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## Pleasant Hill, IA Code of Ordinances

### **167.08 C-1 NEIGHBORHOOD/LOCAL COMMERCIAL DISTRICT.**

1. Statement of Intent. The C-1 District is intended to provide for the orderly development of central shopping and centralized business uses and activities according to the overall plan of the City. The business and office uses should be of a low intensity nature, and commercial uses should be designed to satisfy local needs and minimize impact to nearby residential areas. The Planning and Zoning Commission and the City Council retain authority over the development of said district.

#### 2. Principal Permitted Uses Requiring Site Plan.

A. No residential uses of any type shall be permitted except the following:

- (1) Multi-Family residential buildings containing eight or more units.

B. Retail business or service establishments such as the following:

- (1) Antique shops.

- (2) Apparel shops.

- (3) Art shops.

(4) Automobile, trailer, motorcycle, boat, lawn mower, golf cart, truck and farm implement parts and accessory stores, provided that retail sales shall be the only business activity and that any startup or testing of engines shall take place within the store building when directly abutting a residential zoning district.

(5) Automobile, trailer, motorcycle, boat, lawn mower, golf cart, truck and farm implement establishments for display, hire, rental and sales in confined showroom space only. This does not include uses such as body and fender work, wrecking or rebuilding, salvage or used parts yards, except this prohibition does not apply to those businesses existing as of the date of January 1, 2003.

- (6) Baby and children's shops.

- (7) Bakeries or bakery outlets, retail sales only.

- (8) Banks, savings and loan companies and similar financial institutions.

- (9) Barber shops and beauty shops.

- (10) Bicycle shops, sales and repair.

- (11) Book stores.

(12) Business; secretarial and other commercially operated schools for adults, but not including commercial trade schools such as gasoline, diesel or marine engine mechanics schools or truck driving schools.

- (13) Camera stores.

- (14) Car washes.

- (15) Child day care center, day nurseries and nursing schools, with a minimum amount of

usable floor space and outdoor play space for each child, which shall conform to the requirements under the relevant chapters of the Iowa Administrative Rules regulating day care centers. The building used for such purposes should be located not less than twenty (20) feet from any other lot in any "R" district.

- (16) Clothes cleaning and laundry pick-up stations.
- (17) Collection office of public utility.
- (18) Confectionery stores, including ice cream or snack bars.
- (19) Convenience stores.
- (20) Dairy stores, retail only.
- (21) Dance studios.
- (22) Delicatessens.

(23) Department/retail stores with no more than 30,000 square feet gross floor area, including storage, are permitted on C-1 property directly abutting a residential zoning district. Larger structures may be considered on C-1 property that does not directly abut a residentially zoned property.

- (24) Drug stores.
- (25) Dry goods stores.
- (26) Florist shops and greenhouses.
- (27) Furniture stores.
- (28) Gas stations.
- (29) Gift shops.
- (30) Grocery stores, including supermarkets.
- (31) Hardware stores.
- (32) Health clubs.
- (33) Hobby shops.
- (34) Household appliance, sales and repair shops. Storage and repair contained within building.
- (35) Hospitals.
- (36) Jewelry stores and watch repair shops.
- (37) Key shops.
- (38) Assembly halls, fraternal organizations and labor union offices, not to exceed 8,000 square feet of gross floor area.
- (39) Launderettes, coin-operated dry cleaning establishments, and dry cleaning or pressing establishments using only nonflammable solvents.

- (40) Outdoor power equipment repair shops, provided that any startup or testing of engines shall take place within the shop building.
- (41) Leather goods stores.
- (42) Locker plant for storage and retail sales only.
- (43) Licensed health care professional's offices: physician, chiropractor, dentist, optometrist or similar profession.
- (44) Music stores.
- (45) Music studios.
- (46) Office buildings not to exceed 30,000 square feet of gross floor area.
- (47) Paint and wallpaper stores.
- (48) Pet stores.
- (49) Photographic printing or development establishments, retail sales of photographic supplies, not including letter or offset presses.
- (50) Photographic studios.
- (51) Post office substations.
- (52) Professional offices such as law, engineering, architecture, real estate, insurance, accounting, bookkeeping or similar uses.
- (53) Radio and television sales and repair shops.
- (54) Radio and television stations.
- (55) Restaurants - drive thru and/or sit down.
- (56) Shoe and hat repair shops.
- (57) Sporting goods stores.
- (58) Tailor and dressmaking shops.
- (59) Theaters.
- (60) Toy stores.
- (61) Variety stores.
- (62) Veterinary clinics or hospitals for the sole care and treatment of domesticated house pets, not including farm animals. No boarding of animals except as is necessary for the immediate care and treatment of the animals allowed. All boarding shall be inside the building.
- (63) Video stores.

