



# TENTATIVE AGENDA

ROBINS CITY COUNCIL

MONDAY, JUNE 6<sup>TH</sup>, 2022

7:00 - P.M. IN ROBINS CITY HALL

*(ONE OR MORE MEMBERS OF THE COUNCIL MAY BE ATTENDING VIA ELECTRONIC DEVICE)*

## AGENDA:

1. Call the meeting to Order
2. Pledge of Allegiance to the Flag
3. Roll call
4. Approval of the Agenda
5. Mayor's Report
6. Council Reports
7. Engineers Report
8. Citizen Comments – Agenda Items (limited to 3 minutes each)
9. Citizen Comments – Non-Agenda Items (limited to 3 minutes each)
10. Consent Agenda:
  - a. Minutes of the May 2<sup>nd</sup>, 2022 meeting
  - b. Financial Report
  - c. List of Bills Submitted
  - d. Resolution No. 0622-2 Transferring Funds
  - e. Resolution No. 0622-3, Class "C" Liquor License – Epic Center
  - f. Resolution No. 0622-4, Cigarette Application – Otter Creek
  - g. Resolution No. 0622-6, Cigarette Application – Casey's
  - h. Resolution No. 0622-7, Change Order #1 to Rathje Construction relating to the SE Trunk Sanitary Sewer Improvements.

## 11. OLD BUSINESS

- a. Second Reading Ordinance No. 2202, amending Chapter 165, Robins Zoning Ordinance.
- b. Second Reading of Ordinance No. 2205, amendment to the Future Land Use Map.
- c. Second Reading of Ordinance No. 2206, rezoning Robins Landing LLC (92 acres) from Agriculture to R-3, Two-Family Residential; PUD Planned Unit Development; C-1 Central Business District; C-1A Neighborhood Commercial, PLI Planned Light Industrial and P-1 Public Use.
- d. Second Reading of Ordinance No. 2207, amending Chapter 166, Robins Subdivision Regulations.
- e. Second Reading, Ordinance No. 2203, Storm Water Management.
- f. Second Reading, Ordinance No. 2204, Driveways

## 12. NEW BUSINESS

- a. Resolution No. 0622-5, Fireworks Permit Application

## b. 14. MOTION TO ADJOURN



## Memorandum

**To:** City of Robins (Mayor and Council)

**Date:** June 6, 2022

**From:** Kelli Scott, P.E.

**CC:**

**RE:** City Engineer's Report

---

### CITY PROJECTS

#### Southeast Quadrant Sanitary Trunk Sewer (Camelot Pl)

Rathje has not started work on the project.

Following an on-site walkthrough with the City, Snyder, and Rathje held on May 4<sup>th</sup>, 2022, Rathje is requesting to move delay starting work until July/August to take advantage of the dryer season. This would not impact the contract completion date of September 10, 2022.

The City has requested additional unit prices for larger subdrain (8" specified) to potentially allow for additional water to be carried underground. We have yet to receive those costs.

City and Snyder have also been having discussions with the CN railroad to make improvements within their ROW to further benefit and prolong the life of the City's project.

#### Regional Retention Basin

No update.

#### West Main St Trail and Road Reconstruction

Survey has been completed and Snyder has been moving forward with preliminary design. We have started to look at alignment adjustments and determining the proper locations of sidewalk and trail due to existing topography constraints. Snyder is also evaluating the possibility of providing sanitary sewer service to the properties near the Quass and Main St. intersection. Multiple options will be considered with a benefit/cost analysis to determine whether to proceed.

We are on track to submit a funding application in July to the MPO.

V:\Projects\2022\122.0010.08\Administration\MEMO\_2022-06-06\_EngReport.docx

Snyder and City staff met with Don Stamy a few weeks ago to discuss the proposed trail. We need to follow up with additional information regarding RL 1<sup>st</sup> Addition. No direction has been given yet.

## DEVELOPMENTS

### **The Village First Addition**

Sanitary sewer and water main installation progressing. The week of June 6<sup>th</sup>, the intent is to begin installing storm sewer.

### **Eagle View First Addition**

Paving has been completed and they are moving forward with intake tops and final site grading.

We have received a copy of the Final Plat for review.

### **Epic Event Center**

No Update.

### **Sandridge First Addition**

No update.

### **Hindu Temple**

No update.

### **Woods Edge**

Construction has begun and site grading has been completed. Next step is pipe installation. +

### **Cambridge Heights 2<sup>nd</sup> Addition**

No Update.

The Developer's Engineer has completed the revisions requested by Snyder & City staff. We have not been notified of an anticipated construction start date.

### **Robins Landing Phase I**

The Developer has requested a grading permit for the site.

Snyder has received plans for the north half of the site and will be reviewing soon.

We have continued to work through the DA adding and refining restrictions and requirements of the development.

Snyder and City staff met with Don Stamy a few weeks ago to discuss the proposed water main alignments. We need to follow up with additional information regarding RL 1<sup>st</sup> Additon. No direction has been given yet.

## **MISCELLANEOUS**

### **Tower Terrace Road**

The RAISE application was submitted in April. Awards are typically announced in August.

\$5M was awarded to the TTR project through Ashley Hinson.

### **Indian Creek and Dry Run Creek Sanitary Sewer**

No Update.

The most recent update from Marion is they are on schedule for a Fall/Winter 2022 letting. They are going to pursue some funding that came available through the ARP.

There has been no change to the estimate of cost, which was previously indicated as \$8,014,266.35 in October 2018. Robins' portion of the estimated cost would be \$1,740,483.

### **Transportation Technical Advisory Committee (TTAC)**

No Update

### **REDI**

No update.



**Knollwood Basin**

No Update.

Data has been analyzed and a memo prepared. We will deliver the analysis memo to City staff and work with City staff and officials to review the analysis information and determine next steps.

**28-E Agreements**

No Update.

We are waiting on CR to prepare some information for our next meeting. Next meeting is TBD.

**FLUM Updates**

COMPLETE

**Enzinger Property Subdivision**

No Update.



## May 2022 Fire Report

<b>Total Calls:</b>	<b>18</b>
Medical Calls:	12
Fire Alarm	1
Transformer Fire	1
Storm Watch	0
Fire - False Alarm	2
Hiawatha Mutual Aid:	1
Monroe Mutual Aid:	1

### Training

Fire training: This month 15 members trained on forcible entry using the trailer and training props from the Iowa Fire Service Training Bureau through the State Fire marshal's office.

Medical training: This month's medical training topic was Geriatric Emergency Medicine GEMS with 17 members in attendance.

I had two people interested in joining the fire department, but both lived outside of our boundaries.

Chief Keith Feldkamp



## ROBINS CITY COUNCIL MINUTES OF THE APRIL 2<sup>ND</sup>, 2022 MEETING

Mayor Hinz called the meeting to order at 7:00 p.m. in the Robins City Hall on Monday, April 2<sup>nd</sup>, 2022. Roll call was taken following the Pledge of Allegiance to the Flag. Attendees were Councilors Marilyn Cook, Dick Pilcher, Roger Overbeck, Dave Franzman and JD Smith, along with Engineer Kelli Scott, Planning and Zoning Administrator Dean Helander, Building Official/Superintendent of Public Works Mike Kortenkamp, Fire Chief Keith Feldkamp, Deputy Clerk Lisa Goodin, City Clerk/Treasurer Lori Pickart, and around 4 guests. Smith moved to approve the Agenda, Franzman seconded and all voted aye.

### COMMITTEE REPORTS

- \* Mayor Hinz noted the most recent closure date of Tower Terrace Rd and N. Center Point Road is the week of May 16<sup>th</sup>. He noted the closure will occur until the late part of September.
- \* Streets Coordinator JD Smith noted the streets have been swept and everything is moving smoothly.
- \* Parks Coordinator Dave Franzman noted discussions with ITC were encouraging relating to putting a trail on their 100' wide property from Robins Road to the North Center Point Road area. He noted that will provide access to the Cedar Valley Nature Trail, Main Street and North Center Point Road. He also noted Linn County has installed a "pre-fab" restroom facility at Morgan Creek which is a lot less expensive than what the city has been doing. He noted he would investigate this and report back to the council.
- \* Public Works Coordinator Roger Overbeck noted with the recent rains, the detention basins are working well. He added the SE Trunk Sewer project will be starting in the next week or so.
- \* Public Safety Coordinator Dick Pilcher reported the hiring of Greg McGivern to the police department on a part-time basis, adding he worked for the Linn County Sheriff's Officer as Chief of Detectives for the past several years.
- \* Engineer Kelli Scott noted Terricon would be doing soil borings in the very near future to assist in the design of the West Main Street Reconstruction design project.

### CITIZEN COMMENTS

- \* None

### CONSENT AGENDA

Pilcher moved to approve the Consent Agenda which contained the Minutes of the April 4<sup>th</sup>, 2022 meeting; the Financial Report; and the List of Bills submitted. Franzman seconded and all voted aye.

#### a. NEW BUSINESS

Public Hearing, Ordinance No. 2202. Mayor Hinz opened the public hearing to hear comments and concerns relating to Ordinance No. 2202 amending Chapter 165, Zoning Ordinance of the Robins Municipal Code at 7:11 p.m. Engineer Scott noted the FLUM committee went through the existing Ordinance and made changes and modifications. Cook noted 3 of the Councilors were not on the FLUM committee adding they have not had time to review all of the changes presented. She noted would like to table any action and hold a work session to review the changes. Pilcher, who was on the committee noted there were 20 "work sessions" with a lot of deliberation. Cook asked for a definition of a patio home. Scott noted patio homes are basically

smaller homes on smaller lots. Some have basements, some do not. She noted a lot of people don't want large yards to maintain. Chad Martin, 2807 Chester Court asked if this was in the best interest of Robins. It was discussed the need for less expensive homes in Robins to get younger professional persons into town.

Scott noted a Flood Overlay District was added to inform potential developers of the FEMA flood plain, along with creeks, and wetlands. She noted a few definitions were added such as "Greenway", "Irregular Lot", and "Special Flood Hazard Area". She noted "Use Category" tables were added to include more categories adding the I-2 district was not amended. The public hearing closed at 7:50 p.m.

- b. First Reading, Ordinance No. 2202. Pilcher moved to approve the First Reading of Ordinance 2202, amending Chapter 165 (Zoning Ordinance), Franzman seconded and all voted aye. It was agreed the council would discuss changes in a future work session.
- c. Public Hearing, Future Land Use Map. Mayor Hinz opened the public hearing to hear comments and concerns relating to amending the Future Land Use Map at 7:57 p.m. The Council heard comments from Jim Brown, 3317 Chester Road relating to the R-3A, Two-Family Residential with an Association just east of his property. He noted they are zoned R-1 with large lots and feels the correct land use should be R-2, Single-Family Residential or at least the property east of his property as it somewhat jogs to the north. The public hearing close at 8:11 p.m.
- d. First Reading, Ordinance No. 2205. Franzman moved to approve the First Reading of Ordinance No. 2205 amending the Future Land Use Map dated 4/27/22 with the mentioned revisions, Smith seconded and all voted aye.
- e. Public Hearing, rezoning request for Robins Landing. Mayor Hinz opened the public hearing at 8:23 p.m. Engineer Scott noted there will be no access from Tower Terrace Road to the proposed PLI, Planned Light Industrial lots. She noted they will be accessed from the north side of the properties. The public hearing closed at 8:25 p.m.
- f. First Reading, Ordinance No. 2206. Pilcher moved to the First Reading of Ordinance No. 2206, rezoning Robins Landing First Addition, Overbeck seconded and all voted aye.
- g. Ordinance No. 2207, Subdivision Regulations. Scott noted the description for a "Development Agreement" was added along with changes to the procedures in 166.07. Franzman moved to approve the First Reading of Ordinance No. 2207, Smith seconded and all voted aye.
- h. Preliminary Plat, Robins Landing First Addition. Scott noted the developer is planning on starting the development on the north side of the property and installing Hawkeye Drive through the development next summer. Cook noted she is worried about vehicles turning north out of the development as there is a blind spot coming from the south. The Council discussed providing sewer to the property to the north, noting an access easement needs to be established. Smith asked if the proposed PUD could be R-4 zoning. Scott noted the developer's intent is to have two-family condos. Scott noted the street through the PUD area, named Robins Trail Drive would be a private street. Franzman noted there are 4 acres of detention basins with 10 acres of park land within the development.
- i. Resolution No. 0522-1. Pilcher moved to approve Resolution No. 0522-1 approving the Preliminary Plat for Robins Landing First Addition to Robins, Franzman seconded. All voted aye except Cook who voted nay.
- j. Ordinance No. 2203, Storm Water Management. Scott noted the changes redefine the maintenance and expectations of the developers to take care of the detention basins. She noted if there were to be a design problem not caused by the developer, the city could step in. Smith

moved to approve the First Reading of Ordinance No. 2203, Franzman seconded and all voted aye.

- k. Drive Way Ordinance. Kortenkamp noted the only change to Chapter 140 relates to section 140.03, Driveway Construction changing from “Cedar Rapids Metro Area Engineering Design Standards” to SUDAS. Smith moved to approve the First Reading of Ordinance No. 2204, Overbeck seconded and all voted aye.
- l. Salt Shed. Kortenkamp noted he received three bids for the construction of a salt shed, adding the bids are good for a one week time frame. He noted he received an updated price late Friday afternoon from the low bidder, noting the price is now \$113,153.91; adding this price is good until Friday, May 6<sup>th</sup>. He noted all three of the quotes are from “Sourcewell” representatives. Overbeck moved to approve Resolution No. 0522-3 as amended, Pilcher seconded and all voted aye.
- m. Re-stripping City Streets. Kortenkamp noted he received two estimates to get North and South Mentzer; East and West Main Street; and Robins Road re-striped, adding paint is now available. He noted the low bidder is Eastern Iowa Asphalt Maintenance in the amount of \$7,109.00. Pilcher moved to approve Resolution No 0522-2 awarding the bid, Smith seconded and all voted aye.
- n. Shoulder stone. Kortenkamp noted there are several areas along West Main Street and Center Point Road which need shoulder stone. He noted the stone will help the erosion of the asphalt and provide protection should someone drive off the edge. Smith moved to approve the quotation from Kluesner Construction of \$24.00 per ton and around \$7,200. Franzman seconded the motion and all voted aye.
- o. Stop Sign Installation. Kortenkamp noted he has received several complaints relating to the “T” intersection of Brougham Road and Landau Street. Police Chief Humphrey noted this area is a school bus stop, endangering children trying to catch the bus. Pilcher moved to approve Resolution No. 0522-4 approving the installation of the stop sign, Franzman seconded and all voted aye.

#### OLD BUSINESS

- a. Attorney Proposal. Mayor Hinz noted at the last meeting the Council directed him to ask for a proposal for legal services from Lynch-Dallas. The Council reviewed the proposal, Overbeck moved to approve the proposal, Smith seconded and all voted aye.

Overbeck moved to adjourn at 9:10 p.m.

---

Chuck Hinz, Mayor

ATTEST:

---

Lori Pickart, City Clerk/Treasurer





ACCOUNT:	BALANCE 6/1/22	MAY RECEIPTS	MAY EXPENSES	BALANCE 5/31/22	PROPOSED BILLS	ANTICIPATED BALANCE
GENERAL FUND	\$2,076,281.28	\$33,385.11	\$62,720.80	\$2,046,945.59	\$73,094.87	\$1,973,850.72
ROAD USE	\$839,399.48	\$19,255.84	\$43,675.67	\$814,979.65	\$45,814.75	\$769,164.90
ROBINS BASEBALL	\$13,468.34	\$0.00	\$0.00	\$13,468.34	\$0.00	\$13,468.34
LOCAL OPTION TAX	\$1,685,326.16	\$43,155.85	\$1,507.80	\$1,726,974.21	\$0.00	\$1,726,974.21
TIF	\$924,248.66	\$17,615.47	\$883,703.20	\$58,160.93	\$0.00	\$58,160.93
DEBT SERVICE	\$229,461.05	\$888,811.31	\$1,101,756.25	\$16,516.11	\$0.00	\$16,516.11
CAPITAL PROJECTS	\$2,990,420.95	\$0.00	\$0.00	\$2,990,420.95	\$0.00	\$2,990,420.95
WATER UTILITY	\$205,001.72	\$3,116.24	\$2,038.80	\$206,079.16	\$1,091.25	\$204,987.91
SEWER UTILITY	\$578,929.08	\$2,197.28	\$21,211.97	\$559,914.39	\$28,689.04	\$531,225.35
<b>TOTALS</b>	<b>\$9,542,536.72</b>	<b>\$1,007,537.10</b>	<b>\$2,116,614.49</b>	<b>\$8,433,459.33</b>	<b>\$148,689.91</b>	<b>\$8,284,769.42</b>

Note: \$883703.20 was transferred from TIF to Debt Service for bond principle and interest payment

May Receipts	
Police Fines	\$54.00
Vehicle Inspections	\$480.00
Storm Damage Receipts	\$0.00
American Relief Plan	\$0.00
Park Rental	\$750.00
Golf Cart License	\$60.00
Ball Diamond Usage	\$175.00
City Hall Rental	\$550.00
Building Permits	\$4,074.00
Coseco Permits	\$100.00
Park Donation	\$0.00
Engineering Services Fee	\$0.00
Platting Fees	\$0.00
Misc. Receipts	\$839.39
Property Taxes	\$26,227.72
Alcohol Permits	\$75.00
Road Use Receipts	\$19,255.84
Local Option Tax Receipts	\$43,155.85
TIF Receipts	\$17,615.47
Debt Service Receipts	\$5,108.11
Bond Proceeds	\$0.00
Capital Projects Reimbursements	\$0.00
Cedar Rapids Water Reimbursement	\$2,366.24
Water Main Fees	\$750.00
Water Connection Fee	\$0.00
Sewer User Fees	\$2,197.28
System Development Fees	\$0.00
<b>Total Receipts</b>	<b>\$123,833.90</b>

Cash and Investment Account Balance as of 5/31/22

	Checking	Savings	CD's	Totals
General Fund	\$183,841.84	\$1,863,103.75		\$2,046,945.59
Road Use	\$24,447.70	\$790,531.95		\$814,979.65
Robins Baseball Inst.	\$212.67	\$13,255.67		\$13,468.34
Local Option Tax	\$82,325.17	\$1,644,649.04		\$1,726,974.21
TIF	\$117,873.62	-\$59,712.69		\$58,160.93
Debt Service	-\$94,234.26	\$110,750.37		\$16,516.11
Capital Projects	\$29.66	\$2,990,391.29		\$2,990,420.95
Water Utility	\$2,295.63	\$203,783.53		\$206,079.16
Sewer Utility	\$2,065.16	\$557,849.23		\$559,914.39
<b>Totals</b>	<b>\$318,857.19</b>	<b>\$8,114,602.14</b>	<b>\$0.00</b>	<b>\$8,433,459.33</b>



Vendor	Description	Parks	Police	Fire	General - Other	P&A	Road Use	Sewer Utility	Water Utility	LOST/ Capital Projects	Total
Office Depot	supplies					84.03					84.03
Office Express	supplies	35.82	35.82	35.81		35.81					143.26
Payroll-Bartels, Brett	Police Officer	368.18									368.18
Payroll-Boeckmann, Neal	Streets/Sewers/Firefighter	359.80		718.16	359.08		2,154.48				3,591.52
Payroll-Dunn, Jim	Police Officer	410.54									410.54
Payroll-Goodin, Lisa	Deputy Clerk				869.93			1,304.89			2,174.82
Payroll-Helander, Dean	P&Z Administrator				904.17						904.17
Payroll-Hinz, Chuck	Mayor				368.40						368.40
Payroll-Hoppe, Phillip	Streets/Sewers	406.42		106.44	67.77	212.88	164.55	116.00			1,074.06
Payroll-Humphrey, Gabe	Police Officer	1,128.78									1,128.78
Payroll-Humphrey, Scott	Police Chief	1,693.70									1,693.70
Payroll-Kortenkamp, Mike	Building/Public Works				2,210.34						4,420.68
Payroll-Mahart, Gary	Police Officer	1,014.09					1,105.18	1,105.16			1,014.09
Payroll-McGivern, Greg	Police Officer	1,378.32									1,378.32
Payroll-Oshel, Deric	Police Officer	732.33									732.33
Payroll-Payne, Tim	Police Officer	415.05									415.05
Payroll-Pickart, Lori	City Clerk					4,548.74					4,548.74
Payroll-Parts, Kenny	Streets/Sewers/Parks	520.70		89.75	843.92	125.73	359.20	152.72			2,092.02
Payroll-Vanersveld, Jeff	Streets/Sewer/Parks	1,140.74				178.24	294.06				1,613.04
Payroll-Weitron, Joey	Streets/Sewer/Parks	501.88					782.52	637.78			1,922.18
Pickart, Lori	stipend					49.35					49.35
Point Computer	Point Computer service		300.00			140.00					440.00
Rexco	supplies						468.26				468.26
RollIRack	supplies			1,810.00							1,810.00
Schimberg Co.	supplies						84.59				84.59
Servpro	service							4,322.52			4,322.52
Sherwin Williams	supplies						94.59				94.59
Super Bright LEDs	supplies				216.75						216.75
Teahen's, Peter & Janet	parts			3,815.75							3,815.75
Tikorr Black	training						2,510.00				2,510.00
Tomlinson Cannon	service	3,500.00									3,500.00
USA Cellular	service				1,000.00						1,000.00
USA Communications	service				49.35						49.35
Van Meter	supplies		53.45	26.74		53.44	98.69				148.04
VanErstveld, Jeff	stipend						26.72				26.72
Weitron, Joey	stipend							125.23			125.23
Wendling Quarries	supplies						49.35				49.35
Witmer Public Safety	supplies			195.51			25.00				25.00
Wright Express	supplies		427.58	288.93	122.18		195.97	93.74			1,128.40
	gasoline										0.00
		17,506.93	2,583.69	10,180.45	33,930.16	8,893.64	45,814.75	28,689.04	1,091.25	0.00	148,689.91



6/2/22	July 21	Aug 21	Sept 21	Oct 21	Nov 21	Dec 21	Jan 22	Feb 22	Mar 22	April 22	May 22	June 22	Total	Budget	Balance
<b>1. PUBLIC SAFETY</b>															
<b>Police Department</b>															
Salaries	9,201	5,816	9,551	8,170	8,066	7,774	8,013	8,952	8,849	8,494	8,190	9,200	100,276	140,000	39,724
FICA, City Share	704	445	731	625	617	595	613	685	662	635	612	689	7,613	10,710	3,097
IPERS, City Share	884	559	918	760	751	724	748	812	825	741	763	713	9,198	13,134	3,936
Health Insurance	0	0	0	0	0	0	0	0	1,766	1,766	1,766	1,766	7,064	25,000	17,936
Training/Travel	0	0	1,293	0	175	0	0	0	0	0	635	0	2,103	3,500	1,397
Building Maintenance	49	0	54	48	63	63	24	377	0	0	100	311	1,089	5,000	3,911
Gas & Oil	88	38	243	328	432	404	490	272	1,049	594	0	0	3,938	8,000	4,062
Vehicle Repair	0	0	0	105	0	457	0	59	0	0	831	0	1,452	5,000	3,548
Utilities	442	459	559	481	403	372	485	313	842	793	535	539	6,223	6,000	-223
Communications	48	446	188	86	93	114	188	566	165	49	124	177	2,244	1,300	-944
Municipal Insurance	0	7,361	0	0	0	3,500	0	0	0	0	0	0	10,861	12,500	1,639
State/County Charges	0	0	300	0	0	0	300	0	0	300	0	0	900	1,200	300
Dispatch Fees	0	0	0	0	0	0	0	0	5,098	0	0	0	5,098	5,100	2
Computer/Software	96	1,724	380	2,053	4,505	60	0	0	605	770	60	574	10,827	5,000	-5,827
Misc. Supplies	0	15	1,617	13	321	352	0	636	1,482	0	111	0	4,547	12,000	7,453
Guns/Holsters/Lights	0	0	4,510	0	0	6,006	582	0	640	0	0	374	12,112	8,750	-3,362
Body Armor	0	0	0	0	0	0	0	0	0	0	0	0	0	3,200	3,200
Incar Cameras	0	0	0	0	0	0	36,167	0	0	0	0	0	36,167	30,000	-6,167
Reserve Program Costs	498	430	4	8	0	0	0	0	0	0	0	0	940	2,500	1,560
New Car	157	0	0	0	0	0	0	0	0	0	0	0	157	0	-157
<b>Police Total</b>	<b>12,167</b>	<b>17,293</b>	<b>20,348</b>	<b>12,677</b>	<b>15,426</b>	<b>20,421</b>	<b>47,610</b>	<b>12,672</b>	<b>21,983</b>	<b>14,142</b>	<b>13,727</b>	<b>14,343</b>	<b>222,809</b>	<b>297,894</b>	<b>75,085</b>
<b>Fire Department</b>															
Salaries & Stipends	13,719	1,148	1,261	10,996	1,148	1,184	12,710	1,570	1,653	12,703	1,356	1,261	60,709	70,000	9,291
FICA	1,046	86	95	838	86	89	970	118	125	969	102	95	4,619	5,355	736
IPERS	209	108	119	189	107	110	184	147	155	205	127	118	1,778	2,000	222
Health Insurance	363	224	224	341	224	224	334	224	224	357	224	224	3,187	3,600	413
Dues/Memberships	0	0	200	0	323	0	0	0	0	50	0	0	573	300	-273
Fire Training	50	50	0	0	1,180	0	263	0	100	50	0	50	1,743	2,900	1,157
Medical Training	0	17	1,037	475	338	0	25	111	26	17	0	5,056	7,102	4,400	-2,702
Station Maintenance	63	657	1,713	311	367	4,225	879	480	848	654	4,716	2,366	17,279	11,541	-5,738
Gas & Oil	0	210	108	242	89	49	70	84	335	258	10	0	1,455	1,800	345
Truck Repair	0	0	0	0	188	656	0	0	0	1,179	4,107	156	6,286	9,100	2,814
Utilities	442	459	559	481	403	373	485	313	314	744	536	563	5,672	6,000	328
Communications	24	70	70	43	23	57	23	494	610	49	62	76	1,601	850	-751
Municipal Insurance	0	11,486	0	0	0	9,000	0	0	0	0	167	0	20,653	20,000	-653
Immunizations	0	0	0	0	0	0	0	0	567	0	0	177	744	6,000	5,256
Medical Supplies	0	249	1,090	0	0	86	0	130	270	0	0	87	1,912	2,000	88
Major Equipment	0	0	0	181	0	26	0	0	2,828	0	0	188	3,223	500	-2,723
SCBA, Masks, Air Packs	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Attire	997	476	0	0	137	265	0	273	517	246	0	196	3,107	12,070	8,963
<b>Fire Total</b>	<b>16,913</b>	<b>15,240</b>	<b>6,476</b>	<b>14,097</b>	<b>4,613</b>	<b>16,344</b>	<b>15,943</b>	<b>3,944</b>	<b>8,572</b>	<b>17,481</b>	<b>11,407</b>	<b>10,613</b>	<b>141,643</b>	<b>158,416</b>	<b>16,773</b>
<b>Animal Control</b>	<b>0</b>	<b>0</b>	<b>260</b>	<b>130</b>	<b>130</b>	<b>780</b>	<b>0</b>	<b>0</b>	<b>260</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,560</b>	<b>1,500</b>	<b>-60</b>
<b>TOTAL PUBLIC SAFETY</b>	<b>29,080</b>	<b>32,533</b>	<b>27,084</b>	<b>26,904</b>	<b>20,169</b>	<b>37,545</b>	<b>63,553</b>	<b>16,616</b>	<b>30,815</b>	<b>31,623</b>	<b>25,134</b>	<b>24,956</b>	<b>366,012</b>	<b>457,810</b>	<b>91,798</b>
<b>2. PUBLIC WORKS</b>															
Drainage Salaries	1,772	1,195	1,094	1,397	1,136	874	529	506	506	565	553	1,706	11,833	14,000	2,167
FICA-City Share	145	90	83	106	86	66	40	38	38	42	41	130	905	1,071	166



6/2/22	July 21	Aug 21	Sept 21	Oct 21	Nov 21	Dec 21	Jan 22	Feb 22	Mar 22	April 22	May 22	June 22	Total	Budget	Balance
IPERS-City Share	180	113	103	132	106	82	50	47	47	53	52	160	1,125	1,322	197
Health Insurance	95	112	112	98	112	112	98	112	112	96	112	112	1,283	2,500	1,217
Mowing Costs	31	0	153	122	71	0	20	0	0	0	0	0	397	3,600	3,203
New Mower	0	0	0	0	0	0	0	0	0	0	0	0	0	18,200	18,200
<b>SE Trunk Sewer (Amer Cares \$)</b>															
Bridge/Drainage	2,063	0	7,209	2,822	0	755	0	0	2,770	0	21	1,058	16,698	40,000	23,302
Ash Tree Maintenance	0	0	0	0	0	0	0	0	0	0	0	0	0	2,500	2,500
NPDES Requirements	0	0	0	0	0	0	0	316	415	17	0	0	748	2,500	1,752
W. Main St. Trail	0	0	0	0	0	0	0	0	0	0	0	0	0	30,000	30,000
Storm Damages	138	2,949	11,255	0	0	0	6,450	0	0	0	0	0	20,792	10,000	-10,792
<b>Streets Total</b>	<b>4,424</b>	<b>4,459</b>	<b>20,009</b>	<b>4,677</b>	<b>1,511</b>	<b>1,889</b>	<b>7,187</b>	<b>1,019</b>	<b>3,888</b>	<b>773</b>	<b>779</b>	<b>0</b>	<b>50,615</b>	<b>654,555</b>	<b>600,774</b>
Street Lighting	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Traffic Signs	0	106	348	0	0	0	0	742	0	0	0	0	1,196	2,500	1,304
Solid Waste	0	131	75	45	34	13,498	0	0	0	0	20	19	13,822	27,000	13,178
<b>TOTAL PUBLIC WORKS</b>	<b>4,424</b>	<b>4,696</b>	<b>20,432</b>	<b>4,722</b>	<b>1,545</b>	<b>15,387</b>	<b>7,187</b>	<b>1,761</b>	<b>3,888</b>	<b>773</b>	<b>799</b>	<b>19</b>	<b>65,633</b>	<b>684,055</b>	<b>618,422</b>
<b>4. CULTURE &amp; RECREATION</b>															
<b>Library Service</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>26,634</b>	<b>0</b>	<b>0</b>	<b>26,634</b>	<b>0</b>	<b>0</b>	<b>26,634</b>	<b>0</b>	<b>26,634</b>	<b>106,536</b>	<b>120,000</b>	<b>13,464</b>
<b>Parks Department</b>															
Salaries	4,029	2,942	1,873	2,800	2,384	1,700	1,492	553	541	743	1,665	3,917	24,639	30,000	5,361
FICA	307	224	142	213	181	129	113	41	41	56	126	299	1,872	2,295	423
IPERS	380	278	177	264	224	160	141	52	51	70	156	369	2,322	2,832	510
Health Insurance	95	112	112	98	112	112	98	112	112	96	112	112	1,283	1,300	17
Maintenance	0	1,736	3,962	646	1,378	1,534	2,597	96	0	15	260	6,821	19,045	30,000	10,955
Park Camera System	0	13,564	0	0	0	7,371	0	0	0	0	0	0	20,935	15,000	-5,935
Utilities	411	205	567	231	212	606	180	221	348	288	171	615	4,055	4,000	-55
Volley Ball Fence	0	0	0	0	0	0	0	0	0	0	0	0	0	5,000	5,000
Capital Improvement	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Multi-Gen/Pickleball	0	0	0	0	0	0	0	0	0	0	0	0	0	36,322	36,322
<b>Total</b>	<b>5,222</b>	<b>5,497</b>	<b>20,397</b>	<b>4,252</b>	<b>4,491</b>	<b>11,612</b>	<b>4,621</b>	<b>1,075</b>	<b>1,093</b>	<b>1,268</b>	<b>2,490</b>	<b>12,133</b>	<b>74,151</b>	<b>126,749</b>	<b>52,598</b>
Cemetery	0	0	0	0	0	0	0	0	0	0	0	0	0	2,500	2,500
Special Events	0	0	0	0	0	100	279	0	400	680	418	0	1,877	1,700	-177
City Entrance Signs	0	0	0	0	0	0	0	0	0	0	0	0	0	500	500
<b>TOTAL CULTURE &amp; REC.</b>	<b>5,222</b>	<b>5,497</b>	<b>20,397</b>	<b>4,252</b>	<b>4,491</b>	<b>11,712</b>	<b>4,900</b>	<b>1,075</b>	<b>1,493</b>	<b>1,948</b>	<b>2,908</b>	<b>12,133</b>	<b>76,028</b>	<b>131,449</b>	<b>55,421</b>
<b>5. COMMUNITY &amp; ECONOMIC DEVELOPMENT</b>															
<b>P&amp;Z/Inspectors/Building</b>															
Salaries	5,600	5,523	5,554	5,681	5,534	5,451	5,411	5,610	5,331	5,391	5,436	5,605	66,127	71,000	4,873
Meeting Fees	94	0	0	0	0	0	97	0	0	97	0	0	288	2,000	1,712
FICA	420	414	417	427	415	409	406	421	400	404	408	420	4,961	5,432	471
IPERS	496	521	524	536	522	515	510	530	503	509	513	529	6,208	6,702	494
Health Insurance	943	943	943	943	943	943	943	943	943	943	943	943	11,316	17,000	5,684
Mileage/Stipends	0	0	0	0	0	0	0	0	0	0	0	0	0	350	350
Communications	0	58	91	0	0	35	48	48	49	49	49	49	476	500	24
Training	0	0	0	0	0	0	2,043	219	132	0	120	0	2,514	300	-2,214
Misc. Supplies	0	0	106	129	0	0	145	119	519	0	0	0	1,018	2,500	1,482
Vehicle	0	34	72	35	36	78	0	39	86	108	0	294	782	1,000	218
<b>TOTAL COMM. &amp; ECON.</b>	<b>7,553</b>	<b>7,493</b>	<b>7,707</b>	<b>7,751</b>	<b>7,450</b>	<b>7,431</b>	<b>9,603</b>	<b>7,929</b>	<b>7,963</b>	<b>7,501</b>	<b>7,469</b>	<b>7,840</b>	<b>93,690</b>	<b>106,784</b>	<b>13,094</b>
<b>6. GENERAL GOVERNMENT</b>															
<b>Mayor/Council</b>															
Salaries	2,440	400	400	1,720	400	400	1,900	400	400	1,780	400	400	11,040	19,800	8,760



