

CHAPTER 165

ZONING REGULATIONS

165.01 Title and Purpose; Compatibility	165.17 Interpretation of District Boundaries
165.02 Definitions	165.18 Applicability of Regulations
165.03 Administration and Enforcement	165.19 District Regulations
165.04 Zoning Administrator	165.20 A-1 – Agricultural
165.05 Board of Adjustment	165.21 R-1 – Low Density Single-Family Residential
165.06 Appeals to the Board of Adjustment	165.22 R-2 – Medium Density Single-Family Residential
165.07 Special Uses	165.23 R-3 – Medium Density Two-Family Residential
165.08 Variances	165.24 R-4 – High Density Multiple-Family Residential
165.09 Planning and Zoning Commission	165.25 RMH – Mobile Home Park Residential
165.10 City Council	165.26 C-1 – Central Commercial Business District
165.11 Amendments	165.27 C-2 – Highway Commercial District
165.12 Building Permits and Certificate of Occupancy	165.28 I-1 – Light Industrial
Requirements	165.29 I-2 – Heavy Industrial
165.13 Interpretation of Provisions	165.30 P-1 – Public Use
165.14 Violations and Penalties	165.31 Sign Regulations
165.15 Establishment of Districts and Official Zoning Map	165.32 Fence, Wall and Hedge Regulations
165.16 Changes In Official Zoning Map	165.33 Off-Street Parking and Loading Space

165.01 TITLE AND PURPOSE; COMPATIBILITY. This chapter shall be known, cited and referred to as the Robins Zoning Ordinance. The Robins Zoning Ordinance, as set forth in the text and map which constitute such Ordinance, is adopted with the purpose of improving and protecting the public health, safety, comfort, convenience and general welfare of the people and in accordance with the Code of Iowa Section 414.3. The fulfillment of this purpose is to be accomplished by seeking:

1. To lessen congestion on the public streets.
2. To avoid undue concentration of population.
3. To prevent the overcrowding of land, thereby ensuring proper living and working conditions and preventing the development of blight and slums.
4. To establish adequate standards for the provision of light, air and open spaces.
5. To facilitate the provision of adequate transportation, and of other public requirements and services such as water, sewage, schools and parks.
6. To zone all properties with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City.

7. To protect residential, business, commercial, and industrial areas alike from harmful encroachment by incompatible uses and to ensure that land allocated to a class of uses shall not be usurped by other inappropriate uses.
8. To avoid the inappropriate development of lands and provide for adequate drainage, curbing of erosion and reduction of flood damage.
9. To fix reasonable standards to which buildings and structures shall conform.
10. To prevent such additions to, and alterations or remodeling of, existing buildings or structures as would not comply with the restrictions or limitations imposed herein.
11. To foster a more rational pattern of relationship between residential, business, commercial and manufacturing uses for the mutual benefit of all.
12. To isolate or control the location of unavoidable nuisance-producing uses.
13. To prescribe penalties for any violation of the provisions of this chapter or of any amendment thereto.
14. To define the powers and duties of the administrative and enforcement officers.

The standards and requirements contained in this Chapter and the district mapping reflected on the Zoning District Map have all been made in accordance with the officially adopted Comprehensive Plan by the City of Robins.

165.02 DEFINITIONS. In case of any difference of meaning or implication between the text of this chapter and any caption or illustration, the text shall control. The following definitions shall be observed and applied, except when the context clearly indicates otherwise.

1. “Accessory building, structure, tree house or use” means a use or structure subordinate to the principal use of a building or land on the same lot or parcel of ground and serving a purpose customarily incidental to the use of the principal building or use of land. (Ordinance No. 1501, 3/2/15)
2. “Agriculture” means the use of land for the purpose of raising and harvesting crops; or for the raising, breeding, pasturing or management of domestic animals, poultry, fish, and honeybees; or for dairying, truck gardening, forestry, nurseries, or orchards; for the non-commercial on-farm storage or processing of agricultural products; or for any similar agricultural, horticultural, silva-cultural, or aqua-cultural use. Agricultural use shall not allow land to be operated as commercial feedlots and fur farms or for the disposal of garbage, sewage, rubbish or offal or rendering plants or for the slaughtering of animals, except such animals as have been raised on the premises or have been maintained on the premises.

3. “Airport” means any area of land or water which is used or intended for use for the landing and taking off of aircraft, and any appurtenant areas which are used or intended for use for airport buildings or other airport facilities or right-of-ways, including all necessary taxiways, aircraft storage and tie-down areas, hangers and other buildings and open spaces.
4. “Alley” means any dedicated public way affording a secondary means of vehicular access to abutting property, and not intended for general traffic circulation.
5. “Alterations, structural” means any change in the supporting members of a building such as bearing walls, columns, beams, or girders.
6. “Apartment” means a room or suite of rooms used as the dwelling of a family, including bath and culinary accommodations, located in a building in which there are multiples of these units.
7. “Artificial Lake and Ponds” means man made area where water collects and stored over a long period of time. All lakes and ponds shall meet or exceed the Iowa Department Natural Resource requirements and regulations.
8. “Automobile repair” means the general repair, engine rebuilding, collision service or reconditioning of motor vehicles.
9. “Automobile service station” means an establishment for the retail sale of fuel, lubricants, tires or other similar products and supplies for vehicles, including minor accessory parts. It may also include minor parts installation, towing, servicing, vehicle washing facilities, and minor repairs of vehicles and trailer rental when secondary to the above activities. Major repairs and sales of vehicles are expressly excluded.
10. “Balcony” means an unroofed platform, unenclosed except by a railing, which projects from the outer wall of any building above ground level with or without support other than the building.
11. “Basement” means that portion of a building which is partly below grade but has more than one-half its height below the average grade of the adjoining ground. For the purpose of this chapter a basement is not considered a story unless designed or used for habitable space or business purposes.
12. “Bed and breakfast” means any single-family or multi-family dwelling unit used for the purpose of overnight or temporary lodging for one or more persons wherein meals may also be provided.
13. “Billboard” means all structures, regardless of the material used in the construction of same, which are erected, maintained or used for public

display of posters, painted signs, wall signs, whether the structure is placed on the wall or painted on the wall itself, pictures or other pictorial reading material which advertise a business, entity or attraction. (Ordinance No. 1601, 6/20/16)

14. “Board” means the Board of Adjustment as described in Section 414.7 of the Code of Iowa.

15. “Boarder” means an individual other than a member of the family occupying a dwelling unit who, for a consideration, is furnished sleeping accommodations, meals, and may be provided personal care, financial services, counseling or other such services.

16. “Boarding house” means a building other than a hotel or motel where, for compensation and by prearrangement for definite periods, meals (or lodging and meals) are provided for three (3) or more persons.

17. “Broadcast tower” means a structure for the transmittal or broadcast of radio, television, radar or microwaves, which exceeds the maximum height permitted in the district in which it is located; provided, however noncommercial radio towers not exceeding fifty (50) feet in height are not to be considered broadcast towers.

18. “Building” means any structure designed or built for the support, shelter, enclosure or protection of persons, animals, chattels or movable property of any kind, and includes any structure.

19. “Building envelope” means the build able area of lot which remains after the minimum yard setbacks, height requirements, and open space requirements of this chapter have been complied with.

20. “Building, height of” means the vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the average height level between eaves and ridge for gable, hip and gambrel roofs.

21. “Building line” means a line formed by the face of the building; and, for the purposes of this chapter, a minimum building line is the same as a front setback line.

22. “Building, main or principal” means a building in which is conducted the principal use of the lot on which it is situated.

23. “Business” means the engaging in the purchase, sale, barter, or exchange of goods, wares, merchandise, or services, the maintenance or operations of offices or recreational and amusement enterprises for profit.

24. “Business establishment” means a place of business carrying on operations, the ownership and management of which are separate and distinct from those of any other place of business located on the same zoning lot.
25. “Car wash” means any building or portion thereof, containing facilities for the primary purpose of washing vehicles, using production line methods with a chain conveyor, blower, steam cleaning device, or other mechanical devices; or providing space, water, equipment or soap for the complete or partial hand-washing of such vehicles, whether by attendant or customer.
26. “Cellar” means that portion of a building partially or wholly underground, having half or more than half its clear height below the grade plane. A cellar is non-habitable and is not counted as a story.
27. “Cemetery” means land used or intended to be used for the burial of the human dead and dedicated cemetery purposes, including columbarium’s, crematories, mausoleums, and mortuaries if operated in connection with, and within the boundaries of such cemetery.
28. “Cemetery, pet” means land used or intended to be used for the burial of domesticated animals and dedicated for pet cemetery purposes.
29. “Child day care facility” means a facility in which six or more children are received for part or all of a day for care and/or instruction. The facility shall be approved and licensed by the State of Iowa. The term “child day care facility” includes but is not limited to the following: nursery schools, child care centers, day nurseries, kindergartens, preschools and play groups, but does not include bona fide kindergartens or nursery schools operated by public or private elementary or secondary school systems.
30. “Church” means a building or structure, or groups of buildings or structures, that by design and construction are primarily intended for conducting organized religious services and associated accessory uses.
31. “Clinic, medical or dental” means an organization of specializing physicians and/or dentists, who have their offices in a common building. A clinic does not include in-patient care.
32. “Club” shall mean the same as “lodge.”
33. “Convalescent home” shall mean the same as “nursing home”.
34. “Convenience store” means any retail establishment offering for sale prepackaged food products; household items; newspapers and magazines, drinks, sandwiches and other freshly prepared foods, as well as other

similar convenience goods and the on-site dispensing and sales of vehicular fuel.

35. “Deck” means a covered or uncovered platform area, accessible at or from above grade, and attached to the ground.

36. “Drive-up” means any establishment that by design, physical facilities, service, or by packaging procedures encourages or permits customers to receive services, obtain goods or be entertained while remaining in their motor vehicles.

37. “Dwelling” means any building or portion thereof consisting of a dwelling unit that is used exclusively for residential purposes. Said building shall have an outside dimension of no less than twenty-four (24) feet for the main body, and 900 square feet of floor area above grade, excluding any attached garage, if any.

38. “Dwelling, multiple” means a building designed with accommodations in order to be occupied exclusively by more than two (2) families living independently of each other.

39. “Dwelling, single-family” means a building designed with accommodations for exclusive occupancy by one (1) family.

40. “Dwelling, two-family” means a building designed with accommodations for occupancy exclusively by two (2) families living independently of each other and the dwellings are joined together on a common boundary line with a common wall between units.

41. “Dwelling unit” means any room or group of rooms located within a dwelling, and forming a single habitable unit with facilities that are used, or intended to be used, for living, sleeping, cooking, eating, and sanitation, by one family.

42. “Efficiency unit” means a dwelling unit consisting of one principal room exclusive of bathroom, kitchen, hallway, closets, or dining alcove directly off the principal room, providing such dining alcove does not exceed 125 square feet in area.

43. “Family” means one or more persons related by direct lineal descent, marriage, adoption or placement by a governmental or social service agency, occupying a dwelling unit as a single housekeeping organization. A family may also be two, but no more than two persons not so related, and the children of either or both, including children by adoption, legal guardianship or as foster or step parent-child, living together on the premises as a common household. A family may also include domestic servants and health care providers residing with the said family.

44. “Family group care home” means a residential facility having fifteen (15) beds or less providing 24-hour room, board, personal assistance and a program of services designed to meet the special needs of mentally or physically disabled persons who cannot live alone. The home must be duly approved and licensed as required by applicable State and local regulations.
45. “Farm” means an area where farming is the main or principal use of the land and buildings within the area or an area of not less than five (5) acres where agriculture use is an accessory use for the growing of common agricultural products such as vegetables, fruits and grains, and their storage upon the area, as well as the keeping of domestic animals as permitted by the Robins Animal Control regulations.
46. “Farm building” means a building or structure used for farming purposes within a farm unit.
47. “Farming” means a business engaged in the cultivating, harvesting and storage of agricultural products; or the rearing, raising, pasturing, and management of agricultural domestic animals; and the maintenance and operations of equipment or farm buildings used within a farm unit for a profit.
48. “Feedlot” means a lot, yard, corral, or other area in which domestic animals are present and confined, for the purposes of feeding and growth before slaughter. This does not include areas which are used for the raising of crops or other vegetation and upon which domestic animals are allowed to graze or feed as permitted by Robins Animal Control regulations.
49. “Feedlot, commercial” means a confined area where 500 or more cattle, swine, sheep, or 30,000 or more fowl are housed, penned and fed.
50. “Fence” means a structure more than 18 inches in height, erected as a barrier for separating or enclosing all or a portion of a field, yard, or other area adjoining real property, or for the purpose of preventing intrusion or straying.
51. “Fence, non-agricultural” means a fence that is not used for agricultural purposes.
52. “Fence, temporary” means a fence erected for a short duration to serve a specific limited functional purpose (e.g. snow, soil erosion, construction public safety barrier) and once the purpose has been served, the temporary fence will be removed from the property. A temporary fence shall meet all fencing requirements specified within this Code of Ordinances except no building permit shall be required.
53. “Floodplain” is defined in Chapter 160 of this Code of Ordinances.

54. "Floor area" means the sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls or from the centerline of wall separating two buildings. The "floor area" of a building includes basement floor area, elevator shafts, stairwells at each floor, floor space used for mechanical equipment (except equipment, open or closed, located on the roof), penthouses, attic space having headroom of seven feet, ten inches (7'10") or more, interior balconies and mezzanines, enclosed porches, and floor areas devoted to accessory uses. Space devoted to off-street parking, is not included in "floor area." The "floor area ratio" means the floor area of the building or buildings on a zoning lot divided by the area of such zoning lot. The floor area ratio requirements, as set forth in this chapter, shall determine the maximum floor area allowable for the building or buildings (total floor area of both principal and accessory buildings) in direct ratio to the gross area of the zoning lot.

55. "Frontage" means all the property on one side of a street between two intersecting streets (crossing or terminating), measured along the line of the street, or if the street is dead ended, then all of the property abutting on one side between an intersecting street and the dead end of the street.

56. "Garage, private" means a building that is subordinate or used for storage of motor-driven vehicles owned and used by the occupants of the building to which it is accessory and shall not exceed 1,250 square feet. (Ordinance No. 1701, 5/15/17)

57. "Garage, public" means a building or portion thereof other than a private or storage garage, designed or used for equipping, servicing, repairing, hiring, selling or storing motor-driven vehicles.

58. "Garage, storage" means a building or portion thereof designed or used for term storage of personal belongings by pre-arrangement, and at which motor fuels and oils are not sold, and motor driven vehicles are not equipped, repaired, hired or sold.

59. "Garden house" means an accessory structure of not more than 140 square feet in area and having a height of eight (8) feet or less constructed primarily for storage.

60. "Grade" means the average level of the finished surface of the ground adjacent to the exterior walls of the building except when any wall approximately parallels and is not more than five (5) feet from a street line, then the elevation of the street shall be grade. The purpose is to regulate the number of stories and height of a structure.

61. “Health club” means a non-medical service establishment intended to maintain or improve the physical condition of persons and containing exercise and game equipment and facilities, steam baths, saunas or similar equipment and facilities. This definition shall not be construed to include massage establishments as defined herein.

62. “Home occupation” means any business, occupation or activity conducted for gain within a residential building, or an accessory building thereto, which is incidental or secondary to the primary use of such building for dwelling purposes and which does not change the essential residential character of the primary building. The following regulations are designed to protect and maintain the residential character of a neighborhood within residential zoned districts while permitting certain limited commercial activities that are traditionally carried out in a home and meet the following limitations:

- A. All home occupation activities shall be carried out wholly within the principal structure or in an accessory building. No more than twenty percent (20%) of floor area of the principal building, and no more than five hundred (500) square feet of floor area of an accessory building, shall be devoted to the activity.
- B. No person who is not a member of the immediate family and residing on the premises shall be employed in the activity on the premises.
- C. No outside storage of material or equipment shall create any external evidence of the home occupation.
- D. No toxic chemicals or highly flammable or explosive materials shall be stored within the buildings or used in the activity.
- E. No activity shall be permitted that is noxious, offensive or hazardous by reason of pedestrian or vehicular traffic, or by creation of noise, odor, refuse, heat, vibration, smoke, radiation or any other objectionable emissions, or by interference with televisions or radio reception.
- F. No mechanical, electrical or other equipment within the occupation shall create noise, vibration, glare, fumes, odors, or electrical interference detectable outside the building.
- G. Not more than one business motor vehicle, no more than one (1) ton in size, in conjunction to the home occupation, shall be permitted to be parked outside of any building.

H. No separate entrance from outside the building or alterations of a building shall be made that changes the character and appearance thereof as a residential building.

I. Does not have any signs or display(s) that indicate from the exterior, that the building is being utilized in part for any purpose other than that of a residential dwelling.

J. Improvements necessary to bring a residence into compliance with commercial building code requirements shall not be allowed. The practical consequence of this restriction is that businesses requiring commercial building code improvements are considered not allowed as home occupations.

K. The following occupations are specifically prohibited from being operated as home occupations:

- (1) Sexually oriented business establishments.
- (2) Motor vehicle and accessory sales or rental, repair and/or painting, including trailer rental or sales.
- (3) Renting of rooms by a resident owner to more than two (2) roomers.
- (4) Taxicab and/or limousine businesses.
- (5) Barber, beauty, tanning and/or nail shops, except when customer visits are by appointment only and are limited to no more than two customers in any one-hour period. Beauty and barbershops allowed under these provisions shall be registered with the appropriate licensing and inspection authorities.
- (6) Medical or dental clinic.
- (7) Restaurant.
- (8) Kennel and veterinary clinic.
- (9) Funeral home.

Home occupations already established on the effective date of the ordinance codified in this subsection (Ordinance No. 0507) and rendered non-conforming by the provisions thereof, shall be allowed 180 days to bring the property in conformance or be subject to a municipal infraction.

63. "Hotel" means a residential building licensed by the State and occupied and used principally as a place of lodging for guests. Hotels may or may not provide meals.

64. “Identification sign” means a sign displaying the name, address, crest, insignia or trademark, occupation or profession of an occupant of a building or the name of any building on the premise. (Ordinance No. 1601, 6/20/16)
65. “Institution” means an establishment occupied or operated by a private or public non-profit corporation, association, organization, or group for use or benefit of the general public.
66. “Junk/salvage yard” means any lot or portion thereof where waste, discarded, or salvaged materials are bought, sold, exchanged, baled or packed, disassembled, or handled, including the dismantling or “wrecking” of automobiles or other machinery, house wrecking yards, used lumber yards and places or yards for storage of salvaged house wrecking and structural steel materials and equipment; but not including areas where such uses are conducted entirely within a completely enclosed building.
67. “Kennel” means an establishment where small animals are bred, raised, trained, groomed or boarded for compensation, sale or other commercial purposes.
68. “Loading space” means an off-street space within the main building or on the same lot providing for the standing, loading or unloading of commercial vehicles, having a minimum dimension of twelve (12) by thirty-five (35) feet and a vertical clearance of at least fourteen (14) feet.
69. “Lodge” means a building or portion thereof or premises owned or operated by a corporation, association, person, or persons for social, educational, or recreational purposes primarily for the exclusive use of members and their guests, but not primarily for profit or to render a service which is customarily carried on as a business.
70. “Lot” means a parcel of land occupied or intended for occupancy by one main building together with its accessory buildings officially approved and having its principal frontage upon a dedicated street. The boundaries of the lot shall be determined by its lot lines.
71. “Lot, corner” means a lot abutting upon two (2) or more streets at their intersections.
72. “Lot, depth of” means the average horizontal distance between the front and rear lot lines.
73. “Lot, double frontage” means a lot having a frontage on two (2) non-intersecting streets, as distinguished from a corner lot.
74. “Lot, interior” means a lot other than a corner lot.

75. “Lot lines” means the lines bounding a lot as defined herein:
- A. Front Lot Line: In the case of an interior lot, that line separating said lot from the street. In the case of a corner lot, or double frontage lot, “front lot line” means that line separating said lot from that street which is designated as the front street in the plat and in the application for a zoning compliance permit.
 - B. Rear Lot Line: That lot line opposite and most distant front lot line. In the case of a lot pointed at the rear or triangular shaped, the rear lot line is an imaginary line parallel to the front lot line not less than ten (10) feet long and farthest from the lot line and wholly within the lot.
 - C. Side Lot Line: Any lot line other than the front lot line or rear lot line. A side lot line separating a lot from a street is a side street lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.
76. “Lot of record” means a lot which is part of a subdivision, the plat of which has been recorded in the office of the County Recorder.
77. “Lot, reversed corner” means a corner lot, the rear of which abuts the side of another lot.
78. “Lot width” means the width of a lot measured at the building line and at right angles to its depth where the minimum building line or setback intersects the side lot lines.
79. “Lot, zoning” means a single parcel of land which at the time of filing for a building permit is designated by its owner or developer to be used, developed, or built upon as a unit, under single ownership or control. A “zoning lot or lots” may or may not coincide with a lot of record.
80. “Main building” means a building in which is conducted the principal use of the lot upon which it is situated.
81. “Main use” means the principal use to which the premises are devoted and the principal purpose for which the premises exists.
82. “Manufactured home” means a factory-built structure, built under authority of 42 U.S.C. Sec. 5403, and which is required by Federal law to display a seal from the United States Department of housing and urban development, and was constructed on or after June 15, 1976. If a manufactured home is placed in a mobile home park, the home must be titled and is subject to the mobile home square foot tax. If a manufactured home is placed outside of a mobile home park, the home is to be assessed and taxed as real estate. A manufactured home shall not be constructed

with a permanent hitch or other device allowing it to be moved other than for the purpose of moving to a permanent site, and which does not have permanently attached to its body or frame any wheels or axles. A mobile home constructed to the Federal Manufactured Home Construction and Safety Standards is not a manufactured home unless it has been converted to real property and is taxed as a site built dwelling as is provided in Code of Iowa, Section 435.26. For the purpose of any of these regulations, a manufactured home is considered the same as a single-family detached dwelling.

83. “Mobile home” means a vehicle without motive power used or so constructed as to permit its being used as a conveyance upon the public streets and highways and so designed, constructed or reconstructed as will permit the vehicle to be used as a place for human habitation by one or more persons; and also includes any vehicle with motive power not registered as a motor vehicle in Iowa. A “mobile home” is not built to a mandatory building code, contains no Federal or State seals, and was built before June 15, 1976. If a mobile home is placed outside of a mobile home park, the home is to be assessed and taxed as real estate.

84. “Mobile home park” means any site, lot, field or tract of land under common ownership upon which two or more occupied mobile homes, manufactured homes, modular homes, or a combination of the homes are harbored, either free of charge or for revenue purposes, and includes any building, structure, tent, vehicle or enclosure used or intended for use as part of the equipment of such mobile home park. The term “mobile home park” shall not be construed to include mobile homes, buildings, tents, or other structures temporarily maintained by an individual, educational institution or company on their own premises and used exclusively to house their own labor or students. A “mobile home park” must be classified as to whether it is a residential mobile home park or a recreational mobile home park or both. The mobile home park residential landlord tenant act only applies to residential mobile home parks.

85. “Mobile home converted to real estate” means a mobile home which has been attached to a permanent foundation on real estate owned by the mobile home owner, rendering it totally immobile, and which has been inspected by the assessor, the mobile home vehicle title, registration, and license plates collected from the owner, and the property entered upon the tax roles of Linn County.

86. “Modular home” means a factory-built structure which is manufactured to be used as a place of human habitation, is constructed to comply with the Iowa State Building Code for modular factory-built

structures, and must display the seal issued by the State Building Code Commissioner. If a modular home is placed in a mobile home park, the home is subject to the annual tax as required by Section 435.22 of the Code of Iowa. If a modular home is placed outside a mobile home park, the home shall be considered real property and is to be assessed and taxed as real estate.

87. “Motel” means a building or group of buildings in which lodging is provided and offered primarily to transient occupancy and in which each unit has convenient access to a parking space for the use of the unit’s occupants.

88. “Motor vehicle” means any passenger vehicle, truck-trailer, trailer, or semi-trailer propelled or drawn by mechanical or electrical power.

89. “Multiple dwelling unit” means a building arranged, designed, and intended for use as a residence by two or more families living independently of each other.

