

ORDINANCE NO. 15-07

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP TO REZONE CERTAIN PROPERTY FROM C-O, C-1, C-2, C-3, AND PC TO PLANNED UNIT DEVELOPMENT (PUD); AND TO ADOPT THE MASTER PLAN AND ESTABLISH THE RULES, REGULATIONS AND GUIDELINES FOR THE DEVELOPMENT OF THE HOLLAND PUD

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF NORWALK, IOWA:

SECTION 1. PURPOSE. The purpose of this ordinance is to change the Official Zoning Map of the City of Norwalk, Iowa, under the provisions of Title 17 (Zoning Regulations), Chapter 17.04 (General Provisions), Section 17.04.060 (Zoning District Boundaries and Official Zoning Map) of the Norwalk Municipal Code, and to adopt a master plan pursuant to Chapter 17.10 (Zoning District Regulations), Section 17.10.170 (PUD, Planned Unit Development), Subsection 17.10.170.3 (Master Plan).

SECTION 2. OFFICIAL ZONING MAP AMENDED. The official zoning map of the City of Norwalk, Iowa, is amended from C-O, C-1, C-2, C-3, and PC, to the Holland PUD as detailed herein, for the following property legally described as follows:

Legal Description

A PARCEL OF LAND BEING A PART OF OUTLOT A OF FARMS OF HOLLAND PLAT 1, AN OFFICIAL PLAT INCLUDED IN AND FORMING A PART OF THE CITY OF NORWALK AND BEING A PART OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 77 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF NORWALK, WARREN COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 7; THENCE ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 7 N86°31'31"E, 183.00 FEET; TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID LINE N86°31'31"E, 568.56 FEET TO THE NORTHWEST CORNER OF PARCEL P AS RECORDED IN WARREN COUNTY RECORDS AT BOOK 2014, PAGE 8723; THENCE ALONG THE WEST LINE OF SAID PARCEL P S10°11'50"W, 470.07 FEET; THENCE ALONG SAID WEST LINE S10°35'16"E, 635.62 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL P; THENCE ALONG THE SOUTH LINE OF SAID PARCEL P N86°27'33"E, 522.32 FEET TO THE NORTHWEST CORNER OF PARCEL G, AS RECORDED IN WARREN COUNTY RECORDS AT BOOK 2013, PAGE 11529; THENCE ALONG THE WEST LINE OF SAID PARCEL G S00°48'21"W, 230.66 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST FRACTIONAL QUARTER OF THE NORTHWEST QUARTER; THENCE ALONG THE WEST LINE OF OUTLOT A OF CCF INDUSTRIAL COMMERCE PARK, AS RECORDED IN BOOK 2011, PAGE 7732 S00°16'40"W, 360.22 FEET TO THE NORTH RIGHT-OF-WAY LINE OF COLONIAL PARKWAY; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE 372.62 FEET ALONG A 910.00 FOOT RADIUS CURVE, CONCAVE SOUTHEAST, CHORD BEARING S64°03'27"W, 370.02 FEET; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE 223.79 FEET ALONG A 790.00 FOOT RADIUS CURVE, CONCAVE NORTHWEST, CHORD BEARING S60°26'32"W, 223.04 FEET TO THE EAST LINE OF SAID OUTLOT B OF FARMS OF HOLLAND PLAT 1; THENCE ALONG SAID EAST LINE 37.24 FEET ALONG A 25.00 FOOT RADIUS CURVE, CONCAVE NORTHEAST, CHORD BEARING N62°42'17"W, 33.89 FEET; THENCE ALONG SAID EAST LINE N20°01'52"W, 56.06 FEET; THENCE ALONG SAID EAST LINE 59.43 FEET ALONG A 170.00 FOOT RADIUS CURVE, CONCAVE EAST, CHORD BEARING N10°00'56"W, 59.13 FEET; THENCE ALONG SAID EAST LINE N00°00'00"E, 111.53 FEET TO THE NORTHEAST CORNER OF SAID OUTLOT B; THENCE ALONG THE NORTH LINE OF SAID OUTLOT B S89°54'54"W, 616.09 FEET TO THE EAST RIGHT-OF-WAY LINE OF SUNSET DRIVE; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE N00°05'14"W, 92.11 FEET; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE N03°37'48"E, 150.29 FEET; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE N00°05'39"W, 760.00 FEET; THENCE ALONG SAID