6/2/22	July 21	Aug 21	Sept 21	Oct 21	Nov 21	Dec 21	Jan 22	Feb 22	Mar 22	April 22	May 22	June 22	Total	Budget	Balance
FICA	109	31	31	83	31	31	90	31	31	118	31	31	648	1,515	867
IPERS	119	0	0	74	0	0	85	0	0	28	0	0	306	500	194
Gas Stipends	210	0	0	210	0	0	210	0	0	210	0	0	840	2,000	1,160
<b>Total Mayor/Council</b>	<b>2,878</b>	<b>431</b>	<b>431</b>	<b>2,087</b>	<b>431</b>	<b>431</b>	<b>2,285</b>	<b>431</b>	<b>431</b>	<b>2,136</b>	<b>431</b>	<b>431</b>	<b>12,834</b>	<b>23,815</b>	<b>10,981</b>
<b>Policy &amp; Admin.</b>															
Salaries	6,546	6,537	6,537	6,536	6,537	6,537	6,537	6,537	6,537	6,537	6,537	6,537	78,452	86,000	7,548
FICA	485	484	484	484	484	484	484	484	484	484	484	484	5,809	6,579	770
IPERS	607	617	617	617	617	617	617	617	617	617	617	617	7,394	8,118	724
Health Insurance	1,880	1,880	1,880	1,880	1,880	1,880	1,880	1,880	1,880	1,880	1,880	1,880	28,198	31,500	3,302
Dues/Memberships	0	0	2,517	0	0	0	0	0	0	120	0	0	3,137	4,000	863
Training/Travel	0	0	172	0	0	0	0	0	0	0	0	0	172	1,000	828
Strategic Planning	0	0	0	0	0	0	0	8,911	1,914	0	0	0	10,825	10,000	-825
Clock Tower Maintenance	0	0	0	0	0	0	0	0	0	0	0	0	0	1,500	1,500
Communications	168	280	198	86	140	484	140	141	165	99	124	152	2,177	2,500	323
Publications	295	100	207	61	214	236	37	252	250	83	318	156	2,209	3,000	791
Engineering	8,328	13,761	12,899	0	0	15,329	1,589	22,735	1,305	12,272	14,531	0	102,749	60,000	-42,749
Municipal Insurance	0	1,078	0	0	0	8,620	161	0	0	0	0	0	9,859	35,000	25,141
Legal	1,000	0	5,522	14,620	1,443	1,000	0	1,050	6,097	0	0	33	30,765	50,000	19,235
Data Processing	790	949	145	0	380	5,445	0	653	2,423	130	0	867	11,782	12,000	218
Elections	0	0	0	0	0	0	0	0	2,582	0	0	0	2,582	3,000	418
Corridor MPO	0	0	0	0	0	0	0	3,500	0	0	0	0	3,500	7,000	3,500
Office Supplies	755	995	211	887	589	143	770	446	1,321	25	511	96	6,749	6,000	-749
Misc. Supplies	266	320	189	658	39	0	0	40	801	275	104	0	2,692	2,000	-692
Postage	0	0	165	0	0	174	0	453	165	0	0	0	957	750	-207
Office Contingencies	0	0	0	0	0	0	0	0	0	0	0	0	0	8,000	8,000
Digitalize Files	0	0	0	0	0	0	0	0	0	0	0	0	0	3,000	3,000
<b>Total Policy &amp; Admin</b>	<b>21,120</b>	<b>27,001</b>	<b>31,743</b>	<b>25,829</b>	<b>12,323</b>	<b>40,949</b>	<b>17,853</b>	<b>47,699</b>	<b>27,041</b>	<b>22,522</b>	<b>25,106</b>	<b>10,822</b>	<b>310,008</b>	<b>340,947</b>	<b>30,939</b>
<b>City Hall/Buildings</b>															
Salary - Cleaning	276	226	410	303	226	683	606	428	2,169	3,625	137	665	9,754	4,500	-5,254
FICA	21	17	31	23	17	52	46	33	166	277	10	51	744	344	-400
IPERS	26	21	38	29	21	65	57	41	205	342	13	63	921	425	-496
Maintenance	49	0	0	116	15	122	522	138	959	653	432	2,113	5,119	10,000	4,881
Utilities	254	248	479	262	199	325	321	370	511	473	282	445	4,169	4,500	331
Church Planning/Design	0	0	438	0	0	0	0	0	0	0	0	0	438	60,000	59,562
<b>City Hall Total</b>	<b>626</b>	<b>512</b>	<b>1,396</b>	<b>733</b>	<b>478</b>	<b>1,247</b>	<b>1,552</b>	<b>1,010</b>	<b>4,010</b>	<b>5,370</b>	<b>874</b>	<b>3,337</b>	<b>21,145</b>	<b>79,769</b>	<b>58,624</b>
<b>TOTAL GENERAL GOV/FUND</b>	<b>24,624</b>	<b>27,944</b>	<b>33,570</b>	<b>28,649</b>	<b>13,232</b>	<b>42,627</b>	<b>21,690</b>	<b>49,140</b>	<b>31,482</b>	<b>30,028</b>	<b>26,411</b>	<b>14,590</b>	<b>343,987</b>	<b>444,531</b>	<b>100,544</b>
<b>TOTAL GENERAL FUND</b>	<b>70,903</b>	<b>78,163</b>	<b>109,190</b>	<b>72,278</b>	<b>46,887</b>	<b>114,702</b>	<b>106,933</b>	<b>76,521</b>	<b>75,641</b>	<b>71,873</b>	<b>62,721</b>	<b>59,538</b>	<b>945,350</b>	<b>1,824,629</b>	<b>879,279</b>
<b>Road Use</b>															
Salaries	6,001	7,079	7,346	6,687	6,538	6,579	6,443	5,635	5,373	5,908	7,037	6,562	77,188	74,623	-2,565
FICA, City Share	451	532	553	503	491	494	484	422	402	443	529	493	5,797	5,709	-88
IPERS, City Share	567	668	693	632	613	618	606	528	503	555	661	616	7,044	7,044	-216
Health Insurance	995	1,092	1,092	1,011	1,092	1,092	1,015	1,092	1,092	1,000	1,092	1,092	12,757	17,000	4,243
Building Repair/Maint	0	0	375	75	0	0	0	40	79	0	548	3,267	4,384	8,000	3,616
Street Lighting	1,618	2,427	3,072	1,546	2,518	2,553	2,779	1,920	2,631	2,847	3,259	1,577	28,747	35,000	6,253
Gas/Oil/Maintenance	0	235	304	0	295	327	1,845	1,949	160	419	2,448	626	8,608	7,000	-1,608
Equipment Repairs	0	116	2,592	456	127	3,095	371	1,439	165	1,445	21,759	1,361	32,926	20,000	-12,926
Utilities	183	144	234	159	147	286	333	1,687	1,014	715	297	297	5,496	3,200	-2,296
Communications	24	282	372	129	165	196	260	748	278	198	260	273	3,185	2,500	-685
Insurance	0	14,928	0	0	0	12,000	0	0	0	0	0	0	26,928	28,000	1,072



6/2/22	July 21	Aug 21	Sept 21	Oct 21	Nov 21	Dec 21	Jan 22	Feb 22	Mar 22	April 22	May 22	June 22	Total	Budget	Balance
Legal/Engineering	0	0	1,167	0	0	881	0	472	862	0	291	0	3,673	3,000	-673
Street Maint/Construct	858	0	0	2,800	0	49,774	0	0	0	0	4,691	3,407	61,530	130,000	68,470
Traffic Signs	0	0	0	0	0	0	0	0	0	0	0	0	0	3,000	3,000
Parts & Repair	13	151	3,669	444	1,827	692	1,999	1,122	587	855	456	692	12,507	10,000	-2,507
Major Equipment	0	0	0	0	0	0	93	7,419	2,010	0	0	0	10,546	31,000	20,454
Rock/Sand/Material	75	0	306	0	643	0	0	0	0	0	0	0	0	4,500	4,500
Contracted Services	0	0	0	0	0	0	0	0	0	0	0	0	0	167,082	167,082
Capital Imp/Truck Res	0	0	0	0	0	0	0	0	0	0	0	0	0	104,259	104,259
Snow truck #2 Reserve	0	0	0	0	0	0	0	0	0	0	0	0	0	12,500	12,500
03 Utility Truck Reserve	0	0	16,642	3,223	0	3,033	3,053	0	0	0	0	28,289	54,240	80,501	26,261
Large Eq. Reserve	0	0	0	0	0	0	0	0	0	0	0	0	0	4,100	4,100
Replace Bobcat	0	0	0	0	0	0	0	0	0	0	0	0	0	20,000	20,000
Salt Shed Addition	0	0	0	0	0	0	0	0	0	0	0	0	0	18,750	18,750
18 Utility Truck Reser.	0	0	0	0	0	0	0	0	0	0	0	0	0	796,768	440,815
<b>STREETS TOTAL</b>	<b>10,785</b>	<b>27,654</b>	<b>38,417</b>	<b>17,665</b>	<b>14,456</b>	<b>81,620</b>	<b>19,281</b>	<b>24,473</b>	<b>15,156</b>	<b>14,385</b>	<b>43,328</b>	<b>48,733</b>	<b>355,953</b>	<b>796,768</b>	<b>440,815</b>
Snow Removal Wages	249	253	253	253	253	253	313	3,206	996	1,002	253	253	7,537	15,000	7,463
FICA-Snow	19	19	19	19	19	19	23	245	76	76	19	19	572	1,148	576
IPERS, City Share	24	24	24	24	23	23	29	302	94	94	23	24	708	1,416	708
Health Insurance	44	53	53	46	53	53	46	53	52	45	53	53	604	1,100	496
<b>Snow Removal Total</b>	<b>336</b>	<b>349</b>	<b>349</b>	<b>342</b>	<b>348</b>	<b>348</b>	<b>411</b>	<b>3,806</b>	<b>1,218</b>	<b>1,217</b>	<b>348</b>	<b>349</b>	<b>9,421</b>	<b>18,664</b>	<b>9,243</b>
<b>ROAD USE TOTAL</b>	<b>11,121</b>	<b>28,003</b>	<b>38,766</b>	<b>18,007</b>	<b>14,804</b>	<b>81,968</b>	<b>19,692</b>	<b>28,279</b>	<b>16,374</b>	<b>15,602</b>	<b>43,676</b>	<b>49,082</b>	<b>365,374</b>	<b>815,432</b>	<b>450,058</b>
<b>ROI Equipment</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>10,000</b>	<b>10,000</b>
<b>LOCAL OPTION TAX</b>															
D&M-Kingsway Upsizing						1,845	0	0	0	2,790			4,635	0	-4,635
Bal SE Trunk sewer	12,468	100	27,927	3,154	0	0	0	0	0	0	1,508	0	45,157	171,138	125,981
D&M Watermain Ext.			35,181		1,104	0	0	0	0	0	0	0	36,285	35,200	-1,085
Camb/Kings Way Waste	87,914	5,396	3,654			0	0	12,203					109,167	138,000	28,833
<b>100,382</b>	<b>5,496</b>	<b>66,762</b>	<b>3,154</b>	<b>3,154</b>	<b>1,104</b>	<b>1,845</b>	<b>0</b>	<b>12,203</b>	<b>0</b>	<b>2,790</b>	<b>1,508</b>	<b>0</b>	<b>195,244</b>	<b>344,338</b>	<b>149,094</b>
<b>7. DEBT SERVICE</b>															
2016 Bond															
Principal					0						295,000		295,000	295,000	0
Interest				15,333							15,332		30,665	30,665	1
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>15,333</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>310,332</b>	<b>0</b>	<b>325,665</b>	<b>325,665</b>	<b>1</b>
2020 Bond															
Principle											770,000		770,000	770,000	0
Interest				21,426							21,424		42,850	42,848	-2
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>21,426</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>791,424</b>	<b>0</b>	<b>812,850</b>	<b>812,848</b>	<b>-2</b>
Rebate - Meine				3,306						3,306			6,612	10,000	3,388
Bonding Fees				500		350	13,500						13,850	1,000	-12,850
<b>TOTAL DEBT SERVICE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>40,564</b>	<b>0</b>	<b>350</b>	<b>13,500</b>	<b>0</b>	<b>0</b>	<b>3,306</b>	<b>1,101,756</b>	<b>0</b>	<b>1,158,976</b>	<b>1,149,513</b>	<b>-9,463</b>
<b>8. CAPITAL PROJECTS</b>															
CHR w/Linn County					0	0	0				0		0	350,000	350,000
Tower Terrace Inter.	0	0			0	0	0				0		0	200,000	200,000
Kings Way	0	0	0	0	0	0	0				0		0	200,000	200,000
Indian Creek Sewer	0				0	0	0				0		0	1,000,000	1,000,000
<b>Total Capital Projects</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,750,000</b>	<b>1,750,000</b>
<b>9. BUSINESS TYPE</b>															
Water Utility															
Pump Station Electricit	22	785	1340	20	736	740	834	988	1107	1009	2039	19	9,639	12,000	2,361



6/2/22	July 21	Aug 21	Sept 21	Oct 21	Nov 21	Dec 21	Jan 22	Feb 22	Mar 22	April 22	May 22	June 22	Total	Budget	Balance
Misc. Items	348	0	62	261	0	139	0	261	0	0	0	94	1,165	15,000	13,835
Quass Rd. Upgrade	0	0	0	0	0	0	0	0	0	0	0	0	0	30,000	30,000
Booster Stn. Reserves	0	0	0	0	0	0	0	0	0	0	0	0	0	20,000	20,000
<b>TOTAL WATER UTILI</b>	<b>370</b>	<b>785</b>	<b>1,402</b>	<b>281</b>	<b>736</b>	<b>879</b>	<b>834</b>	<b>1,249</b>	<b>1,107</b>	<b>1,009</b>	<b>2,039</b>	<b>113</b>	<b>10,804</b>	<b>77,000</b>	<b>66,196</b>
<b>Sewer Utility</b>															
Salaries	4,160	3,393	3,856	4,071	3,451	4,290	3,024	3,256	2,963	3,012	3,084	4,432	42,992	42,000	-992
FICA City Share	314	256	291	307	260	324	227	245	223	226	232	335	3,240	3,213	-27
IPERS, City Share	345	320	364	384	326	405	285	307	280	284	291	418	4,009	3,965	-44
Health Insurance	471	471	471	471	471	471	471	471	471	471	471	471	5,652	9,000	3,348
Equipment Repair	207	196	2,430	4,012	34,540	136	1,541	117	0	0	30	8,466	51,675	21,000	-30,675
Utilities	152	413	1,009	183	436	441	558	134	715	825	1,839	130	6,835	6,369	-466
Infiltration	0	0	0	0	0	0	0	0	0	0	0	0	0	50,000	50,000
Insurance	0	9,139	0	0	0	9,000	0	0	0	0	0	0	18,139	25,000	6,861
Legal/Engineering	0	0	5,839	0	0	494	0	522	0	0	0	0	6,855	10,000	3,145
Sales Tax	0	413	0	0	0	457	457	0	0	0	0	0	1,327	1,100	-227
Administration	81	817	73	0	96	64	36	0	3	0	26	165	1,361	4,500	3,139
CR Hookup	0	15,240	30,480	0	15,240	15,240	15,240	15,240	15,240	15,240	15,240	15,240	167,640	182,880	15,240
Chemicals	0	0	0	0	0	0	0	0	0	0	0	0	0	5,000	5,000
Equipment	0	0	0	0	0	0	0	0	0	0	0	0	0	16,000	16,000
Office Supplies	0	0	0	0	0	0	0	0	0	0	0	0	0	3,000	3,000
Postage	7	0	432	0	0	520	0	0	391	0	0	0	1,350	2,500	1,150
Generators	0	0	0	0	41,471	0	0	0	0	0	0	0	41,471	97,800	56,329
<b>Total Sewer Utility</b>	<b>5,737</b>	<b>30,658</b>	<b>45,245</b>	<b>9,428</b>	<b>96,291</b>	<b>31,842</b>	<b>21,839</b>	<b>20,292</b>	<b>20,286</b>	<b>20,058</b>	<b>21,213</b>	<b>29,657</b>	<b>352,546</b>	<b>483,327</b>	<b>130,781</b>
<b>TOTAL OF ALL EXPENSE</b>	<b>188,513</b>	<b>143,105</b>	<b>261,365</b>	<b>170,346</b>	<b>159,822</b>	<b>231,586</b>	<b>189,432</b>	<b>138,544</b>	<b>113,408</b>	<b>141,272</b>	<b>1,232,913</b>	<b>165,024</b>	<b>3,134,830</b>	<b>6,574,239</b>	<b>3,439,409</b>
<b>REVENUES</b>															
<b>General Fund</b>															
<b>Police</b>															
Fines	464	240	34	152	246	24	80	49	0	25	54		1,368	200	-1,168
Vehicle Salvage	680	560	960	520	680	720	200	480	920	960	480		7,160	4,500	-2,660
American Relief Fund	0	263,548	0	0	883	0	0	0	0	0	0		264,431	528,862	264,431
FEMA Refunds	0	0	0	0	0	0	0	0	0	7,227	0		7,227	0	-7,227
Park Rental	450	600	1,050	400	0	0	0	0	0	50	750		3,300	3,000	-300
Ball Diamond Usage	0	150	150	0	0	0	0	700	700	525	175		2,400	2,500	100

6/2/22	July 21	Aug 21	Sept 21	Oct 21	Nov 21	Dec 21	Jan 22	Feb 22	Mar 22	April 22	May 22	June 22	Total	Budget	Balance
Park Donation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Golf Carts	30	0	0	0	0	0	0	0	0	0	60	0	90	60	-30
City Hall Rent	350	225	550	0	350	600	400	200	700	350	550	550	4,275	5,000	725
Building Permits	3,519	1,802	7,079	4,191	2,380	2,758	2,578	1,798	1,686	2,653	4,074	100	34,518	50,000	15,482
Cosoco Permits	100	0	200	0	0	100	0	0	0	214	100	0	714	1,000	286
Engineering Recovery	0	0	0	0	0	30,000	0	0	0	0	0	0	30,000	5,000	-25,000
Plating Fees	0	0	0	0	0	0	2,640	0	1,460	0	0	0	4,100	2,500	-1,600
Interest (001-620-430)	951	975	938	911	893	1,048	1,075	940	1,044	1,024	0	0	9,799	10,000	201
Misc. Receipts	2,110	148	928	35	535	824	1,676	13,369	8,242	210	839	75	28,916	10,000	-18,916
Beer/Liquor/Cig Perm	0	0	942	0	0	0	200	0	0	618	75	0	1,835	500	-1,335
RBI Receipts	0	0	0	0	0	0	0	0	0	0	0	0	0	2,500	2,500
Property Taxes	1,284	0	35,651	591,875	68,736	30,769	9,090	12,816	59,755	529,034	26,228	0	1,365,238	1,363,230	-2,008
<b>GENERAL TOTAL</b>	<b>9,938</b>	<b>268,248</b>	<b>48,482</b>	<b>598,084</b>	<b>74,703</b>	<b>66,843</b>	<b>17,939</b>	<b>30,352</b>	<b>74,507</b>	<b>542,890</b>	<b>33,385</b>	<b>0</b>	<b>1,765,371</b>	<b>1,988,852</b>	<b>223,481</b>
<b>ROAD USE</b>															
Receipts	53,843	31,978	55,789	37,247	29,430	33,388	38,005	36,892	20,940	50,152	19,256	0	406,920	450,000	43,080
<b>ROAD USE TOTAL</b>	<b>53,843</b>	<b>31,978</b>	<b>55,789</b>	<b>37,247</b>	<b>29,430</b>	<b>33,388</b>	<b>38,005</b>	<b>36,892</b>	<b>20,940</b>	<b>50,152</b>	<b>19,256</b>	<b>0</b>	<b>406,920</b>	<b>450,000</b>	<b>43,080</b>
<b>RBI RECEIPTS</b>															
<b>LOCAL OPTION SALES TAX</b>															
Receipts	39,313	45,267	39,217	39,218	172,547	43,182	43,186	36,684	36,684	36,384	43,156	0	574,838	450,000	-124,838
Interest (121-950-430)	678	670	559	571	546	451	531	498	552	553	0	0	5,609	7,500	1,891
<b>LOCAL OPTION TAX I</b>	<b>39,991</b>	<b>45,937</b>	<b>39,776</b>	<b>39,789</b>	<b>173,093</b>	<b>43,633</b>	<b>43,717</b>	<b>37,182</b>	<b>37,236</b>	<b>36,937</b>	<b>43,156</b>	<b>0</b>	<b>580,447</b>	<b>457,500</b>	<b>-122,947</b>
<b>TIF</b>															
TIF Receipts	565	0	19,880	382,933	40,441	22,585	2,940	7,291	41,381	346,384	17,615	0	882,015	886,991	4,976
<b>TIF TOTAL</b>	<b>565</b>	<b>0</b>	<b>19,880</b>	<b>382,933</b>	<b>40,441</b>	<b>22,585</b>	<b>2,940</b>	<b>7,291</b>	<b>41,381</b>	<b>346,384</b>	<b>17,615</b>	<b>0</b>	<b>882,015</b>	<b>886,991</b>	<b>4,976</b>
<b>DEBT SERVICE</b>															
Debt Service Receipts	125	0	6,743	114,120	13,075	6,043	1,639	2,427	11,638	102,132	5,108	0	263,050	262,522	-528
<b>TOTAL DEBT SERVICE</b>	<b>125</b>	<b>0</b>	<b>6,743</b>	<b>114,120</b>	<b>13,075</b>	<b>6,043</b>	<b>1,639</b>	<b>2,427</b>	<b>11,638</b>	<b>102,132</b>	<b>5,108</b>	<b>0</b>	<b>263,050</b>	<b>262,522</b>	<b>-528</b>
<b>CAPITAL PROJECTS</b>															
Interest (301-799-4300)	682	658	3,509	552	528	2,115	430	447	2,244	431	0	0	11,596	12,000	404
<b>TOTAL CAPITAL PROJEC</b>	<b>682</b>	<b>658</b>	<b>3,509</b>	<b>552</b>	<b>528</b>	<b>2,115</b>	<b>430</b>	<b>447</b>	<b>2,244</b>	<b>431</b>	<b>0</b>	<b>0</b>	<b>11,596</b>	<b>12,000</b>	<b>404</b>
<b>WATER UTILITY</b>															
Interest (600-810-4300)	100	97	87	86	82	63	70	66	73	70	750	750	794	1,500	706
Main Charge	750	750	1,500	750	0	750	0	750	0	750	750	750	6,750	7,500	750
CR Refund	8,168	8	8	0	0	0	10,896	0	0	0	2,366	0	21,438	10,000	-11,438
Pipe Charge	300	300	300	600	0	300	0	0	0	300	0	0	2,100	1,500	-600
<b>WATER UTILITY TOTAL</b>	<b>1,150</b>	<b>9,315</b>	<b>1,895</b>	<b>1,436</b>	<b>82</b>	<b>1,113</b>	<b>10,966</b>	<b>816</b>	<b>73</b>	<b>1,120</b>	<b>3,116</b>	<b>0</b>	<b>31,082</b>	<b>20,500</b>	<b>-10,582</b>
<b>SEWER UTILITY</b>															
Interest (610-815-4300)	277	261	232	230	220	153	181	156	177	221	1,247	0	2,108	3,500	1,392
Sewer Fees	40,966	1,140	70,302	41,883	1,217	67,726	44,324	2,260	68,717	42,091	0	0	381,873	451,610	69,737
Late Fees	214	38	106	235	48	94	225	133	72	224	40	0	1,429	0	-1,429
Connection Fee	0	0	1,820	0	0	910	0	910	0	910	910	0	5,460	9,100	3,640
Sales Tax	65	0	385	47	0	339	50	0	327	50	0	0	1,263	0	-1,263
System Development Fees	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>SEWER UTILITY TOTAL</b>	<b>41,522</b>	<b>1,439</b>	<b>72,845</b>	<b>42,395</b>	<b>1,485</b>	<b>69,222</b>	<b>44,780</b>	<b>3,459</b>	<b>69,293</b>	<b>43,496</b>	<b>2,197</b>	<b>0</b>	<b>392,133</b>	<b>464,210</b>	<b>72,077</b>
<b>TOTAL RECEIPTS</b>	<b>147,816</b>	<b>357,575</b>	<b>248,919</b>	<b>1,216,556</b>	<b>332,837</b>	<b>244,942</b>	<b>160,416</b>	<b>118,866</b>	<b>257,312</b>	<b>1,123,542</b>	<b>123,833</b>	<b>0</b>	<b>4,332,614</b>	<b>4,542,575</b>	<b>209,961</b>

RESOLUTION #0622-2

A RESOLUTION TO TRANSFER FUNDS FOR THE FISCAL YEAR  
ENDING JUNE 30, 2022

Section 1. The City Clerk is hereby authorized to transfer the following funds as provided for in the certified budget:

From Fund	To Fund	Description	Amount
TIF - 125	Debt Service - 200	FY 22 Debt Payment	\$886,991

PASSED AND APPROVED this 6<sup>th</sup> day of June 2022.

\_\_\_\_\_  
Chuck Hinz, Mayor

ATTEST:

\_\_\_\_\_  
Lori Pickart, City Clerk/Treasurer

## RESOLUTION No. 0622-3

### RESOLUTION APPROVING APPLICATION FOR CLASS "C" LIQUOR LICENSE, INCLUDING OUTDOOR SERVICE AND INCLUDING SUNDAY SALES.

WHEREAS, Jerry & Karen Sunderman, doing business as Epic Event Center has applied to the City of Robins for a Class "C" Liquor License, including Outdoor Sales and Sunday service; and

WHEREAS, requirements per the State of Iowa, and Chapter 120 of the Robins Municipal Code, regulating the sale of Liquor has been met.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Robins, Iowa, that the Class "C" Liquor License, including Outdoor Sales and Sunday service, for Jerry & Karen Sunderman doing business as Epic Event Center, is hereby approved.

PASSED AND APPROVED, this 6<sup>th</sup> day of June 2022.

---

Chuck Hinz, Mayor

ATTEST:

---

Lori Pickart, City Clerk





# State of Iowa

Alcoholic Beverages Division

## Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS		
EPIC EVENT CENTER LLC	Epic Event Center	(319) 361-3713		
ADDRESS OF PREMISES	PREMISES SUITE/APT NUMBER	CITY	COUNTY	ZIP
2987 Epic Drive		Robins	Linn	52302
MAILING ADDRESS	CITY	STATE	ZIP	
PO Box 887	Marion	Iowa	52302	

## Contact Person

NAME	PHONE	EMAIL
Scott Rosekrans	(319) 361-3713	scott@epiceventcenter.com

## License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM	STATUS
LC0044653	Class C Liquor License	12 Month	Active

TENTATIVE EFFECTIVE DATE	TENTATIVE EXPIRATION DATE	LAST DAY OF BUSINESS
Aug 7, 2021	Aug 6, 2022	

### SUB-PERMITS

Class C Liquor License

### PRIVILEGES

Outdoor Service, Sunday Service



# State of Iowa

Alcoholic Beverages Division

## Status of Business

BUSINESS TYPE

Limited Liability Company

## Ownership

### • Individual Owners

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Jerry Sunderman	Robins	Iowa	52328	Owner	50.00	Yes
Scott Rosekrans	Robins	Iowa	52328	General Manager	0.00	Yes
Jami Rosekrans	Robins	Iowa	52328	Manager	0.00	Yes
Karen Sunderman	Robins	Iowa	52328	Owner	50.00	Yes

## Insurance Company Information

INSURANCE COMPANY

West Bend Mutual Insurance  
Company

POLICY EFFECTIVE DATE

July 9, 2021

POLICY EXPIRATION DATE

July 9, 2022

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE  
DATE

OUTDOOR SERVICE EXPIRATION  
DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE  
DATE

TEMP TRANSFER EXPIRATION  
DATE

RESOLUTION NO. 0622-4

RESOLUTION APPROVING APPLICATION FOR  
CIGARETTE PERMIT

WHEREAS, Don Burd of Otter Creek Country Stores, Inc., doing business as Otter Creek Country Stores, Inc. has applied to the City of Robins for an Iowa Retail Cigarette Permit, and

WHEREAS, requirements per Chapter 453A of the Code of Iowa, relating to retail cigarette sales have been met.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Robins, Iowa, that he application for an Iowa Retail Cigarette Permit for Otter Creek Country Stores, Inc., is hereby approved.

PASSED AND APPROVED, this 6<sup>th</sup> day of June 2022.

---

Chuck Hinz, Mayor

ATTEST:

---

Lori Pickart, City Clerk/Treasurer

**Instructions on the reverse side**

For period (MM/DD/YYYY) 07 / 01 / 2022 through June 30, 2023

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

**Business Information:**

Trade name/Doing business as: Otter Creek Country Stores, Inc  
Physical location address: 3445 County Home Rd City: Robins ZIP: 52328  
Mailing address: PO Box 187 City: Hiawatha State: IA ZIP: 52233  
Business phone number: 319-536-0852

**Legal Ownership Information:**

Type of Ownership: Sole Proprietor  Partnership  Corporation  LLC  LLP   
Name of sole proprietor, partnership, corporation, LLC, or LLP Otter Creek Country Stores, Inc  
Mailing address: PO Box 187 City: Hiawatha State: IA ZIP: 52233  
Phone number: 319 533-1825 Fax number: \_\_\_\_\_ Email: don@burdproperty.com

**Retail Information:**

Types of Sales: Over-the-counter  Vending machine   
Do you make delivery sales of alternative nicotine or vapor products? (See Instructions) Yes  No   
Types of Products Sold: (Check all that apply)  
Cigarettes  Tobacco  Alternative Nicotine Products  Vapor Products

**Type of Establishment: (Select the option that best describes the establishment)**

Alternative nicotine/vapor store  Bar  Convenience store/gas station  Drug store   
Grocery store  Hotel/motel  Liquor store  Restaurant  Tobacco store   
Has vending machine that assembles cigarettes  Other  \_\_\_\_\_

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

**Signature of Owner(s), Partner(s), or Corporate Official(s)**

Name (please print): Don Burd - VP Name (please print): \_\_\_\_\_  
Signature: [Signature] Signature: \_\_\_\_\_  
Date: 5-26-22 Date: \_\_\_\_\_

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

**FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE**

- Fill in the amount paid for the permit: \_\_\_\_\_
- Fill in the date the permit was approved by the council or board: \_\_\_\_\_
- Fill in the permit number issued by the city/county: \_\_\_\_\_
- Fill in the name of the city or county issuing the permit: \_\_\_\_\_
- New  Renewal

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: [iapledge@iowaabd.com](mailto:iapledge@iowaabd.com)
- Fax: 515-281-7375

RESOLUTION NO. 0622-6

RESOLUTION APPROVING APPLICATION FOR  
CIGARETTE PERMIT

WHEREAS, of Casey's Marketing Company, doing business as Casey's #3564, has applied to the City of Robins for an Iowa Retail Cigarette Permit, and

WHEREAS, requirements per Chapter 453A of the Code of Iowa, relating to retail cigarette sales have been met.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Robins, Iowa, that the application for an Iowa Retail Cigarette Permit for Casey's General Store., doing business as Casey's #3564, is hereby approved.

PASSED AND APPROVED, this 6<sup>th</sup>, day of April 2021.

---

Chuck Hinz, Mayor

ATTEST:

---

Lori Pickart, City Clerk/Treasurer

**Instructions on the reverse side**

For period (MM/DD/YYYY) 07 / 01 / 22 through June 30, 2023

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

**Business Information:**

Trade Name/DBA CASEY'S MARKETING COMPANY/DBA CASEY'S #3564

Physical Location Address 990 ROBINS SQUARE DR City ROBINS ZIP 52328

Mailing Address PO BOX 3001 City ANKENY

State IA ZIP 50021 Business Phone Number

3197439818

**Legal Ownership Information:**

Type of Ownership: Sole Proprietor  Partnership  Corporation  LLC  LLP

Name of sole proprietor, partnership, corporation, LLC, or LLP CASEY'S GENERAL STORES, INC.

Mailing Address PO BOX 3001 City ANKENY State IA ZIP 50021

Phone Number 515-381-5974 Fax Number 515-446-6303 Email MADI.PAULSON@CASEYS.COM

**Retail Information:**

Types of Sales: Over-the-counter  Vending machine

Do you make delivery sales of alternative nicotine or vapor products? (See Instructions) Yes  No

Types of Products Sold: (Check all that apply)

Cigarettes  Tobacco  Alternative Nicotine Products  Vapor Products

**Type of Establishment: (Select the option that best describes the establishment)**

Alternative nicotine/vapor store  Bar  Convenience store/gas station  Drug store

Grocery store  Hotel/motel  Liquor store  Restaurant  Tobacco store

Has vending machine that assembles cigarettes  Other

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

**Signature of Owner(s), Partner(s), or Corporate Official(s)**

Name (please print) DOUGLAS BEECH, AST. SECRETARY, CASEY'S MARKETING

Signature *Douglas M. Beech*

Date 4/1/2022

Name (please print) \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

**FOR CITY CLERK/COUNTY AUDITOR ONLY - MUST BE COMPLETE**

- Fill in the amount paid for the permit: \_\_\_\_\_
- Fill in the date the permit was approved by the council or board: \_\_\_\_\_
- Fill in the permit number issued by the city/county: \_\_\_\_\_
- Fill in the name of the city or county issuing the permit: \_\_\_\_\_
- New  Renewal

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: [iapledge@iowaabd.com](mailto:iapledge@iowaabd.com)
- Fax: 515-281-7375

RESOLUTION NO. 0622-7

RESOLUTION APPROVING CHANGE ORDER #1 TO  
RATHJE CONSTRUCTION RELATING TO THE SE TRUNK  
SANITARY SEWER IMPROVEMENT PROJECT

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF  
ROBINS, IOWA that Change Order #1 changing the completion date of the project  
Rathje Construction adding 57 days to the Contract Completion Date for the SE  
Trunk Sanitary Sewer Improvement Project.

PASSED AND APPROVED, this 6<sup>th</sup> day of June 2022.

