



## PLANNING AND ZONING COMMISSION MEETING

Tuesday, July 01, 2025 at 8:30 AM

Council Chambers - 331 First Street East

### AGENDA

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#### MEETING OPENING

1. Roll Call

#### NEW BUSINESS

- [2.](#) Approval of previous minutes 5-12-25
- [3.](#) July 2025 Urban Renewal Area Amendment
- [4.](#) Rezoning request - 319 Social Club
- [5.](#) Preliminary Plat within 2 miles of City Limits
- [6.](#) Article 17, Signs amendment

#### ADJOURNMENT

This agenda is subject to change.



[www.independenceia.org](http://www.independenceia.org)

**Commission Members**

Item #2.

Jane Leaven  
Stephanie Sailer  
Stephanie Berns  
Tami Fenner

Nathan Hansen  
Bill Lake  
Larry Karsten

## PLANNING AND ZONING COMMISSION MINUTES

May 12, 2025

The Independence Planning & Zoning Commission met in the Council Chambers at 8:30 AM, on Wednesday, May 12, 2025.

Matthew Chesmore, Building Official, called the meeting to order with Stephanie Sailer, Bill Lake, Jane Leaven, Tami Fenner and Nathan Hansen in attendance. Also in attendance was Ryan Nielsen. Absent: Stephanie Berns and Larry Karsten.

Meeting minutes from April 23, 2025, were approved. Nathan Hansen made a motion to approve. Jane Leaven seconded. All Aye.

A motion to set a public hearing on May 27, 2025 at 5:00 p.m. to consider Wapsie Valley Creamery, Inc.'s Rezoning request from C-2 to C-1 was made by Stephanie Sailer. Bill Lake seconded. All Aye.

Jane Leaven made a motion to adjourn. Nathan Hansen seconded. All Aye.

Respectfully submitted,

Stephanie Sailer

Planning and Zoning Commission Secretary



## PLANNING & ZONING MEMORANDUM

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**TO:** Planning and Zoning Commission

**FROM:** Susi Lampe, IaCMC, IaCFO – Assistant City Manager/City Clerk/Treasurer

**DATE OF MEETING:** July 1, 2025

**ITEM TITLE:** July 2025 Urban Renewal Area Amendment

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### BACKGROUND:

Jeff and Jill Steigleman have requested and submitted an application for Tax Increment Financing (TIF) for a commercial project they are doing at the Northeast corner of the intersection of 20<sup>th</sup> Avenue SW and Bland Boulevard.

### DISCUSSION:

This is the third step in working through the process for the TIF district. Because this area was already in a TIF district, it must be removed and then placed in a new district to restart the timing for the TIF process. Per Dorsey and Whitney, our bond counsel, the Planning and Zoning Commission must review the attached urban renewal plan to verify the proposed plan conforms to the City's comprehensive plan. If the Commission finds the proposed plan does conform to the City's plan, a written recommendation must be provided to the City Council before the July 14, 2025, City Council Meeting.

### RESULTS:

The City has established priorities during strategic planning sessions. This item supports the Vision from that session of encouraging a supportive environment for businesses, workforce, and economic development. This item helps achieve that vision by working through the process to assist with providing for more storage rentals and another retail shop for residents of the City.

### FINANCIAL CONSIDERATION:

Costs related to this work will be allocated back to the TIF project.

### RECOMMENDATION:

Staff recommends a motion to submit a written recommendation that the July 2025 Urban Renewal Area does conform to the City's Comprehensive Plan.

June 9, 2025

To: City of Independence, Iowa Planning & Zoning Commission

Re: Independence Urban Renewal Area/Urban Renewal Plan Amendment

A public hearing will be held by the City Council on July 14, 2025, on a proposed amendment to the urban renewal plan for the Independence Urban Renewal Area to add the property legally described in the proposed amendment and to approve a new urban renewal project. I have prepared this memorandum to assist the Commission in performing its role in this process.

Section 403.5 of the Code of Iowa requires that, before they hold a public hearing, the City Council must submit a copy of the proposed plan amendment to the Commission, “for review and recommendations as to its conformity with the general plan for the development” of the City. The statute does not require that the Commission hold a hearing on the proposed plan amendment, nor does it require that the Commission take any action to either approve or reject the proposed plan amendment. It directs that the Commission review the plan amendment and comment to the City Council as to whether the plan amendment conforms to, or is consistent with, the City’s Comprehensive Plan. Please convene a quorum of the Commission, complete your review and submit any comments to the City Council by Noon on July 14, 2025.

Please call John Danos or me at (515) 283-1000 if you have questions about the statutory process.

Kind regards,

Amy Bjork



CITY OF INDEPENDENCE, IOWA

URBAN RENEWAL PLAN AMENDMENT  
INDEPENDENCE URBAN RENEWAL AREA

July, 2025

The Urban Renewal Plan (the “Plan”) for the Independence Urban Renewal Area (the “Area”) of the City of Independence, Iowa (the “City”) is being amended for the purposes of increasing the size of the Urban Renewal Area by adding certain real property thereto and identifying a new urban renewal project to be undertaken in the Urban Renewal Area.

**1) Addition of Property.** The real property (the "Property") legally described on Exhibit A hereto is, by virtue of this Amendment, being added as the July, 2025 Addition to the Urban Renewal Area. With the adoption of this Amendment, the City will designate the Property as an economic development area. The Property will become subject to the provisions of the Plan for the Urban Renewal Area. It is anticipated that the City will adopt an ordinance providing for the division of property tax revenues, as set forth in Section 403.19 of the Code of Iowa, with respect to the Property.

**2) Identification of Project.** By virtue of this amendment, the list of authorized urban renewal projects in the Plan is hereby amended to include the following project:

**Name of Project:** Indee Storage, LLC Development Project

**Date of Council Approval of Project:** July 14, 2025

**Description of the Project and Project Site:** Indee Storage, LLC (the “Company”) has proposed to undertake the construction of new storage unit facilities and a commercial retail center (the “Project”) for use in the Company’s business operations on the Property (as defined in Section of this Amendment).

