CITY OF RIVERSIDE

PLANNING AND ZONING COMMISSION MEETING

RIVERBOAT ROOM-CITY HALL

60 N GREENE ST

Tuesday, June 28, 2022, at 6:00 pm

1. Call meeting to order
2. Roll Call
3. Approval of the agenda
4. Approval of April 26, 2022, Minutes
5. Review of Site Plan for Midwest Surplus
6. Adjourn meeting

The Riverside Planning and Zoning Commission met on Tuesday, April 26, 2022, at 6:00 p.m. in the Riverboat Room of City Hall with the following members present: Kris Westfall, Denise Reschly, Phil Richman, and Bob Yoder. Bob Schneider, Rob Weber, and Doug Havel were absent. City Administrator Christine Yancey and Council Member Tom Sexton were also present.

Chair Kris Westfall called the meeting to order at 6:00 p.m., followed by roll call of those present.

Motion made by Bob Yoder, second by Phil Richman to approve agenda. Motion carried 4-0.

Motion made by Yoder, second by Denise Reschly to approve minutes of January 25, 2022. Motion carried 4-0.

Yancey explained the request from City Council member Lois Schneider to have the Commission review the option of not having living quarters in this district, which had previously been allowed by city council to have quarters for a night watchman because of the equipment that is stored outside. Reschly commented on the equipment as well. Sexton concurred that the living quarters was to be a temporary situation in the M-1 district until camera equipment could be installed. Commission members had a discussion over the pros and cons of having the living quarters and asked if there had been any issues with the living quarters present. Yancey commented the only concern was the fifth wheel camper parked beside the building and being used as living quarters. Motion made by Richman, second by Yoder to recommend approval of the changes to the M-1 District to the city council. Motion carried 4-0.

Commission members reviewed this with the previous discussion on the M-1 District. Motion made by Richman, second by Yoder to recommend approval of the changes to the M-2 District to the city council. Motion carried 4-0.

Commission reviewed the notes from the September 28, 2021, minutes for the wording for fences. Motion made by Richman, second by Yoder to recommend approval of the changes to 165.21 fences to the city council. Motion carried 4-0

Motion made by Phil Richman, second by Bob Yoder to adjourn meeting. Motion carried 4-0. Meeting adjourned at 6:23 p.m.

Kris Westfall, Planning & Zoning Commission Chair

Christine Yancey, City Administrator

Christine Yancey

From: Scott Kerkhoff <scott@midwestsurplusinc.com>
Sent: Tuesday, June 21, 2022 8:28 PM
To: Christine Yancey
Cc: scott@midwestsurplusinc.com
Subject: RE: Riverside zoning ordinance, site plan
Attachments: 20220621064224206.pdf; kerkhoff1.jpg; IMG_9932.jpg; IMG_9933.jpg; IMG_0036.JPEG; IMG_4427.JPEG

Hi Christine,

Hope all is well.

Attached is a layout of our site plan. Please review and let me know if you have any questions. Please note, if you wish for us to mirror the layout, we could do that as well. Note the amount of area we are looking at concreting and the area we wish to have as gravel yard.

Attached are some pictures of the building layout and pictures of the outside of our current shop which we would duplicate at this lot.

Thank You For Your Time!
Scott

Midwest Surplus Inc.
3696 Johnston Way NE
Coralville, IA 52241
Scott Kerkhoff
319-551-7191 Cell
scott@midwestsurplusinc.com
www.midwestsurplusinc.com

From: Christine Yancey <cityadmin@riversideiowa.gov>
Sent: Thursday, June 16, 2022 4:00 PM
To: scott@midwestsurplusinc.com
Subject: Riverside zoning ordinance, site plan

