

**City of Urbandale**  
**Site Planning Ordinance**

**1999**

# Site Planning Ordinance

## TITLE VII CHAPTER 12

### of the CODE OF ORDINANCES of the CITY OF URBANDALE, IOWA, 1999

An Ordinance to provide rules and regulations for the approval of site plans for developments within the City of Urbandale, Iowa.

#### **PREAMBLE**

WHEREAS, it is deemed essential to establish minimum standards for the design and development of certain properties within the City of Urbandale so that existing and future development will be protected, and so that adequate provisions are made to protect the health, safety and general welfare of the public.

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

**SECTION 1. Purpose.** It is the intent and purpose of this Ordinance to establish a procedure which will enable the City of Urbandale to plan for and review certain proposed improvements of property within all zoning districts except conventional single family detached residences. The Site Plan shall be designed to reflect consideration for:

- A. Impacts to existing and proposed developments surrounding the site.
- B. Impact on public right-of-ways, utilities, facilities and services.
- C. Impact to existing on-site conditions.

All of the above in accordance with the Design Standards established by Section 3 of this Code.

## **SECTION 2. Procedure**

- A. Pre-application Conference. Whenever any person, partnership, corporation or any other group, public or private, proposes to develop any tract or parcel of land within all zoning districts, except for any conventional single family detached dwelling, a request shall be made to the Department of Community Development for a Pre-application Conference. The conference shall include the applicant or his representative, the Director of Community Development, the City Engineer, the City Building Inspector, the City Water Department Manager, and the Chief of Police. The purpose of the conference shall be to acquaint the City Staff with proposed development and to acquaint the applicant or his representative with the procedures and with any special problems that might relate to the development. The applicant shall furnish a legal description of the property to be developed at the time of requesting the Pre-application Conference, and the conference shall be held within fifteen (15) days of such request. For purposes of this Ordinance, development is defined to be the improvement of any site, including, but not limited to, expansion in any form to buildings, paving, utilities, grading, lighting, signs, landscaping, and other appurtenances related to any land use.
- B. Site Plan Submittal. After completion of the Pre-application Conference, a site plan of one of the following types shall be prepared and submitted to the Department of Community Development accompanied by a cover letter requesting review and approval of said plan and the required application fee.
1. Site Plan Type "A" - Any development except duplexes and permanent subdivision signs shall cause ten (10) copies of said plan to be submitted which contains all information required of this Ordinance, including one copy of the completed Site Plan Type "A" Checklist.
  2. Site Plan Type "B" - Any duplex development or permanent subdivision sign development shall cause three (3) copies of said plan to be submitted which contains all information required of this Ordinance including one copy of the completed Site Plan Type "B" Checklist.
- C. Site Plan Review.
1. Site Plan Type "A" - The Department of Community Development shall promptly convey one (1) copy each to the Engineering, Building, Water, Police Departments, Sewer District, and the public utility companies for their review

and comment. The remaining copies shall be retained for the Department of Community Development for review and for presentation to the Planning and Zoning Commission and City Council. Such departments shall review the Site Plan for conformance to all City Codes and Ordinances and shall forward their recommendations concerning the same to the Department of Community Development within ten (10) working days after the date of submission to the Department of Community Development.

2. Site Plan Type "B" - The Department of Community Development shall promptly review with the Building Department and the Engineering Department the duplex or subdivision sign site plan. Such Departments will review the site plan for conformance to all City Codes and Ordinances and shall recommend approval or denial within ten (10) days after the date of submission to the Department of Community Development. This Site Plan shall not require Planning and Zoning Commission nor City Council approval.

D. Action.

1. Within fifteen (15) days after receiving the application for site plan review as required by Sub-section B of this Section, the Director of Community Development shall advise the applicant of the Staff recommendation to the Planning and Zoning Commission to either approve, approve subject to conditions, or disapprove the site plan. Failure by the Director of Community Development to act within the time limit specified herein shall be deemed to be a Staff recommendation to Planning and Zoning Commission to grant approval of a site plan as submitted, provided that the plan as submitted does not conflict with any Ordinance, Statue, rule or law affecting the subject property and provided further, that if additional information is required by the Director, pursuant to Sub-section 3 and 4 of this Section, the time period specified above shall not commence until such information has been filed with the Department of Community Development.
2. The Director of Community Development shall promptly notify the applicant of the changes to be made, if any, a minimum of three (3) days prior to the date upon which the agenda is prepared for the next regular Planning and Zoning Commission meeting. The Director of Community Development shall recommend to the Planning and Zoning Commission approval, conditional approval, or denial with reasons outlined in writing.

