

ORDINANCE #2024-23

“An Ordinance Amending Chapter 167 – Site Plan Regulations”

BE IT INACTED, by the City Council of the City of Van Meter, Iowa, that:

SECTION 1. Chapter 167 – Site Plan Regulations of the Code of Ordinances of the City of Van Meter, Iowa and replaced with the following:

CHAPTER 167 SITE PLAN REGULATIONS

167.01 Site Plans	167.07 Lighting Standards - Definitions
167.02 Statement of Intent	167.08 Lighting Standards – Design Guidelines
167.03 Design Standards	167.09 Amendments to Approved Site Plans
167.04 Submittal and Review Procedure	167.10 Additional Requirements
167.05 Site Plan Information	167.11 Expiration of Approval
167.06 Multiple-Family Dwelling and Townhome Standards	167.12 Fee for Site Plan Review

167.01 SITE PLANS.

Site plans are required whenever the owner of any property in the City undertakes new construction, reconstruction, expands an existing building by 20 or more percent of the area of the existing building, or remodels an existing building with a building permit value of \$25,000.00 or more (collectively “improvements” or “development”), except for the construction of single-family or two-family homes on existing platted lots. Site Plans are required for multiple-family dwellings and townhomes.

167.02 STATEMENT OF INTENT.

It is the intent and purpose of this chapter to establish a procedure which will enable the City to review certain proposed improvement to and development of property. The Site Plan shall be designed to reflect consideration for: (i) impacts to existing and proposed developments surrounding the site; (ii) impact on public rights-of-way, utilities, facilities, and services; and (iii) impact to existing on-site conditions.

167.03 DESIGN STANDARDS.

Site Plans shall reflect the following standards of design which are necessary to insure the orderly and harmonious development of property in such manner as will safeguard property values and the public’s health, safety and general welfare.

1. The design of the proposed improvements shall make adequate provisions for surface and subsurface drainage, for connections to water and sanitary sewer lines, each so designed as to neither overload existing public utility lines nor increase the danger of erosion, flooding, landslide, or other endangerment of adjoining or surrounding property.

2. The proposed development shall be designed with a proper regard to topography, surface drainage, natural drains and streams, wooded area, and other natural features which will lend themselves to proper, harmonious and attractive development of the site.

3. The proposed improvements shall be designed and located within the property in such manner as not to unduly diminish or impair the use and enjoyment of adjoining property, and to this end shall minimize the adverse effects on such adjoining property from automobile headlights, illumination of required perimeter yards, refuse containers, and impairment of light and air. Lighting, and its impact on adjacent property, shall be shown on the Site Plan. For the purpose of this section, the term "use and enjoyment of adjoining property" means the use and enjoyment presently being made of such adjoining property, unless such property is vacant. If vacant, the term "use and enjoyment of adjoining property" means those uses permitted under the zoning districts in which such adjoining property is located.

4. The proposed development shall have such entrances and exits upon adjacent streets and such internal traffic circulation pattern and will not unduly increase congestion on adjacent or surrounding public streets. Public streets are required in all multiple-family and townhouse developments. Any proposed development which will include a loading dock or truck entrance facing an exterior street must, as a part of the Site Plan approval process, conform to any and all requirements which may be established by the City with respect to the location of such loading dock or truck entrance.

5. The proposed development shall have such buffers, screen fences and landscaping and shall be designed, and the buildings and improvements located, in such a manner as to not unduly diminish or impair the use and enjoyment of adjoining or surrounding property.

6. The proposed development shall not duly increase the public danger of fire or diminish the public safety, and shall be designed to adequately safeguard the health, safety, and general welfare of the public and of persons residing and working in the development and in the adjoining or surrounding property.

7. The proposed development shall utilize stormwater management to limit the release from any site to no more than a five-year undeveloped release rate.

8. The proposed development shall conform to all applicable provisions of the Code of Iowa, as amended, and all applicable provisions of the Code of Ordinances, as amended.

167.04 SUBMITTAL AND REVIEW PROCEDURE.

Site Plans shall be submitted to the City for review and approval.

1. Ten copies of the Site Plan shall be submitted to the City Clerk and two copies shall be submitted to the City Engineer who shall refer the Site Plan to the Planning and Zoning Commission (the "Commission") for comment and recommendation prior to action by the City Council. A Site Plan must be submitted no later than 15 days prior to a meeting of the Commission. Prior to an official submittal of the Site Plan for review by the Commission, an applicant may submit a concept and Site Plan for initial review by the City Engineer for comment.

2. The Clerk may refer the Site Plan to appropriate City departments and officials for their review and comment regarding the Site Plan's compliance with this Code of Ordinances, and its effects upon the City's municipal utilities and public street system. Any comments by any department or official will be forwarded to the Commission.

