

**AGENDA  
PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
January 25, 2016**

1. Call to Order - Roll Call
2. Consider Approval of:
  - a. Agenda
  - b. Minutes of November 30, 2015
3. Business:
  - a. Discussion and Appointment of a new Planning and Zoning Chair.
  - b. Introduction of new Planning and Zoning member, Kenny Jones.
  - # c. Review and discuss the scope of the proposed Updates to the City of Hiawatha Comprehensive Plan.
  - # d. Consider Resolution for recommendation to City Council to approve the MSA Proposal for updating the City of Hiawatha Comprehensive Plan.
  - e. Discussion and Appointment of two (2) Volunteers to work on the Comprehensive Plan Project Team.
  - # f. Consider Resolution for recommendation to City Council to approve Amending UDC Code 165.70 Legal Non-Conforming Uses.
  - # g. Consider Resolution for recommendation to City Council to approve storage container regulation changes by:
    - Amending UDC Section 165.23 Outside Storage Containers and
    - adding 165.96 Definitions #166. Storage Containers: and
    - deleting City code section 155.39 EXTERIOR STORAGE CONTAINERS PROHIBITED

Adjourn

# Items that have to go on to City Council for final vote  
• Items that Planning and Zoning Commission have final vote  
\* Items that have to go on to Board of Adjustment for final vote

**HIAWATHA PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
November 30, 2015**

The Hiawatha Planning and Zoning Commission met in a meeting on November 30, 2015. Chair, Dale Schroth called the meeting to order at 5:30 P.M. Members present: Gilbert Lawrence, Darryl Cheney, Mark Ross, Tom Wille and Reta Saylor. Members Absent: Mark Powers. Staff present: Community Development Director, Pat Parsley, Assistant Building Official, Jim Fisher. Guests in Attendance: William Bennett, Denny Norton, Ted Martin and Gary McClurg.

Board Member, Reta Saylor moved to approve the agenda, second by Gilbert Lawrence. Motion carried.

Board Member, Darryl Cheney moved to approve the minutes, second by Reta Saylor. Motion carried.

**Consider Resolution for recommendation to City Council to approve the Rezoning of the portion of the property zoned R-MH (Mobile Home Park Residential District) to the requested zoning CPR-2 Hiawatha, Iowa.**

**Open: 5:34**

There was some discussion regarding the surrounding properties.

Ted Martin addresses the Board. He explained he believed that rezoning the property would devalue his and surrounding properties. He also stated that the City had already brought down the values of the property by deeming it a flood zone and didn't want it made worse.

Closed: 5:39

Mark Ross asked Pat Parsley if he could give the City's side. Pat Parsley explained that it was the Federal Government that designated the property a flood plain, not the City. He also explained that the City didn't want that property to remain a Mobile Home Park and that CPR-2 would fit nicely with the City's comprehensive plan. Mark Ross asked if taverns would be allowed in this zone. Pat Parsley explained that behind Oak St was already zoned CPR-2 and that this zoning is considered a buffer.

Dale Schroth asked if CPR-2 allowed only buffer businesses. Pat Parsley said that it would and that it's a downtown mixed use district.

Dale Schroth then explained that his concern is that putting that zoning in that area would push out the residential. Pat Parsley explained that this should not impact the residents in a negative way. He went on to say that this zoning allows row housing in addition to retirement facilities and housing over small businesses.

Darryl Cheney expressed that he believed CPR-2 would be the most compatible and agrees with the rezoning.

Dale Schroth asked if there were any other questions or concerns. There were none.

Commission Member, Mark Ross moved to recommend to City Council to approve the Rezoning of the portion of the property zoned R-MH (Mobile Home Park Residential District) to the requested zoning CPR-2 Hiawatha, Iowa. Second by Tom Wille.

Roll call vote:

AYES: RETA SAYLOR, DALE SCHROTH, DARRYL CHENNEY, MARK ROSS AND TOM WILLE

NAYS: GILBERT LAWRENCE

ABSENT: MARK POWERS

**Motion Carried**

**Resolution #15-045 Approved**

**Reconsider the tabled item from the October 26,2015 meeting for recommendation to City Council to allow staff approval of site plans which do not require variances, conditional uses or PUD requests.**

Dale Schroth asked if there were any questions or concerns.

