

ORDINANCE NO. 2114

AN ORDINANCE AMENDING ORDINANCE NO. 1489 OF THE ORDINANCES OF THE CITY OF FORT DODGE, IOWA: THE SAID ORDINANCE NO. 1489 BEING ENTITLED: "AN ORDINANCE REGULATING AND RESTRICTING THE LOCATION, CONSTRUCTION AND USE OF BUILDINGS AND STRUCTURES, AND THE USE OF LAND IN THE CITY OF FORT DODGE, IOWA, AND FOR SAID PURPOSES DIVIDING THE CITY INTO DISTRICTS AND CREATING BOARD OF ADJUSTMENT, REPEALING ORDINANCES IN CONFLICT WITH THIS ORDINANCE, AND PROVIDING FOR PENALTIES FOR VIOLATION OF THE REGULATIONS."

BE IT ORDAINED BY THE CITY COUNCIL OF FORT DODGE, IOWA:

SECTION I

This Ordinance amends said Ordinance No. 1489 by directing the incorporation of language within the zoning regulations.

SECTION II

That Ordinance No. 1489 of the City of Fort Dodge, Iowa, as adopted, enacted and passed on the 17th day of October, 1978, be the same is hereby amended by making the following change:

By adding the following definitions in alphabetical sequence to “Section 17.03 DEFINITIONS”:

CONVENIENCE STORE: An establishment whose principle business is the sale of a portion of or all of the following: edible foodstuff, beverages, petroleum products for immediate use in automobiles, and other consumer goods associated with the sale of such products.

EQUIPMENT SALES AND SERVICE: Establishments primarily engaged in the sale or rental of tools, small construction equipment, and similar industrial equipment. Included in this use type is the incidental storage, maintenance and servicing of such equipment.

HEAVY EQUIPMENT SALES AND SERVICE: Establishments primarily engaged in the sale, rental, or servicing of construction equipment or heavy machinery. Included in this use is the incidental storage, maintenance and servicing of such equipment.

LANDSCAPED AREA: An area not subject to vehicular traffic, which consists of living landscape material.

MINI-WAREHOUSE FACILITIES: A building or group of buildings, which are rented and designed, through individual compartments or controlled stalls, for self-storage purposes.

MOTOR VEHICLE REPAIR: An establishment engaged in the maintenance, servicing, repair, or painting of motor vehicles whether licensed or unlicensed.

MOTOR VEHICLE SALES: Establishments with an open off-street area where two or more operable motor vehicles are stored or offered or displayed for sale or advertising purposes.

OVERLAY ZONE: A set of zoning requirements imposed in addition to those of the underlying base zone. Development in overlay zones must conform to the requirements of the overlay zone as well as those of the underlying base zone, unless modifications to base zone requirements are approved as a part of the overlay rezoning process.

OVERSTORY TREE: A self-supporting woody plant having at least one well defined stem or trunk and normally attaining a mature height and spread of at least 30 feet, and having a trunk that may, at maturity, be kept clear of leaves and branches at least eight feet above grade.

VEHICLE DISPLAY LOT: An open off-street area where two or more operable motor vehicles

are stored or offered or displayed for sale or advertising purposes.

WAREHOUSING AND DISTRIBUTION: An establishment whose primary activity is the storage of residential, commercial, industrial, or other goods, including inventory and/or finished products, and dispatching of goods where no such goods are sold either at wholesale or at retail. This use does not include the storage and dispatching of goods incidental to a permitted primary use on the same lot.

By adding the following to the Zoning Ordinance as “Section 17.07.17 O-CG – CORRIDOR GATEWAY OVERLAY DISTRICT”:

- A. **INTENT:** This overlay is intended to enhance the character of the community’s primary transportation corridors and major community entryways. This overlay is also intended to improve the image of the community presented to citizens and visitors as they travel along these corridors by improving the built environment in these areas through enhanced development standards including architectural and landscape requirements. The use of this overlay would be appropriate when applied to major community entryways and transportation corridors where it is desired to improve the public image of private property as it is viewed from the public right-of-way. As such, this overlay would normally be applied in a linear nature on one or both sides of the length of a public street some distance from the road centerline and applied as detailed below and in Section 17.02.03.
- B. **APPLICABILITY:** This overlay shall be applied in the following manner:
1. The O-CG Corridor Gateway Overlay District is intended to function as an “overlay” to the underlying base zones, in addition to all of the use, yard, bulk and other requirements of the applicable base zone. In each case, the most restrictive provision of the overlay zone or the underlying base zone shall apply. The location of overlay zones shall be shown on the Official Zoning Map.
 2. These regulations shall apply when a Site Plan Review is required as outlined by Section 17.08.03 of this ordinance. In addition, the following activities shall also require compliance with these regulations through the Site Plan Review process:
 - a. Reconstruction, renovation, or rehabilitation of the exterior of an existing structure which requires application for a building/zoning permit such as façade renovations, siding, or entrance design and except for routine maintenance.
 - b. Reconstruction or substantial improvements to an existing parking lot to include the expansion of existing parking lots that are not surfaced with a Portland Cement Concrete (PCC) or asphalt surface and the paving of existing gravel lots with a Portland Cement Concrete (PCC) or asphalt surface.
 3. A Special Exception may be granted by the Board of Adjustment to allow modified compliance with the regulations of this section where strict compliance would render a property unbuildable and the granting of the Special Exception would not adversely affect the public interest or the purposes and intent of this ordinance.
- C. **PERMITTED USES:** All uses permitted in a given site’s underlying base zone, except those uses expressly prohibited in Section 17.07.17(D), are permitted in the O-CG Overlay District.
- D. **PROHIBITED USES:** The following uses are prohibited in the O-CG Overlay District:
1. Adult Uses
- E. **ACCESSORY USES:** Uses of land or structure customarily incidental and subordinate to a permitted use in the O-CG Overlay District:

1. Outdoor Storage. Outdoor Storage areas shall meet the following requirements:
 - a. Shall not be located closer to a street than the main building or in a required off-street parking space nor cover an area more than 40 percent of the floor area of the main building and must have a minimum peripheral setback of five feet.
 - b. All outdoor storage must be completely enclosed in a fenced yard with fully opaque screening. Chain link fence with slats is not permitted.
 - c. A landscaped area 5 feet deep at L3 standard as described in Section 17.07.17(F) shall be provided along all outdoor storage areas along all street lot lines.
 - d. No item in the storage area may be stacked higher than the fence.
 - e. Outdoor storage, or the storage of junk, explosives, or flammable materials, and other noxious or dangerous materials are specifically prohibited.
2. Outdoor Display. Outdoor display of merchandise for immediate sale is permitted in areas immediately adjacent to a main building. However, the display area may not be located within a required yard or required off-street parking space and may not be located in a manner that obstructs building entrances and exits, sidewalks, bicycle parking areas, pedestrian routes, or vehicular use areas.

F. GENERAL REGULATIONS: The following general regulations shall apply in the O-CG Overlay District.

1. Architectural Requirements. The following architectural requirements and guidelines shall apply in the O-CG Overlay District:
 - a. Building Placement. Buildings should be sited parallel to the street frontage and shall have a well defined front façade with primary entrances addressing the street frontage. At intersections, buildings shall have front facades on both streets.
 - b. Building Materials. The following materials are not acceptable for front facades unless used as a secondary or trim material: Masonite; Visible asphaltic exterior wall; Vertical aluminum/steel siding or panels; Non-architectural sheet metal; Non-textured concrete block; Non-finished/non-painted plywood or particle board siding.
 - c. Building Design. Primary building facades shall have three distinct architectural zones, each dissimilar from the other:
 - i. Lower zone below the window level;
 - ii. Window level zone;
 - iii. Upper zone from window level up to and including eaves.
 - d. Design Elements. All buildings shall have at least three design elements that contribute to the appearance and character of the building such as: Display windows; Peaked roof forms; Arches/recessed archways; Overhangs; Integrated tile/molding; Awnings/canopies; Window and door framing/shutters/sills; Change in material/massing/texture; or Change in color.
 - e. Building Entrances. Building entrances shall be designed into the facade of the building. Temporary or permanent weather/wind shield entrances shall be constructed in the interior portion of the building and shall not extend past the front façade.

- f. Mechanicals and Loading/Service Areas. Loading areas, trash areas, and mechanical units shall be placed and screened to be obstructed from view from any public right-of-way whether located at-grade or on the roof, through the following:
 - i. Locating such features away from the public right-of-way.
 - ii. Using roof edge facades or parapet walls to screen roof mounted equipment.
 - iii. Installing fully opaque screening (landscaping, board on board fence, or other materials that match the front facade) to screen such items from view.

2. Landscaping Requirements. The following landscaping requirements and guidelines shall apply in the O-CG Overlay District:

- a. Minimum Landscaped Area. The minimum required landscaped area shall be ten percent (10%) of the total lot area. The landscaped area shall be fully planted with shrubs, trees, or vegetative groundcover including turf or vines and may include any required perimeter or interior landscaped areas of parking lots.
- b. Landscaping Standards.
 - i. L1 General Landscape Buffer. If the area to be landscaped is less than thirty (30) feet deep, the required minimum ratio is one Landscape Tree per 50 linear feet parallel to the lot line, plus 3 low shrubs per 300 square feet of area to be landscaped. If the area to be landscaped is 30 feet deep or greater, the required minimum ratio is one Landscape Tree per 1,000 square feet and either 3 high shrubs or 6 low shrubs per 1,000 square feet of landscaped area. The shrubs and trees may be grouped. Groundcover plants must fully cover the remaining area to be counted toward required landscaping.
 - ii. L2 Low Screen. Low shrubs spaced at a maximum distance of 4 feet on center must form a continuous screen 3 feet high. In addition, one Landscape Tree is required per 50 lineal feet of landscaped area or as appropriate to provide a tree canopy over the landscaped area. Appropriate adjustments shall be made to preserve sight visibility at all intersections.
 - iii. L3 High Screen. High shrubs spaced at a maximum distance of 6 feet on center to form a screen 6 feet high. In addition, one Landscape Tree is required per 50 lineal feet of landscaped area or as appropriate to provide a tree canopy over the landscaped area. Groundcover plants must fully cover the remainder of the landscaped area. A 6-foot high wooden fence with the fence posts on the interior side unless the fence is finished on both sides may be substituted for some or all of the high shrubs. When a 6-foot high wooden fence is installed, high or low shrubs shall be planted at the rate of one shrub per 10 lineal feet, and one masonry wall may be substituted for the high shrubs spaced 6 feet on center, but the trees and ground cover plants are still required. When applied along street lot lines, the 6-foot high fence or wall is to be placed along the interior side of the landscaped area.
- c. Plant Materials.
 - i. Shrubs and ground cover. All required ground cover plants and shrubs must be of sufficient size and number to meet the required standards within 3 years of planting. Low shrubs have a mature height of 3 to 6 feet. High shrubs have a mature height of 6 feet or

greater. Mulch (as a ground cover) must be confined to areas underneath plants and is not a substitute for ground cover plants. Ground cover plants may include grass or vines.

- ii. Landscape Trees. Landscape Trees may be deciduous or coniferous. Deciduous trees at the time of planting must be fully branched, have a minimum diameter of 1-1/2 inches, measured 4 feet above the ground, and have a minimum height of 6 feet. Coniferous trees at the time of planting must be fully branched and have a minimum height of 3 feet.
 - d. Perimeter Landscaping for Surface Parking Lots. The minimum setbacks and perimeter landscaping standards for parking areas, and for any driveways and drive aisles accessing parking areas shall be as follows:
 - i. Lot line abutting street or non-residential use. Setback of 5 feet at L2 standard or 10 feet at L1 standard.
 - ii. Lot line abutting a residential use. Setback of 5 feet at L3 standard.
 - iii. All Landscape Trees included as part of the required interior landscaping shall be Overstory Trees.
 - e. Interior Landscaping for Surface Parking Lots.
 - i. Interior landscaping shall be required for parking lots, containing 16 or more spaces that include three or more rows of parking spaces separated by two or more drive aisles in a single location. Such interior landscaping shall, at a minimum, include a 9-foot wide and 16-foot long landscaped island for every 20 interior parking spaces and a landscaped median, a minimum of 10-foot wide running the full length of the drive aisle, for every 3 contiguous double loaded parking aisles.
 - ii. At least one Landscape Tree shall be installed on each landscaped island. A minimum of one Landscape Tree is required per 50 lineal feet of landscaped median. Shrubs or ground cover plants must cover the remainder of each landscaped island and median. Fifty percent (50%) of Landscape Trees included as part of the required interior landscaping shall be Overstory Trees.
 - iii. Interior landscaping is not required for parking lots that have parking on one or both sides of a single drive aisle.
 - iv. Perimeter landscaping may not substitute for interior landscaping. However, interior landscaping may join perimeter landscaping as long as it extends 4 feet or more into the parking area from the perimeter landscape line.
 - f. Protection of Residential Uses: Commercial or industrial uses abutting a conforming residential use must maintain a 5-foot setback landscaped to the L3 standard in line with the front of any adjoining residential structure or the front of the proposed commercial or industrial structure, whichever is the lesser front yard setback.
3. Off-Street Parking Lot Requirements. Off-street parking lot requirements shall be the same as required by the underlying base zone and as contained within the Iowa Statewide Urban Design and Specifications Manual (SUDAS) as adopted by the City of Fort Dodge and enforced by the City Engineer. Specifically, the following requirements and guidelines shall apply in the O-CG Overlay District:
- a. Cross access connections among adjacent private parking lots with recorded easements detailing the same may be required to avoid vehicles

unnecessarily exiting from one parking lot to the adjacent street and then entering immediately into the next parking lot.

By adding the following to the Zoning Ordinance as “Section 17.07.18 O-CR – CORRIDOR RESIDENTIAL OVERLAY DISTRICT”:

A. INTENT: This overlay is intended to preserve, protect, and enhance the character of primarily residential areas along the community’s primary transportation corridors and major community entryways. This overlay is also intended to improve the built environment in these areas when development and redevelopment occurs through enhanced development standards including architectural and landscape requirements. This overlay is characterized by primarily residential uses. The use of this overlay would be appropriate when applied to major community entryways and transportation corridors where it is desired to protect residential areas from encroaching commercial and/or industrial development. As such, this overlay is intended to apply in a linear nature on one or both sides of the length of a public street some distance from the road centerline and applied as detailed below and in Section 17.02.03.

