

ORDINANCE NO. 047-12

AN ORDINANCE OF THE CITY OF CEDAR RAPIDS IOWA, AMENDING
32.05.030, THE DEVELOPMENT STANDARDS OF CHAPTER 32 OF THE
CITY'S MUNICIPAL CODE, THE ZONING ORDINANCE, TO UPDATE VARIOUS
DEVELOPMENT STANDARDS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, as follows:

Section 1. That Chapter 32, the Zoning Ordinance, is hereby amended by deleting Section 32.05.030, the Development Standards, and the following Section 32.05.030 is hereby adopted:

32.05.030 - DEVELOPMENT STANDARDS

A. LANDSCAPING, BUFFERING, AND SCREENING

All development shall comply with the landscaping, buffering, and screening provisions in this Sec. 32.05.030.A, as applicable. In addition, some land uses are subject to more extensive landscaping requirements, as set forth in Sec. 32.04.030. In the event of any conflict between two (2) or more requirements in this Ordinance related to landscaping, buffering, or screening, the stricter provision shall apply.

1. Intent

Landscaping and buffering are identified in the Cedar Rapids Comprehensive Plan as essential design elements that must be included as part of new development and expanded development of existing properties. Such landscaping and buffering standards are designed to provide for flexibility in meeting the intent of this section, to recognize the additional site constraints that often accompany development or redevelopment in the Core Area, and to allow timely review and approval of development proposals.

2. Applicability

a. *Land Uses*

- i. *Single and Two-Family Residential Uses, including PUD-O*
Only street tree requirements in Sec. 32.05.030.A.4.c.iii shall apply.
- ii. *Multi-Family and Non-Residential Uses, including PUD-O*
Within the Core Area identified in Sec. 32.01.070.F, all requirements of Sec. 32.05.030.A.4 apply. Outside the Core Area, all requirements of Sec. 32.05.030.A.5 apply.

b. *Types of Activity*

The provisions of this Sec. 32.05.030.A shall apply when the following types of activity take place:

i. *New development*

Requirements apply to both principal and accessory structures.

ii. *Expansion of existing buildings*

(A) All requirements of Sec. 32.05.030.A shall apply to the whole site, when an expansion increases the size of an existing building(s) by more than 50% of its current foot print.

(B) All requirements of Sec. 32.05.030.A shall apply to the whole site, when an expansion increases the total assessed value by 50% or more.

(C) Street trees and bufferyards shall apply when an expansion increases the size of an existing building(s) by less than 50% of its current foot print.

(D) Landscaping is identified as an essential design element and applicants required to comply with all requirements of Sec. 32.05.030.A when expanding. Especially, when developing in highly visible areas or next to residential uses.

(E) The Department of Community Development may modify the requirements based on site conditions and existing improvements.

iii. *Construction or reconstruction of parking lots with forty (40) or more parking spaces*

In the case of parking lot reconstruction these requirements will only apply if there are significant changes to the parking space layout and/or access drives. Resurfacing or repaving of an existing lot that does not reconfigure spacing or add, remove or otherwise alter accesses shall not be subject to these standards.

c. *Exemptions*

The landscaping and buffering standards shall not apply for AIR district uses, golf course, park, cemetery, and nursery development.

3. General Landscaping Standards

Where landscaping, buffering, or screening is required, it shall meet the following standards:

a. *Landscaping Plan Required*

Landscape plans shall be provided for each phase of Site Development Plan review and building permit processes, and each such plan shall provide landscaping, buffering, and screening meeting the requirements of this section.

i. General landscaping, buffering, and screening requirements may be

included with Preliminary Site Development Plans.

- ii. Detailed landscape plans, species, and planting specifications shall be provided for Administrative Site Development Plans, and building permit plan reviews.

Landscaping plans may be combined with other elements of Site Plans required by this Ordinance. Each landscaping plan shall be reviewed by the Project Review Group to determine consistency with the requirements of this Sec. 32.05.030.A.

b. Tree Mitigation

Tree Mitigation Plans shall be provided for each phase of Site Development Plan review and building permit processes. Applicants shall have the option of using the following two options, which will show the number of trees to be preserved and replaced. This information may also be included in the Landscape plan:

i. Intent

The intent of the Tree Mitigation provision is to ensure that sites intended for commercial, industrial, or residential subdivisions are not cleared of trees prior to development.

ii. Applicability

Tree Mitigation Plans shall be required for commercial, office/service, industrial, and multi-family Preliminary Site Development Plans, or in the case a Preliminary Site Development Plans is not required, an Administrative Site Development Plan. Tree Mitigation Plans shall also be required with residential preliminary plats.

iii. A Tree Mitigation Plan shall include the following information

- (A) An aerial dated on or before July 1, 2012.
- (B) An outline of the canopy of the trees that will be preserved with the development
- (C) An outline of the canopy of the trees required to be replaced due to development
- (D) A calculation of 1 tree of at least 2 inches DBH per 2,000 square feet of tree canopy to be replaced
- (E) A Map locating where replacement trees of at least 2 inches DBH will be placed.

iv. If a site contains a majority of invasive, diseased, or poor quality trees, an Alternative Tree Mitigation Plan can be provided, and shall contain the following information:

- (A) An aerial map containing the information prescribed in Tree Mitigation Plan section 32.05.030.A.3.b.iii above.
- (B) A tree inventory signed an Iowa licensed arborist evaluating the

DBH, condition, quality, and identity of all trees larger than 5 inches DBH.

