

HUGHES CENTURY CROSSING PUD

ORDINANCE NO. 18-05

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF NORWALK, IOWA, BY REZONING CERTAIN PROPERTY FROM C-2, C-O, R-4, R-3 and R-1(60) TO PLANNED UNIT DEVELOPMENT (PUD) AND TO ADOPT THE MASTER PLAN AND ESTABLISH THE RULES, REGULATIONS, AND GUIDELINES FOR THE DEVELOPMENT OF THE HUGHES CENTURY CROSSING 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 (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-2, C-O, R-4, R-3 and R-1(60) to PUD, for the property legally described as follows:

LEGAL DESCRIPTION:

An irregular shaped portion of the Southeast Quarter of Section 18 and the Southwest Quarter of Section 17, Township 77 North, Range 24 West of the 5th P.M., Norwalk, Warren County, Iowa, is described as follows: Beginning at the northeast corner of the Southwest Quarter of said Section 17; thence S00°31'08"W along the east line of the Southwest Quarter of said Section 17, a distance of 2640.90 feet to the southeast corner of the Southwest Quarter of said Section 17; thence S86°17'06"W along the south line of the Southwest Quarter of said Section 17, a distance of 2396.24 feet to the northeast corner of Windflower Plat Two, an Official Plat; thence N00°00'44"W, a distance of 240.00 feet; thence S86°13'54"W, a distance of 179.55 feet; thence N00°07'53"W, a distance of 262.24 feet; thence N89°42'37"W, a distance of 33.04 feet; thence N51°05'51"W, a distance of 42.39 feet; thence N00°07'43"W, a distance of 169.44 feet; thence northeasterly along a 1462.65 foot radius curve concave westerly, a distance of 84.51 feet, said curve having a chord bearing of N22°51'02"E and a chord length of 84.49 feet; thence N00°06'24"W, a distance of 36.72 feet; thence N89°48'35"E, a distance of 32.94 feet; thence N01°00'00"E, a distance of 25.09 feet; thence northeasterly along a 1512.40 foot radius curve concave westerly, a distance of 495.27 feet, said curve having a chord bearing of N09°11'32"E and a chord length of 493.06; thence N00°06'56"W, a distance of 468.27 feet; thence N86°21'52"E, a distance of 1386.94 feet; thence

HUGHES CENTURY CROSSING PUD

N03°36'52"W, a distance of 852.94 feet to the north line of the Southwest Quarter of said Section 17; thence N86°21'55"E along the north line of the Southwest Quarter of said Section 17, a distance of 1189.41 feet to the point of beginning. Said tract of land contains 126.44 Acres.

SECTION 3 - MASTER PLAN ADOPTION. Attached hereto and made a part of this rezoning approval, for concept description and delineation is the Master Plan Document for the Hughes Century Crossing PUD marked Exhibit "A". The Master Plan is adopted to establish the rules, regulations, and development guidelines for the land use and performance standards pursuant to Section 17.10.170.4 of the Municipal Code of the City of Norwalk, Iowa, for the development of the Hughes Century Crossing PUD. 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.

Individual parcels within the PUD may be developed independent of other parcels or tracks, provided the minimum requirements are met, unless modified herein, and the development of the parcel allows for the proper development of other parcels or tracks within the PUD.

It is recognized that shifts or modifications to the Master Plan layout and reasonable adjustments to the PUD Land Use Parcel boundaries may be made in order to establish workable street patterns, storm water management systems or facilities, elevations, grades, and/or usable building sites. Any modifications to the Master Plan considered by the Zoning Administrator to be major or significant and any amendments to the PUD text shall be made pursuant to Subsection 17.10.170.7 of the Municipal Code of the City of Norwalk, Iowa.

SECTION 4 - REQUIRED PLANS. The following plans shall be required as a part of the processing of any development application for any property within the Hughes Century Crossing PUD.

