



City of Waukeee  
Community Development Department  
204 W. Hickman Road  
Waukeee, IA 50263

# CITY OF WAUKEE REZONING PACKET

- Procedure
- General Provisions
- Residential Land Use Policy
- Zoning Map Provisions
- Development Plan Provisions
- Zoning Amendment Review Schedule
- Schedule of Fees
- Necessary Forms

## **PROCEDURE**

1. An approved petition is presented to the City Council where a public hearing date is set and the petition is deferred to the Planning and Zoning Commission for consideration prior to the public hearing.
2. Planning and Zoning Commission reviews the petition and reports its recommendations to the City Council within 60 days.
3. City Council reviews the Planning and Zoning Commission's recommendations at the public hearing and makes a decision on the first consideration of the rezoning petition based off of the public hearing and the Planning and Zoning Commission recommendations.
4. Following the public hearing and first consideration, the City Council shall consider the rezoning petition at two additional City Council meetings.
5. The amendment becomes effective or is denied by the favorable vote of all the members of the City Council of the third consideration of the rezoning petition.

# **GENERAL PROVISIONS**

**I. In order to begin the process for a rezoning amendment, a petition for the amendment must be filed with the Community Development Director and notification must be given to the surrounding property owners.**

A. Each rezoning request will be reviewed by the Community Development Director to make sure that the request contains all of the information required by the City's Zoning Ordinance in section 166.20

B. If the proposed rezoning is not in accordance with the Comprehensive Plan, the applicant will be required to file a Comprehensive Plan amendment in addition to the rezoning request

**C. Information to be Included with petition:**

1. Written request for change including a clear legal description of the property and its boundaries
2. An address listing of all property owners within 250 feet of the property
3. A rezoning map
4. A site plan (as required)
5. A conceptual master plan (as required)
6. A zoning change and development agreement (as required)
7. A development plan (as required)
8. A legal description provided in Microsoft Word format

**II. Notification of Surrounding Property Owners:**

A. Once the rezoning request is reviewed by the Community Development Director, the Planning and Zoning Commission meeting and City Council Public Hearing dates will be set.

B. Notice is required to be sent to property owners within 250 feet of the property seeking rezoning no less than 7 days before and not more than 20 days before the Planning and Zoning Commission meeting. Planning and Zoning Commission meeting notice should include the date, time, and location of the meeting and the City Council public hearing.

C. A Notification Sign is required to be posted by the petitioner or owner stating:

1. Notice of rezoning
2. Zoning district designation(s) proposed to be changed
3. Date and time of the Planning and Zoning Commission public hearing
4. Date and time of the City Council public hearing
5. Telephone number and address of the City of Waukee Community Development Department
6. Notification Sign Specifications:
  - a) Required to be 4 feet by 8 feet in size
  - b) Required to be composed of black letters on a white board with letters no less than 6 inches in height
  - c) One sign is required to be placed on each public street right-of-way and may not be placed further than 20 feet from the street right-of-way.
  - d) Signs must be erected no later than 7 days before the zoning request review by the Planning and Zoning Commission
  - e) Signs must be removed within 7 days of the final action by City Council

### **III. Amendment Disproval or Protest**

A. There are two ways in which a rezoning proposal may be denied or rejected:

1. The Planning and Zoning Commission disapproves of the amendment.
2. A written protest, signed by the owners of at least 20% or more of the property included in the proposed change; or by the owners of 20% or more of the property located within 250 feet of the boundaries of the property included in the proposed change.

B. If either of the above scenarios occurs, the only way for the rezoning to become effective without being resubmitted would be for the City Council to cast a favorable vote (4/5).

C. Whenever a petition for an amendment, supplement or change in zoning regulations are denied by City Council, a new petition including the same property, or the same property included with additional property cannot be considered by the City Council until 1 year after the final action has been made.

# RESIDENTIAL LAND USE POLICY

Density of residential development should be related to the physical characteristics of the area, including topography and soils and the availability of municipal utilities. The following densities are considered to meet these criteria:

- a) Area that are served by municipal sanitary sewer and water systems or the equivalent:

Low Density:                      6 – 8 persons per gross acre  
    3 – 4 housing units per gross acre  
    Typical net lot size – 10,000 square feet

Medium Density:                8 – 12 persons per gross acre  
    4 – 6 housing units per gross acre  
    Typical net lot size – 8,000 square feet

High Density:                    14 – 32 persons per acre  
    7 – 16 housing units per gross acre  
    Typical net lot size – 4,500 square feet

- b) Areas that are served by the municipal water system only:

Low Density:                      4 – 6 persons per gross acre  
    2 – 3 housing units per gross acre  
    Typical net lot size – 20,000 square feet

- c) Areas that are not served by municipal utility systems or the equivalent:

Low Density:                      2 – 4 persons per gross acre  
    1 housing unit per gross acre  
    Typical net lot size – one acre

# ZONING MAP PROVISIONS

**Narrative Information:** The following information must be clearly displayed on the Rezoning Map in order to be reviewed:

1. Name and Address of Property Owner. Include telephone and email address
2. Name and Address of Applicant. Provide if different from property owner and include exact interest in the development
3. Name and Address of Preparer. Include telephone number and email address
4. Legal Description of Property to be Rezoned. If multiple properties are involved, a legal description of each property is required. If the property is to be rezoned into several zoning districts, a legal description of each parcel is required
5. Current Zoning of Property. This classification should be based off of the City of Waukee Official Zoning Map; list all zoning districts and/or the underlying zoning or any overlay districts
6. Proposed Zoning of Property. Label the proposed zoning of the property
7. Rezoning Table. A table including the same information as illustrated in the table below is required:

<b>Name of Property Owner</b>	<b>Legal Description of Property</b>	<b>Mailing Address</b>	<b>Total Area of Property (s.f)</b>	<b>Square Footage within 250' of rezoning</b>	<b>% of Total Square Footage within 250' of rezoning</b>
Jack Johnson	Lot 5, Blackthorn Plat 1	1451 NE 156 <sup>th</sup> Ave.	10,000 s.f.	3,000 s.f.	24.3%
Ron Smith	Lot 6, Blackthorn Plat 1	1452 NE 156 <sup>th</sup> Ave.	11,000 s.f.	2,350 s.f.	19.0%
Dwight Hall	Lot 14, Blackthorn Plat1	562 NE 8 <sup>th</sup> Street	10,500 s.f.	7,000 s.f.	56.7%
			<b>Total</b>	<b>12,350</b>	<b>100%</b>

### **Zoning Illustrations Required:**

1. North Arrow. Include for Rezoning Map, Vicinity Sketch, and all other necessary details.
2. Scale of Drawing. Maximum scale allowed is 1" = 100'
3. Vicinity Sketch. Show all property within 600 feet of property to be rezoned at a scale of 1" = 800'
4. Rezoning Boundary. Indicate the rezoning boundaries with a heavy line so that proposed boundaries are clearly read
5. Bearing and Distance or Curve Data along boundary. Show information as platted and include all measured information if different than platted information
6. Names of all adjoining lots and property owners. Show the boundaries of all adjacent properties within 250 feet of the subject property and list current ownership information
7. Demarcating Line. Show the 250 foot rezoning limits regarding notification with a heavy line to clearly delineate the boundary.

# DEVELOPMENT PLAN PROVISIONS

*At the discretion of the Community Development Director, additional information may be required during the review of the Development Plan application for the purposes of reviewing unique features and/or to ensure conformity with the Comprehensive Plan.*

**Narrative Information:** The following information must be clearly displayed on the Development Plan in order to be reviewed:

1. Name and Address of Property Owner. Include telephone and email address
2. Name and Address of Applicant. Provide if different from property owner and include exact interest in the development
3. Name and Address of Preparer. Include telephone number and email address
4. Legal Description of Property. Include the full legal description
5. Current Zoning of Property. This classification should be based off of the City of Waukee Official Zoning Map; list all zoning districts and/or the underlying zoning or any overlay districts
6. Proposed Use of Property. Indicate all proposed uses of the site and buildings (i.e. retail – furniture store and warehouse)
7. Total Area of Development. Indicate the total area in terms of acres and square feet
8. Setback Requirements. List all of the required setbacks of the applicable zoning district
9. Parking Stalls Required and Provided. List the required number of stalls, including the proposed stalls based off of a calculation of the proposed buildings in the development
10. Open Space Requirements and Provided. List the percent open space requirement of development based off of the zoning district and include the provided percentage proposed
11. 100 Year Flood Elevation. Provide the 100-year flood elevation based on the most recent FEMA Flood Insurance Study, if applicable.



## Development Plan Illustrations Required:

1. General and Survey Information.
  - a. **North Arrow.** Include for Development Plan, Vicinity Sketch, and all other necessary details.
  - b. **Scale of Drawing.** Maximum scale allowed is 1" = 100'
  - c. **Vicinity Sketch.** Show all property within 600 feet of property to be rezoned at a scale of 1" = 800'
  - d. **Property Boundary.** Indicate the property boundaries with a heavy line so that proposed boundaries are clearly read
  - e. **Bearing and Distance or Curve Data along boundary.** Show information as platted and include all measured information if different than platted information
  - f. **Names of all adjoining lots and property owners.** Show the boundaries of all adjacent properties, including those across a right-of-way, and list the subdivision name and lot numbers if applicable
  - g. **Area of all Lots.** Indicate the total area of the individual lots, in acres and square feet
2. General Grading.
  - a. **Existing Topography.** Provide general concept of existing topographic conditions
  - b. **Proposed Grading.** Show general concept of proposed grading including any special features such as ponds, retaining walls, significant slopes, etc.
3. General Building Footprint.
  - a. **Building Setbacks.** Show and label the required front, side, and rear yard setbacks
  - b. **Footprint.** Include a general representation of the maximum proposed building square footage on the site. Outdoor service areas for restaurants should be shown if proposed.
  - c. **Size.** Label the proposed maximum square footage and number of floors.
4. Street and Access.
  - a. **Streets.** Show the location of all nearby public street, with medians, turning lanes, and neighboring accesses labeled.
  - b. **Access.** Show all proposed driveway accesses to the public street