90. “Nonconforming building” means a building or portion thereof that does not conform to the provisions of this chapter relative to height, bulk, area or yard size requirements for the district in which it is located.

91. “Nonconforming use” means a use, which lawfully occupied a building or land but does not conform to the use regulations of the district in which it is located.

92. “Nursery” means land, buildings, structures, or combination thereof for the display, storage, cultivation, processing or transporting of trees, shrubs, plants or other horticultural products offered for sale or installation and including products used for gardening and landscaping.

93. “Nursing home” means an institution which is advertised, announced, or maintained for the express or implied purpose of providing nursing or convalescent care for persons unrelated to the licensee. A nursing home is a home for chronic or convalescent patients who, upon admission, are not, as a rule, acutely ill and who do not usually require special facilities, such as an operating room, x-ray facilities, laboratory facilities and obstetrical facilities. A nursing home provides care for persons who have remedial ailments, for which continuing medical and skilled nursing care is indicated; who, however, are not sick enough to require general hospital care. A major factor which distinguishes a nursing home is that the residents will require the individualization of medical care. For the purpose of this chapter, a “nursing home” is also considered to be a “convalescent home.” Such institution shall be in compliance with the

provisions of Sections 135C.1 (13), nursing facility, and (17), residential care facility, Code of Iowa.

94. “Off-premise sign” means a sign that advertises a product, service or facility, or directs a person to a different location than the one where the sign is installed. (Ordinance No. 1601, 6/20/16)

95. “On-premise sign” means any sign identifying or advertising a business, person, activity, product or service located on the premise where the sign is installed and maintained. (Ordinance No. 1601, 6/20/16)

96. “Open space” means the land area of a site not covered by buildings, right-of-ways, parking structures or accessory buildings, except recreational structures, and which is available to all occupants of units for whose use the space is intended. “Open space” does not include school sites and commercial areas.

97. “Outdoor lighting” means fixtures and supporting structures used to illuminate the exterior of a building or open space.

98. “Parking space” means a surfaced area, enclosed in the main building or in an accessory building, or unenclosed, having a area of not less than one hundred and eighty (180) square feet exclusive of driveways, permanently reserved for the temporary storage of one vehicle and connected with a street or alley by a surfaced driveway which affords satisfactory ingress and egress for vehicles.

99. “Personal Opinion Sign” means a sign posted on property owned or on leased property where the sign owner resides and wherein a sign owner expresses a personal opinion on a matter that is protected free speech under the first amendment to the United States Constitution. Such signs may not be posted in public right-of-way and may not obstruct the view of motorists at intersections or railroad crossings. Such signs should not resemble or imitate official traffic control devices and may not contain advertising of any product or service within the message.” (Ord. 1302, 7/15/13).

100. “Plan” means the adopted Comprehensive Plan of the City.

101. “Planned unit development” means a development of a parcel of land or contiguous parcels of land of sufficient size to create its own environment, controlled by a single landowner or by a group of landowners in common agreement as to control to be developed as a single entity, which is compatible with adjacent parcels and meets the intended density and land use goals of the underlying zoning district. A Planned Unit Development may be granted relief from rigid requirements of a defined zoning district, such as minimum lot standards and use categories, in return

for assurances of an overall quality of development, including any specific features which will be an exceptional benefit to the community as a whole and which would not otherwise be required by this Chapter.

102. “Pole sign” means a sign wholly supported by a single structure in the ground. (Ordinance No. 1601, 6/20/16)

103. “Principal use” means the main use of land or structures as distinguished from secondary or accessory use. For example, a house is a principal use in a residential area; a garage or pool is an accessory use.

104. “Private,” in reference to a building, structure, utility, facility, or use, means owned by someone other than a unit of government, or an agency of government, unless the context clearly indicates that “private” is being used in a broader sense of something not open or available to the general populace.

105. “Public,” in reference to a building, structure, utility, facility, or use, means owned and/or operated by a unit of government or an agency thereof, unless the context clearly indicates that “public” is being used in the broader sense of something available to the general populace.

106. “Public utility (service use)” means fire stations; police stations; radio and television stations and towers; railroad right-of-ways (not including railroad yards and shops other than for passenger purposes); telephone exchange, telephone transmission equipment buildings and microwave towers; waterworks, reservoir, pumping stations, and filtration plant; and other municipal buildings.

107. “Restaurant” means a business where the dispensing and consumption of edible foodstuff and/or beverage is the principal business operation, including a café (indoor and outdoor), cafeteria, coffee shop, lunch room, tea room, and dining room; but not including as the principal use a bar, cocktail lounge, or tavern.

108. “Restaurant, drive-in” means a restaurant in which food is served directly to customers in motor vehicles for consumption on the premises.

109. “Restaurant, drive-through” means a restaurant in which food is served directly to customers in motor vehicles for consumption off the premises.

110. “Rest home” shall mean the same as “nursing home”.

111. “Setback” means the distance required to obtain the front, side or rear yard open space provisions of this chapter.

112. “Sexually oriented business” means an adult arcade, adult bookstore or adult video store, adult cabaret, adult motion picture theater, adult theater, escort agency, nude model studio or sexual encounter center or any other commercial establishments which offer products, services, or experiences appropriate only for adults.

113. “Sign” means any structure or part thereof or device attached thereto or painted, or represented thereon, which displays or includes any letter, word, model, banner, flag, pennant, insignia, device or representation used as, or which is in the nature of, an announcement, direction or advertisement. Signs include billboards.

114. “Site Plan” means a document that shows the boundaries of a parcel of land, the topography, important landscape elements that impact design, and the placement of all anticipated major improvements, including buildings, roads and driveways, storm and sanitary sewer lines, and utility connections. Depending on the complexity of the proposed improvement, the Site Plan may be submitted as an individual document, or as part of a complete plan of improvements for the site. (Ord. 1302, 7/15/13).

115. “Site Development Plan” means a document which is drawing of a commercial, industrial, institutional or residential development project, showing existing site conditions and proposed improvements with sufficient detail for agency review, approval and subsequent construction. A Site Development Plan is required to be submitted with each application for annexation and amendment of the zoning and/or future land use plan within R-4, PUD, C-1, C-2, I-1 and I-2 zoning districts. (Ord. 1701, 5/15/17).

116. “Special Use” means a use, either public or private, which based on its unique characteristics, cannot be properly classified as a permitted use in a particular district or districts. After due consideration in each case of the impact of such use upon neighboring property and of the public need for the particular use at the particular location, such “special use” may or may not be granted through the terms in Section 165.07 of this Chapter. (Ordinance No. 1601, 6/20/16)

117. “Stable, private” means a building or structure used or intended to be used for housing horses belonging to the owner of the property only for non-commercial purposes.

118. “Stable, semi-private” means a building or structure used or intended to be used for the housing only of horses on a fee basis. Riding instruction may be given in connection with a semi-private stable.

119. “Story” means that portion of a building, other than a basement not having over 50 percent of its height below grade, included between the surface of any floor and the surface of the floor next above it or if there is no floor above it then the space between the floor and the ceiling next above it.

120. “Story, half” means a partial story under a gable, hip or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than three (3) feet above the floor of such story, except that any partial story used for residence purposes, other than for janitor or caretaker or his family, or by a family occupying the floor immediately below it, shall be deemed a full story.

121. “Street” means an approved public or private thoroughfare, which provides the principal means of vehicular access to abutting property and/or for vehicular passage.

122. “Structure” means anything constructed or erected, the use of which requires more or less permanent location on the ground, including, but without limiting the generality of the foregoing, advertising signs, billboards, backstops for tennis courts, gazebos, ground-based satellite dishes, and solar collectors.

123. “Swimming pool” means any structure intended for swimming or recreational bathing that contains water. This includes in-ground, above-ground and on-ground swimming pools, hot tubs, and spas.

124. “Swimming pool, private” means a swimming pool over 24 inches deep established or maintained on any premises by an individual for personal or family use or for guests of the individual or family.

125. “Swimming pool, public” means a swimming pool, admission to which may be gained by the general public with or without payment of the fee.

126. “Swimming pool, semi-private” means a swimming pool on the premises of, or part of, a hotel, motel, mobile home or travel trailer park, apartment house, private club, association or similar establishment, where admission to the use of the pool is included in the fee, or consideration paid or given for the general use of the premises.

127. “Tavern” means an establishment used primarily for the serving of liquor by the drink to the general public and where food or packaged liquors may be served or sold only as an accessory to the primary use.

128. “Tent” means any temporary structure or enclosure, the roof of which and/or one-half or more of the sides are constructed of silk, cotton,

canvas, fabric, or similar pliable material. No tent shall be erected, used, or maintained for living quarters. The requirements for test used for purposes other than residential shall be as specified within Section 165.04(F) of this Chapter.

129. “Trailer camp” or “tourist camp ground” means an area providing spaces for two or more travel trailers, camping trailers, or tent sites for temporary occupancy, with necessary incidental services, sanitation, and recreation facilities to serve the traveling public.

130. “Travel trailer” or “motor home” means a vehicle with or without motive power used or so manufactured or constructed as to permit its being used as a conveyance upon the public streets and highways and so designed to permit the vehicle to be used as a place of human habitation by one or more persons. If such vehicle is customarily or ordinarily used as a place of human habitation for more than 90 days in any 18-month period, it shall be classed as a mobile home, regardless of the size and weight limitation provided herein.

131. “Tree house” means a structure or building constructed around, next to or among the trunk or branches of one or more mature trees while above ground level and is used for recreational purposes. (Ordinance No. 1501, 3/2/15)

132. “Truck Stop” means an area in which service stations, hotels, and/or motel and restaurants are permitted uses. Also permitted are customary uses incidental to the permitted uses. Customary facilities and services in conjunction with the permitted uses may be provided for trucks and truck drivers.

133. “Use” means the purpose or activity for which the land or building thereon is designed, arranged or intended, or for which it is occupied and maintained.

134. “Use, permitted” means a use which may be lawfully established in a particular district or districts provided it conforms to all requirements, regulations, and standards of such district.

135. “Variance” means a modification of the literal provisions of the Zoning Ordinance, which would cause undue hardship owing to circumstances unique to the individual property on which the variance is granted. The crucial points of variance are (a) undue hardship, (b) unique circumstances and (c) applying to property. The authority to grant variances is vested in the Board of Adjustment pursuant to Chapter 414 of the Code of Iowa.

136. “Yard” means an open space between a building and the adjoining lot lines unoccupied and unobstructed by any portion of a structure. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of the rear yard, the minimum horizontal distance between the lot lines and the main building line shall be used.

137. “Yard, front” means a yard extending across the front of a lot and being the minimum horizontal distance between the street or place line and the main building or any projections thereof other than the projections of the usual uncovered steps. On corner lots the front yard shall be considered as parallel to the street upon which the lot has its least dimension, except where owner shall elect to front the building on a street parallel to the lot line having the greater dimension.

138. “Yard, rear” means a yard extending across the rear of a lot and being the required minimum horizontal distance between the rear lot line and the rear of the main building line or any projections thereof other than the projections of uncovered steps. On all lots the rear yard shall be in the rear of the front yard.

139. “Yard, side” means a yard between the main building line and the side line of the lot, and extending from the required front yard to the required rear yard, and being the minimum horizontal distance between a side lot line and the side of the main building line or any projections of uncovered steps.

140. “Yard, transitional” means that yard which must be provided on a zoning lot in a Commercial or Agricultural district which adjoins a zoning lot in a Residential district, or that yard which must be provided on a zoning lot in an Industrial district which adjoins a zoning lot in either a Residential or Commercial district.

141. “Zoning Administrator” means the person designated by the City Council as the officer responsible for the enforcing and administering all requirements within this Chapter.

165.03 ADMINISTRATION AND ENFORCEMENT. The administration and enforcement of this chapter is hereby vested in four (4) offices of the City, as shown below and described herein:

1. Zoning Administrator
2. Board of Adjustment
3. Planning and Zoning Commission

4. City Council and Mayor

165.04 ZONING ADMINISTRATOR.

1. Duties. A Zoning Administrator designated by the City Council shall administer and enforce this chapter. He or she may be provided with the assistance of such other persons as the City Council may direct. In addition, the Zoning Administrator's office shall be responsible for:

- A. Shall review and approve certificates of occupancy that are associated with multiple family (R-4), commercial, or industrial zoned properties (Ordinance No. 0612, 10/2/06).
- B. Issuance of all certificates of occupancy and maintenance of records thereof.
- C. Maintenance of permanent records of this chapter, including, but not limited to, all maps, amendments, special uses, variances, appeals and applications thereof.

- D. Forwarding to the Planning and Zoning Commission and other city departments all rezoning or amendments to this chapter and all plats of subdivisions that are filed with the office of the Zoning Administrator.
 - E. Forwarding to the Board of Adjustment all applications for special uses, variances, appeals or other matters, which the Board of Adjustment is required to pass under the Zoning Ordinance.
 - F. Issuance of permits regulating the erection and use of tents for periods not to exceed ten (10) days for specific uses such as: temporary carnivals, churches, charities, or charitable uses, and revival meetings which are not detrimental to the public health, safety and welfare; provided, however, said tents or operations shall be in conformance with all other ordinances and codes of the City and Linn County health regulations. In addition, no tent shall be erected, used, or maintained for living quarters.
 - G. Initiating, directing, and reviewing, from time to time, a study of the provisions of the City zoning and planning development regulations; and to make reports of its recommendations to the Planning and Zoning Commission not less than once a year.
 - H. Reviewing all building permit applications for conformance to this chapter and upon approval forwarding the building permit applications to the Robins Building Inspection Department.
2. Enforcement. If the Zoning Administrator finds that any of provisions of this chapter are being violated, he or she shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. He or she shall order discontinuance of illegal buildings or structures or of additions, alterations, or structural changes thereto; discontinuance of any illegal work being done; or may take any other action authorized by this Code to insure compliance with or to prevent violation of its provisions.

165.05 BOARD OF ADJUSTMENT.

1. Creation of Membership. The Board shall consist of five (5) members to be appointed for a term of five (5) years excepting that when the Board shall first be created one member shall be appointed for a term of three (3) years, one for a term of two (2) years, and one for a term of one (1) year. Members of the Board of Adjustment shall be residents of the City and may be removed from office by the City Council for cause upon

written charges and after public hearing. Vacancies shall be filled by the City Council for the unexpired term of the member affected.

2. Proceedings. The Board of Adjustment shall adopt rules necessary to the conduct of its affairs, and in keeping with the provisions of this code. Meetings shall be held at the call of the Chairperson and at such other times as the Board may determine. The Chairperson, or in his or her absence the acting Chairperson, may administer oaths and compel attendance of witnesses. All meetings shall be open to the public. The Board of Adjustment shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be a public record and be immediately filed in the office of the Zoning Administrator and shall be a public record.

3. Finality of Decisions. All decisions and findings of the Board on any appeal or upon any application for a variance or special use, after a public hearing, shall in all instances, be the final administrative decision and shall be subject to judicial review as by law may be provided. The concurring vote of three members of the Board shall be necessary to reverse an order, requirement, decision, or determination of the Zoning Administrator, or to decide in favor of the applicant on any matter upon which it is required to pass under this chapter, or to effect any variation in the application of this chapter.

4. Appeals from the Board of Adjustment. Any person, or any board, taxpayer, department, board or bureau of the City aggrieved by any decision of the Board of Adjustment may seek review by a court of record within 30 days of such decision, in the manner provided by the laws of the State and particularly by Chapter 414, Code of Iowa and Section 165.06 of this chapter.

5. Powers and Duties. The Board of Adjustment shall have the following powers and duties:

A. To hear and decide appeals from any order, requirement, decision, or determination made by the Zoning Administrator under this chapter;

B. To hear and pass upon the applications for special uses and variances from the terms provided in this chapter in the manner prescribed by the standards established herein; and

C. To hear and decide all matters referred to it upon which it is required to pass under this chapter.

165.06 APPEALS TO THE BOARD OF ADJUSTMENT.

1. Appeals to the Board of Adjustment may be made concerning interpretation or administration of this chapter. Appeals may be taken by any person aggrieved or by any officer, department, board or bureau of the governing body of the City affected by any decision of the Zoning Administrator.
2. Such appeals shall be taken within a reasonable time, not to exceed sixty (60) days by filing with the City Clerk a notice of appeal specifying the grounds thereof. The Zoning Administrator shall forthwith transmit to the Board all paper constituting the record upon which the action appealed from was taken.
3. The Board of Adjustment shall fix a reasonable time not exceeding 30 days from the filing date of appeal for a public hearing, give public notice thereof as well as due notice to the parties in interest, and decide the same within a reasonable time, not exceeding 15 days from the date of the hearing. Any party may appear in person, or by agent or by attorney or through written means submitted prior to the public hearings.
4. An appeal stays all proceedings in furtherance of the action appealed from, unless the Zoning Administrator from whom the appeal is taken certifies to the Board of Adjustment after the notice of appeal is filed with him or her, that by reason of facts stated in the certificate, a stay would, in his or her opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed other than by a restraining order which may be granted by the Board of Adjustment or by a court of record on application, on notice to the Zoning Administrator from whom the appeal is taken and on due cause shown.
5. Fees. Any person who submits an application under the terms of this section shall be charged a fee in accordance with a schedule of fees established by resolution by the City Council. The denial of an appeal by the Board of Adjustment shall not be construed as any reason for refunding the fee to the applicant. A refund may be provided based on the approval of the appeal by the Board of Adjustment if deemed appropriate by the Board of Adjustment.

165.07 SPECIAL USES.

1. Special Use Conditions. The Board of Adjustment shall hear and decide only such special uses as the Board is specifically authorized to pass

on by the terms of this chapter; and to decide such questions as are involved in determining whether special uses should be granted; and to grant special uses with such conditions and safeguards as are appropriate under this code, or to deny special uses when not in harmony with the purpose and intent of this code. A special use shall not be granted by the Board of Adjustment unless and until:

A. A written application for a special use is submitted to the City Clerk indicating the section of this chapter under which the special use is sought and stating the grounds on which it is requested. The application shall be presented to the City Clerk a minimum of four (4) weeks prior to the monthly regular scheduled Board of Adjustment meeting. Additional information such as Site Development Plan or other supporting materials should be provided with the application. The Zoning Administrator shall determine within a reasonable amount of time whether the special use application is complete. Any missing items or necessary corrections shall be communicated to the requestor for inclusion or incorporation and updated information shall be provided to the City. If the special use application has been completed to the satisfaction of the Zoning Administrator, within a minimum of fourteen (14) days prior to a monthly regular scheduled Board of Adjustment meeting, a public hearing on the rezoning application shall be placed on the Board of Adjustment agenda.

B. Notice shall be given at least seven (7), but not more than twenty (20) days in advance of the public hearing by publication in a newspaper of general circulation in the City and shall be mailed to all property owners within a distance of two hundred (200) feet of the affected property.

C. The City shall provide each applicant sufficient special use permit notification signs, which shall be clearly posted by the applicant at least seven (7) but not more than twenty (20) days in advance of the public hearing, on the property for which a special use permit request has been made. The applicant shall pay the City Clerk such costs at the time the request is submitted as may be prescribed by the City Council. If the signs are not posted in accordance to the preceding requirements, no public hearing shall be held by the Board of Adjustment. No person except the applicant or his or her agent shall take down or in any way affect the visibility of the sign or signs, and no person shall tamper, deface, or in anyway

interfere with the sign or signs during the period provided by this section.

2. **Public Hearing.** The Board of Adjustment public hearing shall be held in accordance with the State of Iowa Open Meetings Law (Chapter 21 of the Code of Iowa) and any party may appear in person, or by agent or by attorney or through written means submitted prior to the public hearing.
3. **Findings.** The Board of Adjustment shall make a finding that it is empowered under the section of this code described in the application to grant the special use, and that the granting of the special use will not adversely affect the public interest.
4. **Conditions To Be Prescribed.** In granting any special use, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this chapter. Violation of such conditions and safeguards, when made a part of the terms under which the special use is granted, shall be deemed a violation of this chapter and punishable under Section 165.14 of this chapter. The Board of Adjustment shall prescribe a time limit within which the action for which the special use is required shall be begun or completed, or both. Failure to begin or complete, or both, such action within the time limit set shall void the special use.
5. **Fees.** Any person who submits an application under the terms of this section shall be charged a fee in accordance with a schedule of fees established by resolution by the City Council. The denial of an application by the Board of Adjustment shall not be construed as any reason for refunding the fee to the applicant.

165.08 VARIANCES.

1. **Conditions for Variances.** The Board of Adjustment may authorize upon appeal in specific cases such variance from the terms of this chapter as will not be contrary to the public interest where, owing to the special conditions, a literal enforcement of the provisions of this chapter would result in unnecessary hardship. A variance from the terms of this chapter shall not be granted by the Board of Adjustment unless and until:
 - A. A written application for a variance is submitted to the City Clerk demonstrating the various information itemized below. The application shall be presented to the City Clerk a minimum of four (4) weeks prior to the monthly regular scheduled Board of Adjustment meeting. The Zoning Administrator shall determine within a reasonable amount of time whether the variance application is complete. Any missing items or necessary corrections shall be

communicated to the requestor for inclusion or incorporation and updated information shall be provided to the City. If the variance application has been completed to the satisfaction of the Zoning Administrator, within a minimum of fourteen (14) days prior to a monthly regular scheduled Board of Adjustment meeting, a public hearing on the variance application shall be placed on the Board of Adjustment agenda.

- (1) That special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same district; or
- (2) That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter; or
- (3) That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, structures or buildings in the same district; or
- (4) That the special conditions and circumstances do not result from the actions of the applicant.

No nonconforming use of neighboring lands, structures or building in the same district, and no permitted use of lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance.

B. Notice shall be given at least seven (7) but not more than twenty (20) days in advance of the public hearing, by publication in a newspaper of general circulation in the City and shall be mailed to all property owners within a distance of two hundred (200) feet of the affected property.

C. The City shall provide each applicant sufficient variance request notifications signs, which shall be clearly posted by the applicant at least seven (7) but not more than twenty (20) days in advance of the public hearing, on the property for which the variance request has been made. The applicant shall pay the City Clerk such costs at the time the request is submitted as may be prescribed by City Council.

2. **Public Hearing.** The Board of Adjustment public hearing shall be held in accordance with the State of Iowa Open Meetings Law (Chapter 21 of the Code of Iowa) and any party may appear in person, or by agent or by attorney or through written means submitted prior to the public hearing.
3. **Findings.** The Board of Adjustment shall make a finding that the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure. The Board of Adjustment shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this chapter, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.
4. **Conditions To Be Prescribed.** In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this chapter. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this chapter and punishable under Section 165.14 of this chapter.
5. **Fees.** Any person who submits an application under the terms of this section shall be charged a fee in accordance with a schedule of fees established by resolution by the City Council. The denial of an application by the Board of Adjustment shall not be construed as any reason for refunding the fee to the applicant.

165.09 PLANNING AND ZONING COMMISSION. The Planning and Zoning Commission, as established under the provisions of the Code of Iowa, shall discharge the following duties under this chapter:

1. Receive and review all applications for approval of non-listed uses and report findings and recommendations to the City Council.
 - A. The Commission may allow land uses (permitted or special), which, though not contained by name in a zoning district list of permitted or special uses, are deemed to be similar in nature and clearly compatible with the listed uses.
 - B. All non-listed uses which are approved by the City Council shall be added to the appropriate use list by ordinance at the time of periodic updating and revision.
2. Receive and review all applications for changes or amendments to this chapter, future land use map, or zoning map and report findings and recommendations to the City Council (Ord. 1302, 7/15/13).

3. Receive from the Zoning Administrator recommendations as related to the effectiveness of the City zoning and planning development regulations and recommend conclusions and changes to the City Council.
4. Hear and decide matters upon which it is required to pass under this chapter.

165.10 CITY COUNCIL. The City Council, as established under the provisions of the Code of Iowa, shall discharge the following duties under this chapter:

1. Receive recommendation from Planning and Zoning for amendments to this chapter (text or map), and determine the final disposition of any such matter.
2. Decide upon all matters which it is required to pass under this chapter.