EAST RIGHT-OF-WAY LINE N89°54'21"E, 45.00 FEET; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE N00°05'39"W, 100.00 FEET; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE N41°54'54"W, 127.50 FEET; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE N00°05'39"W, 228.22 FEET; THENCE N86°31'31"E, 118.17 FEET; THENCE N00°05'24"W, 214.00 FEET TO THE POINT OF BEGINNING.

AND

ALL OF OUTLOT B OF THE FARMS OF HOLLAND PLAT 1, RECORDED IN WARREN COUNTY RECORDS AT BOOK 2014 PAGE 4951, BEING AN OFFICIAL PLAT INCLUDED IN AND FORMING A PART OF THE CITY OF NORWALK, WARREN COUNTY, IOWA.

ALL TOGETHER DESCRIBED AREA CONTAINS 36.72 ACRES AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

SECTION 3. PUD AND MASTER PLAN ADOPTION. Attached hereto and made a part of this ordinance for delineation is the Master Plan document for the Holland PUD, marked Exhibit "A." The Master Plan is adopted to establish rules, regulations, and development guidelines for land use, and performance standards pursuant to Subsection 17.10.170.4 of the Municipal Code of the City of Norwalk, Iowa, for the development of the Holland PUD.

Individual parcels within the PUD may be developed independent of other parcels, provided minimum requirements are met, unless modified herein, and the development of the parcel allows for the property development of adjoining parcels. It is recognized, shifts or modifications to the Master Plan layout may be necessary and compatible with the need to acquire workable street patterns, grades and usable building sites, but the Master Plan layout, including the relationship of uses to each other and the relationship of land use to the general plan framework, and development requirements shall be used as the implementation guide. All modifications shall be made pursuant to Subsection 17.10.170.7 of the Municipal Code of the City of Norwalk, Iowa.

SECTION 4. GENERAL CONDITIONS. The following general site development criteria shall be integrated into and made a part of the development criteria for the Holland PUD.

1. Required Plans: Prior to, or in conjunction with development of any portion of the PUD, said area shall be platted in accordance with the City of Norwalk's subdivision regulations to delineate within a plat the parcel(s) to be developed. Site plans for all parcels within the Holland PUD shall be submitted to the City of Norwalk for review and approval prior to the development and must meet the intent of the approved PUD Master Plan. Parcels conveyed by the original property owner (Farms of Holland) to the city or to a developer or business for development may be platted by plat-of-survey or acquisition plat as may be appropriate. No public improvements or connection fee district charges are required for plats-of-survey or acquisitions plats created in accordance with the provisions of this section.

Any regulation, standard, provision or requirement that is not specifically addressed within this document that is regulated elsewhere in the Municipal Code of Norwalk, Iowa, the requirements of the Municipal Code shall be enforced.

Throughout the PUD, the compatibility of certain project features will be maintained so that the different parcels and densities will all relate to each other and create a sense of a common overall community. Those features will include architectural character and unifying treatment of roadways and curbs, the connection between parcels through trails and roadways, signage, landscaping, lighting and pedestrian facilities.

