

AGENDA

PUBLIC MEETING:

Zoning Commission Meeting

City of University Heights, Iowa

Tuesday, January 3, 2017

7:00 p.m. – 8:15 p.m.

LOCATION:

City Hall | Community Center

1302 Melrose Avenue

University Heights, Iowa 52246

Called by: Pat Bauer, Zoning Commission Chair

Time*	Item
7:00 p.m.-7:05 p.m.	Call to Order & Approval of Minutes of December 6, 2016 Zoning Commission Meeting
7:05-8:15 p.m.	<p>A. Consideration of Drafts of Amended/New Ordinances</p> <ol style="list-style-type: none">1. Building Coverage/Lot Consolidations (Ord. No. 79)2. Post-Construction Stormwater Runoff Control (Ord. No, 169)3. Subdivision Ordinance (New) & Conforming Amendment (Ord. No. 191) <p>B. Process for City Council Consideration/Approval of Recommended Ordinances</p> <p>C. Schedule of Future Meetings and Sequencing/Development of Potential Topics</p> <p>D. Recommended Development of Requests for Zoning Commission Consideration of Possible Ordinance Changes (draft)</p>
8:15 p.m.	Adjournment

* Time is approximate; meeting segments may exceed or be less than the specified times.

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 79
(AN ORDINANCE REGULATING AND RESTRICTING THE LOCATION,
CONSTRUCTION, USE OF BUILDINGS AND STRUCTURES, AND THE USE OF
LAND IN THE CITY OF UNIVERSITY HEIGHTS, IOWA)

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF UNIVERSITY HEIGHTS,
JOHNSON COUNTY, IOWA:

Section 1: AMENDMENTS:

University Heights Ordinance No. 79 is amended as follows
(with additions indicated by underline):

Section 3. Definitions. For the purpose of this ordinance certain
terms of words used herein shall be interpreted or defined as
follows:

38. ''Building Coverage'' means the amount of land covered
or permitted to be covered by a building or buildings,
usually measured in terms of percentage of a lot.

39. ''Ground Area'' means the area of a building within its
largest outside dimensions computed on a horizontal
plane at the foundation level, exclusive of open terraces
and patios.

Section 6. Uses. Use of property in the City of University
Heights shall be limited to those uses set forth as follows:

B. Property in an R-3 Multiple-Family Residential Zone
shall be used for the following purposes only:

3. As provided in the Development Agreement between
the City of University Heights and the Developer
pursuant to the Multiple-Family Planned Unit
Development (PUD) regulations and requirements set

forth in Section 12 of this Ordinance. When development occurs pursuant to a Multiple-Family PUD, provisions of this Ordinance regarding Building Height restrictions, yard regulations, Setbacks, Building Coverage and lot regulations, and off-street parking (Sections 7, 8, 9, and 10) are superseded by the provisions of Section 12 and the Development Agreement between the City and Developer.

- E. Property in a PUD Planned Unit Development Zone shall be used as provided in the Development Agreement between the City of University Heights and the Developer pursuant to the PUD regulations and requirements set forth in Section 11 of this Ordinance. Provisions of this ordinance regarding yard regulations, Setbacks, Building Coverage and lot regulations, and off-street parking (Sections 8, 9, and 10) are superseded in the PUD Zone by the provisions of Section 11 and the Development Agreement between the City and Developer.

- F. Property in a Multiple-Family Commercial zone shall be used for the following purposes only:
 - 1. All uses which are allowed in an R-1 Single-Family Residential Zone, subject to the Building Height restrictions, yard regulations, Setbacks, Building Coverage and lot regulations, and off-street parking regulations specified for the R-1 Single-Family Residential Zone in Sections 7, 8, 9, and 10 or this Ordinance.

 - 2. As provided in or limited by the Development Agreement between the City of University Heights and the Developer pursuant to the Multiple-Family Commercial Planned Unit Development (PUD) regulations and requirements set forth in Section 13 of this Ordinance.
 - a. When development occurs pursuant to a Multiple-Family Commercial PUD, the provisions of this Ordinance regarding Building Height restrictions, yard regulations, Setbacks, Building Coverage and

lot regulations, and off-street parking regulations (Sections 7, 8, 9, and 10) are superseded by the provisions of Section 13 and the Development Agreement between the City and Developer.

Section 9. Building Coverage and Lot Regulations.