165.11 AMENDMENTS. For the purpose of promoting the public health, safety and general welfare; conserving the value of property throughout the community; and lessening or avoiding congestion in the public streets and highway, the City may, from time to time, in a manner hereinafter set forth, amend the various regulations imposed in the districts or amend the district boundary lines.

1. Procedure. Any amendment to the regulations or changes in the district assignment for a property may be initiated by any property owner or governmental body however no such amendment or change in district assignment or amendment shall be made without a public hearing before the City Council and after a recommendation report from the Planning and Zoning Commission.
 - A. Regulation Amendments. The request to amend the regulations within this Chapter shall be directed to the Zoning Administrator. The Zoning Administrator shall perform an investigative study on the amendment request within a reasonable amount of time, not to exceed 60 days. When the study has been completed, within a minimum of fourteen (14) days prior to the monthly regular scheduled Commission meeting, the amendment shall be placed on the Commission's agenda. The Commission shall review the amendment request and upon completion shall make a recommendation report to City Council. (Ordinance No. 1501, 3/2/15)

Provided the Commission's recommendation is completed a minimum of fourteen (14) days prior to a monthly regular scheduled City Council meeting, a public hearing on the regulation amendment shall be placed on the City Council's agenda. At least seven (7) days' notice of the time and place of the Council's public hearing on the regulations amendment shall be published in a newspaper having general circulation in the City. Within 30 days after holding a public hearing, the City Council shall consider and place the first reading of the regulation amendment to a vote. If no action is taken by the City Council, the regulation amendment has been denied. If the first reading of the regulation amendment was approved by the City Council, the change in zoning must be approved by two (2) more readings before the regulation amendment becomes official.

B. Zoning Amendments. The request to amend the district assignment for a parcel of land, also referred to as rezoning, shall be initiated by the submitting of a written application with the City Clerk. The request shall be presented a minimum of four (4) weeks prior to the monthly regular scheduled Commission meeting. The Zoning Administrator, with assistance by the City Engineer, shall determine within a reasonable amount of time whether the rezoning application is complete. Any missing items or necessary corrections shall be communicated to the requestor for inclusion or incorporation and updated information shall be provided to the City. If the rezoning application has been completed to the satisfaction of the Zoning Administrator, within a minimum of fourteen (14) days prior to the monthly regular scheduled Commission meeting, a public hearing on the rezoning application shall be placed on the Commission's agenda. At least seven (7) days prior, notice of the time and place of such public hearing shall be published in a newspaper having general circulation in the City. The Commission may apply conditions to the rezoning request or waive certain rezoning application requirements with the exception of posting of notification signs and payment of application fee. Within 30 days after the public hearing, the Commission shall provide a recommendation to the City Council. In the event the Commission recommends disapproval of the rezoning change or, in the event of a protest against such change is filed with the City Clerk and signed by the owners of twenty (20) percent or more of the area of the lots included in the proposed change, or by the owners of twenty percent

or more of the property which is located within two hundred feet of the exterior boundaries of the property for which the change is proposed, the change shall not become effective except by the favorable vote of at least three-fourths of all the members of the Council. The protest, if filed, must be before or by the City Council public hearing held on behalf of the zoning change.

Provided the Commission's recommendation is completed a minimum of fourteen (14) days prior to a monthly regular scheduled City Council meeting, a public hearing on the rezoning amendment shall be placed on the City Council's agenda. At least seven (7) days prior, notice of the time and place of such public hearing shall be published in a newspaper having general circulation in the City. Within 30 days after holding a public hearing, the City Council shall consider and place the first reading of the change in zoning to a vote. If no action is taken by the City Council, the rezoning application has been denied. If the first reading of the change in zoning was approved by the City Council, the change in zoning must be approved by two (2) more readings before the rezoning becomes official. Once a change in zoning is adopted the City Council, the City shall take action to update the official zoning map in accordance with Section 165.16 of this chapter.

Both, Commission and City Council, public hearings for a zoning amendment shall be held in accordance with the State of Iowa Open Meetings Law (Chapter 21 of the Code of Iowa) and any party may appear in person, or by agent or by attorney or through written means submitted prior to the public hearings.

C. Future Land Use Map Amendments. The request to amend the current future land use map for a parcel and or section of land shall be initiated by the submission of a written application with the City Clerk. The Zoning Administrator, with the assistance of the City Engineer, shall determine within a reasonable amount of time whether the change in the future land use map application is complete. Any missing items or necessary corrections shall be communicated to the requestor for inclusion or incorporation and updated information shall be provided to the City. If the change in future land use map application has been completed to the satisfaction of the Zoning Administrator, within a minimum of fourteen (14) days prior to the monthly regular scheduled

Commission meeting, a public hearing on the change in future land use map application shall be placed on the Commission's agenda. At least seven (7) days prior, notice of the time and place of such public hearing shall be published in a newspaper having general circulation in the City. The Commission may apply conditions to waive certain changes in future land use map application requirements with the exception of posting of notification signs and payment of application fee. Within 30 days after the public hearing, the Commission shall provide a recommendation to the City Council. In the event the Commission recommends disapproval of the requested future land use change or, in the event of a protest against such change is filed with the City Clerk and signed by the owners of twenty (20) percent or more of the area of the lots included in the proposed change, or by the owners of twenty percent or more of the property which is located within two hundred feet of the exterior boundaries of the property for which the change is proposed, the change shall not become effective except by the favorable vote of at least three-fourths of all the members of the Council. The protest, if filed, must be before or by the City Council public hearing held on behalf of the requested future land use change. (Ord. 1302, 7/15/13).

2. Zoning Permit, Future Land Use Change, and Planned Unit Development (PUD) Applications. The application form may be obtained at the City Clerk's office and completed as specified herein. A record of the zoning amendment, future land use change, or PUD application and fees paid, along with a copy of any accompanying materials shall be kept on file in the City Clerk's office. The application shall consist of the following (Ord 1302, 7/15/13):
 - A. The legal description and local address of the property.
 - B. The present Zoning Classification/Future Land Use Designation and the Zoning Classification/ Future Land Use Designation requested for the property and the existing use and proposed use of the property. (Ord. 1302, 7/15/11)

C. The names and addresses of the owners of all property within two hundred (200) feet of the property for which the change is requested.

D. A statement of reasons why the applicant feels the present Zoning Classification/Future Land Use Designation is no longer valid. (Ord. 1302, 7/15/13)

E. A Plat or Site Development Plan showing the locations, dimensions, and use of the applicant's property and all other property within two hundred (200) feet thereof, including streets, alleys, railroads, and other physical features. Site Development Plans illustrate the general methods of development, design, special distribution, location topography (both existing and proposed), soil erosion control measures, relationship to flood overlay zones and such other information as necessary to show compliance with the zoning and municipal regulations adopted by the City.

(1) A Site Development Plan shall be required for any PUDs or any proposed R-4, RMH, C-1, C-2, I-1, and I-2 zoning amendments. The Site Development Plan shall be prepared by a certified architect, landscape architect, or professional engineer and shall conform to the requirements in paragraph (2)(F) of this section. (Ord. 1302, 7/11/15).

F. Site Development Plans shall be in accordance with the following submittal and modification requirements:

(1) The Site Development Plan shall be drawn at a scale not less than one inch to one hundred feet (1" = 100'). Fifteen (15) legible copies folded to no larger than eight and one-half inches by fourteen inches (8½" x 14") shall be submitted with the zoning permit application. In addition, there shall be submitted three (3) copies of a reproducible quality photo reduction of the Site Development Plan, each page of a multiple sheet submittal, on paper no larger than eight and one-half inches by eleven inches (8½" x 11").

(2) The Site Development Plan shall include the following legal information:

- a. Legal property owners name and description of property.
- b. Applicant's name and contact information, including address, phone number, and fax number.

c. Requested land use and zoning and accompanying front, side and rear yard setbacks requirements.

d. If the applicant is other than the legal owner, the applicant's interest shall be indicated and the legal owner's authority to appeal shall be certified legal form.

e. Legal Description of the property. (Ord. 1302, 7/15/11)

(3) The Site Development Plan shall clearly illustrate prospective use, and enumerate the following information:

a. Property boundary lines, dimensions, and total area.

b. A vicinity sketch showing detailed adjacent land uses within five hundred (500) feet of the property and general existing land uses within one thousand (1,000) feet of the property.

c. The availability and location of existing infrastructure (e.g., streets, sanitary sewer, storm sewer, water) and any proposed public improvements.

d. Existing buildings, utilities (overhead or underground), easements, drainage courses, vegetation, and large trees, etc.

e. All existing and proposed streets (including private streets), sanitary sewers, water main, storm sewers, and storm water management areas. If City sanitary sewer and/or water service is not available to the property and it is proposed that the property will be served by private or community well and/or septic systems, those locations should also be identified. (Ord. 1302, 7/15/13)

f. Location of all walls, fences, landscaping, or other items used to satisfy buffer requirements. (Ord. 1302, 7/15/13)

g. Traffic circulation patterns within five hundred (500) feet of the property and any proposed location of driveways, parking areas, number of parking spaces proposed, number of parking spaces required, type of

surfacing to be used, etc. Parking lots should be screened from public streets utilizing plantings and berming to help maintain a visually attractive corridor. Larger parking lots exert a greater visual impact and therefore should have a higher percentage of their space devoted to landscaping islands. Parking areas or lots shall be designed in accordance with Section 165.33 of this chapter.

h. Pedestrian movement patterns upon the property and surrounding area and any proposed location and size of sidewalks or crosswalks. Architectural themes, pedestrian circulation, and all other considerations pertinent to the proposed use, may be requested for illustration or statistical purposes.

i. Spot grade and pavement elevations and contour lines at intervals of not more than two (2) feet; City datum; if substantial topographic change is proposed, the existing topography shall be illustrated on a separate map, and the proposed finished topography shown on the final plot plan to demonstrate drainage patterns and methods of compliance for all applicable flood plain development standards and flood (overlay) districts.

j. The proposed location, size, and shape of signs which will identify the name, address, insignia or trademark, and occupant of a building or the name of any building within the proposed development.

k. A traffic study detailing how the proposed development will affect operations on the adjacent roadway network will be required when the development is expected to generate one hundred or more vehicle trips during any hour of a normal week.

l. Such other information as may be necessary to provide for the enforcement of applicable zoning and municipal regulations.

(4) An approved Site Development Plan placed on file may be amended with respect to location, size, design, and conformity of buildings and other improvements; provided, the amended Site Development Plan conforms to the general

use regulations, performance standards and provisions of the district in which located. Amended Site Development Plans shall be reviewed by the Planning and Zoning Commission and approved by the City Council unless said amended Site Development Plan represents less than one thousand (1,000) square feet in area, and does not negatively impact parking, pedestrian, and drive areas on site with such amendment being administratively approved by the Zoning Administrator.

3. Minimum Size of Areas. No amendment to this chapter shall be adopted whereby the zoning classification of an area is changed unless the area meets the following requirements as to minimum size:

New District Classification	Minimum Area Required
R-1, R-2	Large enough in gross area so that at least one-half the number of building sites, either existing or proposed, will be interior of the district.
R-3	If the area abuts an existing R-3, R-4, C-1, C-2, I-1 or I-2 district on one side, one (1) acre; otherwise three (3) acres.
R-4	If the area abuts an existing R-4, RMH, C-2, I-1 or I-2 district on one side, one (1) acre; otherwise three (3) acres.
RMH	If the area abuts an existing R-4, RMH, C-2, I-1 or I-2 district on one side, ten (10) acres; otherwise twenty (20) acres.
C-1, C-2	If the area abuts an existing C-1, C-2, I-1 or I-2 district on one side, one (1) acre; otherwise three (3) acres.
I-1, I-2	If the area abuts an existing I-1 or I-2 district on one side, three (3) acres; otherwise five (5) acres.
A-1	Five (5) acres.
PUD	Five (5) acres, unless specifically waived by the City Council based on site constraints.

4. Notification Signs. The City shall provide each applicant for a zoning district boundary amendment with sufficient rezoning notification signs, which shall be clearly posted by the applicant on the property for which a rezoning request has been made. The applicant shall pay the City Clerk such costs at the time the request is submitted as may be prescribed by the City Council. The signs shall be so placed as to be seen from the street, and in cases of multiple frontages, at least one sign shall be placed on each frontage. Said signs shall be posted at least seven (7) but not more than twenty (20) days prior to the public hearing date, which shall be noted on the sign. It shall be the applicant's responsibility to see that the said signs remain posted during the entire period. If the signs are not posted in accordance to the preceding requirements, no public hearing shall be held by the Planning and Zoning Commission. No person except the applicant or his or her agent shall take down, or in any way interfere with the sign or signs during the period provided by this section.

5. Denial of Application. No application for a PUD or rezoning amendment which has been denied by the City Council shall be resubmitted for a period of one (1) year from the date of the order of denial, except on the grounds of new evidence or proof of change of conditions found to be valid by the Planning and Zoning Commission and the City Council.

6. Conditions To Be Prescribed. In granting any rezoning, the Commission may prescribe appropriate conditions and safeguards in conformity with this chapter. Violations of such conditions and safeguards, when made a part of the terms under which the rezoning is granted, shall be deemed a violation of this chapter and punishable under Section 165.14 of this chapter.

7. Fees. Any person who submits an application under the terms of this section shall be charged a fee in accordance with a schedule of fees established by resolution by the City Council. The denial of an application by the City Council shall not be construed as any reason for refunding the fee to the applicant.

165.12 BUILDING PERMITS AND CERTIFICATE OF OCCUPANCY REQUIREMENTS.

1. Building Permit. No building, structure or non-agricultural fence shall hereby be erected, reconstructed, or structurally altered, nor shall any work be started upon same, until a building permit for same has been reviewed by the Zoning Administrator, which permit shall state that the proposed building, structure or fence complies with all provisions of this chapter. In addition, a building permit is required for both permitted and

accessory buildings or structures. Said permit must be issued concurrently for both permitted and accessory uses for vacant properties. For additional requirements for building permits, refer to Chapters 155 and 156 of this Code of Ordinances.

2. Certificate of Occupancy. No structure or building shall be occupied, and the primary use of a structure or building shall not be changed, unless and until a Certificate of Occupancy has been issued. A Certificate of Occupancy shall only be approved if the structure or building conforms to all applicable requirements of this chapter, all applicable subdivision approval requirements (See Chapter 166), all applicable building codes (See Chapters 155 & 156), and any other applicable laws and regulations of the City of Robins.

3. Private Water Supply and Sewage Disposal Permit Requirements. Where public sewer or water is not readily available to serve the property, private water supply or sewage disposal systems may be allowed provided the systems meet the requirements in Chapters 90 and 98 of this Code of Ordinances and Section 165.19 (16) of this chapter. When a private system is allowed, copies of the approved permits from the Linn County Health Department or other applicable agency or department shall be provided to the City prior to the final approval of the building permit or temporary occupancy.

4. Site Plan Requirements. Each building permit application within R-4, PUD, C-1, C-2, I-1 and I-2 zoning districts, except for existing single or two family dwellings and accessory buildings thereof, shall be accompanied by four (4) copies of a Site Plan. A record of the Site Plan shall be kept on file in the City Clerk's office with the building permit. The Site Plan shall conform to the zoning regulations within the applicable zoning district and to any plat of prior Site Development Plans approved by the City Council unless otherwise directed by the Zoning Administrator; the Site Plan is to be prepared by a professional engineer, certified architect and/or landscape architect. The petitioner may, as part of the final Site Plan approval, be required to install public utilities including, but not limited to, water lines, storm sewer, sanitary sewer, street paving, fire hydrants, and such other utilities as applicable to properly serve the proposed plan. Where required as part of a Site Plan approval, utilities shall be constructed in accordance with the City's construction standards for those portions within the public right-of-way and shall be dedicated to the City. The petitioner may also be required to construct to the same specifications for those undedicated portions where said utilities may have a direct effect on the future safety, proper functioning, and maintenance of those portions to

be dedicated. The Site Plan shall be prepared to scale showing the following (Ord. 1302, 7/15/13):

- A. Owner and applicant contact information, including address, phone number, and fax number.
- B. North arrow, scale and date of preparation of the plan.
- C. The dimensions of the lot to be built upon.
- D. The size, shape, and location of the building to be erected.
- E. Location of existing right-of-ways, easements, and infrastructure (e.g., streets, sanitary sewer, storm sewer) and any proposed infrastructure improvements.
- F. Spot grade and pavement elevations and contour lines at intervals of not more than two (2) feet; City datum; if substantial topographic change is proposed, the existing topography shall be illustrated on a separate map, and the proposed finished topography shown on the final site plan to demonstrate drainage patterns.
- G. The proposed location, size, shape, color, and material type of all buildings or structures. Building design should be visually harmonious and compatible with the neighborhood character. The following guidelines should be followed for building design:
 - (1) Buildings located on property with double frontages should have similar wall design facing both streets.
 - (2) Buildings should have a consistent architectural style throughout the development on each lot, as defined by repetition of exterior building material and colors, and architectural elements.
 - (3) Commercial buildings' side and rear elevations should be comprised of the same materials, and reasonably similar in character and quality as the front elevation, unless screened from view from all public streets and residential areas by topography differences, landscaping materials, or other screening devices, in which case, building material may be concrete block or tilt-up concrete panels.
 - (4) Preferred commercial building materials: stucco, wood siding, brick, or open face block. Premium grade vinyl siding may be used if it is installed horizontally.
 - (5) Preferred light industrial and warehouse building material: stucco, natural wood siding, brick, open face block,

and concrete. If the building is built with a concrete facade, it is highly recommended that the front façade be built with stucco, natural wood siding, brick, or open face block. Premium grade vinyl siding may be used if installed horizontally.

(6) No reflective surface shall be allowed where, in the opinion of the City Engineer, the surface would pose a public safety issue.

(7) Special attention should be taken to incorporate external mechanical equipment into the design such that it does not detract from the aesthetics of the site and building as well as shield from nearby residential areas.

(8) Pitched roofs with a minimum slope of 5/12 are preferred.

(9) Roof top equipment shall be screened.

H. Traffic and pedestrian circulation patterns within two hundred (200) feet of the property and proposed location of sidewalks, crosswalks, driveways, parking areas, number of parking spaces proposed, number of parking spaces required, type of surfacing to be used, etc. Parking areas or lots shall be designed in accordance with Section 165.33 of this chapter.

I. Location and access of commercial solid waste containers and the screening thereof.

J. Such other information as may be necessary to provide for the enforcement of applicable zoning and municipal regulations including, but not limited to, the type, size, and location of all proposed signs and lighting. (Ord. 1302, 7/15/13)

5. Residential Accessory Building Permit Requirements. Residential accessory buildings shall be in compliance with Section 165.19 (12) of this chapter. For each building permit application for an accessory building over 120 square feet, the applicant shall provide the location, size, shape, color and material type information of the accessory building and that of the principal residential building. The accessory building design, siding and roof material shall be consistent with the principal building and the neighborhood character. The property owner is responsible to ensure the accessory building is in conformance with any restrictive covenants and not in conflict with any easements. No accessory building over a total of 800

square feet shall be permitted without prior approval by the Commission.
(Ordinance No. 1501, 3/2/15)

6. Swimming Pool, Hot Tub and Spa Requirements. Swimming pools, spas and hot tubs, whether in-ground, above-ground or on-ground, which contain water over twenty-four (24) inches deep, shall comply with minimum and transitional yard requirements for the zoning district. Refer to Chapters 155 and 156 of this Code of Ordinances for additional requirements regarding swimming pools, hot tubs and spas.

7. Fees. Any person who submits an application for a building permit in accordance with this chapter shall be charged a fee in accordance with a schedule of fees established by resolution by the City Council.

165.13 INTERPRETATION OF PROVISIONS. In their interpretation and application, the provisions of this chapter shall be held to be minimum requirements, adopted for the promotion of the public health, safety, morals, or general welfare. Wherever the requirements of this chapter are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions, or covenants, the most restrictive or that imposing higher standards shall govern.

165.14 VIOLATIONS AND PENALTIES.

1. Any person who violates or fails to comply with the provisions of this chapter may be charged with a misdemeanor or municipal infraction and upon conviction be ordered to comply and suffer the penalties as prescribed within this Code of Ordinances. Each day a violation continues shall constitute a separate offense.

2. The owners, or tenant of any building, structure, land or part thereof, and any architect, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains a violation or fails to comply with any provision of this chapter may each be charged with a misdemeanor or municipal infraction and upon conviction suffer the penalties as prescribed within this Code of Ordinances. Each day such violation continues shall constitute a separate offense.

3. If any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or if any building, structure or land is used in violation of this chapter, the City may, in addition to other remedies, institute an injunction, mandamus, or other appropriate lawful action necessary to prevent, correct or abate such violation.

165.15 ESTABLISHMENT OF DISTRICTS AND OFFICIAL ZONING MAP. The City is hereby divided into districts which shall be designated as follows:

- A-1 - Agricultural
- R-1 - Low Density Single-Family Residential
- R-2 - Medium Density Single-Family Residential
- R-3 - Medium Density Two-Family Residential
- R-4 - High Density Multiple-Family Residential
- RMH - Mobile Home Park Residential
- PUD – Planned Unit Development District
- C-1 - Central Commercial Business District
- C-2 - Highway Commercial
- I-1 - Light Industrial
- I-2 - Heavy Industrial
- P-1 - Public Use

The locations and boundaries of these districts are shown on the official zoning map which together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this chapter. The Official Zoning Map shall be identified by the signature of the Mayor, attested by the City Clerk, and bearing the Seal of the City under the following statement: *This is to certify that this is the official Zoning Map referred to in Ordinance No. _____ of the City of Robins, Iowa.* The Official Zoning Map, or a true copy of the same, shall be on file in the office of the City Clerk and shall be final authority as to the correct zoning status of the land, water areas, buildings, and other structures in the City.

165.16 CHANGES IN OFFICIAL ZONING MAP.

1. If in accordance with the provisions of Section 165.11 of this chapter and Section 414.4 Code of Iowa, changes are made in district boundaries or other matters portrayed on the Official Zoning Map, such changes shall be entered on the Official Zoning Map promptly after the amendment has been approved by the City Council, with an entry on the Official Zoning Map as follows: *By official action of the City Council, the following changes were made on the Official Zoning Map.*” (Indicating the changes by ordinance numbers and date of publication.) No amendment of this chapter which

involves a matter portrayed on the Official Zoning Map shall become effective until after such change and entry has been made on said map.[†]

2. In the event that the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the City Council may by ordinance adopt a new Official Zoning Map, which shall supersede the prior Official Zoning Map. The new Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no such correction shall have the effect of amending the original Official Zoning Map or any subsequent amendment thereof. The new Official Zoning Map shall be identified by the signature of the Mayor, attested by the City Clerk, and bearing the Seal of the City under the following words: *This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map adopted as part of Ordinance No ._____ of the City of Robins, Iowa.* Unless the prior Official Zoning Map has been lost, or has been totally destroyed, the prior map or any significant parts thereof remaining, shall be preserved, together with all available records pertaining to its adoption or amendment.

3. Any unauthorized change of any kind whatsoever in the Official Zoning Map by any person shall constitute a violation of this chapter and be punishable as provided in Section 165.14.

165.17 INTERPRETATION OF DISTRICT BOUNDARIES. Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

1. Boundaries indicated as approximately following the centerline of streets, highways, or alleys 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 following corporate limits shall be construed as following corporate limits.
4. Boundaries indicated as following railroad lines shall be construed to be midway between the main right-of-way.
5. Boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the event of change in the shore line shall be constructed to move with the actual shore line, boundaries indicated as

[†] See EDITOR'S NOTE at the end of this chapter for ordinances amending the zoning map.

approximately following the centerlines of streams, rivers, canals, 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 subsections 1 through 5 shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by dimensions shown on the map, or in the absence of dimensions, by the scale of the map.

In the case of further uncertainty, and/or where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, or in other circumstances not covered by subsections 1 through 6 above, the Board of Adjustment shall interpret the district boundaries.

165.18 APPLICABILITY OF REGULATIONS.

1. Scope of Regulations. This chapter shall apply to all structures, land, and uses within the corporate limits of the City. No building or structure; no use of any building, structure or land; and no lot of record or zoning lot, now or hereafter existing shall hereafter be established, altered, moved, divided or maintained in any manner except in accord with the provisions of this chapter.