2. Parking: On-street parking may be allowed on streets as permitted by the city for convenience to adjoining property owners and for community use. Provisions for on-street parking will be reviewed by the city as development occurs. All off-street parking shall be in accordance with Chapter 17.40, Off-street Parking and Loading, of the Zoning Ordinance. No additional street right-of-way beyond what is required by City Code shall be required to be dedicated as a result of any proposed on-street parking.
3. Flood Plain: In all areas within a 100 year frequency flood hazard zone, or adjoining drainage ways or detention areas involving potential flood hazards, no building shall be erected which has a lowest floor, including basements, less than one (1) foot above the determined level of the one hundred (100) year frequency flood event or flood proofed to the same elevation in accordance with the City of Norwalk Floodplain Ordinance. No building or structure shall be erected within twenty-five (25) feet of any major drainage way, stormwater detention basin, or pond areas subject to flooding.
4. Trails: The integration of the bicycle and pedestrian path system with other destinations in and around the PUD will be encouraged. The locations of pedestrian crosswalks will be planned to provide access from the planned areas outside the PUD to areas within the PUD. Pedestrian orientation between activities, housing and employment shall be encouraged. The detailed locations of the paths shall be determined at the time of plat and site plan. Initial trail locations are identified on the master plan. It is anticipated that trails within Parcel 1 and the proposed 30-foot wide Outlot of Parcel 4 will be constructed and installed by the city and/or other area property owners outside of the PUD in order to meet their park land dedication requirements. The current and future owner(s) of parcels within the PUD shall have no obligation to construct or pay for trails within Parcel 1 and the Outlot of Parcel 4. All parcels within the PUD shall make connections to these planned trails as may be warranted and practical.
5. Public Improvements: All subdivisions and streets will adhere to the standards and design criteria set forth in the Norwalk Subdivision Ordinance and the Statewide Urban Design Specifications (SUDAS), as adopted or amended by the City of Norwalk unless noted otherwise in this ordinance.

All street right-of-way and paving widths shall adhere to the standards recommended by the City's Comprehensive Plan for specific street classifications, which shall be determined at the time of platting based on the street's function and projected traffic volumes on the street.

The developer, their successors and assigns, if any, shall pay all construction and engineering costs for the interior development of the planned unit development, in accordance with the current city policies at the time of development, as required by this ordinance, the Subdivision Ordinance of the City of Norwalk for all streets, street lights, sidewalks, storm sewers, sanitary sewers, drainage improvements, detention basins, water mains, buffers and other improvements within the PUD as may be required, unless specifically noted in a separately approved City Council development agreement.

It is anticipated that Turnberry Drive from Highway 28 to Colonial Parkway shall be constructed by the City as a public improvement project and paid for through a Tax Increment Financing (TIF) district. This improvement includes all grading, paving, storm water pipes and structures, public water mains, public sanitary sewers, and public street lights and traffic control signage necessary and desired for the street construction including improvements as necessary for the street intersections with Highway 28 and Colonial

Parkway. This improvement does not include public sidewalks and other public utilities not related to the street construction or otherwise desired to be constructed as part of the street installation. The owner or owners of the land on which the area for right-of-way required for Turnberry Drive is located (anticipated to be 60 feet in width) shall dedicate said land to the city, in whole or in part, for no fee, at such time the city requests or at such time the land is platted or developed. Prior to right-of-way dedication and street construction, a master grading plan shall be established for the entire PUD area and a horizontal and vertical alignment of Turnberry Drive, that is mutually agreeable by the property owner(s) and the city, shall be determined.

6. Storm Water Management: It is anticipated that a regional storm water detention/retention facility will be constructed, owned and maintained by the city on Parcel 1 and paid for through a storm water connection fee district and/or a TIF district. In lieu of the dedication of Parcel 1 to the city by the Farms of Holland for no fee, all Parcels within this PUD may convey and transmit their storm water run-off to Parcel 1 without first detaining it.

All Parcels within this PUD, except for Parcel 1, shall be required to participate in any storm water connection fee district established for this regional storm water facility and shall pay the fee district charges at the time of development. The required fee district charges shall be paid by each PUD Parcel or platted lot within the PUD at the time of site plan approval and prior to issuance of any building permits for that PUD Parcel or platted lot.

Prior to development within any Parcel, except for Parcel 1, the developer of each Parcel shall submit a storm water management plan to the City for review and approval. The developer and Owner of Parcel 2 shall be required to construct and maintain a reasonable system of storm water bio-infiltration cells along the north and east ends of Parcel 2 to provide for storm water permeation and filtration.

