

175.28 ESTABLISHMENT OF DISTRICTS. In order to carry out the purpose and intent of this chapter, the area of the City of Clive is hereby divided into eighteen (18) Zoning District Classifications and one overlay zoning district classification as follows:

- RE Residential Estate District
- R-1 Single Family Residence District
- R-2 Single Family and Duplex Family Residence District
- R-3 Multiple Family Residence District
- R-4 Townhome Residence District
- R-5 Single Family Residence District
- C-1 Convenience Commercial District
- C-2 Community Commercial District
- C-3 Planned Office Park Commercial District
- C-4 Planned Shopping Center Commercial District
- C-5 Highway Commercial District
- TC-1 Town Center – North End Development Area District
- TC-2 Town Center – Alice/Summit Residential Development Area District
- TC-3 Town Center – Harbach Commercial Development Area District
- TC-4 Town Center – South End Development Area District
- M-1 Light Industrial District
- M-2 Heavy Industrial District
- FW Floodway District
- FF Floodway Fringe Overlay District

175.29 OFFICIAL ZONING MAP. The boundaries of these districts are indicated upon the Official Zoning Map of the City of Clive, Iowa, which map is made a part of this Ordinance and incorporated herein by this reference. The Official Zoning Map and all the notations, references and other matters shown thereon shall be as much a part of this Ordinance as if the notations, references and other matters set forth by said map were all fully described herein. The Official Zoning Map shall be on file in the office of the City Clerk of the City of Clive, Iowa, and shall bear the signature of the Mayor attested by the City Clerk under the certification that this is the Official Map referred to in this Chapter of the Zoning Ordinance. If in accordance with the provisions of this Ordinance, changes are made in the district boundaries or other matters portrayed on the Official Zoning Map, the Ordinance number and date of said change shall be recorded by the City Clerk on the Official Map. In the event that the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of use, the City Council may correct drafting or other errors or omissions in the prior Official Zoning Map; provided, however, that any such adoption shall not have the effect of amending the original Zoning Ordinance or any subsequent amendment thereof.

175.30 INTERPRETATION AND CONFLICT. In cases where the exact location of the district boundary is not clear as shown on the Official Zoning Map, the following rules shall be

used in determining the location of said district boundary:

1. Boundaries indicated as approximately following the centerlines of streets or highways shall be construed to follow such centerlines.
2. Boundaries indicated, as approximately following platted lot lines shall be construed as following such lot lines.
3. Boundaries indicated, as approximately following City limits shall be construed as following City limits.
4. Boundaries indicated as following railroad lines shall be construed to be mid-way between the main tracks.
5. Boundaries indicated as following shorelines shall be construed to follow such shore line, and in the event of change in the shore line shall be construed as moving with the actual shore line; boundaries as approximately following centerlines of streams, creeks lakes or other bodies of water shall be construed to follow such centerlines.
6. Boundaries indicated as parallel to or extensions of features indicated in above subsections shall be so construed. The scale of the Map shall determine distances not specifically indicated on the Official Zoning Map.
7. Where physical features existing on the ground are at variance with those shown on the Official Zoning Map, or in other circumstances now covered by above Chapters, the Community Development Director shall interpret the district boundaries.

Vacation of public streets shall cause the land vacated to automatically be placed in the same district as the abutting side. Any land annexed to the City after the effective date of this Ordinance shall be zoned R-1 Residential until rezoned in accordance with this Ordinance and the Comprehensive Plan. Within six (6) months of the annexation of any land into the City, the Planning and Zoning Commission shall study that area annexed and recommend to the City Council a zoning and land use plan for the area.

175.33 TOWN CENTER DISTRICT REGULATIONS. (TC-1, TC-2, TC-3, TC-4 Districts). The town center zoned districts are intended and designed to provide for an economically viable, diverse place, located within and adjacent to the NW 86th Street Corridor, with quality residential, commercial service, employment and recreational uses of various densities and intensities needed to promote quality of life, health, and general welfare of citizens and visitors within the City of Clive and which draws citizens and visitors to the Corridor. It shall be generally recognized that the type of use is not so important as the manner in which the use is accomplished. It is intended that the district shall not be used indiscriminately to permit any use that could potentially be detrimental to the intent of the Zoning Ordinance.

1. TC-1 North-End Development Area. The “North-End Development Area” district is designed to provide land for the orderly and logical development of a complete and intensive community shopping center with a broad range of retail and professional office use which exhibit a high quality of architectural and design elements. The district will incorporate high-quality materials in unique architectural designs and substantial plantings of trees, shrubs and other plant materials. The district will be developed with a network of connecting parking lots with minimal street openings to NW 86th Street and Hickman Road.