2. Conversion of Use or Size. The conversion of any use or building either to another use or to increase the size or area of the existing use, including the conversion of any building or the conversion of any dwelling to accommodate an increased number of dwelling units, families, or residents, shall be permitted only within a district in which a new building for similar occupancy would be permitted in this chapter and only when the resulting occupancy will comply with the requirements in such districts, with respect to minimum lot size, lot area per dwelling unit, dimension of yards, height, off street parking, and any other applicable requirements.

3. Division of Zoning Lots. No improved zoning lot shall hereafter be divided into two or more zoning lots and no portion of any improved zoning lot shall be sold, unless all zoning lots resulting from each division or sale shall conform with applicable regulations of the zoning district in which the property is located.

4. Annexed Territory. All territory which may be annexed to the City after adoption of the Zoning Ordinance shall be classified by the City Council after receiving a recommendation from the Planning and Zoning Commission as to the annexed territory's zoning classification. Within 30 days of the annexation, the Commission shall make a recommendation as to the new designation. Action shall be taken by the City Council within 60

days of its receipt from the Commission. No building or structure shall be erected, enlarged or moved and no change in the use of land or existing buildings or structures shall be made until the zoning district classification of such annexed land is duly adopted by the City Council.

Whenever territory is annexed into the city limits, the resolution approving the same shall also establish which Precinct the territory shall be located within. The Planning and Zoning Administrator shall have the duty of assigning territory heretofore annexed to a Precinct and communicating their decisions to the Linn County Election Commissioner. (Ordinance No. 0715, 10/15/07)

5. Vacated Streets. Whenever any street, alley, or other public way is vacated by official action of the Council the district adjoining each side of such street, alley or public way shall be automatically extended to the center of such vacation, and all area included in the vacation shall then and henceforth be subject to all appropriate regulations of the extended districts.

165.19 DISTRICT REGULATIONS.

1. Permitted Uses. No building or tract of land shall be devoted to any other use other than a use permitted hereinafter in the zoning district in which such building or tract of land shall be located, with the following exceptions:

A. Uses lawfully established on the effective date of the Zoning Ordinance.

B. Special uses, allowed in accordance with the provisions of this chapter. Special uses are subject to the issuance of special use permits in accordance with the provisions of this chapter.

2. Nonconforming Uses. Uses already established on the effective date of the Zoning Ordinance and rendered nonconforming by the provisions thereof, shall be subject to the following regulations:

A. If within the districts established by this chapter or amendments that may later be adopted there exist lots, structures and uses of land and structures which were lawful before the Zoning Ordinance was passed or amended, but which would be prohibited, regulated, or restricted under the terms of this chapter or future amendments, it is the intent of this chapter to permit these nonconformities to continue until they are removed, but not to encourage their survival. Such uses are declared by this chapter to be incompatible with permitted uses in the districts involved.

B. It is further the intent of the chapter that nonconformities shall not be enlarged upon, expanded or extended, or be used as grounds for adding other structures, signs or uses prohibited elsewhere in the same district.

C. To avoid undue hardship, nothing in this section shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of the Zoning Ordinance and upon which actual building construction has been diligently carried on. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner; except that the demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such demolition or removal shall be deemed to be actual construction, provided that work shall be diligently carried on until completion of the building involved.

3. Nonconforming Lots of Record. If two or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of the Zoning Ordinance, and if all or part of the lots do not meet the requirements for lot width and area as established by this chapter, the land involved shall be considered to be an undivided parcel for the purposes of this chapter, and no portion of said parcel shall be used or sold which does not meet lot width and area requirements established by this chapter, nor shall any division of the parcel be made which leaves remaining any lot with width or area below the requirements stated in this chapter.

4. Nonconforming Uses of Land. Where, at the effective date of adoption or amendment of the Zoning Ordinance, lawful use of land exists that is made no longer permissible under the terms of this chapter as enacted and amended, such use may be continued, so long as it remains otherwise lawful, subject to the following provisions:

A. No such nonconforming use shall be enlarged or increased nor extended to occupy a greater use of land than was occupied at the effective date of adoption or amendment of the Zoning Ordinance.

B. No such nonconforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of adoption or amendment of the Zoning Ordinance.

C. If any such nonconforming use of land ceases for any reason for a period of more than one hundred eighty (180) days, any subsequent use of such land shall conform to the regulations specified by this chapter for the district in which such land is located.

5. Nonconforming Structures. Where a lawful structure exists at the effective date of adoption or amendment of the Zoning Ordinance that could not be built under the terms of this chapter by reason of restrictions on area, lot coverage, height, yards, or other characteristics of the structure or its location on the lot, such structure may be so continued so long as it remains otherwise lawful, subject to the following provisions:

A. No such structure may be enlarged or altered in a way, which increases its nonconformity.

B. Should such structure be destroyed by any means to an extent of more than 65 percent of its replacement cost at the time of destruction, it shall not be reconstructed except in conformity with the provisions of this chapter. The determination of the replacement cost must be determined by a licensed property appraiser.

6. Nonconforming Uses of Structures. If a lawful use of a structure or of structure and premises in combination exists at the effective date of adoption or amendment of the Zoning Ordinance that would not be allowed in the district under the terms of this chapter, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

A. No existing structure devoted to a use not permitted by this chapter in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.

B. Any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of the Zoning Ordinance, but no such use shall be extended to occupy any land outside such building.

C. If no structural alterations are made, any nonconforming use of a structure (or structure and premises) may be changed to another nonconforming use provided that the Board of Adjustment, either by general rule or by making findings in the specific case, shall find that proposed use is equally appropriate or more appropriate to the

district than the existing nonconforming use. In permitting such change, the Board of Adjustment may require appropriate conditions and safeguards in accord with the provisions of this chapter.

D. Any structure or structure and land in combination in or on which a nonconforming use is superseded by a permitted use shall thereafter conform to the regulations for the district in which such structure is located and the nonconforming use may not thereafter be resumed.

E. When a nonconforming use of a structure, land, or structure and land in combination, is discontinued or abandoned for eighteen (18) consecutive months, the structure thereafter shall not be used except in conformance with regulations of the district in which it is located.

F. Where nonconforming use status applied to a structure and land in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land.

7. **Repairs or Maintenance.** On any building devoted in whole or in part to any nonconforming use, work may be done in any period of twelve (12) consecutive months on ordinary repairs, or on repair or replacement of non-bearing walls, fixtures, wiring or plumbing, to an extent not exceeding ten percent (10%) of the current replacement value of the building, provided that the cubic content of the building as it existed at the time of passage or amendment of the Zoning Ordinance shall not be increased. Nothing in this chapter shall be deemed to prevent the strengthening of or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

8. **Open Space Requirements.** For each structure designed, used or occupied, containing at least 20 residential dwelling units or 18,000 square feet of gross floor area, whichever is less, there shall be provided a minimum of twenty percent (20%) of the area of the zoning lot for unobstructed open space, but shall not include required yard spaces, or space provided for off-street parking.

9. **Yard Requirements.** Upon approval of the Planning and Zoning Commission and the City Council, as evidenced by acceptance of the subdivision plat, a developer shall be allowed to satisfy yard requirements by establishing setbacks and varying front yards. However, in such instances, the shortest setbacks or yards shall be at least equal to the

minimum prescribed for that district, and shall be consistent with public safety and health.

A. Fuel and food dispensing devices with a height of not over six (6) feet shall be exempt from the established front yard or corner side yard requirements, but all such dispensing devices shall be set back from the front lot line or the corner side lot line a distance of not less than fifteen (15) feet.

B. Where an industrial, commercial or agricultural district adjoins a residential district, transitional yards shall be provided in accordance with the regulations indicated in the respective zoning district. Transitional yards shall be unobstructed, except as permitted in paragraph C following.

C. All required yards shall be unobstructed, except as follows (this requirement shall not be construed to prohibit trees, shrubs, bushes and other natural growth):

(1) In All Yards:

- a. Open terraces not over three (3) feet above the average level of the adjoining ground, but not including a permanently roofed-over terrace or porch;
- b. Awnings and canopies;
- c. Steps four (4) feet or less above grade which are necessary for access to a permitted building or for access to a zoning lot from a street or alley;
- d. Chimneys projecting 24 inches or less into the yard;
- e. Approved free standing signs;
- f. Arbors and trellises;
- g. Flagpoles;
- h. Window unit air conditioners projecting not more than 18 inches into the required yard; and
- i. Fences or walls subject to applicable height restrictions of this chapter.

(2) In Front Yards:

- a. One-story bay windows projecting three (3) feet or less into the yard; and

b. Overhanging eaves and gutters projecting three (3) feet or less into the yard.

(3) In Rear Yards:

a. Balconies;

b. Recreational or laundry drying equipment;

c. Fallout shelters;

d. Outside elements of central air conditioning systems, extending not more than four (4) feet into the yard;

e. Breezeways and open porches;

f. One-story bay windows projecting three (3) feet or less into the yard; and

g. Overhanging eaves and gutters projecting three (3) feet or less into the yard.

(4) In Side Yards: Overhanging eaves and gutters projecting three (3) feet or less into the yard.

(5) Corner Visual Clearance Area. Notwithstanding the provisions within the various districts, nothing shall be erected, placed, planted, or allowed to grow on a corner lot in such a manner as to significantly impede vision between a height of three (3) feet and ten (10) feet above the center line street grades of the area described as follows: That triangular shaped area bounded by the street or road right-of-way lines of a corner lot or tract and a straight line joining points on said right-of-way lines that are thirty (30) feet from the point of intersection of said right-of-way lines.

D. Detached accessory structures and obstructions permitted in paragraph C shall not, in the aggregate, occupy more than 40 percent of any required yard.

10. Floor Area Requirements. The floor area requirements shall determine the maximum floor area allowed for the building or buildings in direct ratio to the gross area of the zoning lot. In all cases where two (2) or more contiguous zoning lots are in common ownership and there was, at the adoption date of the Zoning Ordinance, an existing building on one of such lots with less than the permitted maximum floor area ratio, the owner may elect to add the unused portion of the floor area ratio of the existing building to the maximum permitted floor area ratio of any addition to the

existing building to be constructed on the adjoining lot; and in the event that such existing building was lawfully existing at the date of adoption of the Zoning Ordinance and exceeds the maximum permitted floor area ratio, any addition to the existing building to be constructed on the adjoining lot shall be entitled to the maximum floor area ratio permitted in the district in which it is located.

11. Interchange Zoning Regulations. The regulations for interchanges shall apply within those geographic areas lying along an arterial or collector City street as indicated in the City and regional comprehensive plans and those areas abutting federal, state or county highways. Within such interchange controlled areas, all requirements prescribed in the chapter for the zoning district shall be complied with; and in addition, the following regulations are intended to promote traffic safety, increased traffic efficiency, and improve the appearance of interchange area:

A. Setback Requirements. Buildings and structures shall be set back at least forty (40) feet from the right-of-way line of intersecting collector streets, sixty (60) feet for intersecting arterial or highways and one hundred (100) feet from the expressway or limited access highway. In the case of unusual changes in alignment of the right-of-way line or unusual topographic conditions which would cause undue hardship in the application of this requirement, a variance for a lesser setback from the intersecting highway may be granted by the Board of Adjustment.

B. Limitation of Access. Access from abutting property to an intersecting arterial or collector street or to a highway shall be permitted only at designated access points. Such access points shall be located as follows:

(1) There shall be no access points located within 1,000 feet of the most remote end of taper of any existing or proposed entrance or exit ramp or interchange, or within 1,000 feet of median crossovers, or at intervals of less than 1,000 feet thereafter.

(2) To avoid dangerous offset intersections, public streets along opposite sides of intersecting highways or to arterial or collector streets shall be located either directly opposite each other or directly opposite a median crossover, or separated by at least 300 feet of lateral distance as required by the particular circumstances to permit safe traffic movement.

(3) The access limitations established above, may be waived subject to the following conditions:

- a. The Board of Adjustment may grant preliminary approval of a temporary access permit. Such permit shall only be granted if the authority having jurisdiction over such highway requires a driveway permit.
- b. Use of access shall be limited to the use described in the temporary access permit.
- c. Wherever practical, only one point of access for each two parcels shall be permitted, to be located at the common property line for the adjoining parcels.
- d. The access permit shall be temporary in nature and shall be revoked, without remuneration to abutting property owners, upon the construction of a frontage road or an alternative internal circulation system providing a reasonable alternate means of access or when deemed necessary in the public interest.

12. Floodplain Regulations. All building and structures shall conform to the flood plain regulations contained within Chapter 160 of this Code of Ordinances. If a building or structure is proposed within a defined floodplain or drainage easement, as a condition of that approval, the City may require that the building permit applicant acknowledge the rights of the City as an easement holder and waive any and all damages that might be otherwise accrued if the City shall need to remove the building or structure in the exercise of its rights under the easement.

13. Water Supply and Sewage Disposal Regulations. Where public water and sewage facilities are unavailable, regardless of other provisions of this chapter, in all districts and in all classifications, there shall always be sufficient open ground area left unoccupied by a structure or paving for a proper system of sewage disposal and water supply conforming to the standards and requirements of Linn County Health Department and any other City regulations. No building permit shall be issued that is serviced by either a private sewage system or water supply system unless the following minimum building lot requirements:

Private System	Minimum Lot Area	Minimum Lot Width
Without sewage disposal and water supply	40,000 sq. ft.	150 feet

Without sewage disposal but with water supply	20,000 sq. ft.	100 feet
---	----------------	----------

14. Residence District Restrictions.

A. No land which is located in a residence district shall be used for a driveway, walkway, or access purposes to any land which is located in a commercial or industrial district, or used for any purpose not permitted in a residence district.

B. Lot coverage for all structures within a residential district, combined principal and accessory, shall not exceed 50% of building envelope. (Ordinance No. 1701, 5/15/17)

C. Except in the case of Planned Unit Developments, not more than one principal detached residential building shall be located on a zoning lot, nor shall a principal detached residential building be located on the same zoning lot with any other principal building.

D. Detached accessory buildings or structures shall be located no closer to any other accessory or principal building than three (3) feet and shall be limited to twenty (20) feet in height.

E. No accessory building or structure shall be erected more than one hundred and eighty (180) days prior to the time of completion of the construction or establishment of the principal structure or use to which it is accessory.

F. No detached accessory building, including tree houses, shall be placed in front of the principal building on the zoning lot. Private detached garages must meet minimum principal structure front and side yard requirements unless located in the rear twenty-five percent (25%) of the zoning lot and conforms to Section 165.19 (9)(D) within this chapter. (Ordinance No. 1501, 3/2/15)

G. Any accessory building(s) between 800 square feet and 1,250 square feet shall be approved by the Planning and Zoning Commission and must be compatible with the neighborhood. (Ordinance No. 1701, 5/15/17)

15. Animal Control Requirements. The comprehensive animal control regulations contained in Chapter 55 of this Code of Ordinances shall determine the requirements of keeping, sheltering and caring of domestic, farm and exotic animals within the City limits.

165.20 A-1 – AGRICULTURAL. This district is intended to preserve prime agriculture land for the continuation of agricultural uses, to limit new residential development and to provide for the preservation of farmsteads where conditions warrant. Uses permitted in this district are agriculturally oriented. Public utilities such as water and sewer are not normally available or provided due to accessibility and cost factors.

1. Permitted Principal Uses and Structures.
 - A. Greenhouses and plant nurseries.
 - B. Parks and forest preserves.
 - C. Single-family dwellings.
 - D. Farming
 - E. Feedlot, non-commercial
 - F. Cemeteries
 - G. Private or Semi-Private Stable
 - H. Public utility or service uses
2. Permitted Accessory Uses and Structures. Accessory uses and buildings incidental to and on the same lot as the principal use, as follows:
 - A. Private garages.
 - B. Farm buildings incidental to agricultural uses.
 - C. Agriculture and agricultural activities.
 - D. Detached living quarters, for persons employed on the premises, if occupied only by such persons and their immediate families.
 - E. Roadside stands for the display and sale of agricultural products (this accessory use is temporary, for a period not to exceed six months in any one year).
 - F. Central semi-private water or sewerage systems as regulated by the Linn County Health Department and approved by the City Engineer. No part of any sewer treatment facility (structure or levee) shall be closer than two hundred (200) feet from any property line or road right-of-way.
3. Special Uses. The following special uses are permitted in the A-1 District subject to provisions of Section 165.07.

- A. Excavations for artificial lakes or ponds which meet or exceed Department of Natural Resources regulations.
- B. Communication towers which meet or exceed all federal, state and regional regulations.
- C. Other agricultural uses or activities not specifically listed as determined by the Board of Adjustment to be of the same general character as the uses permitted in subsection 1 of this section and found not to be obnoxious, unhealthful or offensive by reason of the potential emission or transmission of noise, vibration, smoke, dust, glare, heat, odor, toxic or noxious matter. (Ordinance No. 1701,5/15/17)

4. Minimum Lot Areas and Width.

	Minimum Lot Area	Minimum Lot Width
Single-family or farm	5 acres	200 feet
Agriculture uses, nurseries and greenhouses	5 acres	200 feet
Parks and forest preserves	1 acre	150 feet
Golf courses	10 acres	250 feet
Cemetery	20 acres	200 feet
Farming	35 acres	200 feet
Feedlot, non-commercial	10 acres	250 feet
Stable, semi-private	10 acres	150 feet
Stable, private	5 acres	150 feet
Special uses	As specified by the Board of Adjustment	

5. Minimum Yard Requirements.

	Front Yard	Interior Side Yard	Corner Side Yard	Rear Yard
Single-family dwelling	40 feet	25 feet	40 feet	40 feet
Stable, private or semi-private; Accessory structure	75 feet	50 feet	50 feet	50 feet
Burial sites in cemeteries	35 feet	15 feet	15 feet	5 feet
Mausoleums, crematories, and columbarium's in cemeteries	Shall be located not less than 150 feet from the nearest property line.			
Feedlots, non-commercial	Shall be located not less than 150 feet from the nearest property line.			
Veterinary clinic or animal hospital	Shall be located not less than 200 feet from the nearest property line.			
Nurseries and Greenhouses	All Structures to be set back not less than 50 feet from lot lines			
Parks and forest preserves	All Structures to be set back not less than 50 feet from lot lines			
Golf Courses	All Structures to be set back not less than 50 feet from lot lines			

Special Uses	As specified by the Board of Adjustment
--------------	---

6. Transitional Yard Requirements.

 - A. Where an agricultural use coincides with a lot line of a property which is zoned as A-1 Agricultural, a transitional yard shall be provided along such lot lines. Unless otherwise specified herein, such yard shall have a dimension of not less than 15 feet along such lot line.
 - B. Where an agricultural use coincides with a lot line of a property which is not zoned as A-1 Agricultural, a transitional yard shall be provided along such lot lines. Unless otherwise specified herein, such yard shall have a dimension of not less than 35 feet along such lot line.
 - C. Where an agricultural use coincides with public right-of-way, a transitional yard shall be provided. Unless otherwise specified herein, such yard shall have a dimension of not less than 35 feet from the public right-of-way.
7. Maximum Height and Size Limitations. No structure shall exceed 50 feet in height. Maximum floor area ratio shall not exceed 2.0. (Ordinance No. 1701, 5/15/17).
8. Minimum Off-Street Parking and Loading Spaces. Off-street parking and loading facilities shall be provided as required in Section 165.33 of this chapter.
9. Sign Regulations. All signage must meet the Sign Regulations described in Section 165.31 of this chapter.
10. Fence, Wall and Hedge Regulations. Non-agricultural fences, wall and hedges shall meet the regulations specified in Section 165.32 of this chapter.
11. Outdoor Lighting Regulations. All outdoor lighting shall conform to the regulations specified in Chapter 152 of this Code of Ordinances.

o o o o o o o o

165.21 R-1 – LOW DENSITY SINGLE-FAMILY RESIDENTIAL. This district is intended for single-family dwelling units designed to maintain, protect, and preserve low density on large lots in a quiet rural setting while permitting agricultural uses. Public utilities such as water and sewer are typically limited due to accessibility and cost factors but may be required or provided based on City policies and regulations.

1. Permitted Principal Uses and Structures.
 - A. Single-family dwellings.
 - B. Private or semi-private stables.
 - C. Public utilities and services.
 - D. Cemeteries.
 - E. Cultural institutions, including:
 - (1) Public libraries and public art galleries
 - (2) Public museums and aquariums.
 - F. Educational institutions (non-boarding) as follows:
 - (1) Elementary, junior high and high schools.
 - G. Recreational and social facilities, as follows:
 - (1) Golf courses, but not golf driving ranges, pitch and putt, or miniature golf courses.
 - (2) Recreational clubs, buildings and community centers, noncommercial.
 - (3) Parks and playgrounds.
 - (4) Swimming pools, noncommercial.
 - (5) Tennis clubs and courts, noncommercial.
 - H. Religious institutions, as follows:
 - (1) Churches, chapels, temples and synagogues.
 - (2) Convents, seminaries, monasteries and nunneries.
 - (3) Rectories, parsonages and parish houses.
 - (4) Religious retreats.
2. Permitted Accessory Uses and Structures. Accessory uses and buildings incidental to and on the same lot as the principal use, as follows:
 - A. Agricultural buildings and structures.

- B. Athletic fields and playgrounds.
- C. Clubhouses and other structures on the grounds of private clubs, golf courses, and tennis clubs.
- D. Garages and carports.
- E. Greenhouses and conservatories (non-commercial).
- F. Home occupations.
- G. Roadside stands - for the display and sale of agricultural products on zoning lots where the principal use is agriculture (this accessory use is temporary, for a period not to exceed six months in any one year).
- H. Secondary religious facilities servicing a principal religious institution.
- I. Central semi-private sewerage systems meeting Linn County Health Department requirements and as approved by the City Engineer for connection to the public system when available. No part of any treatment facility (structure or levee) shall be closer than two hundred (200) feet from any property line or road right-of-way.
- J. Stadiums and grandstands in athletic fields (public).
- K. Storage of building materials and equipment, and temporary buildings for construction purposes, for a period not to exceed the duration of such construction.
- L. Private swimming pools and tennis courts (noncommercial).
- M. Temporary real estate tract offices - for the purposes of conducting the sale of lots of the tract upon which such tract office is located, for a period not to exceed two years.
- N. Tool house sheds and other similar buildings for the storage of domestic supplies.
- O. Central semi-private water supply systems meeting Linn County Health Department requirements and as approved by the City Engineer for connection to the public system when available.
- P. Agricultural uses, non-commercial.
- Q. Feedlot, non-commercial.

3. Special Uses. The following special uses are permitted in the R-1 District, subject to provisions of Section 165.07 of this chapter.
 - A. Excavations for artificial lakes.
 - B. Philanthropic and charitable institutions, but not including businesses sponsored by such institutions, except such as are accessory or incidental to and located in the same building as such institution proper.
 - C. Public utilities and services uses and civic buildings.
 - D. Day care centers or preschool facilities.
 - E. Convalescent and nursing homes, including extended medical care facilities.
 - F. Family group care homes.
 - G. Railroad and private utility uses.
 - H. Communication towers less than 125 feet which meet all federal, state and metropolitan regulations.
 - I. Off-street parking lots, for any zoned district, but only for the provision of accessory for uses located on a lot within 500 feet thereof provided adequate screening, landscaping and similar techniques that will protect the surrounding properties in the site development plan.
 - J. Bed and breakfast limited to no more than three (3) bedrooms available for use by transient guests for no more than three (3) consecutive nights.
 - K. Recycling facilities in which all activities are located within a completely enclosed building, are located no closer than two hundred (200) feet to any existing residential structure(s) and subject to compliance with all applicable federal, state, regional and local regulations and plans.
 - L. Other uses not specifically listed as determined by the Board of Adjustment to be of the same general character as the uses permitted in subsection 1 of this section and found not to be obnoxious, unhealthful or offensive by reason of the potential emission or transmission of noise, vibration, smoke, dust, glare, heat, odor, toxic or noxious matter.

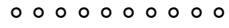
4. Minimum Lot Areas and Width.