At such time as requested by the city, the developer(s)/owner(s) of Parcels within the PUD shall dedicate at no fee, temporary construction and permanent storm water easements as may be necessary to facilitate the development and construction of the regional storm water detention facility.

7. Sidewalks: Public sidewalks, or trails as noted herein, shall be constructed within the public street right-of-way along individual public street frontages, including Highway 28 if allowed, at the time of development of any parcels within the PUD in accordance with the standards and design criteria set forth in the Norwalk Subdivision Ordinance and the Statewide Urban Design Specifications (SUDAS), as adopted or amended by the City of Norwalk.

No public sidewalk is required along the east side of Turnberry Drive that is adjoining Parcel 1 in anticipated of the planned trail on Parcel 1. Public sidewalks or trails along all other public street frontages of Parcel 1 shall be the responsibility of the city. A 10 foot wide trail is planned along the north side of Colonial Parkway and a 10 foot wide trail is planned along the east side of Highway 28.

At the time of development, the developers of Parcels 4 and 5 shall construct a 10 foot wide trail along their Colonial Parkway street frontage; and the city shall reimburse the developer for 1/2 (50%) of the cost of the 10 foot trail. At the time of development, the developers of Parcels 2, 3, and 5 shall construct a 10 foot wide trail along their Highway 28 street frontage, and the city shall reimburse the developer for 1/2 (50%) of the cost of the 10 foot trail. If the Iowa Department of Transportation (IDOT) does not permit the installation of all or part of the trail proposed within the Highway 28 right-of-way, the developers of Parcels 2, 3, and 5 shall

each work with the city on an alternate alignment for the trail. If necessary, all or part of the trail may be placed within the "15 foot wide landscaped area" that is required along the Highway 28 frontage of each Parcel. A public trail easement shall be established for any trail or portion of trail located on private property.

8. Lighting: Detailed lighting plan for both public street lights, private street lights, any supplemental "theme" lighting, and all external site lighting shall be submitted to the City and installed at the time of site plan and plat approval.

All exterior building and site lighting must be downcast in nature and the light fixtures must possess sharp, cut-off qualities to prevent off-site glare. Lighting levels from a site cannot exceed one (1) foot-candle at the property line. Lighting must be of a near white color. Wall-pack type light fixtures and low pressure sodium type light fixtures are prohibited. Detailed "cut sheets" of all proposed exterior light fixtures and an exterior lighting photometric plan must be provided to the city for review as part of all Site Plan applications in order to show compliance with these regulations.

9. Architecture: Architectural standards for all structures shall be in accordance with Section 17.60 of Title 17, of the Municipal Code of the City of Norwalk, except as may be modified herein this PUD.
10. Street Access: Identified on the PUD Master Plan are the allowable minimum driveway locations for each PUD Parcel.

SECTION 5. LAND USE DESIGN CRITERIA. In addition to the General Conditions set forth within Section 4 herein, the following land use design criteria shall apply to each development area designated by parcel on the Master Plan. The Master Plan document, which is made a part of this ordinance per Section 3 of this ordinance, delineates five (5) parcels of the PUD, each denoted with a specific parcel number. The parcels hereinafter referred to as "Parcels", are identified for application of specific standards for land use and development.

The following development standards and use regulations shall apply to each of the following development PUD Land Use Parcels:

1. **Parcel 1**: This parcel is for the creation of a linear park (Elizabeth Holland Park) and regional stormwater detention facility. The park and facility will have an integrated design with bike/walking trails throughout that provide pedestrian connections to the adjacent developed parcels. Where appropriate, specific park amenities may be provided, such as, playground equipment, park benches, or pavilions.

This parcel shall be conveyed to the city in whole in order to satisfy the park land dedication requirement for the potential residential development (Parcel 2) and a portion of the open space requirements for Parcel 2, 3, 4 and 5. The parcel shall be dedicated to the City of Norwalk within 30 days of the Holland PUD approval and the corresponding development agreement.

