorization or add/remove additional contacts** in the myMetroNetPortal or by emailing **business-customer-service@metronetinc.com** or calling (855) 769-0936.

Primary Contact will be **responsible for managing contacts** in the myMetroNetPortal to receive Install Notifications, Payment Notifications, Maintenance Notification, and Service Disruptions.

911 Multi-Line Telephone Systems Notifications

Per FCC regulations, users of Multi-Line Telephone Systems (MLTS) must designate a contact name, phone number and/or email address that will be notified if a 911 call is placed from one of the users' MLTS phones. MetroNet's HPBX phone service is a type of MLTS; therefore, HPBX users must provide and maintain, per FCC regulations, this required information. **If the table below is not completed, the Primary Contact's information will be used by default for all 911 MLTS Notifications**. After your HPBX service is installed, your organization is responsible for managing any changes to your 911 Notification Contact by contacting MetroNet Business Customer Service by email at **business-customer-service@metronetinc.com** or phone at **(855) 769-0936**.

The Contact(s) listed below should be notified if or when a 911 call has been placed from one of my MetroNet HPBX phones. **It is the responsibility of the Primary Contact (or an Additional Authorized Contact in the event of a change in Primary Contact) to keep this Contact List updated.**

911 Dispatchable Location Requirements

The FCC has adopted rules to ensure that "Dispatchable Location" is conveyed with 911 calls to dispatch centers placed over Multi-Line Telephone Systems (MLTS). Dispatchable Location means a location that consists of the validated street address of the calling party, plus additional information such as suite, apartment, or similar information necessary to adequately identify the location of the calling party. MetroNet's HPBX phone service is a type of MLTS; therefore, HPBX users must provide and maintain, per FCC regulations, this required information. Before services are installed, you are responsible for providing MetroNet with the Dispatchable Location information associated with your telephone numbers. **After services are installed, you are responsible for updating any changes to your Dispatchable Location information** by contacting Business Customer Service by email **business-customer-service@metronetinc.com** or phone **855-769-0936**.

Primary Contact	Title	Phone	Email
Adam Plagge	IT Manager	5156456808	aplagge@windsorheights.org
Onsite Contact	Title	Phone	Email
Accounts Payable	Title	Phone	Email
Additional Authorized Contacts	Title	Phone	Email

The undersigned represents and warrants to MetroNet that he/she is authorized to sign this Authorization form on behalf of the Customer.

Name:

Signature:

**Addendum
Regarding SERVICE LEVEL AGREEMENT
FOR BUSINESS FIBER PREMIUM SERVICE ONLY
(FOR INTERNET ONLY)**

THIS ADDENDUM (the "Addendum") amends and supplements the MetroNet Advanced Services Agreement, Business Services Agreement or other services agreement (the "Agreement") of the Customer signing below and is dated as of the same date.

All capitalized terms used herein and not otherwise defined in this Addendum will have the meanings set forth in the Agreement.

The following new Section, **Service Level Agreement**, is added to the Terms and Conditions incorporated in the Agreement:

SERVICE LEVEL AGREEMENT

1) NETWORK OPERATIONS DEFINITIONS :

(a) Availability. "Availability" is the amount of time MetroNet's Fiber Service is available for use, i.e. not subject to a total loss or interruption of transmission or signal.

(b) Customer Premises. "Customer Premises" is the place at the Customer's location where the MetroNet equipment needed to provision the Fiber Service is installed by MetroNet.

(c) Emergency Maintenance or Repair. "Emergency Maintenance or Repair" is work which, if not accomplished immediately by MetroNet or third party provider, could result in a serious degradation or loss of Fiber Service to the Customer. Emergency Maintenance or Repair includes emergency maintenance or repair of network, equipment and power facilities.

(d) Excluded Outages. "Excluded Outages" are outages: (i) arising out of or related to the acts or omissions of Customer or others authorized by Customer; (ii) during any period of Force Majeure; (iii) arising out of or related to a breach by Customer of its obligations under the Agreement or outages during any period of Customer default; (iv) a result of Planned Maintenance or Repair or other scheduled maintenance, alteration or implementation; (v) arising out of or related to Customer's or third party's network or equipment failure; (vi) due to failure of power; (vii) during any period in which MetroNet is not given access to the Customer or Customer's end-user's premise if necessary to resolve an outage; (viii) when a Fiber Service, in whole or in part, is Off Net to MetroNet; and, (ix) during any period when the Customer chooses to delay repair and/or testing to proceed.

(e) Force Majeure. "Force Majeure" events are causes beyond MetroNet's reasonable control, including but not limited to acts of God, fire, explosion, vandalism, cable cuts, storms, inclement weather of all kinds, storm surges, flooding, hurricanes, earthquakes, or other similar catastrophes; failures, shortages or unavailability or other delay in delivery by a third party supplying services, equipment, fiber, network or access rights to MetroNet; any law, order, regulation, direction, action, embargo, or request of the United States government, or of any other government, including state and local governments having jurisdiction over either of the parties, or of any department, agency, commission, court, bureau, corporation or other instrumentality of any one or more of said governments, or of any civil or military authority; national emergencies, epidemics,

quarantines, pandemics; insurrections, riots, wars, revolution, insurgencies and other hostilities, or strikes, lockouts, work stoppages or other labor disputes or difficulties, hostile acts of governments, their security and intelligence agencies, and other agents.

(f) Jitter. "Jitter" is the variation in Latency from a MetroNet Gateway to the Customer Premises.

(g) Latency. "Latency" is the time it takes a data packet to travel from a MetroNet Gateway to the Customer Premises.

(h) MetroNet Gateway "MetroNet Gateway" shall be defined as a test point on MetroNet's network from which availability and performance objectives can be measured.

(i) Off Net. "Off Net" means a service which is licensed by MetroNet from a third party to provide, in whole or in part, a given Fiber Service to a specific Customer or end-user premise or location.

(j) On Net. "On Net" means a Fiber Service provisioned entirely on MetroNet's network. Notwithstanding any other provision of this Agreement, no Fiber Service shall be considered "On Net" if a circuit associated with the Fiber Service is licensed from a third party to serve a specific Customer or end user premises or location.

(k) Outage. "Outage" shall be defined as a measure of the time that there is (i) a total loss or interruption of transmission or signal with respect to particular Fiber Service (an "Availability Outage"), or (ii) the Service Elements of a particular Fiber Service do not perform equal to or better than the Performance Objectives stated below (a "Performance Outage").

(l) Packet / Frame Loss. "Packet/Frame Loss" is the percentage of data packets not received at the Customer Premises with respect to data packets transmitted from a MetroNet Gateway to the Customer Premises.

(m) Planned Maintenance or Repair. "Planned Maintenance or Repair" includes network upgrades and repairs, equipment upgrades and repairs, cable upgrades and repairs, and power upgrades and repairs. Supplier will endeavor to provide Customer ten (10) business days' notice for Planned Maintenance, and Customer agrees to accept these notices electronically via email or other electronic means.

2) SERVICE OUTAGE CREDITS :

(a) Fiber Service Availability and Performance Standards shall be measured by averaging performance of the relevant metric over a calendar month. Availability and Performance Standards are only applicable for valid service frames that meet the service specifications of the Fiber Service purchased by the Customer. Examples of invalid service frames for purposes of calculating monthly average Availability and the Performance Standards set forth below include but are not limited to: invalid (improperly marked or malformed) Ethernet frames, traffic in excess of the contracted Fiber Service rate, and excessive broadcast/multicast traffic.

(b) Availability Outage Credits. Customer shall be eligible to receive the following credits when there is an Availability Outage:

Table 1: Availability Service Outage Credits

Business Fiber Premium Service ONLY (99.99% Availability)	
Cumulative Outage (in hrs:mins:secs)	Outage Credit (% of MRC)
00:00:00 – 01:00:00	None

01:00:01 – 10:00:00	5%
10:00:01 – 12:00:00	10%
12:00:01 – 16:00:00	15%
16:00:01 – 20:00:00	20%
20:00:01 – 24:00:00	30%
24:00:01 or greater	50%

(c) Performance Outage Credits. Customer shall be eligible to receive the following credits when there is a Performance Outage:

Table 2: Performance Standard

Business Fiber Premium Service ONLY Measured from a MetroNet Gateway to the Customer Premises	
Latency (ms) (one way)	< 10ms per 500 miles
Jitter (ms) (one way)	< 5ms per 500 miles
Packet / Frame Loss (%)	< 1% POP to POP

Table 3: Latency/Jitter/ Packet Loss Service Outage Credits

Business Fiber Premium Service ONLY	
Cumulative Duration of Service Level Failure(s)	Service Outage Credit (% of MRC)
>2 hrs. to 4 hrs.	5%
>4 hrs. to 10 hrs.	5%
>10 hrs. to 12 hrs.	10%
>12 hrs. to 16 hrs.	15%
>16 hrs. to 20 hrs.	20%
>20 hrs. to 24 hrs.	30%
>24 hrs.	50%

(d) A Service Outage shall be measured from the time Customer reports to MetroNet that an Outage has occurred (regardless of when the Outage actually commenced) and shall be deemed to terminate upon restoration of the affected Fiber Service as evidenced by appropriate network test by MetroNet. In addition, Performance Standards shall be measured from end-to-end as much as possible within MetroNet's network; for example, from the Customer premises to the most distant MetroNet Gateway used to provision the Fiber Service. Customer shall, within thirty (30) days of such Outage, provide MetroNet with a written demand for the credit set forth in this Section by emailing business-customer-service@metronetinc.com. If Customer fails to provide such notice, the credit shall be deemed waived. An Outage will not be deemed to have occurred in the event that it arises from or relates to an Excluded Outage. Any credit shall be limited to affected Fiber Service(s) only. For example, if Customer has Fiber Service at several locations, and an Outage affects only one location, any credit shall be based upon the monthly rate charged by MetroNet for the Fiber Service with respect to the one affected location only. By way of further example, if Customer has a Service Level Agreement Addendum for two separate Fiber Services (e.g. Internet and wide area network), an Outage with respect to one Fiber Service will not be deemed an Outage or give rise to an Outage credit with respect to the other. The maximum credit that may be earned for a particular Fiber Service in a calendar month shall not exceed one hundred percent (100%) of the monthly rate charged by MetroNet for that particular Fiber Service in that month irrespective of the number or length of periods of Outage of that Fiber Service in that month.