It has been requested that the City provide tax increment financing assistance to the Company in support of the efforts to complete, operate and maintain the Project.

The costs incurred by the City in providing tax increment financing assistance to the Company will include legal and administrative fees (the “Admin Fees”) in an amount not to exceed \$8,000.

**Description of Use of TIF for the Project:** The City intends to enter into a Development Agreement with the Company with respect to the construction and use of the completed Project and to provide annual appropriation economic development payments (the “Payments”) to the Company thereunder. The Payments will be funded with incremental property tax revenues to be derived from the Property. It is anticipated that the City’s total commitment of incremental property tax revenues with respect to the Project will not exceed \$250,000, plus the Admin Fees.

**2) Required Financial Information.** The following information is provided in accordance with the requirements of Section 403.17 of the Code of Iowa:

Constitutional debt limit of the City:	<u>\$25,791,214</u>
Outstanding general obligation debt of the City:	<u>\$10,300,000</u>
Proposed debt to be incurred in connection with this July, 2025 Amendment*:	<u>\$ 258,000</u>

\*It is anticipated that some or all of the debt incurred hereunder will be subject to annual appropriation by the City Council.

EXHIBIT A  
Legal Description  
Expanded Independence Urban Renewal Area  
(July, 2025 Addition)

Lot 3 and Lot 4 Greenview Commercial Addition, City of Independence,  
Buchanan, Iowa



## PLANNING & ZONING MEMORANDUM

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**TO:** Planning & Zoning Commission

**FROM:** Matt Chesmore

**DATE OF MEETING:** July 1, 2025

**ITEM TITLE:** Rezoning Application

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### BACKGROUND:

An application was received from the 319 Social Club regarding a request to rezone property they currently own from C-2, Commercial Zoning District to C-1, Central Commercial Zoning District.

It is important to understand the intent of zoning districts and the restrictions they place on parcels throughout our city and therefore we review the purposes of each district as it pertains to this matter:

Section 12.00. GENERAL DESCRIPTION. The "C-1" Central Commercial District is designed to accommodate the needs of the Central Business District, allowing a wide range of services and goods permitted for consumer daily and occasional shopping and service needs.

Section 13.00. GENERAL DESCRIPTION. The "C-2" Commercial District is intended and designed for business, profession and occupations which are located in areas other than the Central Business District and require off-street parking areas and loading spaces.

### DISCUSSION:

While it is important to note the subject parcel is not in the Central Business District, the Principal Use permitted for C-1 districts includes bowling alleys and restaurants.

C-2 Zoning districts carry with them certain requirements that C-1 districts do not have, specifically front and side yard setback requirements. In this case we are looking at the side yard with C-1 not carrying a setback requirement.

### FINANCIAL CONSIDERATION:

There are no financial considerations other than staff time to prepare the rezoning request.

### RECOMMENDATION:

Staff recommends the Planning and Zoning Commission recommend the City Council approve the rezoning request and make a motion to set a Public Hearing on July 28, 2025 at 5:30 PM for consideration of a Rezoning Request from C-2, Commercial District to C-1 Central Commercial District within the City of Independence, Buchanan County, Iowa.

**Please Enter the Information Below**  
**All supporting documentation can be uploaded with Step 5.**

Property Owner Email:

Legal Description of Property requesting to be rezoned (Please include lot and street number):

519 1ST ST EAST  
INDEPENDENCE  
Legal Description: SCAR LOT 3 BLK 2

Reason for rezoning (please be specific):

Zone to C-1 from C-2 so that we can reduce setback requirements to allow for us to put a sign up.

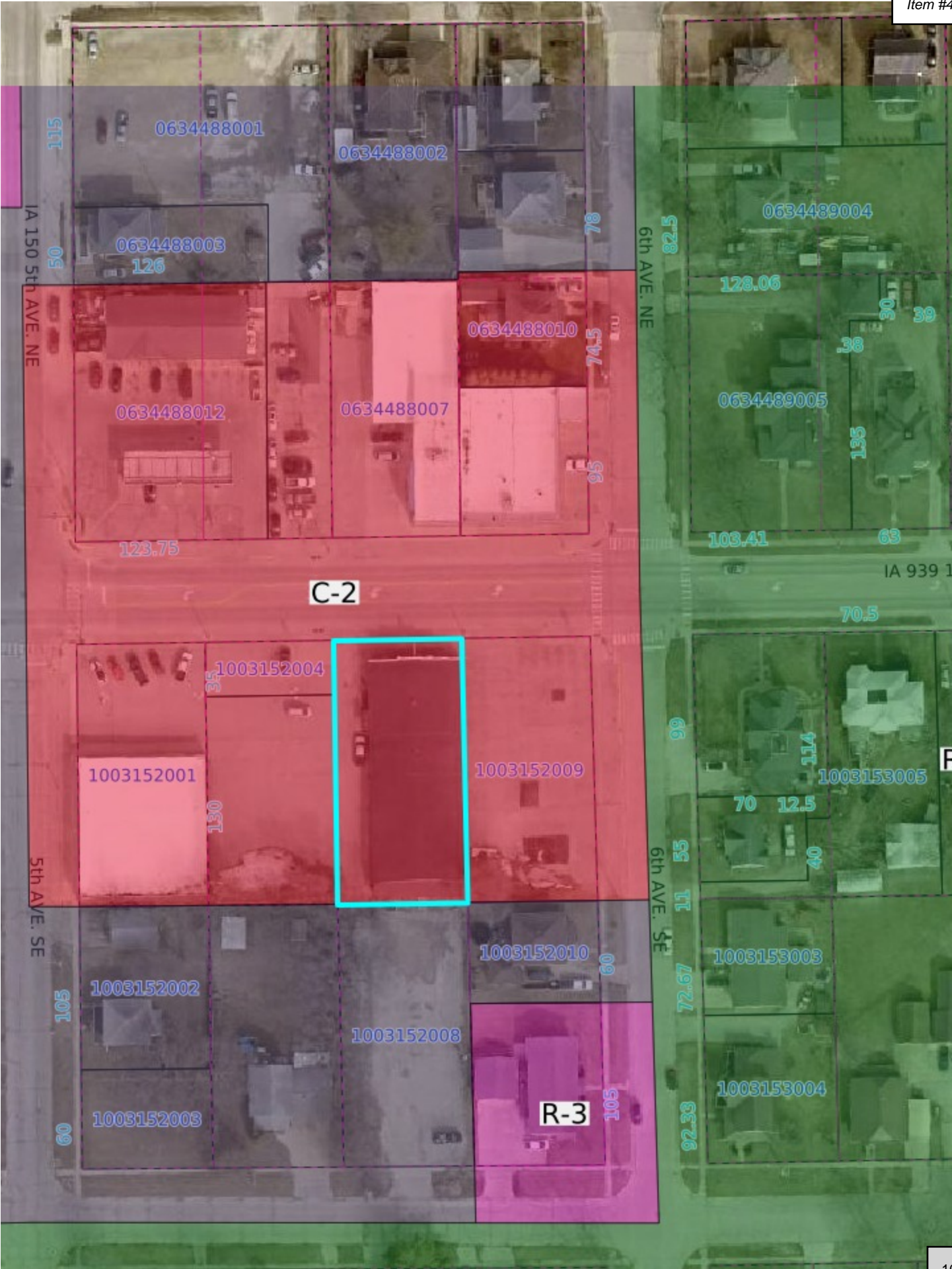
Original zoning classification of the property:

Proposed rezoning classification of the property:

A preliminary plat plan, application fee of \$250.00 will be invoiced, and a petition for rezoning shall be submitted with this application.

Applicant Signature:

Date:





# Sign placement

Item #4.





10 mm message board

174.65"





## PLANNING & ZONING MEMORANDUM

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**TO:** Planning & Zoning Board

**FROM:** Matt Chesmore – Building Official

**DATE OF MEETING:** July 1, 2025

**ITEM TITLE:** Preliminary Plat within 2 miles of City Limits

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### BACKGROUND:

Erica Kortenkamp of Lange & McMahon made an inquiry regarding a new subdivision that is within the two-mile area of the Independence City Limits. Ms. Kortenkamp provided the Rosburg First Addition preliminary plat and plat of survey for consideration.

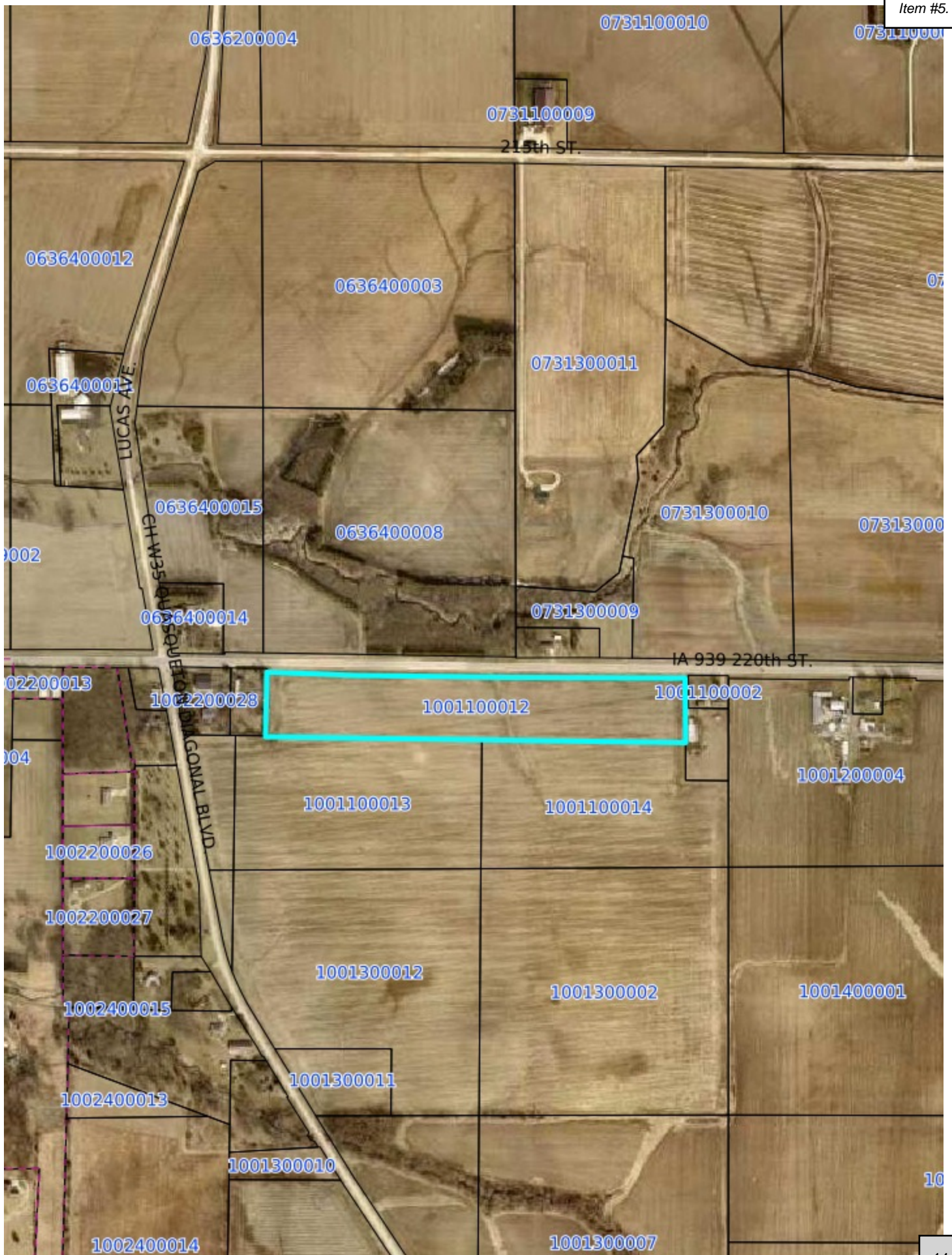
This falls under City Code 175.46:

#### **175.46 IMPROVEMENTS WITHIN UNINCORPORATED JURISDICTION.**

*Improvements in the two-mile unincorporated area under the jurisdiction of these regulations shall be the same as required herein, except as otherwise specifically stated, provided they are not less than that required by the applicable County subdivision regulations, and provided further that all construction plans shall be approved by the County, and completed public roads shall be accepted by the Board of Supervisors for public maintenance.*

### RECOMMENDATION:

Staff recommends a motion to approve the preliminary plat, and to recommend to the City Council to approve a resolution that also approves the preliminary plat.