All general use regulations and provisions set forth in Chapter 17, Zoning, of the City Code for CD - Conservation District, shall apply to any development proposal for property within Parcel 1 as shown on the PUD Master Plan of the Holland PUD, unless noted otherwise in this ordinance.

Parcel 1 shall incorporate approximately 12.67 acres, subject to final design.

- a. Allowed Uses: All permitted principal and accessory uses and special uses as provided in the City Code for the CD district.
- b. Setbacks: All setbacks shall be in accordance with the Height and Bulk Regulations for the CD district.

2. **Parcel 2**: This parcel is intended to serve the residential needs of the community. All general use regulations and provisions set forth in Chapter 17, Zoning, of the City Code for R-2, One and Two Family Residential District, shall apply to any development proposals for property within Parcel 2 as shown on the PUD Master Plan, unless noted otherwise in this ordinance. Parcel 2 shall incorporate approximately 7.30 acres and contain no more than 5 dwelling units per acre.

- a. Allowed Uses: All permitted principal and accessory uses and special uses as provided in the City Code for the R-2 district. All dwelling units shall be detached or only horizontally attached.
- b. Bulk Regulations: All setbacks and bulk regulations shall be in accordance with the Height and Bulk Regulations for the R-2 district with the exception that the open space requirement shall be reduced by 50%. Front yard building setbacks may be reduced to 15 feet along local internal streets including Turnberry Drive. The minimum separation between principal structures shall be 10 feet per building story. The minimum separation between principal and accessory structures shall be 20 feet.
- c. Unit Type: Units may be horizontally attached with individual or shared common hallway entrances.
- d. Garages & Parking: A minimum of two (2) enclosed garage spaces must be provided per living unit. No detached garages shall be permitted to face or front along a public street. When possible, off-street parking should be located behind buildings and away from the public right-of-way.
- e. Buffers: No buffers are required, however, a 15 foot wide landscaped area is required along Highway 28. The landscaping requirement shall be equivalent to one-half (1/2) of the amount of landscaping required for a 30 foot wide landscaped buffer as set forth in the Zoning Code of the City of Norwalk. No parking lot or structures may be constructed within this 15 foot wide area except for signage as may be permitted by the City's sign code.
- f. Building Architecture: The architecture for Parcel 2, including exterior colors, shall be acceptable to the city and accomplished in a manner compatible with adjoining residential uses in the neighborhood. Architectural design for all buildings shall attempt to express a creative presentation of exterior building materials, exterior details and texture, treatment of windows and doors, and use of angles and multiplicity of planes within the wall and roof design to lessen the plainness of appearance which can be characteristic of large residential buildings. Parcel 2 buildings with single plane walls and boxy in appearance shall not be considered acceptable.

All buildings should be proportioned and defined by clear facade elements such as a base, middle, and top. Appropriately scaled trim shall be utilized around all building openings (windows and doors), building corners, and along rooflines and wall transitions. All main entryways for each building shall be covered. Every unit shall have its own useable patio, porch or balcony. Each principal structure shall incorporate at least thirty percent (30%) brick and/or stone on all exterior elevations that face a public or private street or drive. All pitched roofs must be clad with premium laminate style shingles, premium metal shingle, or standing/vertical seam metal roofing.