There was some concern from the Board member about taking this information away from the Board and the people of Hiawatha. There was discussion between the Board Members and Pat Parsley about what would and wouldn't go to Planning and Zoning if this change was adopted. Pat Parsley explained that the only thing that would not go Planning and Zoning would be perfect site plans that meet all the requirements and code. Everything else, he explained, would have to be approved by the Board. He explained that this would speed up the time it takes to start projects by a couple weeks.

Commission Member, Mark Ross moved to recommend recommendation to City Council to allow staff approval of site plans which do not require variances, conditional uses or PUD requests. Second by Reta Saylor.

Roll call vote:

AYES: TOM WILLE, DALE SCHROTH, DARRYL CHENEY AND MARK ROSS

NAYS: GILBERT LAWRENCE AND RETA SAYLOR

ABSENT: MARK POWERS

**Motion Carried**


**Resolution #15-046 Approved**

**Consider Resolution for approval of the 2016 Planning and Zoning meeting schedule.**

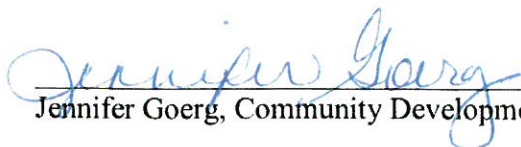
Dale Schroth asked if there were any questions or concerns. There were none.

Commission Member, Darryl Cheney moved to approve the 2016 Planning and Zoning Schedule. Second by Reta Saylor. Motion Carried.

Chairman, Dale Schroth asked for a motion to adjourn, Reta Saylor moved to adjourn the meeting at 6:08p.m., Second by Tom Wille. Motion carried.

  
\_\_\_\_\_  
Dale Schroth, Chairman

ATTEST:

  
\_\_\_\_\_  
Jennifer Goerg, Community Development Clerk

# Memorandum

**To:** Planning & Zoning Commission

**CC:** Mayor Bill Bennett  
Kim Downs  
John Bender

**From:** Patrick Parsley CDD

**Date:** 1/19/2016

**Re:** Comprehensive Plan Update

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The Comprehensive Plan for Hiawatha is the visioning document for growth and development within the City. Essentially it represents the past, the present and our future. It has been over five years since the Plan has been updated. Since that time the City of Hiawatha has experienced incredible growth through annexation adding acreage and is currently experiencing an increase in development and construction. The growth is projected to continue.

The growth and development is regulated by our Unified Development Code (UDC) which is the application document for our Comprehensive Plan. We have made updates to the UDC on a regular basis to stay current with the Comprehensive Plan and new development concepts. Updates include the development of a downtown concept, a Design Guideline for the major traffic corridors in Hiawatha and several minor changes within the UDC and other city ordinances to accommodate new development.

However the UDC needs a major overhaul to match new city planning concepts and to make it more usable and enforceable. To accomplish this goal the Comprehensive Plan should be evaluated and updated. The revised vision document will guide the UDC revisions now and into the future.

We have gone out for RFQ's for this project. MSA meets our requirements to facilitate the process. Funds are available in the amount of \$20,000 for this project. The MSA proposal states this project will take about nine months to complete. The proposal includes public input opportunities, the use of a Project Team, and involvement from the Planning & Zoning Commission and City Council. The proposal is attached for your review. At this point City Staff is requesting your participation in this process. Please review the document and prepare for the following actions:

- Review and discuss the scope of the proposal. P&Z ideas may be incorporated in the final document if approved by the City Council.
- Consider participation on the Project Team. This team will meet five times over the nine month period in addition to the regular Commission and Council meetings. We are proposing the team include
  - Two(2) P & Z Commissioners
  - Two (2) City Council persons
  - Three (3) City Staff
  - Two (2) or Three (3) key citizens
- Further make a recommendation to City Council to proceed with this project.

This is a very important project for the City of Hiawatha. The new document will be foundational in the appropriateness of our future development and of policies and regulations for our beautiful and growing Hiawatha both residentially and commercially.