3. The Commission shall, after receiving a report from the City Engineer, review the Site Plan for conformity with the regulations and design and architectural standards of this chapter, and may confer with the applicant on changes deemed advisable in the Site Plan.

4. The Commission shall forward its recommendation to the City Council for approval, modification, or disapproval of the Site Plan within 45 days of the date of the submission of the Site Plan.

5. The Commission may, in its discretion, hold a public hearing on the Site Plan and prescribe the notice thereof and to whom such notice shall be given.

6. Upon receipt of the recommendations of the Commission or, if no recommendations are received within 45 days of the referral to the Commission, the Council shall proceed with its action on the Site Plan. The Council may approve the Site Plan, approve the Site Plan with modifications, or disapprove the Site Plan.

7. No building permit for any structure for which a Site Plan is required shall be issued until the Site Plan has been approved by the Council.

167.05 SITE PLAN INFORMATION.

The purpose of the Site Plan is to show all information needed to enable the City Engineer, City staff, the Commission, and the Council to determine if the proposed development meets the requirements of this chapter and other provisions of the Code of Ordinances.

1. Information Required. The Site Plan shall include the following information concerning the proposed development:

A. Names of all persons having an interest in the property, legal description of property, point of compass, scale, and date.

B. Applicant's name, address, project location, proposed land use and present zoning, location and names of adjoining subdivisions, the numbers of the adjoining lots therein and the names and addresses of adjoining landowners.

C. If the applicant is other than the legal owner, the applicant's interest shall be stated.

D. Name and address of persons who prepared the Site Plan.

2. Required Illustrations. The Site Plan shall clearly set forth the following information concerning the proposed development.

A. Property boundary lines, dimensions, and total area of the proposed development.

B. Existing and proposed contour lines of the proposed development and 50 feet beyond the boundaries of the proposed development at intervals of not more than two feet. If substantial topographic change is proposed, the existing topography of the development and of the surrounding area shall be illustrated on a separate map, and the proposed finished topography shown on the Site Plan.

C. The availability, location, size, and capacity of existing utilities, and of proposed utilities.

D. The proposed use of building materials, location, size, height, shape, use, elevation, building sign type, and illustration of all buildings or structures in the proposed development. Samples of building materials may be required for review at the Planning and Zoning meeting.

E. The total square footage of building floor areas, both individually and collectively in the proposed development.

F. Existing buildings, rights-of-way, public sidewalks, street improvements, utility easements, drainage courses, streams and wooded areas.

G. The number of dwelling units, offices, etc., planned for the site.

H. A vicinity sketch showing adjacent existing land uses within 500 feet of the property.

I. Location number, dimensions and design of off-street parking in the proposed development, including:

- (1) Driveways, islands and planters.
- (2) Striping and curbs.
- (3) Loading facilities.
- (4) Type and location of lighting.
- (5) Surface treatment.

J. Open spaces, recreational areas, public sidewalks, walkways and Driveways, outside lighting, walls, fences, monuments, statues, and other manmade features to be used in the landscape of the proposed development.

K. Facilities for the collection and disposal of garbage and trash, and screening structures.

L. Walls, fences, or other artificial screens to be used as buffers shall be shown in elevation and perspective with proposed height and structural material indicated.

M. A Site Lighting Plan shall be provided, indicating the location, type, fixture height, power rating and shielding method of all existing and proposed lighting. A photometric plan shall be provided that details the horizontal illumination of the site and the vertical light trespass along the perimeter of the site.

N. Storm Water Management Plan shall be provided which shall include calculations of detention sizing and release rate control facilities.

O. Traffic considerations or utility capacities and all other considerations pertinent to the proposed use may be requested for illustration or statistical purposes.

P. Free standing identification signs; location, setback, dimensions, height and illustrations.

Q. Location and type of all plants, trees, ground cover to be used in the landscape. Landscaping to be used for screening purposes shall be illustrated with the size and exact names of plants, shrubs or trees to be planted clearly indicated. The planting location shall not adversely affect utility easements or service lines. On all Site Plans the following requirements shall be met.

R. Such additional information, drawings, or other materials necessary to describe a proposed project as may be requested by the City Engineer or Commission.

167.06 MULTIPLE-FAMILY DWELLING AND TOWNHOME STANDARDS.

Multiple-family and townhome projects shall be designed in compliance with certain standards which shall be set forth in the presentation of the Site Plan.

1. The Site Plan shall provide the required parking stalls for each dwelling unit located in driveways and dedicated parking lot area, exclusive of parking provided in garages. The parking stall requirement shall be satisfied with no on-street parking.

2. The Site Plan must provide a distance of at least 23 feet from the property side of any sidewalk to any residence or garage face.