Service Outage Credits shall be Customer’s sole and exclusive remedy with respect to Fiber Service outages, interruptions, delays, failures, or other defects in Fiber Service. A Service Outage shall not be deemed a default by MetroNet. Under no circumstance shall Customer be entitled to an Availability Service Outage Credit and a Performance Outage Credit for the same Outage or during the same Outage period.

3) RESPONSE AND RESTORATION OBJECTIVES:

(a) Objective measured as an average over one (1) month.

Table 4: Response and Restoration

Business Fiber Premium Service ONLY	
Category	Objective
Mean Time to Respond (verbal response)	30 Minutes
Mean Time to Respond On Site (if needed)	2 Hours
Mean Time to Restore Equipment	6 Hours
Mean Time to Restore Services	8 Hours

4) CUSTOMER CONTACT NUMBER IN THE EVENT OF AN OUTAGE:

In the event of an Outage at any time please call **Business Technical Support at (833) 393-6857**.

MetroNet will use commercially reasonable efforts to respond and restore Fiber Service in accordance with the above objectives, subject to events of Force Majeure. Failure to meet any such objective will not result in eligibility for a Service Outage Credit. Objectives shall be measured from the time Customer reports to MetroNet that an Outage has occurred (regardless of when the Outage actually commenced).
IN WITNESS WHEREOF, this Addendum is executed as of the date of the Agreement.

Name:	Title:
Signature:	Date:



STAFF REPORT
CITY COUNCIL
November 6, 2023

TO: CITY COUNCIL

FROM: Pete Roth

SUBJECT: Approve Purchase of Motorola Radio Communications NTP-APX8500-APX8000 From Motorola Solutions

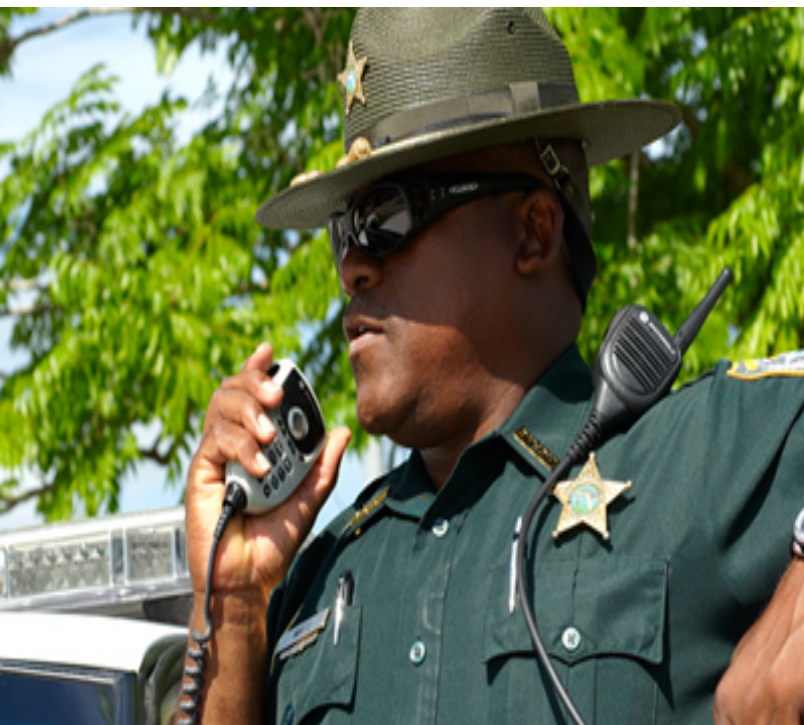
GENERAL INFORMATION

The city was recently awarded a federal grant to purchase Motorola radios and related equipment for the police and fire departments. The city will act as a “pass-through” for the funds for the purchase. There will not be any other city cost for this project. To fulfill the conditions of the grant, the police department must order a specific set of radios and equipment from Motorola Solutions which were identified in the grant process. The quote contains state bid prices, and the radios will be consistent with the other WestCom agencies. Requesting Council approval to order mobile and portable radios from Motorola Solutions for approximately \$301,300.00.

SUMMARY

ATTACHMENTS

1. QUOTE-2392031-1APX80008500Accy



WINDSOR HEIGHTS POLICE DEPARTMENT

APX8000/8500/Accy

10/24/2023

10/24/2023

WINDSOR HEIGHTS POLICE DEPARTMENT
1133 66TH ST
WINDSOR HEIGHTS, IA 50324

RE: Motorola Quote for APX8000/8500/Accy
Dear Pete Roth,

Motorola Solutions is pleased to present WINDSOR HEIGHTS POLICE DEPARTMENT with this quote for quality communications equipment and services. The development of this quote provided us the opportunity to evaluate your requirements and propose a solution to best fulfill your communications needs.

This information is provided to assist you in your evaluation process. Our goal is to provide WINDSOR HEIGHTS POLICE DEPARTMENT with the best products and services available in the communications industry. Please direct any questions to Jon Marckres at jon.marckres@gmail.com.

We thank you for the opportunity to provide you with premier communications and look forward to your review and feedback regarding this quote.

Sincerely,

Jon Marckres

Motorola Solutions Manufacturer's Representative

Billing Address:
WINDSOR HEIGHTS POLICE
DEPARTMENT
1133 66TH ST
WINDSOR HEIGHTS, IA 50324
US

Quote Date:10/24/2023
Expiration Date:12/23/2023
Quote Created By:
Jon Marckres
jon.marckres@gmail.com

End Customer:
WINDSOR HEIGHTS POLICE
DEPARTMENT
Pete Roth
proth@winsorheights.org
515-277-4453

Contract: 22547 - STATE OF IOWA

Line #	Item Number	Description	Qty	List Price	Sale Price	Ext. Sale Price
	APX™ 8000 Series	APX8000				
1	H91TGD9PW6AN	APX 8000 ALL BAND PORTABLE MODEL 2.5	19	\$7,392.32	\$3,696.16	\$70,227.04
1a	QA01648AA	ADD: HW KEY SUPPLEMENTAL DATA	19	\$6.00	\$3.00	\$57.00
1b	Q806CB	ADD: ASTRO DIGITAL CAI OPERATION	19	\$567.00	\$283.50	\$5,386.50
1c	Q361AN	ADD: P25 9600 BAUD TRUNKING	19	\$330.00	\$165.00	\$3,135.00
1d	QA00580AA	ADD: TDMA OPERATION	19	\$495.00	\$247.50	\$4,702.50
1e	Q15AJ	ADD: AES/DES-XL/DES-OFB ENCRYPTION AND ADP	19	\$879.00	\$98.00	\$1,862.00
1f	QA05509AA	DEL: DELETE UHF BAND	19	-\$800.00	-\$800.00	-\$15,200.00
1g	QA05508AA	DEL: DELETE VHF BAND	19	-\$800.00	-\$800.00	-\$15,200.00
1h	QA09008AA	ADD: GROUP SERVICES	19	\$165.00	\$82.50	\$1,567.50
1i	QA09007AA	ADD: OUT OF THE BOX WIFI PROVISIONING	19	\$0.00	\$0.00	\$0.00
1j	QA09001AB	ADD: WIFI CAPABILITY	19	\$330.00	\$165.00	\$3,135.00



Any sales transaction following Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the "Underlying Agreement") that authorizes Customer to purchase equipment and/or services or license software (collectively "Products"). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of Use and Motorola's Standard Terms and Conditions of Sales and Supply shall govern the purchase of the Products.
Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 ~ #: 36-1115800

Line #	Item Number	Description	Qty	List Price	Sale Price	Ext. Sale Price
1k	Q498AU	ENH: ASTRO 25 OTAR W/ MULTIKEY	19	\$814.00	\$90.00	\$1,710.00
1l	H38BS	ADD: SMARTZONE OPERATION	19	\$1,650.00	\$825.00	\$15,675.00
1m	QA07682AA	ADD: SMARTCONNECT	19	\$0.00	\$0.00	\$0.00
1n	G996AP	ADD: PROGRAMMING OVER P25 (OTAP)	19	\$110.00	\$12.00	\$228.00
1o	QA07680AA	ADD: MULTI SYSTEM OTAR	19	\$165.00	\$82.50	\$1,567.50
1p	QA09011AA	ALT: (7-800) ANTENNA (NAF5085)	19	\$26.00	\$13.00	\$247.00
1q	Q58AL	ADD: 3Y ESSENTIAL SERVICE	19	\$184.00	\$184.00	\$3,496.00
1r	QA09113AB	ADD: BASELINE RELEASE SW	19	\$0.00	\$0.00	\$0.00
2	LSV00Q00202A	DEVICE PROGRAMMING	19	\$76.00	\$76.00	\$1,444.00
3	LSV01Q00387A	ASTRO TECHNICAL ASSISTANCE	19	\$140.00	\$140.00	\$2,660.00
4	PMNN4486A	BATT IMPRES 2 LIION R IP67 3400T	19	\$188.27	\$137.44	\$2,611.36
	APX™ 8000 Series	APX8000				
5	H91TGD9PW7AN	APX 8000 ALL BAND PORTABLE MODEL 3.5	1	\$7,774.00	\$3,887.00	\$3,887.00
5a	QA01648AA	ADD: HW KEY SUPPLEMENTAL DATA	1	\$6.00	\$3.00	\$3.00
5b	Q806CB	ADD: ASTRO DIGITAL CAI OPERATION	1	\$567.00	\$283.50	\$283.50
5c	Q361AN	ADD: P25 9600 BAUD TRUNKING	1	\$330.00	\$165.00	\$165.00
5d	QA00580AA	ADD: TDMA OPERATION	1	\$495.00	\$247.50	\$247.50
5e	Q15AJ	ADD: AES/DES-XL/DES-OFB ENCRYPTION AND ADP	1	\$879.00	\$98.00	\$98.00
5f	QA05509AA	DEL: DELETE UHF BAND	1	-\$800.00	-\$800.00	-\$800.00
5g	QA05508AA	DEL: DELETE VHF BAND	1	-\$800.00	-\$800.00	-\$800.00
5h	QA09008AA	ADD: GROUP SERVICES	1	\$165.00	\$82.50	\$82.50