1. **Service Confirmation Plans for Public Sanitary Sewers, Storm Sewers, Water Mains and Streets:** Prior to or in conjunction with any Subdivision Plat and/or Site Plan, engineering design plans shall be provided to the City by the developer which demonstrate that properly sized and located public sanitary sewers, storm sewers, water mains, and streets will be constructed adjacent to or across the respective property in order to fully serve other parcels within the PUD.
2. **Platting:** 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 to be developed except as noted in this ordinance.
 - a. **Plats-of-Surveys:** In order to facilitate the sale or transfer of ownership of parcels within the PUD, a Plat-of-Survey may be created in accordance with State Law and submitted to the City of Norwalk for its review and approval following a finding of general compliance within the intent of the PUD. It is understood that the transfer of title of any Parcel in the PUD is an interim measure to facilitate development of the PUD and will ultimately culminate in the Final Platting of the respective Parcel. Parcels created by Plat-of-Survey shall not be buildable and no building permit shall be issued until the parcel is platted as part of a Subdivision Plat is approved and the final plat is recorded. No public or private infrastructure improvements are required to be installed or surety posted for any parcels created by Plat-of-Survey.

HUGHES CENTURY CROSSING PUD

- b. Outlots: As part of a Subdivision Plat, Outlot(s) may be created to facilitate the sale or transfer of ownership. Outlots shall not be buildable and no building permit shall be issued until such time that a Subdivision Plat is approved and the final plat is recorded that replats said Outlot(s) into one or more regular Subdivision Lots. No public or private infrastructure improvements are required to be installed or surety posted for any Outlots created by Subdivision Plat.
 - c. Acquisition Plats: Public street rights-of-way may be established by Acquisition Plat following the review and approval by the City.
 - d. Public Street Frontage: Lots without public street frontage shall be permitted provided the frontage requirements of the subdivision regulations have been otherwise satisfied by an abutting or surrounding lot which is under common ownership by an Owners' Association with all properties within the master development plan being part of the Association, or there have been cross parking and access easements executed which provide for the unrestricted use and access to the drives and parking for all members of the Association.
 - e. Postage Stamp Lots: Individual lots created within a common lot or outlot that is owned and controlled by an Owner's Association or condominium regime, commonly referred to as a *Postage Stamp Lot*, may be permitted provided it is within an approved master planned development and the surrounding common lot or outlot meets the City's requirements for lot frontage, and provides for cross access/egress and public utilities for the Postage Stamp Lots.
3. **Development Applications**: Site Plans for all non-single family residential zoned parcels within the Hughes Century Crossing PUD shall be submitted to the City for its review and approval in accordance with the City's site plan review process prior to the development, and must meet the intent of the approved PUD Master Plan.

SECTION 5 - GENERAL CONDITIONS. The following general site development criteria are applicable to the Hughes Century Crossing PUD:

1. 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.
2. All subdivisions, public streets, public street rights-of-way, public improvements, and other general development improvements shall adhere to the standards and design criteria set forth in the Norwalk Subdivision Ordinance and the Statewide Urban Design Specifications (SUDAS) as adopted or as amended by the City of Norwalk, pertaining thereto, unless otherwise stated within this Ordinance.
3. 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.
4. Applicable in all areas located within a 100-year frequency flood hazard zone, or in adjoining drainageways, detention areas, or other storm water management areas involving potential flood hazards, no building shall be erected which has a lowest floor elevation, including basements, of less than one (1) foot above the determined

HUGHES CENTURY CROSSING PUD

level of the one hundred (100) year frequency flood event; or the building shall be flood proofed to the same elevation in accordance with the City of Norwalk Floodplain Ordinance. No building shall be erected within 25-feet of any major drainage (as determined by the storm water management plan), storm water detention basin or pond, unless approved by the City.

5. The Developer, its successors and assigns, if any, shall pay all construction and engineering costs for the development and improvement of its property, including improvements located in all rights-of-way to be dedicated to the City, all in accordance with the current City policies and ordinances in affect at the time of development.
6. The physical character of the Hughes Century Crossing PUD dictates the configuration of transportation access to the property. 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 PUD Master Plan.

SECTION 6 - STREET CIRCULATION AND RIGHT-OF-WAY. Exhibit A shows a conceptual roadway circulation system within each Land Use Area Parcel including the classification of each road. The circulation and layout of street within Parcel F shall be determined when a proposal for the Town Center area is developed. The minimum standards of each road classification are as follows:

Chatham Avenue (Major Collector):

- 82' Right of Way
- 16' wide landscaped median
- Two 11.5' drive lanes
- Two 5.5' bike lanes
- 5' sidewalks on both sides
- Street trees

Commercial Corridors:

- 71' Right of Way
- Two 11.5' drive lanes
- One 11' center turn lane
- 10' trail on one side
- 5' sidewalk one side
- Street trees