- i. Detached Garages and Accessory Structures – All detached garages and accessory structures shall be compatible in building architecture and style of the principal building(s). Matching full brick and/or stone and trim elements shall be incorporated on all sides visible from public or private streets and drives.
 - g. Screening: Negative elements including utility meters and heating/air-conditioning units shall be screened from view with a combination of decorative walls, fencing, and landscaping. Exposed utility conduits, pipes, and cables are prohibited and shall be fully concealed within the structure. All communal trash dumpsters and recycling bins must be fully enclosed by a screen wall or fence with opaque gates or otherwise contained within a full enclosure.
3. **Parcels 3 and 5:** These parcels are intended to serve the professional office and commercial needs in the community. All general use regulations and provisions set forth in Chapter 17, Zoning, of the City Code for C-2, Community Commercial District, shall apply to any development proposal for property within Parcels 3 and 5 as shown on the PUD Master Plan, unless noted otherwise in this ordinance. Each Parcel shall incorporate approximately the following acreage: Parcel 3 - 1.63 acres and Parcel 5 – 7.43 acres.
- a. Allowed Uses: All permitted principal and accessory uses and special uses as provided in the City Code for the C-2 district except the following:
 - i. Bars and Night Clubs, including after-hours businesses
 - ii. Convenience Stores, Gas Stations and Service Stations
 - iii. Delayed Deposit Services Businesses
 - iv. Liquor Stores
 - v. Pawnshops
 - vi. Smoking Lounges and Dens
 - vii. Tobacco Stores
 - b. Bulk Regulations: All setbacks and bulk regulations shall be in accordance with the Height and Bulk Regulations for the C-2 district with the exception that the open space requirement shall be reduced by 50%. Front yard building setbacks may be reduced to 15 feet along local internal streets including Turnberry Drive.
 - c. Buffers: No buffers are required, however, a 15 foot wide landscaped area is required along all public street frontage including Highway 28, Turnberry Drive, and Colonial Parkway. The landscaping requirement shall be equivalent to one-half (1/2) of the amount of landscaping required for a 30 foot wide landscaped buffer as set forth in the Zoning Code of the City of Norwalk. No parking lot or structures may be constructed within this 15 foot wide area except for signage as may be permitted by the City's sign code.

- d. Parking: When possible, off-street parking should be located behind buildings and away from the public right-of-way.
 - e. Building Architecture: Buildings should be proportioned and defined by clear facade elements such as a base, middle, and top. Appropriately scaled trim shall be utilized around all building openings (windows and doors), building corners, and along rooflines and wall transitions. Brick, real stone, or manufactured stone shall be the primary element of the building exterior on all sides. EIFS, fiber cement siding, and metal shall only be used as a minor trim element. All roof top mechanical units shall be screened from view.
 - f. Screening: Adequate treatment or screening of negative aspects of buildings (loading docks, loading areas, outside storage areas, garbage dumpsters, utility meters, and HVAC mechanical units) from any public street and adjoining properties with a combination of decorative walls, fencing, and landscaping shall be required. Exposed utility conduits, pipes, cables, and roof access ladders are prohibited and must be fully concealed within the structure. All trash dumpsters must be fully screened within a brick or stone enclosure with opaque gates.
 - g. Storage and Display: Outdoor storage is prohibited. Limited display of retail goods, including temporary and permanent garden and landscaping centers with associated goods, may be specifically permitted by the City Council as part of the Site Plan review and approval process.
4. **Parcel 4**: This parcel is intended to serve the general commercial and retail needs in the community. All general use regulations and provisions set forth in Chapter 17, Zoning, of the City Code for C-3, Highway Service Commercial District, shall apply to any development proposal for property within Parcels 4 as shown on the PUD Master Plan, unless noted otherwise in this ordinance. Parcel 4 shall incorporate approximately 5.34 acres.
- a. Allowed Uses: All permitted principal and accessory uses and special uses as provided in the City Code for the C-3 district except the following:
 - i. Bars and Night Clubs, including After-Hours Businesses
 - ii. Convenience Stores, Gas Stations and Service Stations
 - iii. Delayed Deposit Services Businesses
 - iv. Liquor Stores
 - v. Pawnshops
 - vi. Smoking Lounges and Dens
 - vii. Tobacco Stores
 - viii. Amusement Parks and Outdoor Stadiums and Arenas
 - ix. Automobile, Trailer, Motorcycle, Boat, and Farm Implement Establishments for Display, Hire, Rental and Sales.
 - x. All Automobile, Motorcycle, Boat, RV and Truck Service and Repair Shops.
 - xi. Transportation Terminals or Truck Stops.
 - b. Bulk Regulations: All setbacks and bulk regulations shall be in accordance with the Height and Bulk Regulations for the C-3 district with the exception that the open space requirement shall be reduced by 50%.