- (C) A list of the trees of at least 2 inches DBH to be replaced, per approved species, due to the development based on the following table:

Table 32.05-1	
DBH of removed tree in inches	Ration of replacement trees to removed tree
At least 5 and less than 15	1: 1
At least 15 and less than 25	2: 1
At least 25 and less than 35	3: 1
For each increment of 6 inches of DBH above 35 inches, one additional replacement tree shall be provided.	

- (D) A map identifying those trees over 5 inches DBH that will be preserved and replaced with the proposed development.

- (E) The City Arborist may verify the accuracy of tree inventories.

c. Replacement of significant trees

Each existing tree retained, shall reduce the number of trees required by one (1) tree. Any replacement tree required by this subsection shall be in addition to other trees required by other portions of 32.05.030

d. *Plant Materials*

All plant materials included in required landscaping shall be suitable for the Iowa climate and the individual site characteristics as identified and approved by the City Arborist. All plant material shall be approved by the City Arborist. A listing of suggested plant materials shall be maintained by the City to assist in plant selection.

e. *Living Material Requirement*

Landscape plans shall identify the minimum size and number for required trees, shrubs, and provision for living groundcover such as grass. Non-living ground cover, such as rock and walk-on bark, may be used, provided it does not exceed twenty-five percent (25%) of the overall planting area. Impervious materials, such as concrete or asphalt paving, shall not be used within required landscape areas with the exception of sidewalk areas or edging.

f. *Avoidance of Visual Clearance Areas*

Location of trees and shrubs shall be designed to avoid all required Visual Clearance Areas, and to meet city requirements regarding distance from utility lines and underground utility easements. These factors shall be addressed by the City Engineering, City Traffic Engineering, and City Arborist as part of the landscape plan review.

g. *Credit for Existing Living Materials*

Existing mature trees and vegetation are encouraged to be incorporated into overall site design and shall be considered in meeting the requirements of this section. In general, each tree, shrub, or area of groundcover preserved and incorporated into required landscaping shall reduce the amount of required new landscaping by an equal amount. The extent that such existing vegetation meets the requirements of these standards shall be reviewed and approved by the City Arborist and Department of Community Development.

h. *Installation, Maintenance and Replacement*

All landscaping and buffering elements (both living and non-living) shall be installed in a manner consistent with sound landscaping practice and permanently maintained in good condition or replaced as necessary by the property owner. In the event said required plant materials die, or become unsightly, as determined by the City Arborist, such materials shall be replaced by the property owner upon notification by the city. Replacement materials shall be installed within a reasonable time based on the time of year and availability of suitable plant materials, but in no event later than six (6) months after notification by the city.

4. Landscaping Required Outside the Core Area

For any non-residential or special purpose district and any multi-family or non-residential use located outside the Core Area, landscaping and buffering shall be required as follows. In addition, the street tree requirements of Sec. 32.05.030.A.5.b shall apply to single- and two-family residential uses outside the Core Area. The landscaping and buffering standards include a number of design elements that will have varying applicability depending upon the zone district and adjoining land uses. For the purpose of this section, undeveloped properties shall be considered based on their expected use as identified on the Future Land Use Map of the Cedar Rapids Comprehensive Plan. Where two (2) or more of the required landscaping elements overlap, the stricter of the two (2) overlapping requirements shall apply.

a. *Design Elements Required*

TABLE 32.05-5: REQUIRED LANDSCAPE DESIGN ELEMENTS

Design Element	Applicable Districts
Street Trees/Groundcover	All Districts
Street Front Landscaping	RMF-1, RMF-2, O-S, C-1, CMU, C-2, C-3 and all portions of C-4, I-1, and I-2 outside of the Core Area
Bufferyards	See Table 32.05-7
Parking Lot Landscaping	RMF-1, RMF-2, and all Non-Residential Districts

b. *Street Trees/Groundcover in Public Rights-of-Way*

i. *Requirement*

All public street right-of-way bordering a property shall be planted with trees and living groundcover as provided in this section and as approved by the City Engineering Department and the City Arborist. The location, size, and number of trees within the right-of-way may be modified if the

City Engineering Department if the City Arborist determines that the character and location of improvements within said right-of-way is not suitable for such tree locations. All such areas shall include living groundcover.

ii. *Street Trees for Multi-Family and Non-Residential Uses*

The minimum street trees for lots with multi-family and non-residential uses shall include large shade trees with a minimum size of two (2) inch DBH planted at forty (40) foot spacing unless the species approved requires a wider spacing. The specific location and type of tree shall be approved by City Engineering Department and the City Arborist based on the character of the right-of-way including overhead and underground utilities, required clear zones, and necessary vehicle site distances. Small ornamental trees may be substituted for large shade trees if deemed necessary due to location of overhead utility lines.

iii. *Street Trees for Single and Two-Family Residential Uses*

The minimum street trees for single-family residential districts shall be provided at a ratio of one (1) tree per lot with a minimum DBH of 2 inches, unless additional replacement trees are required.

iv. *Living Ground Cover*

Living ground cover, such as grass, shall be provided within right-of-way areas of all districts. Non-living materials (such as walk-on bark, mulch, and ornamental rock) may be used for up to twenty-five percent (25%) of the right-of-way. The type and planting schedule of said ground cover shall be approved by the City Arborist and City Engineer as part of the review of street trees.

v. *Excavation in Right-of-Way*

Excavation permits issued by the City Engineering Department shall be required for all work and planting within public right-of-way.

c. *Street Frontage Landscaping on Private Property*

In addition to the Street Tree requirements of Sec. 32.05.030.A.4.c.ii and iii, street frontage landscaping shall be required on private property in some circumstances.

i. *Requirement*

All areas adjoining public or private street frontage on a lot containing a multiple family, office/commercial or industrial use shall be landscaped to include trees, shrubs, and living ground cover as required by this section.

ii. *Required Depth of Landscaped Area*

Street frontage landscaping shall be provided in the average depths provided below. The ability to average depths along various portions of the property is intended to respond to varying site conditions, and to allow for design flexibility.