Hi Scott,

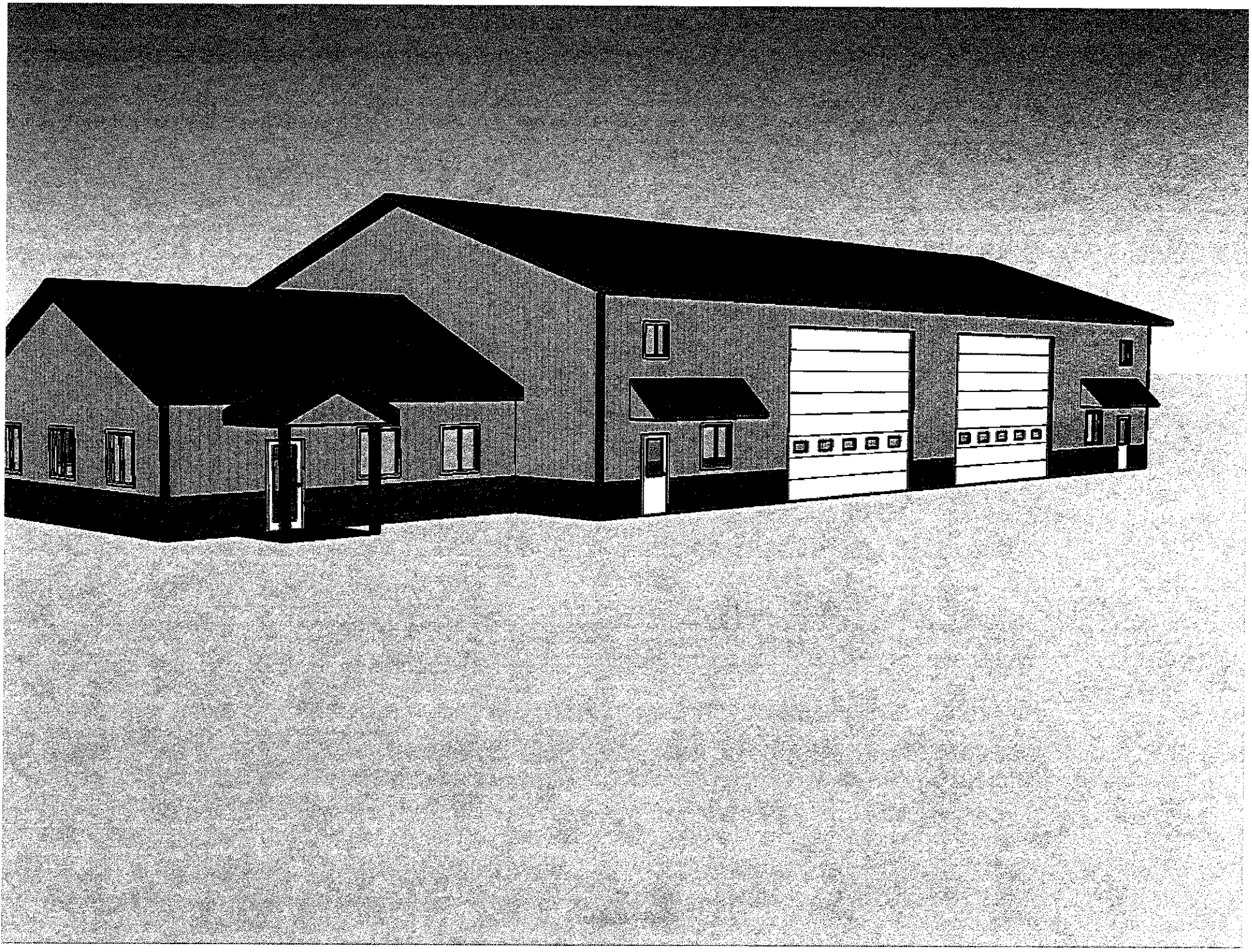
Attached are the site plan requirements and the C-2 zoning. As a reminder, the next Planning & Zoning meeting will take place on 6/28. I will need the site plan by 6/22.

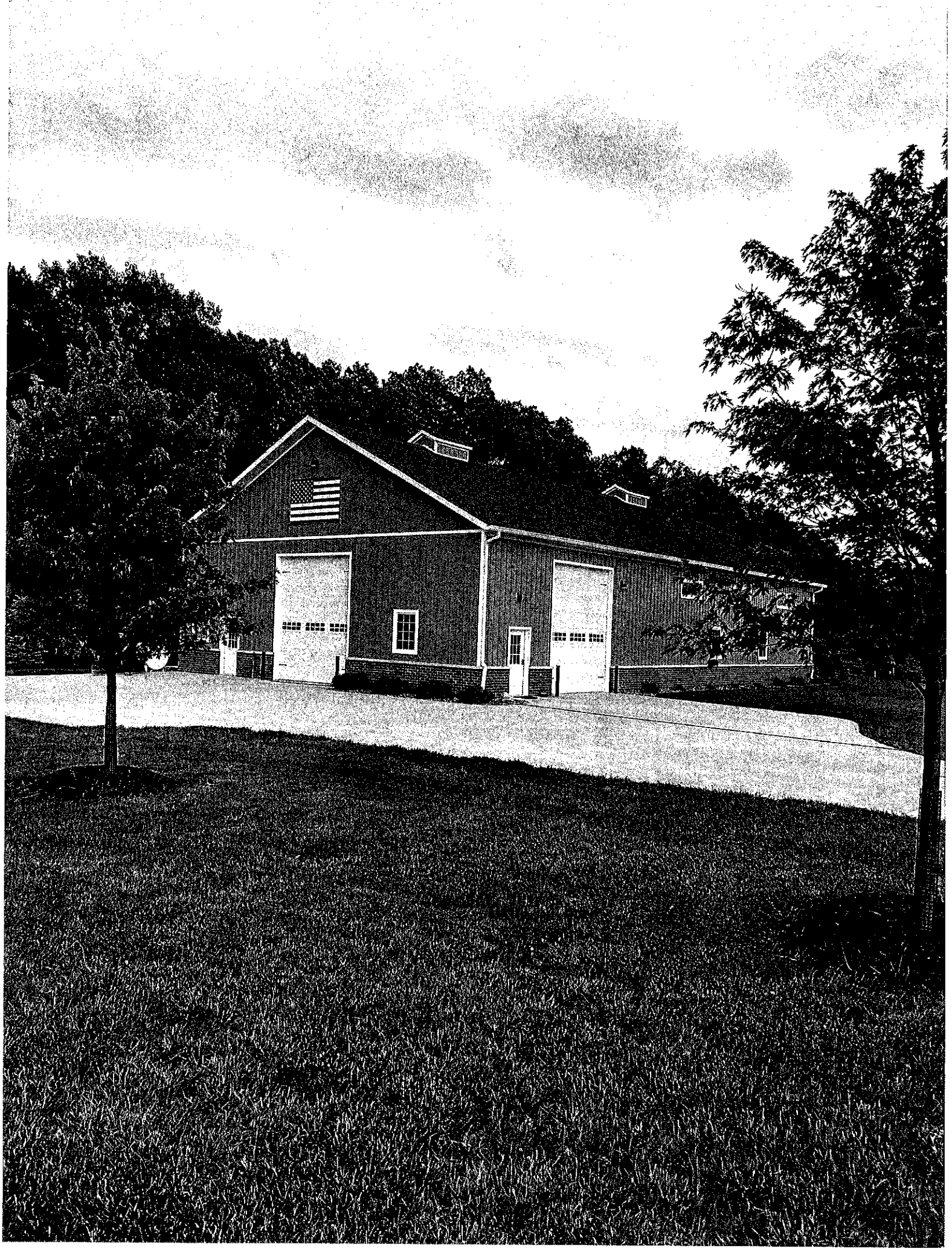
If you have any questions, please do not hesitate to ask. Look at page 952 of the site plan requirements and it discussed the exterior of the building.