	Minimum Lot Area	Minimum Lot Width
Single-family dwelling	20,000 sq. ft.	90 feet
Agriculture	5 acres	200 feet
Farm	5 acres	150 feet
Feedlot, non-commercial	10 acres	250 feet
Stable, semi-private	10 acres	150 feet
Stable, private	5 acres	150 feet
Cemetery	20 acres	200 feet
Educational institutions	40,000 sq. ft.	150 feet
Cultural institutions	40,000 sq. ft.	250 feet
Recreational and social buildings	40,000 sq. ft.	150 feet
Religious institutions	40,000 sq. ft.	150 feet
Special uses	As specified by the Board of Adjustment	

5. Minimum Yard Requirements.

	Front Yard	Interior Side Yard	Corner Side Yard	Rear Yard
Single-family dwellings	35 feet	15 feet	35 feet***	35 feet^
Stable, private or semi-private	75 feet	50 feet	50 feet	50 feet
Burial sites in cemeteries	35 feet	15 feet	15 feet	5 feet
All other permitted uses	40 feet	20 feet*	30 feet*	50 feet
Special Uses	As specified by the Board of Adjustment			
*Plus one foot for each two feet by which the building or structure height exceeds 20 feet				
***Corner Side yard requirements may be 20' on 100' radius corner lots, provided the Transitional Yard Requirements are met. Any reduction to the 20' requirement shall be approved by the Zoning Administrator. (Ord.1013, 12/10)				
^ Rear yard set back requirements on corner lots may be reduced to 20'. (Ord 1013, 12/10)				
Accessory Uses:	Except as indicated below, the yard requirements of the principal uses shall apply to their accessory building.			
	Front Yard	Interior Side Yard	Corner Side Yard	Rear Yard
Buildings accessory to dwellings, other than specified herein	35 feet	15 feet	30 feet	5 feet
Clubhouses and other structures on the grounds of private clubs, golf courses and tennis clubs	Shall be located not less than 150 feet from the nearest residential property line**			
Mausoleums, crematories and columbariums in cemeteries	Shall be located not less than 150 feet from the nearest residential property line**			
Roadside stands on lots where the principal use is agriculture	20 feet	50 feet	20 feet	none
Stadiums and grandstands in athletic fields	Shall be located not less than 150 feet from the nearest residential property line**			
Temporary buildings for construction purposes	No requirements provided there is no undue interference with the use and enjoyment of neighboring properties.			
Feedlots, non-commercial	Shall be located not less than 150 feet from the nearest property line			
**Such setback area not to be used for parking.				

6. Transitional Yard Requirements.
 - A. Where an agricultural use coincides with a lot line of a property which is zoned as A-1 Agricultural, a transitional yard shall be provided along such lot lines. Unless otherwise specified herein, such yard shall have a dimension of not less than 15 feet along such lot line.
 - B. Where an agricultural use coincides with a side or rear lot line of a property, which is not, zoned as A-1 Agricultural, a transitional yard shall be provided along such lot lines. Unless otherwise specified herein, such yard shall have a dimension of not less than 35 feet along such lot line.
 - C. Where an agricultural use coincides with public right-of-way, a transitional yard shall be provided. Unless otherwise specified herein, such yard shall have a dimension of not less than 35 feet from the public right-of-way.
7. Maximum Height and Size Limitations. No principal use building or structure shall exceed 2½ stories or 35 feet; no accessory use structure(s), in aggregate, shall exceed 20 feet in height or 1,250 square feet in size. Maximum floor area ratio shall not exceed 0.30. Ordinance No. 1701, 5/15/17)
8. Minimum Off-Street Parking and Loading Space. Off-street parking and loading facilities shall be provided as required in Section 165.33 of this chapter.
9. Sign Regulations. All signage must meet the Sign Regulations described in Section 165.31 of this chapter.
10. Fence, Wall and Hedge Regulations. Non-agricultural fences, wall and hedges shall meet the regulations specified in Section 165.32 of this chapter.
11. Outdoor Lighting Regulations. All outdoor lighting shall conform to the regulations specified in Chapter 152 of this Code of Ordinances.



165.22 R-2 – MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL.

This district is intended to preserve and uphold single family dwelling units in a medium density setting and require the provisions of urban facilities and services.

1. Permitted Principal Uses and Structures.
 - A. Single-family dwellings.
 - B. Neighborhood parks and playgrounds.
 - C. Forest preserves and similar conservation facilities.
2. Permitted Accessory Uses and Structures. Accessory uses and buildings incidental to and on the same lot as the principal use, as follows:
 - A. Home occupations.
 - B. Garage and carports.
 - C. Agriculture, excluding farm buildings.
 - D. Private stables.
 - E. Private swimming pools and tennis courts (non-commercial).
 - F. Storage of building materials and equipment, and temporary buildings for construction purposes, for a period not to exceed one year.
 - G. Temporary real estate tract offices for the purpose of conducting the sale of lots of the tract upon which such tract office is located, for a period not to exceed two years.
 - H. Tool house sheds and other similar buildings for the storage of domestic supplies.
 - I. Central semi-private sewerage systems meeting Linn County Health Department requirements and as approved by the City Engineer for connection to the public system when available. No part of any treatment facility (structure or levee) shall be closer than two hundred (200) feet from any property line or road right-of-way.
 - J. Central semi-private water supply systems meeting Linn County Health Department requirements and as approved by the City Engineer for connection to the public system when available.
3. Special Uses. The following special uses are permitted in the R-2 District, subject to provisions of Section 165.07 of this chapter.
 - A. Farm buildings and semi-private stables.
 - B. Two-family dwellings.

- C. Day care centers or preschool facilities.
- D. Convalescent and nursing homes, including extended medical care facilities.
- E. Family group care homes.
- F. Railroad and private utility uses.
- G. Public, quasi-public and governmental buildings and facilities.
- H. Recreational and social facilities, as follows:
 - (1) Golf courses and other similar uses associated with golfing such as driving ranges or pitch and putt areas.
 - (2) Recreational clubs, buildings and community centers.
 - (3) Parks and playgrounds.
 - (4) Swimming pools, public or semi-private.
 - (5) Tennis clubs and courts, public or semi-private.
- I. Educational and cultural institutions, including:
 - (1) Public schools (elementary, junior high and senior high) and private non-boarding schools having a curriculum similar to that in the public school systems.
 - (2) Public libraries and public art galleries.
 - (3) Public museums and aquariums.
- J. Religious institutions, as follows:
 - (1) Churches, chapels, temples and synagogues.
 - (2) Convents, seminaries, monasteries and nunneries'.
 - (3) Rectories, parsonages and parish houses.
 - (4) Religious retreats.
- K. Communication towers greater than 80 feet above ground level.
- L. Other uses not specifically listed as determined by the Board of Adjustment to be of the same general character as the uses permitted in subsection 1 of this section and compatible with the residential neighborhood. The use not to be obnoxious, unhealthful or offensive by reason of the potential emission or transmission of

noise, vibration, smoke, dust, glare, heat, odor, toxic or noxious matter.

4. Minimum Lot Areas and Width.

	Minimum Lot Area	Minimum Lot Width
Single-family dwelling	12,500 sq. ft.	90 feet
Farm	5 Acres	150 feet
Stable, semi-private	10 acres	150 feet
Stable, private	5 Acres	150 feet
Educational and cultural institutions	40,000 sq. ft.	150 feet
Recreational and social buildings	20,000 sq. ft.	100 feet
Religious institutions	20,000 sq. ft.	100 feet
Special uses	As specified by the Board of Adjustment	

5. Minimum Yard Requirements

	Front Yard	Interior Side Yard	Corner Side Yard	Rear Yard
Single-family dwellings	30 feet	10 feet	30 feet*	30 feet^
All other permitted uses	35 feet	10 feet**	20 feet**	40 feet
Special Uses	As specified by the Board of Adjustment			
*Side yard requirements may be 20' on 100' radius corner lots provided the Transitional Yard Requirements are met. Any reduction to the 20' Requirement shall be approved by the Zoning Administrator. (Ord. 1012, 12/10)				
**Plus one foot for each two feet by which the building or structure height exceeds 20 feet.				
^Rear yard set back requirement on corner lots may be reduced to 20'. (Ord 1013, 12/10)				
Accessory Uses:	Except as indicated below, the yard requirements of the principal uses shall apply to their accessory building.			
	Front Yard	Interior Side Yard	Corner Side Yard	Rear Yard
Agricultural buildings	75 feet	50 feet	50 feet	75 feet
Buildings accessory to dwellings, other than specified herein	30 feet	5 feet	20 feet	5 feet
Clubhouses and other structures on the grounds of private clubs, golf courses and tennis clubs	Shall be located not less than 150 feet from the nearest residential property line***			
Stadiums and grandstands in athletic fields	Shall be located not less than 150 feet from the nearest residential property line***			
Temporary buildings for construction purposes	No requirements, provided there is no undue interference with the use and enjoyment of neighboring properties.			
*** Such setback area not to be used for parking.				

6. Transitional Yard Requirements.

A. Where an agricultural use coincides with a lot line of a property, which is zoned as A-1 Agricultural, a transitional yard shall be provided along such lot lines. Unless otherwise specified

herein, such yard shall have a dimension of not less than 15 feet along such lot line.

B. Where an agricultural use coincides with a side or rear lot line of a property, which is not, zoned as A-1 Agricultural, a transitional yard shall be provided along such lot lines. Unless otherwise specified herein, such yard shall have a dimension of not less than 35 feet along such lot line.

C. Where an agricultural use coincides with public right-of-way, a transitional yard shall be provided. Unless otherwise specified herein, such yard shall have a dimension of not less than 35 feet from the public right-of-way.

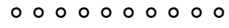
7. **Maximum Height and Size Limitations.** No principal use building or structure shall exceed 2½ stories or 35 feet in height. No accessory use structure(s) in aggregate shall exceed 20 feet in height of 1,250 square feet in size. Maximum floor area ratio shall not exceed 0.50. (Ordinance No. 1701, 5/15/17)

8. **Minimum Off-Street Parking and Loading Space.** Off-street parking and loading facilities shall be provided as required in Section 165.33 of this chapter.

9. **Sign Regulations.** All signage must meet the Sign Regulations described in Section 165.31 of this chapter.

10. **Fence, Wall and Hedge Regulations.** Non-agricultural fences, wall and hedges shall meet the regulations specified in Section 165.32 of this chapter.

11. **Outdoor Lighting Regulations.** All outdoor lighting shall conform to the regulations specified in Chapter 152 of this Code of Ordinances.



165.23 R-3 – MEDIUM DENSITY TWO-FAMILY RESIDENTIAL. This district is intended to establish and preserve medium density areas for single and two family dwellings and require the provisions of urban facilities and services. This district would be free from other uses except those which are both compatible with and convenient to the residents of such a district.

1. Permitted Principal Uses and Structures.
 - A. Two-family residential dwellings.
 - B. All principal uses and structures as permitted in R-2.
2. Permitted Accessory Uses and Structures. All accessory uses and structures as permitted in R-2.
3. Special Uses. The following special uses are permitted in the R-3 District, subject to provisions of Section 165.07 of this chapter.
 - A. All special uses listed as permitted in R-2.
 - B. Other uses not specifically listed as determined by the Board of Adjustment to be of the same general character as the uses permitted in subsection 1 of this section and compatible with the residential neighborhood. The use not to be obnoxious, unhealthful or offensive by reason of the potential emission or transmission of noise, vibration, smoke, dust, glare, heat, odor, toxic or noxious matter.
4. Minimum Lot Areas and Width.

	Minimum Lot Area	Minimum Lot Width
Single-family dwelling	12,500 sq. ft.	90 feet
Two-family dwellings	6,250 sq. ft.	45 feet
Farm	5 acres	150 feet
Stable, semi-private	10 acres	150 feet
Stable, private	5 acres	150 feet
Educational and cultural institutions	40,000 sq. ft.	150 feet
Recreational and social buildings	20,000 sq. ft.	100 feet
Religious institutions	20,000 sq. ft.	100 feet
Special uses	As specified by the Board of Adjustment	

5. Minimum Yard Requirements.

	Front Yard	Interior Side Yard ***	Corner Side Yard	Rear Yard
All dwellings	30 feet	10 feet	30 feet*	30 feet^
All other permitted uses	30 feet	10 feet**	20 feet**	40 feet
Special Uses	As specified by the Board of Adjustment			
*Side yard requirements may be 20' on 100' radius corner lots provided the Transitional Yard Requirements are met. Any reduction to the 20' requirement shall be approved by the Zoning Administrator. (Ord. 1013, 12/10)				
**Plus one foot for each two feet by which the building or structure height exceeds 25 feet.				
***Interior side yard may be zero feet along a common lot line associated with a two-family dwelling.				
^Rear yard set back requirement on corner lots may be reduced to 20'. (Ord 1013, 12/10)				
Accessory Uses:	Except as indicated below, the yard requirements of the principal uses shall apply to their accessory building.			
	Front Yard	Interior Side Yard ****	Corner Side Yard	Rear Yard
Buildings accessory to dwellings, other than specified herein	30 feet	5 feet	20 feet	5 feet
Clubhouses and other structures on the grounds of private clubs, golf courses and tennis clubs	Shall be located not less than 150 feet from the nearest residential property line*****			
Stadiums and grandstands in athletic fields	Shall be located not less than 150 feet from the nearest residential property line*****			
Temporary buildings for construction purposes	No requirements provided there is no undue interference with the use and enjoyment of neighboring properties.			
*****Unless the entire structure is located on the rear 25% of the lot, in which case only three (3) feet shall be required.				
*****Such setback area not to be used for parking.				

6. Transitional Yard Requirements.

A. Where an agricultural use coincides with a lot line of a property, which is zoned as A-1 Agricultural, a transitional yard shall be provided along such lot lines. Unless otherwise specified herein, such yard shall have a dimension of not less than 15 feet along such lot line.

B. Where an agricultural use coincides with a side or rear lot line of a property, which is not, zoned as A-1 Agricultural, a transitional yard shall be provided along such lot lines. Unless otherwise specified herein, such yard shall have a dimension of not less than 35 feet along such lot line.

C. Where an agricultural use coincides with public right-of-way, a transitional yard shall be provided. Unless otherwise specified herein, such yard shall have a dimension of not less than 35 feet from the public right-of-way.

7. Maximum Height and Size Limitations. No principal use building or structure shall exceed 45 feet in height. No accessory use structure(s) shall

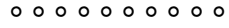
exceed 20 feet in height or 1,250 square feet in aggregate size. (Ordinance No. 1701, 5/15/17)

8. Minimum Off-street Parking and Loading Space. Off-street parking and loading facilities shall be provided as required in Section 165.33 of this chapter.

9. Sign Regulations. All signage must meet the Sign Regulations described in Section 165.31 of this chapter.

10. Fence, Wall and Hedge Regulations. Non-agricultural fences, wall and hedges shall meet the regulations specified in Section 165.32 of this chapter.

11. Outdoor Lighting Regulations. All outdoor lighting shall conform to the regulations specified in Chapter 152 of this Code of Ordinances.



165.24 R-4 – HIGH DENSITY MULTIPLE-FAMILY RESIDENTIAL.

This district is intended to establish and preserve areas for high density residential development, free from other uses, except those which are both compatible with and convenient to the residents of such a district. This district is designed to serve as a buffer between lower density residential districts and more intensive zoning districts such as commercial districts and would require the provisions of urban type facilities and services.

1. Permitted Principal Uses and Structures.
 - A. Multiple and condominium family dwellings.
 - B. Convalescent and nursing homes, including extended medical care facilities.
 - C. Day care centers or preschool facilities.
 - D. Public, quasi-public and governmental buildings and facilities.
 - E. Recreational and social facilities, as follows:
 - (1) Golf courses and other similar uses associated with golfing such as driving ranges or pitch and putt areas.
 - (2) Recreational clubs, buildings and community centers.
 - (3) Parks and playgrounds.
 - (4) Swimming pools, public or semi-private.
 - (5) Tennis clubs and courts, public or semi-private.
 - F. Educational and cultural institutions, including:
 - (1) Public schools (elementary, junior high and senior high) and private non-boarding schools having a curriculum similar to that in the public school systems.
 - (2) Public libraries and public art galleries.
 - (3) Public museums and aquariums.
 - G. Religious institutions, as follows:
 - (1) Churches, chapels, temples and synagogues.
 - (2) Convents, seminaries, monasteries and nunneries'.
 - (3) Rectories, parsonages and parish houses.
 - (4) Religious retreats.
2. Permitted Accessory Uses and Structures. All accessory uses and structures as permitted in R-3.

3. Special Uses. The following special uses are permitted in the R-4 District, subject to provisions of Section 165.07 of this chapter.

- A. All special uses listed as permitted in R-3.
- B. Cemeteries.
- C. Colleges, junior colleges, and universities (public and private) including schools providing rooming or boarding facilities, but excluding vocational schools utilizing, servicing, or repairing vehicular or heavy equipment and machinery.
- D. Hospitals and sanitariums, and other health and medical institutions.
- E. Other uses not specifically listed as determined by the Board of Adjustment to be of the same general character as the uses permitted in subsection 1 of this section and compatible with the residential neighborhood. The use not to be obnoxious, unhealthful or offensive by reason of the potential emission or transmission of noise, vibration, smoke, dust, glare, heat, odor, toxic or noxious matter.

4. Minimum Lot Areas and Width. Same as R-3 except as specified hereafter.

	Minimum Lot Area	Minimum Lot Width
Per family dwelling unit	3,000 sq. ft.	50 feet
Farm	5 acres	150 feet
Stable, semi-private	10 acres	150 feet
Stable, private	5 acres	150 feet
Cemetery	20 acres	200 feet
Educational and cultural institutions	20,000 sq. ft.	100 feet
Recreational and social buildings	15,000 sq. ft.	90 feet
Religious institutions	15,000 sq. ft.	90 feet
Special uses:		
Educational institutions (boarding)	2 acres	175 feet
Convalescent and nursing homes	20,000 sq. ft.	100 feet
Nursery schools and child care centers	15,000 sq. ft.	90 feet
Hospitals and sanitariums	20,000 sq. ft.	100 feet
Philanthropic and charitable institutions	15,000 sq. ft.	90 feet
Public utility and service uses and civic buildings	As specified by the Board of Adjustment	

5. Minimum Yard Requirements.

	Front Yard	Interior Side Yard	Corner Side Yard	Rear Yard
All dwellings	25 feet	8 feet*	15 feet*** 25 feet*****	30 feet^
Cemeteries	Burial sites to be set back not less than 35 feet from lot lines.			
All other permitted uses	30 feet	10 feet**	20 feet**	40 feet
Special Uses:				
Educational institutions (boarding)	30 feet	30 feet***	30 feet***	30 feet
Convalescent and nursing homes	30 feet	10 feet**	20 feet**	40 feet
Hospitals and sanitariums	30 feet	10 feet**	20 feet**	40 feet
Nursery schools & child care centers	30 feet	10 feet**	20 feet**	40 feet
Philanthropic and charitable inst.	30 feet	10 feet**	20 feet**	40 feet
Public utilities and service uses	As specified by the Board of Adjustment			
*Unless the building height exceeds 25 feet, in which case, the interior side yards shall equal one-third of the building height.				
**Plus one foot for each two feet by which the building or structure height exceeds 25 feet.				
***Plus one foot for each three feet by which the building or structure height exceeds 30 feet.				
***** Side yard requirements may be 20' on 100' radius corner lots provided the Transitional Yard Requirements are met. Any reduction to the 20' requirement shall be approved by the Zoning Administrator. (Ord. 1013, 12/10)				
^Rear yard set back requirement on corner lots may be reduced to 20'. (Ord 1013, 12/10)				
Accessory Uses:	Except as indicated below, the yard requirements of the principal uses shall apply to their accessory building.			
	Front Yard	Interior Side Yard	Corner Side Yard	Rear Yard
Buildings accessory to dwellings, other than specified herein	25 feet	8 feet ****	15 feet	3 feet
Clubhouses and other structures on the grounds of private clubs, golf courses and tennis clubs	Shall be located not less than 150 feet from the nearest residential property line*****			
Stadiums and grandstands in athletic fields	Shall be located not less than 150 feet from the nearest residential property line*****			
Temporary buildings for construction purposes	No requirements provided there is no undue interference with the use and enjoyment of neighboring properties.			
****Unless the entire structure is located on the rear 25% of the lot, in which case only three (3) feet shall be required.				
*****Such setback area not to be used for parking.				

6. Transitional Yard Requirements.

A. Where an agricultural use coincides with a lot line of a property which is zoned as A-1 Agricultural, a transitional yard shall be provided along such lot lines. Unless otherwise specified herein, such yard shall have a dimension of not less than 15 feet along such lot line.

B. Where an agricultural use coincides with a side or rear lot line of a property which is not zoned as A-1 Agricultural, a transitional yard shall be provided along such lot lines. Unless otherwise

specified herein, such yard shall have a dimension of not less than 35 feet along such lot line.

C. Where an agricultural use coincides with public right-of-way, a transitional yard shall be provided. Unless otherwise specified herein, such yard shall have a dimension of not less than 35 feet from the public right-of-way.

7. **Maximum Height and Size Limitations.** No principal use building or structure shall exceed 45 feet in height. No accessory use structure(s) shall exceed 20 feet in height or 1,250 square feet in aggregate size. (Ordinance No. 1701, 5/15/17)

Permitted Uses	Maximum Floor Area Ratio
All dwellings	1.0
Agriculture	0.10
Cemeteries	0.10
Educational and cultural institutions	0.50
Recreational and social buildings	0.50
Religious institutions	0.50
Special Uses:	
Educational institutions (boarding)	0.25
Convalescent and nursing homes	0.75
Nursery schools and child care centers	0.75
Hospitals and sanitariums	0.75
Philanthropic and charitable institutions	0.50
Public utilities and services uses	As specified by the Board of Adjustment

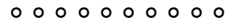
8. **Minimum Off-Street Parking and Loading Space.** Off-street parking and loading facilities shall be provided as required in Section 165.33 of this chapter.

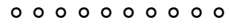
9. **Sign Regulations.** All signage must meet the Sign Regulations described in Section 165.31 of this chapter.

10. **Fence, Wall and Hedge Regulations.** Non-agricultural fences, wall and hedges shall meet the regulations specified in Section 165.32 of this chapter.

11. **Outdoor Lighting Regulations.** All outdoor lighting shall conform to the regulations specified in Chapter 152 of this Code of Ordinances.

12. **Accessory Uses.** In the R-4 District, the floor area ratio of accessory buildings shall be included in the total allowable floor area permitted on the zoning lot, as specified for the principal uses. However, any floor area devoted to off-street parking or loading facilities shall be exempt from floor area ratio requirements.





165.25 RMH – MOBILE HOME PARK RESIDENTIAL. This district is intended to accommodate mobile home parks in those areas of the City where such use will be compatible with existing and projected development or serve as a buffer between lower density residential districts and more intensive zoning districts such as commercial districts. A mobile home park area should be well served by adequate public utilities and services.

1. Permitted Principal Uses and Structures.
 - A. Single-family mobile homes.
 - B. Two-family mobile homes.
 - C. Storm shelters.
 - D. Neighborhood parks and playgrounds.
2. Permitted Accessory Uses and Structures.
 - A. Any use incidental to the primary use of the mobile home park such as a direct service facility building, park management building, maintenance building, community building, or uses of a similar nature.
 - B. One single-family dwelling subject to site and structure requirements for R-1 District.
3. Special Uses. The following special uses are permitted in the RMH District, subject to provisions of Section 165.07 of this chapter.
 - A. Day care centers or preschool facilities.
 - B. Private, nonprofit recreational and social facilities such as swimming pools and tennis courts.
 - C. Laundry facilities.
 - D. Railroad, utility, and public uses.
 - E. Central semi-private water supply systems meeting Linn County Health Department requirements and as approved by the City Engineer for connection to the public system when available.
 - F. Central semi-private sewerage systems meeting Linn County Health Department requirements and as approved by the City Engineer for connection to the public system when available. No part of any treatment facility (structure or levee) shall be closer than two hundred (200) feet from any property line or road right-of-way.
 - G. Communication towers greater than 80 feet above ground level.