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Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 ~ #: 36-1115800

Line #	Item Number	Description	Qty	List Price	Sale Price	Ext. Sale Price
5i	QA09007AA	ADD: OUT OF THE BOX WIFI PROVISIONING	1	\$0.00	\$0.00	\$0.00
5j	QA09001AB	ADD: WIFI CAPABILITY	1	\$330.00	\$165.00	\$165.00
5k	Q498AU	ENH: ASTRO 25 OTAR W/ MULTIKEY	1	\$814.00	\$90.00	\$90.00
5l	H38BS	ADD: SMARTZONE OPERATION	1	\$1,650.00	\$825.00	\$825.00
5m	QA07682AA	ADD: SMARTCONNECT	1	\$0.00	\$0.00	\$0.00
5n	G996AP	ADD: PROGRAMMING OVER P25 (OTAP)	1	\$110.00	\$12.00	\$12.00
5o	QA07680AA	ADD: MULTI SYSTEM OTAR	1	\$165.00	\$82.50	\$82.50
5p	QA09011AA	ALT: (7-800) ANTENNA (NAF5085)	1	\$26.00	\$13.00	\$13.00
5q	Q58AL	ADD: 3Y ESSENTIAL SERVICE	1	\$184.00	\$184.00	\$184.00
5r	QA09113AB	ADD: BASELINE RELEASE SW	1	\$0.00	\$0.00	\$0.00
6	LSV00Q00202A	DEVICE PROGRAMMING	1	\$76.00	\$76.00	\$76.00
7	LSV01Q00387A	ASTRO TECHNICAL ASSISTANCE	1	\$140.00	\$140.00	\$140.00
8	PMNN4486A	BATT IMPRES 2 LIION R IP67 3400T	1	\$188.27	\$137.44	\$137.44
	APX™ 8000 Series	APX8000XE				
9	H91TGD9PW6AN	APX 8000 ALL BAND PORTABLE MODEL 2.5	18	\$7,392.32	\$3,696.16	\$66,530.88
9a	QA01648AA	ADD: HW KEY SUPPLEMENTAL DATA	18	\$6.00	\$3.00	\$54.00
9b	Q806CB	ADD: ASTRO DIGITAL CAI OPERATION	18	\$567.00	\$283.50	\$5,103.00
9c	Q361AN	ADD: P25 9600 BAUD TRUNKING	18	\$330.00	\$165.00	\$2,970.00
9d	QA02006AC	ENH: APX8000XE RUGGED RADIO	18	\$880.00	\$440.00	\$7,920.00
9e	QA00580AA	ADD: TDMA OPERATION	18	\$495.00	\$247.50	\$4,455.00



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Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 ~ #: 36-1115800

Line #	Item Number	Description	Qty	List Price	Sale Price	Ext. Sale Price
9f	Q15AJ	ADD: AES/DES-XL/DES-OFB ENCRYPTION AND ADP	18	\$879.00	\$98.00	\$1,764.00
9g	QA05509AA	DEL: DELETE UHF BAND	18	-\$800.00	-\$800.00	-\$14,400.00
9h	QA05508AA	DEL: DELETE VHF BAND	18	-\$800.00	-\$800.00	-\$14,400.00
9i	QA09008AA	ADD: GROUP SERVICES	18	\$165.00	\$82.50	\$1,485.00
9j	QA09007AA	ADD: OUT OF THE BOX WIFI PROVISIONING	18	\$0.00	\$0.00	\$0.00
9k	QA09001AB	ADD: WIFI CAPABILITY	18	\$330.00	\$165.00	\$2,970.00
9l	Q498AU	ENH: ASTRO 25 OTAR W/ MULTIKEY	18	\$814.00	\$90.00	\$1,620.00
9m	H38BS	ADD: SMARTZONE OPERATION	18	\$1,650.00	\$825.00	\$14,850.00
9n	QA07682AA	ADD: SMARTCONNECT	18	\$0.00	\$0.00	\$0.00
9o	G996AP	ADD: PROGRAMMING OVER P25 (OTAP)	18	\$110.00	\$12.00	\$216.00
9p	QA07680AA	ADD: MULTI SYSTEM OTAR	18	\$165.00	\$82.50	\$1,485.00
9q	QA01427AG	ALT: APX8000/XE HOUSING GREEN	18	\$28.00	\$14.00	\$252.00
9r	QA09011AA	ALT: (7-800) ANTENNA (NAF5085)	18	\$26.00	\$13.00	\$234.00
9s	Q58AL	ADD: 3Y ESSENTIAL SERVICE	18	\$184.00	\$184.00	\$3,312.00
9t	QA09113AB	ADD: BASELINE RELEASE SW	18	\$0.00	\$0.00	\$0.00
10	LSV00Q00202A	DEVICE PROGRAMMING	18	\$76.00	\$76.00	\$1,368.00
11	LSV01Q00387A	ASTRO TECHNICAL ASSISTANCE	18	\$140.00	\$140.00	\$2,520.00
12	PMNN4504A	BATT IMPRES 2 LIION UL2054 DIV2 R IP68 3400T	18	\$222.92	\$162.73	\$2,929.14
APX™ 8500						
13	M37TSS9PW1AN	APX8500 ALL BAND MP MOBILE	4	\$5,893.68	\$2,946.84	\$11,787.36
13a	G90AC	ADD: NO MICROPHONE NEEDED APX	4	\$0.00	\$0.00	\$0.00



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Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 ~ #: 36-1115800

Line #	Item Number	Description	Qty	List Price	Sale Price	Ext. Sale Price
13b	GA09008AA	ADD: GROUP SERVICES	4	\$165.00	\$82.50	\$330.00
13c	QA01648AA	ADD: HW KEY SUPPLEMENTAL DATA	4	\$6.00	\$3.00	\$12.00
13d	GA09007AA	ADD: OUT OF THE BOX WIFI PROVISIONING	4	\$0.00	\$0.00	\$0.00
13e	G851AG	ADD: AES/DES-XL/DES-OFB ENCRYP APX AND ADP	4	\$879.00	\$75.00	\$300.00
13f	G72AD	ADD: APX O3 HANDHELD CH	4	\$1,041.00	\$520.50	\$2,082.00
13g	G67DE	ADD: REMOTE MOUNT O3 MP	4	\$327.00	\$163.50	\$654.00
13h	GA00580AA	ADD: TDMA OPERATION	4	\$495.00	\$247.50	\$990.00
13i	GA01575AA	ADD: MINI-U TO QMA ADAPTER CABLE	4	\$28.00	\$14.00	\$56.00
13j	G51AT	ENH:SMARTZONE	4	\$1,650.00	\$825.00	\$3,300.00
13k	GA01620AA	ADD: MULTI SYSTEM OTAR	4	\$165.00	\$82.50	\$330.00
13l	GA05508AA	DEL: DELETE VHF BAND	4	-\$800.00	-\$800.00	-\$3,200.00
13m	GA05509AA	DEL: DELETE UHF BAND	4	-\$800.00	-\$800.00	-\$3,200.00
13n	GA01606AA	ADD: NO BLUETOOTH/ WIFI/GPS ANTENNA NEEDED	4	\$0.00	\$0.00	\$0.00
13o	GA09001AA	ADD: WI-FI CAPABILITY	4	\$330.00	\$165.00	\$660.00
13p	G298AS	ENH: ASTRO 25 OTAR W/ MULTIKEY	4	\$814.00	\$75.00	\$300.00
13q	B18CR	ADD: AUXILIARY SPKR 7.5 WATT APX	4	\$66.00	\$33.00	\$132.00
13r	G89AC	ADD: NO RF ANTENNA NEEDED	4	\$0.00	\$0.00	\$0.00
13s	G444AH	ADD: APX CONTROL HEAD SOFTWARE	4	\$0.00	\$0.00	\$0.00
13t	GA01517AA	DEL: NO J600 ADAPTER CABLE NEEDED	4	\$0.00	\$0.00	\$0.00
13u	G806BL	ENH: ASTRO DIGITAL CAI OP APX	4	\$567.00	\$283.50	\$1,134.00
13v	GA01630AA	ADD: SMARTCONNECT	4	\$0.00	\$0.00	\$0.00