More ideas. Better solutions.®

**MSA**

PROFESSIONAL SERVICES

## COMPREHENSIVE PLAN UPDATE SCOPE AND SCHEDULE OF SERVICES

*Prepared for City of Hiawatha, IA  
December 8, 2015*

**More ideas. Better solutions.®**

MSA Professional Services, Inc. is a multidisciplinary consulting firm serving public and private clients throughout the Midwest. Our planning, engineering and architectural professionals meet the needs of a diverse client base with an emphasis on creativity and results. We provide our clients with more ideas and better solutions.

**Project Manager:**

Shawn O’Shea, AICP

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*Cover photo courtesy of : [www.Hiawatha.iowa.gov](http://www.Hiawatha.iowa.gov)*

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# SCOPE OF SERVICES

## SCOPE OF WORK

A transparent public participation process is the foundation to a successful plan. We will approach this work with diligence, creativity, open-mindedness and respect for the input of all participants. We believe that our role as your consultant is to work hard, introduce fresh ideas, listen carefully and deliver a plan that accurately represents the consensus of City Staff, the Project Team, the Planning and Zoning Commission, Council members, business owners and residents.

We understand the importance of a genuine, multi-faceted approach to engage stakeholders in this important planning process. MSA will facilitate a thorough, inclusive and effective community engagement process that will both improve the plan and build support for adoption and implementation. An effective community engagement process will also help residents envision and understand a good balance of physical, social, economic and aesthetic values. Our proposed approach includes the following elements:

### *Project Team Meetings*

The Project Team will be a primary review body throughout the planning process. We propose holding five meetings with the Team. These meetings will be open to the public. Project Team presentation materials will be posted on the project website for public access.

### *Project Website*

MSA will develop a project website where we will post the project schedule, share draft materials and solicit comments throughout the planning process. This aspect of the community engagement plan is important for transparency, and for sharing information with stakeholders who are unable to attend meetings.

### *Social Media*

MSA will utilize various social media outlets to make stakeholders aware of the process and direct them to the Project Website for more information. Examples would

include working with the existing Facebook page and Twitter account of the City of Hiawatha to notify already engaged followers about upcoming planning activities. Using the community's existing social networks also allows the process of implementing the plan to continue after the Council has voted for adoption. Stakeholders engaged in the planning process will help to implement the plan by continuously engaging with resources and people, via the community's established social networks.

### *Online Survey*

MSA will create an online survey through Survey Monkey that will be available to all members of the public to address specific areas in the planning process and capture invaluable public input.

### *Crowd Source Mapping*

MSA will create an online map that can be used by the public to contribute information to the map such as areas of concern such as a street or sidewalk in disrepair or an area of town that is a barrier to pedestrians. This is a great visual way to get citizens involved with the planning process and address concerns and opportunities they see in the City of Hiawatha.

### *Scheduled Public Engagements*

Public engagement is an important component of any municipal planning process. To bring the plan to the community and to make the best use of both time and resources, we propose holding four scheduled public engagement activities as part of the plan update process.

The first is a Public Workshop to identify key issues, priorities, and preferences. The workshop will include a brief discussion of planning basics and an overview of the current Comprehensive Plan.

The second is Second is a a Public Open House in month six on the schedule. The format for this meeting is to start with a 15 minute open house for the public to review and



### SCOPE OF WORK | CONTINUED

make comments, consultant presentation, and a focused feedback session to wrap things up at the end.

The third is a Planning and Zoning Commission Public Hearing. MSA will present the final draft and receive comments at a Planning and Zoning Commission meeting prior to a recommendation to Council from the commission.

The fourth is a City Council Public Hearing. MSA will present the final draft and receive comments at a City Council meeting prior to the Council's consideration for adoption.

#### *City Council, Planning and Zoning Commission Meetings*

MSA will facilitate several meetings of the Planning and Zoning Commission and City Council as identified in the schedule on page 5 of this plan. The first is a joint Council and Planning and Zoning Commission Workshop to review the existing plan and develop growth vision and goals.

The second is another joint workshop that will be held with the City Council and Planning and Zoning Commission to present a final draft and record any feedback/comments.

In the last month of the planning process there will be a public hearing at a Planning and Zoning Commission meeting and then a public hearing at a City Council meeting for review and adoption of the updated Comprehensive Plan/Land Use Chapter. To be more specific, the plan update will address the following:

- Updating demographics, community statistics, infrastructure information and traffic conditions.
- Future use and proposed zoning recommendations for newly annexed and other future growth areas.
- Evaluate the impacts on land use from the Tower Terrace/I-380 interchange.