B. APPLICABILITY: This overlay shall be applied in the following manner:

1. T
he O-CR Corridor Residential Overlay District is intended to function as an “overlay” to the underlying base zones, in addition to all of the use, yard, bulk and other requirements of the applicable base zone. In each case, the most restrictive provision of the overlay zone or the underlying base zone shall apply. The location of overlay zones shall be shown on the Official Zoning Map.
2. T
hese regulations shall apply when a Site Plan Review is required as outlined by Section 17.08.03 of this ordinance. In addition, the following activities shall also require compliance with these regulations through the Site Plan Review process:
- a. R
econstruction, renovation, or rehabilitation of the exterior of an existing structure which requires application for a building/zoning permit such as façade renovations, siding, or entrance design and except for routine maintenance.
- b. R
econstruction or substantial improvements to an existing parking lot to include the expansion of existing parking lots that are not surfaced with a Portland Cement Concrete (PCC) or asphalt surface and the paving of existing gravel lots with a Portland Cement Concrete (PCC) or asphalt surface.
3. A
Special Exception may be granted by the Board of Adjustment to allow modified compliance with the regulations of this section where strict compliance would render a property unbuildable and the granting of the Special Exception would not adversely affect the public interest or the purposes and intent of this ordinance.

C. PERMITTED USES: All uses permitted in a given site’s underlying base zone, except those uses expressly prohibited in Section 17.07.18(D), are permitted in the O-CR Overlay District.

D. PROHIBITED USES: The following uses are prohibited in the O-CR Overlay District:

1. A
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2. E
quipment sales and service

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| 3. | onvenience store | C |
| 4. | ndustrial and manufacturing uses | I |
| 5. | etail sales | R |
| 6. | ini-warehouse facilities | M |
| 7. | otor Vehicle Repair | M |
| 8. | otor Vehicle Sales | M |
| 9. | arehousing and Distribution | W |

E. ACCESSORY USES: Uses of land or structure customarily incidental and subordinate to a permitted use in the O-CR Overlay District:

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| 1. | <u>Outdoor Storage</u> . Outdoor Storage areas shall meet the following requirements: | <u>O</u> |
| a. | hall not be located closer to a street than the main building or in a required off-street parking space nor cover an area more than 40 percent of the floor area of the main building and must have a minimum peripheral setback of five feet. | S |
| b. | ll outdoor storage must be completely enclosed in a fenced yard with fully opaque screening. Chain link fence with slats is not permitted. | A |
| c. | landscaped area 5 feet deep at L3 standard as described in Section 17.07.18(F) shall be provided along all outdoor storage areas along all street lot lines. | A |
| d. | o item in the storage area may be stacked higher than the fence. | N |
| e. | utdoor storage, or the storage of junk, explosives, or flammable materials, and other noxious or dangerous materials are specifically prohibited. | O |
| 2. | <u>Outdoor Display</u> . Outdoor display of merchandise for immediate sale is permitted in areas immediately adjacent to a main building. However, the display area may not be located within a required yard or required off-street parking space and may not be located in a manner that obstructs building entrances and exits, sidewalks, bicycle parking areas, pedestrian routes, or vehicular use areas. | <u>O</u> |

F. GENERAL REGULATIONS: The following general regulations shall apply in the O-CR Overlay District.

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| 1. | <u>rchitectural Requirements</u> . The following architectural requirements and guidelines shall apply in the O-CR Overlay District: | <u>A</u> |
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- a. B
 uilding Placement. Buildings should be sited parallel to the street frontage and shall have a well defined front façade with primary entrances addressing the street frontage. At intersections, buildings shall have front facades on both streets.

- b. B
 uilding Materials. The following materials are not acceptable for front facades unless used as a secondary or trim material: Masonite; Visible asphaltic exterior wall; Vertical aluminum/steel siding or panels; Non-architectural sheet metal; Non-textured concrete block; Non-finished/non-painted plywood or particle board siding.

- c. B
 uilding Design. Front facades shall have three distinct architectural zones, each dissimilar from the other:
 - i. L
 ower zone below the window level;

 - ii. W
 indow level zone;

 - iii. U
 pper zone from window level up to and including eaves.

- d. D
 esign Elements. All buildings shall have at least three design elements that contribute to the appearance and character of the building such as: Display windows; Peaked roof forms; Arches/recessed archways; Overhangs; Integrated tile/molding; Awnings/canopies; Window and door framing/shutters/sills; Change in material/massing/texture; or Change in color.

- e. B
 uilding Entrances. Building entrances shall be designed into the facade of the building. Temporary or permanent weather/wind shield entrances shall be constructed in the interior portion of the building and shall not extend past the front façade.