- c. Outlot: At the time of development, a maximum of the northern 80 feet of Parcel 4 shall be dedicated to the City of Norwalk as an extension of Elizabeth Holland Park. Said dedication shall satisfy any buffer requirement Parcel 4 may have along its northern boundary, and the developer/owner of Parcel 4 shall have no obligation to make any improvements to this dedication area. The developer/owner of Parcel 4 shall be permitted to count the dedication area towards the fulfillment of their open space requirement for the development of Parcel 4.
- d. Buffers: A 15 foot wide landscaped area is required along all public street frontages including Colonial Parkway. The landscaping requirement shall be equivalent to one-half (1/2) of the amount of landscaping required for a 30 foot wide landscaped buffer as set forth in the Zoning Code of the City of Norwalk. No parking lot or structures may be constructed within this 15 foot wide area except for signage as may be permitted by the City's sign code.
- e. Parking: When possible, off-street parking should be located behind buildings and away from the public right-of-way.
- f. Building Architecture: Buildings should be proportioned and defined by clear facade elements such as a base, middle, and top. Appropriately scaled trim shall be utilized around all building openings (windows and doors), building corners, and along rooflines and wall transitions. Brick, real stone, manufactured stone, or architectural grade pre-cast concrete panels shall be the primary element of the building exterior on all sides. EIFS, fiber cement siding, and metal shall only be used as a minor trim element. All roof top mechanical units shall be screened.
- g. Screening: Adequate treatment or screening of negative aspects of buildings (loading docks, loading areas, outside storage areas, garbage dumpsters, utility meters, and HVAC mechanical units) from any public street and adjoining properties with a combination of decorative walls, fencing, and landscaping shall be required. Exposed utility conduits, pipes, cables, and roof access ladders are prohibited and must be fully concealed within the structure. All trash dumpsters must be fully screened within a brick, stone, or masonry enclosure with opaque gates.
- h. Storage and Display: Outdoor storage is prohibited. Limited display of retail goods, including temporary and permanent garden and landscaping centers with associated goods, may be specifically permitted by the City Council as part of the Site Plan review and approval process.

LAND USE AND DENSITY SCHEDULE					
Parcel #	Land Use/Zoning	Density	Approximate Area/Acres	# Units	Density DU/Acre
Parcel 1	Linear Park/Regional Stormwater Facility	N/A	12.67	N/A	N/A
Parcel 2	R-2	5DU/Ac.	7.30 acres	No greater than 36	5
Parcel 3	C-2	N/A	1.63 acres	N/A	N/A
Parcel 4	C-3	N/A	5.34 acres	N/A	N/A
Parcel 5	C-2	N/A	7.43 acres	N/A	N/A
TOTAL			34.37 acres	94 units	

BULK REGULATIONS						
Parcel #	Lot Area	Lot Width	Yard			Height
	Minimum Sq. Ft.	Ft	Front Yard	Side Yard	Rear Yard	Ft
Parcel 1	N/A	N/A	N/A	N/A	N/A	N/A
Parcel 2 (refer to Zoning Ordinance Section 17.10.040 for specifics)						
Principal Use	Lot Area	Lot Width	Front Yard Setback	Side Yard Setback, Minimum One Side	Side Yard Setback, Sum of Both Sides	Rear Yard Setback
One Family	8,125 sf	65'	30'	7'	15'	35'
Two-Family	12,500 sf	100'	30'	10'	20'	35'
Two-Family Townhouse	SEE SECTION 17.10.040.6 BULK REGULATIONS FOR SPECIFICS					
Parcel 3 and 5 (refer to Zoning Ordinance Section 17.10.100 for specifics)						
Community Commercial	20,000 SF	100'	30'	10'	35'	50'
Parcel 4 (refer to Zoning Ordinance Section 17.10.110 for specifics)						
Highway Service Commercial	20,000 SF	100'	30'	10'	35'	50'