3. The Planning and Zoning Commission shall review and act on the proposed site plan within ninety (90) days of the date of submission of said site plan to the Department and recommend approval, approval with modification, or rejection to the City Council. If the Commission does not recommend approval or rejection of said site plan within ninety (90) days, the proposed development shall be deemed to be recommended for approval by the Planning and Zoning Commission and shall be forwarded to the City Council for action thereon. The City Planning and Zoning Commission may at its discretion hold public hearings on the site plan of the proposed development after mailing notice to property owners who may be affected.
4. Prior to the submittal of the site plan to the City Council, all changes (Planning and Zoning Commission approval with modification) shall have been made and the City Council shall upon receipt of the recommendation of the City Planning and Zoning Commission, either approve or disapprove the site plan of the proposed development within forty-five (45) days of receipt of same.
5. No building permit for any single family attached residence, multi-family residence, commercial or industrial use or any other development except conventional single family detached dwellings shall be issued until the site plan shall have been approved as provided herein, unless this provision is waived as otherwise provided in the 1965 Municipal Code of the City of Urbandale. Upon approval by the City Council the Director of Community Development shall provide stamped approved copies of the site plan to all departments who have reviewed the plan and the owner or developer.

**SECTION 3. Design Standards.** The following design standards are intended only as minimum requirements, so that the general arrangement and lay-out of all developments required to be site planned within the City of Urbandale, may be adjusted to a wide variety of circumstances, and in order to insure reasonable and ordered development within the community.

- A. All proposed developments shall conform to the Comprehensive Plan of the City of Urbandale; the Zoning Ordinance of the City of Urbandale, if applicable; such other ordinances of the City of Urbandale as may pertain to such development, and any applicable rules and regulations of the State of Iowa.

- B. The proposed development shall have such entrances and exits upon public streets at such locations as to not unduly increase traffic congestion in the public street or create undue hazards to traffic safety. Controlled access roads - Hickman Road, Douglas Avenue, and Merle Hay Road - shall have access only by Ordinance and/or IDOT permit. Access onto other arterial streets shall be carefully considered and evaluated prior to approval. They shall also be in conformance with driveway and approach standards of the City.
- C. The proposed development shall be designed with the appropriate regard for topography, surface drainage, wooded areas, and other natural features.
- D. The proposed development shall be designed with adequate water mains, fire hydrants, sanitary sewer lines, storm drains, and in accordance with the ordinances and regulations of the City of Urbandale, so as to protect the public health and welfare, and so not to overload any existing public utility. Surface drainage shall be directed to storm sewers wherever practical, including the requirement to extend public storm sewers if deemed necessary.
- E. The proposed development shall be designed, and the buildings and improvements shall be located within the tract or parcel, in such a manner so as to not unduly diminish or impair the use and enjoyment of adjoining or surrounding property. The Developer shall provide for such fences, landscaping, signs, lighting and other improvements as may be necessary to provide adequate and reasonable development and shall not impair an adequate supply of light and air to adjoining or surrounding properties.
- F. The proposed development shall not unduly increase the public danger of fire and safety, and shall be designed to adequately safeguard the health, safety and general welfare of the public, and of persons residing or working in the adjoining or surrounding properties. This requirement is herein incorporated into each and every requirement of this Site Planning Ordinance.
- G. All erosion control provisions of the City of Urbandale shall be met. The site plan shall show what provisions for erosion control will be maintained during construction.

## **SECTION 4. Site Plan Requirements**

### **A. Site Plan Type "A" Checklist:**

1. Ten (10) copies of the Site Plan folded to maximum size of 10" x 14".
2. The scale of the Site Plan shall not be more than one inch (1") equals fifty (50) feet.
3. The name, address and phone number of record owner and of developer.
4. Name and address of Engineer, architect, landscape architect and land surveyor.
5. Date, revision dates, north arrow, scale and official description of the property being platted. If not platted, certification of registered land surveyor and that plat is or is not required.
6. Zoning classification of the site.
7. Boundaries of the proposed development shall be indicated by a heavy line, marked "Site Plan Boundary" and site area in acres.
8. A "Vicinity Sketch" of a legible scale showing the generalized street patterns, land use and zoning within 1000 feet of site plan boundary.
9. Locations of all buildings and the use of all adjoining and surrounding properties within 200 feet of perimeter of said development. (Excluding street R.O.W.)
10. Location and names of adjoining subdivisions, the numbers of adjoining lots therein, and the names of the adjoining property owners.
11. Existing buildings, railroads, underground utilities, other rights-of-way and easements on the site.
12. Location, names and widths of all existing and proposed roads, alleys, streets and highways adjoining the area being developed and those public ways proposed to service the development, including all pertinent dimensions.