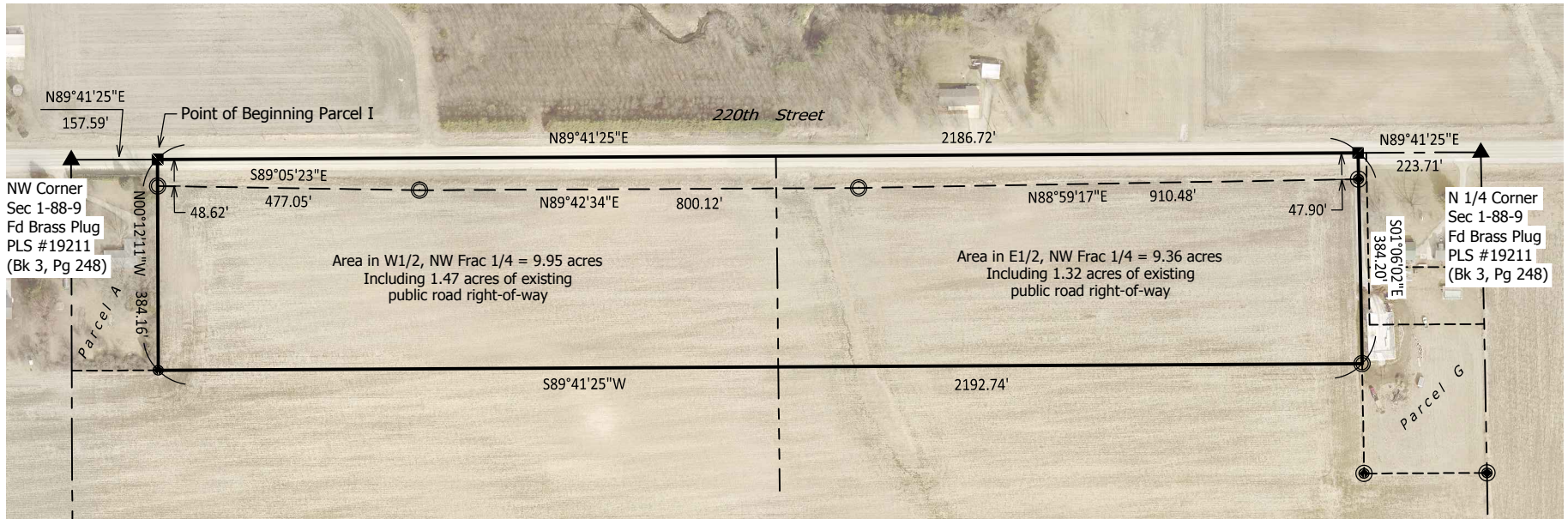


INDEX LEGEND	
Item #5.	
COUNTY:	Buchanan
TRACT PART:	NW Fractional 1/4 of Section 1, T88N, R09W

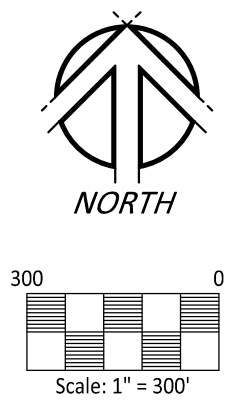
CITY:	
SUBDIVISION:	
BLOCK:	
LOT:	
PROPRIETOR:	Neal Scott Rathbun; Douglas J & Janel Lyn Rathbun
REQUESTED BY:	Doug Rathbun

Lawrence G. Crawford PE & PLS CRAWFORD ENGINEERING & SURVEYING, INC., INDEPENDENCE, IOWA (319)334-7077

PLAT OF SURVEY of Parcel I in the Northwest Fractional ¼ of Section 1, Township 88 North, Range 9 West of the 5th Principal Meridian, Buchanan County, Iowa, described as: Commencing at the Northwest Corner of Section 1; thence N89°41'25"E, 157.59 feet along the north line of the Northwest Fractional ¼ of Section 1 to the northeast corner of existing Parcel A and the Point of Beginning; thence continuing N89°41'25"E, 2186.72 feet along said north line to the northwest corner of existing Parcel G; thence S01°06'02"E, 384.20 feet along the west line of existing Parcel G; thence S89°41'25"W, 2192.74 feet to the southeast corner of existing Parcel A; thence N00°12'11"W, 384.16 feet to the Point of Beginning.



Parcel I Area = 19.31 acres  
Including 2.79 Acres of existing  
public road right-of-way



Date of Survey: 9-27-2024

### LEGEND

- ▲ USPLS CORNER Found (as noted)
- PROPERTY CORNER (set 1/2" rebar w/ cap #11572)
- PROPERTY CORNER (Fd 1/2" rebar w/ cap #17344)
- ⦿ PROPERTY CORNER (Fd 1/2" rebar w/ cap #8812)
- PROPERTY CORNER (Fd cut X in PCC)
- SECTION LINE
- - - 1/4 SECTION LINE
- - - 1/4-1/4 SECTION LINE
- - - PUBLIC ROAD RIGHT-OF-WAY
- Parcel Boundary
- (R) DISTANCE AS RECORDED

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.  
LICENSE RENEWAL DATE: 12-31-2024 LICENSE NO. 11572