Town Center Main Street:

- 60' Right of Way
- Two 10.5' drive lanes
- 8' parking lane on both sides
- 11.5' sidewalks on both sides with street trees

Residential Minor Collector:

- 61' Right of Way
- 8' parking lane on westside of street
- Two 10' travel lanes
- 8' trail on westside of street
- 5' walk on eastside of street
- Street trees

Residential Local Street:

- 56' Right of Way

HUGHES CENTURY CROSSING PUD

- 8' parking lane on westside of street
- Two 9' travel lanes
- 5' walks on both sides
- Street trees

At a minimum, the Developer of each area shall design the local street circulation system and shall extend designated roadways across its plat to adjacent areas. Public street right-of-way shall be dedicated to the City at the time of platting consistent with the above standards and with the City's current Ordinances and Policies. Private streets shall establish a private street easement with a width that is no less than the prescribed right-of-way width as if a public street. Said easement shall detail the private street ownership, maintenance, private access rights, and the right of use by the general public and city emergency service vehicles for access and circulation.

The Developer of each area shall submit to the City for its review and approval, as a part of the Subdivision Plat review and approval process, a roadway alignment and circulation plan (including phasing) which satisfies the City's development requirements and standards. The roadway alignment and circulation plan shall also provide adequate connections to all adjacent plats, Land Use Area Parcels, and adjoining properties within and adjacent to the PUD.

The design and construction of the street (whether public or private) shall comply with the City's public street design standards and procedures.

SECTION 7 - PEDESTRIAN TRAILS

Pedestrian trails as identified on the PUD Master Plan shall be installed within the public street rights-of-way (or within the private street easement if applicable) by the developer at the time of street installation. These trails shall be in lieu of the corresponding street sidewalk. The City shall reimburse the developer for the installation cost of the pedestrian trail that is in excess of the installation cost of a standard 5 ft sidewalk.

SECTION 8 - PARKLAND DEDICATION. All development within this PUD shall comply with the City's parkland dedication requirements. Parkland required under current City codes will be dedicated to the City and shall be contained within a single continuous parcel and located within PUD Land Use Parcel F and/or Parcel H. Alternatively the developer and the City may agree on park dedication of various configurations based on future parkland needs for the PUD development area. Once that dedication has been fulfilled, the remaining parkland dedication requirements shall be satisfied by the installation of improvements within this designated park site and installation of pedestrian trails identified on the PUD Master Plan.

SECTION 9 - SANITARY SEWER SERVICE AND STORM WATER DRAINAGE. Each Developer shall extend across its plat sanitary sewer and storm sewers at sufficient capacity and appropriate elevations and locations to serve the respective service area.

The Developer of all areas within the PUD shall submit to the City for its review and approval, as part of the Subdivision Plat and any Site Plan review and approval process, a sanitary sewer service and storm water drainage plan which satisfies the City's development standards and regulations. The sanitary sewer service and storm water drainage plan shall also provide for sufficient service within the respective service area both within and adjacent to the PUD.

Sufficient service is defined herein as sanitary sewer and storm water drainage facilities

HUGHES CENTURY CROSSING PUD

(pipes, structures, drainageways, detention ponds, and similar facilities) adequately sized and designed, including location and depth/elevation, to accommodate the expected flows generated within the service area. Furthermore, the design shall provide for the extension of the facilities across or through the respective Subdivision Plat and/or Site Plan so that all areas within the service area including those located 'upstream' from the Plat and/or Site Plan shall be adequately served.

SECTION 10 - STORM WATER MANAGEMENT. As a part of the review and approval for each Subdivision Plat and Site Plan, a storm water management plan for the area within the Subdivision Plat and/or Site Plan shall be submitted to the City for its approval. All storm water management plans shall comply with the current City design standards and shall incorporate best practices of the latest version of the Iowa Storm Water Management Manual specifically including Water Quality Volume and Channel Protection Storage Volume, and to all other standards applicable to the subdivision plat or site plan. Specific emphasis shall be placed on the Unified Sizing Criteria and Water Quality Volume.

The storm water management plan shall take into account all off-site drainage that passes through the site for both the undeveloped and developed conditions. It is understood that as development of areas outside of the PUD's boundaries progresses, those areas shall provide the necessary storm water management facilities to control flows and sedimentations from off-site properties.