- c. **Public Sidewalks.** Show a minimum of 5' public sidewalks along all public streets
  - d. **Paths.** Show all required and/or proposed pedestrian and bike pathways.
  - e. **Internal Sidewalks.** Include a functional layout for internal pedestrian sidewalks, providing access from public sidewalks and parking areas to buildings on site
5. General Vehicular Circulation and Parking.
- a. **Parking lot Setbacks.** Label required parking stall and driveway setbacks
  - b. **Parking Lots.** Provide a general layout for the required parking facility, providing a functional circulation patterns and access for all vehicular users of the site including emergency vehicles
  - c. **Parking Stalls.** Show the required number of parking stalls based on the maximum proposed building square footage. Stalls should be dimensioned as 10' X 19' minimum
  - d. **Parking Lot Aisle.** Show the driveway aisle dimension
  - e. **Loading Stalls and Docks.** Show the required number of loading stalls and label all locations where loading docks and/or service areas are proposed
6. General Utilities.
- a. **Water.** Show the general location of water mains, fire hydrants, and water services. Water mains should be labeled as private or public
  - b. **Sanitary Sewer.** Show the general location of sanitary sewer mains and services, label them accordingly (public or private)
  - c. **Storm Sewer.** Show the general location of sewer mains and services, including detention facilities. Indicate the detention outlet and show flow to public storm sewer and/or drainage way
7. Landscaping.
- a. **Required Buffer Plantings.** Show and label all required landscape easements. Provide a detail with the plan showing all plantings, berming and fencing within any landscape buffer showing that the minimum landscaping is provided
  - b. **Parking Lot Landscaping.** Provide a landscaping scheme for all parking areas including a note on the plan indicating that minimum of 10% of the parking area(s) are used for landscaping

- c. **Landscape Screening.** Show required landscape screening around transformers, mechanical units, the parking lot perimeter, trash enclosures, and all other like components found throughout the site
8. Trash Enclosure.
  - a. **Enclosure Required.** Indicate the location of all required trash enclosures and provide a detail of enclosures if applicable
  - b. **Screening.** Show indication of screening around trash enclosure(s)
9. Signs.

Show the location and setback of all proposed monument signs. Provide a detail indicating the general dimensions, construction materials, and any illumination
10. Architectural Composition.
  - a. **Required Details.** Provide all necessary structural elevations, perspective drawings, photos, or examples of similar structures, computer renderings, etc. in order to signify the proposed architectural character proposed for the development
  - b. **Required Information.** Provide all necessary information regarding the material elements proposed and illustrate the general roof line

### **Required Development Plan Documents**

1. Development Agreement. A legal document written by the City Attorney, based upon commitments and agreements between the city, developer, and other involved parties. This document may include items such as timing or phasing of the proposed development, the participation of public improvements, and/or other agreements related to the proposed development
2. Declaration of Easements, Restrictions and Covenants. A legal document should be prepared by the applicant's attorney, reviewed by the City staff prior to being presented to the City Council for approval. Included in the document should be the establishment of easements, responsibility for open space preservation and landscaping maintenance, trash receptacles and collection, temporary structure or uses, and the architectural character of the development

# SCHEDULE OF FEES

**The schedule of fees is as follows, and may be altered or amended by the City Council from time to time:**

Zoning Changes	\$ 300.00
Site Plan Review	\$ 250.00 + costs*
Preliminary Plat	\$ 250.00 + costs*
Final Plat	\$ 250.00 + costs*
Plat of Survey	\$ 150.00 + costs*
Auditor's Plat	\$ 40.00 + costs*
Construction Inspection	\$ 75.00/Hour
Construction Plans	\$ 500.00 + costs*
Board of Adjustment (residential)	\$ 100.00
Board of Adjustment (commercial/industrial)	\$ 150.00

\*Additional costs for the review of plans and/or documents by the City Engineer (Veenstra and Kimm) and/or the City Attorney (Brick Gentry).