---

Chuck Hinz, Mayor

ATTEST:

---

Lori Pickart, City Clerk/Treasurer

**CHANGE ORDER NO. 1**

OWNER: City of Robins

PROJECT: SE Trunk Sanitary Sewer Improvements Proje  
S&A PROJECT #: 121.0304

To: Rathje Construction Company  
Contractor  
305 44th St  
Address  
Marion, IA 52302  
City, State, Zip

You are directed to make the following changes in this contract:

1. **Description of change to be made:**  
Extend phase 1 completion date for the project to September 10, 2022.

2. **Reason for Change:**  
Give the contractor opportunity to do ditch work during the drier months to avoid excessive dewatering, flow diversion, and plugging detention basin outlets.

3. **Settlement for the cost of making the change shall be as follows:**

Item No.	Item Description	Quantity	Unit	Unit Price	Total Price
				TOTAL	\$0.00

4. **This change order will result in a net change in the contract completion time of 57 days and a net change in the cost of the project of \$0.00 divided as follows:**

	Contract Amount	Contract Completion Date
Approved funds and contract completion date as per (Engineer's Estimate, Contract or last approved C.O.)	\$578,978.41	July 15, 2022
Change due to this C.O. (+ or -)	\$0.00	57
Totals Including this C.O.:	\$578,978.41	September 10, 2022

The change described herein is understood, and the terms of settlement are hereby agreed to:

Rathje Construction Company  
CONTRACTOR  
By Nate Byrum

DATE: 5/27/22

Snyder & Associates, Inc.  
ENGINEER  
By Patrick Winters

DATE: 5/27/2022

City of Robins  
OWNER  
By \_\_\_\_\_

DATE: \_\_\_\_\_



# ORDINANCE NO. 2202

## AN ORDINANCE AMENDING CHAPTER 165, ZONING ORDINANCE, OF THE ROBINS MUNICIPAL CODE, ROBINS, IOWA

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROBINS, IOWA, that the Municipal Code of the City of Robins, Iowa is amended as follows:

**SECTION 1.** The “Table of Contents” for “Chapter 165 – ZONING REGULATIONS” is deleted and replaced with the following:

### CHAPTER 165

#### ZONING REGULATIONS

165.01	Title and Purpose; Compatibility	165.20	A-1, Agricultural
165.02	Definitions	165.21	R-1, Low-Density, Single-Family Residential
165.03	Administration and Enforcement	165.22	R-2, Medium-Density, Two-Family Residential
165.04	Zoning Administrator	165.23	R-3, Medium-Density, Two-Family Residential
165.05	Board of Adjustment	165.231	R-3A, Medium-Density, Two-Family Residential with Association
165.06	Appeals to the Board of Adjustment	165.24	R-4, High-Density, Multiple-Family Residential with Association
165.07	Use Categories	165.25	RMH, Mobile Home Park Residential
165.08	Variances	165.251	PUD, Planned Unit Development
165.09	Planning and Zoning Commission	165.26	C-1, Central Commercial Business
165.10	City Council	165.261	C-1A, Neighborhood Commercial District
165.11	Amendments	165.262	RI, Research Park Innovation District
165.12	Building Permits and Certificate of Occupancy Requirements	165.27	C-2, Highway Commercial District
165.13	Interpretation of Provisions	165.28	PLI, Planned Light Industrial
165.14	Violations and Penalties	165.29	PMI, Planned Medium Industrial
		165.291	PHI, Planned Heavy Industrial
165.15	Establishment of Districts	165.30	P-1, Public Use
165.16	Changes in Official Zoning Map	165.301	RL, Robins Landing Overlay District
		165.302	FP, Flood Plain Overlay
165.17	Interpretation of District Boundaries	165.31	Sign Regulations
165.18	Applicability of Regulations	165.32	Fence, Wall and Hedge Regulations
165.19	District Regulations	165.33	Off-Street Parking and Loading Space

**SECTION 2** Chapter 165.02, “DEFINITIONS” is amended by deleting the same and inserting in lieu thereof the following: **165.02 DEFINITIONS.** In case of any difference of meaning or implication between the text of this chapter and any caption or illustration, the text shall control. The following definitions shall be observed and applied, except when the context clearly indicates otherwise.

**165.02 DEFINITIONS.** In case of any difference of meaning or implication between the text of this chapter and any caption or illustration, the text shall control. The following definitions shall be observed and applied, except when the context clearly indicates otherwise.

1. "Abutting" means adjoining or bordering.
2. "Access" means the right to cross between public and private property, allowing pedestrians and vehicles to enter and leave property.
3. "Accessible Parking Space" means parking spaces accessible for persons with disabilities.
4. "Accessory Parking" means the parking of vehicles of the residents, customers, guests, employees, or owners of a site, not including vehicles for sale by the owner or tenant of the site. Vehicles under this definition must be registered and licensed, and must be able to be started and move on their own power a distance of at least 200 yards. Accessory parking outdoors for more than 72 hours is considered outdoor storage as defined in this chapter.
5. "Accessory building, structure, tree house or use" means a use or structure subordinate to the principal use of a building or land on the same lot or parcel of ground and serving a purpose customarily incidental to the use of the principal building or use of land. (Ordinance No. 1501, 3/2/15)
6. "Accessory Use" means a use incidental to, and on the same lot as, a primary use.
7. "Adaptive Reuse" means rehabilitation or renovation of existing building(s) or structures for any use(s) other than the present use(s).
8. "Adult Entertainment Facilities": See Table 165.07-7.
9. "Agriculture" means the use of land for the purpose of raising and harvesting crops; or for the raising, breeding, pasturing or management of domestic animals, poultry, fish, and honeybees; or for dairying, truck gardening, forestry, nurseries, or orchards; for the non-commercial on-farm storage or processing of agricultural products; or for any similar agricultural, horticultural, silva-cultural, or aqua-cultural use. Agricultural use shall not allow land to be operated as commercial feedlots and fur farms or for the disposal of garbage, sewage, rubbish or offal or rendering plants or for the slaughtering of animals, except such animals as have been raised on the premises or have been maintained on the premises.
10. "Airport" means any area of land or water which is used or intended for use for the landing and taking off of aircraft, and any appurtenant areas which are used or intended for use for airport buildings or other airport facilities or right-of-ways, including all necessary taxiways, aircraft storage and tie-down areas, hangars and other buildings and open spaces.
11. "Alley" means any dedicated public way affording a secondary means of vehicular access to abutting property, and not intended for general traffic circulation.
12. "Alterations, structural" means any change in the supporting members of a building such as bearing walls, columns, beams, or girders.
13. "Ambient Sound Level" The amount of background noise at a given location prior to the installation of Small Wind Energy System, which may include, but is not limited to, traffic, machinery, lawnmowers, general human activity, and the interaction of the wind with the landscape. Ambient Sound Level is measured on the Decibel – dB(A) – weighted scale as defined by the American National Standards Institute (ANSI).
14. "Animal Hospital or Clinic" means an establishment where animals are admitted principally for examination, treatment, board or care by a doctor of veterinary medicine. This does not include open kennels or runs.
15. "Apartment" means a room or suite of rooms used as the dwelling of a family, including bath and culinary accommodations, located in a building in which there are multiples of these units.

16. "Artificial Lake and Ponds" means man made area where water collects and stored over a long period of time. All lakes and ponds shall meet or exceed the Iowa Department Natural Resource requirements and regulations.
17. "Assisted Living Facility" means a residence for 2 or more elderly that provides rooms, meals, personal care and supervision of self-administered medication. These facilities may provide other services, such as recreational activities, financial services, and transportation.
18. "Automobile repair" means the general repair, engine rebuilding, collision service or reconditioning of motor vehicles.
19. "Automobile service station" means an establishment for the retail sale of fuel, lubricants, tires or other similar products and supplies for vehicles, including minor accessory parts. It may also include minor parts installation, towing, servicing, vehicle washing facilities, and minor repairs of vehicles and trailer rental when secondary to the above activities. Major repairs and sales of vehicles are expressly excluded.
20. "Balcony" means an unroofed platform, unenclosed except by a railing, which projects from the outer wall of any building above ground level with or without support other than the building.
21. "Basement" means that portion of a building which is partly below grade but has more than one-half its height below the average grade of the adjoining ground. For the purpose of this chapter a basement is not considered a story unless designed or used for habitable space or business purposes.
22. "Bed and breakfast" means any single-family or multi-family dwelling unit used for the purpose of overnight or temporary lodging for one or more persons wherein meals may also be provided.
23. "Billboard" means all structures, regardless of the material used in the construction of same, which are erected, maintained or used for public display of posters, painted signs, wall signs, whether the structure is placed on the wall or painted on the wall itself, pictures or other pictorial reading material which advertise a business, entity or attraction. (Ordinance No. 1601, 6/20/16)
24. "Board" means the Board of Adjustment as described in Section 414.7 of the Code of Iowa.
25. "Boarder" means an individual other than a member of the family occupying a dwelling unit who, for a consideration, is furnished sleeping accommodations, meals, and may be provided personal care, financial services, counseling or other such services.
26. "Boarding house" means a building other than a hotel or motel where, for compensation and by prearrangement for definite periods, meals (or lodging and meals) are provided for three (3) or more persons.
27. "Broadcast tower" means a structure for the transmittal or broadcast of radio, television, radar or microwaves, which exceeds the maximum height permitted in the district in which it is located; provided, however noncommercial radio towers not exceeding fifty (50) feet in height are not to be considered broadcast towers.
28. "Building" means any structure designed or built for the support, shelter, enclosure or protection of persons, animals, chattels or movable property of any kind, and includes any structure.
29. "Building envelope" means the build able area of lot which remains after the minimum yard setbacks, height requirements, and open space requirements of this chapter have been complied with.
30. "Building, height of" means the vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the average height level between eaves and ridge for gable, hip and gambrel roofs.

31. "Building line" means a line formed by the face of the building; and, for the purposes of this chapter, a minimum building line is the same as a front setback line.
32. "Building, main or principal" means a building in which is conducted the principal use of the lot on which it is situated.
33. "Business" means the engaging in the purchase, sale, barter, or exchange of goods, wares, merchandise, or services, the maintenance or operations of offices or recreational and amusement enterprises for profit.
34. "Business establishment" means a place of business carrying on operations, the ownership and management of which are separate and distinct from those of any other place of business located on the same zoning lot.
35. "Car wash" means any building or portion thereof, containing facilities for the primary purpose of washing vehicles, using production line methods with a chain conveyor, blower, steam cleaning device, or other mechanical devices; or providing space, water, equipment or soap for the complete or partial hand-washing of such vehicles, whether by attendant or customer.
36. "Cellar" means that portion of a building partially or wholly underground, having half or more than half its clear height below the grade plane. A cellar is non-habitable and is not counted as a story.
37. "Cemetery" means land used or intended to be used for the burial of the human dead and dedicated cemetery purposes, including columbarium's, crematories, mausoleums, and mortuaries if operated in connection with, and within the boundaries of such cemetery.
38. "Cemetery, pet" means land used or intended to be used for the burial of domesticated animals and dedicated for pet cemetery purposes.
39. "Child day care facility" means a facility in which six or more children are received for part or all of a day for care and/or instruction. The facility shall be approved and licensed by the State of Iowa. The term "child day care facility" includes but is not limited to the following: nursery schools, child care centers, day nurseries, kindergartens, preschools and play groups, but does not include bona fide kindergartens or nursery schools operated by public or private elementary or secondary school systems.
40. "Church" means a building or structure, or groups of buildings or structures, that by design and construction are primarily intended for conducting organized religious services and associated accessory uses.
41. "Clinic, medical or dental" means an organization of specializing physicians and/or dentists, who have their offices in a common building. A clinic does not include in-patient care.
42. "Club" shall mean the same as "lodge."
43. "Conceptual Plan" means a document that shows an illustration of the architectural features and materials of a proposed building, proposed location of the building on the lot and proposed means of access.
44. "Convalescent home" shall mean the same as "nursing home".
45. "Convenience store" means any retail establishment offering for sale prepackaged food products; household items; newspapers and magazines, drinks, sandwiches and other freshly prepared foods, as well as other similar convenience goods and the on-site dispensing and sales of vehicular fuel.

46. "Deck" means a covered or uncovered platform area, accessible at or from above grade, and attached to the ground.
47. "Design Requirements" means the current edition of SUDAS and supplemental as adopted by the City
48. "Drive-up" means any establishment that by design, physical facilities, service, or by packaging procedures encourages or permits customers to receive services, obtain goods or be entertained while remaining in their motor vehicles.
49. " Dwelling" means any building or portion thereof consisting of a dwelling unit that is used exclusively for residential purposes. Said building shall have an outside dimension of no less than twenty-four (24) feet for the main body, and 900 square feet of floor area above grade, excluding any attached garage, if any.
50. " Dwelling, condominium" means a multiple dwelling as defined in this chapter whereby the fee title to each dwelling unit is held independently of the others.
51. " Dwelling, cooperative" means a housing unit that is owned and controlled jointly by a group of individuals who have equal shares, membership, and/or occupancy rights to the housing community
52. " Dwelling, duplex" means a residence designed for or occupied by two families only, with separate housekeeping and cooking facilities for each family.
53. " Dwelling, multiple" means a building designed with accommodations in order to be occupied exclusively by more than three (3) families living independently of each other.
54. " Dwelling, patio home" means a dwelling as defined in this chapter whereby the fee title to each dwelling unit is held independently of the others. Each unit is erected on a separate lot and may be separated from others by an approved wall or walls.
55. " Dwelling, row home" means any one of three or more attached dwellings in a continuous row, each such dwelling designed and erected as a unit on a separate lot, and separated from one another by an approved wall or walls.
56. " Dwelling, single-family" means a building designed with accommodations for exclusive occupancy by one (1) family.
57. " Dwelling, town home" means a multiple dwelling as defined in this chapter whereby the fee title to each dwelling unit is held independently of the others. Each unit is erected on a single lot and separated from others by an approved wall or walls.
58. " Dwelling, two-family" means a building designed with accommodations for occupancy exclusively by two (2) families living independently of each other and the dwellings are joined together on a common boundary line with a common wall between units.
59. " Dwelling unit" means any room or group of rooms located within a dwelling, and forming a single habitable unit with facilities that are used, or intended to be used, for living, sleeping, cooking, eating, and sanitation, by one family.
60. " Efficiency unit" means a dwelling unit consisting of one principal room exclusive of bathroom, kitchen, hallway, closets, or dining alcove directly off the principal room, providing such dining alcove does not exceed 125 square feet in area.
61. " Family" means one or more persons related by direct lineal descent, marriage, adoption or placement by a governmental or social service agency, occupying a dwelling unit as a single housekeeping organization. A family may also be two, but no more than two persons not so related,



and the children of either or both, including children by adoption, legal guardianship or as foster or step parent-child, living together on the premises as a common household. A family may also include domestic servants and health care providers residing with the said family.

62. "Family group care home" means a residential facility having fifteen (15) beds or less providing 24-hour room, board, personal assistance and a program of services designed to meet the special needs of mentally or physically disabled persons who cannot live alone. The home must be duly approved and licensed as required by applicable State and local regulations.

63. "Farm" means an area where farming is the main or principal use of the land and buildings within the area or an area of not less than five (5) acres where agriculture use is an accessory use for the growing of common agricultural products such as vegetables, fruits and grains, and their storage upon the area, as well as the keeping of domestic animals as permitted by the Robins Animal Control regulations.

64. "Farm building" means a building or structure used for farming purposes within a farm unit.

65. "Farming" means a business engaged in the cultivating, harvesting and storage of agricultural products; or the rearing, raising, pasturing, and management of agricultural domestic animals; and the maintenance and operations of equipment or farm buildings used within a farm unit for a profit.

66. "Feedlot" means a lot, yard, corral, or other area in which domestic animals are present and confined, for the purposes of feeding and growth before slaughter. This does not include areas which are used for the raising of crops or other vegetation and upon which domestic animals are allowed to graze or feed as permitted by Robins Animal Control regulations.

67. "Feedlot, commercial" means a confined area where 500 or more cattle, swine, sheep, or 30,000 or more fowl are housed, penned and fed.

68. "Fence" means a structure more than 18 inches in height, erected as a barrier for separating or enclosing all or a portion of a field, yard, or other area adjoining real property, or for the purpose of preventing intrusion or straying.

69. "Fence, non-agricultural" means a fence that is not used for agricultural purposes.

70. "Fence, temporary" means a fence erected for a short duration to serve a specific limited functional purpose (e.g. snow, soil erosion, construction public safety barrier) and once the purpose has been served, the temporary fence will be removed from the property. A temporary fence shall meet all fencing requirements specified within this Code of Ordinances except no building permit shall be required.

71. "Floodplain" is defined in Chapter 160 of this Code of Ordinances.

72. "Floodway" is defined in Chapter 160 of this Code of Ordinances.

73. "Floor area" means the sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls or from the centerline of wall separating two buildings. The "floor area" of a building includes basement floor area, elevator shafts, stairwells at each floor, floor space used for mechanical equipment (except equipment, open or closed, located on the roof), penthouses, attic space having headroom of seven feet, ten inches (7'10") or more, interior balconies and mezzanines, enclosed porches, and floor areas devoted to accessory uses. Space devoted to off-street parking, is not included in "floor area." The "floor area ratio" means the floor area of the building or buildings on a zoning lot divided by the area of such zoning lot. The floor area ratio requirements, as set forth in this chapter, shall determine the maximum floor area allowable for the building or buildings (total floor area of both principal and accessory buildings) in direct ratio to the gross area of the zoning lot.



74. "Frontage" means all the property on one side of a street between two intersecting streets (crossing or terminating), measured along the line of the street, or if the street is dead ended, then all of the property abutting on one side between an intersecting street and the dead end of the street.

75. "Garage, private" means a building that is subordinate or used for storage of motor-driven vehicles owned and used by the occupants of the building to which it is accessory and shall not exceed 1,250 square feet. (Ordinance No. 1701, 5/15/17)

76. "Garage, public" means a building or portion thereof other than a private or storage garage, designed or used for equipping, servicing, repairing, hiring, selling or storing motor-driven vehicles.

77. "Garage, storage" means a building or portion thereof designed or used for term storage of personal belongings by pre-arrangement, and at which motor fuels and oils are not sold, and motor driven vehicles are not equipped, repaired, hired or sold.

78. "Garden house" means an accessory structure of not more than 140 square feet in area and having a height of eight (8) feet or less constructed primarily for storage.

79. "Grade" means the average level of the finished surface of the ground adjacent to the exterior walls of the building except when any wall approximately parallels and is not more than five (5) feet from a street line, then the elevation of the street shall be grade. The purpose is to regulate the number of stories and height of a structure.

80. "Greenway" a strip of undeveloped land near an urban area, set aside for recreational use or environmental protection

81. "Health club" means a non-medical service establishment intended to maintain or improve the physical condition of persons and containing exercise and game equipment and facilities, steam baths, saunas or similar equipment and facilities. This definition shall not be construed to include massage establishments as defined herein.

82. "Home occupation" means any business, occupation or activity conducted for gain within a residential building, or an accessory building thereto, which is incidental or secondary to the primary use of such building for dwelling purposes and which does not change the essential residential character of the primary building. The following regulations are designed to protect and maintain the residential character of a neighborhood within residential zoned districts while permitting certain limited commercial activities that are traditionally carried out in a home and meet the following limitations:

A. All home occupation activities shall be carried out wholly within the principal structure or in an accessory building. No more than twenty percent (20%) of floor area of the principal building, and no more than five hundred (500) square feet of floor area of an accessory building, shall be devoted to the activity.

B. No person who is not a member of the immediate family and residing on the premises shall be employed in the activity on the premises.

C. No outside storage of material or equipment shall create any external evidence of the home occupation.

D. No toxic chemicals or highly flammable or explosive materials shall be stored within the buildings or used in the activity.

E. No activity shall be permitted that is noxious, offensive or hazardous by reason of pedestrian or vehicular traffic, or by creation of noise, odor, refuse, heat, vibration, smoke,

radiation or any other objectionable emissions, or by interference with televisions or radio reception.

F. No mechanical, electrical or other equipment within the occupation shall create noise, vibration, glare, fumes, odors, or electrical interference detectable outside the building.

G. Not more than one business motor vehicle, no more than one (1) ton in size, in conjunction to the home occupation, shall be permitted to be parked outside of any building.

H. No separate entrance from outside the building or alterations of a building shall be made that changes the character and appearance thereof as a residential building.

I. Does not have any signs or display(s) that indicate from the exterior, that the building is being utilized in part for any purpose other than that of a residential dwelling.

J. Improvements necessary to bring a residence into compliance with commercial building code requirements shall not be allowed. The practical consequence of this restriction is that businesses requiring commercial building code improvements are considered not allowed as home occupations.

K. The following occupations are specifically prohibited from being operated as home occupations:

- (1) Sexually oriented business establishments.
- (2) Motor vehicle and accessory sales or rental, repair and/or painting, including trailer rental or sales.
- (3) Renting of rooms by a resident owner to more than two (2) roomers.
- (4) Taxicab and/or limousine businesses.
- (5) Barber, beauty, tanning and/or nail shops, except when customer visits are by appointment only and are limited to no more than two customers in any one-hour period. Beauty and barbershops allowed under these provisions shall be registered with the appropriate licensing and inspection authorities.
- (6) Medical or dental clinic.
- (7) Restaurant.
- (8) Kennel and veterinary clinic.
- (9) Funeral home.

Home occupations already established on the effective date of the ordinance codified in this subsection (Ordinance No. 0507) and rendered non-conforming by the provisions thereof, shall be allowed 180 days to bring the property in conformance or be subject to a municipal infraction.

83. "Hotel" means a residential building licensed by the State and occupied and used principally as a place of lodging for guests. Hotels may or may not provide meals.

84. "Identification sign" means a sign displaying the name, address, crest, insignia or trademark, occupation or profession of an occupant of a building or the name of any building on the premise. (Ordinance No. 1601, 6/20/16)

85. "Institution" means an establishment occupied or operated by a private or public non-profit corporation, association, organization, or group for use or benefit of the general public.



86. "Irregular Lot" means one that is not square or rectangular shaped so that application of setback requirements is difficult.

87. "Junk/salvage yard" means any lot or portion thereof where waste, discarded, or salvaged materials are bought, sold, exchanged, baled or packed, disassembled, or handled, including the dismantling or "wrecking" of automobiles or other machinery, house wrecking yards, used lumber yards and places or yards for storage of salvaged house wrecking and structural steel materials and equipment; but not including areas where such uses are conducted entirely within a completely enclosed building.

88. "Kennel" means an establishment where small animals are bred, raised, trained, groomed or boarded for compensation, sale or other commercial purposes.

89. "Loading space" means an off-street space within the main building or on the same lot providing for the standing, loading or unloading of commercial vehicles, having a minimum dimension of twelve (12) by thirty-five (35) feet and a vertical clearance of at least fourteen (14) feet.

90. "Lodge" means a building or portion thereof or premises owned or operated by a corporation, association, person, or persons for social, educational, or recreational purposes primarily for the exclusive use of members and their guests, but not primarily for profit or to render a service which is customarily carried on as a business.

91. "Lot" means a parcel of land occupied or intended for occupancy by one main building together with its accessory buildings officially approved and having its principal frontage upon a dedicated street. The boundaries of the lot shall be determined by its lot lines.

92. "Lot, corner" means a lot abutting upon two (2) or more streets at their intersections.

93. "Lot, depth of" means the average horizontal distance between the front and rear lot lines.

94. "Lot, double frontage" means a lot having a frontage on two (2) non-intersecting streets, as distinguished from a corner lot.

95. "Lot, interior" means a lot other than a corner lot.

96. "Lot lines" means the lines bounding a lot as defined herein:

A. Front Lot Line: In the case of an interior lot, that line separating said lot from the street. In the case of a corner lot, or double frontage lot, "front lot line" means that line separating said lot from that street which is designated as the front street in the plat and in the application for a zoning compliance permit.

B. Rear Lot Line: That lot line opposite and most distant front lot line. In the case of a lot pointed at the rear or triangular shaped, the rear lot line is an imaginary line parallel to the front lot line not less than ten (10) feet long and farthest from the lot line and wholly within the lot.

C. Side Lot Line: Any lot line other than the front lot line or rear lot line. A side lot line separating a lot from a street is a side street lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.

97. "Lot of record" means a lot which is part of a subdivision, the plat of which has been recorded in the office of the County Recorder.

98. "Lot, reversed corner" means a corner lot, the rear of which abuts the side of another lot.

99. "Lot width" means the width of a lot measured at the building line and at right angles to its depth where the minimum building line or setback intersects the side lot lines.

100. "Lot, zoning" means a single parcel of land which at the time of filing for a building permit is designated by its owner or developer to be used, developed, or built upon as a unit, under single ownership or control. A "zoning lot or lots" may or may not coincide with a lot of record.

101. "Main building" means a building in which is conducted the principal use of the lot upon which it is situated.

102. "Main use" means the principal use to which the premises are devoted and the principal purpose for which the premises exists.

103. "Manufactured home" means a factory-built structure, built under authority of 42 U.S.C. Sec. 5403, and which is required by Federal law to display a seal from the United States Department of housing and urban development, and was constructed on or after June 15, 1976. If a manufactured home is placed in a mobile home park, the home must be titled and is subject to the mobile home square foot tax. If a manufactured home is placed outside of a mobile home park, the home is to be assessed and taxed as real estate. A manufactured home shall not be constructed with a permanent hitch or other device allowing it to be moved other than for the purpose of moving to a permanent site, and which does not have permanently attached to its body or frame any wheels or axles. A mobile home constructed to the Federal Manufactured Home Construction and Safety Standards is not a manufactured home unless it has been converted to real property and is taxed as a site built dwelling as is provided in Code of Iowa, Section 435.26. For the purpose of any of these regulations, a manufactured home is considered the same as a single-family detached dwelling.

104. "Mobile home" means a vehicle without motive power used or so constructed as to permit its being used as a conveyance upon the public streets and highways and so designed, constructed or reconstructed as will permit the vehicle to be used as a place for human habitation by one or more persons; and also includes any vehicle with motive power not registered as a motor vehicle in Iowa. A "mobile home" is not built to a mandatory building code, contains no Federal or State seals, and was built before June 15, 1976. If a mobile home is placed outside of a mobile home park, the home is to be assessed and taxed as real estate.

105. "Mobile home park" means any site, lot, field or tract of land under common ownership upon which two or more occupied mobile homes, manufactured homes, modular homes, or a combination of the homes are harbored, either free of charge or for revenue purposes, and includes any building, structure, tent, vehicle or enclosure used or intended for use as part of the equipment of such mobile home park. The term "mobile home park" shall not be construed to include mobile homes, buildings, tents, or other structures temporarily maintained by an individual, educational institution or company on their own premises and used exclusively to house their own labor or students. A "mobile home park" must be classified as to whether it is a residential mobile home park or a recreational mobile home park or both. The mobile home park residential landlord tenant act only applies to residential mobile home parks.

106. "Mobile home converted to real estate" means a mobile home which has been attached to a permanent foundation on real estate owned by the mobile home owner, rendering it totally immobile, and which has been inspected by the assessor, the mobile home vehicle title, registration, and license plates collected from the owner, and the property entered upon the tax roles of Linn County.

107. "Modular home" means a factory-built structure which is manufactured to be used as a place of human habitation, is constructed to comply with the Iowa State Building Code for modular factory-built structures, and must display the seal issued by the State Building Code Commissioner. If a modular home is placed in a mobile home park, the home is subject to the annual tax as required by Section 435.22 of the Code of Iowa. If a modular home is placed outside a mobile home park, the home shall be considered real property and is to be assessed and taxed as real estate.

108. "Motel" means a building or group of buildings in which lodging is provided and offered primarily to transient occupancy and in which each unit has convenient access to a parking space for the use of the unit's occupants.
109. "Motor vehicle" means any passenger vehicle, truck-trailer, trailer, or semi-trailer propelled or drawn by mechanical or electrical power.
110. "Multiple dwelling unit" means a building arranged, designed, and intended for use as a residence by two or more families living independently of each other.
111. "Nonconforming building" means a building or portion thereof that does not conform to the provisions of this chapter relative to height, bulk, area or yard size requirements for the district in which it is located.
112. "Nonconforming use" means a use, which lawfully occupied a building or land but does not conform to the use regulations of the district in which it is located.
113. "Nursery" means land, buildings, structures, or combination thereof for the display, storage, cultivation, processing or transporting of trees, shrubs, plants or other horticultural products offered for sale or installation and including products used for gardening and landscaping.
114. "Nursing home" means an institution which is advertised, announced, or maintained for the express or implied purpose of providing nursing or convalescent care for persons unrelated to the licensee. A nursing home is a home for chronic or convalescent patients who, upon admission, are not, as a rule, acutely ill and who do not usually require special facilities, such as an operating room, x-ray facilities, laboratory facilities and obstetrical facilities. A nursing home provides care for persons who have remedial ailments, for which continuing medical and skilled nursing care is indicated; who, however, are not sick enough to require general hospital care. A major factor which distinguishes a nursing home is that the residents will require the individualization of medical care. For the purpose of this chapter, a "nursing home" is also considered to be a "convalescent home." Such institution shall be in compliance with the provisions of Sections 135C.1 (13), nursing facility, and (17), residential care facility, Code of Iowa.
115. "Off-premise sign" means a sign that advertises a product, service or facility, or directs a person to a different location than the one where the sign is installed. (Ordinance No. 1601, 6/20/16)
116. "On-premise sign" means any sign identifying or advertising a business, person, activity, product or service located on the premise where the sign is installed and maintained. (Ordinance No. 1601, 6/20/16)
117. "Open space" means the land area of a site not covered by buildings, right-of-ways, parking structures or accessory buildings, except recreational structures, and which is available to all occupants of units for whose use the space is intended. "Open space" does not include school sites and commercial areas.
118. "Outdoor display" means an area set aside outside of a Building or Structure used in conjunction with a business located within the Building on the same property, for the display, rental and/or sale of goods, materials, vehicles or equipment.
119. "Outdoor lighting" means fixtures and supporting structures used to illuminate the exterior of a building or open space.
120. "Parking space" means a surfaced area, enclosed in the main building or in an accessory building, or unenclosed, having a area of not less than one hundred and eighty (180) square feet exclusive of driveways, permanently reserved for the temporary storage of one vehicle and connected with a street or alley by a surfaced driveway which affords satisfactory ingress and egress for vehicles.

121. "Personal Opinion Sign" means a sign posted on property owned or on leased property where the sign owner resides and wherein a sign owner expresses a personal opinion on a matter that is protected free speech under the first amendment to the United States Constitution. Such signs may not be posted in public right-of-way and may not obstruct the view of motorists at intersections or railroad crossings. Such signs should not resemble or imitate official traffic control devices and may not contain advertising of any product or service within the message." (Ord. 1302, 7/15/13).
122. "Plan" means the adopted Comprehensive Plan of the City.
123. "Planned unit development" means a development of a parcel of land or contiguous parcels of land of sufficient size to create its own environment, controlled by a single landowner or by a group of landowners in common agreement as to control to be developed as a single entity, which is compatible with adjacent parcels and meets the intended density and land use goals of the underlying zoning district. A Planned Unit Development may be granted relief from rigid requirements of a defined zoning district, such as minimum lot standards and use categories, in return for assurances of an overall quality of development, including any specific features which will be an exceptional benefit to the community as a whole and which would not otherwise be required by this Chapter.
124. "Pole sign" means a sign wholly supported by a single structure in the ground. (Ordinance No. 1601, 6/20/16)
125. "Principal use" means the main use of land or structures as distinguished from secondary or accessory use. For example, a house is a principal use in a residential area; a garage or pool is an accessory use.
126. "Private," in reference to a building, structure, utility, facility, or use, means owned by someone other than a unit of government, or an agency of government, unless the context clearly indicates that "private" is being used in a broader sense of something not open or available to the general populace.
127. "Public," in reference to a building, structure, utility, facility, or use, means owned and/or operated by a unit of government or an agency thereof, unless the context clearly indicates that "public" is being used in the broader sense of something available to the general populace.
128. "Public utility (service use)" means fire stations; police stations; radio and television stations and towers; railroad right-of-ways (not including railroad yards and shops other than for passenger purposes); telephone exchange, telephone transmission equipment buildings and microwave towers; waterworks, reservoir, pumping stations, and filtration plant; and other municipal buildings.
129. "Regular Business Hours" means hours of operation between 6 AM and 10 PM Monday through Friday and limited hours on Saturday and Sunday.
130. "Restaurant" means a business where the dispensing and consumption of edible foodstuff and/or beverage is the principal business operation, including a café (indoor and outdoor), cafeteria, coffee shop, lunch room, tea room, and dining room; but not including as the principal use a bar, cocktail lounge, or tavern.
131. "Restaurant, drive-in" means a restaurant in which food is served directly to customers in motor vehicles for consumption on the premises.
132. "Restaurant, drive-through" means a restaurant in which food is served directly to customers in motor vehicles for consumption off the premises.
133. "Rest home" shall mean the same as "nursing home".
134. "Setback" means the distance required to obtain the front, side or rear yard open space provisions of this chapter.



135. “Sexually oriented business” means an adult arcade, adult bookstore or adult video store, adult cabaret, adult motion picture theater, adult theater, escort agency, nude model studio or sexual encounter center or any other commercial establishments which offer products, services, or experiences appropriate only for adults.

136. “Sign” means any structure or part thereof or device attached thereto or painted, or represented thereon, which displays or includes any letter, word, model, banner, flag, pennant, insignia, device or representation used as, or which is in the nature of, an announcement, direction or advertisement. Signs include billboards.

137. “Site Plan” means a document that shows the boundaries of a parcel of land, the topography, important landscape elements that impact design, and the placement of all anticipated major improvements, including buildings, roads and driveways, storm and sanitary sewer lines, and utility connections. Depending on the complexity of the proposed improvement, the Site Plan may be submitted as an individual document, or as part of a complete plan of improvements for the site. (Ord. 1302, 7/15/13).

138. “Site Development Plan” means a document which is drawing of a commercial, industrial, institutional or residential development project, showing existing site conditions and proposed improvements with sufficient detail for agency review, approval and subsequent construction. A Site Development Plan is required to be submitted with each application for annexation and amendment of the zoning and/or future land use plan within R-3, R-3A, R-4, PUD, C-1, C-1A, C-2, RL, RI, PLI, PMI and PHI zoning districts. (Ord. 1701, 5/15/17).

