

ORDINANCE NO. 209

AN ORDINANCE AMENDING ORDINANCE NO. 79 (ZONING)  
TO REGULATE AND RESTRICT THE LOCATION, CONSTRUCTION, USE OF  
BUILDINGS AND STRUCTURES, AND THE USE OF LAND IN THE CITY OF  
UNIVERSITY HEIGHTS, IOWA

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF UNIVERSITY HEIGHTS,  
JOHNSON COUNTY, IOWA:

**Section 1: AMENDMENTS:**

University Heights Ordinance No. 79 is amended as follows  
(with additions indicated by underline:

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Section 3. Definitions. For the purpose of this ordinance certain  
terms of words used herein shall be interpreted or defined as  
follows:

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38. ''Building Coverage'' means the amount of land covered  
or permitted to be covered by a building or buildings,  
usually measured in terms of percentage of a parcel.

39. ''Ground Area'' means the area of a building within its  
largest outside dimensions computed on a horizontal  
plane at the foundation level, exclusive of open  
terraces and patios.

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Section 6. Uses. Use of property in the City of University  
Heights shall be limited to those uses set forth as follows:

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B. Property in an R-3 Multiple-Family Residential Zone  
shall be used for the following purposes only:

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~~2. Multiple dwellings containing two (2) or more separate family living units.~~

32. As provided in the Development Agreement between the City of University Heights and the Developer pursuant to the Multiple-Family Planned Unit Development (PUD) regulations and requirements set forth in Section 12 of this Ordinance. When development occurs pursuant to a Multiple-Family PUD, provisions of this Ordinance regarding Building Height restrictions, yard regulations, Setbacks, Building Coverage and lot regulations, and off-street parking (Sections 7, 8, 9, and 10) are superseded by the provisions of Section 12 and the Development Agreement between the City and Developer.

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E. Property in a PUD Planned Unit Development Zone shall be used as provided in the Development Agreement between the City of University Heights and the Developer pursuant to the PUD regulations and requirements set forth in Section 11 of this Ordinance. Provisions of this ordinance regarding yard regulations, Setbacks, Building Coverage and lot regulations, and off-street parking (Sections 8, 9, and 10) are superseded in the PUD Zone by the provisions of Section 11 and the Development Agreement between the City and Developer.

F. Property in a Multiple-Family Commercial zone shall be used for the following purposes only:

1. All uses which are allowed in an R-1 Single-Family Residential Zone, subject to the Building Height restrictions, yard regulations, Setbacks, Building Coverage and lot regulations, and off-street parking regulations specified for the R-1 Single-Family Residential Zone in Sections 7, 8, 9, and 10 or this Ordinance.

2. As provided in or limited by the Development Agreement between the City of University Heights and the Developer pursuant to the Multiple-Family Commercial Planned Unit Development (PUD) regulations and requirements set forth in Section 13 of this Ordinance.

a. When development occurs pursuant to a Multiple-Family Commercial PUD, the provisions of this Ordinance regarding Building Height restrictions, yard regulations, Setbacks, Building Coverage and lot regulations, and off-street parking regulations (Sections 7, 8, 9, and 10) are superseded by the provisions of Section 13 and the Development Agreement between the City and Developer.

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Section 9. Building Coverage and Lot Regulations.

A. Except as otherwise herein provided, there shall be a minimum lot frontage, minimum lot width, minimum lot area, ~~and~~ minimum lot area per family, and maximum Building Coverage as shown in the following table:

LOT REGULATIONS

<u>ZONE</u>	<u>FRONTAGE</u> (FEET)	<u>WIDTH</u> (FEET)	<u>AREA</u> (SQ. FT.)	<u>AREA PER FAMILY</u> (SQ. FT.)	
				<u>SINGLE FAMILY</u>	<u>MULTI-FAMILY</u>
R-1	50	75	7,500	7,500	*
R-3	50	75	5,000	5,000	2,600
B	30	40	10,000	5,000	3,000
C	30	40	10,000	5,000	3,000

<u>LOT REGULATIONS</u>						
<u>ZONE</u>	<u>FRONTAGE</u> E (FEET)	<u>WIDTH</u> (FEET)	<u>AREA</u> (SQ. FEET)	<u>AREA PER FAMILY</u> (SQ. FEET)		<u>BUILDING COVERAGE</u>
				<u>SINGLE FAMILY</u>	<u>MULTI-FAMILY</u>	

<u>R-1</u>	<u>50</u>	<u>75</u>	<u>7,500</u>	<u>7,500</u>	<u>*</u>	<u>40%</u>
<u>B</u>	<u>30</u>	<u>40</u>	<u>10,000</u>	<u>5,000</u>	<u>3,000</u>	<u>40%</u>
<u>C</u>	<u>30</u>	<u>40</u>	<u>10,000</u>	<u>5,000</u>	<u>3,000</u>	<u>40%</u>

- B. For purposes of the above regulations, lot frontage is the distance of a lot measured along a street, and lot width is the width of a lot at the front yard line.
- C. The maximum building coverage standard establishes the percentage of the total area of a parcel that can be covered by buildings. For purposes of the above regulations, the combined total Ground Area of all buildings on the property, including Accessory Structures, is used to calculate the Building Coverage.
- D. Notwithstanding the regulations set forth in the table above, in the event a building is located on multiple abutting parcels, the maximum Building Coverage for the combined abutting parcels shall be the smaller of 40% of the total area of the combined abutting parcels, or 60% of the total area of the single largest of the said abutting parcels.
- E. For purposes of this Section 9, "parcel" means a tract of land which, as of the 10<sup>th</sup> day of October, 2017, had been assigned a single tax parcel ID number by the assessor of Johnson County, Iowa.

**Section 2: SAVING CLAUSE.**

In the event any word, phrase, sentence, paragraph or section contained in this ordinance shall be held to be invalid, unlawful, or unconstitutional for any reason, then it is hereby declared that the remaining such portions and provisions of this ordinance would have been enacted and remain in full force and effect.

**Section 3: EFFECTIVE DATE.**

This ordinance shall become effective upon its passage and publication as provided by law.

**Section 4: REPEALER.**

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Adopted by the University Heights City Council this 10<sup>th</sup> day of October, 2017, and approved this 10<sup>th</sup> day of October, 2017.

  /s/    
Louise From, Mayor

(SEAL)

ATTEST:

  /s/    
Christine M. Anderson, City Clerk