- f. M
 echanicals and Loading/Service Areas. Loading areas, trash areas, and mechanical units shall be placed and screened to be obstructed from view from any public right-of-way whether located at-grade or on the roof, through the following:
 - i. L
 ocating such features away from the public right-of-way.

 - ii. U
 sing roof edge facades or parapet walls to screen roof mounted equipment.

 - iii. I
 nstalling fully opaque screening (landscaping, board on board fence, or other materials that match the primary building facade) to screen such items from view.

2. L
Landscaping Requirements. The following landscaping requirements and guidelines shall apply in the O-CR Overlay District:

- a. M
 inimum Landscaped Area. The minimum required landscaped area shall

be ten percent (10%) of the total lot area. The landscaped area shall be fully planted with shrubs, trees, or vegetative groundcover including turf or vines and may include any required perimeter or interior landscaped areas of parking lots.

b. L
Landscaping Standards.

i. L

1 General Landscape Buffer. If the area to be landscaped is less than thirty (30) feet deep, the required minimum ratio is one Landscape Tree per 50 linear feet parallel to the lot line, plus 3 low shrubs per 300 square feet of area to be landscaped. If the area to be landscaped is 30 feet deep or greater, the required minimum ratio is one Landscape Tree per 1,000 square feet and either 3 high shrubs or 6 low shrubs per 1,000 square feet of landscaped area. The shrubs and trees may be grouped. Groundcover plants must fully cover the remaining area to be counted toward required landscaping.

ii. L

2 Low Screen. Low shrubs spaced at a maximum distance of 4 feet on center must form a continuous screen 3 feet high. In addition, one Landscape Tree is required per 50 lineal feet of landscaped area or as appropriate to provide a tree canopy over the landscaped area. Appropriate adjustments shall be made to preserve sight visibility at all intersections.

iii. L

3 High Screen. High shrubs spaced at a maximum distance of 6 feet on center to form a screen 6 feet high. In addition, one Landscape Tree is required per 50 lineal feet of landscaped area or as appropriate to provide a tree canopy over the landscaped area. Groundcover plants must fully cover the remainder of the landscaped area. A 6-foot high wooden fence with the fence posts on the interior side unless the fence is finished on both sides may be substituted for some or all of the high shrubs. When a 6-foot high wooden fence is installed, high or low shrubs shall be planted at the rate of one shrub per 10 lineal feet, and one masonry wall may be substituted for the high shrubs spaced 6 feet on center, but the trees and ground cover plants are still required. When applied along street lot lines, the 6-foot high fence or wall is to be placed along the interior side of the landscaped area.

c. P
Plant Materials.

i. S

Shrubs and ground cover. All required ground cover plants and shrubs must be of sufficient size and number to meet the required standards within 3 years of planting. Low shrubs have a mature height of 3 to 6 feet. High shrubs have a mature height of 6 feet or greater. Mulch (as a ground cover) must be confined to areas underneath plants and is not a substitute for ground cover plants. Ground cover plants may include grass or vines.

ii. L

Landscape Trees. Landscape Trees may be deciduous or coniferous. Deciduous trees at the time of planting must be fully branched, have a minimum diameter of 1-1/2 inches, measured 4 feet above the ground, and have a minimum height of 6 feet. Coniferous trees at the time of planting must be fully branched and have a minimum height of 3 feet.

- d. P
 erimeter Landscaping for Surface Parking Lots. The minimum setbacks and perimeter landscaping standards for parking areas, and for any driveways and drive aisles accessing parking areas shall be as follows:
 - i. L
 ot line abutting street or non-residential use. Setback of 5 feet at L2 standard or 10 feet at L1 standard.
 - ii. L
 ot line abutting a residential use. Setback of 5 feet at L3 standard.
 - iii. A
 ll Landscape Trees included as part of the required interior landscaping shall be Overstory Trees.
- e. I
 nterior Landscaping for Surface Parking Lots.
 - i. I
 nterior landscaping shall be required for parking lots, containing 16 or more spaces that include three or more rows of parking spaces separated by two or more drive aisles in a single location. Such interior landscaping shall, at a minimum, include a 9-foot wide and 16-foot long landscaped island for every 20 interior parking spaces and a landscaped median, a minimum of 10-foot wide running the full length of the drive aisle, for every 3 contiguous double loaded parking aisles.
 - ii. A
 t least one Landscape Tree shall be installed on each landscaped island. A minimum of one Landscape Tree is required per 50 lineal feet of landscaped median. Shrubs or ground cover plants must cover the remainder of each landscaped island and median. Fifty percent (50%) of Landscape Trees included as part of the required interior landscaping shall be Overstory Trees.
 - iii. I
 nterior landscaping is not required for parking lots that have parking on one or both sides of a single drive aisle.
 - iv. P
 erimeter landscaping may not substitute for interior landscaping. However, interior landscaping my join perimeter landscaping as long as it extends 4 feet or more into the parking area from the perimeter landscape line.
- f. P
 rotection of Residential Uses: Commercial or industrial uses abutting a conforming residential use must maintain a 5-foot setback landscaped to the L3 standard in line with the front of any adjoining residential structure or the front of the proposed commercial or industrial structure, whichever is the lesser front yard setback.