139. “Special Flood Hazard Area” is defined in Chapter 160 of this Code of Ordinances.

140. “Special Use” means a use, either public or private, which based on its unique characteristics, cannot be properly classified as a permitted use in a particular district or districts. After due consideration in each case of the impact of such use upon neighboring property and of the public need for the particular use at the particular location, such “special use” may or may not be granted through the terms in Section 165.07 of this Chapter. (Ordinance No. 1601, 6/20/16)

141. “Stable, private” means a building or structure used or intended to be used for housing horses belonging to the owner of the property only for non-commercial purposes.

142. “Stable, semi-private” means a building or structure used or intended to be used for the housing only of horses on a fee basis. Riding instruction may be given in connection with a semi-private stable.

143. “Story” means that portion of a building, other than a basement not having over 50 percent of its height below grade, included between the surface of any floor and the surface of the floor next above it or if there is no floor above it then the space between the floor and the ceiling next above it.

144. “Story, half” means a partial story under a gable, hip or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than three (3) feet above the floor of such story, except that any partial story used for residence purposes, other than for janitor or caretaker or his family, or by a family occupying the floor immediately below it, shall be deemed a full story.

145. “Street” means an approved public or private thoroughfare, which provides the principal means of vehicular access to abutting property and/or for vehicular passage.

146. “Structure” means anything constructed or erected, the use of which requires more or less permanent location on the ground, including, but without limiting the generality of the foregoing, advertising signs, billboards, backstops for tennis courts, gazebos, ground-based satellite dishes, and solar collectors.

147. "Swimming pool" means any structure intended for swimming or recreational bathing that contains water. This includes in-ground, above-ground and on-ground swimming pools, hot tubs, and spas.

148. "Swimming pool, private" means a swimming pool over 24 inches deep established or maintained on any premises by an individual for personal or family use or for guests of the individual or family.

149. "Swimming pool, public" means a swimming pool, admission to which may be gained by the general public with or without payment of the fee.

150. "Swimming pool, semi-private" means a swimming pool on the premises of, or part of, a hotel, motel, mobile home or travel trailer park, apartment house, private club, association or similar establishment, where admission to the use of the pool is included in the fee, or consideration paid or given for the general use of the premises.

151. "Tavern" means an establishment used primarily for the serving of liquor by the drink to the general public and where food or packaged liquors may be served or sold only as an accessory to the primary use.

152. "Tent" means any temporary structure or enclosure, the roof of which and/or one-half or more of the sides are constructed of silk, cotton, canvas, fabric, or similar pliable material. No tent shall be erected, used, or maintained for living quarters. The requirements for test used for purposes other than residential shall be as specified within Section 165.04(F) of this Chapter.

153. "Trailer camp" or "tourist camp ground" means an area providing spaces for two or more travel trailers, camping trailers, or tent sites for temporary occupancy, with necessary incidental services, sanitation, and recreation facilities to serve the traveling public.

154. "Travel trailer" or "motor home" means a vehicle with or without motive power used or so manufactured or constructed as to permit its being used as a conveyance upon the public streets and highways and so designed to permit the vehicle to be used as a place of human habitation by one or more persons. If such vehicle is customarily or ordinarily used as a place of human habitation for more than 90 days in any 18-month period, it shall be classed as a mobile home, regardless of the size and weight limitation provided herein.

155. "Tree house" means a structure or building constructed around, next to or among the trunk or branches of one or more mature trees while above ground level and is used for recreational purposes. (Ordinance No. 1501, 3/2/15)

156. "Truck Stop" means an area in which service stations, hotels, and/or motel and restaurants are permitted uses. Also permitted are customary uses incidental to the permitted uses. Customary facilities and services in conjunction with the permitted uses may be provided for trucks and truck drivers.

157. "Use" means the purpose or activity for which the land or building thereon is designed, arranged or intended, or for which it is occupied and maintained.

158. "Use, permitted" means a use which may be lawfully established in a particular district or districts provided it conforms to all requirements, regulations, and standards of such district.

159. "Variance" means a modification of the literal provisions of the Zoning Ordinance, which would cause undue hardship owing to circumstances unique to the individual property on which the variance is granted. The crucial points of variance are (a) undue hardship, (b) unique circumstances and (c) applying to property. The authority to grant variances is vested in the Board of Adjustment pursuant to Chapter 414 of the Code of Iowa.

160. "Yard" means an open space between a building and the adjoining lot lines unoccupied and unobstructed by any portion of a structure. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of the rear yard, the minimum horizontal distance between the lot lines and the main building line shall be used.

161. "Yard, front" means a yard extending across the front of a lot and being the minimum horizontal distance between the street or place line and the main building or any projections thereof other than the projections of the usual uncovered steps. On corner lots the front yard shall be considered as parallel to the street upon which the lot has its least dimension, except where owner shall elect to front the building on a street parallel to the lot line having the greater dimension.

162. "Yard, rear" means a yard extending across the rear of a lot and being the required minimum horizontal distance between the rear lot line and the rear of the main building line or any projections thereof other than the projections of uncovered steps. On all lots the rear yard shall be in the rear of the front yard.

163. "Yard, side" means a yard between the main building line and the side line of the lot, and extending from the required front yard to the required rear yard, and being the minimum horizontal distance between a side lot line and the side of the main building line or any projections of uncovered steps.

164. "Yard, transitional" means that yard which must be provided on a zoning lot in a Commercial or Agricultural district which adjoins a zoning lot in a Residential district, or that yard which must be provided on a zoning lot in an Industrial district which adjoins a zoning lot in either a Residential or Commercial district.

165. "Zoning Administrator" means the person designated by the City Council as the officer responsible for the enforcing and administering all requirements within this Chapter.

**SECTION 3.** Chapter 165.07 "SPECIAL USES" is amended by deleting the same and inserting in lieu thereof the following:

**165.07 USE CATEGORIES.** The purpose of this Section is to describe the different classifications of uses found in this Ordinance and to provide a systematic basis for assignment of present and future uses to zones.

1. Classification of Uses. Uses shall be assigned to the category with the description and listing of uses most closely describing the nature of the Principal Use.
  - a. Developments with Multiple Principal Uses. When all the Principal Uses of a development fall within one Use Category, then the development is assigned to that Use Category. When the Principal Uses of a development fall within different Use Categories, each Principal Use is classified in the applicable category and is subject to the regulations for that category.
  - b. Accessory Uses. Unless otherwise stated in this Ordinance or otherwise indicated in the Use Tables for each zone:
    - i. Accessory Uses are allowed by right in conjunction with a Principal Use;
    - ii. Accessory Uses are subject to the same regulations as the Principal Use except as otherwise indicated;
    - iii. All uses include parking for residents, customers or employees as an Accessory Use;
    - iv. Examples of common Accessory Uses are listed within the Use Categories;
      1. Are clearly incidental and customary to and commonly associated with the operation of the Principal Use;

2. Are operated and maintained under the same ownership or by lessees or concessionaires of the owner, and on the same zone lot as the Principal Use;
3. Do not include structures or structural features inconsistent with the Principal Use;
4. May include the use a portion of a dwelling unit that is the primary residence of the property owner as limited Short-Term Rental (Home Share or Hosted Home Share).
5. Do not include residential occupancy in conjunction with uses other than hotels, motels, tourist homes and similar uses offering transient housing accommodations, which is also not permitted except by owners and employees employed on the premises and of the immediate families of such owners and employees; and
6. Have a gross floor area that, in combination with all other uses accessory to Principal Uses located in the same structure or on the same lot, does not exceed 25% of the gross floor area utilized by all Principal Uses. The 25% floor area limitation does not apply to off-street parking or Short-Term Rentals.

c. Special Use Conditions. The Board of Adjustment shall hear and decide only such special uses as the Board is specifically authorized to pass on by the terms of this chapter; and to decide such questions as are involved in determining whether special uses should be granted; and to grant special uses with such conditions and safeguards as are appropriate under this code, or to deny special uses when not in harmony with the purpose and intent of this code. A special use shall not be granted by the Board of Adjustment unless and until:

- i. A written application for a special use is submitted to the City Clerk indicating the section of this chapter under which the special use is sought and stating the grounds on which it is requested. The application shall be presented to the City Clerk a minimum of four (4) weeks prior to the monthly regular scheduled Board of Adjustment meeting. Additional information such as Site Development Plan or other supporting materials should be provided with the application. The Zoning Administrator shall determine within a reasonable amount of time whether the special use application is complete. Any missing items or necessary corrections shall be communicated to the requestor for inclusion or incorporation and updated information shall be provided to the City. If the special use application has been completed to the satisfaction of the Zoning Administrator, within a minimum of fourteen (14) days prior to a monthly regular scheduled Board of Adjustment meeting, a public hearing on the rezoning application shall be placed on the Board of Adjustment agenda.
- ii. Notice shall be given at least seven (7), but not more than twenty (20) days in advance of the public hearing by publication in a newspaper of general circulation in the City and shall be mailed to all property owners within a distance of two hundred (200) feet of the affected property.
- iii. The City shall provide each applicant sufficient special use permit notification signs, which shall be clearly posted by the applicant at least seven (7) but not more than twenty (20) days in advance of the public hearing, on the property for which a special use permit request has been made. The applicant shall pay the City Clerk such costs at the time the request is submitted as may be prescribed by the City Council. If the signs are not posted in accordance to the preceding requirements, no public hearing shall be held by the Board of Adjustment. No person except the



applicant or his or her agent shall take down or in any way affect the visibility of the sign or signs, and no person shall tamper, deface, or in any way interfere with the sign or signs during the period provided by this section.

- d. Public Hearing. The Board of Adjustment public hearing shall be held in accordance with the State of Iowa Open Meetings Law (Chapter 21 of the Code of Iowa) and any party may appear in person, or by agent or by attorney or through written means submitted prior to the public hearing.
  - e. Findings. The Board of Adjustment shall make a finding that it is empowered under the section of this code described in the application to grant the special use, and that the granting of the special use will not adversely affect the public interest.
  - f. Conditions To Be Prescribed. In granting any special use, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this chapter. Violation of such conditions and safeguards, when made a part of the terms under which the special use is granted, shall be deemed a violation of this chapter and punishable under Section 165.14 of this chapter. The Board of Adjustment shall prescribe a time limit within which the action for which the special use is required shall be begun or completed, or both. Failure to begin or complete, or both, such action within the time limit set shall void the special use.
  - g. Fees. Any person who submits an application under the terms of this section shall be charged a fee in accordance with a schedule of fees established by resolution by the City Council. The denial of an application by the Board of Adjustment shall not be construed as any reason for refunding the fee to the applicant.
2. Uses Included. The names of uses on the following Tables are generic, and similar uses not listed in the "Uses Included" list may also be included in the Use Category if they are not included in another Use Category. Uses included are based on the common meaning of the terms and not on the name that an owner or operator might give to a use.

**Table 165.07-1  
RESIDENTIAL USE CATEGORIES**

**Group Living**

**Definition.** Residential occupancy of a structure by a group of people who do not meet the Household Living definition. Size is larger than the average household size. Average length of stay is 60 days or longer. Structures generally have a common eating area for residents. Residents may receive any combination of care, training, or treatment, or none of these, as long as they also reside at the site.

**Uses Included**

Assistant Living Facilities

Congregate housing

Hospices

Nursing and convalescent homes

Residences for people with disabilities (physical, mental, intellectual or emotional) which do not meet the definition of Family Home

**Accessory Uses**

Recreational facilities

**Short-Term Lodging**

**Definition.** Facilities offering lodging accommodations to the general public, where the length of stay is 31 days or less. Short-term rentals which includes “Short-term rental property” as defined by the Iowa Code, are subject to State of Iowa definitions, permits, and rules, including remittance of hotel and motel tax.

**Uses Included**

- Bed & Breakfast Establishment
- Hotels
- Motels
- Recreational Vehicle Park
- Vacation Lodging
- Short-term rental

**Accessory Uses**

Coffee shops and dining areas primarily for use by guests or residents of the facility

**Table 165.07-2  
OFFICE USE CATEGORIES**

**Definition.** Activities conducted in an office setting and primarily focusing on administrative, business, government, professional, medical, or financial services. Contractors and others who perform services off-site are included in this Use Category if equipment and materials are not stored on the site and fabrication, services, or similar work is not carried on at the site.

Exception: Offices that are part of and are located with a firm in another category are considered accessory to the firm’s primary activity.

**Uses Included**

- Office uses such as:
  - Banking and bank-related services
  - Brokerage houses
  - Data processing centers
  - Government offices
  - Insurance services
  - Lenders and credit services
  - Public utility offices
  - Real estate and related services
  - Sales offices
  - General office uses
  - Medical and dental clinics, laboratories and offices
- Professional service offices such as:
  - Accountants
  - Architects
  - Engineers
  - Lawyers
- Televisions and radio studios

**Accessory Uses**

Cafeterias, health facilities, and other amenities primarily for the use of employees or visitors of the firm or building

**Table 165.07-3  
TRADE USE CATEGORIES**

**Automotive and Marine Craft Trade**

**Definition.** Retail sale or leasing of automobiles, including cars and trucks, and marine craft, including all types of boats and ships.

**Uses Included**

Sales or leasing of consumer vehicles, including:

- Passenger vehicles
- Motorcycles
- Light and medium trucks
- Other recreational vehicles
- Marine craft and accessories, retail

**Accessory Uses**

Vehicle servicing, repair, detailing, body work and finishing when conducted as a secondary activity to the sale of vehicles

**Entertainment, Restaurant and Recreational Trade**

**Definition.** Facilities providing entertainment or recreation services and eating and drinking establishments.

**Uses Included**

- Banquet halls
- Bars and taverns
- Billiards and pool halls
- Bowling alleys
- Catering establishments
- Exhibition and meeting areas (20,000 sf or less)
- Game arcades
- Health clubs and gyms
- Ice or roller skating rinks
- Lodges and social clubs
- Membership clubs
- Movie theaters
- Restaurants, cafes, delicatessens (with seating areas)
- Swimming pools
- Tennis courts
- Theaters

**Accessory Uses**

Offices and storage of food and alcohol

**Retail Sales and Services—General**

**Definition.** Uses that involve the sale, lease or rental of new or used consumer products, including prepared foods, to the general public and uses providing services involving predominantly personal or business services, including repair of consumer and business goods.

Exceptions: Lumber yards and other building material sales facilities that sell primarily to contractors and do not have a retail orientation are classified as Wholesale Trade. Sales, rental, or leasing of heavy trucks and equipment is classified as Wholesale Trade. Uses for the repair and service of consumer motor vehicles, motorcycles, and light and medium trucks are classified as Vehicle Service Facilities. Repair and service of industrial vehicles and equipment, and heavy trucks is classified as Industrial Service.

**Uses Included**

Retail Sales:

Stores selling, leasing, or renting consumer, home, and business goods including:

- Antiques
- Appliances
- Art
- Art supplies
- Automobile supplies (no services)
- Bicycles and Motorized Bicycles
- Books and printed material
- Clothing
- Computer hardware and software sales and service
- Convenience Store
- Dry goods
- Electronic equipment
- Fabric
- Furniture
- Garden supplies
- Gifts
- Groceries
- Hardware
- Home improvements
- Household products
- Jewelry
- Music supplies
- Newspaper distribution
- Office machines
- Package liquor
- Pets
- Pet food
- Pharmaceuticals
- Plants and flowers
- Shoes
- Sporting goods
- Stationery
- Tobacco products
- Toys
- Video

Food sales (not including seating areas):

- Bakeries

Candy  
Delicatessens

Retail Personal, Business and Repair Services:

Animal grooming salons  
Blueprinting and photocopying services  
Branch banks  
Business and commercial trade schools  
Business and management consulting services  
Dance or music schools  
Dry cleaning collection and distribution centers  
Emergency medical care facilities  
Employment agencies  
Hair, tanning, and personal care services  
Kennels  
Laundromats  
Locksmiths  
Martial arts instruction  
Office equipment rental  
Photo drop-off  
Photographic studios  
Quick printing  
Scientific and professional instrument repair  
Sign making  
Tailors  
Television, bicycle, motorized bicycle, clock, watch, shoe, gun, appliance and office equipment repair  
Upholsterers  
Veterinarian offices without boarding

**Accessory Uses**

Offices and storage of goods, and manufacture or repackaging of goods for on-site sale

**Wholesale Trade**

**Definition.** Uses that involve the sale, lease, or rental of products primarily intended for industrial, institutional, or commercial businesses. Uses emphasize on-site or order-taking and often include display areas. Businesses may or may not be open to the general public, but sales to the general public are limited. Products may be picked up on-site or delivered to the customer.

**Uses Included**

Mail order houses

Sale or rental of:

- Agricultural and Farm Equipment
- Building materials (including lumber)
- Electrical supplies
- Equipment
- Heating and plumbing equipment
- Heavy trucks

- Janitorial supplies
- Machine parts
- Machinery
- Restaurant equipment
- Special trade tools
- Store fixtures
- Welding supplies

Wholesalers of:

- Alcoholic beverages
- Auto parts
- Building hardware
- Clothing
- Electronics
- Home furnishings
- Food

**Accessory Uses**

Offices, product, repair, warehouses, minor fabrication services, limited retail areas, and repackaging of goods

**Table 165.07-4  
INDUSTRIAL USE CATEGORIES**

**Industrial Service**

**Definition.** Uses that involve the repair or serving of industrial, business or consumer machinery, equipment, products, or by-products, but not including consumer goods services or retail outlets.

Exception: Establishments providing office space for contractors and others who perform services off-site are considered office uses if major equipment or bulk quantify material storage is not conducted at the site, and fabrication or similar work is not carried on at the site.

**Uses Included**

Building, heating, plumbing or electrical contractors  
Electric motor repair  
Exterminators  
Fuel oil distributors  
Furniture stripping and refinishing  
Heavy machinery sales, repair, and storage  
Janitorial and building maintenance services  
Laundry, dry-cleaning, and carpet cleaning facilities  
Machine shops  
Metal and building materials  
Photo finishing laboratories  
Printing, publishing, commercial art and reproduction services  
Research and development laboratories  
Tool repair  
Truck stops  
Welding shops

**Accessory Uses**

Offices, storage, rail spur or lead lines, and docks

**Manufacturing and Processing**

**Definition.** Uses that involve the manufacturing, processing, fabrication, packaging or assembly of goods. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on-site, but if so, they are a subordinate part of sales.

**Exceptions:** Manufacture of consumer goods to be sold primarily on-site and to the general public is classified as Retail Sales and Services. Manufacture and production of products from composting organic material are classified as Waste Processing and Transfer.

**Uses Included**

Apparel and textiles manufacturing  
Artwork, jewelry and toy production  
Chemicals, rubber, leather, clay, bone, plastic, stone, and glass materials manufacturing  
Concrete batching  
Food and related products manufacturing  
Furniture and fixtures manufacturing  
Lumber and wood product manufacturing



Metal and metal products manufacturing, including enameling and galvanizing  
Machinery and electrical equipment manufacturing  
Manufactured homes and prefabricated structures manufacturing  
Movie production facilities  
Printing and publishing  
Rock crushing and screening  
Woodworking, including cabinetry

**Accessory Uses**

Offices, cafeterias, employee recreational facilities, warehouses, storage yards, rail spur or lead lines, docks, repair facilities, truck fleet maintenance and parking area, and caretakers' quarters

**Resource Production and Extraction**

**Definition.** Uses that involve agriculture, mining, quarrying, and mineral extraction

**Uses Included**

Crop Production  
Mining  
Quarrying  
Production or extraction of mineral products

**Accessory Uses**

Offices, storage, rail spur or lead lines and docks

**Warehouse and Freight Handling**

**Definition.** Uses that involve the storage or movement of goods. Goods are generally delivered to other firms or the final consumer. There is little on-site sales activity with the customer present.

**Exception:** Uses that involve the transfer or storage of solid or liquid wastes are classified as Waste Processing and Transfer uses.

**Uses Included**

Bus barns or yards  
Cold storage plants, including frozen food lockers  
Freight storage  
Grain terminals  
Household moving storage  
Inter-modal transfer facilities  
Mini-warehousing and self-service storage facilities  
Parcel services  
Regional postal distribution facilities  
Truck terminals  
Warehouses used by retail stores  
Weapons and ammunition storage  
Wholesale distribution centers  
Fireworks Storage and Sales

**Accessory Uses**

Offices, truck fleet parking and maintenance areas, rail spur or lead lines, docks, and repackaging of goods

**Table 165.07-5  
INSTITUTIONAL USE CATEGORIES**

**Colleges and Universities**

**Definition.** Colleges and other institutions of higher learning that offer courses of general or specialized study leading to a degree. They are certified by a recognized accrediting agency.

**Uses Included**

Community colleges  
Liberal arts colleges  
Nursing and medical schools not accessory to a hospital  
Seminaries  
Universities

**Accessory Uses**

Accessory Uses include offices, housing for students, food service, laboratories, health and sports facilities, theaters, meeting areas, and maintenance facilities.

**Community Facilities**

**Definition.** Uses generally providing a local service to people of the community. Services are generally provided on the site or employees are at the site on a regular basis. The service is ongoing, not just for special events. Community centers or facilities that have membership provisions are open to the general public to join at any time (e.g., any senior citizen could join a senior center). The use may also provide special counseling, education, or training of a public, nonprofit or charitable nature. Alternative incarceration centers are not included in this definition.

**Exception:** Private lodges, clubs, and private or commercial athletic or health clubs are classified as Entertainment, Restaurant and Recreation Trade.

**Uses Included**

Community centers  
Libraries  
Museums Post offices  
Senior centers  
Swimming pools (open to the public)  
Vocational training for the handicapped  
Youth club facilities

**Accessory Uses**

Offices, meeting rooms, food preparation areas, health and therapy areas, day care uses, and athletic facilities.

**Day Care Facilities**

**Definition.** Uses where a program of supplementary care, protection, and supervision is regularly provided at least twice a week. The service is provided outside the home of the care recipients and covers only a portion of the day. Commercial Day Care uses permitted under this Ordinance do not include any unlicensed facilities for which licensure is required by law.

**Exception:** Home Day Care, which includes "family child care homes" as defined by the Iowa Code, is accessory to all residential uses.

**Uses Included**

Adult care center  
Child care center  
Group child care homes  
Latchkey programs  
Nursery schools  
Preschools  
Registered family child care homes

**Accessory Uses**

Offices and play areas.

**Funeral Facilities**

**Definition.** Uses providing for the preparation of the deceased for burial or cremation, the display of the deceased and the rituals connected therewith before burial or cremation, or the storage of human bodies prior to burial or cremation.

**Exceptions:** Cemeteries and accessory structures erected therein are classified as Parks and Open Areas.

**Uses Included**

Crematories  
Funeral Homes  
Mortuaries

**Medical Centers**

**Definition.** Uses providing medical or surgical care to patients and offering overnight care, including uses that provide in-patient care and planned treatment for psychiatric, alcohol, or drug problems.

**Exceptions:** Medical clinics that provide care where patients are generally not kept overnight are classified as Office uses. Emergency medical care clinics are classified as Retail Sales and Services.

**Uses Included**

Drug, alcohol and psychiatric in-patient facilities  
Hospitals  
Medical centers

**Accessory Uses**

Out-patient clinics, offices, laboratories, teaching facilities, meeting areas, cafeterias, maintenance facilities, housing facilities for staff or trainees, and gift and hospitality shops.

**Religious Institutions**

**Definition.** A facility where people regularly attend religious services and affiliated meetings and activities. Religious institutions include buildings in which the religious services of any denomination are held.

**Uses Included**

Churches  
Mosques  
Synagogues Temples  
Other houses of worship

**Accessory Uses**

Religious educational facilities, residence for clergy, caretakers' housing, and group living facilities such as convents or rectories.

**Schools**

**Definition.** Facilities that provide a curriculum of elementary and secondary academic instruction, including public and private kindergartens, elementary schools, junior high schools, and high schools.

**Exceptions:** Preschools are classified as a Day Care use.

**Uses Included**

Boarding schools

Military academies

Public and private day schools

Public School Administration Center in conjunction with a public school building

**Accessory Uses**

Play areas, cafeterias, recreational and sport facilities, auditoriums, and before- or after-school day care.

Table 165.07-6  
**TRANSPORTATION, COMMUNICATIONS AND  
ESSENTIAL SERVICES USE CATEGORIES**

**Basic Utilities**

**Definition.** Utility infrastructure that needs to be located in or near the area where the service is provided. Basic Utility uses generally do not have regular employees at the site. Services may be publicly or privately provided.

**Exception:** Regional power lines and utility pipelines are classified as Rail lines and Utility Corridors. Power generating plants are classified under manufacturing and Production as energy production uses.

**Uses Included**

Electrical substations  
Telephone exchanges

**Parks and Open Areas**

**Definition.** Land outdoors, open to the public, and reserved primarily as a natural area or an area consisting mostly of vegetative landscaping, outdoor recreation space, community gardens, or public square or plaza.

**Uses Included**

Boat launching areas  
Botanical gardens  
Golf courses  
Nature preserves  
Parks  
Public squares  
Tennis courts (open to the public)

**Accessory Uses**

Accessory Uses may include club houses, maintenance facilities, concessions, and caretakers' quarters, and a crematory only in a cemetery.

**Essential Public Services**

**Definition.** Uses of a public nature, generally provided a local service to people of the community. Services are generally provided on the site or employees are at the site on a regular basis. The service is on-going, not just for special events.

**Uses Included**

Ambulance stations  
Fire stations  
Police stations

**Accessory Uses**

Offices, meeting rooms, and food preparation areas

**Radio and Television Broadcast Facilities**

**Definitions.** All devices, equipment, machinery, structures or supporting elements necessary to produce or transmit non-ionizing electromagnetic radiation for radio or television broadcast or transmission and operating as a discrete unit to produce or transmit a signal or message. Towers may be self-supporting or mounted on poles or

buildings.

Exception: Radio and television studios are classified as Office uses. Personal wireless service facilities are classified in a separate definition.

**Uses Included**

Broadcast towers

Communication towers

Point-to-point microwave towers

**Accessory Uses**

Transmitter facility buildings

**Personal Wireless Service Facilities**

**Definition.** Facilities for the provision of personal wireless services to include commercial mobile services, unlicensed wireless communications, and common carrier wireless exchange access services.

**Uses Included**

Wireless communication antenna

Antenna support structure

**Accessory Uses**

Wireless communication transmission building



**Table 165.07-7**  
**MISCELLANEOUS USE**  
**CATEGORIES**

**Agricultural and Farm Related Activities**

**Definition.** Establishments primarily engaged in supplying soil preparation services, crop services, landscaping, horticultural services, veterinarian and other animal services, and farm labor and management services.

**Uses Included**

Farms  
Stables

**Accessory Uses**

Seed sales and sale of other farm produce

**Commercial Outdoor Recreation**

**Definition.** Large, generally commercial facilities, that provide continuous or seasonal recreation or entertainment- oriented activities. They generally take place outdoors or may take place in a number o structures that are arranged together in an outdoor setting.

**Exceptions.** Golf courses and botanical gardens/arboretums are classified as Parks and Open Space. Uses that draw large members of people to periodic events, rather than on a continuous basis, such as stadiums and amphitheaters, are classified as Major Event Entertainment.

**Uses Included**

Campgrounds (private)  
Golf driving ranges  
Miniature golf facilities  
Zoos

**Accessory Uses**

Accessory uses may include concessions restaurants, caretakers' quarters, and maintenance facilities.

**Major Event Entertainment**

**Definition.** Activities and structures that draw people to spectate or participate at specific events or shows.

**Exception:** Motion picture theaters, including drive-8in theaters, are classified as Entertainment, Restaurant andRecreations Trade.

**Uses Included**

Auditoriums  
Bazaars and carnivals  
Coliseums  
Exhibition and meeting areas (more than 20,000 sf)  
Fairgrounds  
Sports arenas  
Stadiums

**Accessory Uses**

Restaurants, bars, concessions, and maintenance facilities

**Vehicle Service Facilities**

**Definition.** Either of the following subcategories of uses:

Vehicle service Stations. Any use where gasoline and other petroleum products are sold and/or light maintenance activities such as engine tune-ups, lubrication, minor repairs, and carburetor cleaning is conducted. Service station uses shall not include premises where heavy automobile maintenance activities such as engine overhauls, automobile painting, and body fender work are conducted.

Vehicle Repair Facilities. Businesses servicing passenger vehicles, light and medium trucks and other consumer motor vehicles such as motorcycles, boats and recreational vehicles, including premises where heavy automobile maintenance activities such as engine overhauls, automobile painting and body fender work are conducted.

Exception: Repair and service of industrial vehicles and equipment and of heavy trucks, towing and vehicle storage, and vehicle wrecking and salvage are classified as Industrial Service.

**Uses Included**

Vehicle Service Station Uses:

- Car washes
- Publicly and privately owned vehicle emission test sites
- Gas stations
- Minor auto repair and tire sales
- Quick lubrication services

Vehicle Repair Facility Uses:

- Auto body shops
- Auto detailing shops
- Auto upholstery shops
- Tire sales and mounting shops
- Transmission or muffler shops
- Vehicle repair shops

**Accessory uses**

Offices, sales of parts, and vehicle storage

**Sports Practice Facilities**

**Definition.** An indoor facility dedicated solely to the training and development of sports teams. Uses shall not include the playing of scheduled games, matches, championships, or tournaments. The facility may have limited observation seating for family and associates of the players who wish to watch the practice, but it is not open to the public; nor is the facility used for other assembly-type uses when not otherwise used for sports practice. The facility may also include ancillary offices.

**SECTION 4.** Chapter 165.15, “**ESTABLISHMENT OF DISTRICTS AND OFFICIAL ZONING MAP**” is amended by deleting the same and inserting in lieu thereof the following:

**165.15 ESTABLISHMENT OF DISTRICTS AND OFFICIAL ZONING MAP.** The City is hereby divided into districts which shall be designated as follows:

- A-1 - Agricultural
- R-1 - Low Density Single-Family Residential
- R-2 - Medium Density Single-Family Residential
- R-3 - Medium Density Two-Family Residential
- R-3A - Medium Density, Two-Family Residential with Association
- R-4 - High Density Multiple-Family Residential with Association
- RMH - Mobile Home Park Residential
- PUD – Planned Unit Development District
- C-1A - Neighborhood Commercial District
- RI - Research Park Innovation District
- C-2 - Highway Commercial
- PLI – Planned Light Industrial
- PMI – Planned Medium Industrial
- PHI – Planned Heavy Industrial
- P-1 - Public Use
- RL – Robins Landing Overlay District
- FP – Flood Plain Overlay District

The locations and boundaries of these districts are shown on the official zoning map which together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this chapter. The Official Zoning Map shall be identified by the signature of the Mayor, attested by the City Clerk, and bearing the Seal of the City under the following statement: *This is to certify that this is the official Zoning Map referred to in Ordinance No. \_\_\_\_\_ of the City of Robins, Iowa.* The Official Zoning Map, or a true copy of the same, shall be on file in the office of the City Clerk and shall be final authority as to the correct zoning status of the land, water areas, buildings, and other structures in the City.

**SECTION 5.** Chapter 165.21, “**R-1 – LOW DENSITY SINGLE-FAMILY RESIDENTIAL**” is amended by deleting the same and inserting in lieu thereof the following:

**165.21 R-1 – LOW DENSITY SINGLE-FAMILY RESIDENTIAL.** This district is intended for single-family dwelling units designed to maintain, protect, and preserve low density on large lots in a quiet rural setting while permitting agricultural uses. Public utilities such as water and sewer are typically limited due to accessibility and cost factors but may be required or provided based on City policies and regulations.

1. Permitted Principal Uses and Structures.
  - A. Single-family dwellings.
  - B. Parks and Open Areas
  - C. Essential Public Services
  - D. Religious Institutions
2. Permitted Accessory Uses and Structures. Accessory uses and buildings incidental to and on the same lot as the principal use, as follows:
  - A. Agricultural and Farm Related Activities

- B. Short-Term Rental (Registration with City Required for use of property for short term rental, and notification of an active rental with renter’s contact information)
- 3. Special Uses. As approved by the Board of Adjustment.
- 4. Bulk Regulations: The following minimum requirements shall be observed in the R-1 District:

	Minimum Lot Area	Minimum Lot Width <sup>3</sup>	Minimum Front Yard	Minimum Side Yard	Corner Side Yard	Minimum Rear Yard	Maximum Height
Single-family dwelling	20,000 sq. ft.	90 feet	35 feet	15 feet	35 feet	35 feet	Principal building 35 feet
Agricultural and Farm Related Activities	5 acres	200 feet	75 feet	50 feet	50 feet	50 feet	Principal building 35 feet
Religious institutions <sup>2</sup>	40,000 sq. ft.	150 feet	40 feet	20 feet <sup>1</sup>	30 feet	50 feet	Principal building 35 feet
Special uses	As specified by the Board of Adjustment						
1	Plus one foot for each two feet by which the building or structure height exceeds 20 feet.						
2	Additional Development Standards and Site Development Plan Requirements apply.						
3	Minimum lot width shall be met at the Minimum Front Yard Setback for Irregular Lots on cul-de-sacs, courts or street centerline curves of less than three hundred (300) feet radius.						

- 5. Development Standards. The following minimum requirements shall be observed for Religious Institutions:

DEVELOPMENT STANDARDS	RELIGIOUS INSTITUTIONS
Landscaping in Setbacks Abutting an R Zoned Lot	20 ft. with High Screen
Maximum Impervious Surface Coverage	70%
Minimum Landscaped Area	20%

- 6. Site Development Plan Requirements for Religious Institutions.
  - A. In addition to Site Development Plan submittals, a Use Analysis Report shall be prepared by the applicant that shows the following:
    - i. Approximate number of patrons, daily and weekly services;
    - ii. Approximate utility needs and effect upon existing systems, e.g., projected water demand (Gallons Per Minute or Gallons Per Day), waste water generation (Gallons Per Day + Chemical oxygen Demand or Biochemical oxygen Demand), electricity demand (Kilowatts), storm water increase (Cubic Feet Per Second), solid waste generation (tons);
    - iii. Possible nuisance factors and means for alleviating those factors, such as noise, odor, smoke, dust, fumes, vibration, or heat.
- 7. All uses shall meet the parking, design and sign standards of this chapter.

**SECTION 6.** Chapter 165.22, “**MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL**” is amended by deleting the same in inserting in lieu thereof the following:



**165.22 R-2 – MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL.** This district is intended to preserve and uphold single family dwelling units in a medium density setting and require the provisions of urban facilities and services.