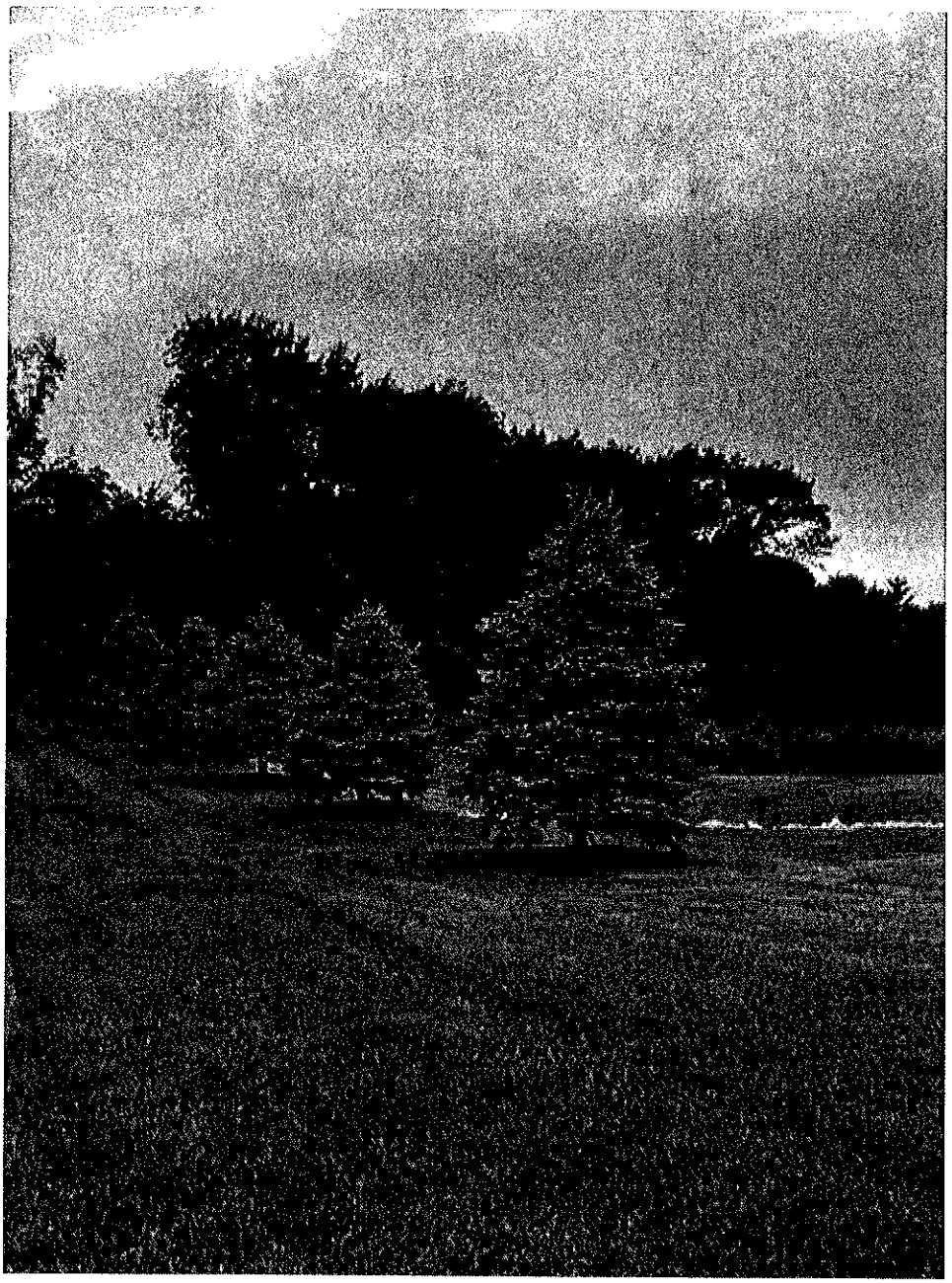
Would you be able to include the pictures you sent by text with the site plan?