3. O
ff-Street Parking Lot Requirements. Off-street parking lot requirements shall be the same as required by the underlying base zone and as contained within the Iowa Statewide Urban Design and Specifications Manual (SUDAS) as adopted by the City of Fort Dodge and enforced by the City Engineer. Specifically, the following requirements and guidelines shall apply in the O-CR Overlay District:

- a. C
 ross access connections among adjacent private parking lots with recorded easements detailing the same may be required to avoid vehicles

unnecessarily exiting from one parking lot to the adjacent street and then entering immediately into the next parking lot.

By adding the following to the Zoning Ordinance as “Section 17.07.17 O-CC – CORRIDOR COMMERCIAL OVERLAY DISTRICT”:

- A. INTENT: This overlay is intended to enhance the character of primarily commercial areas along transportation corridors and major community entryways. This overlay is also intended to improve the built environment in these areas when development and redevelopment occurs through enhanced development standards including architectural and landscape requirements. This overlay is characterized by most retail commercial uses. The use of this overlay would be appropriate when applied to major community entryways and transportation corridors where it is desired to improve the public image of the City’s major commercial areas as they are viewed from the public right-of-way. As such, this overlay would normally be applied in a linear nature on one or both sides of the length of a public street some distance from the road centerline and applied as detailed below and in Section 17.02.03.
- B. APPLICABILITY: This overlay shall be applied in the following manner:
1. The O-CC Corridor Commercial Overlay District is intended to function as an “overlay” to the underlying base zones, in addition to all of the use, yard, bulk and other requirements of the applicable base zone. In each case, the most restrictive provision of the overlay zone or the underlying base zone shall apply. The location of overlay zones shall be shown on the Official Zoning Map.
 2. These regulations shall apply when a Site Plan Review is required as outlined by Section 17.08.03 of this ordinance. In addition, the following activities shall also require compliance with these regulations through the Site Plan Review process:
 - a. Reconstruction, renovation, or rehabilitation of the exterior of an existing structure which requires application for a building/zoning permit such as façade renovations, siding, or entrance design and except for routine maintenance.
 - b. Reconstruction or substantial improvements to an existing parking lot to include the expansion of existing parking lots that are not surfaced with a Portland Cement Concrete (PCC) or asphalt surface and the paving of existing gravel lots with a Portland Cement Concrete (PCC) or asphalt surface.
 3. A Special Exception may be granted by the Board of Adjustment to allow modified compliance with the regulations of this section where strict compliance would render a property unbuildable and the granting of the Special Exception would not adversely affect the public interest or the purposes and intent of this ordinance.
- C. PERMITTED USES: The following uses are permitted in the O-CC Overlay District.
1. Where permitted by the underlying base zone, motor vehicle sales new and used automobiles provided all outside storage, display, and parking areas shall be used and maintained in conformance with an approved site plan as outlined by Section 17.08.03 of this ordinance. The storage, display, and parking of vehicles for hire, rental, or sale shall be limited to the area designated for such use in the site plan.
 2. All other uses permitted in a given site’s underlying base zone, except those uses expressly prohibited in Section 17.07.19(D), are permitted in the O-CC Overlay District.
- D. PROHIBITED USES: The following uses are prohibited in the O-CC Overlay District:
1. Adult Uses

2. Heavy equipment sales and service
3. Industrial and manufacturing uses
4. Single-family residential or duplexes
5. Mini-warehouse facilities
6. Warehousing and Distribution

E. ACCESSORY USES: Uses of land or structure customarily incidental and subordinate to a permitted use in the O-CC Overlay District:

1. Vehicle Display Lots. Any site plan application which includes improvements to property used for display, hire, rental, or sales of motor vehicles shall comply with the following design guidelines:
 - a. The proposed development shall comply with the Landscaping Requirements as outlined in Section 17.07.19(F) of this ordinance.
 - b. Any portion of the property to be used for outside storage, display, or parking of vehicles shall:
 - i. Contain at least one-half acre of land.
 - ii. Be surfaced with Portland Cement Concrete (PCC) or asphalt surface and shall be so graded and drained as to dispose of all surface water accumulation within the area.
 - iii. Incorporate curbs or other substantial permanent barriers to prevent encroachment of the vehicles into the required setback and landscape areas. Precast wheel stops and other barriers which can be readily moved are not acceptable.
2. Outdoor Storage. Outdoor Storage areas shall meet the following requirements:
 - a. Shall not be located closer to a street than the main building or in a required off-street parking space nor cover an area more than 40 percent of the floor area of the main building and must have a minimum peripheral setback of five feet.
 - b. All outdoor storage must be completely enclosed in a fenced yard with fully opaque screening. Chain link fence with slats is not permitted.
 - c. A landscaped area 5 feet deep at L3 standard as described in Section 17.07.19(F) shall be provided along all outdoor storage areas along all street lot lines.
 - d. No item in the storage area may be stacked higher than the fence.
 - e. Outdoor storage, or the storage of junk, explosives, or flammable materials, and other noxious or dangerous materials are specifically prohibited.
3. Outdoor Display. Outdoor display of merchandise for immediate sale is permitted in areas immediately adjacent to a main building. However, the display area may not be located within a required yard or required off-street parking space and may not be located in a manner that obstructs building entrances and exits, sidewalks, bicycle parking areas, pedestrian routes, or vehicular use areas.

F. GENERAL REGULATIONS: The following general regulations shall apply in the O-CC Overlay District.

1. Architectural Requirements. The following architectural requirements and guidelines shall apply in the O-CC Overlay District:

- a. **Building Placement.** Buildings should be sited parallel to the street frontage and shall have a well defined front façade with primary entrances addressing the street frontage. At intersections, buildings shall have front facades on both streets.
 - b. **Building Materials.** The following materials are not acceptable for front facades unless used as a secondary or trim material: Masonite; Visible asphaltic exterior wall; Vertical aluminum/steel siding or panels; Non-architectural sheet metal; Non-textured concrete block; Non-finished/non-painted plywood or particle board siding.
 - c. **Building Design.** Front facades shall have three distinct architectural zones, each dissimilar from the other:
 - i. Lower zone below the window level;
 - ii. Window level zone;
 - iii. Upper zone from window level up to and including eaves.
 - d. **Design Elements.** All buildings shall have at least three design elements that contribute to the appearance and character of the building such as: Display windows; Peaked roof forms; Arches/recessed archways; Overhangs; Integrated tile/molding; Awnings/canopies; Window and door framing/shutters/sills; Change in material/massing/texture; or Change in color.
 - e. **Building Entrances.** Building entrances shall be designed into the facade of the building. Temporary or permanent weather/wind shield entrances shall be constructed in the interior portion of the building and shall not extend past the front façade.
 - f. **Mechanicals and Loading/Service Areas.** Loading areas, trash areas, and mechanical units shall be placed and screened to be obstructed from view from any public right-of-way whether located at-grade or on the roof, through the following:
 - i. Locating such features away from the public right-of-way.
 - ii. Using roof edge facades or parapet walls to screen roof mounted equipment.
 - iii. Installing fully opaque screening (landscaping, board on board fence, or other materials that match the primary building facade) to screen such items from view.
2. **Landscaping Requirements.** The following landscaping requirements and guidelines shall apply in the O-CC Overlay District:
- a. **Minimum Landscaped Area.** The minimum required landscaped area shall be ten percent (10%) of the total lot area. The landscaped area shall be fully planted with shrubs, trees, or vegetative groundcover including turf or vines and may include any required perimeter or interior landscaped areas of parking lots.
 - b. **Landscaping Standards.**
 - i. **L1 General Landscape Buffer.** If the area to be landscaped is less than thirty (30) feet deep, the required minimum ratio is one Landscape Tree per 50 linear feet parallel to the lot line, plus 3 low shrubs per 300 square feet of area to be landscaped. If the area to be landscaped is 30 feet deep or greater, the required minimum ratio is one Landscape Tree per 1,000 square feet and either 3 high shrubs or 6 low shrubs per 1,000 square feet of landscaped area.

The shrubs and trees may be grouped. Groundcover plants must fully cover the remaining area to be counted toward required landscaping.