(A) General Requirements unless otherwise listed:

- a. 15 feet in front yards
- b. 10 feet in side yard

(B) Lots with a depth less than 150 feet and an area less than 20,000 square feet shall provide an average depth of 5 feet landscaped areas along all street frontages.

iii. *Required Landscaping Materials*

Street frontage landscaping shall comply with the general standards indicated as follows. It is intended that the standards shall provide landscape design flexibility in plant selection while still meeting the objectives of this section.

(A) *Private Street Front Trees*

Private street front trees shall be provided at a rate of one tree per forty (40) feet of frontage, excluding driveway openings.

Required private street front trees may be any combination of at least two (2) inch diameter DBH shade trees, one-and-a-half (1½) inch flowering trees and/or six (6) foot high evergreen trees.

(B) *Ground Cover*

Living ground cover, such as grass, shall be provided within all required street frontage landscape areas. Non-living materials (such as walk-on bark and mulch) may be used for up to twenty-five (25) percent of the landscape area.

iv. The specific location of trees and landscaping within the required setback area shall be approved by the City Arborist based on site characteristics.

d. *Bufferyards*

i. *Requirement*

Bufferyards are required when two districts of different types are adjacent to each other, and the different character or scale of development in the two districts may create adverse impacts on the less intensive or more restricted district. The less intensive or more restricted district is referred to as the Protected District, and is the district intended to benefit by the required bufferyard. In the situations shown in the Table 32.05-7, bufferyards shall

- (A) Be required where the primary structure being developed is located within one hundred (100) feet of the Protected District and
- (B) Include design elements adequate to provide effective visual and noise buffering from adjacent properties with consideration of existing topography and site conditions.

TABLE 32.05-7: REQUIRED BUFFERYARDS
(X Denotes Required Bufferyard)

Type of District*	Protected District		
	Residential	O/S	Other Commercial (including Industrial)
Single/Two-Family Residential			
Multiple-Family Residential	X		
Office/Service	X		
Commercial (including Industrial)	X	X	

* District shall mean areas zoned, developed, or designated for such uses under the Cedar Rapids Comprehensive Plan Future Land Use Map

ii. *Use of Topography and Existing Vegetation*

Existing topography and vegetation shall be included in the design of the bufferyard to the maximum extent feasible, as approved by the City Arborist. Retention of existing mature trees with at least a five (5) inch DBH shall be considered in meeting the requirements of this section, and may reduce the amount of new buffer elements required by an equal amount, as approved by the City Arborist. The following standards provided in the bufferyard options identified may be used in combination to meet the intent of this section.

iii. *Rear Bufferyards*

Where a bufferyard is required along a rear lot line, the bufferyard shall have a minimum depth of twenty-five (25) feet and shall meet the requirements of one or more of the following options. Elements from different options may be combined, provided that the degree of buffering equals that of one of the options listed. All bufferyard areas shall include living ground cover with non-living materials permitted not exceeding twenty-five percent (25%) of the total landscaped area.

(A) *Live Screen Option*

Applicants may use (i) four (4) evergreen trees, two (2) flowering trees, and ten (10) shrubs per 100 feet of linear distance (evergreen shrubs to be spaced at five (5) feet on center with a minimum mature height of five (5) feet) or (ii) fifteen (15) large deciduous shrubs per 100 feet of linear distance, planted in a staggered double row.

(B) *Fence Option*

Applicants may use a solid six (6) foot high wall or fence with two (2) evergreen trees, two (2) flowering trees, and five (5) large shrubs per 100 feet of linear distance.

(C) *Berm Option*

Applicants may use a minimum twenty-five (25) foot rear bufferyard with berming not to exceed 1:3 slope, three (3) large evergreen trees,

two (2) flowering trees per 100 feet of linear distance, and sufficient evergreen shrubs with a combined height (berm and mature shrub) of five (5) feet to form a continuous screen within three (3) years of planting and/or sufficient deciduous shrubs with a combined height of five (5) feet to form a continuous screening within three (3) years of planting.

iv. *Side Bufferyards*

Where a bufferyard is required along a side lot line, the bufferyard shall have a minimum depth of fifteen (15) feet and shall meet the requirements of one or more of the following options. Elements from different options may be combined, provided that the degree of buffering equals that of one of the options listed. All bufferyard areas shall include living ground cover with non-living materials permitted not exceeding twenty-five percent (25%) of the total landscaped area.

(A) *Evergreen Screen Option*

Applicants may use four (4) evergreen, two (2) flowering trees, and ten (10) evergreen shrubs per 100 feet of linear distance.

(B) *Deciduous Screen Option*

Applicants may use four (4) evergreen, two (2) flowering trees, and fifteen (15) large shrubs per 100 feet of linear distance.

(C) *Fence Option*

Applicants may use a solid six (6) foot high wall or fence with two (2) evergreen trees, two (2) flowering trees, and five (5) large shrubs per 100 feet of linear distance.

5. Landscaping Required Within the Core Area

For all multi-family and non-residential properties in the RMF-1 or RMF-2 districts, and all non-residential districts (including the PUD-O district) located within the Core Area, the following requirements apply. In addition, the street tree requirements of Sec. 32.05.030.A.4.c.ii shall apply to single- and two-family residential uses within the Core Area.

a. *Bufferyards*

When a lot is located adjacent to a Residential zone district, a bufferyard shall be required. The required yard depth shall be either that required for the district in which the property is located, or that required for the adjoining residential district, whichever is greater, and shall be provided along the adjoining residential lot line.

b. *Screening*

In addition, unless separated by a street, public alley or by an intervening lot, no non-residential structure shall be located less than one hundred (100) feet from a residential district unless the structure is effectively screened from the residential district.