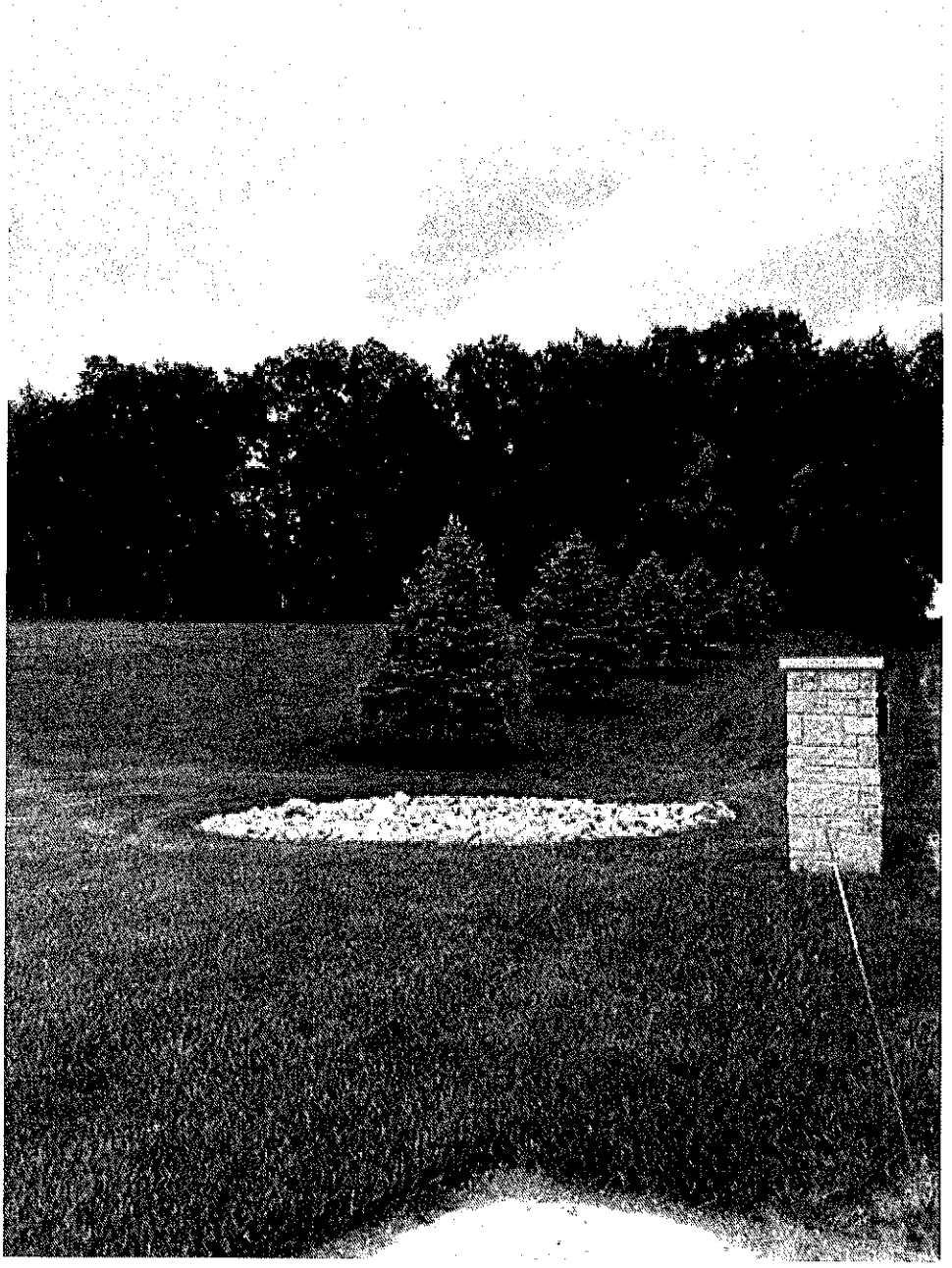
Thank you,

Christine Yancey









Any lot adjacent to State Highway 22, in any way, shall be required to have a twenty (20) foot setback in addition to the minimum yard requirements stated herein.

6. **Off-Street Parking**: None required.

7. **Off-Street Loading**. See Supplementary Regulations.

8. **Signs**. See Supplementary Regulations.

165.10.b C-2 - GENERAL COMMERCIAL DISTRICT.

1. **Intent**. This district is intended to provide for certain areas of the City for the development of service, retail, and other non-residential uses which because of certain locational requirements and operational characteristics are appropriately located in close proximity to arterial and other main thoroughfares. Residential type structures are also permitted. The district is further characterized by a typical need for larger lot sizes, off-street parking, adequate setbacks, clear vision, safe ingress and egress, and access to other adjacent thoroughfares.

2. **Permitted Uses**.

   A. Motor vehicles and farm implement sales and display rooms and lots, including yards for the storage or display of new or used building materials but not for any scrap or salvage operation storage or sales.
   B. Offices and clinics.
   C. Churches, cemeteries and publicly owned and operated buildings and facilities.
   D. Hotels and motels.
   E. Convenience stores.
   F. Shopping centers or malls.
   G. Any other retail or service sales business, including food preparation for sale off-premises. Repair businesses shall have limited outdoor storage privileges for items being repaired by them. Items, including motor vehicles, brought to any business for repair may be stored outside the business for up to 30 days. An additional 30 days of outdoor storage may be secured with written application to the Zoning Administrator. Additional extensions for outdoor storage shall only be given upon a finding of good cause by the Zoning Administrator following written application. Motor vehicles brought to businesses for repair may not be stored on any City street or alley for more than 24 hours.
   H. Publicly owned and operated buildings and facilities.
   I. All other uses as allowed in the Central Business Commercial District.
   J. Those uses which in the opinion of the Planning and 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.