Furthermore, the storm water management plan for the first Subdivision Plat and/or site plan which conveys stormwater to the South affecting property outside the boundaries of the Hughes PUD shall include a downstream capacity analysis of the drainage system through the neighborhoods to the south of the Hughes PUD to determine what the impacts of storm water from Hughes will have downstream of this PUD. If the downstream study determines that pre-existing conditions are present, the study shall make recommendations to improve downstream storm water conveyance system. The cost of the study shall be shared by the developer and the City. If the study finds that improvements are needed to accommodate drainage from the Hughes PUD, then the cost of the improvements shall be the responsibility of the developer.

The method of storm water management and the storm water conveyance system shall be approved by the City prior to the improvement of any Subdivision Plats or Site Plans.

SECTION 11 - LAND USE DESIGN CRITERIA. In addition to the general conditions as stated above, the following land use design criteria shall apply to the areas designated on the Hughes Century Crossing PUD Master Plan. The PUD Master Plan document, which is made a part of this rezoning action, delineates land use area parcels of the PUD as A through F. The following development standards and use regulations shall apply to each of the following development PUD Land Use Parcels:

1. **Land Use Parcels A and G:** 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 located within Land Use Parcels A and G shown on the PUD Master Plan of the Hughes Century Crossing PUD ordinance, unless noted otherwise in this ordinance. Land Use Parcels A and G incorporate approximately 38 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 uses shall be prohibited:

HUGHES CENTURY CROSSING PUD

- i. Adult Entertainment Facilities
- ii. After Hours Businesses
- iii. Delayed Deposit Services Business including check cashing, payday lending, and car title loan establishments)
- iv. Extended Stay and Apartment Hotels
- v. Pawnshops
- vi. Smoking Lounges, Smoking Dens or Hookah Lounges

Additional Allowed Uses: Vertically attached multiple-family dwellings (apartments and condominiums), located on the upper level of a multi-story, mixed use building (buildings containing a combination of retail, office and residential dwelling units) shall be allowed. Stand-alone apartment and condominium buildings are prohibited, except that senior restricted housing, assisted living residential facilities, and nursing homes may be permitted. The maximum residential density for any development shall be no more than 18 dwelling units per acre.

Car washes, including self-service, shall be permitted.

Pet daycare centers (defined as short-term, daytime boarding for household pets, with no outdoor kennels) may be approved by Special Use Permit by the Board of Adjustment in accordance with Chapter 17.90 of the City Code. These facilities shall not include overnight boarding.

- b. Setbacks: All setbacks shall be in accordance with the Height and Bulk Regulations for the C-2 district except as noted herein.
 - c. Building Heights: No building shall exceed four (4) stories in height, not including roof-top patios.
 - d. Storage and Display: Outdoor storage is prohibited. Limited and temporary outdoor display and sales of retail goods, including lawn and garden centers, may be specifically permitted by the City Council as part of the Site Plan review and approval process.
 - e. Highway 28 Access: Vehicular access to Highway 28 is subject to and shall be in compliance with Iowa Department of Transportation (IDOT) requirements.
 - f. Alternate Standards and Regulations: The City Council may, at its full discretion, allow all or a portion of Land Use Parcel A to be developed under the standards as established herein for Land Use Parcel F.
2. **Land Use Parcel B:** All general use regulations and provisions set forth in Chapter 17, Zoning, of the City Code for R-4 High Density Multiple-Family Residential District, shall apply to any development proposal for property located within Land Use Parcel B shown on the PUD Master Plan of the Hughes Century Crossing PUD ordinance, unless noted otherwise in this ordinance. Land Use Parcel B incorporates approximately 7.25 acres and contains approximately 130 dwelling units for an average density of no more than 18 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-4 district.
 - b. Alternate Standards and Regulations: A portion of Land Use Parcel B may be developed under the standards as established herein for Land Use Parcel F.