- A. Except as otherwise herein provided, there shall be a minimum lot frontage, minimum lot width, minimum lot area, ~~and~~ minimum lot area per family, and maximum Building Coverage as shown in the following table:

~~LOT REGULATIONS~~

ZONE	FRONTAGE (FEET)	WIDTH (FEET)	AREA (SQ. FT.)	AREA PER FAMILY (SQ. FT.)	
				SINGLE FAMILY	MULTI- FAMILY
R 1	50	75	7,500	7,500	*
R 3	50	75	5,000	5,000	2,600
B	30	40	10,000	5,000	3,000
C	30	40	10,000	5,000	3,000

LOT REGULATIONS

ZONE	FRONTAGE (FEET)	WIDTH (FEET)	AREA (SQ. FEET)	AREA PER FAMILY (SQ. FEET)		BUILDING COVERAGE
				SINGLE FAMILY	MULTI-FAMILY	
<u>R-1</u>	<u>50</u>	<u>75</u>	<u>7,500</u>	<u>7,500</u>	<u>*</u>	<u>40%</u>
<u>R-3</u>	<u>50</u>	<u>75</u>	<u>5,000</u>	<u>5,000</u>	<u>2,600</u>	<u>40%</u>
<u>B</u>	<u>30</u>	<u>40</u>	<u>10,000</u>	<u>5,000</u>	<u>3,000</u>	<u>40%</u>
<u>C</u>	<u>30</u>	<u>40</u>	<u>10,000</u>	<u>5,000</u>	<u>3,000</u>	<u>40%</u>

- B. For purposes of the above regulations, lot frontage is the distance of a lot measured along a street, and lot width is the width of a lot at the front yard line.
- C. The maximum building coverage standard establishes the percentage of the total area of a lot that can be covered by buildings. For purposes of the above regulations, the combined total Ground Area of all buildings on the property, including Accessory Structures, is used to calculate the Building Coverage.
- D. Notwithstanding the regulations set forth in the table above, in the event a building is located on multiple

abutting lots, the maximum Building Coverage for the combined abutting lots shall be the smaller of 40% of the total area of the combined abutting lots, or 60% of the total area of the single largest of the said abutting lots.

Section 2: SAVING CLAUSE.

In the event any word, phrase, sentence, paragraph or section contained in this ordinance shall be held to be invalid, unlawful, or unconstitutional for any reason, then it is hereby declared that the remaining such portions and provisions of this ordinance would have been enacted and remain in full force and effect.

Section 3: EFFECTIVE DATE.

This ordinance shall become effective upon its passage and publication as provided by law.

Section 4: REPEALER.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Adopted by the University Heights City Council this ____ day of _____, 2017, and approved this ____ day of _____, 2017.

Wally Heitman, Mayor

(SEAL)

ATTEST:

Christine Anderson, City Clerk

STATE OF IOWA)
) SS:
COUNTY OF JOHNSON)

On this ____ day of _____, 2017, before me, a notary public in and for the state of Iowa, personally appeared Wally Heitman and Christine Anderson, to me personally known, and who, being by me duly sworn, did say that they are the Mayor and City Clerk of the City of University Heights, Iowa; that the seal affixed to this instrument is the corporate seal of the city; and that said instrument was signed and sealed on behalf of the city, and that Wally Heitman and Christine Anderson acknowledged the execution of said instrument to be their voluntary act and deed and the voluntary act and deed of the city, by it and by them voluntarily executed.

Notary Public in and for the
State of Iowa

STATE OF IOWA)
) SS:
COUNTY OF JOHNSON)

I, Christine Anderson, being first duly sworn, certify that the above ordinance was published in the Iowa City Press-Citizen the ____ day of _____, 2017.

Christine Anderson, City Clerk

Signed and sworn to before me on the ____ day of _____, 2017, by Christine Anderson, Clerk of the City of University Heights.

Notary Public in and for the
State of Iowa

Steve/UH/Ordinances/Ordinance ___ amending Ord. 79 re zoning (building coverage) 120916

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 169
(POST-CONSTRUCTION STORMWATER RUNOFF CONTROL)

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF UNIVERSITY HEIGHTS,
JOHNSON COUNTY, IOWA:

Section 1: AMENDMENTS:

University Heights Ordinance No. 169 is amended as follows
(with additions indicated by underline:

169.4 Applicability of Ordinance.

A. This Post-Construction Stormwater Runoff Control Ordinance shall be applicable to all of the following:

1. ~~all~~All land disturbing activities ~~greater than~~ that disturb one-acre or more of land;
2. All land disturbing activities that disturb less than one acre of land if such activities are ~~or~~ part of a larger common plan of development that is one acre or more in size, even if multiple separate and distinct land development activities may take place at different times on different schedules. In addition, this ordinance also applies to all applications for site plans or subdivisions that are less than one acre, but are commercial, industrial or multi-family residential uses as defined by the University Heights Zoning Code.
3. All land disturbing activities that disturb less than one acre of land if the amount of impervious cover created or recreated by the activity exceeds 5,000 square feet;
4. All applications for site plans or subdivisions that are located in a business, commercial, industrial, multi-family residential, or multi-family commercial zone, as defined by the University Heights Zoning Code, regardless of the size of the land involved.