3. Sidewalks shall be required along both sides of all streets unless an alternate pedestrian access plan is approved that provides access to all residential dwelling units.

167.07 LIGHTING STANDARDS – DEFINITIONS

Unless the context clearly indicates otherwise, the words and phrases used in this section shall have the following meanings:

1. “Active” means those times when sales employees are employed on site for the purpose of selling the merchandise located on the property to the general public and does not include display of merchandise which is offered for sale at locations other than the property.
2. “Display lot” means outdoor areas where active night time sales activity occurs and where accurate color perception of merchandise by customers is required.
3. “Exterior lighting” means temporary or permanent lighting that is installed, located, or used in such a manner to cause light rays to shine outdoors.
4. “Exterior lighting fixture” means the complete exterior lighting unit, including: the artificial source of light, the parts required to distribute the light, elements for light output control such as the reflector (mirror), or refractor (lens), the housing that protects and holds the lamp in place, the connection to the power supply, and the component that anchors the lighting unit to the ground or onto a structure.
5. “Floodlight” means a lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam in a particular direction.
6. “Foot-candle” means the illuminance measured one foot from a one candle source.
7. “Full cut-off” means a shielded light fixture that emits no light above a horizontal plane touching the lowest point of the fixture.
8. “Glare” means the light in a direction near one’s line of sight that either causes discomfort to the eye or impairs visibility.
9. “Horizontal and vertical foot-candles” means the illuminance, measured by a light meter, striking a vertical or horizontal plane.
10. “Illuminance” means the intensity of light in a specified direction measured at a specified point.
11. “Light” means a form of radiant energy acting on the retina of the eye to make sight possible.
12. “Light trespass” means unwanted light falling on public or private property from an external location.
13. “Merchandise” means new and used vehicles owned by and actively offered for sale to the general public by the property owner.
14. “Recreational facility” means football fields, soccer fields, baseball fields, tennis courts, swimming pools, or any other special event or show area.

167.08 LIGHTING STANDARDS – DESIGN GUIDELINES

1. Required Lamps – Generally. All lamps shall be LED, or others with similar qualities to reduce glare and provide for improved color correct vision.
2. Required Exterior Lighting Fixtures – Generally. All exterior lighting fixtures shall be full cut-offs. No portion of the lamp, lens, or diffuser shall be visible from the side or top of any shield, or otherwise protrude from the bottom of the shield. No exterior lighting fixture shall emit light at or above a horizontal plane that runs through the lowest point of the shield.
3. Architectural and Decorative Lighting (Commercial, Industrial and Business Park).
 - A. Limited building-mounted lighting may be used to highlight specific architectural features or primary customer or building entrances. Floodlights are only permitted provided all light emitted is contained by the building or by an eave or protruding structure.
 - B. Lighting fixtures shall be located, aimed, and shielded to minimize the glare that is emitted on objects other than a building’s façade or landscape walls.

C. Building-mounted neon lighting may only be used when the lighting is recessed or contained inside a cap or architectural reveal.

4. Site and Parking Lot Lighting (Commercial, Industrial and Business Park).

A. The mounting height for lighting fixtures shall not exceed 33 feet from grade to the top of the lighting fixture.

B. The maximum average-maintained foot-candles for a parking lot lighting fixture shall be three foot-candles. The maximum lighting level for a parking lot lighting fixture shall be ten foot-candles.

C. The maximum horizontal foot-candle measurement at any property line shall be two foot-candles. The maximum maintained vertical foot-candle at an adjoining property line shall be two foot-candles, as measured at five feet above grade.

5. Display Lot Lighting (Commercial, Industrial and Business Park).

A. The mounting height for lighting fixtures shall not exceed 33 feet from grade to the top of the lighting fixture.

B. The maximum average-maintained foot-candles for a display lot lighting fixture adjacent to the public right of way shall be 25 foot-candles. The minimum lighting level for a display lot lighting fixture adjacent to the public right of way shall be one foot-candle. The maximum lighting level for a display lot lighting fixture adjacent to a public right of way shall be 30 foot-candles.

The remaining rows intended for vehicle display as defined on the site plan shall have a maximum average-maintained foot-candle for display lot lighting of 20 foot-candles and a minimum of one average maintained foot-candle. The maximum lighting level for secondary rows of display lot lighting shall be 25 foot-candles.

All customer and employee parking areas and other non-display areas within the site shall conform to the site and parking lot lighting requirements as defined above.

The maximum horizontal foot-candle measurement at any property line shall be two foot-candles. The maximum maintained vertical foot-candle at an adjoining property line shall be two foot-candles, as measured at five feet above grade.