H. Similar and compatible uses to those allowed as principal permitted uses in this district. The use is not to be obnoxious, unhealthful or offensive by reason of the potential emission or transmission of noise, vibration, smoke, dust, glare, heat, odor, toxic or noxious matter.

4. Special Requirements. All mobile homes must be placed within a mobile home park. In addition, the following requirements must be met:

A. The mobile home shall be located on and permanently attached to a cement slab or foundation which is a minimum length and width of the trailer itself.

B. Each mobile home shall be permanently connected to the City sanitary sewer and City water service in accordance with the ordinances, rules, requirements, and regulations of the City.

C. Each mobile home shall have separate and permanent connection to the electric service facilities in accordance with the ordinances, rules, requirements, and regulations of the City.

D. Each mobile home shall comply with all the sanitary and health laws, rules, regulations, and requirements of the State of Iowa, Linn County, and the City, and further comply with all additional applicable laws, rules, regulations, and requirements of the State of Iowa, Linn County, and the City.

E. No mobile home shall be located, occupied, or used as a temporary place of residence except in accordance with the provisions of this chapter.

F. Within each mobile home park, there shall be provisions made for a storm shelter which is based on FEMA standards. The shelter's capacity should exceed the number of residents living in the mobile home park.

G. Mobile Home Park development must meet the Robins Subdivision standards and Cedar Rapids Metropolitan Area Engineering Design Standards.

H. There shall be provided and maintained a minimum distance of 25 feet between mobile homes.

I. The minimum lot area for a mobile home may be reduced by an amount equal to an area included in common open space, not including land in individual lots, parking areas, or streets contiguous and immediately available to the individual lot or lots having reduced minimum areas, and, by means of location, size, shape, and

landscaping, being designed primarily for the utilization and enjoyment of the inhabitants of the said contiguous lots. However, in no case shall an individual mobile home lot be reduced to an area less than 2,500 square feet.

J. The maximum overall density shall be eight mobile homes per acre of all land within the mobile home park. Recreational areas shall be provided at a rate of a minimum of 250 square feet for each additional lot. This amount of area shall be computed in addition to any common open space provided to offset lot size reduction and shall also comply with the provisions of Robins Code of Ordinances.

5. Minimum Lot Areas and Width.

	Minimum Lot Area	Minimum Lot Width
Mobile home park area	20 acres	300 feet
Single-family mobile home lot	4,000 sq. ft.	50 feet
Two-family mobile home lot	6,000 sq. ft.	50 feet
Accessory use lot area requirements shall be based on a prepared engineering plan submitted and approved by the Zoning Administrator.		
Special use lot area requirements shall be as determined by the Board of Adjustment.		

6. Minimum Yard Requirements

	Front Yard	Interior Side Yard	Corner Side Yard	Rear Yard
Mobile home park	50 feet	50 feet	50 feet	50 feet
Mobile home structure	15 feet	10 feet	15 feet	10 feet

7. Maximum Height. No principal use building or structure shall exceed 2½ stories or 35 feet, nor shall a mobile home exceed one story in height. No accessory use structure shall exceed 20 feet.

8. Minimum Off-Street Parking and Loading Space. Off-street parking and loading facilities shall be provided as required in Section 165.33 of this chapter.

9. Sign Regulations. All signage must meet the Sign Regulations described in Section 165.31 of this chapter.

10. Fence, Wall and Hedge Regulations. Non-agricultural fences, wall and hedges shall meet the regulations specified in Section 165.32 of this chapter.

11. Outdoor Lighting Regulations. All outdoor lighting shall conform to the regulations specified in Chapter 152 of this Code of Ordinances.

165.25A PUD - PLANNED UNIT DEVELOPMENT DISTRICT. The planned unit development (PUD) district is intended and designed to promote and encourage development or redevelopment of tracts of land on a planned, unified basis by allowing greater flexibility for those developments that propose a creative and innovative design whose layout is not achievable under the standards of other zoning districts. A planned unit development shall consist of an arrangement and selection of land uses in groupings that are organized and designed as an integrated unit rather than a collection of independent building and sites. The integrated design shall include a holistic presentation of elements such as building orientation and materials, utilities, parking areas, traffic and pedestrian circulation; landscaping and open spaces that satisfy the individual site needs while achieving greater value for the entire development area.

1. Criteria. The planned unit development district shall be reserved for only those developments, which meet one or more of the following criteria:
 - A. Developments that utilize varying land uses to provide a transition between disparate land uses and zoning, including but not limited to transitioning between single family residential areas and commercial districts.
 - B. Developments that provide for varying land uses to coexist within the same development so the demands of the population may be met by greater variety in type, design, and layout.
 - C. Developments which encourage a more efficient use of land through the incorporation of public/private spaces or uses which enhance the community at large.
 - D. Developments that provide both public and private open spaces that accent and enhance both the architectural and natural features of the development and provide for the protection and preservation of existing vegetative and water resources.
 - E. Developments that present a common and unified theme through the use of architecturally compatible detailing to form a part of a larger composition rather than separate land uses designed in isolation of one another.
2. Process. Applications for amending the zoning of any parcel or parcels of land to PUD shall be in accordance with Section 116.11-2 of this chapter. The applicant shall cause the Ordinance amending the zoning to PUD to be

recorded in Linn County, Iowa and shall provide a recorded copy of said Ordinance to the City Clerk of the City of Robins, Iowa.

3. Site Development Plan Required. A Site Development Plan in conformance with Section 165.11-2-E and 165.11-2-F is required to be submitted with each application for amending the zoning of any parcel or parcels of land to PUD.

A. The Site Development Plan shall be approved by Resolution of the City Council as soon as practical following passage of the Ordinance amending the zoning of any parcel or parcels of land to PUD. No further applications for development shall be approved or building permits issued until the Site Development Plan has been so approved.

B. Following approval by City Council, a certified copy of the Site Development Plan shall be kept on file in the office of the City Clerk.

C. The Site Development Plan shall be deemed to run with the land and be binding upon any and all owners of the PUD property unless an Amended Site Development Plan is approved by City Council or the zoning of the PUD property is amended such that it is no longer zoned as PUD.

D. The Site Development Plan may only be amended by Resolution of the City Council following a public hearing which shall be placed on the City Council's agenda. At least seven (7) days notice of the time and place of the Council's public hearing on the Site Development Plan amendment shall be published in a newspaper having general circulation in the City.

3. Permitted Principal Uses. Principal permitted uses for planned unit development zoned property shall consist of residential uses, neighborhood commercial uses and neighborhood office uses. Intended principal permitted uses shall be clearly specified on the approved Site Development Plan. If it is determined by the City Council that a proposed use is not compatible and consistent with the proposed planned unit development, the property owner shall have the right to appeal the decision to the board of adjustment pursuant to the regulations and requirements as expressed in Section 165.06 of this chapter.

A. "Residential uses" shall be defined as single-family dwellings, two-family dwellings, attached row house dwellings, multiple-family residential, assisted and independent living facilities and nursing homes.

B. "Neighborhood commercial uses" shall be defined as those uses which normally and customarily service the surrounding residential properties. Neighborhood commercial uses shall include, but not be limited to, dry cleaners, delis, coffee shops, markets, convenience stores, and small retail establishments.

C. "Neighborhood office uses" shall be defined as those office uses which normally and customarily service the surrounding residential properties. Neighborhood commercial uses shall include, but not be limited to, small medical clinics, veterinarians, and banks.

4. Permitted Accessory Uses and Structures.

A. Accessory structures for single-family dwellings may be constructed in the PUD district as provided in Section 165.21.

B. Accessory structures for two-family dwellings and attached row house dwellings may be constructed in the PUD district as provided in Section 165.23.

C. Accessory structures for multiple-family residential, assisted and independent living facilities, nursing homes, neighborhood commercial uses, and neighborhood office uses shall be permitted only as specified on the approved Site Development Plan.

5. Size Regulations. Maximum densities and/or maximum number of dwelling units, minimum lot areas and width, minimum yard requirements, maximum height of the building(s), and bulk limitations for the maximum floor area ration shall be clearly specified on the Site Development Plan and in the Ordinance amending the zoning of the property to PUD.

6. Transitional Yards, Buffers and Open Space.

A. Where appropriate between varying uses, transitional yard requirements around the perimeter of the PUD property and between varying uses within the PUD property shall be shown on the Site Development Plan in locations and widths as required by City Council.

B. Evergreen trees, deciduous trees, landscaping, fences, and/or berms may be required by City Council as a buffer on the perimeter of the PUD to benefit neighboring uses that abut the PUD or buffer(s) inside the PUD area between disparate uses included in the PUD, after considering the compatibility of differing uses with respect to proximity, site design, building orientation, noise, topography, and similar factors.

C. Open space requirements within a PUD may consist of both public and private landscape areas, natural areas, plazas and courtyards designed to enhance the architectural and natural features of the development.

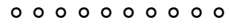
6. Minimum Off-Street Parking and Loading Space. Adequate parking and loading shall be provided within the PUD based upon the proposed uses as required in Section 165.33 of this chapter unless otherwise specifically designated and approved on the Site Development Plan.

7. Sign Regulations. Signage within a PUD shall serve as a unifying element while creating measured and consistent identification of the various land uses within the planned unit development. All signage must meet the Sign Regulations described in Section 165.31 of this chapter unless otherwise specifically designated and approved on the Site Development Plan.

8. Fence, Wall and Hedge Regulations. Non-agricultural fences, walls and hedges shall meet the regulations specified in Section 165.32 of this chapter unless otherwise specifically designated and approved on the Site Development Plan.

9. Outdoor Lighting Regulations. All outdoor lighting shall conform to the regulations specified in Chapter 152 of the Code of Ordinances unless otherwise specifically designated and approved on the Site Development Plan.

10. Architectural Requirements. Buildings within a PUD shall be designed to be architecturally compatible with each other and should be seen as a larger composition as opposed to individual buildings. Buildings shall be designed to promote quality architecture and design elements along all four (4) building elevations. The use of colors, materials, facade projections and recesses, articulated rooflines, enhanced entrances, lighting, windows and/or awnings should be used to make the development architecturally compatible as a whole.



165.26 C-1 – CENTRAL COMMERCIAL BUSINESS DISTRICT. This district is intended to provide convenience shopping for persons residing in adjacent residential areas. This district is designed to provide uses of a retail and personal service nature that are especially suited and attractive to nearby residential areas, while minimizing the undesirable impact on the neighborhood that they serve. This district should be well served by adequate public utilities and services and abutting collector streets or intersections.

1. Permitted Principal Uses and Structures.
 - A. Dwelling units above a store or shop on the second floor.
 - B. Drive-up uses.
 - C. Business, professional offices, studios.
 - D. Personal service shops.
 - E. Financial institutions.
 - F. Retail business.
 - G. Restaurants.
 - H. Wholesale display and sales rooms and offices.
 - I. Medical and dental clinics and drugstores.
 - J. Antique shops.
 - K. Art and school supply stores.
 - L. Bookstores.
 - M. Ice cream and candy stores.
 - N. Food and grocery stores and meat markets.
 - O. Florists and gift shops
 - P. Printing, publishing and engraving.
 - Q. Bakery and catering service.
 - R. Laundries and dry cleaning establishments.
 - S. Hardware stores.
 - T. Temples, Churches, and Public Buildings.
 - U. Post office.
 - V. Shoe, clothing and hat repair stores.
 - W. Indoor theaters.

- X. Variety stores.
 - Y. Libraries.
 - Z. Fruit, vegetable, and produce stands.
2. Permitted Accessory Uses and Structures.
- A. Accessory uses and buildings incidental to and on the same lot as the principal use.
 - B. Open storage - all operations, including the storage of anything, except merchandise displayed for sale or lease, or equipment and vehicles, shall be conducted in a fully enclosed building or entirely behind solid walls or fences which conceal them from visibility from off the lot.
 - C. One single-family dwelling, subject to site and structure requirements for R-4 district.
 - D. Agricultural, non-farm building.
3. Special Uses. The following special uses are permitted in the C-1 District, subject to provisions of Section 165.07 of this chapter:
- A. Automobile service stations, but not including body repair, painting and engine rebuilding.
 - B. Package liquor stores.
 - C. Parks, public utilities and service uses.
 - D. Parking lots, open and other than accessory, for the storage of private passenger vehicles.
 - E. Taverns and cocktail lounges.
 - F. Single-family residence.
 - G. Veterinary clinics and animal hospitals.
 - H. Convenience Store.
 - I. Motor Vehicle Sales, Automobile Service and/or Repair, and Car Washes.
 - J. Private clubs or lodges.
 - K. Garages, storage.
 - L. Other commercial uses determined by the Board of Adjustment to be of the same general character as the uses permitted in subsection 1 of this section and found not to be obnoxious, unhealthful, or offensive by reason of the potential emission or

transmission of noise, vibration, smoke, dust, odors, toxic or noxious matter or glare or heat.

4. Minimum Lot Areas and Width. In the C-1 district, there shall be provided not less than 3,000 square feet of lot area for each dwelling unit on a lot.
5. Minimum Yard Requirements. In the C-1 district, each structure shall be set back not less than fifteen (15) feet from the front and any corner lot line.
6. Transitional Yard Requirements.
 - A. Where a side lot coincides with a side or rear lot line in an adjacent residence district, a yard shall be provided along such side lot line. Such yard shall be equal in dimension to the minimum side yard which would be required under this chapter for a residential use on the adjacent residential lot.
 - B. Where a rear lot line coincides with a side lot line in an adjacent residence district, a yard shall be provided along such rear lot line. Such yard shall be equal in dimension to the minimum side yard which would be required under this chapter for a residential use on the adjacent residential lot.
 - C. Where the extension of a front or side lot line coincides with a front lot line of an adjacent residence district, a yard equal in depth to the minimum front yard required by this chapter on such adjacent residential lot shall be provided along such front or side lot lines.
7. Maximum Height and Size Limitations. No building or structure shall exceed 2 ½ stories or 35 feet in height. Floor area ratio shall not exceed 2.0. (Ordinance No. 1710, 05/15/17)
8. Minimum Off-Street Parking and Loading Space. Off-street parking and loading facilities shall be provided in accordance with Section 165.33 of this chapter.
9. Sign Regulations. All signage must meet the Sign Regulations described in Section 165.31 of this chapter. However, signs in excess of twenty (20) feet in height from curb level shall require a special use permit.
10. Fence, Wall and Hedge Regulations. Non-agricultural fences, wall and hedges shall meet the regulations specified in Section 165.32 of this chapter.
11. Outdoor Lighting Regulations. All outdoor lighting shall conform to the regulations specified in Chapter 152 of this Code of Ordinances.

o o o o o o

165.27 C-2 – HIGHWAY COMMERCIAL DISTRICT. This district is intended to accommodate practically all-general business type uses and with particular provision for development of commercial uses that meet the needs of the traveling public. This district should be well served by adequate public utilities and services and abutting major collector street or highways and intersections thereof.

1. Permitted Principal Uses and Structures.
 - A. All uses permitted under C-1 District. (Ord. No. 0611, 10/2/2006)
 - B. Motor vehicle sales, service and repair, and service stations (Note: repair implies mechanical and electrical repairs only). (Ord. No. 0611, 10/2/2006).
 - C. Motels and Hotels (Ord. No. 0611, 10/2/06)
 - D. Building/Construction/Mechanical Contractor Office and Shop. (Ord. No. 0611, 10/2/06)
 - E. Bowling alleys, skating rinks, dance halls, theaters, golf driving ranges, and miniature golf. (Ord. No. 0611, 10/2/06)
 - F. Supermarkets and retail business. (Ord. No. 0611, 10/2/06)
 - G. Private clubs or lodges. (Ord. No. 0611, 10/2/06)
 - H. Shopping centers or malls. (Ord. No. 0611, 10/2/06)
 - I. Convenience Stores. (Ord. No. 0611, 10/2/06)
 - J. Truck Stops. (Ord. No. 0611, 10/2/06).
 - K. Drive-in eating and theaters. (Ord. No. 0611, 10/2/06).
 - L. Car/Truck Washes (Ord. No. 6011, 10/2/06).
2. Permitted Accessory Uses.

- A. Accessory uses and buildings incidental to and on the same lot as the principal use.
 - B. Agricultural, non-farm building.
3. Special Uses. The following special uses are permitted in the C-2 District, subject to provisions of Section 165.07 of this chapter:
 - A. Public utilities, and service uses.
 - B. Veterinary clinics, animal hospitals, and kennels.
 - C. Night clubs and taverns.
 - D. Farm implement displays and sales, service and repair. (Ord. No. 6011, 10/2/06)
 - E. Amusement parks, carnivals, circuses, fairs, road shows.
 - F. Automobile body repair shops.
 - G. Radio or television broadcasting tower or station.
 - H. Garages, storage.
 - I. Indoor gun or archery clubs and firing or shooting ranges approved by the Robins Police Department. (Ordinance No. 1701, 5/15/17)
 - J. Other commercial uses determined by the Board of Adjustment to be of the same general character as the uses permitted in subsection 1 of this section, and found not to be obnoxious, unhealthful or offensive by reason of the potential emission or transmission of noise, vibration, smoke, dust, odors, toxic or noxious matter or glare or heat.
4. Minimum Lot Areas and Width. There shall be not less than 10,000 square feet of lot area for each permitted use.
5. Minimum Yard Requirements. In the C-2 district, each structure shall be set back not less than 25 feet from the front and any corner lot line.

6. Transitional Yard Requirements. Where a side lot coincides with a side or rear lot line in an adjacent residence district, a yard shall be provided along such side lot line. Such yard shall be equal in dimension to the minimum side yard, which would be required under this chapter for a residential use on the adjacent residential lot.
 - A. Where a rear lot line coincides with a side lot line in an adjacent residence district, a yard shall be provided along such rear lot line. Such yard shall be equal in dimension to the minimum side yard which would be required under this chapter for a residential use on the adjacent residential lot.
 - B. Where the extension of a front or side lot line coincides with a front lot line of an adjacent residence district, a yard equal in depth to the minimum front yard required by this chapter on such adjacent residential lot shall be provided along such front or side lot lines.
7. Maximum Height and Size Limitations. No building or structure shall exceed 2 ½ stories or 35 feet. Floor area ratio shall not exceed 2.0. (Ordinance No. 1701, 5/15/17).
8. Minimum Off-Street Parking and Loading Space. Off-street parking and loading facilities shall be provided in accordance with Section 165.33 of this chapter.
9. Sign Regulations. All signage must meet the Sign Regulations described in Section 165.31 of this chapter.
10. Fence, Wall and Hedge Regulations. Non-agricultural fences, wall and hedges shall meet the regulations specified in Section 165.32 of this chapter.
11. Outdoor Lighting Regulations. All outdoor lighting shall conform to the regulations specified in Chapter 152 of this Code of Ordinances.

165.28 I-1 – LIGHT INDUSTRIAL. This district is intended to accommodate industrial activities that do not create major nuisances from noise or odor with surrounding land uses. Typical uses would include commercial uses that provide services for a regional or metro area and wholesale establishments, warehousing, and certain types of manufacturing. This district should be well served by adequate public utilities and services and abutting major collector street or highways and intersections.

1. Permitted Principal Uses and Structures
 - A. Animal pound or kennel.
 - B. Contractor's, architect's and engineer's offices, shops and storage yards.
 - C. Bottling works.
 - D. Dairy processing facility.
 - E. Truck or bus garage and repair shop.
 - F. Farm implement sales, service, repair and assembly.
 - G. Grain elevator and feed mill.
 - H. Building material sales and storage.
 - I. Railroads.
 - J. Wholesaling and warehousing but not including the bulk storage of liquid fertilizers or flammable liquids.
 - K. Freight terminal.
 - L. Automobile body repair and paint shop.
 - M. Sheet metal products manufacture.
 - N. Frozen food lockers.
 - O. Welding and blacksmith shop.
 - P. Personnel storage lockers and warehouses.
 - Q. High technology wholesaling and manufacturing to include electronics, medical and biogenetics, computers and soft-ware research, and related activities.
 - R. Public utility and service uses.
 - S. Bedding manufacturing.
 - T. Light machinery production.

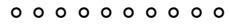
- U. Wearing apparel manufacturing.
 - V. Carpet manufacturing.
 - W. Cartage and express facilities.
 - X. Living quarters for watchmen and their families, located on the premises where they are employed in such capacity.
 - Y. Glass production and sales.
 - Z. Insulating materials manufacturing.
 - AA. Laboratories for research and testing.
 - BB. Orthopedic and medical appliance manufacturing.
 - CC. Pottery and ceramics manufacturing.
 - DD. Rope, cord and twine manufacturing.
 - EE. Sporting goods manufacturing.
 - FF. Temporary buildings for construction purposes, for a period not to exceed the duration of such construction.
 - GG. Bakeries (wholesale).
 - HH. Carpet and rug cleaning.
 - II. Laundries and dry cleaning.
 - JJ. Car/truck washes.
 - KK. Printing or publishing establishments.
 - LL. Other uses similar to the above, when approved by the Zoning Administrator.
2. Permitted Accessory Uses and Structures.
- A. Accessory uses and buildings incidental to and on the same lot as the principal use.
 - B. Agricultural, non-farm building.
3. Special Uses. The following special uses are permitted in the I-1 District, subject to provisions of Section 165.07 of this chapter:
- A. Radio or television broadcasting tower or station.
 - B. Stock yards and/or sales barns and yards.
 - C. Airports and heliports.
 - D. Chemical processing and production.

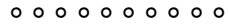
- E. Food manufacturing, packaging and production.
 - F. Paper products manufacturing.
 - G. Recreation buildings and community centers.
 - H. Sewage treatment plants, municipal.
 - I. Stadiums, auditoriums, and arenas (open or enclosed).
 - J. Woodworking or wood production.
 - K. Storage of industrial recycling containers.
 - L. Other manufacturing, processing, storage, or commercial uses determined by the Board of Adjustment to be of the same general character as the uses permitted in subsection 1 of this section, and found not to be obnoxious, unhealthful, or offensive by reason of the potential emission or transmission of noise, vibration, smoke, dust, odors, toxic or noxious matter or glare or heat.
4. Minimum Lot Areas and Width. There shall be not less than 10,000 square feet of lot area for each permitted use.
5. Minimum Yard Requirements.

	Front Yard	Interior Side Yard	Corner Side Yard	Rear Yard
All uses in I-1 District	40 feet	20 feet	25 feet	25 feet

6. Transitional Yard Requirements.
- A. Where a side or rear lot line coincides with a side or rear lot line in an adjacent Residence or Commercial District, a yard shall be provided along such side or rear lot line not less than 45 feet in depth and shall contain landscaping and planting.
 - B. Where a lot within the I-1 District fronts on a street which forms the boundary line between the I-1 District and a Residence or Commercial District, then such lot shall provide a front yard of not less than 60 feet in depth.
7. Maximum Height and Size Limitations. Maximum building height may exceed 45 feet by special use permit only. Floor area ratio shall not exceed 1.25. (Ordinance No. 1701, 5/15/17)
8. Minimum Off-Street Parking and Loading Space. Off-street parking and loading facilities shall be provided in accordance with Section 165.33 of this chapter.

9. Sign Regulations. All signage must meet the Sign Regulations described in Section 165.31 of this chapter. However, signs in excess of twenty (20) feet in height from curb level shall require a special use permit.
10. Fence, Wall and Hedge Regulations. Non-agricultural fences, wall and hedges shall meet the regulations specified in Section 165.32 of this chapter.
11. Outdoor Lighting Regulations. All outdoor lighting shall conform to the regulations specified in Chapter 152 of this Code of Ordinances.





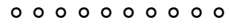
165.29 I-2 – HEAVY INDUSTRIAL. This district is intended to accommodate all types of industrial activities in areas that are relatively removed from residential and general commercial land uses. This district shall be well served by adequate public utilities and services and abutting major collector streets or highways and intersections.