C. Uses which are considered by the Zoning Administrator to be like or similar to those above.

D. Combinations of the above uses.

### 3. Permitted Accessory Uses.

- A. Accessory uses and structures customarily incidental to any principal permitted use.
  - B. Storage of merchandise incidental to the principal use, but not to exceed forty percent (40%) of the floor area used for such use.
  - C. One free standing radio or television tower not to exceed 200 feet in height.
  - D. Not more than three (3) satellite communication or receiver dishes.
4. Bulk Regulations. Multi-Family residential buildings shall follow the minimum requirements for Bulk Regulations of the R-3A Apartment, Condominium District contained in Section 165.07. The following minimum requirements shall be observed for all other permitted uses subject to the modifications contained in Section 165.07.
- A. Lot Area: No minimum requirement.
  - B. Lot Width: No minimum requirement.
  - C. Front Yard: 30 feet.
  - D. Side Yards: No minimum requirement, except when adjoining an "R" District or street, then 25 feet.
  - E. Rear Yard: 40 feet; provided, however, that for every foot the front yard is increased over 30 feet, the rear yard may be decreased in direct proportion thereto, but in no case shall the rear yard be less than 10 feet, except when adjoining an "R" District or street, then 25 feet.
  - F. Maximum Height: 35 feet.
5. Open Space and Landscaping Requirements. See Chapter 168.
6. Off-Street Parking and Loading. See Chapter 169.
7. Sign Regulations. See Chapter 170.
8. Site Plan Requirements. See Chapter 171.
9. R District Protection. An opaque screen at least six (6) feet in height shall be maintained along all R district boundaries. The screen may consist of one or a combination of the following:
- A. Wood or masonry walls or fences constructed as to provide complete enclosure.
  - B. Berms constructed of earthen material and landscaped plant material consisting of compact evergreen plants, used in such a manner to provide their screening function within 18 months after planting. Wall or fence construction may be directed by the Zoning Administrator if plant materials have not formed screen or screen is not maintained.
10. Special Limitations.
- A. A. Storage of any and all materials and equipment shall take place within completely enclosed buildings, except for off-street parking and loading as regulated by Chapter 169 of this Code of Ordinances.
  - B. All open areas not used for off street parking or loading shall be planted with seed/sod or landscaped, properly maintained and kept free from refuse or debris.
  - C. Any retail or service establishment presented for approval to be open to the public for

business during the hours of 2 a.m. to 6 a.m. shall only be permitted subject to approval by the Board of Adjustment after public hearing. Prior to approval, the Board must find that such use complies with the following:

(1) Proposed location, design and operation of proposed use shall adequately safeguard the health, safety and general welfare of persons residing or working in adjoining or surrounding property.

(2) Proposed use shall not increase congestion, noise, vibration, glare, fumes, odors or electrical interference that will adversely affect surrounding residential uses.

(3) Proposed use shall not diminish or impair established property values in adjoining or surrounding properties.

*(Ord. 764 - Nov. 13 Supp.)*

#### **167.10 PLANNED COMMERCIAL DISTRICT.**

The regulations set forth in this section or elsewhere in the Zoning Ordinance which are applicable, shall apply in the C-3 District.

1. Statement of Intent. The C-3 District is intended to provide for the development of shopping center type business areas. The term “shopping center” is intended to mean a planned retail shopping and service area under single ownership, management, or control characterized by a concentrated grouping of stores and compatible uses, with various facilities designed to be used in common, such as access roads, off-street parking, loading areas, lighting, signs and walks.

2. Principal Permitted Uses Requiring Site Plan Review. A building or premises shall be used only for the following purposes:

A. Any use as permitted in the C-1 District.

B. Local retail business or service establishments including but not limited to:

(1) Bars and nightclubs (public or private).

(2) Bowling alleys.

(3) Department store.

(4) Furniture store.

(5) Theaters.

C. Any use which is considered by the Zoning Administrator to be like or similar to one of the uses listed above.

D. Combinations of the above uses.

3. Permitted Accessory Uses.

A. Accessory uses permitted in and as limited in the C-1 District.

B. Accessory uses and structures customarily incidental to any principal permitted use.

4. Bulk Regulations. The following minimum requirements shall be observed in the C-3 District:

A. Minimum Lot Area: 5 acres.

B. Minimum Yards: 50 feet from all property lines.

C. Maximum Height: 60 feet.

5. Development Plan. The owner or owners shall present to the Planning Department of the City one copy of the development plan of any Planned Commercial District. Plan shall be scaled drawings submitted on paper sheets not less than 24 inches x 36 inches at a minimum scale to 1 = 50. The plan shall show the generalized overall plan for the development of the proposed Planned Commercial District and shall include the following information:

A. A site plan outlining, in detail:

- (1) Areas to be developed for buildings.
- (2) Areas to be developed for parking. (See Chapter 169.)
- (3) Location of sidewalks and driveways.
- (4) Points of vehicular access.
- (5) Location and heights of walls.
- (6) Location and type of landscaping and open space. (See Chapter 168.)
- (7) Location, size and number of signs. (See Chapter 170.)
- (8) Anything else required on a site plan per Chapter 171.