HUGHES CENTURY CROSSING PUD

- c. Setbacks: All setbacks shall be in accordance with the Height and Bulk Regulations for the R-4 district, except that for all principal structures the front yard setback from all public street right-of-way lines shall be a minimum of 15 feet and a maximum of 25 feet.
3. **Land Use Parcel C**: All general use regulations and provisions set forth in Chapter 17, Zoning, of the City Code for R-3, Medium Density Multiple-Family Residential District, shall apply to any development proposal for property located within Land Use Parcel C shown on the PUD Master Plan of the Hughes Century Crossing PUD ordinance, unless noted otherwise in this ordinance. Land Use Parcel C incorporates approximately 13.5 acres and contains approximately 160 dwelling units with an overall density of no more than 12 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-3 district including the following:
 - i. Assisted Living Residential Facilities, Nursing or Convalescent Home, Dormitories, or other group quarters, not exceeding eighteen (18) dwelling units per acre of lot area exclusive of public street right-of-way, or for those facilities which do not provide separate living quarters defined as dwelling units within this ordinance, a maximum of thirty-six (36) beds or residents per acre of lot area exclusive of public street right-of-way.
 - b. Setbacks: All setbacks shall be in accordance with the Bulk Regulations for the R-3 district, except as noted herein. For all principal structures, the front yard setback from all public street right-of-way lines shall be a minimum of 15 feet and a maximum of 25 feet.
 - c. Building Heights: No building shall exceed three (3) stories in height.
4. **Land Use Parcel D**: The intent of this parcel is to create a walkable Single-Family Residential neighborhood. The neighborhood will be a mix of lot types and sizes, allowing for Standard Single-Family Lots and Compact Single-Family Lots. All principal permitted uses and permitted accessory uses set forth in Chapter 17A, Zoning, of the City Code for the general R-F, Founders Single-Family Residential District, shall apply to any development proposal for property located within Land Use Parcel D shown on the PUD Master Plan of the Hughes Century Crossing PUD ordinance, unless noted otherwise in this ordinance. Specific bulk regulations to encourage walkable design elements of the neighborhood are outlined in this section. Land Use Parcel D incorporates approximately 24.8 acres and approximately 150 single family lots.

Areas designated as Single Family Residential are intended for traditional stand-alone single family lots. No multi-family units or commercial uses of any kind will be allowed in these areas. Accessory garages may be attached or detached, and the developer is encouraged to incorporate rear-loaded or alley-loaded garages where feasible. All public walks shall be constructed with concrete – see street standards for dimensions and relative locations. Hard surfacing on private lots may also include stamped concrete, colored (integral) concrete, concrete paving units, porous paving units.

- a. Allowed Uses: All permitted principal and accessory uses and special uses as provided in the City Code for the R-F district, in accordance with the specified minimum lot width suffix.

HUGHES CENTURY CROSSING PUD

- b. **Setbacks:** All setbacks shall be in accordance with the Height and Bulk Regulations for the R-F district, except as modified herein.
- i. **Standard Single-Family Lot Dimensions:** Standard Single-Family Homes are allowed to have direct driveway access to the public street from a private driveway. Driveway access locations on each lot should be thoughtful and pair with access on adjacent lots to maximize opportunities for on-street parking. Lot dimensions and building setbacks shall comply with the following:
- (1) Lot Width – Minimum 60 feet.
 - (2) Lot Depth – Minimum 120 feet.
 - (3) Front Yard Setback – Minimum 15 feet and Maximum 20 feet, (minimum 25 feet setback for garage doors facing the street).
 - (4) Front Porch Setback – Minimum eight (8) feet.
 - (5) Side Yard Setback – Minimum five (5) feet one-side, 11 feet minimum total sum of the side yard setbacks.
 - (6) Rear Yard Setback – Minimum 25 feet.
- ii. **Compact Single-Family Lot Dimensions:** Compact Single-Family Lots allow for smaller, denser, and more affordable detached single-family homes. Compact Single-Family Homes are allowed garages that are detached in the rear yard and either rear-loaded off a common alleyway or via public street access off a single-lane shared driveway between two lots.
- (1) Lot Width – Minimum 40 feet.
 - (2) Lot Depth – Minimum 90 feet.
 - (3) Front Yard Setback – Minimum 15 feet and Maximum 25 feet, (minimum 22 feet setback for garage doors facing the street).
 - (4) Front Porch Setback – Covered front porches that are not fully enclosed, minimum eight (8) feet.
 - (5) Front Porch Requirement – 50% of homes built of Compact Single-Family Lots shall be required to have an eight (8) foot covered front porch projecting off the front façade of the house into the front setback.
 - (6) Side Yard Setback – Minimum five (5) feet one-side, 11 feet minimum total sum of the side yard setbacks.
 - (7) Rear Yard Setback – Minimum 20 feet.
 - (8) Detached Garage Setback – Five (5) feet rear yard and five (5) feet side yard, minimum of 10-foot separation from all other structures.
 - (9) Shared Driveway Dimensions – Minimum 12 feet wide with six (6) feet of driveway on each lot. All buildings shall be no closer than one (1) foot from the driveway lane.
 - (10) Driveway Width - The width of driveways serving a single lot shall be 12' at the front property line. The driveway shall be allowed to taper back onto the property to a wider width that meets all other City driveway requirements.
5. **Land Use Parcel E:** All general use regulations and provisions set forth in Chapter 17A, Zoning, of the City Code for IC, Industrial Commerce Park District, and the R-4, High Density Multiple Family Residential District shall apply to any development proposal for property located within Land Use Parcel E shown on the PUD Master Plan of the Hughes Century Crossing PUD ordinance, unless noted otherwise in this