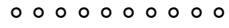
1. Permitted Principal Uses and Structures.
 - A. Stone quarries.
 - B. Bulk storage of petroleum products and commercial fertilizers.
 - C. Asbestos, brick and clay products manufacture.
 - D. Concrete products and central mixing and proportioning plant.
 - E. Flour, feed and grain milling storage.
 - F. Structural iron and steel fabrication.
 - G. Machinery manufacture.
 - H. Paint and varnish manufacture.
 - I. Asphalt plants.
 - J. All other uses permitted under I-1.
 - K. Manufacturer supply establishments.
 - L. Meatpacking.
2. Permitted Accessory Uses and Structures.
 - A. Accessory uses and buildings incidental to and on the same lot as the principal use.
 - B. Agricultural, non-farm building.
3. Special Uses. The following special uses are permitted in the I-2 District, subject to provisions of Section 165.07 of this chapter:
 - A. Radio and television broadcasting and microwave towers or stations.
 - B. Materials recycling.
 - C. Fertilizer manufacture.
 - D. Junk yards, including automobile wrecking and/or salvage.

- E. Stock yards, slaughter houses, poultry processing and packaging, and/or sale barns and yards.
 - F. Explosive manufacture or storage.
 - G. Other manufacturing, processing, storage, or commercial uses determined by the Board of Adjustment to be of the same general character as the uses permitted in subsection 1 of this section, and found not to be obnoxious, unhealthful, or offensive by reason of the potential emission or transmission of noise, vibration, smoke, dust, odors, toxic or noxious matter or glare or heat.
4. Minimum Lot Areas and Width. None.
 5. Minimum Yard Requirements.

	Front Yard	Interior Side Yard	Corner Side Yard	Rear Yard
All uses in I-2 District	40 feet	25 feet	25 feet	25 feet

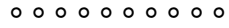
6. Transitional Yard Requirements.
 - A. Where a side or rear lot line coincides with a side or rear lot line in an adjacent Residence or Commercial District, a yard shall be provided along such side or rear lot line not less than 45 feet in depth and shall contain landscaping and planting.
 - B. Where a lot within the I-1 District fronts on a street which forms the boundary line between the I-1 District and a Residence or Commercial District, then such lot shall provide a front yard of not less than 60 feet in depth.
7. Maximum Height and Size Limitations. Maximum building height may exceed 45 feet in height by special use permit only. Floor area ratio shall not exceed 1.50. (Ordinance No. 1701, 5/15/17).
8. Minimum Off-Street Parking and Loading Space. Off-street parking and loading facilities shall be provided in accordance with Section 165.33 of this chapter.
9. Sign Regulations. All signage must meet the Sign Regulations described in Section 165.31 of this chapter.
10. Fence, Wall and Hedge Regulations. Non-agricultural fences, wall and hedges shall meet the regulations specified in Section 165.32 of this chapter.
11. Outdoor Lighting Regulations. All outdoor lighting shall conform to the regulations specified in Chapter 152 of this Code of Ordinances.

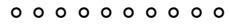




165.30 P-1 – PUBLIC USE. This district is intended to preserve areas used by governmental agencies to provide public services and open spaces or recreational areas used by the general public.

1. Permitted Principal Uses and Structures.
 - A. Municipal, federal, state, or county buildings.
 - B. Parks and playgrounds.
 - C. Utilities and services such as electric, gas, telephone, cable, radio and television that are either franchised within the City or under legal contract with the City.
 - D. Cemeteries.
2. Permitted Accessory Uses and Structures. Accessory uses and buildings incidental to and on the same lot as the principal use.
3. Special Uses. Other public or private uses determined by the Board of Adjustment to be of the same general character as the uses permitted in subsection 1 and found not to be obnoxious, unhealthful or offensive by reason of the potential emission or transmission of noise, vibration, smoke, dust, odors, toxic or noxious matter or glare or heat.
4. Minimum Lot Areas and Width. None.
5. Minimum Yard Requirements. In the P-1 district, each structure shall be set back not less than 15 feet from the front and any corner lot line.
6. Maximum Height. No principal use structure shall exceed 2½ stories or 35 feet in height. No accessory use structure shall exceed 2.0 feet.
7. Minimum Off-Street Parking and Loading Space. Off-street parking and loading facilities shall be provided in accordance with Section 165.33 of this chapter.
8. Sign Regulations. All signage must meet the Sign Regulations described in Section 165.31 of this chapter.
9. Fence, Wall and Hedge Regulations. Non-agricultural fences, wall and hedges shall meet the regulations specified in Section 165.32 of this chapter.
10. Outdoor Lighting Regulations. All outdoor lighting shall conform to the regulations specified in Chapter 152 of this Code of Ordinances.





165.31 SIGN REGULATIONS. Regulation of the size, location, and certain features of signs is necessary to enable the public to locate goods, services and facilities without disruption to surrounding areas; to prevent wasteful use of natural resources; to prevent hazards to life and property; and to assure the continued attractiveness of the community. No sign shall be erected or maintained unless it is in compliance with the regulations contained herein and the design and construction requirements specified within Chapter 155 of this Code of Ordinances. All signs except residential nameplate or temporary “for sale”, “for rent”, or similar yard signs shall not be erected or modified without the prior submittal and approval of a building permit.

1. Exceptions. The provisions of this section do not apply to the following:
 - A. Miscellaneous traffic and other official signs of any public or governmental agency, such as railroad crossing signs, or signs used as aids to service or safety.
 - B. Any identification or display of any official court or public office notices thereof, or any flag, emblem or insignia of a nation, school, political unit or religious group.
 - C. Any sign which is located completely within an enclosed building, and which is not visible from outside the building.
 - D. Tablets, grave markers, headstones, statuary, or remembrances of persons or events that are noncommercial in nature.
 - E. Works of fine art when not displayed in conjunction with a commercial enterprise which may benefit direct commercial gain from such display.
 - F. Temporary decorations or displays celebrating the occasion of traditionally accepted patriotic or religious holidays.
 - G. Signs on a truck, bus, trailer, or other vehicle while operated in a normal course of a business which is not primarily the display of such signs.
 - H. Any personal opinion sign. Personal opinion signs shall be limited to 240 square feet. (Ordinance 1302,7/15/13)
2. Location of Signs.

- A. No sign shall be attached to a standpipe, gutter drain, or fire escape, nor shall any sign be erected as to impair access to a roof or be in violation of the Building Codes or Fire Department Regulations.
 - B. No signs shall be located so as to project above the parapet line of any roof in the zoning district where the sign is located.
 - C. No signs shall project into any public way or other public access way.
 - D. Any single face wall sign located on the exterior of a building shall not project more than 18 inches from the building and the bottom of said sign shall not be lower than 11 feet and not higher than 15 feet. However, wall signs projecting not more than four (4) inches from the face of the wall may be allowed at any height.
 - E. All illuminated signs shall conform to the outdoor lighting regulations specified in Chapter 152 of this Code of Ordinances.
3. Sign Requirements in Residential and Agricultural Districts. The following non- flashing, non-illuminated signs shall be permitted in all residential districts:
- A. Nameplate and identification signs:
 - (1) Area and content - residential: There shall not be more than one nameplate attached to the structure, not exceeding one square foot in area, for each dwelling unit, indicating the name or address of the applicant. On a corner lot, two such name plates shall be permitted, one facing each street.
 - (2) Area and content - nonresidential: For nonresidential buildings, a single identification sign, not exceeding 12 square feet in area, and indicating only the name and address of the building, may be displayed. On a corner lot, two such name plates shall be permitted, one facing each street.
 - (3) Location: No signs shall project beyond the property line into the public way, nor shall they be permitted on public utility easements.
 - (4) Height: No sign shall project higher than one story or 15 feet above curb level, whichever is lower.
 - B. Temporary “for sale” or “for rent” signs:
 - (1) Area and number: There shall be not more than one such sign per zoning lot, except on a corner lot where two

such signs shall be permitted, one facing each street. No sign shall exceed 12 square feet in area.

(2) Height: No sign shall project higher than one story or 15 feet above curb level, whichever is lower.

C. Signs accessory to parking areas:

(1) Area and number: Signs designating parking area entrances or exits are limited to one sign for each such entrance or exit, and to a maximum size of two square feet each. One sign per parking area, designating the conditions of use or identity of such parking area shall be permitted, except on a corner lot where two such signs shall be permitted, one facing each street. Such signs shall have a maximum size of nine (9) square feet.

(2) Location: No signs shall project beyond the property line into the public way.

(3) Height: No sign shall project higher than seven (7) feet above curb level.

D. Signs accessory to roadside stands:

(1) Content: The signs shall be only for the purpose of identification of the roadside stand and advertising the agricultural products for sale therein.

(2) Area and number: The signs shall be on the same zoning lot as the roadside stand and shall be limited to one sign per lot. No sign shall exceed 12 square feet in area or be closer than 75 feet from any other zoning lot.

(3) Height: No sign shall project higher than 15 feet above curb level.

E. Temporary signs accessory to subdivision developments or other permitted improvements in residential districts:

(1) Content: The signs shall be only for the identification of homes for sale or rent in the subdivision under construction, or for identification of other nonresidential uses under construction.

(2) Area, number and setback: No such sign shall exceed 100 square feet in area and shall not exceed two in number for each subdivision or development, or one for each entrance to the subdivision. The sign shall be located within the

subdivision and meet the minimum front yard requirements of the zoning district and shall be 50 feet from all other boundaries of the subdivision plat. The requirement does not apply to temporary construction or remodeling services yard signs.

(3) Height: No sign shall project higher than 15 feet above curb level.

(4) Time limitation: The sign or signs shall be removed by the applicant or property owner within two years of the issuance of the building permit.

F. Subdivision, mobile home park, or estate identification signs:

(1) Content: The signs shall bear only the name of the subdivision, park or estate.

(2) Area and number: There shall not be more than one sign located at each entrance to the subdivision, park or estate. No such sign shall exceed 120 square feet in area with the exception of monument signs, which shall not exceed 200 square feet in area.

(3) Height: No sign shall project higher than 15 feet above curb level.

G. Identification signs for multi-family dwellings and nonresidential buildings (R-3 District):

(1) Area and content: a single identification sign, not exceeding 20 square feet in area and indicating only the name and address of the building and the name of the management, may be displayed. On a corner lot, two such signs shall be permitted, one facing each street.

(2) Location: No sign shall be located less than 10 feet from any property line.

H. Church and civic building bulletin boards:

(1) Style of sign: Such signs may be illuminated; however, no such sign shall be flashing.

(2) Area and number: There shall be not more than one sign per lot, except on a corner lot, two such signs shall be permitted, one facing each street. No sign shall exceed 16 feet in area.

- (3) Location: No sign shall be located less than 10 feet from any property line.
 - (4) Height: No sign shall project higher than seven (7) feet above curb level.
4. Sign Requirements in Commercial Districts. Illuminated, non-flashing signs shall be permitted in all commercial districts, subject to the following conditions:
- A. General Application:
 - (1) Area: The gross area in square feet of all signs on a zoning lot shall not exceed three (3) square feet for each lineal foot of building frontage or one and one-half (1½) square feet for each lineal foot of lot frontage, whichever results in a larger sign area. However, the maximum total area of all permitted signs for any establishment shall not exceed 240 square feet. Where more than four (4) signs are located on a zoning lot, the fifth and each succeeding sign, respectively, shall reduce the total allowable sign area by 20 percent.
 - (2) Projection: No signs shall project into any public way or other public access way.
 - (3) Height: No sign shall project higher than 20 feet above curb level.
 - (4) They are not within 100 feet of any residential structure.
 - (5) They are not within 70 feet of an intersection, highway structure, or another billboard.
 - (6) They are not within 100 feet of a park, school, cemetery, public, or semi-public building.
 - (7) They are not within 50 feet of the centerline of a city or county road, or 100 feet of a state or federal highway.
 - B. Shopping Centers: For shopping centers in a single ownership or under unified control, or individual uses with a minimum frontage of 150 feet, one additional sign on each street frontage (other than those regulated above) shall be permitted, subject to the following conditions:

- (1) Content: Such signs shall advertise only the name and location of such center or individual use and/or the name and type of business of each occupant of the center.
- (2) Area: The gross area in square feet permitted for the additional sign on a zoning lot shall not exceed one square foot for each lineal foot of frontage of such zoning lot.
- (3) Setback: Such signs shall be set back a minimum of 15 feet from the front lot line of such center or individual use, except as may be provided by special use.
- (4) Height: No sign shall project higher than 20 feet above curb level.

C. Highway Commercial Billboard/Pole Signs along I-380

For each sign located on property zoned as C-2 Highway Commercial that abuts directly along the I-380 right-of-way, the following shall apply.

- (1) For signs located within areas subject to the State of Iowa regulations, those regulations shall apply in addition to those listed herein. In case of conflict, the most restrictive rules shall apply.
- (2) On-premise signs must be used to advertise the business and the content of the sign is limited to information regarding the on-site business. Off-premise signs are not allowed.
- (3) Signs must abut the I-380 side of the property and placed so that it is visible to the traffic on I-380.
- (4) Lighted signs must conform to Iowa regulations for lighted signs along Interstate Highways.
- (5) For billboards and/or pole signs, the maximum total surface area shall not exceed 600 sq. ft. and the maximum height shall not exceed 120 ft.

5. Sign Requirements in Industrial Districts. Illuminated, non-flashing, business signs shall be permitted in all industrial districts, subject to the following conditions:

A. General Application:

- (1) Area: The gross area in square feet of all signs on a zoning lot shall not exceed one and one-half (1½) square feet for each lineal foot of building frontage or one-half (½) square foot for each lineal foot of lot frontage, whichever results in a larger sign area. However, the maximum total area of all permitted signs for any establishment shall not exceed 300 square feet. Where more than two (2) signs are located on a zoning lot, the third and each succeeding sign, respectively, shall reduce the total allowable sign area by 20 percent.
 - (2) Location: No sign shall be located less than 15 feet from any property line.
 - (3) Height: No sign shall project higher than 20 feet above curb level
 - (4) They are not within 100 feet of any residential structure.
 - (5) They are not within 70 feet of an intersection, highway structure, or another billboard.
 - (6) They are not within 100 feet of a park, school, cemetery, public or semi-public building.
 - (7) They are not within 50 feet of the centerline of a city or county road, or 100 feet of a state or federal highway.
- B. Industrial Parks: For industrial parks, one additional on premise sign on each frontage (other than those regulated above) shall be permitted, subject to the following conditions:
- (1) Content: Such signs shall advertise only the name and location of such industrial park and the name and type of business of each occupant of the park.
 - (2) Area: The gross area in square feet permitted for the additional sign on a zoning lot shall not exceed one-half (½) times the lineal feet of frontage of such zoning lot. However, the gross surface area of such sign shall in no case exceed 200 square feet.
 - (3) Setback: Such signs shall be set back a minimum of 15 feet from the front lot line of such industrial park.
 - (4) Height: No sign shall project higher than 20 feet above curb level,.

6. Billboards and Advertising Signs.
 - A. Billboards and advertising signs are permitted in C-2, I-1 and I-2 districts and shall be subject to the following conditions:
 - (1) They are not within 100 feet of any residential structure.
 - (2) They are not within 70 feet of an intersection, highway structure, or another billboard.
 - (3) They are not within 100 feet of a park, school, cemetery, public, or semi-public building.
 - (4) They are not within 50 feet of the centerline of a city or county road, or 100 feet of a state or federal highway.
 - (5) They do not exceed 300 square feet in area and 20 feet in height.
7. Maintenance of Signs. All signs and billboards shall be maintained in a neat and presentable condition. In the event their use shall cease, they shall be removed within 60 days of the date that their use ceases and the surrounding area restored to a condition free from rubbish.

165.32 FENCE, WALL AND HEDGE REGULATIONS. Regulation of the location, height, and certain features of fences, walls, and/or dense hedges are necessary to assure the attractiveness of the community and to prevent potential hazards to life and property. No fence or wall shall be erected or maintained unless it is in compliance with the regulations contained herein and the design and construction requirements specified within Chapter 155 of this Code of Ordinances. All non-agricultural fences, walls or combinations thereof except temporary fences used for public safety or soil erosion shall not be erected, altered, replaced, or maintained without the prior submittal and approval of a building permit.

1. Fences and walls may be erected or maintained along a lot line on residential zoned property or adjacent thereto to a height not exceeding six (6) feet above the ground level which is located in a required side yard, to a height not exceeding four (4) feet above the ground level which is located in a required front yard, and to a height not exceeding eight (8) feet above the ground level which is located in a required rear yard, unless the rear lot line abuts a side lot line on neighboring residential property, in which case,

the height limitation shall be six (6) feet above ground level. Where a property is double-fronted, the height of the fence or wall shall not exceed four (4) feet above ground level except where a rear yard has been established and the fence abuts a side or rear yard of a neighboring residential property, the height of the fence shall be limited to six (6) feet. Where such lot line is along or adjacent to commercially or industrially zoned property, the fence or wall shall be limited to eight (8) feet above ground level.

2. Fences, walls, dense hedges, and other planting may be erected or grown in public utility or drainage easements in accordance with the provisions of this section, except that no fence, wall, or dense hedge may be erected without the prior approval from the City and as a condition of that approval, the City shall require that the applicant acknowledge the rights of the City as an easement holder and waive any and all damages that might be otherwise accrued if the City shall need to remove the fence, wall, or hedge, in the exercise of its rights under the easement.

3. Dense hedges consisting of shrubs that comply with subsection 4 of this section may be grown or planted along a lot line or adjacent thereto provided that the dense hedge does not project into public use area (e.g., sidewalk, alley).

4. Fence, wall, and dense hedges shall meet the following visual clearance requirements:

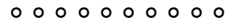
A. No opaque fence, wall, dense hedge, or other plantings, signs, or structures that will obstruct vision between a height of two and one-half (2½) feet to ten (10) feet above the centerline grades of the intersecting streets shall be erected, placed, or maintained, within the triangular area formed, the right-of-way lines as such corner and a straight line joining said right-of-way lines at points which are twenty-five (25) feet distant from the intersection of the right-of-way lines, and measured along the right-of-way lines.

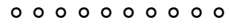
B. No opaque fence, wall, dense hedge, or other plantings, shall exceed a height of four (4) feet when located within twelve (12) feet of an intersecting driveway, alley or street.

C. In the context of this subsection, “opaque” is defined as structure which block or otherwise prevents the passage of light through 50% or more of its surface area.

D. No opaque fence shall be permitted in the front yard.

- E. Requirements shall be as established by engineering design standards and recommendation by the City Engineer for any situation not defined within this section.
5. The smooth or decorative face of a fence or wall shall face any public right of way or neighboring property. All supports, including posts must be placed on the inside of the fence or wall, opposite of the smooth or decorative face.
6. Barbed wire shall be prohibited except as follows:
- A. Fences having barbed wire may be used for permitted agricultural uses of enclosing and protecting livestock or domestic animals. Where the agricultural use abuts a sidewalk or residential use, the barbed wire shall be a minimum of 40 inches above ground level and shall not project over any sidewalk or residential use or lot.
- B. A fence within an industrial or commercial zoned district may be topped with barbed wire provided that the barbed wire is seven (7) feet above ground level and the barbed wire does not project into any general public or business use areas.
7. Electrical fences shall be prohibited from use within all zoning districts except for the enclosure of livestock and domestic animals within agricultural zoned districts, provided the electrical fence is not within a street right-of-way. An electrical fence may be adjacent to a neighboring residential use lot line, provided the electrical fence is suspended a minimum of five (5) inches into the agricultural zoned property or a minimum of 48 inches high.
8. No fence or wall shall be erected within the 100-year flood plain without the prior written approval from the City Council.
9. Violations of any fence, wall, or hedge regulations outlined in this section, shall be addressed as a public nuisance.





165.33 OFF-STREET PARKING AND LOADING SPACE.

1. Scope of Provisions. The off-street parking and loading provisions of this chapter shall be applied as follows:

A. For all buildings and structures erected and all uses of land established after the effective date of the Zoning Ordinance, accessory parking and loading facilities shall be provided as required by the regulations of the districts in which such buildings or uses are located.

B. Whenever the existing use of a building or structure shall hereafter be changed to a new use, parking or loading facilities shall be provided as required for such new use. However, if the said building or structure was erected prior to the effective date of the Zoning Ordinance, additional parking or loading facilities are mandatory only in the amount by which the requirements for the new use would exceed those for the existing use, if the latter were subject to the parking and loading provisions of this chapter.

C. Nothing in this chapter shall be deemed to prevent the voluntary establishment of off-street parking or loading facilities to serve any existing use of land or buildings, provided that all regulations herein governing the location, design, and operation of such facilities are adhered to.

2. Off-Street Parking.

A. Exemption. On lots of record as of the effective date of the Zoning Ordinance which are 40 feet or less in width, which are to be improved with a single-family dwelling, and for which no alley has been dedicated to the rear, accessory off-street parking facilities shall not be required.

B. Location. All parking spaces required to serve buildings or uses erected or established after the effective date of the Zoning Ordinance shall be located on the same zoning lot as the building or use served, except that parking spaces to serve, industrial buildings or uses may be located within 500 feet of such use if said spaces are located in an Industrial or Commercial District. Buildings or uses existing on the effective date of the Zoning Ordinance which are subsequently altered or enlarged so as to require the provision of parking spaces under this chapter, may be served by parking facilities located on land other than the zoning lot on which the building or use served is located, provided such facilities are within

500 feet walking distance of a main entrance to the use served. Owners of property which is nonconforming as to parking who elect to provide parking and become conforming may locate such parking on land other than the zoning lot on which the building or use is located, as allowed in this section. Off-street parking spaces, open to the sky, may be located in any yard, except the required front yards in a Residential District. Enclosed buildings and carports containing off-street parking shall be subject to applicable yard requirements.

C. Size. Except for parallel parking spaces, each required off-street parking space shall be at least eight (8) feet six (6) inches in width and at least nineteen (19) feet in length, exclusive of access drives or aisles, ramps, columns, or office or work areas. Such space shall have a vertical clearance of at least seven (7) feet six (6) inches, and shall be measured at right angles to the axis of the vehicle. For parallel parking, the length of the parking space shall be increased to twenty-four (24) feet.

D. Access. Except on lots accommodating single-family dwellings, each off-street parking space shall open directly upon an aisle or driveway at least 12 feet wide or such additional width and design as to provide safe and efficient means of vehicular access to such parking space. All off-street parking facilities shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movement.

E. Collective Provision. Off-street parking facilities for separate uses may be provided collectively if the total number of spaces so provided is not less than the sum of the separate requirements governing location of accessory parking spaces in relation to the use served are adhered to. Further, no parking space or portion thereof shall serve as a required space for more than one use unless otherwise authorized by the Board of Adjustment.

F. Computation. When determination of the number of off-street parking spaces required by this chapter results in a requirement of a fractional space, any fraction of less than one-half ($\frac{1}{2}$) may be disregarded, while a fraction of one-half ($\frac{1}{2}$) or more shall be counted as one parking space. Parking spaces required on an employee basis shall be based on the maximum number of employees on duty or residing, or both, on the premises at any one time.

G. Design Requirements.

(1) Plan. Except for R-1, R-2, and R-3 residential uses, an off-street parking plan shall be submitted prior to construction. All off-street parking plans shall be subject to review and approval of the Zoning Administrator and issuance of a building permit. The Plan shall depict, but not limited to, the following:

- a. Location within the property,
- b. Number of parking spaces proposed,
- c. Number of parking spaces required,
- d. Type of surfacing to be used,
- e. Spot grading and pavement elevations, and
- f. Such other information as may be necessary to illustrate conformance with off-street parking requirements.

(2) Surfacing. All open off-street parking areas, except a single parking space accessory to a single-family dwelling, shall be surfaced with a dustless, all-weather material capable of carrying a wheel load of at least 4,000 pounds. The dustless, all-weather surface shall consist of either Portland Cement Concrete (PCC) or Asphalt Cement Concrete (ACC) surface. Permanent markings indicating stall locations shall be required on the off-street parking surfaces.

(3) Screening and Landscaping. All open automobile parking areas containing more than four parking spaces shall be effectively screened on each side adjoining or fronting on property situated in a Residential District or any institutional premises by a wall, fence, or densely planted compact hedge not less than five feet or more than eight feet in height. However, the Zoning Administrator may waive this requirement, if the closest point of such parking area is at least 75 feet from the nearest residential or institutional property line.

(4) Lighting. All outdoor lighting shall conform to the regulations specified in Chapter 152 of this Code of Ordinances.