Line #	Item Number	Description	Qty	List Price	Sale Price	Ext. Sale Price
13w	G361AH	ENH: P25 TRUNKING SOFTWARE APX	4	\$330.00	\$165.00	\$660.00
13x	G996AS	ENH: OVER THE AIR PROVISIONING	4	\$110.00	\$55.00	\$220.00
13y	G78AT	ENH: 3 YEAR ESSENTIAL SVC	4	\$288.00	\$288.00	\$1,152.00
13z	QA09113AB	ADD: BASELINE RELEASE SW	4	\$0.00	\$0.00	\$0.00
14	LSV00Q00202A	DEVICE PROGRAMMING	4	\$76.00	\$76.00	\$304.00
15	LSV01Q00387A	ASTRO TECHNICAL ASSISTANCE	4	\$140.00	\$140.00	\$560.00
16	LSV00Q00203A	DEVICE INSTALLATION	4	\$350.00	\$350.00	\$1,400.00
	APX™ 8500					
17	M37TSS9PW1AN	APX8500 ALL BAND MP MOBILE	11	\$5,893.68	\$2,946.84	\$32,415.24
17a	GA09008AA	ADD: GROUP SERVICES	11	\$165.00	\$82.50	\$907.50
17b	QA01648AA	ADD: HW KEY SUPPLEMENTAL DATA	11	\$6.00	\$3.00	\$33.00
17c	GA09007AA	ADD: OUT OF THE BOX WIFI PROVISIONING	11	\$0.00	\$0.00	\$0.00
17d	G851AG	ADD: AES/DES-XL/DES-OFB ENCRYPT APX AND ADP	11	\$879.00	\$75.00	\$825.00
17e	G996AS	ENH: OVER THE AIR PROVISIONING	11	\$110.00	\$55.00	\$605.00
17f	GA00580AA	ADD: TDMA OPERATION	11	\$495.00	\$247.50	\$2,722.50
17g	GA01575AA	ADD: MINI-U TO QMA ADAPTER CABLE	11	\$28.00	\$14.00	\$154.00
17h	G51AT	ENH:SMARTZONE	11	\$1,650.00	\$825.00	\$9,075.00
17i	GA01620AA	ADD: MULTI SYSTEM OTAR	11	\$165.00	\$82.50	\$907.50
17j	GA05508AA	DEL: DELETE VHF BAND	11	-\$800.00	-\$800.00	-\$8,800.00
17k	GA05509AA	DEL: DELETE UHF BAND	11	-\$800.00	-\$800.00	-\$8,800.00
17l	GA01606AA	ADD: NO BLUETOOTH/ WIFI/GPS ANTENNA NEEDED	11	\$0.00	\$0.00	\$0.00



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Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 ~ #: 36-1115800

Line #	Item Number	Description	Qty	List Price	Sale Price	Ext. Sale Price
17m	GA09001AA	ADD: WI-FI CAPABILITY	11	\$330.00	\$165.00	\$1,815.00
17n	G298AS	ENH: ASTRO 25 OTAR W/ MULTIKEY	11	\$814.00	\$75.00	\$825.00
17o	B18CR	ADD: AUXILIARY SPKR 7.5 WATT APX	11	\$66.00	\$33.00	\$363.00
17p	G89AC	ADD: NO RF ANTENNA NEEDED	11	\$0.00	\$0.00	\$0.00
17q	G444AH	ADD: APX CONTROL HEAD SOFTWARE	11	\$0.00	\$0.00	\$0.00
17r	G67EH	ADD: REMOTE MOUNT E5 MP	11	\$327.00	\$163.50	\$1,798.50
17s	GA01517AA	DEL: NO J600 ADAPTER CABLE NEEDED	11	\$0.00	\$0.00	\$0.00
17t	G806BL	ENH: ASTRO DIGITAL CAI OP APX	11	\$567.00	\$283.50	\$3,118.50
17u	GA01670AA	ADD: APX E5 CONTROL HEAD	11	\$717.00	\$358.50	\$3,943.50
17v	W22BA	ADD: STD PALM MICROPHONE APX	11	\$79.00	\$39.50	\$434.50
17w	GA01630AA	ADD: SMARTCONNECT	11	\$0.00	\$0.00	\$0.00
17x	G361AH	ENH: P25 TRUNKING SOFTWARE APX	11	\$330.00	\$165.00	\$1,815.00
17y	G78AT	ENH: 3 YEAR ESSENTIAL SVC	11	\$288.00	\$288.00	\$3,168.00
17z	QA09113AB	ADD: BASELINE RELEASE SW	11	\$0.00	\$0.00	\$0.00
18	LSV00Q00202A	DEVICE PROGRAMMING	11	\$76.00	\$76.00	\$836.00
19	LSV00Q00203A	DEVICE INSTALLATION	11	\$350.00	\$350.00	\$3,850.00
20	LSV01Q00387A	ASTRO TECHNICAL ASSISTANCE	11	\$140.00	\$140.00	\$1,540.00
21	NNTN8863A	CHARGER, SINGLE-UNIT, IMPRES 2, 3A, 100-240VAC, US/NA PLUG	38	\$169.56	\$123.78	\$4,703.64
22	NNTN8897A	CHGR DESKTOP MULTI UNIT IMPRES 2 1 DISPLAY EXT PS US	2	\$1,188.00	\$867.24	\$1,734.48



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Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 ~ #: 36-1115800

Line #	Item Number	Description	Qty	List Price	Sale Price	Ext. Sale Price
23	PMMN4132A	ACCESSORY KIT,XVE500 REMOTE SPEAKER MIC, HIGH IMPACT GREEN WITH KNOB	18	\$680.40	\$496.69	\$8,940.42
24	PMMN4136B	XVP830 REMOTE SPEAKER MICROPHONE NO CHANNEL KNOB	20	\$486.00	\$354.78	\$7,095.60
25	HKN6182B	CABLE KEYLOADING ADAPTER CGAI	1	\$225.40	\$180.32	\$180.32
26	HKN6184C	CBL ASSY:CABLE CH, PROGRAMMING, USB	1	\$57.20	\$45.76	\$45.76
27	NNTN7869B	ADAPTER,APX SURVEILLANCE KEYLOAD ADAPTER	1	\$70.20	\$51.25	\$51.25
28	PMKN4012B	PORTABLE PROGRAMMING CABLE	1	\$84.70	\$67.76	\$67.76
29	HKVN4289A	APX CPS DOWNLOAD - CURRENT VERSION	1	\$0.00	\$0.00	\$0.00
30	DQUUSBOTG	STARTECH.COM 5IN MICRO USB TO USB OTG HOST ADAPTER M/F - USB ADAPTER	1	\$13.00	\$11.70	\$11.70
31	TKN8531C	CABLE, KEYLOAD	1	\$358.16	\$286.53	\$286.53
32	5185956E75	INTFC, SER, IC USB PORT ADPTR	2	\$83.49	\$66.79	\$133.58
33	HKN6183B	CABLE, CH PROGRAMMING RS-232 (GCAI)	1	\$74.25	\$59.40	\$59.40
34	0182297T13	CABLE, ASSEMBLY	1	\$93.50	\$74.80	\$74.80
35	5184054Y03	IC,64KBIT RAM & TIME IBUTTON	2	\$73.47	\$58.78	\$117.56
APX™ 8500						
36	M37TSS9PW1AN	APX8500 ALL BAND MP MOBILE	2	\$5,893.68	\$2,946.84	\$5,893.68
36a	GA09008AA	ADD: GROUP SERVICES	2	\$165.00	\$82.50	\$165.00
36b	QA01648AA	ADD: HW KEY SUPPLEMENTAL DATA	2	\$6.00	\$3.00	\$6.00



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Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 ~ #: 36-1115800

Line #	Item Number	Description	Qty	List Price	Sale Price	Ext. Sale Price
36c	W665BF	ADD: BASE STATION OP APX	2	\$77.00	\$38.50	\$77.00
36d	GA09007AA	ADD: OUT OF THE BOX WIFI PROVISIONING	2	\$0.00	\$0.00	\$0.00
36e	G851AG	ADD: AES/DES-XL/DES-OFB ENCRYPT APX AND ADP	2	\$879.00	\$75.00	\$150.00
36f	G996AS	ENH: OVER THE AIR PROVISIONING	2	\$110.00	\$55.00	\$110.00
36g	G91AF	ADD: CNTRL STATION PWR SUPPLY	2	\$296.00	\$148.00	\$296.00
36h	GA00580AA	ADD: TDMA OPERATION	2	\$495.00	\$247.50	\$495.00
36i	GA01575AA	ADD: MINI-U TO QMA ADAPTER CABLE	2	\$28.00	\$14.00	\$28.00
36j	G66BN	ADD: DASH MOUNT E5	2	\$138.00	\$69.00	\$138.00
36k	G51AT	ENH:SMARTZONE	2	\$1,650.00	\$825.00	\$1,650.00
36l	G142AD	ADD: NO SPEAKER APX	2	\$0.00	\$0.00	\$0.00
36m	GA01620AA	ADD: MULTI SYSTEM OTAR	2	\$165.00	\$82.50	\$165.00
36n	GA05508AA	DEL: DELETE VHF BAND	2	-\$800.00	-\$800.00	-\$1,600.00
36o	GA05509AA	DEL: DELETE UHF BAND	2	-\$800.00	-\$800.00	-\$1,600.00
36p	GA01606AA	ADD: NO BLUETOOTH/ WIFI/GPS ANTENNA NEEDED	2	\$0.00	\$0.00	\$0.00
36q	GA09001AA	ADD: WI-FI CAPABILITY	2	\$330.00	\$165.00	\$330.00
36r	G298AS	ENH: ASTRO 25 OTAR W/ MULTIKEY	2	\$814.00	\$75.00	\$150.00
36s	G89AC	ADD: NO RF ANTENNA NEEDED	2	\$0.00	\$0.00	\$0.00
36t	G444AH	ADD: APX CONTROL HEAD SOFTWARE	2	\$0.00	\$0.00	\$0.00
36u	GA01517AA	DEL: NO J600 ADAPTER CABLE NEEDED	2	\$0.00	\$0.00	\$0.00
36v	G806BL	ENH: ASTRO DIGITAL CAI OP APX	2	\$567.00	\$283.50	\$567.00
36w	GA01670AA	ADD: APX E5 CONTROL HEAD	2	\$717.00	\$358.50	\$717.00