6. **Buffering**. The use of buffering shall be required between any C-2 District and abutting residential and agricultural zoning districts and land uses. Abutting districts shall include lots fronting on a street which form the boundary line between any C-2 District and residential and agricultural zoning district as well as any abutting lot line between said districts. Buffering shall take place in any required yard, including front, side or rear. The following provisions shall apply:

   A. The buffer shall be equal to the minimum side yard required in the adjacent district, but in no instance less than 10 feet. Corner lots shall be 10 feet.

   B. All buffer areas shall be landscaped or fenced to provide a complete visual screen. Buffering may include any of the following:

      1. Fencing.
      2. Landscaping consisting of native plant and tree species.
      3. Berms. Berms may be used if native plant and tree landscaping requirements of the City's Site Plan Ordinance (Chapter 167) can still be met. Berms must be vegetated to minimize erosion and to slow stormwater runoff. Berms may be up to six feet measured vertically from the natural elevation of the yard.

   C. Maintenance. All buffered areas shall be kept free of litter, debris, noxious weeds and species of plants identified by the Iowa DNR as exotic or invasive.

7. **Zero Lot Line Structures.** In addition to any specific conditions and requirements as established by the Board of Adjustment, zero lot line structures within a C-2 Arterial Commercial District which utilize shared walls as part of the structure shall be exempt from the minimum side yard bulk regulations as to their attached or semi-detached components provided all of the following conditions are met:

   A. Common walls shall be fireproof as per the Universal Building Code. No openings in common walls shall be permitted per State Code.

   B. Each unit shall have separate utility service.

   C. Before the issuance of a development permit, there shall be filed on record with the Washington County Recorder binding covenants or declarations detailing the respective unit owners' responsibilities and liabilities with regard to repair and maintenance of common walls and other common aspects of the structure. Those covenants or declarations shall ensure adjoining property owners reciprocal ten-foot wide maintenance easements to provide access to maintain the common walls located upon common boundary lines. In addition, the covenants or declarations shall provide a mechanism for the owners of the units to address common issues of concern such as landscaping, exterior appearance, and type of roofing.

8. **Animal Shelters**. An animal shelter proposal will be reviewed by the Board of Adjustment and shall be permitted only when it conforms to the following and is subject to any additional conditions as may be warranted to mitigate deleterious effects of the proposed use:

3. **Accessory Uses.** Uses of land or structures customarily incidental and subordinate to a permitted use in the C-3 District:

   A. Private garages.
   B. Parking lots.
   C. Temporary buildings for the uses incidental to construction work. Such buildings shall be removed upon the completion or abandonment of the construction work.

4. **Special Exceptions.** Certain uses may be permitted in the C-3 District subject to specific conditions and requirements intended to make them compatible with and acceptable to adjacent uses.

   A. Public or private utility substations, relay stations, etc.

5. **Excluded Uses.** The following uses and structures are specifically excluded from the C-3 District:

   A. Auto body and machinery repair shops.
   B. Junk yards.
   C. Manufacturing facilities
   D. Mini-storage facilities.
   E. Truck stops and terminals that are designed to attract large numbers of tractor trailers and providing overnight parking to such vehicles.
   F. Warehouses.
   G. Adult and sexually oriented uses.
   H. No use will be allowed to store products outside the confines of a building, including raw material, finished product or items on display for retail sale.

6. **Bulk Regulations.** The following requirements shall provide for light and air around permitted uses and building in the C-3 District.

B. All buffer areas shall be landscaped or fenced to provide a complete visual screen. Buffering may include any of the following:
   1. Fencing.
   2. Landscaping consisting of native plant and tree species.
   3. Berms. Berms may be used if native plant and tree landscaping requirements of the City's Site Plan Ordinance can still be met. Berms must be vegetated to minimize erosion and to slow stormwater runoff. Berms may be up to six feet measured vertically from the natural elevation of the yard.

C. Maintenance. All buffered areas shall be kept free of litter, debris, noxious weeds and species of plants identified by the Iowa DNR as exotic or invasive.

9. **Zero Lot Line Structures.** In addition to any specific conditions and requirements as established by the Board of Adjustment, zero lot line structures within a C-3 District which utilize shared walls as part of the structure shall be exempt from the minimum side yard bulk regulations as to their attached or semi-detached components provided all of the following conditions are met:

   A. Common walls shall be fireproof as per the Universal Building Code. No openings in common walls shall be permitted.
   B. Each unit shall have separate utility service.
   C. Before the issuance of a development permit, there shall be filed on record with the Washington County Recorder binding covenants or declarations detailing the respective unit owners' responsibilities and liabilities with regard to repair and maintenance of common walls and other common aspects of the structure. Those covenants or declarations shall ensure adjoining property owners reciprocal ten-foot wide maintenance easements to provide access to maintain the common walls located upon common boundary lines. In addition, the covenants or declarations shall provide a mechanism for the owners of the units to address common issues of concern such as landscaping, exterior appearance, and type of roofing.

10. **Off-Street Parking.** See Supplementary Regulations.

11. **Off-Street Loading.** See Supplementary Regulations.