HUGHES CENTURY CROSSING PUD

ordinance. Land Use Parcel E incorporates approximately 23.8 acres. Any R-4 development will be at an overall density of no more than 18 dwelling units per acre.

- a. Allowed Uses: All permitted principal and accessory uses and special uses as provided in the City Code for the IC, Industrial Commerce Park District and the R-4, High Density Multiple Family Residential District, with the exception that no One and Two Family - Rowhouse / Townhome dwellings or Multiple Family - Rowhouse / Townhome dwellings shall be permitted within Parcel E.
- b. Setbacks, Site and Architectural Design Standards: All setbacks, site, parking, and building architectural design standards shall be in accordance with the regulations for the IC district or the R-4 district based upon the district under which the site's use is permitted.
- c. Storage and Display: Outdoor storage of all materials, goods, construction equipment (not including operable and licensed cars, trucks, and semi-trailers), containers, etc., is prohibited unless completely screen from view from all public street rights-of-way and all adjoining non-industrial uses.

Limited and temporary outdoor display and sales of retail goods, including lawn and garden centers, on retail developed sites may be specifically permitted by the City Council as part of the Site Plan review and approval process.

6. **Land Use Parcel F**: All general use regulations and provisions set forth in Chapter 17, Zoning, of the City Code for the TC, Town Center District, shall apply to any development proposal for property located within Land Use Parcel D shown on the PUD Master Plan of the Hughes Century Crossing PUD ordinance, unless noted otherwise in this ordinance. Land Use Parcel F incorporates approximately 15.2 acres.

- a. Allowed Uses: All permitted principal and accessory uses and special uses as provided in the City Code for the TC district, except the following uses shall be prohibited:
 - i. Adult Entertainment Facilities
 - ii. After Hours Businesses
 - iii. Delayed Deposit Services Business including check cashing, payday lending, and car title loan establishments)
 - iv. Apartment Hotels
 - v. Pawnshops
 - vi. Single Tenant Buildings with Vehicle Drive-Thru Service
 - vii. Smoking Lounges, Smoking Dens or Hookah Lounges

Additional Allowed Uses: Horizontally attached One and Two Family Rowhouse / Townhome dwellings and Multiple-Family - Rowhouse / Townhome dwellings, not exceeding twelve (12) dwelling units per acre and no greater than eight (8) dwelling units per building, shall be allowed.

Vertically attached multiple-family dwellings (apartments and condominiums), not exceeding eighteen (18) dwelling units per acre and located on the upper level of a multi-story, mixed use building shall be allowed. Stand-alone apartment and condominium buildings are prohibited.

The south 200 ft of Land Use Parcel F shall be restricted to open space, park space, civic/municipal uses or the development of detached one-family or horizontally attached two-family residential townhome units, no greater than two

HUGHES CENTURY CROSSING PUD

(2) dwelling units per building and no taller than two-stories. It is intended that the 200 feet will encompass the depth of one row of development along the southern border.

Setbacks: All setbacks shall be in accordance with the Bulk Regulations for the TC district, except as noted herein.

