

ORDINANCE NO. 20-08

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF NORWALK, IOWA BY AMENDING THE CHAPTER 175B ZONING DISTRICT REGULATIONS TO CREATE THE C-5 TRADITIONAL COMMERCIAL DISTRICT

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

SECTION 1. PURPOSE. The purpose of this ordinance is to amend the Zoning Ordinance of the City of Norwalk, Iowa, under the provisions of Title 175 (Zoning Regulations), Chapter 175B (Zoning District Regulations) of the Norwalk Municipal Code.

SECTION 2. AMENDMENT. Chapter 175B is hereby amended to add the following:

175B.145 C-5 Traditional Commercial District

The regulations set forth in this section or elsewhere in this ordinance which are applicable, shall apply in the C-5 Traditional Commercial District.

1. Statement of Intent. The C-5 District is intended to recognize the need to create a district for traditional commercial development with street oriented buildings to promote a vibrant streetscape and walkable elements into the community.
2. Principal Permitted Uses. Only the use of structures or land listed in this section shall be permitted in the C-5 District.
 - A. Residential dwellings not exceeding sixteen (16) dwelling units per acre of total lot area, in addition to any other permitted use which may be located on the first floor of a building. Dwelling units shall not be located on the first floor of a building in order to preserve the first floor area for permitted nonresidential uses.
 - B. Any principal permitted use in the C-1 Zoning District, except the following:
 - i. Convenience stores and gas stations
 - ii. Delayed Deposit Services Businesses
 - iii. Liquor stores
 - iv. Pawnshops
 - v. Smoking Lounges and Dens
 - vi. Tobacco Stores

- C. The following retail commercial and service establishments and uses:

Antique stores, but not including refinishing or refurbishing.

Artists' and architectural supply

Automobile parts store; no repair work on site permitted.

Banks, savings and loans and other financial institutions with drive-in facilities and free-standing ATM machines permitted

Bars and night clubs

Billiard parlors and pool halls
 Bowling alleys
 Clothing and accessory stores, including storage and repair of fur garments, but not including trading in furs
 Commercial art galleries
 Computers, typewriters, copiers, and similar office equipment retail sales and service
 Department or variety stores
 Electrical repair shops
 Floor covering stores, primarily engaged in retail sales and incidental installation, but not including establishments primarily engaged in installing or supplying building contractors
 Formal wear and costume rental
 Fruit stores and vegetable markets, provided that no outdoor or open-air display, sales, or storage shall be permitted except by special use permit
 Grocery and food stores
 Hardware stores
 Hospitals
 Hotels
 Household appliance stores
 Household furniture, retail sales but not including cabinets
 Household improvement products stores, i.e., paint, glass and wallpaper stores, retail sales to the general public only
 Ice and roller skating rinks
 Interior decorations, including retail sales of draperies and curtains
 Luggage and leather goods
 Music or dance schools or studios, including children's or amateur instruction and exercise classes, but not including ballrooms or dance halls
 Office furniture, and supplies, retail sales only
 Pet shops, but not including boarding or outdoor kennels
 Postal service (local substation of United States) or private parcel post delivery service
 Radio, television, and music stores
 Restaurants
 Sporting goods stores and bicycle shops, but not including sales of motorized vehicles
 Theaters; does not include drive-in theaters
 Toy stores
 Veterinarian clinics for household pets on an out-patient basis only; no overnight boarding or lodging except by special use permit
 Any use which is found by the Zoning Administrator to be similar to one of the above named uses, and in his/her opinion, conforms to the intent of this section.

3. Permitted Accessory Uses. The following uses may exist as part of, or in accessory to the principal permitted or special use:
 - A. Any accessory use permitted in the C-1 Zoning District provided such use shall comply with the minimum requirements of the C-5 Zoning District.

4. Special Uses. The following uses may be permitted in the C-5 Traditional Commercial District subject to approval of a special use permit by the Board of Adjustment in accordance with Chapter 175J, after notice and public hearing:

A. Restaurants with a drive-thru

5. Maximum Height Regulations. No principal building shall exceed forty-five (45) feet in height. No accessory structure shall exceed fifteen (15) feet in height, unless a greater height is permitted for a special use.

6. Bulk Regulations. The following minimum bulk requirements shall be observed in the C-5 Traditional Commercial District:

Use	Lot Area	Lot Width	Front Yard Setback	Side Yard Setback, Least Width on Any One Side	Sum of Both Side Yard Setbacks	Rear Yard Setback
All Uses	none	none	A	B	B	B

A. The front yard setback shall be established based on the planned right-of-way and street paving width for the street on which the buildings shall front. Buildings may have a zero (0) setback from the street right-of-way, but shall maintain a minimum setback of thirty-eight (38) feet from the centerline of any street, or sixteen (16) feet from the back of the street's curb, whichever is greater. Front Yard setback requirements shall apply to all street frontages. On corner lots adequate vision clearance shall be preserved.

B. No setback is required, except if adjoining another zoning district, in which case not less than twenty-five (25) feet.

C. Multiple occupancy of a lot by more than one (1) principal building shall be permitted only if the site is developed as a complex with a master plan for the building site submitted for approval by the City, with restrictions placed upon the property requiring that buildings be compatible in architectural design and use of exterior materials; organized in close physical proximity, utilizing a centrally planned open space, landscape plan, parking plan to serve and maintain a unified master plan concept, and provided parking areas are not located between buildings within the complex.

6. Open Space and Landscaping Requirements. See Chapter 175D.

7. Off-Street Parking and Loading. No parking area or access drive shall be located between a building and public street right-of-way. Public parking within close proximity of property planned for development or redevelopment may be used in fulfillment of off-street parking requirements. See Chapter 175E for additional requirements.

8. Buffer Requirements. See Chapter 175F.

9. Architectural Standards. See Chapter 175G.

10. Sign Regulations. See Chapter 175H.

11. Site Plan Requirements. See Chapter 175I.

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

SECTION 4. 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 5. 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 ____ day of _____, 2020.

Tom Phillips, Mayor

ATTEST:

Lindsey Offenburger, City Clerk

PREPARED BY: Elliot Klimowski, AICP - City Planner