- B. Residential subdivision lots which have been preliminary or final platted prior to the adoption of this ordinance shall be deemed exempt from the requirements of subsections 169.4(A)(1, 2 and 4) of this ordinance.
- C. The following activities are exempt from subsections 169.4(A)(1, 2 and 4) of this ordinance:
1. Any logging or agricultural activity which is consistent with an approved soil conservation plan or a timber management plan approved by an appropriate agency.
 2. Additions or modifications to single family homes.
 3. Repairs to any stormwater BMPs deemed necessary by the City.

169.5 Definitions. The following definitions shall apply in this ordinance. References to "Sections" shall hereafter mean references to sections in this ordinance unless otherwise specified. Defined terms shall remain defined terms whether capitalized or not capitalized.

- M. Development means either:
1. Land Disturbing Activity—1 acre or greater, or which is part of a larger common plan of development that disturbs one acre or more of land; or
 2. Land disturbing activities that disturb less than one acre of land if such activities are part of a larger common plan of development that is one acre or more in size, even if multiple separate and distinct land development activities may take place at different times on different schedules; or
 3. All land disturbing activities that disturb less than one acre of land if the amount of impervious

cover created or recreated by the activity exceeds 5,000 square feet; or

2.4. Any land disturbing activity ~~for any~~ that takes place within any business, commercial, industrial, ~~or multi-family residential use,~~ or multi-family commercial zone, as defined by the University Heights Zoning Code, regardless of the size of the land involved.

169.11 Compliance Required. Each Development subject to the requirements of this ordinance shall comply with the City's mandate to improve stormwater quality and manage stormwater quantity within the City.

The property owner or applicant shall provide to the City an as-built plan detailing dimensions and elevations as well as certification that the approved facilities were installed and properly working. The as-built plan shall be completed by an Iowa licensed Professional Engineer and submitted to the City prior to the acceptance of any improvements or issuance of any Certificates of Occupancy.

The Developer is deemed to have complied with the City's mandate to improve stormwater quality and manage stormwater quantity if the development:

~~F. The property owner or applicant shall provide to the City an as built plan detailing dimensions and elevations as well as certification that the approved facilities were installed and properly working. The as-built plan shall be completed by an Iowa licensed Professional Engineer and submitted to the City prior to the acceptance of any improvements or issuance of any Certificates of Occupancy.~~

Section 2: SAVING CLAUSE.

In the event any word, phrase, sentence, paragraph or section contained in this ordinance shall be held to be invalid, unlawful, or unconstitutional for any reason, then it is hereby declared that the remaining such portions and provisions of this ordinance would have been enacted and remain in full force and effect.

Section 3: EFFECTIVE DATE.

This ordinance shall become effective upon its passage and publication as provided by law.

Section 4: REPEALER.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Adopted by the University Heights City Council this ____ day of _____, 2017, and approved this ____ day of _____, 2017.

Wally Heitman, Mayor

(SEAL)

ATTEST:

Christine Anderson, City Clerk

STATE OF IOWA)
) SS:
COUNTY OF JOHNSON)

On this ____ day of _____, 2017, before me, a notary public in and for the state of Iowa, personally appeared Wally

Heitman and Christine Anderson, to me personally known, and who, being by me duly sworn, did say that they are the Mayor and City Clerk of the City of University Heights, Iowa; that the seal affixed to this instrument is the corporate seal of the city; and that said instrument was signed and sealed on behalf of the city, and that Wally Heitman and Christine Anderson acknowledged the execution of said instrument to be their voluntary act and deed and the voluntary act and deed of the city, by it and by them voluntarily executed.

Notary Public in and for the
State of Iowa

STATE OF IOWA)
) SS:
COUNTY OF JOHNSON)

I, Christine Anderson, being first duly sworn, certify that the above ordinance was published in the Iowa City Press-Citizen the ____ day of _____, 2017.

Christine Anderson, City Clerk

Signed and sworn to before me on the ____ day of _____, 2017, by Christine Anderson, Clerk of the City of University Heights.

Notary Public in and for the
State of Iowa

ORDINANCE NO. _____

(AN ORDINANCE REGULATING SUBDIVISIONS
IN THE CITY OF UNIVERSITY HEIGHTS, IOWA)

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF UNIVERSITY HEIGHTS,
JOHNSON COUNTY, IOWA:

Section 1: Definitions. For the purpose of this ordinance, certain terms and words used herein shall be interpreted or defined as follows:

1. "Alley" means a permanent public service way providing a secondary means of access to abutting property.
2. "Commission" means the University Heights Zoning Commission.
3. "Easement" means authorization by a property owner for the use by another, and for a specified purpose, of any designated part of said owner's property.
4. "Plat" means a graphical representation of the Subdivision of land, prepared by a registered land surveyor, having a number or letter designation for each lot and a succinct name or title that is unique.
 - A. "Preliminary Plat" means a study or drawings indicating the proposed manner or layout of a Subdivision, submitted to the Commission and Council for consideration.
 - B. "Final Plat" means the map or drawing on which the Subdivision plan is presented in the form which, if approved by the Commission and Council, will be filed of record with the Johnson County Recorder.
5. "Right-of-Way" means the area between property lines dedicated to, and accepted for, public use, and providing access to abutting properties.
6. "Separate Tract" means a parcel of land, or a group of contiguous parcels of land, under one ownership as of the effective date of this ordinance.