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Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 ~ #: 36-1115800

Line #	Item Number	Description	Qty	List Price	Sale Price	Ext. Sale Price
36x	GA01630AA	ADD: SMARTCONNECT	2	\$0.00	\$0.00	\$0.00
36y	W382AM	ADD: CONTROL STATION DESK GCAI MIC	2	\$186.00	\$93.00	\$186.00
36z	G361AH	ENH: P25 TRUNKING SOFTWARE APX	2	\$330.00	\$165.00	\$330.00
36aa	G78AT	ENH: 3 YEAR ESSENTIAL SVC	2	\$288.00	\$288.00	\$576.00
36ab	QA09113AB	ADD: BASELINE RELEASE SW	2	\$0.00	\$0.00	\$0.00
37	LSV00Q00202A	DEVICE PROGRAMMING	2	\$76.00	\$76.00	\$152.00
38	LSV00Q00203A	DEVICE INSTALLATION	2	\$350.00	\$350.00	\$700.00
39	LSV01Q00387A	ASTRO TECHNICAL ASSISTANCE	2	\$140.00	\$140.00	\$280.00
KVL 5000						
40	T8476B	KVL 5000	1	\$6,900.00	\$5,520.00	\$5,520.00
40a	CA00182AW	ADD: AES ENCRYPTION SOFTWARE	1	\$0.00	\$0.00	\$0.00
40b	CA03467AA	ADD: NORTH AMERICA MICRO USB CHARGER 100/240V	1	\$0.00	\$0.00	\$0.00
40c	CA03358AA	ADD: ASTRO 25 MODE	1	\$0.00	\$0.00	\$0.00
40d	CA00243AJ	ADD: ADP PRIVACY	1	\$330.00	\$264.00	\$264.00

Grand Total **\$300,204.44(USD)**

Notes:

- Unless otherwise noted, this quote excludes sales tax or other applicable taxes (such as Goods and Services Tax, sales tax, Value Added Tax and other taxes of a similar nature). Any tax the customer is subject to will be added to invoices.



Purchase Order Checklist

Marked as PO/ Contract/ Notice to Proceed on Company Letterhead
(PO will not be processed without this)

PO Number/ Contract Number

PO Date

Vendor = Motorola Solutions, Inc.

Payment (Billing) Terms/ State Contract Number

Bill-To Name on PO must be equal to the *Legal* Bill-To Name

Bill-To Address

Ship-To Address (If we are shipping to a MR location, it must be documented on PO)

Ultimate Address (If the Ship-To address is the MR location then the Ultimate Destination address must be documented on PO)

PO Amount must be equal to or greater than Order Total

Non-Editable Format (Word/ Excel templates cannot be accepted)

Bill To Contact Name & Phone # and EMAIL for customer accounts payable dept

Ship To Contact Name & Phone #

Tax Exemption Status

Signatures (As required)



STAFF REPORT
CITY COUNCIL
November 6, 2023

TO: CITY COUNCIL

FROM: Nate Leuthold, Deputy City Clerk

SUBJECT: Consideration of Resolution No. 2023-55 - A Resolution Waiving Fees for Grace Church Des Moines on January 12, 2024

GENERAL INFORMATION

Grace Church Des Moines originally requested the full waiving of fees for their rental of the Windsor Heights Community Event Center on Friday, January 12, 2024. They have since revised their request and are now requesting early access to the CEC on January 12, 2024 for setup of their event. Grace Church Des Moines is holding their Daddy/Daughter Dance. They have already rented the CEC from 4 PM until 10 PM and paid all associated fees. They are requesting to have access from 10 AM until 4 PM for set-up at no charge. They are willing to accept a shorter timeframe if Council deems the additional 6 hours excessive.

SUMMARY

ATTACHMENTS

1. Resolution No. 2023-55 - Waiving CEC Fees for Grace Church Des Moines' Daddy-Daughter Dance, January 12, 2024

RESOLUTION NO. 2023-55

**A RESOLUTION WAIVING CEC FEES FOR GRACE CHURCH DES MOINES'
DADDY/DAUGHTER DANCE ON JANUARY 12TH, 2024**

WHEREAS, Grace Church Des Moines will be holding its Daddy/Daughter Dance on January 12th 2024; and

WHEREAS, Grace Church Des Moines will be using the Windsor Heights Community Event Center for this event; and

WHEREAS, Grace Church Des Moines is requesting that the City allow early access to the CEC without additional fees

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
OF WINDSOR HEIGHTS, IOWA:**

That rental fees associated with the January 12th, 2024 rental of the Windsor Heights Community Event Center by Grace Church Des Moines from 10 AM until 4 PM be waived.

Passed and approved this 6th day of November, 2023.

Mike Jones, Mayor

Adam Strait, City Clerk



STAFF REPORT
CITY COUNCIL
November 6, 2023

TO: CITY COUNCIL

FROM: Nate Leuthold, Deputy City Clerk

SUBJECT: Consideration of Resolution No. 2023-56 - A Resolution Waiving fees for the Community Center for the American Heart Association on November 16th, 2023

GENERAL INFORMATION

The American Heart Association is requesting the fees to be waived for their rental of the Windsor Heights Community Center on Thursday, November 16th from 4:30 to 7 PM. The Association is holding a volunteer event in which volunteers make clay earrings and write cards for female heart survivors. They would like to use the full space in the Community Center so they can use both ovens to bake the clay earrings. The fee for the rental (with the typical nonprofit discount) is \$440.00.

SUMMARY

ATTACHMENTS

1. Resolution No. 2023-56 - Waiving CEC Fees for The American Heart Association's Volunteer Event, November 16, 2023

RESOLUTION NO. 2023-56

A RESOLUTION WAIVING CEC FEES FOR THE AMERICAN HEART ASSOCIATION'S VOLUNTEER EVENT ON NOVEMBER 16TH, 2023

WHEREAS, The American Heart Association will be holding its volunteer event on November 16th, 2023; and

WHEREAS, The American Heart Association will be using the Windsor Heights Community Event Center for this event; and

WHEREAS, The American Heart Association is requesting that the City waive all fees for this event.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WINDSOR HEIGHTS, IOWA:

That rental fees associated with the November 16th, 2023 rental of the Windsor Heights Community Event Center by The American Heart Association be waived.

Passed and approved this 6th day of November, 2023.

Mike Jones, Mayor

Adam Strait, City Clerk

RESOLUTION NO. 2023-54

RESOLUTION ON NATIONAL APPRENTICESHIP WEEK

WHEREAS, National Apprenticeship Week is celebrating its 9th anniversary of raising awareness of the vital role Registered Apprenticeships provide in creating opportunities by allowing apprentices to earn while they learn and preparing a pathway to good, quality jobs and well-paying careers in the City of Windsor Heights and across the nation; and

WHEREAS, Registered Apprenticeship programs enable employers to develop and train their future workforce while offering career seekers affordable paths to secure high-paying jobs, and

WHEREAS, the City of Windsor Heights recognizes the role of Registered Apprenticeship and affiliated labor organizations and employers in expanding opportunities in our workforce that are inclusive of individuals who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality, thus providing a path for all qualified individuals, including women, youth, people of color, veterans, rural communities, and justice-involved individuals, to become apprentices and contribute to America's industries; and

WHEREAS, the City of Windsor Heights recognizes that Registered Apprenticeship, a proven training model, and pre-apprenticeship programs such as those sponsored by building trades unions, are a key strategy to improving job quality, and creating access to good-paying, family-sustaining jobs for all, starting with youth and young adults, while addressing some of our nation's pressing workforce challenges such as rebuilding our infrastructure and modernizing our energy economy.

NOW, THEREFORE, BE IT RESOLVED that November 13, 2023, through November 19, 2023, is hereby declared National Apprenticeship Week in Windsor Heights, Iowa.

Mike Jones, Mayor

Attest: Adam Strait, City Clerk

**IOWA DEPARTMENT OF TRANSPORTATION
Federal-aid Agreement
for a Surface Transportation Block Grant Program Project**

RECIPIENT: City of Windsor Heights

Project No.: STP-U-8477(615)—70-77

Iowa DOT Agreement No.: 1-23-STPU-022

CFDA No. and Title: 20.205 Highway Planning and Construction

This is an agreement between the City of Windsor Heights, Iowa (hereinafter referred to as the RECIPIENT) and the Iowa Department of Transportation (hereinafter referred to as the DEPARTMENT). Iowa Code Sections 306A.7 and 307.44 provide for the RECIPIENT and the DEPARTMENT to enter into agreements with each other for the purpose of financing transportation improvement projects on streets and highways in Iowa with Federal funds. Federal regulations require Federal funds to be administered by the DEPARTMENT.

The RECIPIENT has received Federal funding through the Surface Transportation Block Grant (STBG) Program. STBG funds are available for construction, reconstruction, rehabilitation, resurfacing, restoration and operational or safety improvement projects on Federal-aid highways, bridges (as defined by the National Bridge Inspection Standards) on any public road, and several other types of projects, as specified in 23 U.S.C. 133(b). Federal-aid highways include all Federal Functional Classifications, except for rural minor collectors or local roads.

Pursuant to the terms of this agreement, applicable statutes, and administrative rules, the DEPARTMENT agrees to provide STBG funding to the RECIPIENT for the authorized and approved costs for eligible items associated with the project.