1. Permitted Principal Uses and Structures.
  - A. Single-family dwellings.
  - B. Parks and Open Areas
  - C. Essential Public Services
  - D. All principal uses and structures as permitted in R-1.
2. Permitted Accessory Uses and Structures. All permitted accessory uses and structures as permitted in R-1.
  - A. Short-Term Rental (Registration with City Required for use of property for short term rental, and notification of an active rental with renter’s contact information)
3. Special Uses. As approved by the Board of Adjustment.
4. Bulk Regulations: The following minimum requirements shall be observed in the R-1 District:

	Minimum Lot Area	Minimum Lot Width <sup>1</sup>	Minimum Front Yard	Minimum Side Yard	Corner Side Yard	Minimum Rear Yard	Maximum Height
Single-family dwelling	12,500 sq. ft.	90 feet	30 feet	10 feet	30 feet	30 feet	Principal building 35 feet
Special Uses	As specified by the Board of Adjustment						
1.	Minimum lot width shall be met at the Minimum Front Yard Setback for Irregular Lots on cul-de-sacs, courts or street centerline curves of less than three hundred (300) feet radius.						

5. All uses shall meet the parking, design and sign standards of this chapter.

**SECTION 7.** Chapter 165.23, “**R-3 DISTRICT – MEDIUM DENSITY TWO-FAMILY RESIDENTIAL**” is amended by deleting the same and inserting in lieu thereof the following:

**165.23 R-3 DISTRICT – MEDIUM DENSITY TWO-FAMILY RESIDENTIAL.** This district is intended to establish and preserve medium density areas for single and two family dwellings and require the provisions of urban facilities and services. This district would be free from other uses except those which are both compatible with and convenient to the residents of such a district.

1. Permitted Principal Uses and Structures.
  - A. Duplex
  - B. Patio Home
  - C. Parks and Open Areas
  - D. Essential Public Services
  - E. All principal uses and structures as permitted in R-2.
  - F. Laundromat – Located within Hub Activity Area
  - G. Hub Activity Area uses may only be allowed for properties that are consistent with a City Council approved master plan accompanying a rezoning request. A Hub Activity Area means an area of concentrated commercial uses providing support services intended primarily to provide service and retail uses supportive of the surrounding businesses and their employees.
2. Permitted Accessory Uses and Structures. Accessory uses and buildings incidental to and on the same lot as the principal use.

- A. Short-Term Rental (Registration with City Required for use of property for short term rental, and notification of an active rental with renter’s contact information)
- 3. Special Uses. As approved by the Board of Adjustment.
- 4. Bulk Regulations. The following minimum requirements shall be observed in the R-3 District:

	Minimum Lot Area	Minimum Lot Width <sup>1</sup>	Minimum Front Yard	Minimum Side Yard	Corner Side Yard	Minimum Rear Yard	Maximum Height
Single-Family dwelling	7,000 square feet	65 feet	30 feet	10 feet	30 feet	30 feet	Principal building 35 feet
Duplex	6,250, square feet per dwelling unit	45 feet per dwelling unit	30 feet	10 feet except at common wall	30 feet	30 feet	Principal building 35 feet
1. Minimum lot width shall be met at the Minimum Front Yard Setback for Irregular Lots on cul-de-sacs, courts or street centerline curves of less than three hundred (300) feet radius.							

- 5. Other Standards.
  - A. Common wall must meet current codes adopted by the City.
  - B. For Duplexes, zero lot lines may only occur in the vertical plane. Stacked units or zero lot lines in the horizontal plane are not allowed. Each unit must have a public accessible entrance.
  - C. No fence shall be allowed in the front yard.
  - D. No on-street parking shall be allowed.
  - E. No detached garages shall be allowed.
  - F. Each principal building unit shall have separate City and private services and metering systems.
  - G. There shall be at least one entrance per unit facing the street.
  - H. All uses shall meet the parking, design and sign standards of this chapter.
  - I. A site plan for all structures shall be submitted for approval prior to building permit issuance.
  - J. A Development Agreement is required in accordance with Chapter 166 of this Code of Ordinances.

**SECTION 8.** Chapter 165.231 “**R-3A DISTRICT – MEDIUM DENSITY TWO-FAMILY RESIDENTIAL WITH ASSOCIATION**” is amended by deleting the same and inserting in lieu thereof the following:

**165.231 R-3A DISTRICT – MEDIUM DENSITY TWO-FAMILY RESIDENTIAL WITH ASSOCIATION.**

This district is intended to establish and preserve medium density areas for single and two family dwellings, with a homeowner’s association, and require the provisions of urban facilities and services. This district would be free from other uses except those which are both compatible with and convenient to the residents of such a district.

The R-3A District is subject to the following regulations:

- 6. Permitted Principal Uses and Structures.
  - A. Condominium
  - B. Patio homes.
  - C. Town homes
  - D. Parks and Open Areas
  - E. Essential Public Services



- F. Laundromat – Located within Hub Activity Area
  - G. Hub Activity Area uses may only be allowed for properties that are consistent with a City Council approved master plan accompanying a rezoning request. A Hub Activity Area means an area of concentrated commercial uses providing support services intended primarily to provide service and retail uses supportive of the surrounding businesses and their employees.
7. Permitted Accessory Uses and Structures. Accessory uses and buildings incidental to and on the same lot as the principal use.
- A. Short-Term Rental (Registration with City Required for use of property for short term rental, and notification of an active rental with renter’s contact information)
8. Special Uses. As approved by the Board of Adjustment.
9. Bulk Regulations. The following minimum requirements shall be observed in the R-3A District:

Minimum Lot Area	Minimum Lot Area	Minimum Lot Width <sup>1</sup>	Minimum Front Yard	Minimum Side Yard	Corner Side Yard	Minimum Rear Yard	Maximum Height
Patio Homes	7,000 square feet	65 feet	30 feet	10 feet	30 feet	30 feet	Principal building 35 feet
Duplex	6,250, square feet per dwelling unit	45 feet per dwelling unit	30 feet	10 feet except at common wall	30 feet	30 feet	Principal building 35 feet
1. Minimum lot width shall be met at the Minimum Front Yard Setback for Irregular Lots on cul-de-sacs, courts or street centerline curves of less than three hundred (300) feet radius.							

10. Other Standards.

- A. Common wall must meet current codes adopted by the City.
- B. For Condominiums, Patio homes and Town homes, zero lot lines may only occur in the vertical plane. Stacked units or zero lot lines in the horizontal plane are not allowed. Each unit must have a public accessible entrance. Association agreements shall be created to provide for the maintenance and replacement of the commonly owned interior streets, public walks and grounds.
- C. No fence shall be allowed in the front yard.
- D. No on-street parking shall be allowed.
- E. No detached garages shall be allowed.
- F. Each principal building unit shall have separate City and private services and metering systems.
- G. There shall be at least one entrance per unit facing the street.
- H. All uses shall meet the parking, design and sign standards of this chapter.
- I. A site plan for all structures shall be submitted for approval prior to building permit issuance.
- J. A Development Agreement is required in accordance with Chapter 166 of this Code of Ordinances.

**SECTION 9.** Chapter 165.24, “**R-4 DISTRICT – HIGH DENSITY MULTIPLE-FAMILY RESIDENTIAL WITH ASSOCIATION**” is amended by deleting the same and inserting in lieu thereof the following:

**165.24 R-4 DISTRICT – HIGH DENSITY MULTIPLE-FAMILY RESIDENTIAL WITH ASSOCIATION.** This district is intended to establish and preserve areas for high density residential development, with a homeowner’s association and free from other uses, except those which are both compatible with and convenient to the residents of such a district. This district is designed to serve as a buffer between lower density residential districts and more intensive zoning districts such as commercial districts and would require the provisions of urban type facilities and services.

The R-4 District is subject to the following regulations:

11. Permitted Principal Uses and Structures.
  - A. Group Living
  - B. Multiple dwellings, including row dwellings, townhouses, condominiums, cooperative and apartments. Row dwellings, townhouses and condominiums are to consist of not more than eight units in a continuous row per building.
  - C. Parks and Open Areas
  - D. Essential Public Services
  - E. All principal uses and structures as permitted in R-3A.
  - F. Laundromat – Located within Hub Activity Area
  - G. Hub Activity Area uses may only be allowed for properties that are consistent with a City Council approved master plan accompanying a rezoning request. A Hub Activity Area means an area of concentrated commercial uses providing support services intended primarily to provide service and retail uses supportive of the surrounding businesses and their employees.
12. Permitted Accessory Uses and Structures. Accessory uses and buildings incidental to and on the same lot as the principal use.
  - A. Short-Term Rental (Registration with City Required for use of property for short term rental, and notification of an active rental with renter’s contact information)
13. Special Uses. As specified by the Board of Adjustment.

**SECTION 10.** Chapter 165.26 “**C-1, CENTRAL COMMERCIAL BUSINESS DISTRICT**” is amending the same and inserting in lieu thereof the following:

**165.26 C-1 – CENTRAL COMMERCIAL BUSINESS DISTRICT.** This district is intended to provide convenience shopping for persons residing in adjacent residential areas. This district is designed to provide uses of a retail and personal service nature that are especially suited and attractive to nearby residential areas, while minimizing the undesirable impact on the neighborhood that they serve. This district should be well served by adequate public utilities and services and abutting collector streets or intersections.

1. Permitted Principal Uses and Structures.
  - A. Group Living
  - B. Short Term Lodging
  - C. Office Use
  - D. Entertainment, Restaurant and Recreational Trade, except indoor gun or archery clubs and firing or shooting
  - E. Retail Sales and Services – General, except kennels and sign making.
  - F. Community Facilities
  - G. Child Day Care Facilities
  - H. Funeral Facilities
  - I. Medical Centers
  - J. Schools
  - K. Telephone Exchanges
  - L. Parks and Open Areas
  - M. Essential Public Services
  - N. Commercial Outdoor Recreation
  - O. Sports Practice Facilities
2. Permitted Accessory Uses and Structures.
  - A. Accessory uses and buildings incidental to and on the same lot as the principal use.
  - B. Dwelling units above a store or shop on the second floor.
3. Special Uses. As approved by the Board of Adjustment.

4. Bulk Regulations. The following minimum requirements shall be observed in the C-1 District:

Minimum Lot Area	Minimum Lot Width <sup>2</sup>	Minimum Front Yard	Minimum Side Yard	Corner Side Yard	Minimum Rear Yard	Maximum Height
3,000 square feet per unit	50 feet	25 feet	15 feet except at common wall <sup>1</sup>	25 feet	25 feet	Principal building 45 feet
1. Unless abutting a residential lot, then minimum side yard required is 25ft 2. Minimum lot width shall be met at the Minimum Front Yard Setback for Irregular Lots on cul-de-sacs, courts or street centerline curves of less than three hundred (300) feet radius.						

5. Development Standards. The following minimum requirements shall be observed in the C-1 District:

DEVELOPMENT STANDARDS	C-1 ZONE
Landscaping in Setbacks Abutting an R Zoned Lot	20 ft. with High Screen.
Maximum Impervious Surface Coverage	70%
Minimum Landscaped Area	20%
Drive-Through Facilities Permitted	Yes
Outdoor Display Permitted	No
Outdoor Storage Permitted	No

6. Site Development Plan Requirements.

A. In addition to Site Development Plan submittals, a Use Analysis Report shall be prepared by the applicant that shows the following:

- iv. Approximate number of employees;
- v. Approximate utility needs and effect upon existing systems, e.g., projected water demand (Gallons Per Minute or Gallons Per Day), waste water generation (Gallons Per Day + Chemical oxygen Demand or Biochemical oxygen Demand), electricity demand (Kilowatts), storm water increase (Cubic Feet Per Second), solid waste generation (tons).
- vi. Possible nuisance factors and means for alleviating those factors, such as noise, odor, smoke, dust, fumes, vibration, or heat; and
- vii. Uses with a substantial inventory of hazardous materials, as regulated by the Robins Fire Department, shall be sited away from residential uses.

B. No Site Development Plan approval will be issued for any use in the C-1 District if the determination is made by the approving authority exercising independent judgment, that there is reason to believe that the proposed use or structure, as presented by the application, will create a nuisance in terms of diminished air quality, smoke, noise, toxic matter, odor, vibration, glare, sewage waste, water quality, street system capacity, heat or other condition detrimental to the public health and safety or reasonable use, enjoyment and value of other properties; or diminish the quality or quantity of any utility service presently provided by the City. Furthermore, no approval or permit shall be issued unless there is compliance with all other applicable City, state, and federal regulations.



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

Minimum Lot Area	Minimum Lot Area	Minimum Lot Width <sup>1</sup>	Minimum Front Yard	Minimum Side Yard	Corner Side Yard	Minimum Rear Yard	Maximum Height
Single-Family	7,000 square feet	65 feet	30 feet	10 feet	30 feet	30 feet	Principal building 35 feet
Duplex	6,250, square feet per dwelling unit	45 feet per dwelling unit	30 feet	10 feet except at common wall	30 feet	30 feet	Principal building 35 feet
Multi-Family	4,500 square feet per dwelling unit	45 feet per dwelling unit <sup>2</sup>	30 feet	10 feet except at common wall	30 feet	30 feet	Principal building 45 feet
<p>1. Minimum lot width shall be met at the Minimum Front Yard Setback for Irregular Lots on cul-de-sacs, courts or street centerline curves of less than three hundred (300) feet radius.</p> <p>2. Minimum Dwelling Unit width shall be the Minimum Lot Width, minus the Minimum Side Yards at common walls. i.e. middle unit with 2 common walls minimum width is 25ft</p>							

15. Other Standards.

- A. Common wall must meet current codes adopted by the City.
- B. For Duplexes, Condominiums, Patio homes, Row homes and Town homes, zero lot lines may only occur in the vertical plane. Stacked units or zero lot lines in the horizontal plane are not allowed. Each unit must have a public accessible entrance. Association agreements shall be created to provide for the maintenance and replacement of the commonly owned interior streets, public walks and grounds.
- C. No fence shall be allowed in the front yard.
- D. No on-street parking shall be allowed.
- E. No detached garages shall be allowed.
- F. Each principal building unit shall have separate City and private services and metering systems.
- G. There shall be at least one entrance per unit facing the street.
- H. All uses shall meet the parking, design and sign standards of this chapter.
- I. A site plan for all structures shall be submitted for approval prior to building permit issuance.
- J. A Development Agreement is required in accordance with Chapter 166 of this Code of Ordinances.

**SECTION 11.** Chapter 165.261, “C-1A, NEIGHBORHOOD COMMERCIAL BUSINESS DISTRICT” is amended by deleting the same and inserting in lieu thereof the following:

**165.261 C-1A – NEIGHBORHOOD COMMERCIAL BUSINESS DISTRICT.** This district is intended for small areas in or near residential neighborhoods. The zone encourages the provision of small-scale retail and service use for nearby residents and operating during regular business hours. Uses are restricted in size to promote a local orientation and to limit adverse impacts on nearby residential areas. Development is intended to be pedestrian-oriented and compatible with the scale of surrounding residential areas. Parking areas are strictly regulated, to promote compatibility with the character of surrounding residential development and the intended pedestrian orientation of the uses.

- 1. Permitted Principal Uses and Structures.
  - a. Parks and Open Areas

- b. Essential Public Services
- c. All principal uses and structures as permitted in C-1, except Drive-up uses.
- 2. Permitted Accessory Uses and Structures.
  - a. All accessory uses and structures as permitted in C-1.
- 3. Special Uses. As approved by the Board of Adjustment.
- 4. Bulk Regulations. The following minimum requirements shall be observed in the C-1 District:

Minimum Lot Area	Minimum Lot Width <sup>2</sup>	Minimum Front Yard	Minimum Side Yard	Corner Side Yard	Minimum Rear Yard	Maximum Height
3,000 square feet per unit	50 feet	25 feet	15 feet except at common wall <sup>1</sup>	25 feet	25 feet	Principal building 35 feet
1. Unless abutting a residential lot, then minimum side yard required is 25ft 2. Minimum lot width shall be met at the Minimum Front Yard Setback for Irregular Lots on cul-de-sacs, courts or street centerline curves of less than three hundred (300) feet radius.						

**Neighborhood Commercial Business District (C-1A)**

**Zone Development Standards**

DEVELOPMENT STANDARDS	C-1A ZONE
Landscaping in Setbacks Abutting an R Zoned Lot	20 ft. with High Screen.
Maximum Impervious Surface Coverage	70%
Minimum Landscaped Area	20%
Drive-Through Facilities Permitted	No
Outdoor Display Permitted	No
Outdoor Storage Permitted	No

- 5. Site Development Plan Requirements.
  - a. In addition to Site Development Plan submittals, a Use Analysis Report shall be prepared by the applicant that shows the following:
    - 1. Approximate number of employees;
    - 2. Approximate utility needs and effect upon existing systems, e.g., projected water demand (Gallons Per Minute or Gallons Per Day), waste water generation (Gallons Per Day + Chemical oxygen Demand or Biochemical oxygen Demand), electricity demand (Kilowatts), storm water increase (Cubic Feet Per Second), solid waste generation (tons).
    - 3. Possible nuisance factors and means for alleviating those factors, such as noise, odor, smoke, dust, fumes, vibration, or heat; and
    - 4. Uses with a substantial inventory of hazardous materials, as regulated by the Robins Fire Department, shall be sited away from residential uses across University Boulevard.
  - b. No Site Development Plan approval will be issued for any use in the C-1A District if the determination is made by the approving authority exercising independent judgment, that there is reason to believe that the proposed use or structure, as presented by the application, will create a nuisance in terms of diminished air quality, smoke, noise, toxic matter, odor, vibration, glare, sewage waste, water quality, street system capacity, heat or other condition detrimental to the public health and safety or reasonable use, enjoyment



and value of other properties; or diminish the quality or quantity of any utility service presently provided by the City. Furthermore, no approval or permit shall be issued unless there is compliance with all other applicable City, state, and federal regulations.

**SECTION 12.** Section 165.262 “**RI, RESEARCH PARK INNOVATION DISTRICT**” is amended by deleting the same and inserting in lieu thereof the following:

**165.262. “RI” RESEARCH PARK INNOVATION DISTRICT.** This district is intended to provide areas for the development of office, research, service, production and assembly. It is designated to accommodate office buildings, similar structures and complementary uses in a mutually compatible environment

1. Permitted Principal Uses and Structures.
  - a. Office Uses
  - b. Retail Sales and Services – General – Located within the Hub Activity Area
  - c. Restaurant – Located within Hub Activity Area – no drive trough’s
  - d. Recreation Trade – Within Hub Activity Area
  - e. Research and Development Facilities and Laboratories
  - f. Manufacturing and Processing - all uses except concrete batching and asphalt mixing; lumber and wood products manufacturing; manufactured homes and prefabricated structures manufacturing; printing and publishing; and rock crushing and screening
  - g. Parks and Open Areas
  - h. Essential Public Services
  - i. Child Day Care Facilities – Located within Hub Activity Area
  - j. Hub Activity Area uses may only be allowed for properties that are consistent with a City Council approved master plan accompanying a rezoning request. A Hub Activity Area means an area of concentrated commercial uses providing support services intended primarily to provide service and retail uses supportive of the surrounding businesses and their employees.
2. Permitted Accessory Uses and Structures.
  - a. Accessory uses and buildings incidental to and on the same lot as the principal use.
3. Special Uses. As approved by the Board of Adjustment.
4. Bulk Regulations. The following minimum requirements shall be observed in the RI District:

Minimum Lot Area	Minimum Lot Width <sup>3</sup>	Minimum Front Yard	Minimum Side Yard	Corner Side Yard	Minimum Rear Yard	Maximum Height
25,000 sf	100 feet	25 feet	15 feet <sup>1</sup>	25feet	25 feet <sup>2</sup>	Principal building 100 feet
<ol style="list-style-type: none"> <li>1 Except when adjacent to an R District, in which case minimum side yard shall be 50 feet.</li> <li>2 Except when adjacent to an R District, in which case the minimum rear yard shall be 50 feet.</li> <li>3 Minimum lot width shall be met at the Minimum Front Yard Setback for Irregular Lots on cul-de-sacs, courts or street centerline curves of less than three hundred (300) feet radius.</li> </ol>						

5. Development Standards. The following minimum requirements shall be observed in the RI District:

DEVELOPMENT STANDARDS	RI ZONE
Landscaping in Setbacks Abutting an R Zoned Lot	20 ft. with High Screen.
Maximum Impervious Surface Coverage	70%
Minimum Landscaped Area	20%
Outdoor Display Permitted	No
Outdoor Storage Permitted-not between building and the street	No

6. Site Development Plan Requirements.

- a. In addition to Site Development Plan submittals, a Use Analysis Report shall be prepared by the applicant that shows the following:
  - i. Approximate number of employees;
  - ii. Approximate utility needs and effect upon existing systems, e.g., projected water demand (Gallons Per Minute or Gallons Per Day), waste water generation (Gallons Per Day + Chemical oxygen Demand or Biochemical oxygen Demand), electricity demand (Kilowatts), storm water increase (Cubic Feet Per Second), solid waste generation (tons);
  - iii. Possible nuisance factors and means for alleviating those factors, such as noise, odor, smoke, dust, fumes, vibration, or heat; and
  - iv. Uses with a substantial inventory of hazardous materials, as regulated by the Robins Fire Department.
- b. No Site Development Plan approval will be issued for any use in the RI District if the determination is made by the approving authority exercising independent judgment, that there is reason to believe that the proposed use or structure, as presented by the application, will create a nuisance in terms of diminished air quality, smoke, noise, toxic matter, odor, vibration, glare, sewage waste, water quality, street system capacity, heat or other condition detrimental to the public health and safety or reasonable use, enjoyment and value of other properties; or diminish the quality or quantity of any utility service presently provided by the City. Furthermore, no approval or permit shall be issued unless there is compliance with all other applicable City, state, and federal regulations.

**SECTION 13.** Section 165.27, “C-2, HIGHWAY COMMERCIAL DISTRICT” is amended by deleting the same and inserting in lieu thereof the following:

**165.27 C-2 – HIGHWAY COMMERCIAL DISTRICT.** This district is intended to accommodate practically all-general business type uses and with particular provision for development of commercial uses that meet the needs of the traveling public. This district should be well served by adequate public utilities and services and abutting major collector street or highways and intersections thereof.

1. Permitted Principal Uses and Structures.
  - A. Kennels
  - B. Sign Making
  - C. Automotive and Marine Craft Trade.
  - D. Wholesale Trade, except wholesalers of: Alcoholic beverages, auto parts, building hardware, clothing electronics, home furnishings and food.
  - E. Mini-warehousing and self-storage facilities.
  - F. Parks and Open Areas
  - G. Essential Public Services
  - H. Radio and Television Broadcast Facilities.
  - I. Personal Wireless Service Facilities.
  - J. Major Event Entertainment.
  - K. Vehicle Service Facilities.
  - L. All principal uses and structures as permitted in C-1.
2. Permitted Accessory Uses.
  - A. Accessory uses and buildings incidental to and on the same lot as the principal use.
3. Special Uses. The following special uses are permitted in the C-2 District:

- A. Indoor gun or archery clubs and firing or shooting ranges approved by the Robins Police Department. (Ordinance No. 1701, 5/15/17)
- B. As approved by the Board of Adjustment.

4. Bulk Regulations. The following minimum requirements shall be observed in the C-2 District:

Minimum Lot Area	Minimum Lot Width <sup>2</sup>	Minimum Front Yard	Minimum Side Yard	Corner Side Yard	Minimum Rear Yard	Maximum Height
10,000 square feet	50 feet	25 feet	15 feet except at common wall <sup>1</sup>	25 feet	25 feet	Principal building 45 feet
1. Unless abutting a residential lot, then minimum side yard required is 25ft 2. Minimum lot width shall be met at the Minimum Front Yard Setback for Irregular Lots on cul-de-sacs, courts or street centerline curves of less than three hundred (300) feet radius.						

5. Development Standards. The following minimum requirements shall be observed in the PLI District:

DEVELOPMENT STANDARDS	PLI ZONE
Landscaping in Setbacks Abutting an R Zoned Lot	20 ft. with High Screen.
Maximum Impervious Surface Coverage	70%
Minimum Landscaped Area	20%
Drive-Through Facilities Permitted	Yes
Outdoor Display Permitted	No
Outdoor Storage Permitted	No

6. Site Development Plan Requirements.

- C. In addition to Site Development Plan submittals, a Use Analysis Report shall be prepared by the applicant that shows the following:
  - i. Approximate number of employees;
  - ii. Approximate utility needs and effect upon existing systems, e.g., projected water demand (Gallons Per Minute or Gallons Per Day), waste water generation (Gallons Per Day + Chemical oxygen Demand or Biochemical oxygen Demand), electricity demand (Kilowatts), storm water increase (Cubic Feet Per Second), solid waste generation (tons).
  - iii. Possible nuisance factors and means for alleviating those factors, such as noise, odor, smoke, dust, fumes, vibration, or heat; and
  - iv. Uses with a substantial inventory of hazardous materials, as regulated by the Robins Fire Department, shall be sited away from residential uses.

**SECTION 14.** Chapter 165.28, “PLI, PLANNED LIGHT INDUSTRIAL DISTRICT” is amended by deleting the same and inserting in lieu thereof the following:

**165.28 "PLI" PLANNED LIGHT INDUSTRIAL DISTRICT.** This district is intended to accommodate industrial activities that do not create major nuisances from noise or odor with surrounding land uses. This district should be well served by adequate public utilities and services and abutting major collector street or highways and intersections.

- 1. Permitted Principal Uses and Structures.
  - A. Office Use



- B. Industrial Service - limited to: printing, publishing, commercial art and reproduction services; and research and development laboratories
  - C. Manufacturing and Processing - all uses except concrete batching; lumber and wood products manufacturing; manufactured homes and prefabricated structures manufacturing; and rock crushing and screening
  - D. Parks and Open Areas
  - E. Essential Public Services
2. Permitted Accessory Uses and Structures.
- A. Accessory uses and buildings incidental to and on the same lot as the principal use.
3. Special Uses. As approved by the Board of Adjustment.
4. Bulk Regulations. The following minimum requirements shall be observed in the PLI District:

Minimum Lot Area	Minimum Lot Width <sup>3</sup>	Minimum Front Yard	Minimum Side Yard	Corner Side Yard	Minimum Rear Yard	Maximum Height
1 Acre	100 feet	30 feet	20 feet <sup>1</sup>	30 feet	30 feet <sup>2</sup>	Principal building 100 feet
<p>1 Except when adjacent to an R District, in which case minimum side yard shall be 50 feet.</p> <p>2 Except when adjacent to an R District, in which case the minimum rear yard shall be 50 feet.</p> <p>3 Minimum lot width shall be met at the Minimum Front Yard Setback for Irregular Lots on cul-de-sacs, courts or street centerline curves of less than three hundred (300) feet radius.</p>						

5. Development Standards. The following minimum requirements shall be observed in the PLI District:

DEVELOPMENT STANDARDS	PLI ZONE
Landscaping in Setbacks Abutting an R Zoned Lot	20 ft. with High Screen
Maximum Impervious Surface Coverage	70%
Minimum Landscaped Area	20%
Drive-Through Facilities Permitted	No
Outdoor Display Permitted	No
Outdoor Storage Permitted	No

6. Site Development Plan Requirements.

- A. In addition to Minor or Major Site Development Plan submittals, a Use Analysis Report shall be prepared by the applicant that shows the following:
  - i. Approximate number of employees;
  - ii. Approximate utility needs and effect upon existing systems, e.g., projected water demand (Gallons Per Minute or Gallons Per Day), waste water generation (Gallons Per Day + Chemical oxygen Demand or Biochemical oxygen Demand), electricity demand (Kilowatts), storm water increase (Cubic Feet Per Second), solid waste generation (tons); and
  - iii. Possible nuisance factors and means for alleviating those factors, such as noise, odor, smoke, dust, or fumes, vibration, heat.

iv. Uses with a substantial inventory of hazardous materials, as regulated by the Robins Fire Department, shall be sited away from residential uses.

A. No Site Development Plan approval will be issued for any use in the PLI District if the determination is made by the approving authority exercising independent judgment, that there is reason to believe that the proposed use or structure, as presented by the application, will create a nuisance in terms of diminished air quality, smoke, noise, toxic matter, odor, vibration, glare, sewage waste, water quality, street system capacity, heat or other condition detrimental to the public health and safety or reasonable use, enjoyment and value of other properties; or diminish the quality or quantity of any utility service presently provided by the City. Furthermore, no approval or permit shall be issued unless there is compliance with all other applicable City, state and federal regulations.

**SECTION 15.** Chapter 165.29, “PMI – PLANNED MEDIUM INDUSTRIAL” is amended by deleting the same and inserting in lieu the following:

**165.29 PMI – PLANNED MEDIUM INDUSTRIAL.** This district is intended to accommodate all types of industrial activities in areas that are relatively removed from residential and general commercial land uses. This district shall be well served by adequate public utilities and services and abutting major collector streets or highways and intersections.

1. Permitted Principal Uses and Structures.
  - A. Industrial Service
  - B. Manufacturing and Processing: all uses except concrete batching; and rock crushing and screening
  - C. Wholesale Trade
  - D. Warehouse and Freight Handling: all uses except:
    - i. Weapons and ammunition storage
    - ii. Fireworks Storage and Sales
  - E. Parks and Open Areas
  - F. Essential Public Services
  - G. All other uses permitted under PLI.
2. Permitted Accessory Uses and Structures.
  - A. Accessory uses and buildings incidental to and on the same lot as the principal use.
3. Special Uses. As approved by the Board of Adjustment.
4. Bulk Regulations. The following minimum requirements shall be observed in the PMI District:

Minimum Lot Area	Minimum Lot Width <sup>3</sup>	Minimum Front Yard	Minimum Side Yard	Corner Side Yard	Minimum Rear Yard	Maximum Height
1 Acre	100 feet	30 feet	25 feet <sup>1</sup>	30 feet	30 feet <sup>2</sup>	Principal building 100 feet

1 Except when adjacent to an R District, in which case minimum side yard shall be 50 feet.  
 2 Except when adjacent to an R District, in which case the minimum rear yard shall be 50 feet.  
 3 Minimum lot width shall be met at the Minimum Front Yard Setback for Irregular Lots on cul-de-sacs, courts or street centerline curves of less than three hundred (300) feet radius.

5. Development Standards. The following minimum requirements shall be observed in the PMI District:

DEVELOPMENT STANDARDS	PMI ZONE
Landscaping in Setbacks Abutting an R Zoned Lot	20 ft. with Industrial Screen
Maximum Impervious Surface Coverage	70%
Minimum Landscaped Area	20%
Drive-Through Facilities Permitted	No
Outdoor Display Permitted	No
Outdoor Storage Permitted	No

6. Site Development Plan Requirements.

- A. In addition to Minor or Major Site Development Plan submittals, a Use Analysis Report shall be prepared by the applicant that shows the following:
- i. Approximate number of employees;
  - ii. Approximate utility needs and effect upon existing systems, e.g., projected water demand (Gallons Per Minute or Gallons Per Day), waste water generation (Gallons Per Day + Chemical oxygen Demand or Biochemical oxygen Demand), electricity demand (Kilowatts), storm water increase (Cubic Feet Per Second), solid waste generation (tons); and
  - iii. Possible nuisance factors and means for alleviating those factors, such as noise, odor, smoke, dust, or fumes, vibration, heat.
  - iv. Uses with a substantial inventory of hazardous materials, as regulated by the Robins Fire Department, shall be sited away from residential uses.
- B. No Site Development Plan approval will be issued for any use in the PI District if the determination is made by the approving authority exercising independent judgment, that there is reason to believe that the proposed use or structure, as presented by the application, will create a nuisance in terms of diminished air quality, smoke, noise, toxic matter, odor, vibration, glare, sewage waste, water quality, street system capacity, heat or other condition detrimental to the public health and safety or reasonable use, enjoyment and value of other properties; or diminish the quality or quantity of any utility service presently provided by the City. Furthermore, no approval or permit shall be issued unless there is compliance with all other applicable City, state and federal regulations.

**SECTION 16.** Chapter 165.291 “**PHI – PLANNED HEAVY INDUSTRIAL**” is amended by deleting the same and inserting in lieu thereof the following:

**165.291 PHI PLANNED HEAVY INDUSTRIAL.** This district is intended to accommodate all types of industrial activities in areas that are relatively removed from residential and general commercial land uses. This district shall be well served by adequate public utilities and services and abutting major collector streets or highways and intersections.

1. Permitted Principal Uses and Structures.
  - A. Resource Production and Extraction
  - B. Manufacturing and Processing
  - C. Parks and Open Areas
  - D. Essential Public Services
  - E. All other uses permitted under PMI
2. Permitted Accessory Uses and Structures.



- A. Accessory uses and buildings incidental to and on the same lot as the principal use.
- 3. Special Uses. As approved by the Board of Adjustment.
  - A. Firework sales and storage
  - B. Weapons and ammunition storage
  - C. Explosives manufacture, storage, handling, sale or use inclusive of dynamite, ammunition, fireworks, and any materials used to manufacture explosives.
- 4. Bulk Regulations. The following minimum requirements shall be observed in the PHI District:

Minimum Lot Area	Minimum Lot Width <sup>4</sup>	Minimum Front Yard	Minimum Side Yard	Corner Side Yard	Minimum Rear Yard	Maximum Height
1 Acre	100 feet	40 feet	25 feet <sup>1</sup>	30 feet	30 feet <sup>2</sup>	Principal building 100 feet
1 Except when adjacent to an R or C District, in which case minimum side yard shall be 50 feet. 2 Except when adjacent to an R or C District, in which case the minimum rear yard shall be 50 feet. 3 Except when fronting a street forming the boundary between an I district and R or C district, in which case the minimum front yard shall be 60 feet. 4 Minimum lot width shall be met at the Minimum Front Yard Setback for Irregular Lots on cul-de-sacs, courts or street centerline curves of less than three hundred (300) feet radius.						