- Review, solicited feedback and identify improvements to CPR Zones, Downtown/Village Center concepts and Boulevard Design Guidelines.
- Review and revise goals, objectives, policies and actions items for implementation of the Comprehensive Plan.

The updated Comprehensive Plan will serve as a road map, guiding future development and growth for Hiawatha. The update will be focused on analyzing and addressing specific areas of concern related to the current comprehensive plan including: Future Land Use Needs, Infrastructure, Transportation, Housing, Growth Management, Character and Quality of Life.

#### *DELIVERABLES*

MSA will provide PDF versions of all draft documents developed throughout the planning process through email and on the project website. MSA will also provide to the City of Hiawatha a final draft of the City of Hiawatha Comprehensive Plan, including any relevant maps and images.

- Maps and associated data shall be in ARCGIS 10.3 format and shall be provided to the City (the City's GIS data will be made readily available as needed to the consultant).
- Text and report files shall be in MS Word and PDF formats.
- All final reports shall be presented in digital format for archiving and reproduction.

The completed plan updates will serve the entire community as it continues to grow. We would recommend it be reviewed by the City Staff and Council on an annual basis to assure it is meeting Hiawatha's development needs.





## OPTIONAL TASKS

### *Confab Booth at Community Event (optional task \$3,000)*

One method we find very exciting would be for MSA to staff a Confab Booth covering the plan and soliciting public input at a scheduled community festival or event in Hiawatha. A “Confab Booth” is a method of engagement that brings the conversation to stakeholders. MSA has been using these booths at community festivals and events to share information about a draft plan or planning process and get people talking for a few minutes about the plan. We find many families who may be too busy to attend a traditional public meetings have a great opportunity to both see the plan and participate in the process by providing input in a more informal setting. They are already at a community event, they just stop by the booth and we’ll engage them in the process at any level they feel comfortable without taking up an evening of their time.



### *Key Stakeholder Interviews (optional task \$3,200)*

Our team proposes to facilitate interviews with key stakeholders and staff near the beginning of the planning process. We are primarily interested in speaking with City Staff, community leaders, members of community organizations, the City Engineer, business leaders and other key stakeholders who were not represented in the Project Team. MSA will consult with the City to identify and schedule interviewees. The objective of the interviews will be to gain a better understanding of the growth plans and preferences of departments, institutions, organizations and businesses. Advancing our understanding of stakeholder preferences will allow us to adequately represent all viewpoints regarding issues, opportunities, barriers and trends affecting the community’s future growth.



# KEY PERSONNEL

## PROJECT TEAM OVERVIEW

We have assembled a specialized team of MSA's professional staff to partner with the City of Hiawatha for a successful Comprehensive Plan Update. Combined, our capabilities allow us to deliver a creative and technically masterful update for Hiawatha. Below, please find a summary of our team and their specific roles for your project; our resumes follow. Full resumes are included in MSA's submitted Statement of Qualifications.

### SHAWN O'SHEA, AICP | Project Manager

Shawn will coordinate MSA's work effort throughout the project's duration. Shawn will also take the lead role for MSA in facilitating committee meetings, stakeholder interviews, public meetings, and other public engagement activities.

### CHRISTOPHER JANSON, AICP | Project Planner | Team Leader

Chris is currently involved in the planning process of numerous comprehensive planning projects at MSA. For this project, Chris will have a supportive role in analyzing existing conditions, formulating development concepts, and will assist with community engagement activities.

### MAT SAUR, P.E. | Project Engineer | Client Liaison

As a Team Leader and Project Engineer in close proximity to Hiawatha, Mat has extensive experience working alongside communities to analyze infrastructure and identify and implement necessary improvements. Mat will assist with infrastructure analysis and related growth planning throughout Hiawatha's planning process.