12. **Signs.** See Supplementary Regulations.

165.11.a M-1 – INDUSTRIAL PARK DISTRICT.

1. **Intent.** This district is intended to provide for areas of development by industrial firms that have high standards of performance. The district regulations are designed to permit the development of any manufacturing or industrial operations which on the basis of actual physical and operational characteristics, would not be detrimental to the surrounding area or to the community as a whole by reasons of noise, dust, smoke, odor, traffic, physical appearance or other similar factors. Outdoor storage is allowed in this district when the material is enclosed within a fenced area and the material for the fence to be determined and approved by the Zoning Administrator.

CHAPTER 167

SITE PLAN REQUIREMENTS

167.01 Title
167.02 Purpose and Application
167.03 Design Standards
167.04 Required Information
167.05 Open Space, Landscaping, Parking and Architectural Requirements
167.06 Zoning Permits
167.07 Procedure
167.08 Good Neighbor Policy
167.09 Fees
167.10 Validity of Approval
167.11 Site Plan Amendment
167.12 Applicability to Existing Development
167.13 Enforcement
167.14 Changes and Amendments
167.15 Maintenance Bonds

167.01 TITLE. This chapter shall be known, cited and referred to as "Site Plan Regulations of the City of Riverside, Iowa."

167.02 PURPOSE AND APPLICATION. It is the intent and purpose of this chapter to establish a procedure which will enable the City to review certain proposed improvements to property within specified zoning districts of the City to ensure compliance with all applicable zoning, subdivision and building regulations. Site plans shall only be required whenever any person proposes to place any structure for which a building permit is required under any other section of this Code, on any tract or parcel of land within any district of the Riverside Zoning Ordinance, and for any use, except one- and two-family dwellings.

167.03 DESIGN STANDARDS. The standards of design provided herein are necessary to insure the orderly and harmonious development of property in such manner as will safeguard the public's health, safety and general welfare.

1. The design of the proposed improvements shall make adequate provisions for surface and subsurface drainage, for connections to water and sanitary sewer lines, each so designed as to neither overload existing public utility lines nor increase the danger of erosion, flooding, landslide, or other endangerment of adjoining or surrounding property.

2. The proposed improvements shall be designed and located within the property in such manner as not to unduly diminish or impair the use and enjoyment of adjoining property, and to this end shall minimize the adverse effects on such adjoining property from automobile headlights, illumination of required perimeter yards, refuse containers, and impairment of light and air. For this section, the term "use and enjoyment of adjoining property" shall mean the use and enjoyment presently being made of such adjoining property, unless such property is vacant. If vacant, the term "use and enjoyment of adjoining property" shall mean those uses permitted under the zoning districts in which such adjoining property is located.

3. The proposed development shall have such entrances and exits upon adjacent streets and such internal traffic circulation pattern as will not unduly increase congestion on adjacent or surrounding public streets.

4. To such end as may be necessary and proper to accomplish the standards in subsections 1, 2, and 3 above, the proposed development shall provide fences, walls, screening, landscaping, erosion control or other improvements.

5. The proposed development shall conform to all applicable provisions of the Code of Iowa, as amended, and all applicable provisions of the Code of Ordinances of the City of Riverside, as amended.

17. Where possible ownership or boundary problems exist, as determined by the Zoning Administrator, a property survey by a licensed land surveyor may be required.

167.05 OPEN SPACE, LANDSCAPING, PARKING AND ARCHITECTURAL REQUIREMENTS. The requirements set forth in this section for open spaces, landscaping, parking and architectural standards shall apply to any development or redevelopment except one- and two-family dwellings.

1. Open Space Required. On each lot, except for one- and two- family dwellings, there shall be provided open space in accordance with the following schedule:

Zoning District	Percent of Open Space
A-1*	30
R-1**	30
R-2**	30
R-3**	25
R-4**	30
C-R	25
C-G	25
C-H	25
I-L	25

*Non-agricultural uses.

**Uses other than single-family dwellings and duplexes

A. Said open space shall be unencumbered with any structure, or off-street parking or roadways and drives, and shall be landscaped and maintained with grass, trees and shrubbery. When the entire lot is not developed, the open space requirement shall be based in proportion to the area of the improved portion of the lot.

B. Each principal structure of an apartment or office complex on same site shall be separated from any other principal structure in the complex by an open space of not less than sixteen (16) feet.

2. Landscaping Required. Any development, except one- and two-family dwellings, shall provide the following minimum number and size of landscape plantings based on the minimum required open space for the development. The following is the minimum requirement of trees and shrubs, by number and size, and type of ground cover. Street trees planted in public street right-of-way, subject to approval by the City, shall not be counted toward fulfillment of the minimum site requirements set forth below. Plant species to be used for landscaping shall be acceptable to the City that are not considered a nuisance or undesirable species, such as trees with thorns, cottonwood or cotton-bearing poplars, elm trees prone to Dutch Elm Disease, boxelder, and silver maple. Existing trees and shrubs to be retained onsite may be counted toward fulfillment of the landscaping requirements.

A. Minimum requirements at the time of planting: Two (2) trees

5. Burden of Provision of Buffer. The burden of provision and selection of the buffer shall be as follows:

A. Where two different zoning districts, requiring a buffer between them, are developed, the above requirement is not retroactive, and a buffer is not required. If a buffer is desired, it shall be provided by agreement between adjacent property owners. However, in the event of any or all of the improved property is abandoned, destroyed, or demolished, for the purpose of renewal or redevelopment, that portion of such property being renewed or redeveloped, shall be considered vacant and subject to the requirements herein.