7. "Street" or "Road" means the Rights-of-Way dedicated to and accepted for the public use and affording principal means of access to abutting property.
8. "Subdivider" means any person who shall lay out, for the purpose of sale or development, any Subdivision or part hereof as defined herein, either for the Subdivider or others.
9. "Subdivision" means the division of a Separate Tract or parcel of land, or a group of contiguous parcels of land under one ownership, into two (2) or more lots or parcels for the purpose of transfer of ownership or building development, or if a new Street is involved, any division of land. However, the sale or exchange of small parcels of land to or between the owners of adjacent platted lots, where such sale or exchange does not create any additional lots and where the land sold or exchanged constitutes less than fifty percent (50%) of the area of the enlarged lot after such transfer, shall not be considered a subdivision.

Section 2: Procedure for Review of Subdivisions. It is hereby required that no Subdivision Plat within the City shall be filed of record with the Johnson County Recorder until a Final Plat of such Subdivision has been reviewed and approved by the Council in accordance with the provisions of this Ordinance. Upon the approval of the Final Plat by the Council, the Subdivider shall immediately file such Plat with the County officials as required by law. Such approval shall be revocable after 30 days, unless such Plat has been duly recorded, and evidence thereof has been provided to the City Clerk within such 30-day period.

Section 3: Preliminary Platting Procedure.

1. The Subdivider or any owner of any tract or parcel of land to be subdivided shall cause to be prepared a Preliminary Plat of the Subdivision, containing the information specified in Section 4 below, and shall file twelve (12) copies of the same with the City Clerk for preliminary approval.
2. The City Clerk shall immediately submit five (5) copies of the Preliminary Plat to the Commission for study and recommendation. The Commission shall examine the Plat for compliance with this Ordinance, and shall have sixty (60) days within which to submit a recommendation to the

Council. Failure of the Commission to act within the prescribed sixty (60) days after referral shall be deemed approval of the Plat unless an extension of time is mutually agreed upon by the Subdivider and the Commission.

3. The Council, upon receipt of the Commission's recommendation, or after sixty (60) (or an approved extension thereof) shall have passed, shall by resolution grant approval of, or reject, the Preliminary Plat. If the Council rejects the Preliminary Plat, the Council shall advise the owner or developer of any changes required before approval will be granted. Approval of the Preliminary Plat by the Council shall constitute approval to proceed with the preparation of the Final Plat, but shall not be deemed approval of the Subdivision.
4. The Commission and Council may request such professional assistance as they deem necessary to properly evaluate any Plat as submitted.

Section 4: Preliminary Plat Requirements. The Preliminary Plat shall contain the following information:

1. Location Map. A map showing the relationship of the proposed Subdivision to the Streets and other community facilities serving it. Such map shall include:
 - A. The name of the Subdivision.
 - B. An outline of the area to be subdivided.
 - C. The existing Streets and public utilities, if any, on adjoining property.
 - D. The north point, a scale, and the date the Plat was prepared.
2. Preliminary Plat. A Preliminary Plat of the Subdivision drawn to a scale of one inch to one hundred feet (1" = 100') or larger, if required for purposes of detail or clarity. The Plat shall show all of the following:
 - A. The name of the proposed Subdivision, and its approximate boundaries, distances and acreage;

- B. The name and address of the owner;
 - C. The names of the owners of adjacent property;
 - D. The name of the person who prepared the Plat, the name of the owner's attorney, and the name of the owner's representative or agent;
 - E. The north point and a graphic scale;
 - F. Contours at five-foot (5') intervals or less;
 - G. The location of existing lot lines, Streets, public utilities, water mains, sewers, drain pipes, culverts, water courses, bridges, railroads and buildings in the proposed Subdivision;
 - H. The layout of proposed blocks (if used) and lots, including the approximate dimensions of each, and the lot and block number in numerical order;
 - I. The location and width, other dimensions and names of the proposed Streets, Roads, sidewalks, utility and other Easements, parks and other open spaces or reserved areas;
 - J. The grades of proposed Streets;
 - K. A cross section of the proposed Streets showing the roadway locations, the type of curb and gutter, and the paving and sidewalks to be installed;
 - L. The layout of proposed water mains and sanitary sewers; and
 - M. All proposed locations of utility systems and related appurtenances.
3. Subdivision Fees. Before a Preliminary Plat will be reviewed by the Commission, the Subdivider shall pay a fee of \$500.00 to the Clerk to cover the cost of the Commission's initial review. All additional costs incurred by the City relating to the review of the Preliminary and Final Plats shall be paid and reimbursed to the City before final approval of said Plats may be given.