- i. Screening shall consist of a wall, solid opaque fence or appropriate plant materials that are between five-and-one-half (5.5) and six (6) feet in height, subject however to the regulations in Sections. 32.05.010.D.3 and 32.05.010.D.2.b.
 - ii. If plant materials are used for such screening, they may exceed six (6) feet in height at maturity; they shall be a minimum of three (3) feet in height immediately after planting; shall be composed of plants approved for such use by the City Arborist; and they shall be installed in such a manner to assure effective year-round visual screening.
 - iii. All walls, fences or plant material screens shall be maintained in such a manner to assure a continuing year-round effective visual screen and cause no adverse impact to adjoining properties due to lack of proper maintenance.
 - iv. Berming may be used in conjunction with fencing or plantings to provide the required screen, however no side slope shall be steeper than three-to-one (3:1), unless approved by the City Engineer.
 - v. The Project Review Group may consider topography may be considered with screening options
- c. *Street Trees/Groundcover in Public Rights-of-Way*

All development shall comply with the provisions of Sec. 32.05.030.A.4.c.

6. Parking Lot Landscaping

All parking lots shall include landscaping and trees located within the parking area as required by this section. Trees required to be installed in the interior of parking areas shall be in addition to trees and landscaping required under other sections of this Section. It is the objective of this section to provide safe passage for pedestrians and shade within parking areas, as well as break up large expanses of parking lot paving.

a. *Trees Required*

Trees, at a rate of one tree per twelve (12) parking spaces, shall be provided for all parking lot areas. Required parking area trees shall be large shade tree varieties and have a minimum two (2) inch DBH at the time of planting.

b. *Location of Trees*

For parking lot areas having forty (40) or more spaces such trees shall be located in protected landscape areas within the parking lot with the provision that up to fifteen percent (15%) of the required trees may be located within ten (10) feet of the parking lot perimeter. The location, size, and design of the landscape areas shall be approved by the City Arborist to ensure viability of the planting and protection from damage by vehicles while also meeting the objectives of this section.

c. *Planters*

For parking lot areas with forty (40) or more spaces, a continuous planter,

including trees, shall be provided for every fourth parking bay. Said continuous planter shall include large shade trees planted no closer than on twenty (20) foot centers. Planter areas shall be a minimum width of six (6) feet measured from the inside of the protective curbing. These areas may be widened to accommodate head in parking with a thirty (30) inch vehicle overhang into the planter area so long as the required six (6) foot minimum width for the tree planting is maintained. The width and design of said continuous planter shall be approved by the City Arborist to ensure viability of the planting and protection from damage by vehicles.

d. *Screening of Parking Areas*

i. *Residential and Civic Uses*

All open vehicular parking areas containing four (4) or more parking spaces shall be effectively screened on each side adjoining property in a residential use or a civic or institutional use, by a wall, a solid opaque fence, or a continuous wall of shrubs. Such screen shall be not less than five and one-half (5 ½) feet. When a bufferyard between the parking area and the adjacent property is being provided pursuant to any other portion of this Sec. 32.05.030.A, no additional screening shall be required under this section d.

a. *Public or Private Street*

All open vehicular parking areas containing four (4) or more parking spaces shall be effectively screened on each side adjoining a public or private street, by a wall or by the use of continuous plantings that effectively screen headlights of parking cars.

Where required street frontage landscape areas extend between the public or private street and a parking area, and such landscape areas have a depth of ten (10) feet or more, berming is strongly encouraged to enhance screening of vehicles from the street. Such berming shall not exceed one foot in rise for every three (3) feet of run.

iii. *Trails*

All open vehicular parking areas containing four (4) or more parking spaces shall be effectively screened on each side adjoining a public or private trail, by a wall or by the use of continuous plantings that effectively screen headlights of parking cars.

iv. *Shrubs*

Where a parking area does not adjoin a public street, shrubs shall be provided at the rate of six (6) per one thousand (1,000) square feet of planting area. Where a parking area adjoins a public street, shrubs at least three (3) feet in height shall be provided in amounts and locations sufficient to screen at least sixty-six (66) percent of the views of parked vehicles when viewed from the public street. Up to twenty (20) percent of the required shrubs may be replaced by ornamental grasses or perennial flowers at a rate of four (4) such plants per shrub replaced.

v. *Screening of Driveways*

Driveways, to and from such parking areas, shall also be so screened on any side that adjoins property in a residential, civic, or institutional use subject, however, to the regulations in Sections. 32.05.010.D.3 and 32.05.010.D.2.b.

vi. *Materials*

If plant materials are utilized for the screen they shall be a minimum of three (3) feet in height after planting and pruning; shall be composed of plants approved for such use by the City Arborist; and shall be installed in such a manner that will assure an effective year-round visual screen. Berming may be used in conjunction with fencing or plantings to provide the required screen. If utilized, the berming must be completely upon the lot with the parking area, and shall not exceed one (1) foot in rise for each three (3) feet of run, unless other means approved by the City Engineer are used to hold the slope.

vii. *Maintenance*

All walls, fences or planting material screens shall be maintained in such a manner as to assure a continuing year-round effective visual screen and also to assure that no adverse impacts will be caused to the adjoining properties due to lack of proper maintenance.

viii. *Alternative Request by City*

If, because of unique topographic or site conditions, the Development Department concludes that the use of the method (wall, living material, etc.) selected by the applicant pursuant to the preceding Subsections (i) through (iii) will not result in effective screening of the parking area, the Development Department may require that an alternative method identified in preceding Subsections (i) through (iii) shall be used instead.