Under this agreement, the parties further agree as follows:

1. The RECIPIENT shall be the lead local governmental agency for carrying out the provisions of this agreement.
2. All notices required under this agreement shall be made in writing to the appropriate contact person. The DEPARTMENT's contact person will be the Local Systems Project Development Engineer, Jenifer Bates, and the Central Region Local Systems Field Engineer, Brian J. Catus. The RECIPIENT's contact person shall be the City Clerk., Adam Strait.
3. The RECIPIENT shall be responsible for the development and completion of the following described STBG project:
In the City of Windsor Heights, 73rd Street from University to Hickman, Reconstruction Phase 1 Pavement Rehab/Widening.
4. Eligible project activities will be limited to actual construction costs.
5. Costs associated with work outside the eligible project construction limits, routine maintenance activities, operations, and monitoring expenses are not eligible. In addition, administrative costs, engineering, inspection, legal, right of way, utility relocations, activities necessary to comply with Federal and State environmental or permit requirements, and fees or interest associated with bonds or loans are not eligible.
6. The RECIPIENT shall receive reimbursement for costs of authorized and approved eligible project activities from STBG funds. The portion of the project costs reimbursed by STBG funds shall be limited to a maximum of either 80 percent of eligible costs or the amount of \$2,250,000, as stipulated in the Des Moines Area Metropolitan Planning Organization current Transportation Improvement Program (TIP) and approved in the current Statewide Transportation Improvement Program (STIP), whichever is less.
7. The RECIPIENT shall pay for all project costs not reimbursed with STBG funds.
8. If the project described in Section 3 drops out of the Des Moines Area Metropolitan Planning Organization current TIP or the approved current STIP prior to obligation of Federal funds, and the RECIPIENT fails to

reprogram the project in the appropriate TIP and STIP within 3 years, this agreement shall become null and void.

9. The RECIPIENT shall let the project for bids through the DEPARTMENT.
10. If any part of this agreement is found to be void and unenforceable, the remaining provisions of this agreement shall remain in effect.
11. It is the intent of both parties that no third-party beneficiaries be created by this agreement.
12. This agreement and the attached Exhibit 1 constitute the entire agreement between the DEPARTMENT and the RECIPIENT concerning this project. Representations made before the signing of this agreement are not binding, and neither party has relied upon conflicting representations in entering into this agreement. Any change or alteration to the terms of this agreement shall be made in the form of an addendum to this agreement. The addendum shall become effective only upon written approval of the DEPARTMENT and the RECIPIENT.

IN WITNESS WHEREOF, each of the parties hereto has executed this agreement as of the date shown opposite its signature below.

City Signature Block

By _____ Date _____, 20____

Title of city official

I, _____, certify that I am the City Clerk of Windsor Heights, and
that _____, who signed said Agreement for and on behalf of the city was duly
authorized to execute the same by virtue of a formal resolution duly passed and adopted by the city on the
_____ day of _____, 20_____.

Signed _____ Date _____, 20____

City Clerk of Windsor Heights, Iowa

IOWA DEPARTMENT OF TRANSPORTATION
Highway Administration

By _____ Date _____, 20____

Brian J. Catus, P.E.
Local Systems Field Engineer
Central Region

EXHIBIT 1

General Agreement Provisions for use of Federal Highway Funds on Non-primary Projects

Unless otherwise specified in this agreement, the RECIPIENT shall be responsible for the following:

1. General Requirements.

- a. The RECIPIENT shall take the necessary actions to comply with applicable State and Federal laws and regulations. To assist the RECIPIENT, the DEPARTMENT has provided guidance in the Federal-aid Project Development Guide (Guide) and the Instructional Memorandums to Local Public Agencies (I.M.s) that are referenced by the Guide. Both are available on-line at: https://www.iowadot.gov/local_systems/publications/im/lpa_ims.htm. The RECIPIENT shall follow the applicable procedures and guidelines contained in the Guide and I.M.s in effect at the time project activities are conducted.
- b. In accordance with Title VI of the Civil Rights Act of 1964 and associated subsequent nondiscrimination laws, regulations, and executive orders, the RECIPIENT shall not discriminate against any person on the basis of race, color, national origin, sex, age, or disability. In accordance with Iowa Code Chapter 216, the RECIPIENT shall not discriminate against any person on the basis of race, color, creed, age, sex, sexual orientation, gender identity, national origin, religion, pregnancy, or disability. The RECIPIENT agrees to comply with the requirements outlined in [I.M. 1.070](#), Title VI and Nondiscrimination Requirements, which includes the requirement to provide a copy of the Subrecipient's Title VI Plan or Agreement and Standard DOT Title VI Assurances to the Department.
- c. The RECIPIENT shall comply with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973 (Section 504), the associated Code of Federal Regulations (CFR) that implement these laws, and the guidance provided in [I.M. 1.080](#), ADA Requirements. When bicycle and/or pedestrian facilities are constructed, reconstructed, or altered, the RECIPIENT shall make such facilities compliant with the ADA and Section 504, which includes following the requirements set forth in Chapter 12A for sidewalks and Chapter 12B for Bicycle Facilities of the Iowa DOT Design Manual.
- d. To the extent allowable by law, the RECIPIENT agrees to indemnify, defend, and hold the DEPARTMENT harmless from any claim, action or liability arising out of the design, construction, maintenance, placement of traffic control devices, inspection, or use of this project. This agreement to indemnify, defend, and hold harmless applies to all aspects of the DEPARTMENT's application review and approval process, plan and construction reviews, and funding participation.
- e. As required by the 2 CFR 200.501 "Audit Requirements," a non-Federal entity expending \$750,000 or more in Federal awards in a year shall have a single or program-specific audit conducted for that year in accordance with the provision of that part. Auditee responsibilities are addressed in Subpart F of 2 CFR 200. The Federal funds provided by this agreement shall be reported on the appropriate Schedule of Expenditures of Federal Awards (SEFA) using the Catalog of Federal Domestic Assistance (CFDA) number and title as shown on the first page of this agreement. If the RECIPIENT will pay initial project costs and request reimbursement from the DEPARTMENT, the RECIPIENT shall report this project on its SEFA. If the DEPARTMENT will pay initial project costs and then credit those accounts from which initial costs were paid, the DEPARTMENT will report this project on its SEFA. In this case, the RECIPIENT shall not report this project on its SEFA.
- f. The RECIPIENT shall supply the DEPARTMENT with all information required by the Federal Funding Accountability and Transparency Act of 2006 and 2 CFR Part 170.
- g. The RECIPIENT shall comply with the following Disadvantaged Business Enterprise (DBE) requirements:
 - i. The RECIPIENT shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The RECIPIENT shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts.
 - ii. The RECIPIENT shall comply with the requirements of [I.M. 5.010](#), DBE Guidelines.

- iii. The DEPARTMENT's DBE program, as required by 49 CFR Part 26 and as approved by the Federal Highway Administration (FHWA), is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the RECIPIENT of its failure to carry out its approved program, the DEPARTMENT may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).
- h. Termination of funds. Notwithstanding anything in this agreement to the contrary, and subject to the limitations set forth below, the DEPARTMENT shall have the right to terminate this agreement without penalty and without any advance notice as a result of any of the following: 1) The Federal government, legislature or governor fail in the sole opinion of the DEPARTMENT to appropriate funds sufficient to allow the DEPARTMENT to either meet its obligations under this agreement or to operate as required and to fulfill its obligations under this agreement; or 2) If funds are de-appropriated, reduced, not allocated, or receipt of funds is delayed, or if any funds or revenues needed by the DEPARTMENT to make any payment hereunder are insufficient or unavailable for any other reason as determined by the DEPARTMENT in its sole discretion; or 3) If the DEPARTMENT's authorization to conduct its business or engage in activities or operations related to the subject matter of this agreement is withdrawn or materially altered or modified. The DEPARTMENT shall provide the RECIPIENT with written notice of termination pursuant to this section.

2. Programming.

- a. The RECIPIENT shall be responsible for including the project in the appropriate Regional Planning Affiliation (RPA) or Metropolitan Planning Organization (MPO) Transportation Improvement Program (TIP). The RECIPIENT shall also ensure that the appropriate RPA or MPO, through their TIP submittal to the DEPARTMENT, includes the project in the Statewide Transportation Improvement Program (STIP). If the project is not included in the appropriate fiscal year of the STIP, Federal funds cannot be authorized.
- b. Upon receipt of Federal Highway Administration (FHWA) authorization a Federal Award Identification Number (FAIN) will be assigned to this project by the FHWA based on a methodology that incorporates identifying information about the federal award such as the federal funding program code and the federal project number. This FAIN will be used to identify this project and award on the federal government's listing of financial assistance awards consistent with the Federal Funding Accountability and Transparency Act of 2006 (FFATA) at usaspending.gov.
- c. A period of performance for this federal funding award will be established at the time of FHWA authorization. The start date of the period of performance will be the FHWA authorization date. The project end date (PED) will be determined according to the methodology in [I.M. 1.200](#), Federal Funds Management. Costs incurred before the start date or after the PED of the period of performance will not be eligible for reimbursement.

3. Design and Consultant Services

- a. The RECIPIENT shall be responsible for the design of the project, including all necessary plans, specifications, and estimates (PS&E). The project shall be designed in accordance with the design guidelines provided or referenced by the DEPARTMENT in the Guide and applicable I.M.s.