Section 5: Time Limitation of Preliminary Approval. The Council's approval of the Preliminary Plat shall be effective for a period of twelve (12) months unless, upon written request of the Subdivider, the Council (by resolution) grants an extension of time. If the Final Plat is not filed with the Clerk within said time period, all previous actions of the Council with respect to the Preliminary Plat shall be null and void.

Section 6: Final Platting Procedure.

1. Following the Council's approval of the Preliminary Plat, the Subdivider shall cause to be prepared a Final Plat and other required documents as set forth in Section 7 below, and shall file twelve (12) copies of the same with the City Clerk for final approval.
2. The City Clerk shall immediately submit five (5) copies of the Final Plat and other required documents to the Commission for study and recommendation. The Commission shall examine the Plat and other required documents for compliance with this Ordinance, and shall have sixty (60) days within which to submit a recommendation to the Council. Failure of the Commission to act within the prescribed sixty (60) days after referral shall be deemed approval of the Plat unless an extension of time is mutually agreed upon by the Subdivider and the Commission.
3. The Council, upon receipt of the Commission's recommendation, or after sixty (60) (or an approved extension thereof) shall have passed, shall by resolution grant approval of, or reject, the Final Plat.
4. The Commission and Council may request such professional assistance as they deem necessary to properly evaluate any Plat as submitted.

Section 7: Final Plat Requirements. The Final Plat shall meet the following specifications:

1. Final Plat. A Final Plat of the Subdivision drawn in a scale of one inch to one hundred feet (1" = 100') or larger for purposes of detail or clarity, and must contain the following:
 - A. Accurate tract boundary lines with dimensions and angles which provide a survey of the tract, closing

with an error of not more than one (1) foot in three thousand (3,000) feet;

- B. Accurate references to known or permanent monuments, giving the bearings and distances from some corner of a congressional division of which the Subdivision is a part;
- C. Accurate locations of existing and recorded Streets intersecting the boundaries of the tract;
- D. Accurate legal description of the property;
- E. Street names;
- F. Complete and accurate curve notes for all curves included in the Plat;
- G. Street lines with accurate dimensions in feet and hundredths of feet, with angles to Street, Alley and lot lines;
- H. Lot numbers and dimensions;
- I. Block numbers (if applicable) and dimensions;
- J. Accurate dimensions of any property to be dedicated or reserved for public, semipublic or community use, and a showing of all Easements;
- K. The location, type, material and size of all markers and monuments;
- L. The name of the Subdivision;
- M. The name and address of the owner and Subdivider;
- N. The north point, a scale, and the date the Final Plat was prepared;
- O. A certification by a registered land surveyor of the State of Iowa, including the date of certification;
- P. A certificate of dedication of Streets and other public property; and

- Q. Date spaces and signature lines for the Chair of the Commission, the Mayor, and the City Clerk, to indicate the final approval of the Commission and Council.
2. Other Required Documents. The Final Plat shall be accompanied by all of the following:
- A. A statement by the proprietors and their spouses, if any, that the Plat is prepared with their free consent and in accordance with their desire, signed and acknowledged before an officer authorized to take the acknowledgments of deeds. The statement by the proprietors may also include a dedication to the public of all lands within the Plat that are designated for Streets, Alleys, parks, open areas, or other public use, if the dedication is approved by the Council.
 - B. A statement from the mortgage holders or lienholders, if any, that the Plat is prepared with their free consent and in accordance with their desire, signed and acknowledged before an officer authorized to take the acknowledgment of deeds. An affidavit and bond as provided for in Section 354.12 of the Code of Iowa may be recorded in lieu of the consent of the mortgage or lienholder. When a mortgage or lienholder consents to the Subdivision, a release of mortgage or lien shall be recorded for any areas conveyed to the City or dedicated to the public.
 - C. An opinion by an attorney-at-law who has examined the abstract of title of the land being Platted. The opinion shall state the names of the proprietors and holders of mortgages, liens or other encumbrances on the land being Platted and shall note the encumbrances, along with any bonds securing the encumbrances. Utility Easements shall not be construed to be encumbrances for the purpose of this section.
 - D. A certificate of the County Treasurer that the land is free from certified taxes and certified special assessments or that the land is free from certified taxes and that the certified special assessments

are secured by bond in compliance with Section 354.12 of the Code of Iowa.