7. Enclosures and Screening

a. *Requirement*

All multi-family, office, commercial, civic, and institutional land uses approved after April 16, 2003 shall provide enclosures and/or screening of HVAC, trash, recycling, cardboard, mechanical equipment, and grease and similar service or support containers meeting the requirements of this Section. Enclosures are not required for residential air conditioning units. The location and design of each enclosure shall be shown on the Site Plan and shall be approved prior to issuance of structural building permits. Preliminary building permits for site preparation, installation of utilities, and foundations may be issued prior to approval of the enclosure.

b. *Construction and Appearance*

- i. Each required garbage enclosure shall be accessible for truck pick-up. Access drives shall be constructed of material and thickness to accommodate truck loading. Year round accessibility to the enclosure for service trucks area shall be maintained by the property owner or tenant.
- ii. Roof top mechanicals shall be screened so as not to be visible from the

street. Screening is not required for the top of the roof-top mechanicals. Acceptable exterior wall materials are brick, stone, and split face block masonry, cementitious siding, EIFS, glass, metal (flat, perforated, composite, or ribbed less than 8" OC), architectural paneling, or other similar high quality materials.

- iii. Each required enclosure shall be screened so that the container is not visible from any adjacent property or from any public right-of-way through the use of solid material or landscaping on at least three sides to at least the height of the top of the container. The use of materials that are not solid, such as slates in chain-link fencing, shall not be used to meet this requirement.
- iv. Enclosure openings directly visible from a public right-of-way and/or adjoining properties shall have a gate constructed of solid material.
- v. Enclosures shall be of an adequate size to accommodate expected containers. It is encouraged to design the enclosure area to be expandable to accommodate future additional containers.
- vi. Enclosure structures shall be designed to protect the walls from damage by containers. Such protection may include use of barrier curbing reinforced masonry walls, or other similar means.
- vii. Materials and elevations for enclosures that are attached to buildings shall incorporate the same principal colors and materials used on the adjacent or nearest facade of the primary structure.
- viii. If enclosures are to be attached to buildings they shall comply with applicable fire and building codes.
- ix. Trash enclosures shall not be located within a required street front or street side setbacks or buffer yard or occupy area used for required parking spaces.

B. EXTERIOR LIGHTING

1. Intent

The purpose of this Section is to protect residential uses from excessive night time light and glare and to protect motorists from glare along public rights-of-way; to require that exterior lighting be designed to contribute to the security of property and to facilitate safe passage of persons using such property after dark; and to assure that exterior lights be shielded through the use of full cut-off fixtures so that they do not cast direct light beyond the property line next to residential areas and public rights-of-way.

2. Applicability

Exterior lighting meeting the standards of this Section shall be provided as part of new development or where new lighting will be installed as part of redevelopment or expansion of (a) any non-residential use in the A, R-T, R-1, R-2, R-3, or R-3D district (including non-residential PUD-O developments), and (b) any use, other than an agricultural, single-family, or two-family use, in the RMF-1, RMF-2, and R-TN districts or in any Commercial and Industrial district (including PUD-O developments). All lighting that is not in conformance with the requirements of this Sec. 32.05.030.B on the

Effective Date shall be brought into conformance within five (5) years after the Effective Date. The following matrix indicates areas that are subject to the standards of this section.

TABLE 32.05-8: EXTERIOR LIGHTING MATRIX
(X Denotes Required Exterior Lighting Standards)

Type of District	Adjoining District/Use or ROW			
	Residential	O/S	Other Commercial	Right-of-Way
Single/Two-Family* Residential	X	X		X
Multiple-Family Residential	X	X	X	X
Office/Service	X	X	X	X
Other Commercial (including Industrial)	X	X		X

* Standards apply only to non-residential uses in One and Two-Family Residential Districts.

3. Exemptions

The following shall be exempt from the provisions of this Section, provided that outdoor lighting shall only be illuminated while the activity is taking place and a reasonable time before and after such activities.

- a. Outdoor lights used exclusively for public recreational activities, sporting events at stadiums and ball fields, concerts, plays or other outdoor events that are open to the public.
- b. Outdoor lighting used for a temporary event.
- c. Outdoor lighting for public rights-of-way that comply with accepted street lighting design standards and intensity criteria.
- d. Outdoor lighting used for emergency equipment and work conducted in the interest of law enforcement or for public health, safety, or welfare.
- e. Outdoor lighting associated with single and two-family residential uses within the A, R-T, R-1, R-2, R-3, or RT-N districts. Lighting standards shall apply to non-residential uses such as schools and churches within these districts.

f. *Lighting Shown on Site Plan*

A Site Plan containing the following information (or if no Site Plan is required then a scale drawing containing the following information) shall be submitted and approved prior to issuance of structural Building Permits, but preliminary building permits for site preparation, installation of utilities, and foundations may be issued prior to review of lighting information. The Plan shall include at least the following:

- i. The proposed location, mounting height, wattage, and aiming point of all exterior lighting fixtures.
- ii. If building elevations are proposed for illumination, drawings shall be provided for all relevant building elevations showing the fixtures, the

portions of the elevations to be illuminated, the illuminance levels of the elevations and the aiming point of any remote light fixture.