4. Environmental Requirements and other Agreements or Permits.

- a. The RECIPIENT shall take the appropriate actions and prepare the necessary documents to fulfill the FHWA requirements for project environmental studies including historical/cultural reviews and location approval. The RECIPIENT shall complete any mitigation agreed upon in the FHWA approval document. These procedures are set forth in [I.M. 3.020](#), Concept Statement Instructions; [4.020](#), NEPA Process; [4.110](#) Threatened and Endangered Species; and [4.120](#), Cultural Resource Regulations.
- b. If farmland is to be acquired, whether for use as project right-of-way or permanent easement, the RECIPIENT shall follow the procedures in I.M. [4.170](#), Farmland Protection Policy Act.

- c. The RECIPIENT shall obtain project permits and approvals, when necessary, from the Iowa DEPARTMENT of Cultural Affairs (State Historical Society of Iowa; State Historic Preservation Officer), Iowa Department of Natural Resources, U.S. Coast Guard, U.S. Army Corps of Engineers, the DEPARTMENT, or other agencies as required. The RECIPIENT shall follow the procedures in I.M. [4.130](#), 404 Permit Process; [4.140](#), Storm Water Permits; [4.150](#) Iowa DNR Floodplain Permits and Regulations; [4.190](#), Highway Improvements in the Vicinity of Airports or Heliports; and [4.160](#), Asbestos Inspection, Removal, and Notification Requirements.
- d. In all contracts entered into by the RECIPIENT, and all subcontracts, in connection with this project that exceed \$100,000, the RECIPIENT shall comply with the requirements of Section 114 of the Clean Air Act and Section 308 of the Federal Water Pollution Control Act, and all their regulations and guidelines. In such contracts, the RECIPIENT shall stipulate that any facility to be utilized in performance of or to benefit from this agreement is not listed on the Environmental Protection Agency (EPA) List of Violating Facilities or is under consideration to be listed.

5. Right-of-Way, Railroads and Utilities.

- a. The RECIPIENT shall acquire the project right-of-way, whether by lease, easement, or fee title, and shall provide relocation assistance benefits and payments in accordance with the procedures set forth in [I.M. 3.600](#), Right-of-Way Acquisition, and the DEPARTMENT's Right of Way Bureau Local Public Agency Manual. The RECIPIENT shall contact the DEPARTMENT for assistance, as necessary, to ensure compliance with the required procedures, even though no Federal funds are used for right-of-way activities. If Federal-aid will not be used in the cost of acquiring right-of-way, acquisition activities may begin prior to FHWA Environmental Concurrence. However, such acquisitions cannot affect the National Environmental Policy Act (NEPA) decision making process.
- b. If a railroad crossing or railroad tracks are within or adjacent to the project limits, the RECIPIENT shall obtain agreements, easements, or permits as needed from the railroad. The RECIPIENT shall follow the procedures in [I.M. 3.670](#), Work on Railroad Right-of-Way and [I.M. 3.680](#), Federal-aid Projects Involving Railroads.
- c. The RECIPIENT shall comply with the Policy for Accommodating Utilities on City and County Federal-aid Highway Right of Way for projects on non-primary Federal-aid highways. For projects connecting to or involving some work inside the right-of-way for a primary highway, the RECIPIENT shall follow the DEPARTMENT's Policy for Accommodating Utilities on Primary Road System. The RECIPIENT should also use the procedures outlined in [I.M. 3.640](#), Utility Accommodation and Coordination, as a guide to coordinating with utilities.

6. Contract Procurement.

The following provisions apply only to projects involving physical construction or improvements to transportation facilities:

- a. The project plans, specifications, and cost estimate (PS&E) shall be prepared and certified by a professional engineer, architect, or landscape architect, as applicable, licensed in the State of Iowa.
- b. For projects let through the DEPARTMENT, the RECIPIENT shall be responsible for the following:
 - i. Prepare and submit the PS&E and other contract documents to the DEPARTMENT for review and approval in accordance with [I.M. 3.700](#), Check and Final Plans and [I.M. 3.500](#), Bridge or Culvert Plans, as applicable.
 - ii. The contract documents shall use the DEPARTMENT's Standard Specifications for Highway and Bridge Construction. Prior to their use in the PS&E, specifications developed by the RECIPIENT for individual construction items shall be approved by the DEPARTMENT.
 - iii. Follow the procedures in [I.M. 5.030](#), Iowa DOT Letting Process, to analyze the bids received, make a decision to either award a contract to the lowest responsive bidder or reject all bids, and if a contract is awarded, and execute the contract documents in Doc Express.

- c. For projects that are let locally by the RECIPIENT, the RECIPIENT shall follow the procedures in [I.M. 5.120](#), Local Letting Process - Federal-aid.
- d. The RECIPIENT shall forward a completed Project Development Certification ([Form 730002](#)) to the DEPARTMENT in accordance with [I.M. 3.710](#), Project Development Certification Instructions. The project shall not receive FHWA Authorization for construction or be advertised for bids until after the DEPARTMENT has reviewed and approved the Project Development Certification.
- e. If the RECIPIENT is a city, the RECIPIENT shall comply with the public hearing requirements of the Iowa Code section 26.12.
- f. The RECIPIENT shall not provide the contractor with notice to proceed until after receiving notice in Doc Express that the Iowa DOT has concurred in the contract award.

7. Construction.

- a. A full-time employee of the RECIPIENT shall serve as the person in responsible charge of the construction project. For cities that do not have any full-time employees, the mayor or city clerk will serve as the person in responsible charge, with assistance from the DEPARTMENT.
- b. Traffic control devices, signing, or pavement markings installed within the limits of this project shall conform to the "Manual on Uniform Traffic Control Devices for Streets and Highways" per 761 IAC Chapter 130. The safety of the general public shall be assured through the use of proper protective measures and devices such as fences, barricades, signs, flood lighting, and warning lights as necessary.
- c. For projects let through the DEPARTMENT, the project shall be constructed under the DEPARTMENT's Standard Specifications for Highway and Bridge Construction and the RECIPIENT shall comply with the procedures and responsibilities for materials testing according to the DEPARTMENT's Materials I.M.s. Available on-line at: <http://www.iowadot.gov/erl/current/IM/navigation/nav.htm>.
- d. For projects let locally, the RECIPIENT shall provide materials testing and certifications as required by the approved specifications.
- e. If the DEPARTMENT provides any materials testing services to the RECIPIENT, the DEPARTMENT will bill the RECIPIENT for such testing services according to its normal policy as per [Materials I.M. 103](#), Inspection Services Provided to Counties, Cities, and Other State Agencies.
- f. The RECIPIENT shall follow the procedures in [I.M. 6.000](#), Construction Inspection, and the DEPARTMENT's Construction Manual, as applicable, for conducting construction inspection activities.

8. Reimbursements.

- a. After costs have been incurred, the RECIPIENT shall submit to the DEPARTMENT periodic itemized claims for reimbursement for eligible project costs. Requests for reimbursement shall be made at least once every six months, but not more than bi-weekly.
- b. To ensure proper accounting of costs, reimbursement requests for costs incurred prior to June 30 shall be submitted to the DEPARTMENT by August 1.
- c. Reimbursement claims shall include a certification that all eligible project costs, for which reimbursement is requested, have been reviewed by an official or governing board of the RECIPIENT, are reasonable and proper, have been paid in full, and were completed in substantial compliance with the terms of this agreement.
- d. Reimbursement claims shall be submitted on forms identified by the Department along with all required supporting documentation. The DEPARTMENT will reimburse the RECIPIENT for properly documented and certified claims for eligible project costs. The DEPARTMENT may withhold up to 5% of the Federal share of construction costs or 5% of the total Federal funds available for the project, whichever is less. Reimbursement will be made either by State warrant or by crediting other accounts from which payment was initially made. If, upon final audit or review, the DEPARTMENT determines the RECIPIENT has been

overpaid, the RECIPIENT shall reimburse the overpaid amount to the DEPARTMENT. After the final audit or review is complete and after the RECIPIENT has provided all required paperwork, the DEPARTMENT will release the Federal funds withheld.

- e. The total funds collected by the RECIPIENT for this project shall not exceed the total project costs. The total funds collected shall include any Federal or State funds received, any special assessments made by the RECIPIENT (exclusive of any associated interest or penalties) pursuant to Iowa Code Chapter 384 (cities) or Chapter 311 (counties), proceeds from the sale of excess right-of-way, and any other revenues generated by the project. The total project costs shall include all costs that can be directly attributed to the project. In the event that the total funds collected by the RECIPIENT do exceed the total project costs, the RECIPIENT shall either:
 - i. In the case of special assessments, refund to the assessed property owners the excess special assessments collected (including interest and penalties associated with the amount of the excess), or
 - ii. Refund to the DEPARTMENT all funds collected in excess of the total project costs (including interest and penalties associated with the amount of the excess) within 60 days of the receipt of any excess funds. In return, the DEPARTMENT will either credit reimbursement billings to the FHWA or credit the appropriate State fund account in the amount of refunds received from the RECIPIENT.

9. Project Close-out.

- a. Within 30 days of completion of construction or other activities authorized by this agreement, the RECIPIENT shall provide written notification to the DEPARTMENT. The RECIPIENT shall follow and request a final audit, in accordance with the procedures in [I.M. 6.110](#), Final Review, Audit, and Close-out Procedures for Federal-aid, Federal-aid Swap, and Farm-to-Market Projects. Failure to comply with the procedures will result in loss of federal funds remaining to be reimbursed and the repayment of funds already reimbursed. The RECIPIENT may be suspended from receiving federal funds on future projects.
- b. For construction projects, the RECIPIENT shall provide a certification by a professional engineer, architect, or landscape architect as applicable, licensed in the State of Iowa, indicating the construction was completed in substantial compliance with the project plans and specifications.
- c. Final reimbursement of Federal funds shall be made only after the DEPARTMENT accepts the project as complete.
- d. The RECIPIENT shall maintain all books, documents, papers, accounting records, reports, and other evidence pertaining to costs incurred for the project. The RECIPIENT shall also make these materials available at all reasonable times for inspection by the DEPARTMENT, FHWA, or any authorized representatives of the Federal Government. Copies of these materials shall be furnished by the RECIPIENT if requested. Such documents shall be retained for at least 3 years from the date of FHWA approval of the final closure document. Upon receipt of FHWA approval of the final closure document, the DEPARTMENT will notify the RECIPIENT of the record retention date.
- e. The RECIPIENT shall maintain, or cause to be maintained, the completed improvement in a manner acceptable to the DEPARTMENT and the FHWA.



