

ORDINANCE 2-2018

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRINGVILLE, IOWA, 2016 BY AMENDING PARITALLY SECTIONS OF CHAPTER 165.

BE IT ENACTED by the City Council of the City of Springville, in the County of Linn, in the state of Iowa:

Section 1: The Code of Ordinances is amended by amending section 165.19, which is hereby adopted to read as follows:

165.19 M-2 HEAVY INDUSTRIAL DISTRICT. The intent of the M-2 District is to establish and preserve areas for necessary industrial and related uses of such a nature that they require isolation from many other kinds of land uses, and to make provision for commercial uses which are necessary to service the immediate needs of people in their areas.

1. Permitted Principal Uses and Structures.
 - A. Bulk storage of petroleum products and commercial fertilizers.
 - B. Asbestos, brick and clay products manufacture.
 - C. Concrete products and central mixing and proportioning plant.
 - D. Structural iron and steel fabrication.
 - E. Heavy manufacturing facilities.
 - F. All other uses permitted under M-1.
 - G. Quarries.
 - H. Those uses which in the opinion of the Zoning Commission are of the same general character as those listed above as permitted uses, and which will not be detrimental to the district in which they are located.
2. Permitted Accessory Uses and Structures. Uses and structures accessory to a principal permitted use or a conditional permitted use are permitted subject to the provisions of Section 165.23.

3. Special Exceptions. The following special exceptions are permitted in the M-2 District, subject to provisions of Section 165.28(6)(D), which mandates the approval of all special exceptions by the Zoning Board of Adjustment:

- A. Carnivals, circuses, fairs, road shows.
- B. Communication towers, subject to Section 165.23(10).
- C. Materials recycling and junk yards, including automobile wrecking and/or salvage.
- D. Fertilizer manufacturer.
- E. Stock yards, slaughter houses, poultry processing and packaging, and/or sale barns and yards.
- F. Explosive manufacturer or storage.
- G. Acid manufacturer.

4. Bulk Requirements.

	Minimum Lot Area	Minimum Lot Width	Minimum Front Yard	Minimum Side Yard	Street Side,	Minimum Rear Yard	Maximum Height
M-2	No minimum	No minimum	35 feet	15 feet	25 feet	25 feet	4 stories or 60 feet
Quarries	1 acre	150 feet	35 feet	25 feet	25 feet	30 feet	60 feet

Not more than 60 percent of the lot area may be covered by building, including accessory buildings.

In addition, not more than 80 percent of the lot area may be covered by impervious surfaces, such as buildings, driveways, parking areas and sidewalks.

5. Transitional Yards.

- A. Where a side or rear lot line coincides with a side or rear lot line in an adjacent Residence or Commercial District, or an existing residential use, a yard shall be provided along such side or rear lot line not less than forty-five (45) feet in depth and shall contain landscaping and planting so designed and/or planted to provide an effective visual screen, when viewed horizontally, between two (2) feet and eight (8) feet above average ground level.

B. Where a lot within M-2 District fronts on a street which forms a boundary line between the M-2 District and a Residential or Commercial District, then such lot shall have a front yard of not less than forty-five (45) feet in depth. Parking shall not be permitted therein, and such yard shall be appropriately landscaped with grass and/or other suitable plantings.

6. Open Space Required. The total land area devoted to open space and landscaping shall not be less than 10% of the gross land area included in the building lot. Such open space shall be maintained as grassed and landscaped area and shall not include access drives, parking areas, structures or buildings, except ornamental structures included as part of the landscaping theme.

7. Minimum Off-Street Parking and Loading Space.

A. Parking -- all permitted industrial uses -- one space for each employee on duty at any one time, plus one for each vehicle used by the industry.

B. Off-Street Loading -- one space, 50 feet by 12 feet, for each 20,000 square feet of floor area or fraction thereof.

Where applicable, all parking and loading spaces shall comply with the *Americans With Disabilities Act*.