**PRELIMINARY**

Lawrence G. Crawford PE & PLS DATE

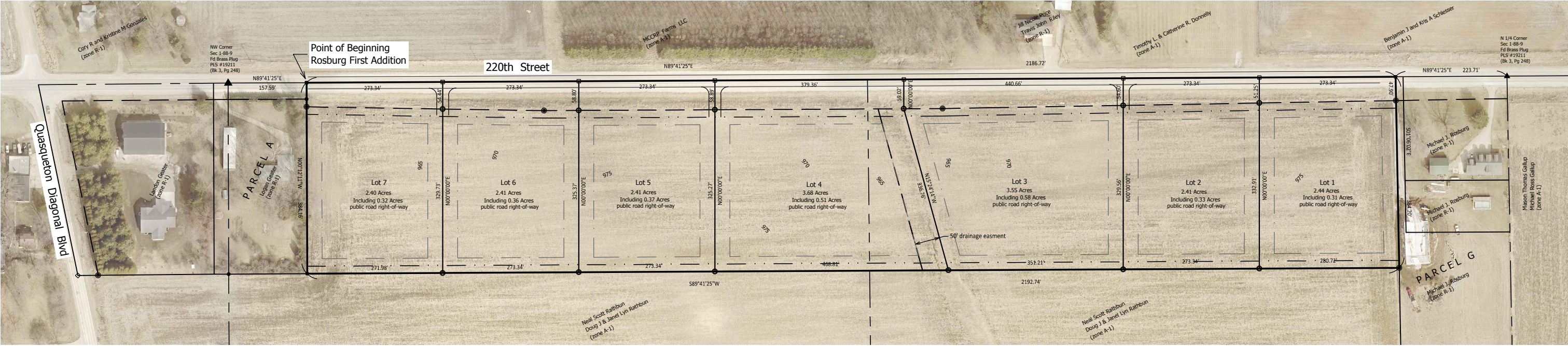
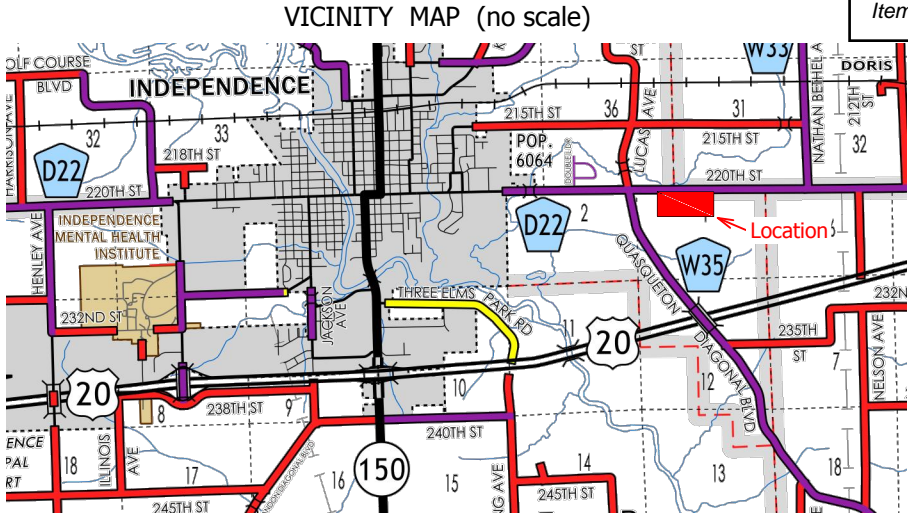




PRELIMINARY PLAT of  
ROSBURG FIRST ADDITION to Buchanan County, Iowa  
A Subdivision of Parcel I in the Northwest Fractional ¼ of Section 1, Township 88  
North, Range 9 West of the 5th Principal Meridian, Buchanan County, Iowa.

Description:

Commencing at the Northwest Corner of Section 1; thence N89°41'25"E, 157.59 feet along the north line of the Northwest Fractional ¼ of Section 1 to the northeast corner of existing Parcel A and the Point of Beginning; thence continuing N89°41'25"E, 2186.72 feet along said north line to the northwest corner of existing Parcel G; thence S01°06'02"E, 384.20 feet along the west line of existing Parcel G; thence S89°41'25"W, 2192.74 feet to the southeast corner of existing Parcel A; thence N00°12'11"W, 384.16 feet to the Point of Beginning.

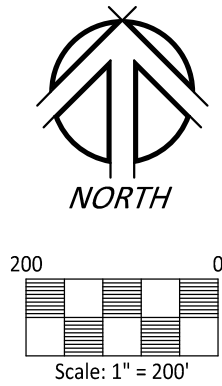


Subdivision Notes:

- Existing Zoning: A-1; Proposed Zoning: R-1
- Total Subdivision Area = 19.31 acres with 2.79 acres within existing road right-of-way.
- Max. Lot Size 2.44 acres. Min. Lot Size 2.40 acres.
- No part of the subdivision lies within Special Flood Hazard Area as indicated on FEMA map panels 19019C0301E, 19019C0303F.
- Water supply to each lot will be private wells as per Buchanan County Health Dept.
- Sewage disposal for each lot will be individual private sewage disposal systems as per Buchanan County Health Dept.

LEGEND

- ▲ USPLS CORNER Found (as noted)
- PROPERTY CORNER (set 1/2" rebar w/ cap #11572)
- PROPERTY CORNER (Fd 1/2" rebar w/ cap #11572)
- PROPERTY CORNER (Fd 1/2" rebar w/ cap #8812)
- PROPERTY CORNER (Fd cut X in PCC)
- SECTION LINE
- 1/4 SECTION LINE
- 1/4-1/4 SECTION LINE
- PUBLIC ROAD RIGHT-OF-WAY
- Lot Line
- Subdivision Boundary
- (R) DISTANCE AS RECORDED



Owner and Subdivider:  
Michael J. Rosburg  
2218 220th Street  
Independence, Iowa 50644  
(319)334-0300

Prepared by:  
Lawrence G. Crawford PE & PLS  
Crawford Engineering & Surveying, Inc.  
118 3rd Ave NE  
Independence, Iowa 50644  
(319)334-7077

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

LICENSE RENEWAL DATE: 12-31-2026 LICENSE NO. 11572

Lawrence G. Crawford PE & PLS DATE 6-25-2025

This certification covers all sheets



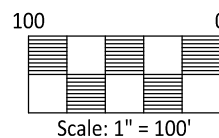
Rosburg First Addition to  
Buchanan County, Iowa