- iii. Foot-candle diagrams may be requested when exterior lighting is directly adjacent to single, two-family, and multiple family residential areas.

g. General Requirements

Exterior lighting shall meet the following standards. For purposes of this section, the term "lighting fixtures" includes parking lot lighting, wall mounted lights, ground mounted lights, and all other types of fixtures other than lighted sign meeting the requirements of Section 32.06, Signs.

- i. Lighting fixture design and specifications should be in accordance with definitions established by the Illuminating Engineering Society of North America (NESNA). Said definitions shall be referenced in making determinations regarding compliance with light cut off and shielding. In cases where glare to adjoining right-of-way and/or residential areas is possible the Plan shall provide for full cut-off fixtures to prevent such glare.
- ii. Lighting fixtures located within fifty (50) feet of property lines for existing or future single, two-family, or multiple family development, single-family or agricultural zoning districts, or areas designated for low density residential development under the Comprehensive Plan shall not exceed twenty (20) feet in height.
- iii. The maximum height for directional lighting fixtures (designed so that no light is emitted above a horizontal line parallel to the ground) located in areas beyond fifty (50) feet of residential uses shall be thirty-five (35) feet.
- iv. The maximum height for non-directional lighting fixtures shall be fifteen (15) feet and shall be translucent or have baffles to prevent direct view of the light source. Non-directional lighting is not recommended for lighting sidewalks, streets, or parking areas.
- v. Lighting fixtures shall be shielded in a manner that shall not direct illumination on adjacent residential properties.
- vi. Lighting fixtures that are seen from public rights-of-way shall be designed with sharp cut-off or other screening means that orients light down and prevents light glare from spilling onto the public right-of-way.
- vii. Lighting fixtures internal to a site that are not visible to a public road or a residential district may be any design.
- viii. Lighting fixtures shall be designed and shielded so that the light source is not visible from any single-family or two-family use located adjacent to or across a street or alley from the subject property, or from any public right-of-way.
- ix. The use of mercury vapor security lighting is prohibited. If such lighting is installed, a full cut-off shield or other screening shall be installed to orient light downward and to prevent light glare from spilling onto adjacent properties or any public right-of-way.

h. Canopy Lighting

- i. In order to minimize direct glare, light fixtures mounted on canopies shall be recessed so that the lens cover is flush with the bottom surface of the canopy or shielded by the fixture or the edge of the canopy so that light is restrained to eighty-five (85) degrees or less from horizontal.
- ii. As an alternative (or supplement) to recessed lighting, indirect lighting may be used where light is beamed upward and then reflected down from the underside of the canopy. When this method is used, light fixtures must be shielded so that direct light is focused exclusively on the underside of the canopy and is not visible from any single-family or two-family use adjacent to or across a street or alley from the subject property, or from any public right-of-way.
- iii. Lights shall not be mounted on the top or sides (fascias) of the canopy. Signing that is in compliance with sign regulations may be placed on these surfaces.

C. COMMERCIAL DESIGN STANDARDS AND GUIDELINES

1. Intent

Multiple public input events have identified the importance of high quality design in Cedar Rapids. Commercial development presents unique compatibility issues related to the size and mass of such buildings. It is the intent of this Section to provide design elements that should be included in such project design to mitigate these issues and lessen such impacts. It is not the intent of this section to establish design review or prescribe specific architectural treatments. The Department of Community Development shall review Site Plans for consistency with the intent of this Section and the use of design elements.

2. Applicability

The design elements identified in this section shall apply to new development or expansions of over 50% of a buildings foot print in the O/S, C-MU, C-1, C-2, C-3, and C-4 districts, unless specifically noted.

3. Design Standards and Guidelines

a. Building Facades

i. Articulation

None required for building facades up to (75) feet long. Building facades from (76) feet to (300) feet long shall be broken up into intervals no longer than (75) feet. Building facades longer than (300) feet shall be broken up in intervals equal to or less than 25% of the entire building width. Vertical treatments shall include variations in façade materials or building wall offsets of at least (3) feet.

ii. Four-sided design

Architectural features and treatments shall not be restricted to a single facade of any primary structure. Any facade viewable from a residential use, public or private street shall be designed to meet the requirements of this code.

iii. Materials

Acceptable exterior wall materials are brick, stone, and split face block masonry, cementitious siding, EIFS, glass, metal (flat, perforated, composite, or ribbed less than 8" OC), architectural paneling, or other similar high quality materials.

b. Scale and Proportion

New development should respect the predominant scale of development in the surrounding area by designing with elements of a similar scale and providing gradual transitions to any larger scaled masses proposed. Taller buildings or portions of a building should be located internally to a site with buildings stepping down in height as they reach the edges of site that are adjoined by smaller scale development.

No building or portion of a building within one hundred (100) feet of any residential zone district shall be more than thirty-five (35) feet in height. No building or portion of a building within two hundred (200) feet of any existing residence in a residential zone district shall be more than seventy-five (75) feet in height.

c. Public Space

For buildings over 60,000 square feet, each site shall include a public space of at least three thousand (3,000) square feet in a highly visible location near a primary entrance to the principal building, or near trails or open spaces on or adjacent to the property. Such public space shall include at least two of the following features: (1) distinctive paving patterns or materials, (2) chairs and/or table for customer use, (3) a piece of freestanding public art that does not include advertising materials, or (4) additional landscaping. Additional treatments may be accepted upon review of the Community Development Department.

d. Pedestrian Circulation

Site design shall include provision for convenient pedestrian circulation and access to public streets and/or public transportation.

e. Building Entrances

Building entrances should provide strong orientation and character to the building through the use of design elements such as, but not limited to special wall treatments, special sidewalk treatments, highlighted colors, arbors, recesses and projections, porticos, and/or decorative overhead structures.

f. Drive-Throughs

Drive-throughs, equipment, menu boards, and stacking lanes shall be screened from residential uses to minimize potentially negative impacts. Drive-through structures and coverings shall be architecturally integrated into the primary structure, rather than appearing to be applied or minimally attached.

g. Awnings

"Awning architecture," where large awnings appear to dominate building frontages is highly discouraged. Awnings should be placed at heights that relate to a pedestrian scale and provide a sense of shelter, and be located at pedestrian walk ways.

h. Ancillary Uses

Vending machines and similar uses should be integrated into existing or planned buildings. Freestanding outdoor sales kiosks are highly discouraged.