- 5. Development Standards. The following minimum requirements shall be observed in the PHI District:

DEVELOPMENT STANDARDS	PHI ZONE
Landscaping in Setbacks Abutting an R Zoned Lot	20 ft. with High Screen
Maximum Impervious Surface Coverage	70%
Minimum Landscaped Area	20%
Outdoor Display Permitted	No
Outdoor Storage Permitted	No

- 6. Site Development Plan Requirements.
  - A. In addition to Minor or Major Site Development Plan submittals, a Use Analysis Report shall be prepared by the applicant that shows the following:
    - i. Approximate number of employees;
    - ii. Approximate utility needs and effect upon existing systems, e.g., projected water demand (Gallons Per Minute or Gallons Per Day), waste water generation (Gallons Per Day + Chemical oxygen Demand or Biochemical oxygen Demand), electricity demand (Kilowatts), storm water increase (Cubic Feet Per Second), solid waste generation (tons); and
    - iii. Possible nuisance factors and means for alleviating those factors, such as noise, odor, smoke, dust, or fumes, vibration, heat.
    - iv. Uses with a substantial inventory of hazardous materials, as regulated by the Robins Fire Department, shall be sited away from residential uses.

**SECTION 17.** Chapter 165.301 “RL – ROBINS LANDING OVERLAY DISTRICT” is amended by deleting the same and inserting in lieu thereof following:

**165.301. “RL” ROBINS LANDING OVERLAY DISTRICT.** This district is intended to provide guidance for the architectural and design requirements of the development of Robins Landing beyond the minimum requirements elsewhere in Chapter 165. In each case, the most restrictive provision of the Overlay or the underlying Base Zone shall apply.

7. Permitted Principal Uses and Structures.
  - a. As allowed in the Primary Zoning District
8. Permitted Accessory Uses and Structures.
  - a. As allowed in the Primary Zoning District
9. Special Uses. As approved by the Board of Adjustment.
10. Bulk Regulations. The following minimum requirements shall be observed in the RL District:
  - a. As allowed in the Primary Zoning District

11. Design Guidelines

The goal is to create a development that acknowledges its natural surroundings, develops a human scale, and provides innovative contemporary architectural designs which harmonize with the environment, express individuality and promote worker health, wellness and productivity. Site Plan approvals must be found to conform to site development standards and the design guidelines. The design shall be reviewed by Planning and Zoning to promote consistency with the intent of the District and to adapt to individual site needs. The final decision with respect to the design acceptance rests with the City Council.

- a. Site Design Guidelines
  - i. Use site design to locate buildings and site improvement in manner that is supportive of the pedestrian environment.
  - ii. Coordinate building and parking in manner that is supportive of a transition to trails and pedestrian areas.
  - iii. Extend walkways to both public streets and trail system.
  - iv. Coordinate shared access points for lots to reduce driveway intersections along bike and pedestrian facilities.
  - v. Locate support areas such as mechanical areas and storage areas away from pedestrian areas and behind the principal building.
- c. Landscape Design Guidelines
  - i. Use landscape design to support sustainable site features, such as stormwater treatment and parking lot shading.
  - ii. Locate landscape areas in a manner which is complementary to adjacent open space areas in types of vegetation and planting.
  - iii. Incorporate vegetation that provides for screening of storage and equipment areas from trails and streets.
  - iv. Use landscape design to enhance pedestrian environments with shading of sidewalks and creating visual interest with art, trellis, gathering spaces, and interesting vegetation.
- d. Architectural Design Guidelines
  - i. Building Location. All buildings with any building face adjoining Tower Terrace Road shall be constructed with the primary or front face of the building toward Tower Terrace Road.
  - ii. Architectural Requirements. The desired architectural style or appearance is a distinctive style using clean or simple lines and features. Decorative and ornate architectural features generally not allowed. Individual building must comply with the architectural guidance standards.
    - I. A minimum of 50% of front wall surface shall be brick, stucco, stone and/or architectural masonry..



2. All other exterior wall surfaces shall be either vinyl, steel or fiber cement siding. Other materials as approved by Planning and Zoning.
  3. Gutters and downspouts shall match or blend with exterior materials.
  4. Window styles and patterns shall be consistent utilizing vinyl\steel clad windows or aluminum framing systems.
- iii. No temporary structures, trailers or storage garages are allowed unless a permanent facility is under construction within three (3) months of installation of temporary structure.
- e. Conceptual Plan
- i. Conceptual Plan Approval. The standards set forth for building location, architectural requirements and access management and control in the Robins Landing Overlay District are inherently discretionary. The final decision with respect to building location, architectural requirements and access management and control requirements in the RL District rests with the City Council. Any party considering a development with the RL District that would need to comply with any or all of these standards is required to submit a Conceptual Plan for review and consideration by the City Council.
    1. A Conceptual Plan must show the building layout including driveway and access. The Conceptual Plan must show an illustration of the architectural features of the building and identify proposed building materials. It is preferred, but not required, for the Conceptual Plan to illustrate the architectural style in color.
    2. The Conceptual Plan must be sufficiently complete to allow the City to review and consider the issues of building location, architectural requirements and access. The Conceptual Plan is not required to meet additional standards set forth for a site plan.
    3. The Conceptual Plan shall be submitted on drawings not larger than 11-inch by 17-inch.
    4. The Conceptual Plan shall be submitted to the Zoning Administrator. 15 copies shall be provided to the Zoning Administrator.
    5. The Zoning Administrator and Building Official shall review the Conceptual Plan within 30 days of receipt. Following completion of the review by the Zoning Administrator and Building Official, the Zoning Administrator may place the Conceptual Plan on the next agenda of the Planning and Zoning Commission, or return the Conceptual Plan to the Owner with comments.
    6. The Planning and Zoning Commission shall consider the Conceptual Plan within 45 days after referral from the Zoning Administrator. Following review by the Planning and Zoning Commission, or the passage of 45 days without consideration by the Planning and Zoning Commission, the Conceptual Plan will be placed on the next available agenda of the City Council for consideration.
    7. The City Council shall consider and take action on the Conceptual Plan within 45 days after referral from Planning and Zoning Commission. In the event the City Council takes no action within 45 days the Conceptual Plan shall be deemed to be denied, unless both parties mutually agree to an extension of the 45 day period.
    8. A Site Plan for the proposed buildings set forth in an approved or conditionally approved Conceptual Plan must be initiated within 12 months following final action by the City Council to approve or conditionally approve the Conceptual

Plan. The period of validity of a Conceptual Plan may be extended by the City Council.

- f. Access Management and Control.
  - i. No driveway access directly to Tower Terrace Road shall be permitted.
- g. A Development Agreement is required in accordance with Chapter 166 of this Code of Ordinances.

**SECTION 18.** Chapter 165.302 “FP FLOOD PLAIN OVERLAY DISTRICT” is amended by deleting the same and inserting in lieu thereof the following:

**165.302 “FP” FLOOD PLAIN OVERLAY DISTRICT** This district has been established to address developments which require special attention and treatment regardless of the underlying land use allowed and to alert developers to issues they need to address in preparing an application for development. This District includes lands subject to inundation as a result of a 100-year flood, i.e. a flood having a one percent chance of being equaled or exceeded in any given year. The Flood Plain Overlay District is superimposed over other districts and is intended to supplement one or more established Base Zones, in order to protect the environment and property in and around this district. In each case, the most restrictive provision of the Overlay or the underlying Base Zone shall apply. *Regulations which apply to the Flood Plain Overlay District are stated in Section 166.21 and Chapter 160 Flood Plain Regulations.*

- 1. Permitted Principal Uses and Structures.
  - a. As allowed in the Primary Zoning District
- 2. Permitted Accessory Uses and Structures.
  - a. As allowed in the Primary Zoning District
- 3. Special Uses. As approved by the Board of Adjustment.
- 4. Bulk Regulations. The following minimum requirements shall be observed in the RL District:
  - a. As allowed in the Primary Zoning District
- 5. Design Guidelines

This zone is intended to function as an "overlay" to the underlying Base Zones, in addition to all the use, yard, bulk and other requirements of the applicable Base Zone. The location of FP Overlay District shall be shown on the Official Zoning Map. Any development on or proposed for lands within the jurisdiction of the City which is shown on the Official Zoning Map as being within the boundaries of the FP Overlay District are subject to the flood plain regulations of the City, *Chapter 160 of this Code.*

This zone is intended to supplement the City's floodplain regulations and to protect designated natural resource areas by using the natural resources inventory to identify and preserve natural resources including, but not limited to, wetlands, ponds, lakes and greenways for stream corridors and open spaces adjacent to environmentally sensitive areas.

- a. Designation of FP Overlay District
  - i. Any area may be designated an FP Overlay District by ordinance of City Council, after the advice and recommendation of the Planning and Zoning Commission, if the results of a scientific study of the area support the conclusion that the area so designated is especially sensitive to adverse public impact from development due to unique environmental circumstances.
  - ii. The Planning and Zoning Commission may request studies in order to evaluate areas for environmental sensitivity as part of the continuing process of maintaining a current comprehensive land use plan for the City. Additionally, studies done by or for other governmental or private parties may be adopted for the purposes of this section.
- b. Development Regulations

- i. No subdivision containing land located in a floodway or a special flood hazard area shall be approved by the City without review/approval from the Department of Natural Resources.
  - ii. No lot shall be located so as to include land located within a floodway or special flood hazard area unless the lot is of such size and shape that it will contain a buildable area not within the floodway or special flood hazard area, suitable for development as allowed by the zoning ordinance for the zone in which the lot is located.
  - iii. Land located within a special flood hazard area or a floodway may be included with a plat as follows, subject to the approval of the City:
    - 1. In Lot. Included within individual lots in the subdivision, subject to the limitations of this section.
    - 2. Open Space. Reserved as open space for recreation use by all owners of lots in the subdivision, with an appropriate legal instrument, such as a Development Agreement, approved by the City, providing for its care and maintenance by such owners.
    - 3. Public Space. If acceptable to the City, dedicated to the City as public open space for recreation or flood control purposes.
  - iv. No Building/Zoning Permit shall be issued and no grading, excavation, construction or change in use shall occur in an area designated as the FP Overlay District except in accordance with the procedures set forth in Chapter 166 of this Code of Ordinances.
  - v. No structure, regardless of square footage, shall be constructed within the FP Overlay District unless the requirements of Chapter 160 of the Code of Ordinances is met.
  - vi. Development within the Floodway
    - 1. Shall be in accordance with Chapter 160 of this Code of Ordinances.
    - 2. Watercourse alterations or relocations (channel changes and modifications) are discouraged. Requirements of Chapter 160 of the Code of Ordinances must be met.
      - a. Provisions for bank stabilization or repair shall be included in a Development Agreement in the event channel migration threatens the stability, use and/or habitability of any permanent structure.
6. Enforcement. Development or other activities in conflict with Chapter 160 and Chapter 165 of this Code of Ordinances shall constitute the violation of this section for which any and all enforcement means and remedies established by law or zoning regulations may be invoked and instituted.

**SECTION 19.** Repealer. All Ordinances or parts thereof in conflict with the provisions of the Ordinance are repealed.

**SECTION 20.** Severability. If any section, provision, or part of the 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 thereof not adjudged invalid or unconstitutional.

**SECTION 21.** Effective Date. This Ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

PASSED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Chuck Hinz, Mayor

ATTEST:

\_\_\_\_\_  
Lori Pickart, City Clerk/Treasurer



## ORDINANCE NO. 2205

### AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF CHAPTER 165 OF THE ROBINS MUNICIPAL CODE, CITY OF ROBINS, IOWA

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROBINS, IOWA, that the Municipal Code of the City of Robins, Iowa, is amended as follows:

SECTION 1. That the Future Land Use Map adopted on 13<sup>th</sup> day of September 2021 be repealed and the attached new Future Land Use map with the plot date of May 3<sup>rd</sup>, 2022 be enacted.

SECTION 2. That the changes provided in this Ordinance shall be made a part of the replacement pages of the Municipal Code, City of Robins, Iowa, and made a part of said Code as provided by law.

SECTION 3. Effective Date. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

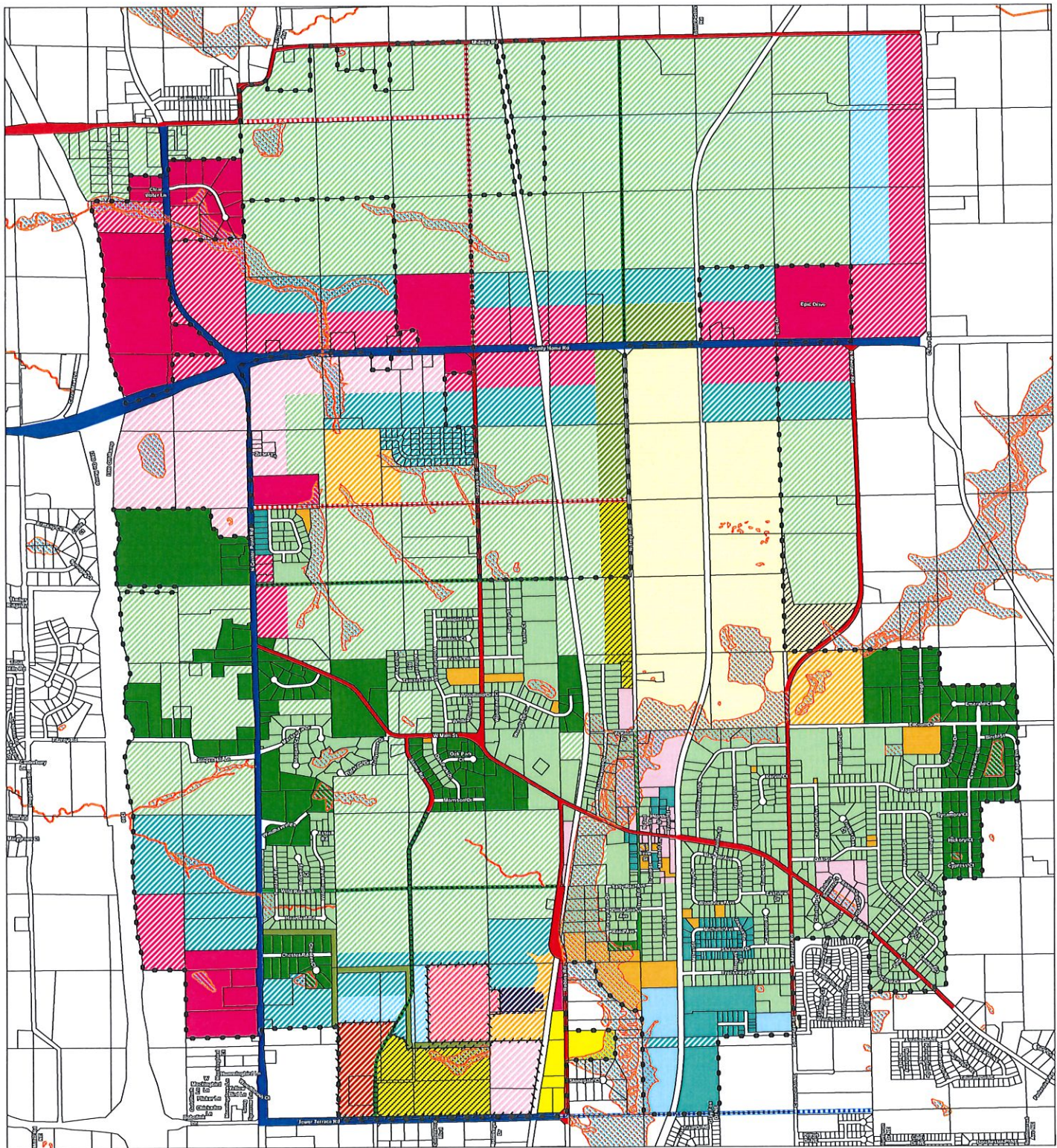
PASSED AND APPROVED, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Chuck Hinz, Mayor

ATTEST:

\_\_\_\_\_  
Lori Pickart, City Clerk/Treasurer





**CURRENT ZONING**

- A-1 AGRICULTURAL
- R-1 LOW DENSITY SINGLE-FAMILY RESIDENTIAL
- R-2 MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL
- R-3 MEDIUM DENSITY TWO-FAMILY RESIDENTIAL
- R-3A MEDIUM DENSITY TWO-FAMILY RESIDENTIAL WITH ASSOCIATION
- R-4 HIGH DENSITY MULTI-FAMILY RESIDENTIAL WITH ASSOCIATION
- RMH MOBILE HOME PARK RESIDENTIAL
- C-1 CENTRAL COMMERCIAL BUSINESS
- C1-A NEIGHBORHOOD COMMERCIAL BUSINESS
- C-2 HIGHWAY COMMERCIAL
- PL1 PLANNED LIGHT INDUSTRIAL
- PMI PLANNED MEDIUM INDUSTRIAL
- PHI PLANNED HEAVY INDUSTRIAL
- P-1 PUBLIC USE
- PUD PLANNED USE DEVELOPMENT
- RI RESEARCH PARK INNOVATION

**STREET LEGEND**

- |   |   |
|---|---|
| <span style="display: inline-block; width: 15px; border-bottom: 2px solid black; margin-right: 5px;"></span> FUTURE CLASS COLLECTOR       | <span style="display: inline-block; width: 15px; height: 10px; background-color: #008000; border: 1px solid black; margin-right: 5px;"></span> CURRENT CLASS COLLECTOR      |
| <span style="display: inline-block; width: 15px; border-bottom: 2px dashed black; margin-right: 5px;"></span> FUTURE CLASS MAJOR ARTERIAL | <span style="display: inline-block; width: 15px; height: 10px; background-color: #0000ff; border: 1px solid black; margin-right: 5px;"></span> CURRENT CLASS MAJOR ARTERIAL |
| <span style="display: inline-block; width: 15px; border-bottom: 2px dotted black; margin-right: 5px;"></span> FUTURE CLASS MINOR ARTERIAL | <span style="display: inline-block; width: 15px; height: 10px; background-color: #ff0000; border: 1px solid black; margin-right: 5px;"></span> CURRENT CLASS MINOR ARTERIAL |

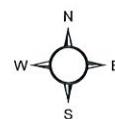
**FUTURE ZONING**

- A-1 AGRICULTURAL
- R-1 LOW DENSITY SINGLE-FAMILY RESIDENTIAL
- R-2 MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL
- R-3 MEDIUM DENSITY TWO-FAMILY RESIDENTIAL
- R-3A MEDIUM DENSITY TWO-FAMILY RESIDENTIAL WITH ASSOCIATION
- R-4 HIGH DENSITY MULTI-FAMILY RESIDENTIAL WITH ASSOCIATION
- RMH MOBILE HOME PARK RESIDENTIAL
- C-1 CENTRAL COMMERCIAL BUSINESS
- C1-A NEIGHBORHOOD COMMERCIAL BUSINESS
- C-2 HIGHWAY COMMERCIAL
- PL1 PLANNED LIGHT INDUSTRIAL
- PMI PLANNED MEDIUM INDUSTRIAL
- PHI PLANNED HEAVY INDUSTRIAL
- P-1 PUBLIC USE
- PUD PLANNED USE DEVELOPMENT
- RI RESEARCH PARK INNOVATION

**GENERAL LEGEND**

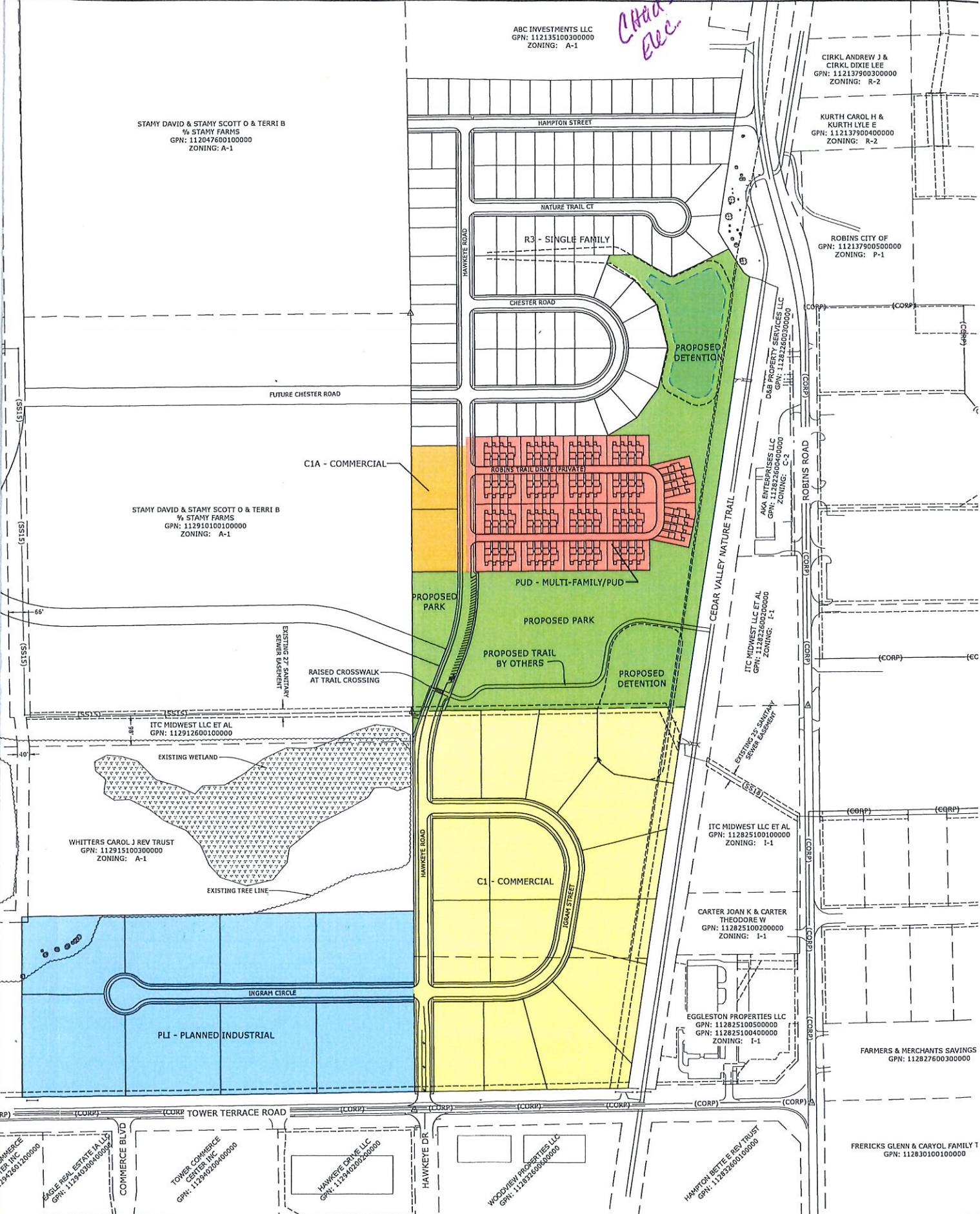
- CORPORATE LIMITS
- FLOOD PLAIN OVERLAY DISTRICT
- ROBINS LANDING OVERLAY DISTRICT

# ROBINS FUTURE LANDUSE MAP



UPDATED: MAY 3, 2022





**HALL & HALL ENGINEERS, INC.**  
Leaders in Land Development Since 1933  
1660 BOYSON ROAD, HAWAITHA, IOWA 52233  
PHONE: (319) 382-9548 FAX: (319) 382-7595  
CIVIL ENGINEERING • LANDSCAPE ARCHITECTURE  
LAND SURVEYING • LAND DEVELOPMENT PLANNING  
www.halleng.com

**ROBINS LANDING FIRST ADDITION  
IN THE CITY OF ROBINS, LINN COUNTY, IOWA**

**PRELIMINARY PLAT  
OVERALL LAYOUT  
AND REZONING LEGALS**

SCALE: 1"=200' PROJECT NO: 10788



**ORDINANCE No. 2206**

**AN ORDINANCE AMENDING THE ZONING MAP OF CHAPTER 165 OF THE ROBINS MUNICIPAL CODE, CITY OF ROBINS, IOWA**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROBINS, IOWA, that the Municipal Code of the City of Robins, Iowa, is amended as follows:

SECTION 1. That the Robins Zoning Map, which is part of Chapter 165 of the Municipal Code, City of Robins, be amended as follows:

**Property legally known as** PART OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 84 NORTH, RANGE 7 WEST OF THE FIFTH PRINCIPAL MERIDIAN, ROBINS, LINN COUNTY, IOWA DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 28; THENCE N0°27'43"W ALONG THE WEST LINE OF SAID SECTION 28, A DISTANCE OF 1787.53 FEET; THENCE N89°32'17"E, 183.70 FEET TO THE POINT OF BEGINNING; THENCE N0°27'43"W, 448.00 FEET; THENCE N89°32'17"E, 612.50 FEET; THENCE S0°27'43"E, 100.88 FEET; THENCE N76°27'42"E, 138.43 FEET; THENCE S13°32'18"E, 86.89 FEET; THENCE S0°27'43"E, 113.20 FEET; THENCE S11°40'13"W, 108.09 FEET; THENCE N78°19'47"W, 129.93 FEET; THENCE WESTERLY 4.43 FEET ALONG THE ARC OF A 65.00 FOOT RADIUS CURVE, CONCAVE NORTHERLY (CHORD BEARS S73°20'06"W, 4.43 FEET; THENCE S0°27'43"E, 101.00 FEET; THENCE S89°32'17"W, 613.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 7.24 ACRES, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

**be rezoned from A-1 Agricultural to PUD Planned Unit Development; and**

**Property legally known as** PART OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 84 NORTH, RANGE 7 WEST OF THE FIFTH PRINCIPAL MERIDIAN, ROBINS, LINN COUNTY, IOWA DESCRIBED AS FOLLOWS:

THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 84 NORTH, RANGE 7 WEST OF THE FIFTH PRINCIPAL MERIDIAN, ROBINS, LINN COUNTY, IOWA, LYING NORTH OF THE NORTH RIGHT-OF-WAY LINE OF TOWER TERRACE ROAD.

SAID PARCEL CONTAINS 18.14 ACRES, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

**be rezoned from A-1 Agricultural to PLI, Planned Light Industrial;**

**Property legally known as** PART OF THE NORTHWEST QUARTER OF SECTION 28 AND PART OF THE SOUTHWEST QUARTER OF SECTION 21, BOTH IN TOWNSHIP 84 NORTH, RANGE 7 WEST OF THE FIFTH PRINCIPAL MERIDIAN, ROBINS, LINN COUNTY, IOWA DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 28; THENCE N0°27'43"W ALONG THE WEST LINE OF SAID SECTION 28, A DISTANCE OF 1240.19 FEET TO THE POINT OF BEGINNING; THENCE N21°01'47"E, 91.93 FEET; THENCE N89°19'36"E, 878.47 FEET TO THE WEST RIGHT-OF-WAY LINE OF THE CEDAR VALLEY NATURE TRAIL; THENCE N8°24'45"E ALONG SAID WEST RIGHT-OF-WAY LINE, 1447.93 FEET TO THE WEST RIGHT-OF-WAY LINE OF ROBINS ROAD; THENCE N55°12'57"W ALONG SAID WEST RIGHT-OF-WAY LINE, 23.98 FEET; THENCE N32°33'55"W ALONG SAID WEST RIGHT-OF-WAY LINE, 94.02 FEET; THENCE S64°03'01"W, 212.65 FEET; THENCE N60°52'12"W, 149.85 FEET; THENCE S89°32'17"W, 77.22 FEET; THENCE S20°20'32"W, 21.62 FEET; THENCE S59°15'20"E, 111.94 FEET; THENCE S38°27'05"E, 111.94 FEET; THENCE S14°14'53"E, 147.90 FEET; THENCE S12°21'09"W, 136.81 FEET; THENCE S36°26'13"W, 122.92 FEET; THENCE S58°13'03"W, 111.99 FEET; THENCE N89°32'17"E, 137.31 FEET; THENCE S0°27'43"E, 100.88 FEET; THENCE N76°27'42"E, 138.43 FEET; THENCE S13°32'18"E, 86.89 FEET; THENCE S0°27'43"E, 113.20 FEET; THENCE S11°40'13"W, 108.09 FEET; THENCE N78°19'47"W, 129.93 FEET; THENCE WESTERLY 4.43

FEET ALONG THE ARC OF A 65.00 FOOT RADIUS CURVE, CONCAVE NORTHERLY (CHORD BEARS S73°20'06"W, 4.43 FEET; THENCE S0°27'43"E, 101.00 FEET; THENCE S89°32'17"W 796.70 FEET TO THE WEST LINE OF SAID SECTION 28; THENCE S0°27'43"E ALONG SAID WEST LINE, 547.34 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 15.32 ACRES, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

**be rezoned from A-1 Agricultural to P1 Public Use; and**

**Property legally known as** PART OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 84 NORTH, RANGE 7 WEST OF THE FIFTH PRINCIPAL MERIDIAN, ROBINS, LINN COUNTY, IOWA DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 28; THENCE N0°27'43"W ALONG THE WEST LINE OF SAID SECTION 28, A DISTANCE OF 1827.53 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST LINE N0°27'43"W, 393.00 FEET; THENCE N89°32'17"E, 183.70 FEET; THENCE S0°27'43"E, 393.00 FEET; THENCE S89°32'17"W, 183.70 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 1.66 ACRES, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, **be rezoned from A-1 Agricultural to C-1A, Neighborhood Commercial; and**

**Property legally known as** PART OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 84 NORTH, RANGE 7 WEST OF THE FIFTH PRINCIPAL MERIDIAN, ROBINS, LINN COUNTY, IOWA DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 28; THENCE N0°27'43"W ALONG THE WEST LINE OF SAID SECTION 28, A DISTANCE OF 60.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF TOWER TERRACE ROAD AND THE POINT OF BEGINNING; THENCE N0°27'43"W ALONG SAID WEST LINE, 1180.18 FEET; THENCE N21°01'47"E, 91.93 FEET; THENCE N89°19'36"E, 878.47 FEET TO THE WEST RIGHT-OF-WAY LINE OF THE CEDAR VALLEY NATURE TRAIL; THENCE S8°24'45"W ALONG SAID WEST RIGHT-OF-WAY LINE, 1277.52 FEET TO THE NORTH RIGHT-OF-WAY LINE OF TOWER TERRACE ROAD; THENCE S88°59'54"W ALONG SAID NORTH RIGHT-OF-WAY LINE, 715.09 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 23.56 ACRES, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD **be rezoned from A-1 Agricultural to C-1, Central Commercial Business, and**

**Property legally known as** PART OF THE NORTHWEST QUARTER OF SECTION 28 AND PART OF THE SOUTHWEST QUARTER OF SECTION 21, BOTH IN TOWNSHIP 84 NORTH, RANGE 7 WEST OF THE FIFTH PRINCIPAL MERIDIAN, ROBINS, LINN COUNTY, IOWA DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 21; THENCE N1°17'02"W ALONG THE WEST LINE OF SAID SECTION 21, 781.81 FEET TO THE SOUTHWEST CORNER OF PARCEL "A", PLAT OF SURVEY NO. 1052 AS RECORDED IN BOOK 5340, PAGE 659 IN THE OFFICE OF THE LINN COUNTY, IOWA RECORDER; THENCE S89°24'20"E ALONG THE SOUTH LINE OF SAID PARCEL "A", 486.84 FEET; THENCE N89°08'58"E ALONG SAID SOUTH LINE, 636.38 FEET TO THE WEST RIGHT-OF-WAY LINE OF ROBINS ROAD; THENCE S8°34'15"W ALONG SAID WEST RIGHT-OF-WAY LINE 519.85 FEET; THENCE S32°33'55"E ALONG SAID WEST RIGHT-OF-WAY LINE, 67.11 FEET; THENCE S64°03'01"W, 212.65 FEET; THENCE N60°52'12"W, 149.85 FEET; THENCE S89°32'17"W, 77.22 FEET; THENCE S20°20'32"W, 21.62 FEET; THENCE S59°15'20"E, 111.94 FEET; THENCE S38°27'05"E, 111.94 FEET; THENCE S14°14'53"E, 147.90 FEET; THENCE S12°21'09"W, 136.81 FEET; THENCE S36°26'13"W, 122.92 FEET; THENCE S58°13'03"W, 111.99 FEET; THENCE S89°32'17"W, 475.19 FEET; THENCE S0°27'43"E, 30.00 FEET; THENCE S89°32'17"W, 183.70 FEET TO THE WEST LINE OF SAID SECTION 28; THENCE N0°27'43"W ALONG SAID WEST LINE, 440.69 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 25.79 ACRES, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD **be rezoned from A-1 Agricultural to R-3 Two-Family Residential.**

SECTION 2. That the changes provided in this Ordinance shall be made a part of the replacement pages of the Municipal Code, City of Robins, Iowa, and made a part of said Code as provided by law.

SECTION 3. Effective Date. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED AND APPROVED, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

---

Chuck Hinz, Mayor

ATTEST:

---

Lori Pickart, City Clerk/Treasurer

## ORDINANCE NO. 2207

### AN ORDINANCE AMENDING CHAPTER 166, SUBDIVISION REGULATIONS OF THE ROBINS MUNICIPAL CODE

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROBINS, IOWA, that the Municipal Code of the City of Robins, Iowa is amended as follows:

SECTION 1. Chapter 166.06 “DEFINITIONS” is amended by deleting the same and inserting in lieu thereof the following:

**166.06 DEFINITIONS.** For use in this chapter the following terms or words are defined:

1. “Alley” means a public or private right-of-way primarily signed to serve as secondary access to the side or rear of those properties whose principal frontage is on some other street.
2. “Applicant” means the owner of land to be subdivided or its representative.
3. “Berm” means a mound or embankment of earth, usually two to six feet in height, used to shield or buffer properties from adjoining uses, highways or noise.
4. “Block” means a tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines of waterways, or corporate boundaries.
5. “Bond” means any form of security including a cash deposit, surety bond, collateral, property or instrument of credit in an amount and form satisfactory to the Council.
6. “Buffer yard” means a landscaped area along lot lines provided to separate and partially obstruct the view of two (2) adjacent land uses or properties from one another. No structures except fences shall be allowed in the buffer yard.
7. “Building” means any structure built for support, shelter, or enclosure of persons, animals, chattels, or movable property of any kind, and includes any structure.
8. “Central sewage system” means a private sewer system including collection and treatment facilities established by the developer to serve a new subdivision or re-subdivision.



9. “Central water system” means a private water system established by the developer to serve a new subdivision or re-subdivision. It includes water treatment and distribution facilities.

10. “City Engineer” means the person designated by the Council to furnish engineering assistance for the administration of these regulations.

11. “Commission” means the Planning and Zoning Commission of Robins, Iowa.