(5) Wheel Guards. Where applicable, wheel guards or bumper guards shall be required to prevent parked vehicles to extend beyond the property line and onto other private or public areas.

(6) Design. Parking Design Standards shall be in accordance with illustrations on file in the office of the Zoning Administrator. The 90° perpendicular parking layout with 9 feet stall width, 19 feet stall length, and 24 feet driveway width, shall be considered the normal standard for off-street parking. Alternative 45° and 60° angle parking configuration may be submitted on an individual bases, and must be approved by the Zoning Administrator.

(7) Signs. Accessory signs shall be permitted on parking areas in accordance with the provisions specified in Section 165.31 of this chapter.

(8) Accessory Building. Any accessory building associated with off-street parking shall conform to the zoning district minimum and transitional yard requirements. No loudspeaker system shall be allowed within 100 feet of a residential zoned area.

H. Repair, Service and Maintenance.

(1) Residence Districts: No motor vehicle repair work or service of any kind shall be permitted in association with parking facilities provided in Residence Districts.

(2) Commercial Districts: No motor vehicle repair work or service of any kind shall be permitted in conjunction with parking facilities in a Commercial District. No gasoline or motor oil shall be sold in conjunction with any accessory parking facilities provided in a Commercial District unless such accessory parking facilities are enclosed in a building, in which case, gasoline and motor oil may be sold within such building to the Users of said accessory parking facilities, provided that no sign advertising the sale of same is visible from outside, and provided further that all gasoline pumps shall be effectively screened from view from the public way.

(3) Industrial Districts: No motor vehicle repair work or service of any kind shall be permitted in conjunction with any open accessory parking facilities provided in an Industrial District, if such parking facilities are within 500 feet of a

CODE OF ORDINANCES, ROBINS, IOWA

Residence or Commercial District. Washing of accessory vehicles and emergency service required to start vehicles shall be permitted.

I. Specific Requirements. All off-street parking spaces shall be provided in accordance with the specific Parking Classes as hereinafter set forth in the following Off-Street Parking Table (Parking Classes). Parking spaces for accessory uses not specifically enumerated within a parking class shall be assumed to be included in the principal (permitted or special) use requirement. If, for any reason, the classification of any use, for the purpose of determining the amount of off-street parking, or the number of spaces to be provided by such use is not readily determinable hereunder, the parking class of such use shall be fixed by the Zoning Administrator.

OFF-STREET PARKING TABLE (PARKING CLASSES)

Parking Class	Uses (Permitted or Conditional)	Required Spaces
Class No. 1	a. Dwelling, single-family b. Dwelling, two-family c. Hotel d. Motel e. Lodging house	2 per dwelling unit or habitable living unit
Class No. 2	a. Dwelling, multiple-family b. Mobile homes	1.5 per dwelling unit
Class No. 3	a. Institution: (1) For the care and residence of children and adults (2) For the treatment of drug addiction or alcoholism b. Convalescent home, extended care facility or rest home, nursing home and sanitarium c. Convent, monastery, nunnery d. Parsonage, rectory or parish house e. Religious retreat	1 per 1,000 square feet of gross floor area
Class No. 4	a. Aquarium b. Day care center or preschool c. Historic site d. Hospital e. Library, museum or art gallery f. Philanthropic and charitable institutions	2 per 1,000 square feet of gross floor area

Class No. 5	<ul style="list-style-type: none"> a. Animal hospital and veterinarian b. Animal kennels c. Art studio d. Bank, savings and loan association e. Blueprinting f. Business machine sales and service g. Bus terminal or depot h. Catering service i. Civil defense; fire station, police station j. Clinic/office for: doctor, dentist, osteopath, podiatrist, chiropractor, chiroprapist, optometrist or similar profession k. Clothing and costume rental l. Club or lodge, private: operated for the benefit of members and not for gain m. Custom dressmaking n. Diaper service o. Dry cleaning plant employing not more than 6 persons p. Employment agency q. Financial institutions and uses r. Frozen food locker plants, including sale of frozen foods s. Government administration buildings, without garages or shops t. Interior decorator u. Laboratory, medical, dental or optical v. Laboratory, research and testing w. Labor union offices and lodges x. Lithographing y. Locksmith z. Massage salon aa. Newspaper distribution agency bb. Office, business and professional cc. Office machine sales and service dd. Photostatting ee. Physical culture and health services ff. Post office gg. Recording studio hh. Recreational and community center buildings ii. Repair of shoes, clothing and hats jj. School, music, dance and vocal kk. Small animal grooming establishment ll. Tailor shop mm. Telephone exchange and equipment building nn. Ticket or travel agency 	4 per 1,000 square feet of gross floor area
-------------	---	---

Class No. 6	a. Auto service station b. Bowling alley c. Furniture store d. Furrier e. Hearing aid store f. Leather goods and luggage store g. Orthopedic and medical appliance sales and service h. Photography studio i. Picture framing j. Rummage shop	5 per 1,000 square feet of gross floor area
-------------	--	---

Class No. 7	<ul style="list-style-type: none"> a. Apparel store b. Antique store c. Art and school supply store d. Art store, retail e. Auto accessory store f. Bakery, retail g. Barber shop h. Beauty shop i. Book and stationery store j. Camera and photographic supply store k. Candy, nut and confectionery store l. Carpet and floor covering store m. China and glassware store n. Clothes pressing o. Coin store p. Currency exchange q. Dairy products store r. Delicatessen s. Department store t. Dry cleaning and laundry receiving station u. Dry goods store v. Drugstore w. Electrical and household appliance store x. Florist y. Funeral parlor z. Garden supply, tool and seed store aa. Gift store bb. Grocery or food store cc. Haberdasheries dd. Hand laundry ee. Hardware store ff. Hobby shop gg. Home furnishings hh. Household appliance store ii. Ice cream store jj. Jewelry store kk. Laundry, self-service ll. Liquor store mm. Meat or fish market nn. Millinery shop oo. Musical instruments sales and service pp. Paint, glass and wallpaper store qq. Pawn shop rr. Petshop ss. Phonograph, record and music store tt. Repair, rental and servicing of any item, the retail sale of which is permitted in the Commercial District uu. Sewing machine sales and service vv. Shoe store ww. Sporting goods store xx. Tobacco store yy. Toy store 	6 per 1,000 square feet of gross floor area
-------------	--	---

Class No. 8	<ul style="list-style-type: none"> a. Auction room b. Cocktail lounge, nightclub c. Convention hall or exhibition hall d. Dance hall e. Meeting hall f. Railroad passenger station g. Restaurant h. Taverns i. Skating rinks 	10 per 1,000 square feet of gross floor area
Class No. 9	<ul style="list-style-type: none"> a. Concrete mixing plant b. Correctional institution c. Dry cleaning plant d. Elementary school e. Exterminator f. Junior high school g. Machinery sales and service h. Machinery sales, no repair or service i. Mail order house j. Microwave relay towers, radar installations and towers, radio and television stations and towers k. Taxidermist 	1 per each employee
Class No. 10	<ul style="list-style-type: none"> a. Greenhouses and nurseries, retail b. Golf driving ranges 	1 per 1,000 square feet of gross floor area, and 1 per 2,000 square feet of gross land area~
Class No. 11	<ul style="list-style-type: none"> a. Golf courses, public and private b. Pitch and putt golf courses c. "Par 3" golf courses 	100 per 9 holes (regular golf) or 40 per 9 holes ("Par 3")
Class No. 12	<ul style="list-style-type: none"> a. Zoos or zoological gardens b. Commercial camping ground c. Outdoor rifle range; trap or skeet shooting range 	1 per 2,000 square feet of gross land area
Class No. 13	<ul style="list-style-type: none"> a. Athletic field b. Botanical gardens c. Forest preserve d. Grounds of recreational clubs, noncommercial e. Polo fields f. Public parks and playgrounds g. Public swimming pool h. Tennis courts and clubs 	1 per 5,000 square feet of gross land area, or 1 per 75 square feet of water area when a public swimming pool is an isolated use
Class No. 14	<ul style="list-style-type: none"> a. Drive-in theater (outdoor) 	Reservoir of 10 percent of capacity of use

Class No. 15	<ul style="list-style-type: none"> a. Car wash (mechanical) b. Car wash (self-service) 	1 per each two employees, plus 1 per manager-owner, plus reservoir spaces equal to five times the maximum capacity of auto washing unit
Class No. 16	<ul style="list-style-type: none"> a. Commercial school or trade b. Business school c. Business machine school d. Computer technology school e. Vocational school 	1 per each two students, based on design capacity
Class No. 17	<ul style="list-style-type: none"> a. Senior high school 	1 per each employee, plus 1 per each six students, based on design capacity
Class No. 18	<ul style="list-style-type: none"> a. Churches, chapels, temples, synagogues b. Commercial stadiums c. Fairgrounds, rodeos and grandstands d. Racetracks 	1 per each four seats provided
Class No. 19	<ul style="list-style-type: none"> a. Theaters (indoor) 	1 per each 2.5 seats provided
Class No. 20	<ul style="list-style-type: none"> a. Colleges, junior colleges and universities 	1 per each four students based on design capacity
Class No. 21	<ul style="list-style-type: none"> a. Battery and tire service shops b. Garage for the storage, servicing and repair of motor vehicles including body repair, painting and engine rebuilding c. Mobile home display, sales and services d. Model garage display and sales e. Motorcycle, bicycle and other outdoor recreational vehicle sales, rental and service f. Motor vehicle sales and service g. Trailer, boat and camper or camper-trailer sales, rental and service 	5 per 1,000 square feet of gross floor area, plus 1 per 3,000 square feet of gross land area

<p>Class No. 22</p>	<ul style="list-style-type: none"> a. Abrasives manufacturing b. Air, motor, railroad and water freight terminal c. Asphalt manufacturing d. Bakery e. Bedding manufacturing f. Boot and shoe manufacturing g. Bottling companies h. Brick and structural clay products manufacturing i. Carpet manufacturing j. Cartage and express facilities k. Cement, bulk storage l. Chemical processing and manufacturing m. Cloth products manufacturing n. Cosmetic manufacturing o. Dairying p. Electric substation q. Electronic, scientific and precision instrument manufacturing r. Electroplating s. Feed mills t. Feed and seed store u. Food manufacturing, packaging and processing v. Foundries and forge plants w. Fuel and ice plants and sales x. Fuels, solid or liquid, storage and wholesale distribution y. Fur processing z. Gas regulator station 	<p>1 per each two employees</p>
---------------------	---	---------------------------------

<p>Class 22 (continued)</p>	<ul style="list-style-type: none"> aa. Glass products production and sales bb. Grain storage and processing cc. Graphite products manufacturing dd. Gypsum manufacturing ee. Heavy machinery manufacturing ff. Insulating material manufacturing gg. Laundry hh. Leather tanning and curing ii. Light machinery production, appliances and business machines jj. Linoleum manufacturing kk. Machine shop ll. Meat packing mm. Metal reduction and refinement nn. Metal stamping oo. Mining operations pp. Musical instrument manufacturing qq. Orthopedic and medical appliance manufacturing rr. Paint products manufacturing ss. Paper products manufacturing tt. Petroleum products, refining, storage and processing uu. Plastics manufacturing vv. Pottery and ceramics manufacturing ww. Printing and publishing xx. Restricted production and repair yy. Rope, cord and twine manufacturing zz. Rubber manufacturing and processing aaa. Sewage treatment plant bbb. Soap manufacturing ccc. Sporting goods manufacturing ddd. Steel manufacturing eee. Warehousing and wholesaling establishments fff. Warehousing, storage and distribution ggg. Waterworks, reservoir, pumping station and filtration plant hhh. Wearing apparel manufacturing iii. Woodworking, planing mills and wood products manufacturing jjj. Any similar production processing, cleaning, servicing, testing, storage and repair 	<p>1 per each two employees</p>
<p>Class 23</p>	<ul style="list-style-type: none"> a. Amusement parks and establishments b. Billiard and pool halls c. Indoor amusements, including indoor archery, rifle range and shooting gallery d. Miniature golf 	<p>3 per 1,000 square feet of gross floor area, plus 3 per 1,000 square feet of gross land area</p>

Class 24	<ul style="list-style-type: none"> a. Air conditioning and heating contractor b. Building materials and products sales and storage c. Contractors and construction yards and offices d. Dumps and sanitary landfills e. Electrical showrooms and shops f. Engineers and architects office and yards g. Greenhouse, wholesale h. Junkyard and auto graveyard i. Linen supply j. Plumbing showroom and shops 	2 per each employee
Class 25	<ul style="list-style-type: none"> a. Airports and landing fields b. Cemeteries, columbariums, crematories and mausoleums c. Heliports, public and private d. Public stables e. Riding academy 	Spaces to be determined by the Zoning Administrator after review by the Planning and Zoning Commission
Class 26	<ul style="list-style-type: none"> a. Drive-in banking facility 	Reservoir space sufficient to accommodate a number of automobiles equal to five times the number of teller windows

3. Off-Street Loading – Generally.

A. Location. All required loading berths shall be located on the same zoning lot as the use served. All motor vehicle loading berths which abut a Residence District or an intervening alley separating a Residence District from a Commercial or Industrial District shall be completely screened therefrom by building walls, or by a uniformly painted solid fence, wall or door, or any combination thereof, not less than eight (8) feet in height. No permitted or required loading berth shall be located within 30 feet of the nearest point of intersection of any two (2) streets. No loading berth shall be located in a required front or side yard, and any loading berth located in a required rear yard may be open to the sky.

B. Size. Unless otherwise specified, a required off-street loading berth shall be at least 12 feet in width by at least 30 feet in length, exclusive of aisle and maneuvering space, and shall have a vertical clearance of at least 15 feet.

C. Access. Each required off-street loading berth shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movement, and shall be subject to approval by the Zoning Administrator.

D. Surfacing. All open off-street loading berths shall be surfaced with a dustless all-weather material capable of bearing a live load of 200 pounds per square foot.

E. Repair and Service.

(1) Residence Districts: No motor vehicle repair work or service of any kind shall be permitted in conjunction with loading facilities provided in any Residence District.

(2) Commercial Districts: No motor vehicle repair work or service of any kind shall be permitted in conjunction with loading facilities provided in Commercial Districts except emergency repair service necessary to start vehicles.

(3) Industrial Districts: No motor vehicle repair work or service of any kind shall be permitted in conjunction with loading facilities provided in an Industrial District if such loading facilities are within 500 feet of a Residence or Commercial District. Washing of accessory vehicles and emergency service required to start vehicles shall be permitted.

F. Utilization. Space allocated to any off-street loading use shall not, while so allocated, be used to satisfy the space requirements for any off-street parking facilities or portions thereof.

G. Central Loading. Central loading facilities may be substituted for loading berths on the individual zoning lots provided the following conditions are fulfilled:

(1) Each zoning lot served shall have direct access to the central loading area without crossing streets or alleys at grade.

(2) Total off-street loading berths provided shall meet the minimum requirements herein specified, based on the sum of the several types of uses served. (Area of types of uses may be totaled before computing number of loading berths.)

(3) No zoning lot served shall be more than 500 feet removed from the central loading area.

(4) The tunnel or ramp connecting the central loading area with the zoning lot served shall be not less than seven feet in width and have a clearance of not less than seven feet.

4. Off-Street Loading – Specific Requirements.

A. Residence Districts: Off-street loading facilities accessory to uses allowed in the several Residence Districts shall be provided in accordance with the following, minimum requirements:

(1) Health, medical and institutional uses. One loading berth shall be provided for buildings containing 10,000 to 100,000 square feet of gross floor area, plus one additional loading berth for each additional 100,000 square feet of gross floor area or fraction thereof. Each such loading berth for buildings in excess of 200,000 square feet in gross floor area shall be not less than 12 feet in width by 55 feet in length.

(2) Educational and cultural institutions, philanthropic and charitable institutions and religious institutions. One loading berth shall be provided for buildings containing 10,000 to 200,000 square feet of gross floor area, plus one additional loading berth for each additional 200,000 square feet of gross floor area or fraction thereof.

(3) Recreational and social facilities. For buildings containing 10,000 to 100,000 square feet of gross floor area, one loading berth shall be provided, and for each additional 100,000 square feet of gross floor area up to 500,000 square feet, one additional loading berth shall be provided, plus one additional loading berth for each additional 500,000 square feet of gross floor area or fraction thereof in excess of 500,000 square feet.

(4) For all other nonresidential uses, loading facilities shall be provided in accordance with the following requirements.

a. For buildings containing less than 10,000 square feet of gross floor area, there shall be provided on the same zoning lot adequate receiving facilities-accessible by motor vehicle-off any adjacent alley, service drive, or open space.

b. For buildings containing 10,000 to 100,000 square feet of gross floor area, one off-street loading berth shall be provided.

c. For buildings containing over 100,000 square feet of gross floor area, there shall be provided one loading berth for each 100,000 square feet of gross floor area or fraction thereof.

(5) Multiple-family dwellings and rooming houses. For buildings containing 20,000 to 200,000 square feet of gross floor area, one off-street loading berth shall be provided, plus one additional loading berth for each additional 200,000 square feet of gross floor area or fraction thereof.

B. Commercial Districts. Off-street loading spaces accessory to uses permitted in the several Commercial Districts shall be provided in accordance with the following minimum requirements:

(1) Any use listed in a Residence District that also is permitted in any of the several Commercial Districts shall provide loading spaces as established for that use in the preceding section for Residence Districts.

(2) Establishments containing less than 7,000 square feet of gross floor area shall be provided with adequate facilities, accessible by motor vehicle off any adjacent alley, service drive, or open space on the same zoning lot.

(3) For the uses listed hereunder, one loading berth shall be provided for buildings containing 7,000 to 40,000 square feet of gross floor area. For buildings containing 40,000 to 100,000 square feet of gross floor area two loading berths shall be provided, plus one additional loading berth for each additional 100,000 square feet of gross floor area or fraction thereof. Each such loading berth for buildings in excess of 100,000 square feet of gross floor area shall be not less than 12 feet in width by 55 feet in length.

- a. Cartage, express facilities and mail order houses.
- b. Printing and publishing.
- c. Restricted production and repair.
- d. Warehousing, storage, and wholesale establishments.

(4) For the uses listed hereunder, one loading berth shall be provided for buildings containing 10,000 to 100,000 square feet of gross floor area; for each additional 100,000 square feet of gross floor area up to 500,000 square feet, one additional loading berth shall be provided, plus one additional loading berth for each additional 500,000 square feet of gross floor area or fraction thereof in excess of 500,000 square feet.

- a. Banks and financial institutions.
- b. Medical and dental clinics.
- c. Offices, business and professional.
- d. Recreation buildings and community centers, noncommercial.

(5) For the uses listed hereunder, one loading berth shall be provided for buildings containing 10,000 to 150,000 square feet of gross floor area, plus one additional loading berth for each additional 150,000 square feet of gross floor area or fraction thereof. Each such loading berth for buildings in excess of 20,000 square feet of gross floor area shall be not less than 12 feet in width by 55 feet in length.

- a. Clubs and lodges (not-for-profit) - containing retail shops, convention halls, auditoriums, exhibition halls, or business or professional offices (other than accessory).
- b. Convention halls.
- c. Exhibition halls.
- d. Radio and television stations and studios.
- e. Recording Studios.
- f. For the standards containing retail shops, convention halls, auditoriums, exhibition halls, or business or professional offices.

(6) For the uses listed hereunder, one loading berth shall be provided for buildings containing 10,000 to 200,000 square feet of gross floor area, plus one additional loading berth for each additional 200,000 square feet of gross floor area or fraction thereof.

- a. Clubs and lodges (not-for-profit) - containing no retail shops, convention halls, auditoriums, exhibition halls, or business or professional offices (other than accessory).
- b. Hotels and motels containing no retail shops, convention halls, auditoriums, exhibition halls, or business or professional offices.
- c. Meeting halls.

- d. Schools-music, dance, business, and trade.
- e. Theaters, indoor.

(7) Amusement establishments-bowling alleys, swimming pools, and skating rinks: For buildings containing 10,000 to 100,000 square feet of gross floor area, one loading berth shall be provided, plus one additional loading berth for each additional 100,000 square feet of gross floor area or fraction thereof.

(8) Stadiums, auditoriums, and arenas: For buildings containing 10,000 to 100,000 square feet of gross floor area, one loading berth shall be provided, plus one additional loading berth for each additional 100,000 square feet of gross floor area or fraction thereof. Each such loading berth for buildings in excess of 20,000 square feet of gross floor area shall be not less than 12 feet in width by 55 feet in length.

(9) Undertaking establishments and funeral parlors: For buildings containing 7,000 to 100,000 square feet of gross floor area one loading berth shall be provided, plus one additional loading berth for each additional 100,000 square feet of gross floor or fraction thereof.

(10) For all other uses, loading facilities shall be provided in accordance with the following schedule:

Gross Floor Area of Establishments in Thousands of Square feet	Required Number and Size of Berths
7 to 20	1 (12 feet x 30 feet)
21 to 35	2 (12 feet x 10 feet each)
36 to 60	2 (12 feet x 55 feet each)
61 to 100	3 (12 feet x 55 feet each)

For each additional 200,000 square feet of gross floor area or fraction thereof, over 100,000 square feet of gross floor area, one additional loading berth shall be provided. Each berth shall be at least 12 feet in width by 55 feet in length.

C. Industrial Districts. Off-street loading facilities accessory to uses allowed in the several Industrial Districts shall be provided in accordance with the following minimum requirements:

- (1) Any production, processing, cleaning, servicing, testing, repair, or storage of materials, goods, or products: For

buildings containing, 7,000 to 40,000 square feet of gross floor area, one loading berth shall be provided. For buildings containing 40,000 to 100,000 square feet of gross floor area, two loading berths shall be provided, plus one additional loading berth for each additional 100,000 square feet of gross floor area or fraction thereof. Each such loading berth for building in excess of 10,000 square feet of gross floor area shall be not less than 12 feet in width by 55 feet in length.

(2) For uses listed hereunder, one loading berth shall be provided for buildings containing 10,000 to 100,000 square feet of gross floor area. For each additional 100,000 square feet of gross floor area up to 500,000 square feet, one additional loading berth shall be provided, plus one additional loading berth for each additional 500,000 square feet of gross floor area or fraction thereof in excess of 500,000 square feet.

- a. Medical and dental clinics.
- b. Offices of labor organizations.
- c. Recreation buildings or community centers.

(3) For the uses listed hereunder, one loading berth shall be provided for buildings containing 10,000 to 100,000 square feet of gross floor area, plus one additional loading berth for each additional 100,000 square feet of gross floor area or fraction thereof. Each such loading berth for buildings in excess of 20,000 square feet of gross floor area shall be not less than 12 feet in width by 55 feet in length.

- a. Airports and commercial heliports.
- b. Air, railroad, and water freight terminals, railroad switching and classification yards, repair shops, and roundhouses.
- c. Radio and television stations and studios.
- d. Sewage treatment plants-municipal.
- e. Stadiums, auditoriums, and arenas.

(4) For the uses listed hereunder, one loading berth shall be provided for buildings containing 10,000 to 200,000 square feet of gross floor area, plus one additional loading berth for each additional 200,000 square feet of gross floor area or fraction thereof.

- a. Lodges of labor organizations.
- b. Trade schools.

(5) Motor freight terminals: For buildings containing 5,000 to 40,000 square feet of gross floor area, one loading berth shall be provided. For buildings containing 40,000 to 100,000 square feet of gross floor area, two loading berths shall be provided, plus one additional loading berth for each additional 100,000 square feet of gross floor area or fraction thereof. Each such loading berth for buildings in excess of 10,000 square feet of gross floor area shall be not less than 12 feet in width by 55 feet length.

(6) For all other uses, loading facilities shall be provided in accordance with the following schedule:

Gross Floor Area of Establishments in Thousands of Square feet	Required Number and Size of Berths
7 to 10	1 (12 feet x 30 feet)
11 to 24	2 (12 feet x 30 feet each)
25 to 40	2 (12 feet x 55 feet each)
41 to 100	3 (12 feet x 55 feet each)

For each additional 200,000 square feet of gross floor area or fraction thereof, over 100,000 square feet of gross floor area, one additional loading berth shall be provided. Such additional loading berth shall be at least 12 feet in width by 55 feet in length.