- E. Construction plans for all public improvements which are intended to be accepted and maintained by the City. If all public improvements are not in place and acceptable, then a subdivider's agreement is required, which may include an escrow agreement.
- F. If improvements are not installed and accepted on the date the Commission recommends that the Council approve the Final Plat, then a surety bond shall be filed, or an escrow arrangement made on a form approved by the Council in an amount adequate to cover the estimated cost of said improvements yet to be installed, to ensure that said improvements will be installed by the owner or Subdivider within two (2) years of the Council's approval of the Final Plat.

Section 8: Lots.

- 1. Lots. The following design standards for lots shall apply to all new Subdivisions:
 - A. All lots shall abut on a Street.
 - B. Side lines of lots shall approximate right angles to straight Street lines, and radial angles to curved Street lines, except where a variation will provide better lot layout.
 - C. Corner lots which abut on a thoroughfare shall have a minimum radius of fifteen (15) feet at the intersection.
 - D. All lots shall comply with the Lot Regulations set forth in the City's zoning ordinance (Ordinance No. 79), as amended.

Section 9: Required Improvements.

- 1. Sanitary Sewers. The Subdivider shall provide the Subdivision with a complete sanitary sewage system which shall connect with the sanitary sewage sewer outlet approved by the Council. Sewers shall extend to the

Subdivision boundaries as necessary to provide for the extension of the sewers by adjacent property.

2. Storm Drains. The developer shall provide the Subdivision with adequate drains, ditches, culverts, complete bridges, storm sewers, intakes and manholes to provide for the collection and removal of all surface waters, and those improvements shall extend to the boundaries of the Subdivision, so as to provide for extension by adjoining properties.
3. Water. The Subdivider shall provide the Subdivision with a complete water main supply system (including hydrants, valves and other appurtenances), which shall be extended into and through the Subdivision to the boundary lines thereof. Said water main supply system shall provide for a water connection for each lot, and shall be connected to the City water system.
4. Sidewalks. The Subdivider shall install concrete sidewalks at least four (4) feet wide along the frontage of each lot upon substantial completion of the construction of the structure therein.
5. Grading. All Streets and Alleys within the Platted area which are being dedicated for public use shall be brought to the grade approved by the Council.
6. Curb and Gutter. Curb and gutter shall be installed on all Streets in the Plat being dedicated for public use, and shall be constructed of Portland cement concrete, in accordance with designs, specifications, and grades approved by the Council.
7. Surfacing. All Streets being dedicated for public use shall be surfaces from curb to curb. Surfacing shall be constructed of Portland cement concrete, in accordance with designs, specifications, and grades approved by the Council.
8. Markers. An iron rod not less than one-half (1/2) inch in diameter and twenty-four (24) inches in length shall be placed: (1) at the intersection of all lines forming right angles in the boundary of the Subdivision, (2) at all block and lot corners, and (3) at all locations where

the direction of block and lot boundaries change direction.

9. Street signs. The Subdivider shall install Street signs at the intersection of all Streets in the Subdivision. The design and location of such signs shall be approved by the Council.

Section 10: Dedication of Parkland (or payment in lieu thereof).

For any Subdivision that would increase population or dwelling-unit density, Parkland must be dedicated to the City, or a Park Development Fee must be paid to the City, in accordance with the standards and criteria in Ordinance No. 191. Acceptance of public improvements shall not be issued for any Subdivision that would increase density unless Parkland is dedicated for such Subdivision, or unless cash shall have been paid in lieu of such dedication (or a combination thereof) for park, recreational or open space purposed, in accordance with the standards and criteria in Ordinance No. 191.

Section 11: Design and Specification Standards.

1. The width of Street and Alley Rights-of-Way, the grades and paving of Streets, Alleys and sidewalks, the setback distance of sidewalks from Streets within Subdivisions, and the designs for all other infrastructure improvements within the Subdivision shall comply with the design standards set forth herein or otherwise established and maintained by the Council, and if none, then such design shall comply with the most current edition of the Iowa Statewide Urban Design and Specifications Design Manual in effect at the time the Preliminary Plat is submitted to the City Clerk.
2. The type of construction, the materials, the methods, and standards of Subdivision improvements and infrastructure shall comply with the specification standards set forth herein or otherwise established and maintained by the Council, and if none, then such specifications shall comply with the most current edition of the Iowa Statewide Urban Design and Specifications Design Manual in effect at the time the Preliminary Plat is submitted to the City Clerk.
3. Plans and specifications shall be submitted to the Council for review prior to construction. Construction

shall not commence until the plans and specifications have been approved by the Council.

Section 12: Exceptions. Whenever the tract to be subdivided is of unusual topography, size or shape, or is surrounded by such development or unusual conditions that the strict application of the requirements set forth in this Ordinance would result in practical difficulties or injustices, the Council (upon recommendation of the Commission) may vary, modify or waive requirements herein so that the Subdivider is allowed to develop the property in a reasonable manner while at the same time protecting the public welfare and interests of the City and surrounding area, and preserving the general intent and spirit of this Ordinance. Any such variance, modification or waiver shall do no more than that which is necessary to eliminate the practical difficulties or injustices that would result from the strict application of the requirements set forth in this Ordinance. In granting such a variance, modification or waiver, the Council may impose such additional requirements as the Council deems necessary to substantially secure the objectives of the requirements herein which are varied, modified or waived.