# PROJECT TIMELINE AND PROPOSED BUDGET

## PROJECT TIMELINE

MONTH	TASK
Month 1	<ul style="list-style-type: none"> <li>Project Team Meeting 1 - <i>Project Kick-Off Meeting</i></li> <li>Joint Council and Planning Commission Workshop</li> <li>Release Survey to Public and Crowd Source Mapping</li> </ul>
Month 2	<ul style="list-style-type: none"> <li>Existing Plan Review, Demographics and Existing Conditions Analysis</li> <li>Key Stakeholder Interviews <b>(optional)</b></li> <li>Public Workshop</li> </ul>
Month 3	<ul style="list-style-type: none"> <li>Compile Survey Results</li> <li>Project Team Meeting 2 - <i>Goals and Objectives</i></li> </ul>
Month 4	<ul style="list-style-type: none"> <li>Project Team Meeting 3 - <i>Land Use</i></li> </ul>
Month 5	<ul style="list-style-type: none"> <li>Prepare Rough Draft of Comprehensive Plan</li> <li>Project Team Meeting 4 - <i>Implementation Action Plan</i></li> </ul>
Month 6	<ul style="list-style-type: none"> <li>Public Open House</li> <li>Confab Booth at a Community Festival/Activity <b>(optional)</b></li> </ul>
Month 7	<ul style="list-style-type: none"> <li>Prepare Final Draft of Comprehensive Plan Update</li> <li>Final Project Team Meeting 5 - <i>Final Comprehensive Plan Update Review</i></li> </ul>
Month 8	<ul style="list-style-type: none"> <li>Joint Council and Planning Commission Workshop</li> </ul>
Month 9	<ul style="list-style-type: none"> <li>Planning Commission - Final Review, Public Hearing and Recommendation to Council</li> <li>City Council - Final Review, Public Hearing and Consideration for Adoption by Resolution</li> </ul>

## PROPOSED BUDGET

Our proposed scope of work to update the City of Hiawatha’s Comprehensive Plan Update will be delivered at a cost of \$20,000. This cost is inclusive of all direct costs, such as travel and printing. We are open to discussing any modifications to our scope and any associated cost changes. During the course of the project, should the City request additional work not included in our contracted scope of work, MSA is open to discussing contract amendments for additional services.

## OPTIONAL TASKS FROM PROPOSED SCOPE

- Stakeholder Interviews \$3,200
- Confab Booth \$3,000.



# CLIENT FEEDBACK TOOL

## YOUR SUCCESS MATTERS.

CLIENT SERVICE QUALITY ASSURANCE PROGRAM | CLIENT FEEDBACK TOOL

Our firm constantly strives to improve our processes and tailor the services we provide to best suit each of our clients. As part of our ongoing quality assurance program, we periodically request feedback from clients and project stakeholders to create better project outcomes for you.

Rather than wait for the project to be over (when there's little opportunity to change the outcome), our project team will send brief electronic surveys at various project milestones. Each survey includes a short list of questions requiring fewer than two-three minutes to complete.

**These easy-to-complete surveys offer you the opportunity to comment on several areas of our performance, which in turn helps us adapt our processes to your unique needs. Your feedback is specific to your project, and is returned directly to the people working with you. We pledge to respond to any issues you identify as the project proceeds.**

We value your feedback, and may ask for input more frequently than you care to respond. Please respond when something exceptional happens (positive or challenging), and know that we'll take action when you do. All other times we will assume your non-response indicates the process is working and the project is progressing as expected.

Unlike any survey you've ever taken before, **your response will initiate specific improvement for you and your project.** We have found this to be an effective tool that enables us to achieve continual improvement. We hope you'll take a few minutes to respond, experience the process first-hand, and see how we follow-up to your feedback.



*The project manager or another team member asks for your feedback electronically.*



*You respond to a six-eight question, two-three minute survey.*



*Your response is immediately routed to the project team via email.*



*If any of your responses indicate exceptional performance or a problem, someone on the project team will follow-up and discuss ways to either improve the process, or make sure we continue to provide the level of service you desire.*



*We document any process changes and communicate them to the project team and back to you.*

clientfeedbacktool  
THE POWER OF FEEDBACK



# Memorandum

**To:** Hiawatha Planning and Zoning Commission  
**CC:** Kim Downs, City Administrator  
**From:** Patrick Parsley, Community Development Director  
**Date:** 09/24/2015  
**Re:** Amend 165.70 by adding detail to the Purpose statement for Nonconforming uses.