Crawford  
Engineering & Surveying

118 3rd Ave NE Independence, Iowa 50644 ph: (319) 334-7077

PROJECT No. 25801 FLD.BK.No. PAG 16



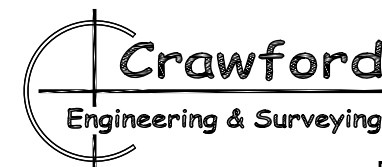


- Owner and Subdivider:  
Michael J. Rosburg  
2218 220th Street  
Independence, Iowa 50644  
(319)334-0300

Prepared by:  
Lawrence G. Crawford PE & PLS  
Crawford Engineering & Surveying, Inc.  
118 3rd Ave NE  
Independence, Iowa 50644  
(319)334-7077

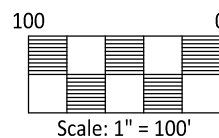
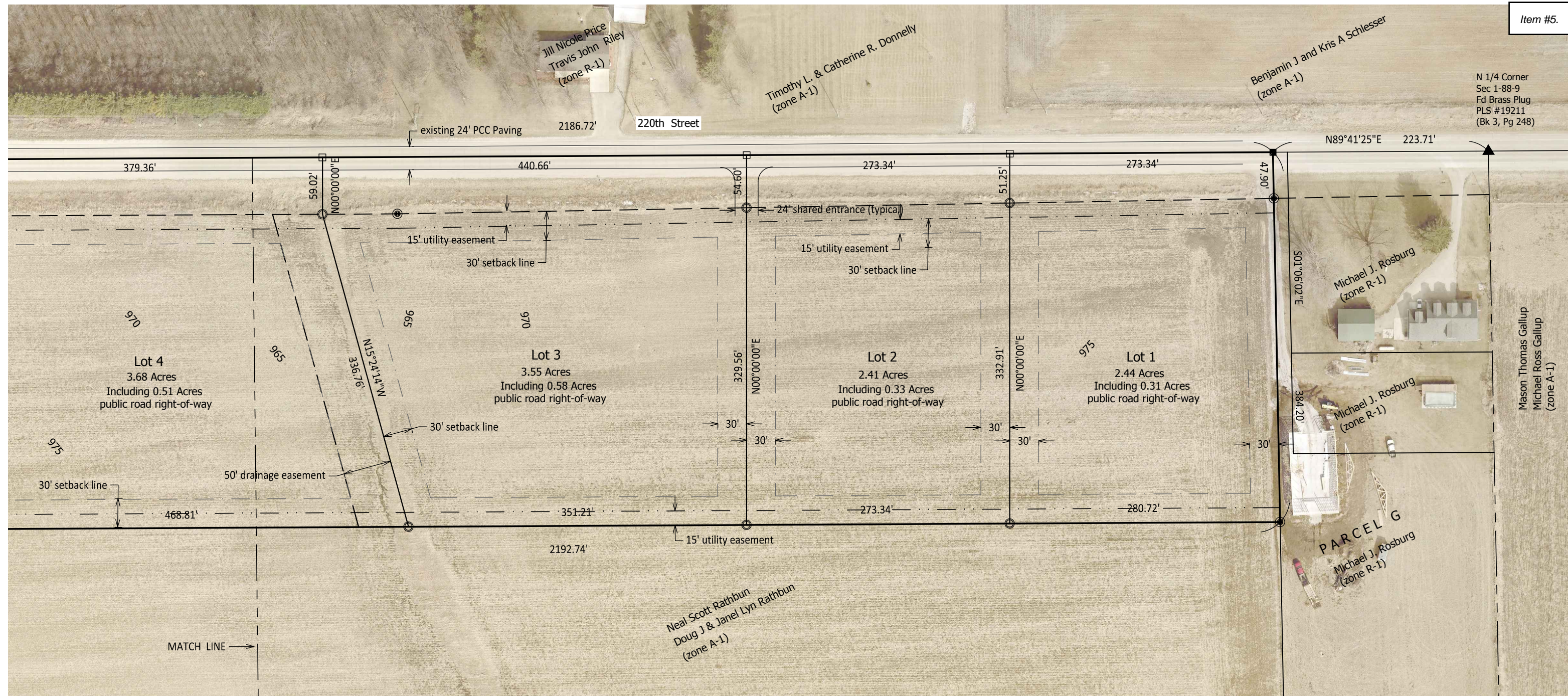
Rosburg First Addition to  
Buchanan County, Iowa

Sheet 2



118 3rd Ave NE Independence, Iowa 50644 ph: (319) 335-1111  
PROJECT No. 25801 FLD.BK.No. PAID





Reference of Existing Survey Documents of Record:

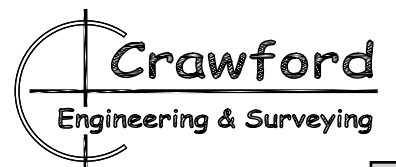
1. Plat of Survey of Parcel I, doc. #2025R00146
2. Plat of Survey of Parcel A, doc. #2022R00102
3. Plat of Survey of Parcel G, doc. #2021R02005

Owner and Subdivider:  
Michael J. Rosburg  
2218 220th Street  
Independence, Iowa 50644  
(319)334-0300

Prepared by:  
Lawrence G. Crawford PE & PLS  
Crawford Engineering & Surveying, Inc.  
118 3rd Ave NE  
Independence, Iowa 50644  
(319)334-7077

Rosburg First Addition to  
Buchanan County, Iowa

Sheet 3



118 3rd Ave NE Independence, Iowa 50644 ph: (319)  
PROJECT No. 25801 FLD.BK.No. PA





## PLANNING & ZONING MEMORANDUM

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**TO:** Planning & Zoning Commission

**FROM:** Matt Chesmore – Building Official

**DATE OF MEETING:** July 1<sup>st</sup>, 2025

**ITEM TITLE:** Article 17, Signs amendment

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### BACKGROUND:

On December 3rd, 2024 the Planning and Zoning Commission met to discuss amending Article 17, "Signs" Ordinance. After discussion a motion was made to continue discussion.

### RECOMMENDATION:

Article 17 is within the Zoning Ordinances and therefore must be reviewed by the Planning and Zoning Commission. Staff recommends review of Article 17, Signs ordinance, as amended and make recommendations of any changes the Commission would like to see made.