- ii. L2 Low Screen. Low shrubs spaced at a maximum distance of 4 feet on center must form a continuous screen 3 feet high. In addition, one Landscape Tree is required per 50 lineal feet of landscaped area or as appropriate to provide a tree canopy over the landscaped area. Appropriate adjustments shall be made to preserve sight visibility at all intersections.
 - iii. L3 High Screen. High shrubs spaced at a maximum distance of 6 feet on center to form a screen 6 feet high. In addition, one Landscape Tree is required per 50 lineal feet of landscaped area or as appropriate to provide a tree canopy over the landscaped area. Groundcover plants must fully cover the remainder of the landscaped area. A 6-foot high wooden fence with the fence posts on the interior side unless the fence is finished on both sides may be substituted for some or all of the high shrubs. When a 6-foot high wooden fence is installed, high or low shrubs shall be planted at the rate of one shrub per 10 lineal feet, and one masonry wall may be substituted for the high shrubs spaced 6 feet on center, but the trees and ground cover plants are still required. When applied along street lot lines, the 6-foot high fence or wall is to be placed along the interior side of the landscaped area.
- c. Plant Materials.
- i. Shrubs and ground cover. All required ground cover plants and shrubs must be of sufficient size and number to meet the required standards within 3 years of planting. Low shrubs have a mature height of 3 to 6 feet. High shrubs have a mature height of 6 feet or greater. Mulch (as a ground cover) must be confined to areas underneath plants and is not a substitute for ground cover plants. Ground cover plants may include grass or vines.
 - ii. Landscape Trees. Landscape Trees may be deciduous or coniferous. Deciduous trees at the time of planting must be fully branched, have a minimum diameter of 1-1/2 inches, measured 4 feet above the ground, and have a minimum height of 6 feet. Coniferous trees at the time of planting must be fully branched and have a minimum height of 3 feet.
- d. Perimeter Landscaping for Surface Parking Lots. The minimum setbacks and perimeter landscaping standards for parking areas, and for any driveways and drive aisles accessing parking areas shall be as follows:
- i. Lot line abutting street or non-residential use. Setback of 5 feet at L2 standard or 10 feet at L1 standard.
 - ii. Lot line abutting a residential use. Setback of 5 feet at L3 standard.
 - iii. All Landscape Trees included as part of the required interior landscaping shall be Overstory Trees.
- e. Interior Landscaping for Surface Parking Lots.
- i. Interior landscaping shall be required for parking lots, containing 16 or more spaces that include three or more rows of parking spaces separated by two or more drive aisles in a single location. Such interior landscaping shall, at a minimum, include a 9-foot wide and 16-foot long landscaped island for every 20 interior parking spaces and a landscaped median, a minimum of 10-foot

wide running the full length of the drive aisle, for every 3 contiguous double loaded parking aisles.

- ii. At least one Landscape Tree shall be installed on each landscaped island. A minimum of one Landscape Tree is required per 50 lineal feet of landscaped median. Shrubs or ground cover plants must cover the remainder of each landscaped island and median. Fifty percent (50%) of Landscape Trees included as part of the required interior landscaping shall be Overstory Trees.
 - iii. Interior landscaping is not required for parking lots that have parking on one or both sides of a single drive aisle.
 - iv. Perimeter landscaping may not substitute for interior landscaping. However, interior landscaping may join perimeter landscaping as long as it extends 4 feet or more into the parking area from the perimeter landscape line.
- f. Protection of Residential Uses: Commercial or industrial uses abutting a conforming residential use must maintain a 5-foot setback landscaped to the L3 standard in line with the front of any adjoining residential structure or the front of the proposed commercial or industrial structure, whichever is the lesser front yard setback.
3. Off-Street Parking Lot Requirements. Off-street parking lot requirements shall be the same as required by the underlying base zone and as contained within the Iowa Statewide Urban Design and Specifications Manual (SUDAS) as adopted by the City of Fort Dodge and enforced by the City Engineer. Specifically, the following requirements and guidelines shall apply in the O-CC Overlay District:
- a. Cross access connections among adjacent private parking lots with recorded easements detailing the same may be required to avoid vehicles unnecessarily exiting from one parking lot to the adjacent street and then entering immediately into the next parking lot.

By adding the following underlined text to section 17.02.03(H):

H. Where a district boundary line divides a lot which was in single ownership at the time of passage of this Ordinance, the Board of Adjustment may permit, as a special exception, the extension of the regulations for either portion of the lot not to exceed 50 feet beyond the district line into the remaining portion of the lot except in the case of an overlay district boundary. Where an overlay district boundary divides a lot, the overlay district regulations shall apply to the entire lot and also to the entire development area when being considered as part of a site plan review as required in Section 17.08.03.

By adding the following underlined text to section 17.08.01(V):

V. Adult Uses: Adult uses shall not be permitted in any conservation, residential mobile home or hospital/medical district or within 185 feet of the exterior lot line to the exterior lot line of any residential or conservation zoned property or any private or public school or church, synagogue or mosque or within 150 feet of the right of way of Central Avenue between its intersection with 3rd Street and its intersection with 21st Street. Adult uses shall also not be permitted within any O-CG, O-CR, or O-CC overlay district.

SECTION III

That upon enactment of this Ordinance as by law provided that the City cause the change to be made upon the zoning regulations adopted in Ordinance 1489 and make notation in ink thereon of reference to the date of passage and approval of this amendatory Ordinance.

SECTION IV

If any section, clause, provision or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

SECTION V

This Ordinance shall be in full force and effect from and after its publication as provided by law.

The above Ordinance passed and adopted by the City Council of the City of Fort Dodge, Iowa this 21st day of December 2009.

City of Fort Dodge, Iowa
Terry J. Lutz, Mayor
Barb Barrick, City Clerk