All display lot lighting fixtures shall meet the shielding and lamp requirements contained in this section and adhere to all other requirements imposed by the Code of Ordinances of the City of Van Meter.

After 10:00 p.m. and until 7:00 a.m., all display lot lighting fixture foot-candle levels shall be reduced so as to conform to the site and parking lot lighting requirements contained in this section through the means of a control system or systems.

The discontinuance of the use of the property for on-site vehicular sales shall eliminate the authority of the property owner to operate the display lot lighting at the levels set forth in this section. In the event of such discontinuation of use, the lighting may only be operated in accordance with other requirements of this section. It shall be the property owner's responsibility to notify its successors in interest or tenants of the obligations imposed by this section.

8. Canopy Lighting (Commercial, Industrial and Business Park. The average maintained foot-candles under a canopy shall be 35 foot-candles. Areas outside the canopy shall be regulated by the guidelines and standards outlined above. Permissible fixtures for canopy lighting include:

A. Recessed fixtures that incorporate a lens cover that is either recessed or flush with the bottom surface of the canopy.

B. Indirect lighting where light is emitted upward and then reflected down from the underside of the canopy. Such fixtures shall be shielded to ensure that no light is emitted at or above a horizontal plane that runs through the lowest point of the canopy.

9. Street Lighting. All private street light fixtures shall measure no more than 30 feet from grade to the top of the lighting fixture, and shall be cobra-style, unless the Commission and Council permit the installation of an alternative fixture. The Commission and Council may approve an alternative lighting fixture only after a determination has been made that the alternative fixture has been designed to avoid glare and trespass. The use of lighting fixtures that direct light upward into the air is strictly prohibited. All lighting on public streets shall conform to the current City of Van Meter Standard Specifications.

10. Recreational Facilities. The lighting fixtures at all public or private outdoor recreational facilities shall be designed to minimize the amount of light that is directed upward into the air, glare, and light trespass. The illumination of any public or private outdoor recreational facility after 11:00 p.m. is prohibited, except in order to conclude a specific activity, previously scheduled, which is in progress under such illumination prior to 11:00 p.m.

11. Exemptions. This section does not apply to the following exterior lighting sources:

A. Airport lighting required by law.

B. Temporary emergency lighting.

C. Temporary lighting, other than security lighting, at construction projects.

D. Governmental facilities where a compelling need for safety and security has been demonstrated.

E. Lighting for flag poles, church steeples or other similar non-commercial items provided they do not cause distraction within public rights-of-way.

167.~~0907~~ AMENDMENTS TO APPROVED SITE PLANS.

An approved Site Plan may be amended when there is any change in location, size, design, conformity or character of buildings and other improvements, provided that the amended Site Plan conforms to the provisions of this chapter and other provisions of the Code of Ordinances. An amended Site Plan shall be submitted to the City and reviewed by the Commission and approved by the City Council in the same manner as an original Site Plan.

167.~~1008~~ ADDITIONAL REQUIREMENTS.

As part of the Site Plan approval process, the property owner may be required by the Council to install public utilities, including but not limited to, water lines, storm sewer, sanitary sewer, fire hydrants, and such other utilities as applicable to properly serve the proposed plan. The property owner may also be required by the Council to construction street paving and sidewalks as applicable to properly serve the proposed plan. Where required as part of a Site Plan approval, utilities, streets, and sidewalks shall be constructed in accord with the City's construction standards for those portions within the public right-of-way and to be dedicated to the City. Utilities, streets, and sidewalks may also be required to be constructed to the same specifications for those undedicated portions where such utilities and improvements may have a direct affect on the future safety, proper functioning and maintenance of those portions to be dedicated.

167.~~1109~~ EXPIRATION OF APPROVAL.

All Site Plan approvals shall expire and terminate 365 days after the date of Council approval unless a building permit has been issued for the construction provided for in the Site Plan. The Council may, upon written request by the property owner, extend the time for the issuance of a building permit for 60 additional days. In the event the building construction provided for in a Site Plan expires or is cancelled, then such Site Plan approval shall thereupon terminate.

167.120 FEE FOR SITE PLAN REVIEW.

The fee for filing of a Site Plan shall be \$250.00 plus reimbursement to the City by the person submitting the Site Plan and any amended Site Plan for all costs incurred by the City including Engineers' cost.

SECTION 2. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 3. Severability Clause. If 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 there of not adjudged invalid or unconstitutional.

SECTION 4. When Effective. This Ordinance shall in full force and effect from and after its passage and publication as provided by law for all services provided on and after September 9, 2024.

1st Reading – September 9, 2024

2nd Reading – Waived

3rd Reading - Waived

Passed by the City Council and approved the 9th day of September 2024.

Mayor, Joe Herman

Attest:

City Clerk