ORDINANCE NO. 2024

AN ORDINANCE AMENDING ARTICLE 17 “SIGNS” OF THE CITY OF INDEPENDENCE ZONING ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, IOWA:

**SECTION 1. PURPOSE.** The purpose of this ordinance is to amend certain provisions of Article 17 of the Zoning Code of Ordinances, “Signs”.

**SECTION 2. SECTIONS AMENDED.** The following existing and/or new provisions of Article 17 signs, are hereby approved to read as follows from the approval of this Ordinance forward, all sections or provisions of Article 17 not specifically amended or added hereby, remain as currently drafted and approved, unaffected by the approval of this Ordinance:

- 17.01.07 “Sign / Signage” shall mean and include all signs and shall include any announcement, declaration, demonstration, display, illustration, or insignia used to advertise or promote the interests of any person when the same is placed out of doors in view of the general public.
- 17.01.10 “Business Sign” as regulated by this Ordinance shall mean any sign elevated above grade that is free standing and self-supported and permanently anchored to Earth by a single point or base or permanently attached directly to the façade of a building and being used for advertising.
- \*17.01.11 “Exterior Lighting” Shall mean any source of lighting providing illumination to the exterior of any building or upon any parking areas for the purpose of advertisement or security. Exterior illumination of required exits shall be governed by the International Building Code, code cycle adopted by the City of Independence Iowa.
- 17.01.12 “Store Front” Shall mean the façade facing the street the building is addressed to or in case of buildings with multiple business’s operating within, the façade where the main required entrance/exit exists. A business may only have one (1) “store front”.
- 17.01.13 “Trip Hazard” Shall be defined by the Americans with Disability Act of 1990.
- \*17.01.14 “Nit” A nit is a unit of measurement that quantifies the brightness of a display, such as a smartphone, computer, or television. The official term for a nit is candela per square meter (cd/m2), which is the standard unit for luminous intensity in the International System of Units (SI). For the purpose of this code section one (1) Nit is equal to 0.0929-foot candles.
- 17.01.15 “Portable Pedestrian Sign” as regulated by this Ordinance shall be temporary and capable of being moved without aid of equipment or moving devices. Sign must not be anchored to any horizontal or vertical surface or structure. The sign, at all times must be capable of operating in the nature it was originally intended for and being used for advertising. Examples of portable pedestrian signs are limited to, “Sandwich” or “T” signs. Blade flags, Inflatable tubes and other advertisement media are not considered portable pedestrian signs as regulated by this ordinance.



- 17.01.16 “Monument Sign” as regulated by this ordinance shall be any sign permanently installed as hard scape, which is designating a place of business, division or sub-division of any land within the boundaries of the City of Independence.
- 17.01.17 “Temporary Sign” as regulated by this ordinance shall be any sign that is not illuminated and that is intended to be replaced with a permanent sign or advertisement within 180 days and that is no larger than 16 square feet in size. Temporary signs are intended for new development of residential property or commercial business. Temporary signs are prohibited to be placed on an existing building(s) with the intentions of advertisement.

**Section 17.05. ILLUMINATED AND ELECTRONIC SIGNS:**

- 17.05.01 The application for a Building Permit for the erection of a sign or other advertising structure utilizing electrical wiring and connections shall be submitted to the city building inspector, or designee, who shall examine the plans and specifications regarding all wiring and connections to determine and ensure compliance with the Electrical Code of the City of Independence, Iowa, and shall not issue a Permit unless and until satisfied that the plans and specifications are code compliant.
- \*17.05.02 Illuminated and/or electronic signs must be equipped with an automatic dimming control that must limit the illumination to not more than 500 nits at the sign surface at night or during low light times, and not more than 5,000 nits at the brightest daylight period.
- \*17.05.03 Only static displays are permitted with a minimum of ten (10) seconds delay between changes in display and no more than two (2) seconds for transitions. No scrolling, flashing or animated transitions shall occur.
- \*17.05.04 Limited to one (1) illuminated or electronic sign per adjacent street and must following provision listed in 17.20.
- ~~\*17.05.05 The visible sign face shall be setback at least two hundred fifty (250) feet from any adjacent residentially zoned property.~~
- 17.14.07 Temporary Signs however must comply with 17.03, 17.09, 17.11, 17.12, 17.16
- 17.19.06 Maximum Sign Quantity. ~~Excluding portable pedestrian signs located in areas described in section 17.19.9.~~ One (1) Sign per each two hundred feet (200') of street frontage; maximum of three (3) Signs on any lot/parcel regardless of lot/parcel dimensions; one hundred feet (100') minimum separation between Signs.
- 7.19.07 Set-back line. ~~Excluding portable pedestrian signs located in areas described in section 17.19.9.~~ In all districts where permitted, the entirety of any ground sign shall be set-back from any proposed or existing right-of-way line of any alleyway, road, street or highway as shown on the official plat, so as to meet required set-backs for principal structures in said zoning district.
- 17.19.08 Bracing, Anchorage and Supports. ~~Excluding portable pedestrian signs located in areas described in section 17.19.9.~~ All ground signs shall be

securely built, constructed and erected as required by the Building Code or other applicable ordinances of the City of Independence.