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Mark Parmenter, City Attorney, has made a suggestion we improve our purpose statement for dealing with legal nonconforming uses because it will reinforce our city policy in dealing with nonconforming uses in the future. Past appeals have revealed the purpose for this section is critical in defending the actions of the city when terminating or extending legal nonconforming uses.

The added detail in the purpose statement delineates three distinct concepts to be considered when dealing with legal nonconforming uses. Adding this language assists city officials in dealing with legal nonconforming uses in a consistent manner focused on the vision for the City of Hiawatha regarding specific uses in various zoning districts.

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**165.70 NONCONFORMING BUILDINGS, STRUCTURES AND USES.** Within the districts established by this Code, or by subsequent amendments thereto, there exist buildings, structures and uses which were lawful before this Code was passed or amended, but which would be prohibited or restricted under the terms of this Code or future amendments thereto.

1. Purpose. The purpose of this section is to provide for the regulation of nonconforming buildings, structures and uses and to specify those circumstances and conditions under which such nonconformities shall be permitted to continue. The intent of the regulation is not to force all nonconforming situations to be immediately brought into conformance. Instead the intent is to guide future uses and development in a direction consistent with city policy, and over time to bring the development into compliance with the city's regulations and Comprehensive Plan.

2. Authority for Continuance of Nonconformities and Regulation Thereof. Any nonconforming building, structure, or use which existed lawfully at the time of adoption of this Code and which remains nonconforming by the terms thereof, and any such lawful building, structure or use which shall become nonconforming upon the adoption of this Code, or any subsequent amendment thereto, may be continued subject to the regulations following in this section.

**Recommendation:** CD supports a recommendation to City Council for the modifications to City Code Section 165.70 as noted above giving direction in dealing with nonconforming uses.

# Memorandum

**To:** Planning and Zoning Commission  
 Kim Downs City Administrator  
 John Bender City Engineer

**From:** Patrick Parsley

**Date:** 12/02/15

**Re:** Storage Containers / Outside Storage

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**BACKGROUND:** We have had two requests for permission to place storage containers in Hiawatha. One request was for permanent industrial use and one for temporary commercial use. We informed them the city ordinances prohibit the placement of storage containers except for construction related purposes. One applicant stated there are a number of these already in Hiawatha. Consequently we have documented storage containers located in Hiawatha. The documented locations are in I-1 and I-2 zones. These units are prohibited except when associated with a construction project by our UDC section 155.39.

## ***155.39 EXTERIOR STORAGE CONTAINERS PROHIBITED***

1. *For the purpose of this section, storage container means any receptacle designed, built or intended to be used for the shipment, transportation or storage of goods.*
2. *The use of storage containers for the exterior storage of materials, inventory or equipment is hereby prohibited. This prohibition shall not apply to a truck trailer or semi-trailer while it is actively being used for the transportation of materials, inventory or equipment and is locate adjacent to a loading dock.*
3. *Notwithstanding subparagraph 2 above, a storage container may be used as a construction site trailer but only during constructions on the site and after obtaining a permit from the Hiawatha Building Department.*

This prohibition is very restrictive compared to Cedar Rapids and Marion. In Cedar Rapids these units are allowed as temporary storage units for a period of six months on any lot when properly located and when properly screened. Further: the time frame can be extended through a conditional use permit. In Cedar Rapids Industrial Zones screening is not required for storage containers.

### ***Cedar Rapids Temporary Commercial Storage Container***

*Temporary commercial storage containers shall be limited as follows:*

- a. *No temporary commercial storage container shall be more than eight (8) feet in height, nor more than forty (40) feet in length.*
- b. *Temporary commercial storage containers shall not be stacked vertically.*
- c. *Temporary commercial storage containers shall be located so as to minimize visibility from both public streets and residential land uses, and shall not be located (a) between the front facade of the primary structure and any street right-of-way, or (b) in any required side or rear setback area.*
- d. *A temporary commercial storage container that remains on site in any zone district **except the I-2 zone district shall be screened** from view by a fence or opaque wall as described in Sec. 32.05.030.A.*

*e. A temporary commercial storage container shall not remain on any site for more than six (6) months in any one calendar year period unless a Conditional Use Permit for a longer period has been obtained.*

In Marion these units are not mentioned specifically in their code. According to Dave Hockett; Assistant Planning and Development Director, storage containers are treated as accessory structures. There is no requirement for screening and they are allowed in all zones where accessory structures are allowed. A permit is required for the installation regulating the size and setbacks.