2. TC-2 Summit/Alice Residential Development Area. The “Summit/Alice Residential Development Area” district is primarily intended to provide opportunities for medium density condo/townhome residential development preserving the integrity and value of the existing single-family neighborhoods. The district will be designed so that the residential structures engage the street, providing the massing and building form that helps define the block. The district will incorporate high-quality materials and unique architectural designs. Open space will be used to accent the architectural and natural features of the residential development within the district.

3. TC-3 Harbach/Commercial Development Area. The “Harbach/Commercial Development Area” District is designed to provide land for mixed-use development incorporating retail commercial and office uses with residential and recreational opportunities. The District will be primarily developed with ground level retail commercial and upper level office or residential uses. Pedestrian traffic is considered a priority and shall be well planned for throughout the district. The district will incorporate high-quality materials and unique architectural designs. Public and private plaza and courtyard open space are encouraged.

4. TC-4 South End Development Area. The “South End Development Area” district is intended to provide for an office and regional commercial entertainment center and will be designed in consideration of public plazas or courtyards, Clive Greenbelt Park, historical amenities and other urban open space that can serve as a focal point for community activities. The area will include retail/commercial, office, entertainment, residential, institutional and open space uses. The buildings within the district will be constructed with high-quality materials and will be designed to form part of a larger composition rather than being designed in isolation of one another.

5. Principal Permitted Uses. Principal permitted uses for town center zoned property may be found below. Where a use is not expressly listed below, the Community Development Director shall have authority to determine if the use is compatible and consistent with the surrounding environment. If it is determined by the Community Development Director that the proposed use is not compatible and consistent with the

surrounding environment, the property shall have the right to appeal the decision to the Board of Adjustment pursuant to the regulations and requirements as expressed in Chapter 18 of this Ordinance.

Use	TC-1	TC-2	TC-3	TC-4
Attached Dwellings, Townhomes		P		
Auditoriums				P
Automobile Supply (Retail)	P			
Banks	P		P	P
Childcare, including Daycare	P		P	
Commercial Entertainment				P
Convenience Stores/Gas stations	P		P	
Dance Studio	P		P	P
Domesticated Animal Boarding/Kennels	P			
Drinking Establishments				P
Fitness Center	P		P	P
Funeral Homes and mortuaries	P			
Grocery Store	P		P	
Hair Salon	P		P	P
Hotel, Motel or Motor lodge	P			P
Laundry, Repair, Dry Cleaning and pick-up	P		P	
Libraries	P	P	P	P
Medical Office, Clinic	P		P	P
Movie Theater	P			P
Multiple Family Dwellings		P	P	P
Museum				P
Photographic studio	P		P	P
Professional Offices	P		P	P
Religious Institutions	SP	SP	SP	SP
Retail	P		P	P
Restaurant, Fast food	P		P	P
Restaurant, Fast food drive thru	P		P	P
Restaurant, Full Service Sit-down	P		P	P
Veterinary Clinic and Hospital	P		P	P
Notes: P = Permitted SP = Special Use Permit				

Table 9-1 Permitted Uses – Town Center

6. Accessory Buildings. Accessory buildings may be constructed in town center zoned lots as permitted in Section 175.15 of this chapter.

7. Accessory Structures. Accessory structures may be constructed in town center zoned lots as permitted in Section 175.16 of this chapter. Where the town center district is not specifically mentioned, the requirements shall be consistent with the Commercial District regulations.

8. Signage Requirements. Signage Requirements shall be provided consistent with the provisions outlined in Section 175.38 of this chapter and shall apply to all town center districts except for monument signage requirements. Where the town center district is not specifically mentioned, the requirements shall be consistent with the C-3 and C-4 Commercial District regulations.

A. Town Center District Monument Signage: Monument signage within the Town Center Districts shall be designed to create a unifying theme throughout

the corridor while creating measured and consistent identification of the various land uses within the corridor. Monument signs shall be designed to primarily identify the development or development area rather than the specific businesses. The following requirements shall apply to monument signage within the Town Center Districts (TC-1, TC-2, TC-3 and TC-4):

(1) All signs shall be designed and constructed of materials that are similar to those used on the principal building. Signs shall be dominated with materials of permanency and strength and shall be compatible with other structures and signs in the development.

(2) Monument signs shall have a monolithic or columnar line that maintains essentially the same profile from grade to top.

(3) TC-1: North End Development Area:

(a) Number of Signs: One (1) monument sign per curb cut onto NW 86th Street and Hickman Road shall be permitted within the TC-1 District.

(b) Hickman Road Signage: All monument signs located along Hickman Road shall be designed with a minimum sign base of three (3) feet from grade and a maximum total height of twelve (12) feet including the height of the base. The maximum width of the sign shall be eight (8) feet. No more than three (3) names and/or logotypes plus one (1) identifying the development shall be permitted on each monument sign. The minimum setback shall be ten (10) feet from the property line.