Section 13: Inspections. The Council shall cause the installation of all improvements to be inspected to ensure compliance with the requirements of this ordinance. The cost of said inspections shall be borne by the Subdivider, and shall be the City's actual cost of the inspection. At its option, the Council may, upon approving the plans and specifications, require the developer to engage a registered engineer to monitor construction of the infrastructure improvements to ensure that work is done in compliance with the plans and specifications approved by the Council, as well as in compliance with accepted construction standards.

Section 14: Amendments. Any provision of this ordinance may be amended from time to time by the Council. However, no such amendment shall be effective unless it is first submitted to the Commission for study and recommendation to the Council. The Commission shall report its recommendations to the council within thirty (30) days, after which the Council shall give notice of, and hold a public hearing on, the proposed amendment. The amendment shall become effective from and after its adoption and publication as required by law.

Section 15: Savings Clause. In the event any word, phrase, sentence, paragraph or section contained in this ordinance shall be held to be invalid, unlawful, or unconstitutional for any reason, then it is hereby declared that the remaining such portions

and provisions of this ordinance would have been enacted and remain in full force and effect.

Section 16: Effective Date. This ordinance shall become effective upon its passage and publication as provided by law.

Section 17: Repealer. All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Adopted by the University Heights City Council this ____ day of _____, 2017, and approved this ____ day of _____, 2017.

Wally Heitman, Mayor

(SEAL)

ATTEST:

Christine Anderson, City Clerk

STATE OF IOWA)
) SS:
COUNTY OF JOHNSON)

On this ____ day of _____, 2017, before me, a notary public in and for the state of Iowa, personally appeared Wally Heitman and Christine Anderson, to me personally known, and who, being by me duly sworn, did say that they are the Mayor and City Clerk of the City of University Heights, Iowa; that the seal affixed to this instrument is the corporate seal of the city; and that said instrument was signed and sealed on behalf of the city, and that Wally Heitman and Christine Anderson acknowledged the execution of said instrument to be their voluntary act and deed and the voluntary act and deed of the city, by it and by them voluntarily executed.

Notary Public in and for the
State of Iowa

STATE OF IOWA)
) SS:
COUNTY OF JOHNSON)

I, Christine Anderson, being first duly sworn, certify that the above ordinance was published in the Iowa City Press-Citizen the ____ day of _____, 2017.

Christine Anderson, City Clerk

Signed and sworn to before me on the ____ day of _____, 2017, by Christine Anderson, Clerk of the City of University Heights.

Notary Public in and for the
State of Iowa

ORDINANCE NO. _____

**AN ORDINANCE AMENDING ORDINANCE NO. 191
(DEDICATION OF PARKLAND)**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF UNIVERSITY HEIGHTS,
JOHNSON COUNTY, IOWA:

Section 1: AMENDMENTS:

University Heights Ordinance No. 191 is amended as follows
(with additions indicated by underline:

SECTION 4. PLATTING REQUIREMENTS FOR DEDICATED PARKLAND.

Any land dedicated for Parkland shall be shown on the face of a development plan submitted for approval by Zoning Commission and City Council. Simultaneously with the filing of the development plan, a plat depicting the land proposed to be dedicated shall be submitted by the developer or owner to the Zoning Commission and the City Council. Upon approval, the plat shall be filed of record with the Johnson County Recorder. However, if the dedication of Parkland is made for a new subdivision for which a preliminary final plat is filed pursuant to Ordinance No. [REDACTED], no separate development plan or plat shall be required pursuant to this Section.

Section 2: SAVING CLAUSE.

In the event any word, phrase, sentence, paragraph or section contained in this ordinance shall be held to be invalid, unlawful, or unconstitutional for any reason, then it is hereby declared that the remaining such portions and provisions of this ordinance would have been enacted and remain in full force and effect.

Section 3: EFFECTIVE DATE.

This ordinance shall become effective upon its passage and publication as provided by law.

Section 4: REPEALER.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Adopted by the University Heights City Council this ____ day of _____, 2017, and approved this ____ day of _____, 2017.

Wally Heitman, Mayor

(SEAL)

ATTEST:

Christine Anderson, City Clerk

STATE OF IOWA)
) SS:
COUNTY OF JOHNSON)

On this ____ day of _____, 2017, before me, a notary public in and for the state of Iowa, personally appeared Wally Heitman and Christine Anderson, to me personally known, and who, being by me duly sworn, did say that they are the Mayor and City Clerk of the City of University Heights, Iowa; that the seal affixed to this instrument is the corporate seal of the city; and that said instrument was signed and sealed on behalf of the city, and that Wally Heitman and Christine Anderson acknowledged the execution of said instrument to be their voluntary act and deed and the voluntary act and deed of the city, by it and by them voluntarily executed.