- 17.19.09 Portable Pedestrian Signs. Portable pedestrian signs (“A frame”, “sandwich board” or “Tframe”) may be placed in the public right-of-way for retail and service uses provided:
1. The signage is located within the following areas:
    - a. 1<sup>st</sup> Street East between the Wapsipinicon River and 4<sup>th</sup> Ave. NE
    - b. 1<sup>st</sup> Street East between the Wapsipinicon River and 4<sup>th</sup> Ave. SE
    - c. 4<sup>th</sup> Ave. NE from 1<sup>st</sup> Street East to 2<sup>nd</sup> Street NE on the west side
    - d. 3<sup>rd</sup> Ave. NE from 1<sup>st</sup> Street East to 2<sup>nd</sup> Street NE
    - e. 2<sup>nd</sup> Ave. NE from 1<sup>st</sup> Street East to 2<sup>nd</sup> Street NE
  2. A limit of one (1) is permitted per business. The sign may be placed within the public right of way, immediately adjacent to the store front, no more than twenty (20) lateral feet from the main entrance of the building.
  3. The sign is no larger than eight square feet and no taller than four feet.
  4. The sign is placed on or near a sidewalk and maintains the required ADA clearances for pedestrians' safe passage. It must not be placed in any location that creates visual obstructions or safety hazards for users of the right-of-way.
  5. The sign is removed from the right of way during non-business hours.
  6. The sign is designed with durable materials and quality-aesthetics for use on a recurring basis. Changeable copy, such as chalkboards, can be included as part of the design.
  7. All other provisions of sections 17.19 and 17.26 apply.
- 17.19.10 Ground flags (commonly referred to as “blade” or “feather flags”) are not permitted in any zoning district area described in 17.19.09. For other areas, ground flags must comply with all other regulations of this Article 17.
- 17.19.11 Promotional windsocks or inflatable advertisement (commonly referred to as “dancing man”, “sky tubes” or “fly tubes”) are not permitted in any zoning district area described in 17.19.09. For other areas, promotional windsocks or inflatable advertisements must comply with all other regulations of Article 17.
- 17.19.12 Prohibited lashing of signs or sign components. The lashing or tying of a any sign or advertisement banner to a public structure such as signpost, lamppost, bench, planter or trash receptacle ect., to aid in the support or to hold in-place is strictly prohibited. Signs and/or sign components may not be lashed together in a fashion that constitutes a trip hazard.
- ~~17.19.13. Moving, flashing, rotating or scrolling illuminated signs or colored lights may be confused with traffic lights and therefore are not permitted.~~

## **\*\*SECTION 17.27 EXTERIOR LIGHTING**

- 17.27.01 Light fixtures attached to the exterior of buildings should be compatible with the style, materials, colors and details of the building and the general character of the adjacent buildings.
- 17.27.02 All lighting shall be designed and located to not provide direct light or glare onto any adjacent property. Any lighting used to illuminate off-street

parking and loading areas shall be directed away from residential properties in such a way as not to interfere with the residential use.

- 17.27.03 ~~— All lighting shall be reduced to levels necessary only for security purposes within one hour after the closing of the business.~~
- 17.27.04      All facade lighting and or other externally illuminating lights shall use shielded, directional fixtures, designed and located to minimize uplighting and glare.
- 17.27.05      Shielding. All Exterior lighting must be shielded as specified in the following table. ???? Clarify table. Is there another way to enforce this? How would we enforce the table, ladders 25’ high ect...

Wattage or Mounting Height	Shield Type		
	Full Cutoff <sup>a</sup>	Cutoff <sup>b</sup>	Semi-Cutoff <sup>c</sup>
All lights mounted above 25’; or All lights above 450 Watts	R	P	P
All Lights Between 100 Watts and 450 Watts	P	R	P
All Lights Between 55 Watts and 99 Watts; or Any Light Mounted Between 12’ and 25’	P	P	P
All Lights Mounted below 12’ AND less than 55 Watts	No Shielding required; all shielding types permitted		
a. Full cutoff fixtures emit 0% if its light above 90 degrees and 10% above 80% from horizontal. b. Cutoff fixtures emit no more than 2.5% of its light above 90 degrees and 10% of its light above 80% from horizontal. c. Semi-cutoff fixtures emit no more than 55 of its light above 90% and 20% of its light above 80 degrees. R(Required) P(Prohibited)			

SECTION 17.28 MONUMENT SIGNS

- 17.28.01      Monument Sign as regulated by this Ordinance shall mean any sign elevated at or above grade that is free standing, self-supported and permanently anchored to earth by a single point or base.
- 17.28.02      Monument signs must only be used for the purpose of designating the legal name of a business, division or sub-division of land or locally also-known-as of such business or area.
- 17.28.03      Sign Location: The placement of all Monument signs shall be regulated by sub-sections 17.28.03.01 through 17.28.03.4.

17.28.03.01      Monument signs are prohibited from being placed in any right-of-way.  
  
Exception: The Independence City Council upon application may approve the placement of a monument sign on the right-of-way under the following conditions.

1. Require letter of recommendation from the Planning and Zoning Commission.
2. May not be placed withing 20’ of any intersecting street line.
3. Legal agreement is entered into stating The City of Independence will not be held responsible for maintaining, repair or replacement of such monument sign. The agreement must also have provisions stating the name of the organization responsible for placing the monument and that this organization will be in-perpetuity, responsible for maintaining the sign and surrounding landscaping, within twenty inches of the base or widest portion thereof.

17.28.03.02 Monument Signs shall not have a setback requirement except when placed on a corner lot parcel.

17.28.03.03 Corner lot: Monument signed placed or constructed on a corner lot shall be setback 20’ from the nearest intersecting street line.

17.28.03.04 Off-Site monument signs are prohibited.

17.28.04 Monument signs must be maintained in good condition by the property owner or association.

17.28.05 Removal. The City Council may order the removal of any sign that has been deemed inappropriate in subject material, construction material or location by the Independence City Council. All costs associated with the removal and repair land shall be borne by the property owner.

**SECTION 3. REPEALER.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**SECTION 4. SEVERABILITY.** If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

**SECTION 5. EFFECTIVE DATE.** This ordinance shall be in effect after its final passage, approval and publication as provided by law.

**PASSED AND APPROVED** by the City Council of Independence, Iowa, on this 11<sup>th</sup> day of November 2024.

\_\_\_\_\_  
Brad Bleichner, Mayor of the City of

Independence, IA  
ATTEST:

\_\_\_\_\_  
Susi Lampe, IaCMC, IaCFO, City Clerk/Treasurer of the City of Independence, IA

First Reading: November 12, 2024  
Second Reading: WAIVED

Third Reading: WAIVED

I certify that the foregoing was published as Ordinance No. 2024- on the \_\_\_\_\_ day of \_\_\_\_\_ 2024.

\_\_\_\_\_  
Susi Lampe, IaCMC, IaCFO, City Clerk/Treasurer of the City of Independence, IA