(c) NW 86th Street Signage: All monument signs located along NW 86th Street or any other side streets shall be designed with a minimum sign base of eighteen (18) inches from grade and a maximum total height of six (6) feet including the height of the base. The maximum width of the sign shall be six (6) feet. No more than two (2) names and/or logotypes plus one (1) identifying the development shall be permitted on each monument sign. The minimum setback shall be five (5) feet from the property line.

(4) TC-2: Summit/Alice Residential Development Area:

(a) Association Identification signs shall be permitted for the purpose of establishing a common neighborhood or complex identification when there exists an owner's association that provides for the maintenance of the sign or structures. Such signs shall be extensively landscaped with trees, plantings and natural features. Such signs may incorporate fountains, fences or similar features. Association Identification signs shall be designed with a maximum height of six (6) feet and a maximum width of six (6) feet. The maximum sign area allowed shall be thirty-two (32) square feet. The minimum setback required of Association Identification signs shall be five (5) feet. All signs shall have a side setback not less than the height of the sign.

(5) TC-3: Harbach Commercial Development Area and TC-4: South End Development Area:

(a) Number of Signs: One (1) monument sign per curb cut onto NW 86th Street and University Avenue shall be permitted within the TC-3 and TC-4 Districts.

(b) University Avenue Signage: All monument signs located along University Avenue shall be designed with a minimum sign base of three (3) feet from grade and a maximum total height of twelve (12) feet including the height of the base. The maximum width of the sign shall be eight (8) feet. No more than three (3) names and/or logotypes plus one (1) identifying the development shall be permitted on each monument sign. The minimum setback shall be ten (10) feet from the property line.

(c) NW 86th Street Signage: All monument signs located along NW 86th Street or any other side streets shall be designed with a minimum sign base of eighteen (18) inches from grade and a maximum total height of six (6) feet including the height of the base. The maximum width of the sign shall be six (6) feet. No more than two (2) names and/or logotypes plus one (1) identifying the development shall be permitted on each monument sign. The minimum setback shall be five (5) feet from the property line.

B. Town Center Building Signage: In the TC-1, TC-2, TC-3 and TC-4 Districts, the maximum dimension of a letter, symbol or logo shall not be greater than three (3) feet.

9. Parking Requirements. Parking Requirements shall be provided consistent with the provisions outlined in Section 175.39 of this chapter. Where the town center district is not specifically mentioned, the requirements shall be consistent with the C-1 and C-2 Commercial District regulations. In addition to the parking requirements in Section 175.39, the following regulations shall apply to property located within the town center zoning districts:

A. No single parking block shall have more than one hundred (100) parking spaces in the TC-1 or TC-3 zoning district.

B. No single parking block shall have more than one hundred fifty (150) parking spaces in the TC-4 zoning district.

C. Parking blocks shall be defined on all sides by any of the following in the TC-1 or TC-3 zoning district:

(1) The front building façade containing a minimum ten (10) foot wide sidewalk along the entire length of the façade.

(2) A side or rear building façade containing a minimum six (6) foot wide sidewalk along the entire length of the façade.

- (3) A public street provided that a 10-foot parking lot and driveway setback is accommodated.
- (4) A twenty (20) foot landscape buffer meeting the requirements of section 10b.
- (5) A twenty (20) foot wide landscaped median containing a minimum six (6) foot wide sidewalk.

D. Shared parking shall be strongly encouraged for mixed use developments located within the TC-1, TC-3 and TC-4 zoning district and shall be allowed based upon the following requirements:

- (1) A written agreement shall be required between property owners sharing parking facilities and shall include any necessary easements, maintenance agreements and projected parking projections for each party. The agreement shall be approved by the City Council and filed with the County Recorder.
- (2) The following table shall be used to determine the required parking based on the shared parking agreement. Whichever time period requires the highest total parking spaces among the various uses subject to the shared parking agreement should be the amount of parking provided.

Category of Use Sharing Parking	Percentage of Required Parking Spaces by Time Period				
	<i>Weekday Daytime and Evening</i>		<i>Weekend Daytime and Evening</i>		<i>Nighttime</i>
	6 am to 5 pm	5 pm to 1 am	6 am to 5 pm	5 pm to 1 am	1 am to 6 am
Office	100%	10%	5%	5%	5%
Retail	75%	75%	100%	90%	5%
Restaurant	50%	100%	75%	100%	25%
Entertainment and Recreation	30%	100%	75%	100%	5%
Church	5%	25%	100%	50%	5%
School	100%	10%	10%	10%	5%
Residential	25%	90%	50%	90%	100%
Lodging	50%	90%	75%	100%	100%

Table 9-2 Shared Parking Standards

E. On-site bicycle parking racks shall be provided at a rate of 0.5 rack spaces per 1,000 square feet of building area to a maximum of twenty (20) rack spaces required for all commercial uses and one (1) rack per five (5) units to a maximum of twenty (20) rack spaces required for all residential uses.