4. Location of Outdoor Activity Areas

Loading docks, delivery areas, truck parking, outdoor storage, utility meters, waste containers, fuel containers, trash collection, trash compaction, recycling collection areas, and other similar service functions shall be located, to the maximum extent practicable, so that they are not visible from adjacent residential properties and public streets. If the location of these areas or functions makes it impractical to completely conceal them from view from adjacent properties and public streets, screening shall be used pursuant to Sec. 32.05.030.A.7.

5. Noise Generating Equipment

- a. Noise-generating service areas, equipment, and functions (including but not limited to loading areas, truck parking, trash collection and compaction, and recycling collection areas) shall be located so that they are as far as reasonably possible from adjacent residential properties.
- b. Any external sound system shall be so designed, located and operated to minimize impact on the said residential district or use and all sounds generated on the premises shall not exceed the maximum permissible sound levels established in the City's Noise Ordinance, Chapter 56 of the Cedar Rapids Municipal Code.

6. Accessory Uses and Equipment

Outdoor vending machines, ice dispensers, vacuums, and air pumps shall not be permitted within one hundred (100) feet of any residential zone district and shall be screened so as to be completely out of view from adjacent residential uses.

D. MULTI-FAMILY RESIDENTIAL DWELLING UNITS

1. *Purpose*

The purpose of this Section is to help ensure that multiple family developments provides for a functional, safe, and quality living environment for its residents, and to enhance the acceptability of new multi-family residential development projects within existing developed areas.

2. *Applicability*

The development standards contained in this Section shall apply to new development and major expansions within the R3D, RMF-1 or RMF-2 districts as well as multiple family development within Commercial and Industrial zone districts.

3. *Design Guidelines and Standards*

a. *Facade Length and Articulation*

Total length of any multi-family structure facade shall not exceed seventy five (75) feet, without projections or recesses. Use of lengthy continuous building facades along public street frontages and adjoining residential areas is discouraged. Building orientation and openings should be provided to soften visual impacts within such areas. Each facade should incorporate wall plane projections or recesses having a depth of at least three (3) percent of the length of the facade and extending at least twenty (20) percent of the length of the facade.

b. *Roof Design*

Rooflines longer than seventy five (75) horizontal feet shall include at least one vertical elevation change of at least two (2) feet or dormers to break up the mass of the roof. All sloped roofs shall have overhanging eaves of at least one foot, and roofs with a pitch of less than 2:12 shall be screened by a parapet wall. Roofs of clay or concrete tiles, slate, Masonite, or heavy duty/hail resistant dimensional composition are preferred to conventional asphalt (3-tab) roofs. All composition shingle roofing should be constructed using high profile, textured shingles. Rooftop mechanical equipment and appurtenances should be screened so that they are not visible from any location within two hundred (200) feet of the building when viewed from five (5) feet above grade level. Screening enclosures should be composed of one or more predominant materials used in the facades of the primary structure and one of the predominant colors used in the primary structure.

c. *Four-Sided Design*

A primary building's special architectural features and treatments should not be limited to a single facade. All sides of a building open to view by the public, whether viewed from public or private property, shall display a similar level of quality and architectural interest.

d. *Parking Garages and Carports*

To the maximum extent feasible, parking garages and carports should not be located between the front or primary facade of a multi-family building and the street frontage adjacent to the front lot line, but should instead be internalized within building groups so as not to be directly visible from the street frontage. Where parking garages and carports must be located between such building facade and street frontage, they should meet the following standards:

(A) Parking garages and carports should be compatible with the architectural form and material of the principal building(s) served, incorporating similar forms, proportions, materials, colors, and details.

(B) Detached garages and carports shall have pitched roofs with a minimum slope of 4:12.

(C) No more than six (6) garage doors may appear on any multi-family principal building elevation containing entry doors. No more than four (4) garage doors may be grouped together without an intervening wall surface of at least twenty (20) linear feet (measured horizontally).

e. *Open Space*

Each residential development containing more than ten (10) multi-family dwelling units, and located outside the Core Area, shall incorporate into the development at least the minimum amounts of usable open space shown in Table 32.05-1. Such open space requirements:

- i. Shall not apply to any portion of the property developed with single-family detached dwellings;
- ii. Shall provide open space that is accessible and usable for residents based on its location, size, and configuration;
- iii. Shall be contiguous and regularly shaped, and shall not be comprised of multiple, fragmented or unusable pieces of land;
- iv. Shall be organized so as to be adjacent to any similar open space on surrounding parcels, and to incorporate environmental areas such as streams, wetlands, riparian habitat areas, steep slopes, or geological hazard areas, to the maximum extent feasible;
- v. Shall not include required yard areas, water detention areas (unless designed for multiple use), private streets or drives, or parking and/or loading areas;
- vi. May be retained in private ownership, and may be restricted for the use and enjoyment of the residents of the development and their guests and may be passive in design or have amenities for use by residents. For example, provision of individual unit outdoor areas, such as patios and balconies, are encouraged; and
- vii. Required open space should be improved with appropriate landscaping and amenities.