SECTION 6. PLATTING REQUIREMENTS. Except for the provisions as noted in Section 4, Paragraph 1, herein above, the splitting of any lot within a Parcel of the PUD shall require the submittal of a subdivision plat for review and approval by the City of Norwalk prior to, or in conjunction with development of that portion of the PUD. Said parcel shall be platted in accordance with the City's Subdivision Ordinance and the Statewide Urban Design Specifications (SUDAS) as adopted and amended by the City of Norwalk to delineate within a Plat the lot to be developed or sold separately or any portion thereof. Should the planning and platting of the property create common or community wide usage of a private street, drive, parking lot, utility or common area, a property owner's association document, easement or similar instrument, shall be submitted to the city for review. Said document shall address on going usage, maintenance and upkeep of the shared drives, parking lots, utilities or common areas, and recorded at the County Recorder's office.

SECTION 7. PARK LAND DEDICATION: Park Land dedication requirements for residential areas within this PUD are satisfied by the dedication of Parcel 1.

SECTION 8. OPEN SPACE. Due to the creation of the regional stormwater detention and linear park, open space requirements for multi-family and commercial areas identified in Section 17.30 of Title 17, of the Municipal Code of the City of Norwalk are reduced by 50%.

SECTION 9. STREET RIGHT-OF-WAY. Adequate street right-of-way shall be provided for the construction, reconstruction, parking and widening of adjoining streets adjacent to, or within the PUD. Except as otherwise noted herein, said right-of-way shall be dedicated to the city at the time of platting consistent with Norwalk's current ordinances and policies.

SECTION 10. BUILDING RESTRICTIONS, EASEMENTS AND COVENANTS. Where the city deems appropriate, the landowner shall on each subdivision, adopt building restrictions, easements and/or covenants in a form approved by the city, and consistent with Norwalk's current ordinances and policies.

SECTION 11. SOIL TEST REQUIREMENTS. If required, the developer shall be responsible for supplying to the city, information prepared by a qualified soils engineering firm, indicating that existing soil conditions are adequate in stability and strength for construction of public and private improvements within Parcels 2 and 3. If determined by the soils engineering firm that adequate soil conditions do not exist, the developer shall indicate what measures shall be taken to achieve adequate soil strength and stability for both public and private improvements.

SECTION 12. STREET NAMES. All street names shall be determined at the time of platting. Street names stated in this ordinance are in reference to street names noted on the Master Plan.

SECTION 13. DEFINITION. The term "developer" for the purpose of the ordinance, shall mean any person, individual, firm, partnership, association, corporation, estate, trust, entity, or agent or same acting or proposing to subdivide land, develop, or plat a parcel of land within the PUD for the construction of a building or buildings. This definition of "Developer" does not include the original property owner, Farms of Holland, LLC.

SECTION 14. VIOLATIONS AND PENALTIES. Any person who violates the provision of this ordinance upon conviction shall be punished as set forth in the Municipal Code of the City of Norwalk, Iowa.

SECTION 15. OTHER REMEDIES. In addition to the provisions set out in Violation and Penalties Section herein, the city may proceed in law or equity against any person, firm or corporation for violation of any section or subsection of this ordinance.

SECTION 16. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 17. SEVERABILITY CLAUSE. In 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 18. EFFECTIVE DATE. This ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

Passed and approved by the City Council of the City of Norwalk, Iowa on the 17th day of September, 2015.

Erika Isley, Mayor Pro Tem

ATTEST:

Jodi Eddleman, City Clerk

First Reading: August 6, 2015

Second Reading: September 17, 2015

Third Reading: waived

I certify that the foregoing was published as Ordinance No. 15-07 on the _____ day of _____, 20 ____.

Jodi Eddleman, City Clerk

Exhibit "A" – Farms of Holland PUD Master Plan Map