For all residential principal structures in the southern 200 feet of Parcel F, the setbacks shall be:

- (1) Front Yard Setback – Minimum 15 feet and Maximum 20 feet, (minimum 25 feet setback for garage doors facing the street).
 - (2) Front Porch Setback – Minimum eight (8) feet.
 - (3) Side Yard Setback – Minimum five (5) feet one-side, 11 feet minimum total sum of the side yard setbacks.
 - (4) Rear Yard Setback – Minimum 25 feet.
- b. Building Heights: No principal building shall exceed three (3) stories and fifty (50) feet in height. No accessory structure shall exceed fifteen (15) feet in height, unless a greater height is permitted for a special use.
- c. Site Design Standards: No off-street parking area, parking lot, or loading area shall be located between a street (public or private) and a principal structure.
- d. Vehicle Parking: All development shall comply with the off-street parking and loading standards as contained in the City Zoning Code. At the full discretion of the City, on-street parking may be counted towards fulfillment of the off-street parking requirements. Credit towards fulfillment of the off-street parking requirements may be granted by the City for parking shared between uses that are off-peak from each other.
- e. Bike Facilities: Every building that contains a residential or a retail use including restaurants, bars, and coffee shops, shall provide a bike parking facility, such as a bike rack or bike lock boxes or an indoor bike storage area.
- f. Open Space: On each developed lot, there shall be provided an open space area equal to no less than 15% of the lot area. Open space shall be defined as an area unencumbered with any structure, off-street parking area, roadways, driveways or similar paved area. Open space may include paved pedestrian areas, plazas, patios and courtyards.

Each development lot shall provide an outdoor seating and gathering plaza space for use of its patrons and/or occupants. The amount of outdoor seating and gathering space shall be proportional to the scale and type of use; e.g., restaurant uses should provide larger outdoor seating areas that would an office use.

At the full discretion of the City, fulfillment of this open space and outdoor seating/gathering plaza requirement may be provided on an adjoining lot or lots as part of a planned development concept to congregate required open space into a larger, outdoor pedestrian space.

- g. Storage and Display: Outdoor storage is prohibited. Limited and temporary outdoor display and sales of retail goods may be specifically permitted by the City Council as part of the Site Plan review and approval process.

HUGHES CENTURY CROSSING PUD

SECTION 12 - BUFFERING. All building and parking lot setbacks shall be measured from the edge of the buffer lines.

A 30-foot wide, Type 1 landscaped buffer shall be required along the southern boundary of Parcel D for any areas developed with a use other than detached single family residential dwellings.

A 30-foot wide, Type 1 landscaped buffer is required for all single family residential double frontage lots within Land Use Parcel D per the Zoning Code, not including lots that back to a private alley. Said buffer shall be located along the street on which the double frontage lot does not have its driveway located. No fences are permitted within this buffer and the building setbacks shall be measured from the edge of the buffer line. Fences may be placed within the rear yard setback area that is outside the buffer.

No other buffers are required internally within this PUD to transition between differing uses, except that within Parcel E, a 30-foot wide, Type 3 landscaped buffer shall be required between any industrial use and any adjacent residential uses whether either use is located within or adjacent to PUD Parcel E.

Existing trees and shrubs located along the southern boundary of the PUD, that are not dead, dying or diseased, shall be preserved unless removal is required to accommodate utility installation or drainage improvements. Removal shall be the minimum necessary to accommodate the necessary improvements. Dead, dying, or diseased trees and shrubs may and shall be removed.

SECTION 13 - GENERAL LANDSCAPE STANDARDS. All areas not covered by building or paving shall be landscaped with turf grass, prairie grass, plant beds, shrubs, and trees in accordance herein.

Landscape standards for this PUD are intended to help in the creation of an overall theme for streets, municipal buildings, and residential/commercial development. The base recommendations are a minimum requirement and efforts should be made to increase the overall level of landscape installation throughout.

The use of native, drought tolerant plant materials is encouraged throughout Hughes Farm. High maintenance annuals and plants needing significant watering after installation are discouraged.

Diversity of plantings is also strongly encouraged over mass monoculture plantings. As seen with the Emerald Ash Borer and other plant diseases, it's preferred to have a mix of plants. This way if something affects a certain species of plant it doesn't affect the entire landscape.

Irrigation systems are discouraged for shrub and perennial planting beds. Systems installed for turf areas should implement water saving features as much as possible in order to reduce overall consumption. Hybrid and native turf varieties are strongly encouraged as an alternate to typical bluegrass sod.