B. Evidence concerning the feasibility of the project and its effect on surrounding property.

C. Methods and feasibility of providing water, storm and sanitary facilities.

D. A statement of financial responsibility to assure construction of the development in accordance with the site plan submitted and the requirements of this section. Said statement shall include the owner's reasonable estimate as to the square footage which the owner expects to lease. If this estimate is less than 50%, this shall be a factor, in and of itself, which could be reason to deny the petition.

6. Development Plan Fee. A non-refundable fee of one dollar (\$1.00) per acre shall accompany the filing of a development plan proposal.

7. Submittal of Proposal. Personnel in the Planning Department of the City shall review the proposal of the Planned Commercial District submitted; may discuss any suggestions or proposals with the applicant; and shall file a report along with the applicant's proposal to the Planning and Zoning Commission. The owner shall submit an additional 12 copies of the development plan for distribution to the Planning and Zoning Commission.

A. The Planning and Zoning Commission, after receipt of the report from the Planning Department and receipt of the Planned Commercial District proposal, shall consider the presentation and give special attention to the following:

- (1) Density.
- (2) Building types, functions, screenings and arrangement.
- (3) Use of open space.

- (4) Access to and from the site.
- (5) General relationship to environs.

B. The Commission may approve or disapprove the development plan proposal as submitted, or may require the applicant to modify, alter, adjust or amend the proposal, in order to preserve the intent and purpose of this Chapter and the Comprehensive Plan of the City.

C. An application for a tentative approval of a Planned Commercial District shall be deemed a petition for rezoning to the Planned Commercial District classification. Prior to an affirmative report from the Commission the applicant shall file the necessary rezoning petition as prescribed in amendments contained in Section 165.09 of this Code of Ordinances.

D. Before any report is given to the City Council by the Planning and Zoning Commission pertaining to a development plan submitted for a Planned Commercial District, said Commission shall determine if such proposal is in compliance with the Comprehensive Plan or if such proposal represents a substantial change to the Comprehensive Plan. The Commission may hold a public hearing if no substantial change to the Comprehensive Plan is determined. The Commission shall hold a public hearing, giving notice in the same manner for rezoning, if it is determined that said proposal constitutes a substantial change to the Comprehensive Plan.

E. If the Planning and Zoning Commission denies a request for a Planned Commercial District as proposed, and the applicant desires to revise and resubmit, said applicant shall be subject to an additional non-refundable fee of one dollar (\$1.00) per acre and proceed as though it were the initial application.

F. After a complete review by the Planning and Zoning Commission, a written report giving reasons as to their action shall be filed with the City Council. The owner shall submit an additional twelve (12) copies of the development plan for distribution to the City Council.

G. Within a period of sixty (60) days after the City Council is in receipt of the report from the Planning and Zoning Commission, together with the development plan for the Planned Commercial District, a public hearing shall be held by the City Council in accordance with the provisions of Section 165.09, "Amendments," of this Code of Ordinances. The City Council shall then approve or deny the application.

8. Recording of Development Plan. The ordinance providing for the rezoning of property to the Planned Commercial District and the associated development plan as approved by the City Council shall be recorded at the Office of the Polk County Recorder and shall be binding on the property owners, their heirs, successors or assigns. No phase of the Planned Commercial District shall be started until all documents have been recorded.

9. Modifications. Any proposed modifications in the approved Planned Commercial District shall first be reviewed by the Planning and Zoning Commission. Said proposed modification along with a report from the Commission shall then be forwarded to the City Council with appropriate recommendations. The City Council shall then take such appropriate action on the proposed modification and their decision shall be final. No modification may be considered that is more than a ten percent (10%) increase in density or change of uses on the site without a public hearing as required of a rezoning procedure. A public hearing may be held by the City Council on any modification. All modifications and adjustments shall be recorded at the Office of the Polk County Recorder.

10. Completion. The Planning and Zoning Commission or Council may make the approval of the development plan contingent upon the completion of construction and improvements within a

reasonable period of time, provided, however, that in the determination, the magnitude of the development project and any schedule of construction and improvements submitted by the developer are considered. Failure to complete all construction and improvements within said period of time shall be deemed sufficient cause for the Council, in accordance with the provisions of Section 165.09 of this Code of Ordinances, to rezone the unimproved property to the classification effective at the time of original submission of the development plan, unless an extension is recommended by the Commission and approved by the Council for due cause shown. Any proposed change in the development plan after approval by the Council shall be resubmitted and considered in the same manner as the original proposal. For the purpose of this section, the term “unimproved property” means all property situated within the development plan upon which the installation of improvements has not been commenced.

11. Open Space and Landscaping Requirements. See Chapter 168.
12. Off-Street Parking and Loading. See Chapter 169.
13. Sign Regulations. See Chapter 170.
14. Site Plan Requirements. See Chapter 171.