*"I treat them as a temporary structure (30 days) after that they are considered permanent and must meet all zoning setback and building regulations to be on the lot. I got fairly aggressive about them as years ago we had people buying them cheap and using them as permanent sheds on their driveway not properly secure."*

Part of our research also included an interview with one of the local businesses which uses storage containers extensively. This business uses the containers for shipping product, creating construction site trailers, and for onsite storage of materials. The owner claims they are necessary to the vitality of the business.

We went to the site and witnessed a well kept industrial site. All of the storage containers were painted and maintained and located in the side and rear yard of the facility. There was also additional outside storage classified by the owner as job staging areas along with unenclosed dumpsters for product scraps.

We noticed an adjacent property which has no storage containers and instead has multiple truck trailers. This is of interest because our code presently allows any business to park this type of unit on their property and use it for storage without screening as long as it is on a hard surface. However, this is not allowed on industrial lots used for the sole purpose of storage without a main building. These units seem to be comparable to storage containers.

On further inspection and discussion the broad concern regarding outside storage in Hiawatha became the focus of our research. Over the past year we have focused on outside storage as it relates to hard surface requirements. We have not required anyone to screen or remove outside storage based on visibility except for lots used for the sole purpose of storage. However we have required hard surfaces to be installed where the UDC specifies. We are still in the process of bringing some facilities into compliance regarding hard surfaces.

The "storage container" discussion changed to an "outside storage" discussion because storage containers are viewed by some as a better option for outside storage. Additionally, we are having as many issues with screening as we are with storage containers.

The City code requires outside storage to be screened in all zones as noted in 165.16, 165.20 and 165.23. We have included pictures in this report showing outside storage and storage containers already existing in Hiawatha. It was not our intent to concentrate on industrial areas however all of the pictures are in I-1 or I-2 zones. Most of the outside storage seems to be well kept except for a couple of sites.

**RECOMMENDATION:** If we retain the prohibition on storage containers city staff will commence with enforcement of this provision asking that all of these units be removed from Hiawatha. However Hiawatha has an opportunity at this time to address the screening issue along with the storage containers which could make it possible for businesses to use these storage containers and at the same time maintain our aesthetic values.

The first step would be to retract the prohibition on storage containers for industrial zones and treat them as outside storage by amending UDC Section 165.23. This would:

- allow them in industrial zones only,
- would limit stacking,
- would not allow them in required yards, and
- would not allow them in front of buildings without screening.

Our present code would require them to be screened as for all outside storage. The amended language is underlined below. It includes the limits for storage containers, adds the option for walls and fences to be used for screening and defines storage containers.

~~155.39 EXTERIOR STORAGE CONTAINERS PROHIBITED~~

- ~~1. For the purpose of this section, storage container means any receptacle designed, built or intended to be used for the shipment, transportation or storage of goods.~~
- ~~2. The use of storage containers for the exterior storage of materials, inventory or equipment is hereby prohibited. This prohibition shall not apply to a truck trailer or semi-trailer while it is actively being used for the transportation of materials, inventory or equipment and is located adjacent to a loading dock.~~

~~Notwithstanding subparagraph 2 above, a storage container may be used as a construction site trailer but only during constructions on the site and after obtaining a permit from the Hiawatha Building Department.~~

**165.23 SUPPLEMENTAL YARD REGULATIONS.**

9. Accessory Uses and Structures. This section supplements the regulations contained in this Code as they apply to accessory uses and structures, except for accessory signs which are governed by the provisions of Section 165.15(2), Figure I and Chapter 166 of this Code.

C. Parking and Storage Restrictions.

(7) Outside Storage. Outside storage shall not be permitted in any required yard. Outside storage shall not be permitted in any front yard in a Residential District. All outside storage shall be effectively screened with landscaping and building elements or opaque fences or walls from the right of way and from off-site views. Screening shall comply with specific requirements for the Zoning District in which the storage occurs. Access to outside storage shall be hard surfaced as described in 165.23(9)(C)(1) and screened if in view of the right of way. Outside storage surfaces in Industrial Zoning Districts shall be on rock, gravel, a dust free surface approved by the City Engineer or on a hard surface as described in Section 165.23(9)(C)(1). Storage containers shall be considered as outside storage and shall comply with this section and the following.