B. Where one of two different zoning districts requiring a buffer between them is partly developed, the developer of the vacant land shall assume the burden, unless otherwise specified herein.

C. Where both zoning districts, requiring a buffer between them, are vacant or undeveloped, the burden shall be assumed by the developer of the land that is improved or developed, except for agricultural uses and unless otherwise specified herein.

6. Waiver of Buffer Requirements. Where the line between two districts, requiring a buffer, follows a street, right-of-way, railroad, stream, or other similar barrier, the requirement for a buffer may be waived by the City Council provided such waiver does not permit the exposure of undesirable characteristics of land use to public view.

7. Surfacing Requirements. All off-street parking and loading areas and access roadways shall have a durable and dustless surface paved with asphaltic or Portland cement concrete pavement in accordance with the requirements as herein set forth. Off-street parking of automobiles, vans, campers, trucks, trailers, tractors, recreational vehicles, boats, construction equipment, and any other mobile vehicles equipped for street and highway travel shall be on an asphaltic or Portland cement concrete paved off-street parking area as required herein and not parked or stored within the landscaped open space area of the front yard between the building and public street right-of-way, except, however, the storage of a recreational vehicle, a camper, and boat within the side or rear yard upon an unpaved area shall be permitted.

All off-street parking areas and associated driveways, access roadways and frontage roads, except driveways for single family residences, shall be constructed with permanent, integrally attached 6" high curbing or curbing of alternate height acceptable to the City (prefabricated portable curb stops shall not be considered an acceptable alternate), and shall be so graded and drained as to dispose of all surface water accumulation within the area; and shall be so arranged and marked as to provide for orderly and safe loading or unloading and parking and storage of self-propelled vehicles. The curbing requirements may be waived if it is determined that surface drainage can be adequately handled by other means.

The minimum thickness of pavement of the parking area shall be as follows:

A. Portland Cement Concrete shall have a minimum thickness of five (5) inches.

B. Asphaltic Cement Concrete shall have a minimum thickness of six (6) inches.

requirements:

TOTAL PARKING IN LOT	REQUIRED MINIMUM NUMBER OF HANDICAPPED SPACES
1 to 25	2++
26 to 50	3
51 to 75	4
76 to 100	5
101 to 150	6
151 to 200	7
201 to 300	8
301 to 400	9
401 to 500	10
501 to 1000	†
1001 and over	‡

† Two percent (2%) of total
‡Twenty (20) spaces plus one for each 100 over 1000
++Exceptions can be made for parking lots less than 10

Access space or aisle adjacent to handicap accessible parking space shall be a minimum five (5) feet wide. One in every eight handicap accessible spaces, but not less than one shall be served by an access space or aisle eight (8) feet wide minimum and shall be designated "van accessible."

11. Traffic Analysis Requirements. Any project which contains 100 dwelling units or 1,000 average day trips as listed for uses in the Trip Generation Handbook; Institute of Transportation Engineers, current edition, shall submit a traffic analysis which provides necessary information to determine the effect that the project will have upon the surrounding traffic. At a minimum the traffic analysis shall contain project trip generation directional distribution of project trips, traffic assignment, and capacity analysis, including identification of congestion and turning-movement conflicts.

12. Waiver of Requirements. The City Council reserves the right to waive or modify to a lesser requirement any provision or requirement of off-street parking and loading areas contained in this chapter, provided a report on such change is received from the Planning and Zoning Commission and City Administrator, provided adequate area exists for texture expansion, and further provided said waiver or modification does not adversely affect the intent of these regulations to adequately safeguard the general public and surrounding property. Exceptions will only be considered for those uses where special circumstances warrant a change and whereby the modification or waiver is determined to be in the best interest of the general public.

13. Architectural Standards. As part of the submittal of a site plan for development within any of the zoning districts and for any of the uses except one- and two-family dwellings, architectural plans for buildings shall be submitted for review and approval by the City Council after recommendation from the Planning and Zoning Commission. Documentation to be submitted shall include building elevations showing the building's design and a description of structural and exterior materials to be used. The following standards shall be considered by the

building is encouraged by the City. The exclusive use of sheet metal as an exterior building material shall not be considered acceptable for buildings facing public streets. The exterior material of the building's front elevation shall be comprised of brick, concrete panels, textured concrete block, architectural steel or stone panels, or cement fiber composite siding, or other similar material. Loading areas, loading docks, storage areas, and garbage dumpsters shall be located, screened or oriented to minimize their exposure to view from public streets.

167.06 ZONING PERMITS. No zoning compliance permit or building permit shall be issued for the construction of any structure that is subject to the provisions of this chapter, until a site plan has been submitted for review covering the land upon which said structure is to be erected, and further, approved by City Council for such development in accordance with this chapter.

167.07 PROCEDURE.

1. Pre-Application Conference. Whenever any person proposes to place any structure for which a building permit is required under any other section of this Code, on any tract or parcel of land within any district of the Riverside Zoning Ordinance, and any use, except one- and two-family dwellings, the person shall submit to the City Administrator a request for a Pre-Application Conference. The Conference shall include the applicant or their representative and the Zoning Administrator. The purpose of the Conference shall be to acquaint the City staff with the proposed construction and to acquaint the applicant or their representative with the procedures and with any special circumstances that might relate to such construction.