Notary Public in and for the
State of Iowa

STATE OF IOWA)
) SS:
COUNTY OF JOHNSON)

I, Christine Anderson, being first duly sworn, certify that the above ordinance was published in the Iowa City Press-Citizen the ____ day of _____, 2017.

Christine Anderson, City Clerk

Signed and sworn to before me on the ____ day of _____, 2017, by Christine Anderson, Clerk of the City of University Heights.

Notary Public in and for the
State of Iowa

Steve/UH/Ordinances/Ordinance ___ amending Ord. 191 re dedication of parkland 121216

**UNIVERSITY HEIGHTS ZONING COMMISSION
SCHEDULE OF REGULAR MONTHLY MEETINGS
(2017 [first half])**

DAY	DATE	TIME	TOPIC	PRESENTERS
Tuesday	January 3	7:00 p.m.		
Tuesday	February 7	7:00 p.m.		
Tuesday	March 7	7:00 p.m.		
Tuesday	April 4	7:00 p.m.		
Tuesday	May 2	7:00 p.m.	<i>No Meeting [Chair Out of Town]</i>	
Tuesday	June 6	7:00 p.m.		

TOPICS FOR POTENTIAL ZONING COMMISSION CONSIDERATION

TOPIC		PRIORITY		
		HIGH	MEDIUM	LOW
Sensitive Areas/Slopes & Water Runoff	BGRW	H		
Redevelopment/Development Restrictions (Lot Coverage/Floor Area Ratios)	BGHW	R		
Redevelopment Restrictions (Demolition Permits & Lot Consolidation)	BGHW	R		
Paving of Yards (Front/Side/Back)	GRW	BH		
Code Enforcement Responsibilities & Procedures	BW	GHR		
Procedures for Presenting/Explaining Proposed Code Changes	G	BRW		
Housing Code/International Property Maintenance Code	B	H	GRW	
Subdivision Ordinance		BGW	R	
Commercial Building Maintenance Standards		GHR	BW	
Game Day Activities (Parking and Other)		GRW	BH	
Non-Game Day Parking (Paid or Otherwise)		HW	BGR	
Solar Panels & Cell Towers		W	BGHRW	
Urban Chickens		H	BGW	
Unfinished Buildings		G	BW	
Signage/Banners			BGHRW	
Noise Ordinance				
Short Term Rentals				

RECOMMENDED DEVELOPMENT OF REQUESTS FOR ZONING COMMISSION CONSIDERATION OF POSSIBLE ORDINANCE CHANGES

From time to time University Height residents have suggested Zoning Commission consideration of possible ordinance changes. The nature of desired changes sometimes is expressed rather generally, and in many instances is not framed in the form of any specific provisions. Hourly costs are incurred for the time City Staff may devote to researching such suggestions and often the wide range of potential responses may be narrowed most effectively by those requesting consideration of the possible change.

Although not imposed as a formal requirement, the Zoning Commission strongly encourages residents advancing suggestions for possible ordinance change to prepare a written statement explaining the need for and nature of desired action accompanied by a few examples of potentially appropriate provisions from ordinances proposed or adopted elsewhere. To obtain such examples, residents may wish to use one or more of the following sources of online information:

Directory of Iowa Municipal Codes Available Online

<http://libguides.law.drake.edu/c.php?g=150958&p=992681>

Directory of Iowa County Ordinances Available Online (Drake Law Library)

<http://libguides.law.drake.edu/c.php?g=150958&p=992692>

Searchable Databases of Selected Iowa Municipal Codes

American Legal Publishing Corporation

(Ankeny, Carroll, Clear Lake, Clinton, Coralville, Denison, Grinnell, Lisbon, Mount Vernon, Nevada, Newton, North Liberty, Pella, Pleasant Hill, Prairie City, Sergeant Bluff, Urbandale, & Walcott)

<http://library.amlegal.com/nxt/gateway.dll?f=templates&fn=default.htm&vid=amlegal:ia>

Municode

(Algona, Burlington, Cedar Falls, Cedar Rapids, Centerville, Council Bluffs, Decorah, Des Moines, Keokuk, Mount Pleasant, Oskaloosa, Ottumwa, & Wilton)

<https://www.municode.com/library/ia>

Sterling Codifiers

(Bettendorf, Clive, Dubuque, Fort Madison, Iowa City, Knoxville, Mason City, Oxford, Spencer, Waterloo, West Des Moines, & West Liberty)

<http://www.sterlingcodifiers.com/codebook/searchall.php?state=IA>