- a. Commercial storage containers shall not be stacked.
- b. Commercial storage containers shall be allowed only in I-1 and I-2 zones.

**165.96 Definitions**

**166. Storage Containers:** For the purpose of this code, storage container means any receptacle designed, built or intended to be used for the shipment, transportation or storage of goods. Storage containers shall be considered outside storage.



The second step in this recommendation is to change the screening requirements for industrial zones. The nature of an industrial use includes the need for some outside storage. Most of the industrial occupancies in I-1 and I-2 zones currently have outside storage. The recommended change is simply to allow landscaping and building elements to be a part of the required screening.

The Comprehensive Plan recognizes outside storage as an expected part of industrial zones however the Comp Plan notes Hiawatha's desire for industrial parks without outside storage. The present requirements and enforcement on outside storage aligns with the aesthetic policies and values in Hiawatha.

The proposed changes are only for industrial areas which often require outside storage. The versatility of including landscaping and building elements as part of required screening will allow for more aesthetically pleasing options in industrial zones. This change will include the underlined language in section 165.16 § 13 and 14. The opaque fence requirement for industrial lots used solely for storage will remain in effect.

**165.16 LAND USES AND REGULATIONS BY DISTRICT.** Land use regulations and standards for development in all districts are provided by zone districts.

13. I-1 Restricted Industrial District.

B. Conditions For Uses Permitted. Uses permitted in the I-1 District are subject to the following conditions:

(3) All storage except for motor vehicles in operable condition shall be within completely enclosed buildings or effectively screened with landscaping and building elements or by a solid wall or fence, including solid entrance and exit gates, not less than 6 feet nor more than 8 feet in height. In the event a solid wall is used to satisfy this requirement the yard requirements of this district shall apply exterior to the wall. Surfaces of the storage area and accesses shall comply with 165.23(9)(C)(7). Accessory vehicle parking shall be as regulated by Section 165.30 through 165.36. Non-accessory vehicles, machines and equipment shall be regulated by section 165.23(9) or shall be parked on a parking lot complying with 165.30 through 165.36.

14. I-2 General Industrial District.

B. Conditions For Uses Permitted: Uses permitted in the I-2 District are subject to the following conditions:

(3) All storage except for motor vehicles in operable condition shall be within completely enclosed buildings or effectively screened with landscaping and building elements or by a solid wall or fence from the right of way and Residential Districts within 300 feet, including solid entrance and exit gates, not less than 6 feet nor more than 8 feet in height. In the event a solid wall is used to satisfy this requirement the required yard of this district shall apply exterior to the wall. Surfaces of the storage area and accesses shall comply with 165.23(9)(C)(7). Accessory vehicle parking shall be as regulated by Section 165.30 through 165.36. Non-accessory vehicles, machines and equipment shall be regulated by Section 165.23(9) or parked on a parking lot complying with 165.30 through 165.36.

None of these proposed changes affect the exception for construction site use of storage containers already in the Hiawatha UDC Section 165.21 (3)

**176.35 SUPPLEMENTAL REGULATIONS.**

*13. Temporary Buildings and Structures.*

*A. Temporary buildings, including manufactured/mobile homes, that are used solely for office or storage purposes in conjunction with construction work only.*

*may be permitted in any zoning district during the period that the construction work is in progress, but such temporary buildings shall be removed upon completion of the construction work.*

**SUMMARY:** Our research focused on aesthetics versus business friendliness and included the possible costs of enforcement. Other options explored which are not included in this recommendation were:

- follow Marion’s lead in treating storage containers as buildings,
- allow storage containers in all zones as temporary uses, and
- implementation of conditional use permits to control the installation and maintenance of storage containers.

We are recommending an option which allows for limited use of storage containers and increases screening options in industrial zones only. This option maintains the aesthetic values in Hiawatha yet accommodates the industry need for outside storage options without creating additional enforcement procedures and costs.

**P&Z Resolution:** Recommend City Council approve these changes to the UDC to allow storage containers and modified the screening options in Industrial zones.