Costs incurred by the City of Waukee for review fees of the City Engineer and/or City Attorney; and reimbursement for publication charges when warranted due to excessive costs, shall be reimbursed to the City of Waukee by the sub divider, person or persons or agent of the person who filed the site plan, or by the party who filed the petition, or his agent.

June 16, 2003 – Ordinance 2423

Costs incurred by the City of Waukee for the use of City Department of Public Works employees shall be reimbursed to the City of Waukee at the employee's hourly rate plus benefits plus 15%. Those costs associated with the use of Public Works Equipment shall be reimbursed to the City at the same rate as listed in the Iowa Department of Transportation Schedule of Equipment rates, Current Edition.

July 19, 2004 – Ordinance 2478

No certificate, special exception, or variance shall be issued unless or until such costs, charges, fees, or expenses have been paid in full, nor shall any action be taken on proceedings before the Board of Adjustment unless or until preliminary charges and fees have been paid in full.

June 16, 2003 – Ordinance 2423

A late payment charge of 1.5% shall be added to the past due amount if the invoice is not paid in full within thirty (30) days of the date of the invoice.

July 19, 2004 – Ordinance 2480

# CITY OF WAUKEE

## REQUEST FOR ZONING REVIEW

### **SECTION I: GENERAL INFORMATION:**

Project Name:	_____
Site Location:	_____
Applicants Name:	_____
Mailing Address:	_____ _____
Phone:	_____
Email:	_____

Property Owner's Name and Mailing Address (if different from Applicant):	_____ _____ _____
Property Owner's Phone:	_____
Property Owner's Email:	_____

<b>PROJECT REPRESENTATIVE:</b> Please enter the name of the person (applicant, owner, or member of the development team) who will be the main coordinator of this project. The person named will be the primary person contacted by City staff.	
Project Representative's Name:	_____
Mailing Address:	_____ _____ _____
Phone:	_____
Email:	_____

**SECTION II: DEVELOPMENT TEAM**

**ENGINEER:**

Contact Person:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**ARCHITECT:**

Contact Person:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**ATTORNEY:**

Contact Person:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**OTHER:**

Contact Person:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**SECTION III: PROJECT INFORMATION**

Provide the following information for all projects:

1. Project Location:  
\_\_\_\_\_ foot N E S W (circle) of the Intersection of \_\_\_\_\_ and \_\_\_\_\_ (nearest cross streets)
2. Project / Property Address (if known): \_\_\_\_\_
3. Existing Comprehensive Plan Designation: \_\_\_\_\_
4. Proposed Comprehensive Plan Designation (if applicable): \_\_\_\_\_
5. Existing Zoning Designation: \_\_\_\_\_
6. Proposed Zoning Designation (if applicable): \_\_\_\_\_
7. Present Use of Land: \_\_\_\_\_
8. Proposed Request: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
9. Project Area: \_\_\_\_\_ acres or square feet
10. Building Height \_\_\_\_\_ feet \_\_\_\_\_ stories

# CITY OF WAUKEE

## REQUEST FOR ZONING CHANGE

The undersigned, property owners described as in Attached \_\_\_\_\_ hereto, do hereby petition the City of Waukee for a zoning change from \_\_\_\_\_ to \_\_\_\_\_

General Location of Property      **Section** \_\_\_\_ **T** \_\_\_\_ **R** \_\_\_\_ - \_\_\_\_\_ **TOWNSHIP**

### **SECTION III: PROJECT INFORMATION**

Provide the following information for all projects:

1. Project Location:  
\_\_\_\_\_ foot N E S W (circle) of the Intersection of \_\_\_\_\_ and \_\_\_\_\_ (nearest cross streets)
2. Project / Property Address (if known): \_\_\_\_\_
3. Existing Comprehensive Plan Designation: \_\_\_\_\_
4. Proposed Comprehensive Plan Designation (if applicable): \_\_\_\_\_
5. Existing Zoning Designation: \_\_\_\_\_
6. Proposed Zoning Designation (if applicable): \_\_\_\_\_
7. Present Use of Land: \_\_\_\_\_
8. Proposed Request: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
9. Project Area: \_\_\_\_\_ acres or square feet



**CERTIFICATION**

**Part A: Owner’s Signature and Consent**

I/We, \_\_\_\_\_ being duly sworn, depose and say that I/we am/are the owner, owners, authorized representative for a corporate owner, person with power of attorney for the owner/owners, or a non residential tenant of said property. I/we personally swear and affirm that this application has been prepared in compliance with the requirements of the City of Waukee Municipal code as printed herein and that the statements and information above referred to are in all respects true and correct to the best of my/our knowledge and belief. Further, I/we hereby submit this application for Rezoning for review and consideration by the City of Waukee, Iowa in compliance with the requirement of the City of Waukee Municipal Code.

\_\_\_\_\_  
Signature of Legal Property Owner

\_\_\_\_\_  
Date