STAFF REPORT
CITY COUNCIL
November 6, 2023

TO: CITY COUNCIL

FROM: Adam Plagge

SUBJECT: Consideration of the First Reading of Ordinance No. 23-09 - An Ordinance Adding Section 60.08.08 (Pedestrian Safety, Use of Medians)

GENERAL INFORMATION

Windsor Heights has several roadway sections with narrow medians. It has been observed that pedestrians, sometimes with pets, have stand on these medians for extended periods of time. Narrow medians are not intended as an area of refuge for pedestrians, and narrow lanes and high speeds create a hazardous situation.

The National Association of City Transportation Officials Urban Street Design Guide (2011) states that a median or island should be at least six feet wide where pedestrians are present. This is consistent with the Public Rights-of-Way Accessibility Guidelines promulgated by the United States Access Board which specify that a pedestrian refuge in a street must have a top surface width of six feet, excluding curbs.

Proposed Ordinance No. 23-09 would prohibit loitering on medians less than six feet wide in all instances other than during performance of public safety duties, emergencies or during construction work. Two medians of note are 73rd St./Buffalo Rd. and University Ave./63d St. Both of these medians are 4' wide and the street have a 30 mph or more speed limit.

SUMMARY

ATTACHMENTS

1. Ordinance No. 23-09 - Adding Section 60.08.08

ORDINANCE NO. 23-09

AN ORDINANCE ADDING SECTION 60.08.08 (PEDESTRIAN SAFETY, USE OF MEDIANS)

BE IT ENACTED by the City Council of the City of Windsor Heights, Iowa, as follows:

SECTION 1. SECTION MODIFIED. Section 60.08.08 (Pedestrian Safety, Use of Medians) is added by inserting the following new language:

60.08.08 PEDESTRIAN SAFETY, USE OF MEDIANS.

A. The city council makes the following findings and adopts the following statement of purposes of this section:

1. The National Association of City Transportation Officials Urban Street Design Guide (2011) states that a median or island should be at least six feet wide where pedestrians are present. This is consistent with the Public Rights-of-Way Accessibility Guidelines promulgated by the United States Access Board which specify that a pedestrian refuge in a street must have a top surface width of six feet, excluding curbs.

B.

1. For streets with a speed limit of 30 miles per hour or higher, pedestrians are prohibited from standing, sitting or staying on a median for any purpose other than to cross the street unless the width of the top surface of the median, excluding the curbs is at least six feet wide.

Section 60.08.08 (B) does not apply to:

1. Police officers, peace officers and parking enforcement personnel of the police department or employees of the fire department while performing official duties of the city.

2. Employees or contractors for the city or other individuals authorized by the city to perform construction or maintenance work on city streets or rights-of-way, while performing construction or maintenance work on the street provided that proper street signage is used and streets are blocked off as required by the city.

3. Any individual responding to an emergency in the street.

SECTION 2. REPEALER. All ordinances or parts or ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed and approved 1st Reading on this 6th day of November, 2023.

Passed and approved 2nd Reading on this ____th day of _____, 2023.

Passed and approved 3rd and final Reading on this ____th day of _____, 2023.

Mike Jones, Mayor

(SEAL)

ATTEST:

Adam Strait, City Clerk

ORDINANCE NO. 23-08

AN ORDINANCE AMENDING SECTION 1.12 (WARRANTS) REGARDING ADMINISTRATIVE SEARCH WARRANTS

BE IT ENACTED by the City Council of the City of Windsor Heights, Iowa, as follows:

SECTION 1. SECTION MODIFIED. Section 1.12 (Warrants) is amended by inserting the following new underlined language:

1.12 WARRANTS

If consent to enter upon or inspect any building, structure or property pursuant to a municipal ordinance is withheld by any person having the lawful right to exclude, the City officer or employee having the duty to enter upon or conduct the inspection may apply to the Iowa District Court in and for the County, pursuant to Section 808.14 of the *Code of Iowa*, for an administrative search warrant which is reasonable with respect to time and scope. The presence or absence of law enforcement should be disclosed in the application. The City shall notify the owner and occupant of the dwelling unit, rooming unit, structure, building, or premises of the application for the administrative search warrant by (i) posting such notice on the property to be inspected, and (ii) sending the notice via regular mail to the owner of record. The occupant of the dwelling unit, rooming unit, structure, building, or premises shall have the opportunity to be heard at any hearing for an administrative search warrant. No owner, operator or occupant or any other person having charge, care, or control of any dwelling unit, rooming unit, structure, building, or premises shall fail or neglect, after presentation of a search warrant, to permit entry therein by the municipal officer or employee.

SECTION 2. REPEALER. All ordinances or parts or ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed and approved 1st Reading on this __16__th day of __October_____, 2023.

Passed and approved 2nd Reading on this __6__th day of __November_____, 2023.

Passed and approved 3rd and final Reading on this ____th day of _____, 2023.

Mike Jones, Mayor

(SEAL)

ATTEST:

Adam Strait, City Clerk

ORDINANCE NO. 23-07

AN ORDINANCE AMENDING CHAPTER 180.06 OF THE CODE OF ORDINANCES FOR THE CITY OF WINDSOR HEIGHTS RELATED TO CONDITIONAL USE PERMIT STANDARDS FOR APPROVAL

WHEREAS, the City of Windsor Heights seeks to promote the public health, safety, general welfare, and aesthetics of the community through consistent, content- neutral and nondiscriminatory code requirements within its city limits; and

WHEREAS, the Planning and Zoning Commission reviewed Chapter 180.06 and proposed changes and recommended approval of the same; and

WHEREAS, the City Council of the City of Windsor Heights do hereby find and declare that the amendments to Chapter 180.06 are necessary.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WINDSOR HEIGHTS, POLK COUNTY, IOWA:

SECTION 1. Purpose. The purpose of this ordinance is to amend Chapters 180.06 as follows.

SECTION 2. Amended. 180.06 STANDARDS FOR APPROVAL.

1. The Board of Adjustment shall review the proposed development for conformance to the following Standards of Approval:

A. Compatibility. The proposed buildings or use shall be constructed, arranged and operated so as to be compatible with the character of the zoning district and immediate vicinity, and not to interfere with the development and use of adjacent property in accordance with the applicable district regulations. The proposed development shall not be unsightly, obnoxious or offensive in appearance to abutting or nearby properties.

B. Transition. The development shall provide for a suitable transition, and if necessary, buffer between the proposed buildings or use and surrounding properties.

C. Traffic. The development shall provide for adequate ingress and egress, with particular attention to vehicular and pedestrian safety and convenience, traffic flow and control, and emergency access.

D. Parking and Loading. The development shall provide all off-street parking and loading areas as required by this ordinance, and adequate service entrances and areas.

Appropriate screening shall be provided around parking and service areas to minimize visual impacts, glare from headlights, noise, fumes or other detrimental impacts.

E. Signs and Lighting. Permitted signage shall be in accordance with the applicable district regulations and shall be compatible with the immediate vicinity. Exterior lighting, if provided, shall be with consideration given to glare, traffic safety and compatibility with property in the immediate vicinity.

F. Environmental Protection. The development shall be planned and operated in such a manner that will safeguard environmental and visual resources. The development shall not generate excessive noise, vibration, dust, smoke, fumes, odor, glare, groundwater pollution or other undesirable, hazardous or nuisance conditions, including weeds.

2. The request shall be approved if the Board of Adjustment finds that the proposed development meets all Standards of Approval.

3. The request shall be denied if the Board of Adjustment finds a strong probability that any of the following with regards to the proposed development:

- a. Not adequately safeguard the health, safety and general welfare of persons residing or working in adjoining or surrounding property, or
- b. Impair an adequate supply (including quality) of light and air to surrounding property, or
- c. Unduly increase congestion in the roads, or the hazard from fire, flood or similar dangers, or
- d. Diminish or impair established property values on adjoining or surrounding property, or
- e. Not be in accord with the intent, purpose and spirit of the zoning ordinance or comprehensive plan.

SECTION 3. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. Severability. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 5. Effective Date. This ordinance shall be effective after the final passage, approval and publication as provided by law.

Passed and Approved this Day of 2023.

1st Reading: October 2, 2023

2nd Reading: October 16, 2023

3rd Reading: November 6, 2023

Publish Date:

Mike Jones, Mayor

(SEAL)

ATTEST:

Adam Strait, City Clerk

Code Enforcement Items				
Request Type	Period 7/1/2023 - 9/30/2023			
	Total Requests			
	Submitted During Period	Closed During Period	Avg. Days to Close a Request	Total In Progress (as of 9/30)
Abandoned / inoperable motor vehicles on private property	14	10	20	5
Building inspections	1	1	13	0
Building without a permit	0	0	0	0
Dead or diseased trees	4	4	100	4
Nuisance or junk / debris / garbage	20	21	35	6
Other	6	4	18	3
Tree trimming or tree removal on private property	3	2	35	1
Unsafe building or structure	2	1	40	1
Unsafe construction activities	0	0	0	0
Vehicles parked on grass	9	4	33	9
Weeds / tall grass	11	11	26	2
Total:	70	58	34	37