- a. Building Foundation Plantings: Low height plant materials (shrubs, ornamental grasses, perennials) shall be planted and maintained along all building foundation lines where not impeded by building entrances, loading areas and sidewalks. Foundation plant materials shall not count towards the fulfillment of the required open space landscaping.

HUGHES CENTURY CROSSING PUD

- b. Mulch: Wood based mulch shall be used around all plantings and in all plant beds. Large areas of wood mulch that do not contain plantings shall not be permitted except when used around play structures. In organic ground cover material, including rock, chip brick, and synthetic turf, is prohibited except in extremely limited applications as may be deemed acceptable by the City.
- c. Street Right-of-Way Tree Installations: One (1) overstory tree (minimum 10 feet tall) shall be planted in the right-of-way or private street easement for every 50 feet of street frontage along every Major Collector, Minor Collector, and Main Street as defined in Section 6 of this PUD.

All other residential streets shall require one (1) overstory tree (minimum 6 feet tall) per street face of each residential lot (corner lots shall require 2 trees - 1 per street). Installation of all street trees will be the responsibility of the builder/owner.

Due to potential loss of tree canopy from disease and pests, it is recommended that the street tree plantings be a combination of diverse species. Plans should incorporate an alternating sequence of varying species throughout, allowing for minimal impact should one particular species die out. No more than 5 trees of one particular species are recommended in a single group. Additional overstory trees beyond the minimum are encouraged where possible, however, no evergreen trees are permitted anywhere within a street right-of-way.

At the time of development, the developer shall submit a tree plan for review. The specific location of all street trees shall be subject to the review and approval of the City.

- d. Open Space Landscaping Requirements: The following required landscaping shall be based on calculations of required open space per site. Sites are allowed and encouraged to have greater than the required open space, however landscape minimums are based only on the required Open Space.
 - 2 Overstory Trees (2.5" caliper or larger) per 5,000 SF of required Open Space
 - 1 Understory Tree (1.5" caliper or larger) per 3,000 SF of required Open Space
 - 1 Evergreen Tree (6' height or larger) per 5,000 SF of required Open Space
 - 6 Shrubs (#5 or larger) per 5,000 SF of required Open Space
- e. Off-Street Parking and Loading Area Landscape Requirements (Parking Lot Plantings): Vegetation in off street parking areas aides in breaking up large open areas of pavement and helps reduce overall negative environmental impacts on the property. All off-street parking areas shall be screened from view of public rights-of-way. Plantings shall be a minimum of 36 inches high and provide year-round screening. Perennial plants and ornamental grasses may be used in addition to shrubs, but not as the primary screening element. The following requirements will apply to all off-street parking lots within Hughes Farm:
 - i. Landscaped islands throughout the parking lot are required to help break up the overall expanse of pavement. Islands should be effectively placed to allow access for emergency vehicles.
 - ii. Landscaped islands shall be placed, at a minimum, every twelve (12) stalls within a row of parking. Landscaped islands shall be equal to or larger than a standard parking stall within the lot.

HUGHES CENTURY CROSSING PUD

- iii. 'Tree Diamonds' are not allowed as acceptable parking lot planting islands.
- iv. The minimum planting requirement for off street parking areas are as follows:
 - 2 Overstory trees in each landscaped island equal to 2 parking stalls.
 - 1 Overstory tree in each landscaped island equal to 1 parking stall.
 - 12 Shrubs (#5 or larger) in each landscaped island equal to 2 parking stalls.
 - 6 Shrubs (#5 or larger) in each landscaped island equal to 1 parking stalls.
 - All landscaping required in off street parking shall be in addition to any requirements for open space.

SECTION 14 - ARCHITECTURE AND SITE DESIGN REGULATIONS. All single family residential, multi-family residential, office, commercial buildings, mixed-use buildings, industrial buildings, and accessory structures shall comply with the City's architectural standards.

SECTION 15 - SIGNAGE. All signage shall be in compliance with the City Zoning Code regulations.

SECTION 16 - 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, improve or develop land including grading or installation of utilities, or plat a Land Use Area Parcel (or fractional part therein) within the PUD by improving or grading the parcel, installing utilities, or for the construction of a building or buildings or amenities.

SECTION 17 - 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 18 - 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 19 - REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 20 - 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.

HUGHES CENTURY CROSSING PUD

SECTION 21 - 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 29th day of March 2018.



Tom Phillips, Mayor

ATTEST:



Jean Fuller, City Clerk