8. Extractive Uses. This use as defined in this section as a quarry shall include excavation, extraction, recycling of materials and minerals, open pits, impounding of waters, batch plants and processes that utilize construction aggregates for Federal, State, County, Municipal and commercial construction projects. The establishment of such a use shall require the following:

A. Site Plan. A site plan of the excavation or impounding area shall be prepared by a licensed engineer or land surveyor and filed with the City showing the confines or limits thereof. A reclamation plan showing post-closure plans that conform with the Iowa Department of Agriculture Land Stewardship (IDALS) regulations shall also be filed with the City. The site plan and reclamation plan may be revised in the future, so long as such revisions comply with the provisions of the Code of Ordinances. Any such revisions must be filed with the City prior to implementation.

B. Required Conditions. The following conditions are required:

(1) The site plan shall specify the amount and location of overburden excavated materials to be stockpiled on site. In addition, the site plan shall provide the following:

- a. A plan for the fencing of a quarry.
- b. Current MSHA standards for dust and noise control.
- c. A plan for buffering as required.

(2) During operation, fence, properly guard, and keep any pit or excavation in such condition as not to be dangerous from caving or sliding banks. A substantial fence or earthen barrier measuring at least six (6) feet in height must surround the area of actual quarrying to help prevent unauthorized persons from entering the area to their potential endangerment. The fence or earthen barrier may be constructed ongoing at the area of actual quarrying.

(3) Surface water runoff shall be handled through NPDES permits. This provision does not include dewatering activities.

(4) Provide adequate signage for public safety, such as “Trucks Hauling” signs. In addition, truck access to any quarry operation shall be so arranged as to minimize danger to traffic and nuisance to neighboring properties.

(5) For the purpose of retaining impounded waters, provide impoundment structures of sufficient strength and durability and maintain such structures in safe and proper condition.

(6) Setbacks from rivers and streams shall be governed by IDNR regulations.

C. Buffering. The use of buffers shall be required between quarries and commercial and residential zoning districts and land uses. The following provisions apply to property that is contiguous to commercial and residential zoning districts and land uses:

(1) All buffer areas shall be landscaped and fenced to provide a visual screen. Buffering may include any of the following:

- a. Fencing.
- b. Landscaping. Landscaping shall consist of native plant and tree species.
- c. Stormwater management. Buffer areas may include drainage swales, stormwater detention or infiltration areas only if landscaping requirements can still be met.
- d. Berms. Berms may only be used if native plant and tree landscaping requirements can still be met. Berms

must be vegetated to minimize erosion and to slow stormwater runoff.

(2) Maintenance. All buffer areas shall be kept free of litter, debris, noxious weeds, and species of plants identified by the Iowa DNR exotic or invasive.

D. Setbacks. No part of the (i) blasting area in the quarry pit, (ii) stockpiles, (iii) waste piles, (iv) processing equipment, (v) scales or (vi) truck parking shall be closer than one-hundred (100) feet of the public right-of-way. In addition, all other property boundary setbacks shall conform to the Iowa Department of Agriculture Land Stewardship (IDALS) regulations. Exempt from setback rules are berms and buffering structures used for visual screening and security and any aforementioned non-conforming feature per Ordinance 165.08.

E. Quarry Rehabilitation Requirements. Within two years after the termination of quarrying operations, the area of actual quarrying operations must be rehabilitated to a condition of reasonable physical attractiveness and, as practical, restored to the following standards:

(1) Slope. The slope of earth material in any excavated pit must not exceed the angle of slippage.

(2) Topsoil and ground cover. Where filling of the pit is desirable and economically feasible, the fill must be a kind and depth to sustain grass, plants or trees and such must be planted.

(3) Drainage. To prevent any silt, erosional debris or other loose material from filling any existing drainage course or encroaching on neighboring property, all surface drainage existing or developing by or through the topsoil site must be controlled by dikes, barriers or drainage structures. All measures to control natural drainage or floodwater must meet IDNR requirements.

(4) Removal of plant and equipment. Within two years after termination of operations, all plant and equipment must be removed. If substantially covered, foundations and piers may be left in the ground.

Section 2: REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3: SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4: WHEN EFFECTIVE. This ordinance shall become effective on May 22nd, 2018.

Roger Shebetka, Mayor

ATTEST: _____
City Clerk/Treasurer

First Reading: _____

Second Reading: _____

Third Reading: _____

I certify that the foregoing was posted as Ordinance # _____ on the _____ day of _____ 2018.

City Clerk/Treasurer