12. “Cul-de-sac” means a municipal service street with only one outlet and having an appropriate terminal for safe and convenient reversal or traffic movement.

13. “Deciduous overstory tree” means a shade producing woody plant having a mature height and spread of at least thirty (30) feet with one well-defined trunk having no branches at or near the base.

14. “Deciduous shrubs” means woody plants that range from three (3) to fifteen (15) feet tall at maturity and often are multi-stemmed with low branching.

15. “Deciduous understory tree” means a woody plant at least fifteen (15) feet tall at maturity with one or more well-defined trunks.

16. “Design Requirements” means the current edition of SUDAS and supplemental as adopted by the City

17. “Developer” means the owner of land proposed to be subdivided or such owner’s representative.

18. “Development Agreement” means a legally binding agreement between the City and the Developer concerning provisions of infrastructure, public spaces and amenities, to expressly define a development project’s rules, regulations, commitments and policies for a specific period of time.

19. “Easement” means an authorization by a property owner for the use by another, and for a specified purpose, or any designated part of said owner’s property.

20. “Evergreen/conifer shrub” means a woody plant having green needle-like foliage throughout the year and ranging from three (3) to fifteen (15) feet tall at maturity and often are multi-stemmed with low branching.

21. “Evergreen/conifer tree” means an upright cone-bearing plant having green needle-like foliage throughout the year and at least fifteen (15) feet at maturity.

22. “Frontage” means that portion of a lot abutting on a street or way and complying with the set back and front yard requirements as they may exist, but it shall not be considered as the side of a corner lot.

23. "Individual sewage disposal system" means a septic tank, seepage tile sewage disposal system, or any other approved sewage treatment device.

24. "Landscaped area" means the area within the boundaries of a given lot consisting primarily of plant material, including but not limited to grass, trees, shrubs, flowers, vines, ground cover and other organic plant materials. Inorganic materials, such as brick, stone, or aggregate, may be used within landscaped areas as identified in this section.

25. "Landscaping Plan" means a plan containing the information provided for in subsection 5 of this section. In addition to a subdivision platting process, the information of a landscaping plan may be incorporated within a Site Plan or building permit as specified in Chapter 165.

26. "Local board of health" means the Linn County Health Department.

27. "Lot" means a portion of a subdivision or other parcel of land intended for the purpose, whether immediate or future, of transfer of ownership or for building development.

28. "Minimum street landscaping" means the minimum landscaped area which must be provided in a street yard, expressed as a percent of the total area contained within that street yard.

29. "Municipal arterial streets" means those streets which connect principal traffic generating areas or connect such areas with other street systems.

30. "Municipal collector streets" means those streets that collect traffic from municipal service streets and connect to other street systems.

31. "Municipal service streets" means those streets that primarily provide access to property.

32. "Owner" means any person having legal title to or sufficient proprietary interest in the land to be sought to be subdivided under these regulations.

33. "Plat" means a map, drawing or chart on which the developer's plan of the subdivision of land is presented and which the developer submits for approval and intends, in final form, to record.

34. "Public improvement" means any drainage ditch, roadway, parkway, sidewalk, pedestrian crosswalk, tree, lawn, off-street parking area, lot improvement, or other facility for which the local government may ultimately assume the responsibility for maintenance and operation, or which may affect an improvement for which local government responsibility is established.

35. “Right-of-way” means a strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees, or for another special use. The usage of the term “right-of-way “ for land platting purposes means that every right-of-way hereafter established and shown on a final plat is to be separated and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels. Right-of-way intended for streets, crosswalks, water mains, sanitary sewers, storm drains, or any other use involving maintenance by a public agency shall be dedicated to public use by the maker of the plat on which such right-of-way is established.

36. “Roadway” means that portion of the street available for vehicular traffic, and where curbs are laid, the portion from back to back of curbs.

37. “Street” means and includes any public way, highway, street, avenue, boulevard, parkway, or other public thoroughfare, and each of such words includes every other of them, and includes the entire width between property lines.

38. “Street yard (street frontage)” means a contiguous area along the street right-of-way.

39. “Subdivider” means a person or developer undertaking the subdivision or re-subdivision of a parcel of land.

40. “Subdivision” means the division of land into two (2) or more lots or other division of land for the purpose, whether immediate or future, of transfer of ownership or building development. The term, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided, or, the re-subdivision of land heretofore divided or platted into lots or other divisions of land, or, if a new street is involved, any division of land.

41. “Surveyor” means a land surveyor licensed and registered under the provisions of Chapter 114 of the Code of Iowa.

42. “Vehicular use area (parking area)” means all areas subject to vehicular traffic, including but not limited to access-ways, driveways, loading areas, service areas and parking stalls for all types of vehicles. This definition shall not apply to covered parking structures, underground parking lots or public streets.

SECTION 2. Chapter 166.07 “PROCEDURE” is amended by deleting the same and inserting in lieu thereof the following.

**166.07 PROCEDURE.** Any sub-division of property within the City limits of Robins shall be completed in a manner hereinafter set forth to obtain a final approval by the City Council. The subdivider or developer of the property being subdivided shall have preliminary and final plats prepared and required improvements completed or, in lieu thereof, performance bonds provided in conformance with the requirements of this Chapter.

1. **Pre-Submission Consultations.** Prior to the submission of the preliminary plat of any subdivision, the subdivider is encouraged to meet with the City Engineer and other City officials responsible for the administration of these regulations to be advised of the procedural steps, design standards, required improvements and platting requirements. During such meetings, no commitments shall be made which will be binding upon the City.

2. **Development Agreements.**

a. A Development Agreement is required for any zoning district that requires a Homeowner’s Association per Chapter 165 of this Code of Ordinances and shall include the minimum requirements of the associated covenants, conditions and restrictions. Covenants, conditions and restrictions shall, at a minimum, include the following provisions:

i. Association. The Developer agrees to form an legal entity (LLC, non-profit, etc.) for the development, of which will be responsible to uphold the associated covenants, conditions and restrictions.

ii. Common Area Maintenance. Common Areas, such as private streets, landscaped open areas and recreational improvements, stormwater management facilities and other amenities within the development shall be owned and maintained by the Association. The operation and maintenance requirements and responsibilities shall be defined within the Development Agreement.

iii. Owners. The OWNERS shall be defined as the deedholders within the development.

iv. Obligation of the Owners. Association hereby declares that all of the properties described above shall be held, sold and conveyed subject to the following easements, restrictions,



covenants and conditions, which are for the purpose of protecting the value and desirability of, and which shall run with the real property and be binding on all parties having any right, title or interest in the properties or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each Owner thereof.

- v. Right of City to Compel Performance. In the event that any portion of the Common Area described above shall not be preserved and maintained in the City's opinion in a safe condition and in a state of good repair and aesthetically pleasing appearance, the City may, after giving notice to the Association, cause (i) the necessary work of maintenance or repair to be accomplished, and (ii) the costs thereof to be assessed against the Association.

Following the completion of such work or payment of such sums by the City, the City shall determine the total cost of such work or payment, including incidental costs, mailing fees and reasonable attorneys' fees and shall deliver to the Association a written statement setting forth such costs and the total thereof.

In the event the Association shall fail to pay for the completion of such work, the City may take legal action to collect the total cost of such work from the Owners within the development.

Costs incurred by the City in exercising any of its rights may be added to the cost of the work described above, and then charged to each Owner of a Lot proportionately.

- vi. Amendments. No amendment, modification or revocation to the covenants, conditions and restrictions may be had without the express written consent of the City, which consent must be recorded in the official records of Linn County, Iowa.

3. **Requirements of Preliminary Plat.** Every proposed subdivision shall be submitted for tentative approval in the form of a preliminary plat prior to the submission of a final record plat. The purpose of the preliminary plat and accompanying material is to provide all facts needed for the Commission and Council to determine whether the proposed subdivision is satisfactory from the standpoint of the public interest. The following graphic and descriptive material is required to be provided on the preliminary plat and in the accompanying material.

A. **Submission Requirements.** The preliminary plats shall contain the information as prescribed within the "Submission Requirements For Preliminary Plats" contained in the Appendix of this Code of Ordinances and included in this chapter by reference.

B. **Construction Plan and Specifications.** Specification and engineering construction drawings including profiles, cross-sections, and details of all public improvements. Elevations shall be referred to mean sea level as exhibited in standard U.S. Geological Survey Maps. Specifications and references shall meet those required by the city's construction and specification standards, including a site grading plan for the entire subdivision.

4. **Submission of Preliminary Plat.** The developer shall have a preliminary plat prepared in accordance with the provisions of subsection 2 of this section and shall submit an application for tentative approval of the preliminary plat in conformance with the following requirements:

A. **Application.** The preliminary plat application shall include, but is not limited to, the following:

- (1) The name, address, and contact information of person or organization submitting the plat.
- (2) The name, address, and contact information of the engineering firm that prepared the plat.
- (3) The present zoning classification of the property.
- (4) A statement of the general reason or any additional information pertaining to the subdivision.
- (5) Completed Preliminary Plat Checklist.
- (6) Landscaping Plan.
- (7) Subdivision sign fee paid.
- (8) Platting fee paid.

B. **Number of Plats.** Be accompanied by a minimum of fifteen (15) copies of the preliminary plat.

C. **Time of Submission.** Be presented to the Clerk at least four (4) weeks prior to the regular meeting of the Commission.

D. **Fees.** Any person who submits an application under the terms of this subsection shall be charged a fee in accordance with a schedule of fees established by resolution by the City Council. The denial of an application by the City Council shall not be construed as any reason for refunding the fee to the applicant.

(1) In the event that the above-cited fees are insufficient to reimburse the City for engineering charges incurred by the City in the examination and review of the preliminary and final plats, the subdivider shall be responsible for any additional fees incurred by the City for such engineering charges.

(2) In addition to the plat filing fees, the subdivider shall be responsible for just and reasonable costs incurred by the City during the course of construction of the improvements for inspection, testing, or other work deemed necessary by the City to assure proper construction in accordance with the approved construction drawings and applicable standards and ordinances.

(3) The Council shall annually, by resolution, determine the hourly rate, which it will pay for professional engineering services, which shall be deemed to be the maximum rate, which may be imposed upon any subdivider during such annual period.

5. **Referral of Preliminary Plat.** The Zoning Administrator shall review the application and information for completeness. Upon acceptance, the City Clerk shall, within 5 days, refer two (2) copies of the preliminary plat to the City Engineer and, if the Zoning Administrator deems appropriate, the City Clerk shall refer copies to other City or school officials for recommendations concerning matters in their jurisdictions.

6. **Review of Preliminary Plat.** The preliminary plat shall be reviewed by the Commission to determine its conformity with these regulations and all other ordinances and regulations in force affecting subdivisions. Recommendations of the City Engineer and from other City and school officials shall be transmitted to the Commission within two (2) weeks prior to the scheduled Commission public meeting. The Commission may confer with the subdivider or developer during the public meeting on changes deemed advisable and the kind and extent of such improvements to be made.

7. **Action By the Commission.** The Commission shall, as soon as possible, but not more than thirty (30) days thereafter, vote upon the preliminary plat as originally submitted or modified. If the Commission does not act within thirty (30) days, the preliminary plat shall be deemed to be denied; provided, however, the Commission may agree with the developer to an extension of the time period not to exceed an additional sixty (60) days. The Commission shall then set forth a recommendation to the City Council, whether of approval, modification or disapproval.

A. Reasons for Changes or Disapproval. In the event that substantial changes or modifications are made by the Commission or the Commission recommends disapproval of the plat, it shall give its reasons therefor and it may request and cause the revised preliminary plat to be re-submitted in the same manner as the original plat.

B. Tentative Approval. If the Commission recommends approval, it shall express its approval as "Tentative Approval" and state the conditions of such approval, if any.

C. Documenting Approval. The action of the Commission shall be documented by resolution along with any conditions determined by the Commission. The resolution shall be signed and dated by the Commission Chairperson and Zoning Administrator and the resolution shall be attached to the preliminary plat. The City Clerk shall distribute one copy of the resolution to the subdivider or developer, one copy to the City Engineer and five (5) copies shall be referred to the City Council and the original shall be filed.

8. Action By Council. Within thirty (30) days of the receipt of the preliminary plat, the Council shall, by resolution, tentatively approve or disapprove the plat. In the event the Commission recommends disapproval, the preliminary plat shall not become effective except by the favorable vote of at least three-fourths of all the members of the Council. If the preliminary plat is disapproved, objections to it shall be returned to the Commission for further review and the Clerk shall notify the subdivider of such action. If approved, the Clerk shall affix his or her signature to five (5) copies of the preliminary plat with the notation of the date the preliminary plat received the council's tentative approval. One copy shall be returned to the Commission and three (3) copies shall be returned to the subdivider. The "Tentative Approval" by the Council shall not constitute final acceptance of the addition or subdivision by the city but an authorization to proceed with preparation of the final plat.

9. Duration of Approval of Preliminary Plat. The approval of a preliminary plat by the Council shall be valid for a period of two (2) years from the date of such approval, except that every preliminary plat or portion thereof not final platted shall be subject to a requirement of being re-platted in order to comply with any municipal, state, or federal laws or regulations that have taken effect after approval of the preliminary plat. Once the preliminary plat expires, all or any portion of the property thereof change ownership, or changes zonings, the Subdivider shall be required to resubmit a new preliminary plat for approval subject to then current subdivision



and zoning regulations before any development of the subdivision will be allowed. (Ordinance No. 1701, 5/15/17)

10. **Final Plat.** The final plat shall conform substantially to the preliminary plat as approved, and if desired by the subdivider, it may constitute only that portion of the approved preliminary plat which he proposes to record and develop at the time; provided, however, such portion shall conform to all requirements of these regulations.

11. **Requirements of the Final Plat.** The following graphic and descriptive material is required to be provided on the final plat and in the accompanying material.

A. Contents of Final Plats. Every plat of a subdivision offered for record shall conform to the "Submission Requirements For Final Plats" section in the Appendix of this Code of Ordinances and included herein by reference.

B. Covenants. A complete listing of all existing covenants which apply to the land to be subdivided, and a complete listing of all covenants which are proposed by the developer to apply to the subdivided land.

12. Submission of Final Plat. The developer shall have a final plat prepared in accordance with the provisions of subsection 10 of this section and shall submit an application for approval of the final plat in conformance with the following requirements:

A. Application. The final plat application shall include, but is not limited to, the following:

- (1) The name, address, and contact information of person or organization submitting the plat.
- (2) The name, address, and contact information of the engineering firm that prepared the plat.
- (3) The present zoning classification of the property.
- (4) Copies any State or County permits obtained
- (5) Completed Final Plat Checklist.
- (6) Maintenance bond filing information.
- (7) Performance bond filing information.
- (8) Subdivision restrictive covenant information.
- (9) Any development agreements.
- (10) Street sign fee paid.

(11) Platting fee paid.

B. Number of Copies of Plat. Be accompanied by a minimum of ten (10) copies of the final plat.

C. Offers of Dedication. Be accompanied by all formal irrevocable offers of dedication to the public of all streets, City uses, utilities and easements, in a form approved by the City Attorney.

D. Time of Submission. Be presented to the Clerk at least four (4) weeks prior to the regular meeting of the Commission.

E. Fees. Any person who submits an application under the terms of this subsection shall be charged a fee in accordance with a schedule of fees established by resolution by the City Council. The denial of an application by the City Council shall not be construed as any reason for refunding the fee to the applicant.

(1) In the event that the above-cited fees are insufficient to reimburse the City for engineering charges incurred by the City in the examination and review of the preliminary and final plats, the subdivider shall be responsible for any additional fees incurred by the City for such engineering charges.

(2) In addition to the plat filing fees, the subdivider shall be responsible for just and reasonable costs incurred by the City during the course of construction of the improvements for inspection, testing or other work deemed necessary by the City to assure proper construction in accordance with the approved construction drawings and applicable standards and ordinances.

(3) The City shall determine, annually, by resolution, the hourly rate which it shall pay for professional engineering services, which shall be deemed to be the maximum rate, which may be imposed upon any subdivider during such annual period.

13. Referral of Final Plat. The Zoning Administrator shall review the application and information for completeness. Upon acceptance, the City Clerk shall, within 5 days, refer two (2) copies of the final plat to the City Engineer and, if the Zoning Administrator deems appropriate, the City Clerk shall refer copies to other City or school officials for recommendations concerning matters in their jurisdictions.

14. Action by Commission. The Commission shall, as soon as possible, but not more than thirty (30) days thereafter, vote upon the final plat

submitted. If the Commission does not act within thirty (30) days, the final plat shall be deemed to be denied; provided, however, the Commission may agree with the developer to an extension of the time period not to exceed an additional sixty (60) days. The action of the Commission shall be documented by resolution along any conditions determined by the Commission. The resolution shall be signed and dated by the Commission Chairperson and Zoning Administrator and the resolution shall be attached to the preliminary plat. The City Clerk shall distribute one copy of the resolution to the subdivider or developer, one copy to the City Engineer and five (5) copies shall be referred to the City Council and the original shall be filed.

15. Action by the Council. Within thirty (30) days of the receipt of the final plat from the Commission, the Council shall, by resolution, approve or disapprove the plat. In the event the Commission recommends disapproval, the final plat shall not become effective except by the favorable vote of at least three-fourths of all the members of the Council.

A. Disapproval of Plat. In the event that said plat is disapproved by the Council, such disapproval shall be express in writing and shall point out wherein said proposed plat is objectionable.

B. Acceptance of Plat. In the event that said plat is found to be acceptable and in accordance with these regulations, the Council shall accept same.

C. Final Approval and Recording of Plat. The passage of a resolution by the Council accepting the plat shall constitute final approval of the platting of the area shown on the final plat, but the subdivider or owner shall cause such plat to be recorded in the office of the County Recorder of the county where the land to be subdivided is located, and shall file satisfactory evidence of such recording in the office of the Clerk before the City shall recognize the plat as being in full force and effect.

**SECTION 3.** Repealer. All Ordinances or parts thereof in conflict with the provisions of the Ordinance are repealed.

**SECTION 4.** Severability. If any section, provision, or part of the 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 thereof not adjudged invalid or unconstitutional.

**SECTION 5.** Effective Date. This Ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

---

Chuck Hinz, Mayor

ATTEST:

---

Lori Pickart, City Clerk/Treasurer



## ORDINANCE NO. 2203

### AN ORDINANCE AMENDING CHAPTER 157, STORM WATER MANAGEMENT OF THE ROBINS MUNICIPAL CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROBINS, IOWA, that the Municipal Code of the City of Robins, Iowa is amended as follows:

**SECTION 1.** Chapter 157, "STORM WATER MANAGEMENT" is amended by deleting the same and inserting in lieu thereof the following:

#### CHAPTER 157

#### STORM WATER MANAGEMENT

157.01 Purpose	157.08 Waiver and Appeal
157.02 Definitions	157.09 Erosion Control
157.03 Related Ordinances	157.10 Maintenance and Repair of Stormwater Facilities and BMPs
157.04 Exemptions	157.11 Financing
157.05 Application	157.12 Savings Clause
157.06 Plan Submittal	157.13 Penalties
157.07 Plan Requirements	

**157.01 PURPOSE.** The purpose of this chapter is to provide comprehensive management and control of storm water runoff in an environmentally sound, safe and economical manner such that only minor inconvenience is experienced by the people and property within the City and its two-mile extraterritorial jurisdiction.

**157.02 DEFINITIONS.** Unless specifically defined below, words or phrases used in this chapter shall be defined in accordance with the definitions in Chapter 160 (Flood Plain Regulations) and of Chapter 166 (Subdivision Regulations). Words or phrases not defined below or in said chapters shall be interpreted so as to give them the meaning they have in common usage and to give this chapter it's most reasonable application.

1. "BMP" means Best Management Practice
2. "Capacity" (of a storm water facility) means the maximum volume or rate of conveyance available in a storm water management facility, including freeboard, to store or convey storm water without damage to public or private property.
3. "Channel" means a natural or manmade open watercourse with definite bed and banks which periodically or continuously contains moving water; or which forms a link between two bodies of water.
4. "City Engineer" means the City Engineer of the City or his/her designated representative.
5. "Civil Engineer" means a professional engineer licensed in the State of Iowa to practice in the field of civil works.

6. "Comprehensive Plan" means the plan or series of plans prepared by the City or by the Linn County Regional Planning Commission to guide the development and redevelopment of the City and the surrounding area. Such a comprehensive plan may include a Major Street Plan, Land Use Policy Plan, Open Space Plan, and other applicable plans available through the Department of Planning and Zoning Commission.
7. "Compensatory storage" means an artificially excavated volume of storage within a floodplain used to balance the loss of natural flood storage capacity when artificial fill or structures are placed within the floodplain.
8. "Conduit" means any channel, pipe, sewer, or culvert used for the conveyance or movement of water, whether open or closed.
9. "Control structure" means part of a storm water management facility designed to regulate the storm water runoff release rate.
10. "Design Standards Manual" means the current edition of SUDAS and supplemental as adopted by the City.
11. "Detention basin" means a storm water management facility designed, constructed or modified to restrict the flow of storm water to a prescribed maximum rate, and to concurrently detain the excess waters that accumulate behind the outlet.
12. "Detention storage" means the temporary detaining or storage of storm water in storage basin, on rooftops, in streets, parking lots, school yards, parks, open space, or other areas under predetermined and controlled conditions, with the rate of drainage there from regulated by appropriately installed devices.
13. "Development" means the change or improvement of any parcel of land for residential, commercial, industrial, institutional, recreational, or public utility purpose, said change or improvement to include but not be limited to erection of a new structure; expansion of an existing structure; construction of a new parking area; expansion of an existing parking area; or construction of a new access drive.
14. "Discharge" means the rate of outflow of water from any source.
15. "Drainage area" means an area of land contributing to storm water runoff.
16. "Drainage system" means the surface and sub-surface system for the removal of water from land, including both natural elements (streams, ponds, etc.) and manmade elements (ditches, channels, storm sewers, etc.).
17. "Dry bottom detention basin" means a basin designed to be completely drained after having provided its planned detention of runoff during a storm event.
18. "Five-year storm" means a rainfall of given intensity and duration having a twenty percent (20%) chance of occurring in any one year. This does not imply that it will occur only once in five (5) years, or having occurred, will not happen again for five (5) years.
19. "Hundred-year storm" means a rainfall of given intensity and duration having a one percent (1%) chance of occurring in any one year. This does not imply that it will occur only once in 100 years, or having occurred, will not happen again for 100 years.
20. "Hydrograph" means a graph showing, for a given point on a stream or conduit, the storm water runoff flow rate with respect to time.
21. "Overflow system" means the path taken by storm water runoff as a result of flows which exceed the capacity of the underground drainage system. This path may include streets,

channels, drainage ways, or areas of sheet flows, and be located on public property or private property with an easement.

22. "Peak flow" means the maximum rate of flow of storm water at a given point in a channel or conduit resulting from a predetermined storm or flood.
23. "Pre-development runoff" means the volume and rate of flow of storm water discharged from a drainage area prior to a proposed development or other manmade action involving construction, excavation or fill that alters land or vegetation.
24. "Post-development runoff" means the volume and rate of flow of storm water discharged from a drainage area after a proposed development or other manmade action involving construction, excavation, or fill that alters land or vegetation is completed.
25. "Regional detention basin" means a retention basin shared by more than one development in order to improve the efficiency and effectiveness of storm water detention facilities throughout the City.
26. "Retention basin" means a structure or feature designed to retain storm water over a period of time, with its release being positively controlled over a longer period of time than in a detention basin
27. "Site" means a lot, parcel, or tract of land, or portion thereof, where development is occurring, or has occurred, and may, or may not, require additional permits.
28. "Storm sewer drainage system" means all natural or manmade facilities used in the conveyance of storm water runoff resulting from frequent storms within a drainage area to the final outlet. These facilities include, but are not limited to any of the following: open and closed conduits and appurtenant features, canals, channels, ditches, streams, swales, culverts, street gutters, and pumping stations.
29. "Storm water management plan" means computations, specifications and a site plan, certified by a Civil Engineer registered in the State of Iowa. The storm water management plan includes materials, construction phasing, grading activities, and methods used for mitigation of increased storm water runoff from the site under the requirements set forth in the Design Standards Manual.
30. "Storm water runoff" means the waters derived from precipitation within a tributary drainage area that is not absorbed into the ground, but flows over the surface of the ground or collects in channels or conduits.
31. "Storm water runoff release rate" means the amount of storm water runoff discharged from dominant to subservient land.
32. "Storm water storage area" means an area designated to store excess storm water.
33. "Watercourse" means any natural or artificial stream, river, creek, channel, ditch, canal, conduit, culvert, drain, waterway, gully, ravine, street, roadway, swale, or wash in which water flows in a definite direction, either continuously or intermittently, and which has a definite channel, bed, or banks.
34. "Wetland" means any area where the soil is normally saturated with water and all lands identified as wetland on the National Wetlands Inventory published by the U.S. Fish and Wildlife Service.
35. "Wet bottom detention basin" means a basin designed to retain a permanent pool of storm water after having provided its planned detention of runoff during a storm event.

**157.03 RELATED ORDINANCES.**

1. Supplemented Ordinances. The provisions of this chapter further supplement:
  - A. Chapter 155 - Building Code.
  - B. Chapter 160 – Flood Plain Regulations.
  - C. Chapter 165 - Zoning Ordinance.
  - D. Chapter 166 - Subdivision Ordinance.
2. Greater Restrictions. Where conditions imposed by any provision of this chapter are either more restrictive or less restrictive than comparable conditions imposed by any other provision of this chapter or any other law, ordinance, resolution, rule or regulation of any kind, the regulations which are more restrictive or which impose higher standards shall govern.

**157.04 EXEMPTIONS.** The following are exempt from the requirements of this chapter:

1. Agricultural use of land.
2. Emergencies posing an immediate danger to life or property, or substantial flood or fire hazards.
3. Areas within the public right-of-way
4. Areas deemed appropriate by the City Engineer.
5. Single family or two-family residential building permits.

**157.05 APPLICATION.** This chapter applies to any new single or two-family residential development having a gross aggregate area, including roads, utility rights-of-way, and any other dedicated lands of five or more acres; multiple-family residential developments of two or more acres; and commercial/ industrial developments of any size, subject to the following conditions:

1. Detention Storage Required. The City retains the right to require detention storage in all cases in which the proposed development will generate sufficient excess runoff from the design storm to adversely affect the carrying capacity of the receiving drainage system, detention basin, or watercourse.
2. Minimum Runoff Impact. New developments causing less than a ten (10) percent increase in runoff or generating less than 1 cubic foot per second (CFS)/acre runoff for the design storm shall not be required to provide detention storage, unless condition in subsection 1 is applicable.
3. Detention Basin Ownership. It is not the intent or the desire of the City to acquire ownership of land set aside for a storm water detention basin. At the discretion of the City, where a detention basin provides storm water attenuation for a substantial drainage area or in combination with surrounding area provides a recreational benefit to the community, the facilities may be deeded to the City and thereafter be publicly owned and maintained.

**157.06 PLAN SUBMITTAL.** A storm water management plan containing information regarding storm water drainage facilities set forth in this chapter must be submitted and approved by the City Engineer before:

1. Approvals of final plats.
2. Approval of Construction Drawings for public improvements.

3. Issuance of a building permits for new construction or relocation of a principal or accessory use or enlargement or extension of an existing use.
4. Approvals of any improvement that may reroute, deepen, narrow, enlarge, fill or in any way alter an existing storm water drainage system.
5. Issuance of a building permits for surfacing a parking lot containing four or more parking spaces.

It is the intent of this section is that the review of the storm water drainage be carried out simultaneously with the review of the request for a building permit or approval of construction drawings for public improvements. The site plan required under this chapter may be submitted in a form which will satisfy the site plan or platting requirements set forth in the Building Code and/or Zoning Ordinance.

#### **157.07 PLAN REQUIREMENTS.**

1. For purposes of obtaining approval of a Storm Water Management Plan, a plan for the site meeting the requirements established in the Design Standards Manual shall be submitted to the City Engineer for review and approval. All design criteria and plan details shall be in conformance with the Design Standards Manual.
2. Construction of storm water management facilities shall be in conformance with the approved Storm Water Management Plan for the site. As-built drawings of permanent detention facilities prepared by a professional engineer and showing substantial conformance to the approved Storm Water Management Plan, shall be submitted to the City with any request for approval of final plat or certificate of occupancy. Before starting on construction regulated by this chapter, the applicant shall comply with the requirements set forth in other applicable ordinances with respect to submission and approval of subdivision plats, plans of improvements, building permits, inspections, appeals and similar matters, as well as requirements of State statutes and the regulations of any Department of the State of Iowa.
3. The Storm Water Management Plan, including on-site storm water detention facilities, shall be reviewed and approved by the City Engineer prior to issuance of foundation permits, or building permits for the site. The improvements identified within the plan shall be constructed prior to the issuance of final certificates of occupancy. The requirements of this subsection may be deferred at the discretion of the City Engineer.
4. Storm water control measures shall be installed as soon as possible during the course of site development. A schedule of construction shall be submitted by the owner(s)/developer(s) prior to initiation of construction to the City.
5. All storm water drainage facilities which are not dedicated to the City shall have storm water detention and ingress/egress easements established. Such easements shall grant the City the authority to inspect the facilities and, if needed, to bring the property into conformance to design requirements. The cost of bringing the facilities into conformance may be billed to the party responsible for maintaining the storm water facilities.
6. For privately owned and maintained storm water detention and/or conveyance facilities, the property owner shall be responsible for the following:
  - A. All future grading, repairs, and maintenance. Maintenance of the minimum storm water detention volume, as approved by the City Engineer.
  - B. Maintenance of the detention basin control structure(s) and discharge pipe(s) to insure the maximum theoretical storm water release rate, as approved by the City Engineer, is not increased.



- C. Mowing and weed control requirements.
  - D. If the storm water drainage facilities serve more than one lot, a developer's agreement addressing the responsibility for maintenance of storm water detention areas and/or conveyance facilities shall be provided to the City for approval. For residential subdivisions, the preferred method for assigning this responsibility is through the creation of a homeowner's association with mandatory membership for all property owners. The developer's agreement shall be recorded after approval of the City Council.
7. No fill material, construction or alteration of buildings, obstructions, or other improvements on any area reserved for storm water detention purposes, shall be permitted unless approved by the City Council.
  8. Any designs for any rooftop detention storage, parking lot storage, and detention storage in underground tanks, surface swales, oversized storm sewers, or other facilities shall be submitted to the City Engineer for approval.
  9. Designs of detention facilities shall incorporate safety features; particularly at inlets, outlets, on steep slopes, and at any attractive wet bottom detention basins. These features shall include, but not limited to, fencing, hand rails, lighting, steps, grills, signs, and other protective or warning devices.
  10. Upon determination that the storm water drainage facility improvements are not in compliance with these regulations, the City Engineer may issue an order to comply. The order shall describe the problem and specify a date whereby the work must be completed, and indicate the penalties to be assessed for further noncompliance.
  11. Compliance with this chapter is achieved when the storm water drainage facilities have been implemented and certified by a professional engineer to be in substantial conformance with the approved Storm Water Management Plan, and as-built drawings of the storm water facilities have been approved by the City Engineer.

#### **157.08 WAIVER AND APPEAL.**

1. Higher Release Rate. The City Engineer may permit a higher storm water runoff release rate from a development than set forth in the Master Drainage Plan and/or Design Manual, provided the City Engineer determines that the proposed storm water runoff release rate:
  - A. Will not adversely affect properties in the downstream portion of the drainage system.
  - B. Will not adversely affect the drainage system or any watercourse.
  - C. Will not adversely affect the environment.
  - D. Will not be contrary to the purpose and general objectives of this chapter and will not adversely affect the public health, safety, and welfare.

The party requesting the higher release rate will be responsible to provide the City Engineer with all necessary information to demonstrate that the above is true.
2. Waiver to Requirements. An applicant may request a waiver from the requirements of this chapter and/or the Design Manual by submitting a written application to the City Engineer. This application shall identify the name of the developer and/or owner of the property, a description and drawing of the proposed development, the location of the

proposed development and any other information requested by the City Engineer that is reasonably necessary to evaluate the proposed development. The City Engineer shall review the request and make a recommendation to the Planning and Zoning Commission. The Planning and Zoning Commission may grant a waiver if it is determined that as a result of the waiver of the development:

- A. It is not likely to adversely affect other properties.
- B. It is not likely to adversely affect the drainage system or any watercourse.
- C. It is not likely to adversely affect the environment.
- D. It is not likely to be contrary to the purpose and general objectives of this chapter and the public health, safety and welfare.
- E. There are practical difficulties or unnecessary hardships in carrying out the strict letter of this chapter.
- F. The effect of the application of this chapter would be arbitrary and unreasonable in this specific case.

This application with approval/denial and all stipulations will be retained at City Hall with other documents pertaining to the development as appropriate.

1. Appeals. Any person affected by a decision of the City Engineer given in connection with the administration or enforcement of this chapter may request and shall be granted a public meeting on the matter before the City Council. All requests for such public meeting shall be made in writing and shall contain the information set forth in subsection 2 of this section, plus such other information as may be required by the City Council. In addition, the City Council may request other information that is reasonably necessary to evaluate the request for appeal.
  - A. The City Council shall use the standards set forth in paragraphs A through F of subsection 2 of this section as criteria for evaluating appeals.
  - B. The applicant shall be notified in writing of the time and place of the meeting at least four (4) days prior to the meeting. At the meeting, the applicant and the City Engineer shall be given an opportunity to be heard and to show cause why any decision should be sustained, modified, withdrawn, or variance granted.
  - C. The City Council by a majority vote may sustain, modify, withdraw, or grant a waiver or variance on any decision of the City Engineer that is appealed.
  - D. The rules of procedure of the City Council shall govern the conduct of the meeting.

**157.09 EROSION CONTROL.** Storm water drainage facilities may not outlet onto undeveloped property unless adequate erosion control measures are taken to assure compliance with City and State erosion control regulations. Erosion resulting from such outlet may not exceed soil erosion limits established by law.

**157.10 MAINTENANCE AND REPAIR OF STORMWATER FACILITIES AND BMPS.**

1. Maintenance Easement Agreement. Prior to the issuance of any permit that has a stormwater management facility or BMP as one of the requirements of the permit, the applicant or owner of the site must execute a maintenance easement agreement that shall be binding on all subsequent owners of land served by the stormwater management facility. The agreement shall provide for access to the facility or BMP at reasonable

times for periodic inspection by the City, or its contractor or agent, to ensure that the facility or BMP is maintained in proper working condition to meet design standards and any other provisions established by this chapter. The easement agreement shall be recorded by the City in the land records.

