

ORDINANCE NO. 14981

AN ORDINANCE APPROVING CHANGES TO THE MARSHALLTOWN ZONING ORDINANCE OF 2010, REGARDING CHAPTER 19 TN TRADITIONAL NEIGHBORHOOD DISTRICT AND REZONING THE PROPERTIES AT 108, 110, 112, AND 114 N 3RD AVENUE IN MARSHALLTOWN FROM R-4 MEDIUM DENSITY RESIDENTIAL TO TRADITIONAL NEIGHBORHOOD

WHEREAS the Plan Zoning Commission reviews zoning regulations as necessary or upon request; and

WHEREAS the City received a request to amend Chapter 19 TN Traditional Neighborhood District and to rezone the properties at 108, 110, 112, and 114 N. 3rd Avenue from R-4 Medium Density Residential to TN Traditional Neighborhood; and

WHEREAS the Plan Zoning Commission reviewed the request, held a public hearing on February 14, 2019 and recommended that Chapter 19 be replaced by the following chapter as amended and the area be rezoned based on the proposed land use changes within the Highway 14 Corridor Study; and

WHEREAS the City has reviewed the request and found the amendment and proposed rezoning to be in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF MARSHALLTOWN, IOWA:

Section 1. Chapter 19 TN Traditional Neighborhood District of the Zoning Ordinance of 2010 is hereby amended by replacing the following attached language.

Section 2. That the properties at 108, 110, 112, and 114 are hereby rezoned to TN Traditional Neighborhood District.

Section 3. The public hearing required on this City Code amendment shall be held in the Council Chambers of City Hall, 10 West State Street, Marshalltown, Iowa at 5:30 p.m. local time, on the 25th day of March 2019, and the City Clerk is directed to cause a publication of the notice of public hearing in one issue of the Marshalltown Times-Republican, a newspaper published in Marshalltown, Marshall County, Iowa, not less than 7 days nor more than 20 days prior to the date of public hearing fixed herein.

Section 4. This Code shall be in full force and effect from and after public notice of hearing on this Amendment to the Marshalltown City Code has been duly given as required by the said Code and the statutes of the State of Iowa and said public hearing has been duly held and after passage by the Council and publication as is provided by law.

Passed this ____ day of March 2019, and signed this ____ day of March 2019.

CITY OF MARSHALLTOWN

Joel T.S. Greer, Mayor

ATTEST:

Shari L. Coughenour, CMC, City Clerk

**CHAPTER 19
TN TRADITIONAL NEIGHBORHOOD DISTRICT**

Section 1: Purpose.

The regulations set forth in this Chapter, or set forth elsewhere in this Ordinance when referred to in this Chapter, are the district regulations for the TN Traditional Neighborhood District.

- The Traditional Neighborhood District is intended to provide for compact, pedestrian-oriented mixed-use areas of limited size, with a variety of residential, office and service uses that primarily serve neighborhood needs. It is also intended to serve as a transitional use of land between commercial or industrial districts and residential districts or other less intensive land uses.

Section 2: Permitted uses

1. Commercial uses contained in Chapter 29 of this Ordinance.
2. Single-family detached and attached dwellings.
3. Two-family dwellings.
4. Multi-family dwellings. These units shall not be on ground/first level of any building also containing a Commercial use listed in Chapter 29 of this Ordinance.
5. Home Occupations in compliance with Ch. 4, Sec. 11 of this Ordinance.
6. Churches
7. Parks, playgrounds, and civic buildings.
8. Accessory buildings and accessory uses customarily incident to any of the above uses.

Existing Uses

Any existing use, which is conforming as of January 1, 2009, shall be considered a conforming use for that zoning lot for the purposes of this Ordinance. The use can change to any other listed conforming use for the zoning lot, or to a special use. The zoning lot for the businesses after January 1, 2009, may expand provided that the new area is a listed conforming use for that zoning lot or to a listed special use by following the procedures in Chapter 30, Special Use Regulations.

Section 3: General Provisions.

1. Chain link fences shall not be allowed.
2. A minimum of one tree per lot shall be placed in the terrace pursuant to Section 27: 19-20 of the City Code of Ordinances.
3. All regular business must take place inside a structure. This regulation shall not apply to any establishment that employs a full-service wait staff or gas station pumps.
4. Multiple buildings shall be allowed on one zoning lot, with the exception of single-family detached housing.

Section 4: Bulk Requirements. The following requirements shall be observed:

Use ^a	Front Yard Setback (min/max)	Rear Yard Setback minimum	Side Yard Setbacks (minimum/combined)	Minimum lot area required/unit	Maximum Height	Minimum Lot Width

Single-Family Detached	15/25feet	15 feet	6/12	3,500 sq.feet	35 feet	35feet
Single-Family Attached	10/25 feet	15 feet	6/12 ^b	2,000 sq. feet	35 feet	25 feet
Multi- Family	0/25 feet	10 feet	None ^d	1,700 sq. feet	45 feet	25 feet
Commercial ^c	0/15 feet	0 feet	None ^d	800 sq. feet	45 feet	25 feet

^a Does not include residential units above a commercial space.

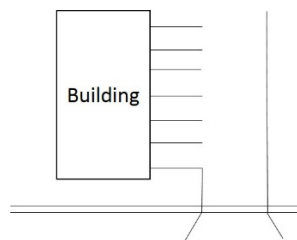
^b None if shared walls

^c Including residential uses above commercial space.

^d 6 feet minimum per side when adjacent to a residential dwelling.

Section 5: Parking Requirements.

1. Whenever structures are erected or structurally altered, parking spaces shall be provided on the same lot as the building in accordance with Chapter 7 of this Ordinance.
2. Parking lots shall be located in the rear of all commercial uses or on the side. Parking located on the side is allowable in accordance with the following:
 - The parking must not extend into the required front yard setback.
 - Landscaping shall be placed between the parking spaces and the front property line in accordance with Chapter 6. Section 4.5.a)
 - A single parking aisle with parking on one side, which is adjacent to the building, and meets the minimum dimension of the City’s parking space requirements, is allowable. See sample below.



Section 6: Design Guidelines.

1. All attached or detached garages shall be placed towards the rear of a building except on a corner, where the side may also be allowed. These can be accessed via privately controlled lanes and alleyways.
2. The front façade of any commercial or multi-family building shall be at least fifty (50) percent brick or masonry stone.
3. One story commercial buildings shall be constructed to appear of greater height in relation to the street. This can be achieved through the use of architectural elements, pitched roofs with dormers or gables facing the street, a higher parapet, and/or the use of an intermediate cornice line to separate the ground floor and the upper level.
4. The length of any new non-residential building shall be comprised of at least fifty (50)

percent windows and doors at the ground level.