f. *Natural Topography*

To the extent possible, natural topography, waterways, and existing mature vegetation should be preserved and incorporated into the project design. It is recognized that this objective may require higher intensity of development on portions of a site.

g. *Safety and Security*

Site design should include consideration of visibility within the site and relationships to enhance security and safety for residents.

h. Height and Bulk

The height, bulk, and mass of multi-family structures should be compatible with the site and in scale with the surrounding neighborhood. Structures may be significantly higher and larger than adjoining residential areas so long as there is adequate buffering.

i. Design Features

At least three (3) of the following design features should be provided for visual relief along all facades of each primary multi-family building: roof dormers; gables; recessed entries; covered porches; cupolas; pillars, pilasters or posts; bay windows (minimum 12-inch projection); eaves (minimum 6-inch projection) or a parapet wall with an articulated design (decorative cornice, etc.); multiple windows with minimum 4-inch trim; or recesses/shadow lines.

j. Innovative Design

Innovative and imaginative site design and architecture is encouraged. Building setbacks and relationships should be treated as site amenities to avoid straight line building arrangement. Variations in building details, form, and siting should be included to create visual interest.

4. *Pedestrian Access/Circulation*

The location and design for driveways and internal circulation shall include convenient pedestrian accessibility and shall include provision for internal sidewalk access to public streets, parking areas, and units.

5. *Bicycle Connections*

In developments containing multi-unit dwelling uses, bicycle access routes shall be provided between public bikeways and on-site bicycle parking areas. Sites should be designed to avoid or minimize all conflicting bicycle/motor vehicle and bicycle/pedestrian movements.

E. RESIDENTIAL DEVELOPMENT

1. Single-Family Residential Dwellings

Any building erected or otherwise established for use as a single-family building after March 27, 1985, shall meet the following requirements:

a. *Intent*

The following regulations are intended to provide minimum standards for single-family residential structures as provided for under Chapter 414.28 of the State Code of Iowa, including minimum dimension of the structure and floor area, foundation and exterior facade materials.

b. *General Requirements for Minimum Structure Dimension*

The primary structure shall have a measured minimum dimension of twenty-two (22) feet for the main body, and shall have a minimum floor area of six hundred sixty (660) square feet except as modified pursuant to the following Subsection c.

c. *Small Lot Requirements for Minimum Structure Dimensions*

The minimum structure size and floor area requirements in preceding Subsection b. may be modified to allow for infill development of small legal non-conforming lots with single-family residential structures, provided that the structure meets the following standards to ensure suitability of the site and compatibility with surrounding properties.

- i. The minimum dimension for the main body of the primary structure may be reduced to not less than sixteen (16) feet when placed on an existing legal non-conforming lot of record with a width of forty (40) feet or less or an area of four thousand (4,000) square feet or less.
- ii. The minimum floor area of one bedroom units may be reduced to not less than five hundred (500) square feet for when the structure is placed on an existing legal non-conforming lot of record with a width of forty (40) feet or less or an area of four thousand (4,000) square feet or less.

d. *Foundation*

All single-family residential structures shall have a continuous and complete frost protected perimeter foundation for the main body, except that porches shall only be required to have such a perimeter foundation if required by the Building and Fire Code.

F. NEIGHBORHOOD PROTECTION

1. Purpose

The purpose of this Section is to promote the public health, safety, and welfare by protecting existing residential uses and established residential neighborhoods from the potentially adverse impacts arising from the development of nonresidential uses in close proximity to residences.

2. No Through Access

No part of any lot located in a Residential district shall be used for vehicular access purposes to any other property that is located in any district other than a residential district, or to any other property being used for a purpose not allowed as a permitted or conditional use in a residential district, unless the access is approved by the City Council.

3. Height

No building or portion of a building within one hundred (100) feet of any residential zone district shall be more than thirty-five (35) feet in height. No building or portion of a building within two hundred (200) feet of any existing residence in a residential zone district shall be more than seventy-five (75) feet in height.

G. FLOODPLAIN REGULATIONS

All development shall comply with those floodplain regulations in Chapter 32B.03 of the Cedar Rapids Municipal Code. In addition, all development shall comply with all other flood hazard and damage prevention regulations adopted by the City Council, the Iowa Department of Natural Resources, and any other public agency having jurisdiction in this matter. In the event of conflict the more restrictive provisions shall apply. (033-06)

Section 2. SEPARABILITY OF PROVISIONS

It is the intention of the Council that each section, paragraph, sentence, clause and provision of this Ordinance is separable and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this ordinance, nor any part thereof other than that affect such decision.

Section 3. The changes as provided in this Ordinance shall be made part of the replacement pages of the Municipal Code, City of Cedar Rapids, Iowa, and made a part of said Code as provided by law.

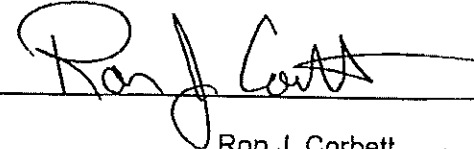
Section 4. All ordinances or parts of ordinances in conflict with any provision of this Ordinance are hereby repealed.

Section 5. WHEN EFFECTIVE

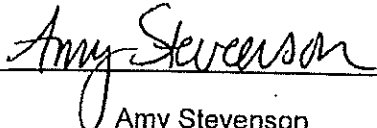
This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Introduced this 26th day of June, 2012.

Passed this 10th day of July, 2012.


_____, Mayor
Ron J. Corbett

Attest:


_____, City Clerk
Amy Stevenson