13. Dimensions and location of proposed entrances and exits onto public roads, interior drives and parking, according to Zoning Ordinance, Section 5, with all parking spaces numbered (handicapped spaces per Code of Iowa).
14. All proposed construction, including the location and dimensions of all proposed buildings and the number of family dwelling units contained therein and the size and height thereof.
15. Building setback lines.
16. Proposed utility service hook-on location and line location, type and size:
  - a. Water Supply
  - b. Sanitary Sewer System
  - c. Storm sewer and/or surface water run-off provisions
17. Location and specifications (written specifications permissible upon approval of Director of Community Development) of all the proposed improvements, including but not limited to signs, lights, fences, landscaping and open spaces in yards, natural drainageways, wooded areas and other natural features. This includes construction details.
18. Common and botanical names and location of all trees, shrubbery, planting beds and seed or sod and approximate height and spread of plantings at the time of planting and height and spread at maturity.
19. Existing and proposed contour lines at intervals of two feet (2'). Use City of Urbandale datum.
20. Location of school district boundary lines whenever said lines run through the proposed development.
21. Designation of the school district or districts within said development for residential developments.
22. Three (3) copies of architectural elevations only. (Does not include complete building plans to be submitted to Building Department.)
23. Site Plan conforms to the requirements of the Zoning Ordinance.

24. Erosion Control provisions.

25. Fee of \$25.00.

B. Site Plan Type "B" Checklist:

1. Three (3) copies of Site Plan drawn to scale at not more than 1 inch = 30 feet.

2. The name and address and phone number of record owner and of Developer.

3. Date, revision dates, north arrow scale, and official description of property.

4. Zoning classification of site.

5. Locations of all buildings and the use of all immediate adjacent properties.

6. Existing buildings, underground utilities, easements and rights-of-way on the site.

7. Dimensions of and location of proposed buildings, drives, and sidewalks.

8. Location, name and sizes of all plant material.

9. Location and details of proposed fencing and screening.

10. Fee of \$10.00

**SECTION 5. Application and Effectuation.**

A. No Building Permit shall be issued for any development that is subject to the provision of this Ordinance until the Site Plan has been submitted and approved in accordance with the provisions of this Ordinance, and no temporary certification of occupancy shall be issued for such development until all terms and conditions of the approved Site Plan have been satisfactorily completed, or a cash bond or performance bond has been posted to cover the costs required to implement said site plan. Bond amount to be approved by the Director of Community Development.

- B. Construction, grading, or other development activities for those uses as listed herein, shall hereafter be carried out only in substantial compliance with the approved site plan and any conditions or restrictions attached thereto.

**SECTION 6. Validity of Approval.**

- A. The Site Plan shall become effective upon approval by the City Council. In the event that an appeal is filed, a site plan shall not become effective until all appeals have been decided.
- B. The approval of any site plan required by this Ordinance shall remain valid for two (2) years after the date of approval, after which time, the site plan shall be deemed null and void if the development has not been established or actual construction commenced. For the purpose of this Ordinance, actual construction shall mean that the permanent placement of construction materials has started and is proceeding without delay. Preparation of plans, securing financial arrangements, issuance of building permits, letting of contracts, grading or property or stockpiling of material on the site shall not constitute actual construction.

**SECTION 7. Site Plan Amendment.** Any approved site plan may be amended in accordance with the standards and procedures established herein, including payment of fees. Minor changes shall not be made until the owner requests in writing and receives written approval for such change from the Director of Community Development. Minor changes in most cases will not require revised drawings or a fee and are as follows:

- A. Moving building walls within the confines of the smallest rectangle that would have enclosed each original approved building. Relocation of building entrances or exits, shortening of building canopies.
- B. Substitute plant species, provided a nurseryman, landscape architect, or engineer certifies that the substitute species is similar in nature and screening effect.
- C. Change type and design of lighting fixture, provided an engineer or architect certifies that there will be no change in the intensity of light at the property boundaries.

**SECTION 8. Applicability to Existing Developments.** The requirements of this Ordinance shall not be applicable to existing developments which are presently constructed, nor to developments for which building permits, or in the case of plats, where final plat approval has been granted at the time of the enactment of this Ordinance, provided that if such building permit or approval expire prior to the completion of the development for which it was issued or approved, a new building permit or plat approval therefore, shall not be issued until the requirements of this Ordinance have been met, and provided further, that no additional developments shall be constructed as a part of an existing development or an extension thereof until the requirements of this Ordinance have been met.

**SECTION 9. Fees.** Before a site plan can be considered by the Planning and Zoning Commission, the Developer or his agent shall deposit with the Department of Community Development a fee of \$25.00 to be credited to the general fund of the City.

**SECTION 10. Effective Date.** This Ordinance shall be in effect after its final passage and approval and notice of its passage is given, as provided by law.

**SECTION 11. Conflicting Ordinances Repealed.** All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**SECTION 12. Savings Clause.** If any Section, provision, or part of this Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of this Ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

**SECTION 13. Penalty Clause.** Any person, firm or corporation who fails to comply with any provision of this Ordinance shall upon conviction thereof be fined not more than \$100.00, and cost of prosecution for each violation, or shall be imprisoned for a period not to exceed thirty (30) days, or both.