10. Site Plans. Site Plans, consistent with the requirements as outlined in the NW 86th Street Form Function and Design shall be required for all uses.

11. Open Space Requirements. Open Space Requirements shall be provided consistent with the provisions outlined in Section 175.39 of this chapter. In addition to the open space requirements in Section 175.39, the following regulations shall apply to property located within the town center zoning districts:

- A. Minimum quantity: The minimum number of plantings per site within the town center districts shall be 1.5 trees per 1,000 square feet of required open space. This shall be in addition to plantings required within a landscape buffer.
- B. Open Space requirements: Open space shall be provided for each site in each district in accordance to Table 9-3 below. Values are in percentage of total site:

TC-1	TC-2	TC-3	TC-4
25	10 (6-8 units per acre) 15 (9-13 units per acre) 20 (14-17 units per acre) 25 (18-20 units per acre)	15	20

Table 9-3 Open Space Requirements

- C. Buffers: Buffers shall be provided for each site in each district in accordance to Table 9-4 below. Values are in feet:

	R-1, -2, -5 Districts	R-3	R-4	C Districts	TC-1	TC-2	TC-3	TC-4	M Districts
R-1, -2, -5 Districts	--	30	30	50	30	--	20	30	65
R-3	30	--	30	50	30	--	20	--	65
R-4	30	30	--	50	30	--	20	--	65
C Districts	50	50	50	--	--	30	--	--	30
TC-1	30	30	30	--	--	30	--	--	30
TC-2	--	--	--	30	30	--	--	--	30
TC-3	20	20	20	--	--	--	--	--	30
TC-4	30	--	--	--	--	--	--	--	30
M Districts	65	65	65	30	30	30	30	30	--

Table 9-4 Buffer Requirements

- D. Buffer Material Requirements: The following shall be the minimum requirement. All buffers shall provide the plantings as prescribed below.

Buffer Material Requirements per 30 lineal feet of buffer				
20 feet	1 Over-story	1 Evergreen	1 Ornamental	9 shrubs
30 feet	1 Over-story	2 Evergreen	1 Ornamental	--
50 feet	1 Over-story	3 Evergreen	2 Ornamental	--
65 feet	2 Over-story	4 evergreen	2 Ornamental	--

Table 9-5 Buffer Material Requirements

12. Dimension requirements

	TC-1	TC-2	TC-3	TC-4
Density (Residential uses only)		20 units per acre	20 units per acre	20 units per acre
Min. Height	None	None	35 feet or 2 story ⁶	35 feet or 2 story ⁶
Max. Height	45 feet or 3 story	45 feet or 3 story	50 feet or 4 story	50 feet or 4 story
Min. Front Yard Depth	60 feet	15 feet ³ 25 feet ⁴	0 feet	0 feet
Max. Front Yard Depth	None	25 feet ³ 50 feet ⁴	10 feet ⁵ 85 feet	25 feet
Min. Rear Yard	35 feet ^{1,2}	25 feet	35 feet ¹	35 feet ^{1,2}
Min. Side Yard	25 feet ^{1,2}	6 feet ⁷	25 feet ^{1,2,5}	25 feet ^{1,2}
<p>¹. A minimum yard of seventy-five (75) feet shall be required for such yards adjacent to or across from any “R” District.</p> <p>². Where the side or rear of a building within the TC-1, TC-3 or TC-4 District is adjacent to another building within the TC-1, TC-3 or TC-4 District, the internal yard requirement may be either zero (0) feet or twelve and one half (12.5) feet.</p> <p>³. Requirement applies to units not adjacent to NW 86th Street.</p> <p>⁴. Requirement applies to units adjacent to NW 86th Street.</p> <p>⁵. Requirement applies to properties located at the intersections of NW 86th Street and Harbach Boulevard, Alice Avenue and Franklin Avenue.</p> <p>⁶. One-story buildings shall be permitted if existing conditions do not allow for the construction of a multiple story building.</p> <p>⁷. Except where rear or sidewall is a common wall.</p>				

Table 9-6 Dimension Requirements- Town Center

A. In addition to the requirements of this subsection, each dwelling unit located within the TC-2 district shall have a minimum one (1) car enclosed (detached, attached, underground) area per unit. Carports shall not be considered as an acceptable covered area. Detached garages shall not exceed four hundred fifty (450) square feet per dwelling unit and shall not be taller than twelve (12) feet in total height. In no case, shall more than six (6) detached garages be attached in a row.