   The applicant shall furnish a legal description of the subject real estate at the time of requesting a Pre-Application Conference, and the Conference shall be held within seven (7) days of such request.

2. Continuous Site Plan Review. After completion of the Pre-Application Conference as required by subsection 1 of this section, and in the event the applicant wishes to proceed with the construction as discussed at said Conference, they shall cause to be prepared a site plan of such proposed construction and shall submit five (5) copies of the same to the Zoning Administrator and one (1) copy to the City Engineer. The site plan shall be accompanied by a cover letter requesting review and approval of said plan.

   The site plan shall contain all the information required by Sections 167.05 and 167.06 of this chapter unless otherwise waived by the Zoning Administrator. The Zoning Administrator shall retain one (1) copy for their review and comment. The remaining copies shall be retained by the City Clerk for review and distribution. The Zoning Administrator and City Engineer shall review the plan for conformance of the design to the standards and required data set forth in Sections 167.04 and 167.05 of this chapter.

3. Action.

   A. The Zoning Administrator shall promptly notify the applicant in writing of any revisions or additional information needed as required by Sections 167.04 and 167.05. If necessary, the applicant shall make revisions and resubmit the revised plan(s) to the Zoning Administrator for compliance. If the site plan complies with requirements set forth in

J. Resubmittal of Site Plan Denied by Council and Commission. A site plan that has been denied by both the Commission and the Council may be resubmitted to the City by the applicant for Commission and Council approval with respect to the original terms of these procedures, which includes ten (10) copies of the preliminary plat and filing fees. Resubmittal under these terms shall be considered a new site plan subject to fees and procedures outlined in Section 167.07.

167.08 GOOD NEIGHBOR MEETING. Good Neighbor meetings are intended to allow public comment on potential rezoning cases prior to the case being formally submitted to the City. Such comments will alert city staff and the owner to neighborhood issues and may lead the owner to modify the intended application for rezoning.

1. Application. Good Neighbor meetings may be required for all rezoning applications filed by private owners. The decision on whether a meeting should be held will be at the discretion of the Zoning Administrator. This decision will be made at the time of the Pre-Application Conference.
2. Arrangements for the meeting:
   A. City staff will make the applicant aware of Good Neighbor meeting scheduling arrangements, and a date and location will be mutually agreed upon.
   B. City staff will identify all property owners within two hundred (200) feet of the boundaries of the property proposed to be rezoned and prepare a mailing list of those property owners. The City is not required to be notified by mail of the Good Neighbor Meeting.
   C. City staff will prepare two notices: one for mailing to owners identified above and one for publication. The notices will be made available to the applicant for review and comment prior to mailing.
   D. City staff will complete the following notifications:
      (1) Send by regular mail the notice to owners identified above.
      (2) Post notification of the meeting on City website.
      (3) Notify the Commission, Council and Mayor of the meeting.
   E. The Good Neighbor meeting will be moderated by City staff.
3. Notification Content. The notifications will include the time, date, and location of the meeting, and a brief plain language description of the proposed rezoning. Other information or material such as a map of the area may be included to clarify the notice.
4. Timing.
   A. The Good Neighbor meeting shall be held prior to submission of the rezoning application on the required submission deadline.
   B. Notifications shall be sent, delivered and/or posted no later than ten (10) days prior to the Good Neighbor meeting.
5. In the event that a proposed subdivision is dependent upon the property first being rezoned, the requirements of this section may be fulfilled by the Good Neighbor meeting including a presentation on both the proposed rezoning and

167.12 APPLICABILITY TO EXISTING DEVELOPMENT. The requirements of this chapter shall not apply to the placement of any structure for which building permits have been issued as of the date of the adoption of this ordinance codified by this chapter, provided that if such building permit shall expire, then a new building permit shall not be issued until the requirements of this chapter have been met. Provided further, that if an existing structure is to be reconstructed, enlarged, expanded, or otherwise increased:

1. In the case of building uses, in an amount 50% or greater of its existing ground coverage and/or total floor space; or
2. In the case of non-building uses or non-building portion of uses, in the amount 50% or greater of the existing developed non-building site area, then the provisions of this chapter shall apply.

167.13 ENFORCEMENT. No zoning ordinance certification, occupancy permit or building permit shall be issued by the City or have any validity until the site plan has been approved in the manner prescribed herein.

167.14 CHANGES AND AMENDMENTS. Any provision of this chapter may be changed and amended from time to time by the Council; provided, however, such changes and amendments shall not become effective until after study and report by the Commission and until after a public hearing has been held, public notice of which shall be given in a newspaper of general circulation at least fifteen (15) days prior to the hearing.

167.15 MAINTENANCE BONDS. Maintenance bonds shall be posted with the City by the developer at the developer's cost for improvements required under this chapter for the following time periods and improvements:

Streets and alleys – 5 years

Storm sewer, drainage and detention – 5 years

Concrete pavement – 5 years

Asphalt overlays – 2 years

Sidewalks – 2 years

Curb and gutter – 2 years

Water facilities – 2 years

Sanitary sewer facilities – 2 years

All other underground utilities – 2 years