2. Formal Maintenance Covenant. Maintenance of all stormwater management facilities or BMP shall be ensured through the creation of a formal maintenance covenant that must be approved by the City and recorded into the land record at the time of final plat or site plan approval. As part of the covenant, a schedule shall be developed for when and how often maintenance will occur to ensure proper function of the stormwater management facility or BMP.
3. The covenant shall identify the parts or components of the stormwater management facility or BMP and include information related to the equipment and skills needed to maintain the stormwater management facilities or BMPs. The covenant shall also include plans for periodic inspections by the applicant, owner, or assigns to ensure proper performance of the facility or BMP.
4. The City, in lieu of a maintenance covenant, may at its discretion, but not obligated, accept dedication of any existing or future stormwater BMP to include City responsibility for maintenance and repair, provided that: the maintenance and repair of such element will not impose an undue burden on other City taxpayers, the BMP meets all the requirements of this chapter; and the dedication includes adequate and perpetual access and sufficient area, by easement or otherwise, for inspection and regular maintenance. By mutual agreement of the City and the party responsible for maintenance for a stormwater management facility or BMP (developer, builder, HOA), the City may receive an annual payment to cover the costs of maintenance and assume maintenance responsibilities. Said payment will be calculated to cover the expected costs of maintenance.
5. Requirements for Maintenance Covenants. All stormwater management facilities and BMPs must undergo, at the minimum, an annual inspection by the responsible party to document maintenance and repair needs and ensure compliance with the requirements of this chapter. Any required maintenance identified by inspection must be corrected by the responsible party under a written maintenance agreement within 30 days. The inspection and maintenance requirement may be increased as deemed necessary to ensure proper functioning of the stormwater management facilities and BMPs. In the event the identified maintenance or repair cannot be completed within 30 days of notice, the responsible party must contact the City with 30 days' notice to explain why repair or maintenance cannot be completed within 30 days and provide a plan for completing repair or maintenance.
6. Inspection of Stormwater Management Facilities and BMPs. Inspection programs may be established on any reasonable basis, including but not limited to, routine inspections, random inspections, inspections based upon complaints or other notice of possible violations, inspection of drainage basins or areas identified as higher than typical sources of sediment or other contaminants or pollutants, inspections of businesses or industries of a type associated with higher than usual discharges of contaminants or pollutants or with discharges of a type which are more likely than the typical discharge to cause violations of State or federal water or sediment quality standards or the NPDES stormwater permit, and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include but are not limited to reviewing maintenance and repair records, sampling discharges, surface water, groundwater, and material or water in

stormwater BMPs, and evaluating the condition of stormwater management facilities and BMPs.

7. **As-Built Drawings.** At the time of final plat an as-built drawing shall be provided to the City for all stormwater management facilities and BMPs. At such time as a developer transfers control of stormwater management facilities and BMPs to an HOA, the City or other responsible party, the developer shall provide notice to the City and the City shall have the right to confirm stormwater management facilities and BMPs match the as-built drawing provided at final plat prior to transfer. An agreement to complete, with a maintenance bond or letter of credit, shall be provided to the City for any required work to the stormwater management facilities or BMP's necessary to meet the as-designed standards of those stormwater management facilities or BMP's prior to transfer of ownership or responsibility. After completion of any required work, the maintenance bond or letter of credit shall be released.
8. **Right of Entry; Inspection.** The City shall be permitted to enter and inspect any property subject to regulation under this section as often as is necessary to document maintenance and repair needs and determine compliance with the requirements of this chapter. If a responsible party owning, controlling, or possessing a property has security measures that require identification and clearance before entry to its property, such responsible party shall make the necessary arrangements to allow access by the City. By way of specification, but not limitation:
  - A. A responsible party shall allow the City ready access to all parts of the property for purposes of inspection, examination, and copying of records related to compliance with this chapter.
  - B. Any temporary or permanent obstruction that obstructs the safe and easy access to property to be inspected shall be promptly removed by the responsible party at the written or oral order of the City and shall not be replaced. The costs of clearing such access shall be borne by the responsible party.
  - C. An unreasonable delay in allowing the City access to a property is a violation of this chapter.
9. **Records of Installation, Maintenance, and Repairs.** Parties responsible for the operation and maintenance of a stormwater management facility or BMP shall make records of the installation and of all maintenance and repairs, and shall retain said records. Copies of the as-built plans and records of all self-inspections, maintenance, and repairs shall be kept on site and shall be made available to the City during inspection of the facility or BMP and at other reasonable times upon request.
10. **Failure to Maintain Stormwater Management Facilities and BMPs.** If a responsible party fails or refuses to meet the requirements of the maintenance covenant or any provision of this chapter, the City, after reasonable notice, may correct a violation by performing all necessary work to place the stormwater management facility or BMP in proper working condition. In the event that the stormwater management facility or BMP becomes a danger to public safety or public health, the City shall notify the party responsible for maintenance of the stormwater management facility or BMP in writing. Upon receipt of that notice, the responsible person shall have 30 days to effect maintenance and repair of the stormwater management facility or BMP in an approved manner. After proper notice, the City may assess, jointly and severally, the owners of the stormwater management facility or BMP or the property owners or the parties responsible for maintenance under any applicable written agreement for the cost of repair work and any penalties. The cost

of the work shall be a lien on the property, or prorated against the beneficial users of the property, and may be placed on the tax bill and collected as ordinary taxes.

#### **157.11 FINANCING.**

1. Intent. It is the intent of this section to achieve the objectives of this chapter by:
  - A. Assuring compliance with the Master Drainage Plan and Design Manual in terms of storm water runoff flow rates, thereby protecting downstream properties.
  - B. Promoting equity in terms of the financial responsibility of owners developing either upstream or downstream properties.
2. Owner's Responsibilities. The owner and/or developer shall be responsible for:
  - A. Installation of all storm water drainage facilities.
  - B. Purchase of all storm sewer pipes and their construction materials.
  - C. Design of all storm water drainage facilities in accordance with the Master Drainage Plan and Design Manual.
  - D. Construction of all storm water storage areas, channels, swales, culverts, ditches, streets, and pumping stations and similar facilities.
  - E. Payment of drainage fee at time of final plat.
  - F. Certification that all drainage facilities are constructed in accordance with the approved Storm Water Management Plan.
3. City's Responsibilities. The City shall be responsible for:
  - A. Purchase of land designated for approved City-owned storm water storage areas. The land purchase price shall be established by independent appraisal of the fair market value of the subject parcel. The appraisal shall be obtained by the City and the cost of this appraisal shall be borne by the City.
  - B. In the event of a dispute between the owner and the City as to the value of the property, a second independent appraisal shall be obtained. Both the owner and the City shall have the opportunity to present evidence of this appraisal. The decision of this appraiser shall be considered the final administrative act within the City. The cost of this appraisal shall be borne equally by the owner and the City.
    - i. To qualify for City acquisition, storm water storage areas shall:
    - ii. Be part of an approved subdivision plat inside the corporate limits of the City.
    - iii. Serve more than one lot.
    - iv. Not be hard-surfaced.
    - v. Meet the design standards of the City.
    - vi. Be inspected by the City.
4. Drainage Fee. The owner of all new subdivision final plats and all new planned development final development plans may be required to pay a storm water management fee prior to Council consideration of such final plat or final development plan. Such fee shall be established by resolution of the Council.



- A. Such money shall be placed in a special fund to be used for the purpose of financing the City's responsibilities set forth in subsection 3 of this section. Such funds shall be segregated by the drainage basin in which subdivision or development is located.
  - B. Single-family residential subdivisions containing two lots or less are exempt from drainage fee provided the lots created by such subdivision are one acre or more in size.
5. Shared Responsibilities. The owner and the City shall share financial responsibility in the following instances:
- A. Bridges and Culverts. The City shall be responsible for purchasing the materials for bridges and culverts needed as part of major streets as designated in the Comprehensive Plan when the design flow of the traversed waterway exceeds 50 cubic feet per second. The owner shall be responsible for construction and installation of bridges and culverts. The owner shall be completely responsible for bridges and culverts on streets not designed in the Comprehensive Plan except where the City enters into an agreement with the owner to construct such facilities. In such instances the costs shall be shared by the City and owner as mutually agreed by the two parties.
  - B. Over-Sized Storm Sewers. The owner shall be responsible for all cost to construct storm sewer adequate to convey storm water runoff from the proposed site and all existing off site tributary runoff. The City may request that proposed storm sewers be over-sized to provide additional conveyance for future development of upstream offsite tributary areas. In such cases the City shall be responsible for the material costs to increase the pipe size.
  - C. Channels. The use of open channels with or without improvements is available to developers.

**157.12 SAVINGS CLAUSE.**

- 1. This chapter does not imply that site development will be free from storm water damage, nor shall it create liability on the part of the City for damages caused by unanticipated storms or storm sequences.
- 2. It is not intended that this chapter repeal, abrogate, or impair any statutory provision, administrative regulation, common law right, existing easement, express or implied, covenant or deed restriction controlling storm water. When this chapter imposes greater restrictions, however, the provisions of this chapter shall prevail.

**157.13 PENALTIES.** In the interpretation and application of this chapter, the provisions expressed herein shall be held to be the minimum requirements and shall be liberally constructed in favor of the City consistent with the purposes and guiding principles of this chapter. Any person who engages in development of a site within the area of jurisdiction of this chapter before meeting the requirements of this chapter shall be subject to one or more of the following:

- 1. A municipal infraction of this Code of Ordinances.
- 2. No foundation permits or building permits shall be issued for the property in question until the violations are corrected.
- 3. No permanent certificates of occupancy shall be issued for property in question until the violations are corrected. Any existing certificate of occupancy may be rescinded.

**SECTION 2.** Repealer. All Ordinances or parts thereof in conflict with the provisions of the Ordinance are repealed.

**SECTION 3.** Severability. If any section, provision, or part of the 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 thereof not adjudged invalid or unconstitutional.

**SECTION 4.** Effective Date. This Ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

PASSED AND APPROVED THIS \_\_\_\_\_ day of \_\_\_\_\_ 2022.

---

Chuck Hinz, Mayor

ATTEST:

---

Lori Pickart, City Clerk/Treasurer

## ORDINANCE NO. 2204

### AN ORDINANCE AMENDING CHAPTER 140 OF THE ROBINS MUNICIPAL CODE RELATING TO DRIVEWAYS

**SECTION 1.** Chapter 140 "DRIVEWAYS" is amended by deleting the same and inserting in lieu thereof the following:

#### CHAPTER 140

#### DRIVEWAYS

<b>140.01 Purpose</b>	<b>140.10 Driveway Location</b>
<b>140.02 Definitions</b>	<b>140.11 Driveway Maintenance</b>
<b>140.03 Driveway Construction</b>	<b>140.12 Failure To Maintain</b>
<b>140.04 Driveway Surfaces</b>	<b>140.13 Permit Required</b>
<b>140.05 Driveway Access</b>	<b>140.14 Fee For Permit</b>
<b>140.06 Driveway Grades</b>	<b>140.15 Permit Prerequisite</b>
<b>140.07 Temporary Driveways</b>	<b>140.16 Indemnification</b>
<b>140.08 Driveway Culvert and Open Ditch Driveways</b>	<b>140.17 Inspections</b>
<b>140.09 Driveway Width</b>	<b>140.18 Snow Removal</b>

**140.01 PURPOSE.** The purpose of this ordinance is to enhance driveways and improvements thereof, to place the maintenance, repair, replacement or reconstruction of driveways upon the abutting property owner and to minimize the liability of the City.

**140.02 DEFINITIONS.** For use in this chapter, the following terms are defined:

1. "Defective driveway" means any driveway exhibiting one or more of the following characteristics:

- A. Vertical separations equal to three-fourths (3/4) inch or more.
- B. Horizontal separations equal to one-half (1/2) inch or more.
- C. Holes or depressions equal to three-fourths (3/4) inch or more at least four (4) inches in diameter.
- D. Spalling over fifty percent (50%) of a driveway with one or more depressions equal to one-half (1/2) inch or more.
- E. Spalling over less than fifty percent (50%) of a driveway with one or more depressions equal to three-fourths (3/4) inch or more.
- F. A driveway with any part thereof missing full depth.
- G. A change in grade equal to and greater than three-fourths (3/4) inch.

3. **“Design Requirements” means the current edition of SUDAS as adopted by the City of Robins by resolution.**

4. **“Driveway” means all permanent residential or commercial accesses from private property to the streets within the incorporated limits of the City.**

4. **“Driveway improvement” means the construction, reconstruction, repair, replacement or removal, of a driveway and or excavating, filling, or depositing of material in the public right-of-way in connection therewith. A driveway improvement does not imply the normal maintenance of an existing driveway such as re-rocking, however, a driveway improvement does imply the upgrading from an existing rock or seal-coated driveway to a Portland cement or asphalt surfaced driveway.**

**140.03 DRIVEWAY CONSTRUCTION.** The driveway construction and improvements shall be at no cost to the City. Driveways and driveway improvements shall conform to the design and construction standards as established by the City **and the latest version of Design Requirements adopted by the Cedar Rapids Metropolitan Area Engineering Design Standards Manual adopted resolution of the City of Robins.** Any repair of damage caused to existing streets resulting from a driveway improvement shall be the responsibility of the property owner.

**140.04 DRIVEWAY SURFACES.** Where the driveway is accessing a street surfaced with Portland cement or asphaltic concrete, the driveway improvement shall be surfaced with Portland cement or asphaltic concrete in accordance with City standards. Where the driveway is accessing a street not surfaced with Portland cement or asphaltic concrete, the driveway improvement shall be surfaced with a minimum of six (6) inches of compacted Class A road stone.

1. **Portland Cement Surfaces.** Where driveways are to be paved with Portland cement, the driveway slab shall be constructed of Portland cement conforming to the Iowa State Highway Commission C-3 or M-3 mix with a non-reinforced thickness of 6 inches or a reinforced thickness of 4 inches. Reinforcing shall mean the use of 6 inch by 6 inch 6 GA. welded wire, or better, installed into the concrete slab. Fiberglass additive is not considered as reinforcing. Before driveway slab is paved, the sub-grade shall be compacted, free of debris and vegetation. All paved driveways shall have one inch preformed expansion at front and back of sidewalks and at the curb.

2. **Asphalt Surfaces.** Where driveways are to be asphalted, the driveway shall be surfaced with 6 inches of compacted Class A road stone and then topped with a minimum of 3 inches of Type B asphaltic concrete.

3. **Alternative Driveway Surfaces.** Alternative driveway surface requirements may be required upon the recommendation of the City Engineer. Property owners or agents of the property owner requesting the use of alternative driveway surface requirements must submit the proposal to the City for review by the City Engineer prior to the alternative driveway surface usage. The Engineer shall review the request and based upon the Engineer’s recommendation the alternative driveway surface shall be denied or approved for usage.

**140.05 DRIVEWAY ACCESS.** All driveway accesses shall be at right angles to the street whenever practical and driveway access onto major streets shall be avoided whenever possible. A single driveway access shall not service more than two (2) parcels of land or lots.

**140.06 DRIVEWAY GRADES.** All permanent driveways shall, unless a special grade is established by ordinance, conform to the established grade of that part of the street upon which the driveway is located and shall be elevated above such established grade approximately one-fourth (1/4) inch for every one foot of the distance from the curb or street, unless such elevation is, under existing conditions, impractical.

**140.07 TEMPORARY DRIVEWAYS.** Temporary driveways shall be allowed only upon approval of the Public Works Superintendent and the installation and removal of temporary driveways shall be at no cost to the City. The temporary driveway shall be constructed and surfaced in order to provide sufficient and adequate support for the intended purpose of the temporary driveway. Hard surface/culvert requirements and their respective inspections specified herein may be waived upon the approval of the Superintendent of Public Works. The grade of the temporary driveway shall conform to the surrounding ground. No temporary driveway shall exist longer than a period of six (6) months unless permission has been obtained from the Superintendent of Public Works.

**140.08 DRIVEWAY CULVERT AND OPEN DITCH DRIVEWAYS.** Where driveway culverts are deemed necessary in open ditch street right-of-ways, the driveway culvert shall conform to the following minimum requirements:

1. All culverts shall be reinforced concrete pipe or corrugated galvanized steel.
2. The minimum size of the driveway culvert shall be 18-inch inside diameter, with the following exceptions:
  - A. If there is a larger diameter culvert upstream of the driveway culvert, the driveway culvert shall be at least as large as the upstream culvert.
  - B. The Superintendent of Public Works may require that a larger diameter driveway culvert be installed based on recommendations of the City Engineer.
  - C. If the driveway access is on a road that is not in the jurisdiction of the City of Robins, the size of the driveway culvert shall be as directed by the appropriate jurisdiction.
  - D. If the property owner demonstrates, by the way of certified calculations of a professional engineer, that a smaller diameter driveway culvert is capable of conveying storm water runoff from a 50-year storm event, the Superintendent of Public Works may allow a smaller diameter driveway culvert. The driveway culvert should not cause the storm water flowing in the ditch to overtop the ditch or rise a level within six (6) inches of the edge of pavement elevation.
3. Where the roadway speed limits are above 45 miles per hour, the minimum length of the driveway culvert shall be sufficient to allow grading along the sides of the driveway. The minimum culvert length shall be extended to provide a maximum slope of 25% (4 horizontal to 1 vertical) from the driveway surface to the flow line of the ditch on either side of the driveway. (Ordinance No. 0903), 6/1/09)
4. Driveway culverts shall be constructed to the slope of the existing ditch, unless the Superintendent of Public Works allows a different slope.



5. The Superintendent of Public Works must inspect the culvert placement. This inspection shall be performed before surfacing of the driveway, will be documented on the inspection record and will be required before an occupancy permit is granted.
6. All open ditch driveways, which access rural cross-section public right-of-ways within the City, will contain either a drainage swale or an approved culvert. The Superintendent of Public Works must approve the use of a drainage swale. Driveway culverts shall be in accordance with specifications numbered 1-5 of this section.
7. Modifying the grade of the open ditch from that of the final inspection of the improvements, including installation of small diameter tubing or the addition of fill material, will not be allowed without the prior written approval of the Superintendent of Public Works. Removal of these materials may be performed by the City within the right-of-way without the approval or notification of the adjacent property owner. Specifications for the construction of concrete bottom Q-Nets, as per City resolution, must be followed. The contractual agreement must be signed before any construction on these structures may commence.
8. Sump pumps or downspouts must not discharge into the right-of-way open ditches closer than ten (10) feet to the side property line. The practice of pumping water into ditches may cause downstream ditches to become saturated for extended periods of time.
9. Grass bottom open ditches, which have slopes of about 1%, may retain water or become saturated during periods of rainfall. Because of the lack of slope, saturation and puddling will not be considered unusual or unacceptable within these ditches.
10. Problems caused by violations of this section will be corrected and the cost may be assessed to the adjacent property owner.
11. If the findings, order or decision of the Superintendent of Public Works made in pursuance of the provisions of this section are not acceptable to any person, such person shall have the right to appeal to the City Council.

#### 140.09 DRIVEWAY WIDTH.

1. All measurements for driveway widths shall be according to the latest version of the Design Requirements ~~Cedar Rapids Metropolitan Area Engineering Design Standards Manual~~ **as adopted by resolution of the Robins City Council.** Except for as noted, the maximum driveway width is **not more than twelve (12) feet per garage stall and not to exceed thirty-six (36) feet for residential garages having 3 stalls or more and the driveway is not located on a cul-de-sac. When the driveway is inserted on a cul-de-sac bulb, maximum width is no more than twenty-four (24) feet.** Maximum width is as measured along the street side of the sidewalk line. If no sidewalk line has been established, the measurement shall be at the property line.
2. Curb openings shall be in accordance to all the provisions of this chapter and other City rules and regulations as established.

#### 140.10 DRIVEWAY LOCATION.

1. No portion of a driveway, except the curb return, shall be constructed less than twenty (20) feet from an intersection, seventy-five (75) feet from a railroad crossing, and in no case closer than three (3) feet to the property line as extended.

2. No driveway shall be located and constructed which encroaches on the neighboring property line as extended to the street. The minimum driveway flare radius where the driveway meets the street shall be 3 feet. If the driveway flare is proposed to be greater than the 3-foot offset from the property line dimension, then the driveway shall be offset from the property line a distance equal to the driveway flare dimension.

3. Whenever possible, a single driveway shall access a single parcel of land and there shall not be more than two (2) driveways accessing a single or double frontage lot. If more than a single driveway is to access a street front for a single parcel of land, a distance of thirty (30) feet between driveways shall be maintained and shall have the approval of the Superintendent of Public Works. The Superintendent of Public Works shall have the authority to refuse a second driveway where it has been determined to be a detriment to snow removal and street maintenance.

**140.11 DRIVEWAY MAINTENANCE.** It shall be the responsibility of the abutting property owner to repair, replace, or reconstruct, or cause to be repaired, replaced, or reconstructed, all broken and defective driveways and to maintain in a safe and hazard-free condition, any driveway within the public right-of-way inside the curb lines or traveled portion of a public street.

**140.12 FAILURE TO MAINTAIN.** If the abutting property owner does not maintain or repair defective driveways as required and action is brought against the City for personnel injuries alleged to have been caused by its negligence, the City may notify, in writing, any person whose negligence it claims the injury caused. The notice shall state the pendency of the action, the name of the plaintiff, the name and location of the court where the action is pending, a brief statement of alleged facts from which the cause arose, that the City believes that the person notified is liable to it for any judgment rendered against the City, and asking the person to appear and defend. A judgment obtained in the suit is conclusive in any action by the City against any person so notified, as to the existence of the defect or other cause of injury or damage, as to liability of the City to the plaintiff in the named action, and as to the amount of the damage or injury. The City may maintain an action against the person notified to recover the amount of the judgment together with all expenses incurred by the city in the suit.

**140.13 PERMIT REQUIRED.** No person shall remove, reconstruct, or install a driveway unless such person has obtained a permit from the City and has agreed in writing that said removal, reconstruction, or installation complies with all ordinances and requirements of the City for such work. The application therefore shall be in writing and shall designate the location of the driveway on a lot or parcel of land, and the name of the owner thereof, and no permit shall be issued by the City, if said driveway is in violation of the rules and regulations of the City or, in the engineer's judgment, it is not advisable to do so, and no permit so issued shall be valid for a period of more than thirty (30) days, unless the permit was issued in conjunction with other construction. Failure to obtain said permit prior to starting construction shall be subject to a penalty by charging an amount equal to twice the normal permit fee.

**140.14 FEE FOR PERMIT.** Before any permit for a driveway is issued, the person who makes the application shall pay a fee as established in the Building Code Ordinance, unless the applicant intends to install said driveway in connection with other construction on the premises for which a building permit has been issued and said fee has been charged.

**140.15 PERMIT PREREQUISITE.** Prior to any person cutting any curb on any street in the City, there shall be obtained, a written permit from the City, which permit shall be issued, only on condition that the curb cutting be done in accordance with the provisions of this chapter and with the rules and regulations of the City. No permit shall be issued for cutting the curb unless the driveway extending from the street to private property shall be hard surfaced in accordance to City standards.

**140.16 INDEMNIFICATION.** Any person securing a permit as required shall agree to hold the City free from all injuries from all liability for damages on account of injuries received by anyone through the negligence of such person or his agents or employees in making the driveway improvements, or by reason of such person's failure to guard the premises.

**140.17 INSPECTIONS.** The Building Inspector, or such other person as may be designated by the Council, shall inspect driveway improvements in accordance with Design Standards adopted by the Robins City Council. The City, after twenty-four (24) hours prior notification shall perform an inspection of the driveway base prior to hard surface application and, if a driveway culvert is required, the newly installed culvert prior to the completed backfilling and surfacing over the culvert. If installation is in conjunction with other construction on the premises for which a building permit has been issued, approval of the driveway and culvert installation is required before an occupancy permit is granted.

**140.18 SNOW REMOVAL.** This section shall not be construed to apply to or to limit the normal snow plowing operations performed by the City of Robins. The snow plowing operations performed by the City are exempt from the application of this section.

1. It is the responsibility of the property owner to remove snow from the property owner's driveway. It is unlawful for any property owner or person to remove or allow to be removed from his or her property, snow and/or ice accumulations and to place such accumulations in the traveled portion of streets or on the private property of another, without consent of the property owner thereof.
2. It is unlawful for any property owner, or person in possession, to remove or allow to be removed from his or her property, snow and/or ice accumulations in such a way to deposit such accumulation on public property or public right-of-way.

**140.19 VARIANCES.** Except as to the width of a driveway, variances from strict application of the ~~Cedar Rapids Metropolitan Area Engineering Design Requirements~~ **Design Requirements adopted by resolution of the Robins City Council**, or the provisions of this ordinance for construction, reconstruction, repair, replacement or removal of an existing or proposed driveway may be granted by the Building Official or designee if after review the building official determines:

1. The variance or modification will not create an increased hazard.
2. The variance will be in the public interest.
3. The variance will not impede traffic flow in the area.
4. The variance will not conflict with the provisions of Chapter 135 of the Code of Ordinances.

Decisions of the Building Official or designee may be appealed to the Building Board of Appeals. (Ordinance No. 0704, 3/19/07)

**SECTION 2.** That the changes provided in this Ordinance shall be made a part of the replacement pages of the Municipal Code, City of Robins, Iowa, and made a part of said Code as provided by law.

**SECTION 3.** Effective Date. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED AND APPROVED this XXXX day of XXXXXXXX, 2021.

---

Chuck Hinz, Mayor

ATTEST:

---

Lori Pickart, City Clerk/Treasurer

RESOLUTION NO. 0622-5

A RESOLUTION APPROVING FIREWORKS  
APPLICATION OF FLASHING THUNDER FIREWORKS

WHEREAS, Chapter 41.11, Section 4 requires City Council approval for Display Fireworks; and

WHEREAS, Joey Welton of Flashing Thunder Fireworks has requested permission to allow a fireworks display on June 11<sup>th</sup>, 2022 from approximately 9:30 to 10:30 p.m., at the west end of the South Troy Park, 700 S. Troy Road in conjunction with the Robins Roundup Festival; and

WHEREAS, the applicant has provided a Certificate of Insurance providing the required coverage and also naming the City of Robins as additionally insured and his Display Fireworks Certification and Safety Program recertification.

NOW THEREFORE BE IT RESOLVED, the City Council of the City of Robins, Iowa approves the aforementioned fireworks application.

PASSED AND APPROVED this 6<sup>th</sup> day of June, 2022.

---

Chuck Hinz, Mayor

ATTEST:

---

Lori Pickart, City Clerk/Treasurer



Fireworks Permit  
The City of Robins

Applicant: Flashing Thunder Fireworks  
Phone #: 691-232-5558  
Address: 700 E Van Burn St  
Date of Birth: Mitchell Iowa  
Sponsor: Robins Civic Club  
Phone #: \_\_\_\_\_  
Address: 265 S 2nd St  
Time and  
Date of  
Display: 6/11 9:30-10:30 pm South Troy Rd City Park  
Location of  
Display: west end of Ball field  
Operator: Joey Walton  
Phone #: 319-389-0313  
Address: 1485 Maple St Robins

Qualifications of the Operator (proof may be required):

1. \_\_\_\_\_ Fireworks Operator License from another state.
2.  Pyrotechnics Guild International, Inc. certification
3. \_\_\_\_\_ Other formal fireworks safety training. Please specify.

Insurance Company: \_\_\_\_\_  
Policy Amount: See attached  
Fire Prevention Measures: Robins Fire Dept  
and personnel: \_\_\_\_\_

I approve the location and fire prevention measures for this Fireworks Display.

Fire Chief: \_\_\_\_\_ Date: \_\_\_\_\_

I hereby affirm that I have read and understand the terms of this permit. That no person shall handle or explode fireworks while under the influence of alcohol, narcotics, or drugs which could adversely affect judgment, movements or stability. That no person will set up or explode fireworks who is not 18 and qualified as set out above or who is not under the direct supervision of the operator. That the operator will conduct a thorough search of any unexploded fireworks or fuses; that any unexploded fireworks will be stored or disposed of in a safe manner; and that the sponsor, operator, and I will follow the terms of the laws and the State of Iowa.

Further, I specifically agree to protect, defend, and hold the City of Robins, its officers and employees, and the Fire Chief and designated official who signs this application harmless from any and all damages or claims for damages that might arise or accrue by reason of the granting of the permit for which I am applying.

This Application is approved by the designated official:

Applicant: Joey Walton Name: \_\_\_\_\_  
Date: 5-3-2022 Title: \_\_\_\_\_  
Signature: Joey Walton Date: \_\_\_\_\_  
Signature: \_\_\_\_\_



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

4/19/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Ryder Rosacker McCue & Huston (MGD by Hull & Company) 509 W Koenig St Grand Island NE 68801	<b>CONTACT NAME:</b> Kristy Wolfe <b>PHONE (A/C, No, Ext):</b> 308-382-2330 <b>E-MAIL ADDRESS:</b> kwolfe@ryderinsurance.com	<b>FAX (A/C, No):</b>	
	<b>INSURER(S) AFFORDING COVERAGE</b>		<b>NAIC #</b>
<b>INSURED</b> Aluminum King Mfg Ltd DBA Flashing Thunder Fireworks Spectacular Inc 700 E Van Buren Street Mitchell IA 50461	<b>INSURER A :</b> SCOTTSDALE INS CO		41297
	<b>INSURER B :</b> NATIONAL CAS CO		11991
	<b>INSURER C :</b>		
	<b>INSURER D :</b>		
	<b>INSURER E :</b>		
<b>INSURER F :</b>			

**COVERAGES**      **CERTIFICATE NUMBER:** 655435431      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC			CPS3994208	10/15/2021	10/15/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
B	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			ZB00004073	10/15/2021	10/15/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			CXS0019365	10/15/2021	10/15/2022	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				WC STATU-TORY LIMITS OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES** (Attach ACORD 101, Additional Remarks Schedule, if more space is required)  
 Regarding the General Liability coverage, Blanket Additional Insured applies to the entities listed below per attached form GLS-150s when required by written agreement.  
 Regarding the General Liability coverage, Waiver of Subrogation applies to the entities listed below per attached form CG 24 04 when required by written agreement.  
 Date: June 11th, 2022  
 Location: South Troy Park Rd Between Creek and West End of Ball Diamonds, Robins  
 Additional Insured: Robins Civic Club, City of Robins

<b>CERTIFICATE HOLDER</b>  Robins Civic Club Robins IA	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

© 1988-2010 ACORD CORPORATION. All rights reserved.



# THE PYROTECHNICS GUILD INTERNATIONAL, INC.

28 January 2022

Joey Welton  
1485 Maple St.  
Robins, IA 52328

Congratulations on your recent completion of the PGII Display Fireworks Certification and Safety Program recertification process. Enclosed you will find a wallet-sized card acknowledging your accomplishment, valid for three years from issuance. It is strongly recommended that you protect the wallet card by laminating it in plastic.

The PGI periodically receives requests - from display companies and others seeking qualified personnel - for lists of PGI Certified shooters, normally within some specified geographic area. The PGI, as a matter of policy, does not provide anyone's contact information to outside entities without their explicit permission.

In many cases, however, a positive response to these requests could result in clear benefits to our certified shooters. If you would like to permit the PGI to make your status as a PGI Certified Shooter and your contact information available in response to requests of this type, please so indicate by signing the release form below and returning this entire page to **Dr. John R. Steinberg, 3944 Carthage Rd., Randallstown, MD 21133.**

Please be assured that even given your permission, the PGI will continue to exercise reasonable judgment in choosing whether or not to respond to specific requests for shooter information.

If you do nothing (that is, if you do NOT sign and return this letter), your name and contact information will remain private.

Sincerely,

John R. Steinberg  
PGII Training Administrator

I, Joey Welton, hereby authorize the Pyrotechnics Guild International, Inc. to make publicly available my name, contact information and status as a PGI-certified display operator.

Signature



THE PYROTECHNICS GUILD  
INTERNATIONAL, INC.

Certifies That

**JOEY WELTON**

Has successfully completed the PGII Display Fireworks Operator Certification and Safety Program, requiring attendance at lectures and demonstrations, a passing score on a written examination, and documented display fireworks shooting experience.



ATTACHED TO AND FORMING A PART OF POLICY NUMBER	ENDORSEMENT EFFECTIVE DATE (12:01 A.M. STANDARD TIME)	NAMED INSURED	AGENT NO.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**BLANKET ADDITIONAL INSURED ENDORSEMENT**

This endorsement modifies insurance provided under the following:

**COMMERCIAL GENERAL LIABILITY COVERAGE PART**

With respect to this endorsement, **SECTION II—WHO IS AN INSURED** is amended to include as an additional insured any person or organization whom you are required to add as an additional insured on this policy under a written contract, written agreement or written permit which must be:

- a. Currently in effect or becoming effective during the term of the policy; and
- b. Executed prior to the "bodily injury," "property damage," or "personal and advertising injury."

The insurance provided to these additional insureds is limited as follows:

- 1. That person or organization is an additional insured only with respect to liability for "bodily injury," "property damage" or "personal and advertising injury" caused, in whole or in part, by:
  - a. Your acts or omissions; or
  - b. The acts or omissions of those acting on your behalf.

A person's or organization's status as an additional insured under this endorsement ends when your operations for that additional insured are completed.

- 2. With respect to the insurance afforded to these additional insureds, the following exclusions are added to item 2. **Exclusions of SECTION I—COVERAGES:**

This insurance does not apply to "bodily injury," "property damage" or "personal and advertising injury" occurring after:

- a. All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or
  - b. That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.
- 3. The limits of insurance applicable to the additional insured are those specified in the written contract, written agreement or written permit or in the Declarations for this policy, whichever is less. These limits of insurance are inclusive of, and not in addition to, the Limits of Insurance shown in the Declarations for this policy.
  - 4. Coverage is not provided for "bodily injury," "property damage," or "personal and advertising injury" arising out of the sole negligence of the additional insured.
  - 5. The insurance provided to the additional insured does not apply to "bodily injury," "property damage," or "personal and advertising injury" arising out of an architect's, engineer's or surveyor's rendering of or failure to render any professional services including: