

CHAPTER 166

ZONING CODE — ZONING DISTRICTS

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166.01 ESTABLISHMENT OF DISTRICTS. For the purpose of the Zoning Code, the City is divided into the following Districts:

Residential Districts

R-1 Single-Family Residential

R-2 Two-Family or Multiple Family

R-3 Mobile Home Residential

Commercial District

C-1 Commercial

C-2 Light Commercial Office *(Ord. 03-69 – Nov. 03 Supp.)*

Industrial Districts

I-1 Light Industrial

I-2 Heavy Industrial

Flood Plain District

Flood Plain District (Overlay District)

166.02 ZONING MAP.

1. The boundaries of the district established by the Zoning Code are delineated on the Zoning Map; said Map and all notations, references and data shown thereon are hereby adopted and made part of the Zoning Code and will be on permanent file and for public inspection in the Office of the Zoning Administrator.

2. If in accordance with the provisions of the Zoning Code changes are made in district boundaries or other matter portrayed on the Official Zoning Map, such changes shall be made on said Map within thirty (30) days after official publication of the amendment.

3. No changes of any nature shall be made in the Official Zoning Map or matter shown thereon except in conformity with the procedures set forth

in the Zoning Code. Any unauthorized change of any kind by any person shall be considered a violation of the Zoning Code and punishable as provided under Section 165.09 of this Zoning Code.

4. The Official Zoning Map on record in the City Clerk's Office shall be the final authority as the current zoning status of land and water areas, buildings and other structures in the City.

5. The flood plain designation on zoning maps shall not be removed from flood plain areas unless and until it can be shown that the designation is in error or that the areas are filled to an elevation at or above the flood protection elevation and are contiguous to other lands lying outside the flood plain district. Special exceptions to this rule may be permitted by the Department of Natural Resources if they determine that, through other measures, lands are protected adequately for the intended uses.

(See Editor's Note at end of this chapter for ordinances amending Zoning Map.)

166.03 DISTRICT BOUNDARY LINES. Whenever any uncertainty exists as to the boundary of any use district as shown on the Zoning Map incorporated herein, the following rules shall apply:

1. Where district boundary lines are indicated as following streets, highways, alleys, railroads, or similar rights-of-way, then shall be construed as following the centerlines thereof.

2. Where district boundary lines are indicated as approximately following lot lines or section lines, such lines shall be construed to be such boundaries.

3. Where district boundary lines are indicated as parallel to or extensions of features indicated above in this section, it shall be so construed.

4. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.

5. 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 this section, the Board of Adjustment shall interpret the distance boundaries.

6. Where a platted lot held in one (1) ownership and of record at the effective date of the Zoning Code is divided by a district boundary line, the entire lot shall be construed to be within the least restrictive district.

7. Flood Plain District Boundaries: The exact boundaries of the Floodway and Flood Fringe portions of the Flood Plain District shall be determined on a case by case basis at the time a person applies for building

permit or conditional use permit. At such time, the applicant shall submit a drawing indicating the existing and graded elevations of the site in question.

166.04 ANNEXATIONS. All territory hereafter annexed to the City which is not shown on the Official Zoning Map as part of the Zoning Code, shall, upon annexation, be classified in accordance with its established or contemplated use prior to annexation, and shall be subject to all regulations, notations, references and conditions applicable to such zone until such time that a determination may be made as to the official district classification and an amendment to the Zoning Code made to that effect.

166.05 R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT. The R-1 District is intended to provide for low density residential development. This district is designed to protect residential areas now developed with single-family detached dwellings and adjoining vacant areas likely to be developed for such purposes. The regulations are designed to stabilize such areas and to promote a suitable environment for family life.

1. Permitted principal uses.
 - A. Single family detached dwellings
 - B. Parks, playgrounds and community buildings owned or operated by public agencies.
 - C. Public libraries.
 - D. Golf courses, except miniature courses and driving tees operated for commercial purposes.
 - E. Churches or other places of worship, provided that no building shall be located within fifty (50) feet of any line of an abutting lot in any of the classes of residential districts.
2. Permitted Accessory Uses.
 - A. Uses of land or structure customarily incidental and subordinate to one of the principal uses unless otherwise excluded.
 - B. Private garages, parking spaces and carports for passenger cars.
 - C. Home occupations, as defined in Chapter 165.
 - D. Swimming pools (private).
 - E. Keeping of not more than two (2) boarders or roomers by a residential family.

- F. The parking of one unoccupied recreational vehicle not exceeding thirty-two (32) feet in length.
 - G. Tool houses, sheds and similar buildings for storage of domestic supplies and noncommercial recreational equipment.
3. Conditional Uses.
- A. Governmental and public utility buildings and structures necessary for the health, safety and general welfare of the community provided that:
 - (1) Conformity with the surrounding neighborhood is maintained and required setbacks and side yard requirements are met.
 - (2) Equipment is completely enclosed in a permanent structure with no outside storage.
 - B. Two-family attached dwellings.
 - C. Public or semi-private recreational buildings and neighborhood or community centers; public and private educational institutions limited to elementary, junior high and senior high schools, and religious institutions.
 - D. Convalescent and nursing homes.
 - E. Location of any new buildings, other than residence and garages, on existing acreages.
 - F. Mobile Home Park developments subject to the special conditions and requirements as set forth in Section 166.07, Mobile Home Residential District.
 - G. Cemetery or Memorial Gardens.
 - H. Bed and breakfast homes or bed and breakfast inns, providing that said use conforms to the provisions of Chapter 170A and 170B of the Code of Iowa and that a public hearing is held on each request before said facility is permitted in the use district. This conditional use must also provide one off-street parking space per guest room and one off-street guest space for the host or owner.

4. Height, Yard, Area and Lot Width Regulations.
 - A. Height. No building shall exceed two and one-half (2½) stories or thirty-five (35) feet in height.
 - B. Front Yard Regulations. There shall be a front yard having a depth of not less than twenty-five (25) feet on residential streets and forty (40) feet on collector streets or higher classifications. For the purposes of determining front yard requirements on corner lots and double frontage lots, all sides of a lot adjacent to streets shall be considered frontage. Porches without roofs, or with roofs no more than thirty percent (30%) solid, open and unenclosed porches or decks may extend ten (10) feet into the front yard. Whenever an addition to an existing structure will not extend any further into a front yard than the existing structure, then the addition may be allowed as long as all other side yard and rear yard setbacks are met.
 - C. Side Yard Regulations. There shall be a side yard on each side of a building having a width of not less than seven (7) feet. Wherever a lot of record existing at the time of the passage of the Zoning Ordinance has a width of fifty (50) feet or less, the side yard on each side of a building may be reduced to a width of not less than ten (10) percent of the width of the lot, but in no instance shall it be less than four (4) feet.
 - D. Rear Yard Regulations. The rear yard of each lot shall have a depth of not less than thirty (30) feet or twenty (20) percent of the depth of the lot, from the residence, whichever amount is greater. The sum total of all accessory buildings shall not exceed or utilize thirty percent (30%) of the entire rear yard as defined by this Zoning Code. In addition, no accessory building or any portion thereof shall be constructed within two (2) feet of the vertical line of the rear boundary of a lot.

(Ord. 97-20 - Oct. 97 Supp.)
 - E. Lot Area Regulations. Every lot or tract of land shall have an area of not less than seventy-two hundred (7,200) square feet.
 - F. Lot Width Regulations. Every lot or tract of land shall have a minimum width of sixty (60) feet.
5. General Regulations. Additional regulations applicable in the R-1 District are set forth in Chapter 168.

166.06 R-2 FAMILY OR MULTIPLE FAMILY RESIDENTIAL DISTRICT. The R-2 District is to provide for high density residential developments designed specifically for duplexes or multiple dwellings such as apartments, townhouses, row houses, condominiums, etc.

1. Permitted Principal Uses.
 - A. All uses permitted in the R-1 Single Family Residential District.
 - B. Duplex dwelling units.
 - C. Multi-family dwellings, including cooperative apartment houses and condominium dwellings.
 - D. Boarding and lodging houses.
 - E. Institutions of a religious, educational, eleemosynary or philanthropic nature, excluding any penal or mental institutions.
 - F. Hospitals, convalescent and nursing homes.
2. Permitted Accessory Uses. All permitted accessory uses allowed in a R-1 Single Family Residential District.
3. Conditional Uses.
 - A. Funeral homes.
 - B. Fraternities, sororities, private clubs, and lodges providing the chief activity is not a service customarily carried on as a business.
 - C. Bed and breakfast homes or bed and breakfast inns, providing that said use conforms to the provisions of Chapter 170A and 170B of the Code of Iowa and that a public hearing is held on each request before said facility is permitted in the use district. This accessory use must also provide one off-street parking space per guest room and one off-street guest space for the host or owner.
 - D. Conditional Uses. Governmental and public utility buildings and structures necessary for the health, safety and general welfare of the community provided that:
 - (1) Conformity with the surrounding neighborhood is maintained and required setbacks and side yard requirements are met.
 - (2) Equipment is completely enclosed in a permanent structure with no outside storage.

(Ord. 04-78 – Oct. 04 Supp.)
4. Height, Yard, Area and Lot Width Regulations.
 - A. Height Regulations. No building shall exceed four (4) stories or forty-five (45) feet in height except any variance to the provisions of this subsection shall require a setback from all yard lines required in this subsection an additional distance of one (1) foot for every one (1) foot that the building exceeds the allowable height.

B. Front Yard Regulations. The front yard regulations are the same as those in the R-1 Single-Family Residential District.

C. Side Yard Regulations. The side yard regulations are the same as those in the R-1 Single-Family Residential District, except for buildings exceeding thirty (30) feet in height, there shall be a side yard on each side of a building having a width of fifteen (15) feet plus one (1) foot of side yard for each one (1) foot of building over thirty (30) feet. Townhouses shall be exempt from the side yard regulations and shall be allowed to have zero (0) side yards in all interior lot lines as long as all exterior dimensions conform to the provisions of the R-2 district.

D. Rear Yard Regulations. The rear yard regulations are the same as those in the R-1 Single-Family Residential District. A lot on which there is erected a two-family dwelling shall contain an area of not less than thirty-six hundred (3,600) square feet per family, and an average width of not less than sixty (60) feet. Townhouses will be exempt from the provisions of the Zoning Code as it pertains to all interior lots of a townhouse site, providing that the area in which the townhouse is located conforms to the provisions of the Zoning Code. A lot on which there is erected a multiple dwelling shall contain an area of not less than one thousand (1,000) square feet per family, with a minimum of seventy-two hundred (7,200) square feet per lot, except that this regulation shall not apply to lodging houses, fraternities, or sororities where no cooking is done in individual rooms, or apartments, or townhouses, as defined by the Zoning Code.

5. Minimum Floor Area for Multiple Family Dwellings. The minimum floor area of any efficiency dwelling unit shall be not less than 300 net square feet; that of a one-bedroom dwelling unit shall be not less than 400 net square feet, and that of a two-bedroom dwelling unit shall be not less than 550 net square feet. Units containing three or more bedrooms shall have an additional 150 net square feet of floor area for each bedroom in excess of two bedrooms. For purposes of measurement, the net floor area of a dwelling unit shall mean that area within a building used as a single dwelling unit, and shall be measured from the inside walls to the center of partitions bounding the dwelling unit being measured, but shall not include public stairways, public entries, public foyers, public balconies, or unenclosed public porches, separate utility rooms, furnace areas or rooms, storage areas not within the apartment, or garages.

6. Design and Construction Requirements.

A. Design and Review. A building permit for a multiple dwelling must be approved by the Commission and the Council after review of the plans set forth in the Zoning Code in the manner set forth in Section 165.12, CONDITIONAL USE PERMITS. The Commission and Council may designate conditions or guarantees in connection therewith as will secure substantially the provisions of the District.

B. Building Design and Construction. A building permit for a multiple dwelling building containing more than four (4) dwelling units shall not be issued unless the applicant's building plans, including the site plan, are submitted to the Commission and Council for approval. Any such building shall have its electrical, mechanical and structural systems approved. Provisions of this subsection shall in no way prohibit the preparation of the site plan by a professional site planner. Such plans shall include the following:

- (1) Complete details of the proposed site development including location of building, driveways, parking spaces, dimensions of the lot, lot area and yard dimensions.
- (2) Complete landscaping plans including species and size of trees and shrubs proposed.
- (3) Complete plans for proposed sidewalks to service parking, recreation and service areas within the proposed development.
- (4) Complete plans for storm water drainage systems sufficient to drain and dispose of all surface water accumulations within the area.
- (5) Complete structural, electrical and mechanical plans for the proposed buildings.
- (6) Complete plans and specifications for exterior wall finishes proposed for all principal and accessory buildings.

C. Sound. Party and corridor partitions and floor systems shall be of a type rated by a laboratory regularly engaged in such testing as capable of accomplishing an average sound transmission loss (using a 9 frequency test) of not less than 50 decibels. Door systems between corridors and dwelling units shall be of solid core construction and include gaskets and closure plates. Room relationships, hallway designs, door and window placements and plumbing and ventilating installations shall be such that they assist in the control of sound transmission from unit to unit.

D. Projecting Air Conditioning and Heating Units. Air conditioning or heating units projecting through exterior walls or windows shall be so located and designed that they neither unnecessarily generate or transmit sound nor disrupt the architectural amenities of the building. Units projecting more than fourteen inches beyond the exterior finish of a building wall shall be permitted only with the written consent of the building inspector, which shall be given when building structural systems prevent compliance.

E. Trash and Garbage Storage. Except with townhouses and multiple residence sites of four or less units no exterior trash or garbage disposal or storage shall be permitted. In the case of townhouses and multiple residences with four or less units, any storage shall be completely enclosed by walls and roof.

F. Elevators. Any multiple residence building of three stories or more shall be equipped with at least one public elevator.

G. Recreational and Open Space. Multiple Family Residential Projects shall contain an adequate amount of land for park, recreation or local open space use, exclusive of drainage areas which shall not be less than twenty (20) percent of the gross area of the property and shall consist principally of land within the building setback lines.

166.07 R-3 MOBILE HOME RESIDENTIAL DISTRICT. The Mobile Home Residential District is intended to promote health, safety, order, convenience and general welfare by enforcing minimum standards for homes and mobile home parks, and their design, construction, alteration and arrangement on said lots. The installation of all mobile home parks shall be governed by the City Building Code, City Electrical Code, and City Plumbing and Mechanical Code and other local rules and regulations concerning construction and installation of mobile homes and mobile home parks. Where the local chapter conflicts with provisions of the State Code, the local provisions pertaining to building, plumbing and electrical and other construction shall take precedence.

1. Mobile Home District Regulations. The Mobile Home Residential District is intended to provide for the proper placement of a mobile home meeting certain requirements on an individual lot within certain residential areas of the City where such use will be compatible with existing and future development. Within the R-3 District, as indicated on the zoning map, no building, land or premises shall be used, no buildings erected or altered which are arranged, maintained or designated to be used except for the following uses:

- A. Principal Uses:
- (1) Any use permitted in an R-1 Residential District, under regulations prescribed for that district.
 - (2) Any mobile home manufactured after June 15, 1976, shall be in compliance with Federal manufactured housing standards as evidenced by appropriate seals affixed to the unit and applicable State and local requirements.
- B. Accessory Uses. All accessory uses permitted in an R-1 Residential District.
- C. Conditional Uses. All uses requiring the granting of a special permit in accordance with the provisions of this chapter and permitted in R-1 Residential districts.
- D. The lot area shall be as contained herein this chapter. Setbacks from private streets shall be as contained herein this chapter. However, any mobile home lots which front a public street, the setback from the public street shall be as required in an R-1 Residential District.
- E. Signs. All signs shall conform to the requirements of the Zoning Chapter.
- F. Off-Street Parking. All parking shall conform to the requirements of the R-1 Residential District.
- G. Special Limitations. Any amendment of a zoning classification to R-3 Mobile Home Residential District shall be in accordance with the following:
- (1) Any mobile home park is to be a minimum gross area of two (2) acres.
 - (2) All newly platted mobile home subdivisions shall comply with the requirements and procedures of the Subdivision Regulations of the City as stated in Chapter 170 of this Code of Ordinances.
 - (3) Occupancy shall not be permitted until all required improvements including utility services are installed and operating.
2. Definitions. For use in this section, the following terms are defined:
- A. “Accessory Building” means any structure which is appurtenant to a mobile home such as utility shed, carport, garage, community building, elevated deck, roofed patio, or roofed porch.

- B. “Community Building” means a structure which may house a toilet, bathing, laundry or other facilities for a mobile home park.
- C. “Engineering Plans” means plans certified by an engineer registered in accordance with the requirements of Iowa Code Chapter 542B, professional engineers and land surveyors.
- D. “Flood Plain” means any area of a community or locality which the Federal Insurance Administration has delineated as falling, wholly, or partly within flood hazard boundaries and zones or any other areas determined by responsible State or Federal agencies to be subject to periodic flooding.
- E. “Independent Mobile Home Space” means a mobile home space which has both individual water and sewer connections.
- F. “Mobile Home” means any vehicle 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, constructed, or reconstructed as will permit the vehicle to be used as a place for human habitation by one or more persons, but shall also include any such vehicle with motive power not registered as a motor vehicle in Iowa.
- G. “Mobile Home Space” is a plot of ground within a mobile home park designated for the accommodation of one mobile home.
- H. “New Installations” means mobile home parks or additions thereto which are proposed for construction.
- I. “Nonpublic Water Supply” means a system for the provision of water for human consumption which has less than fifteen service connections and serves less than twenty-five people or has less than fifteen service connections and serves more than twenty-five people for less than sixty days a year.
- J. “Public Roadway” means a road or street owned and maintained by a Federal, State, or local government agency.
- K. “Public Water Supply” means a system for the provision of piped water for human consumption, which has at least fifteen service connections or regularly serves an average of at least twenty-five individuals daily at least sixty days out of the year. Such a system would include the collection (including wells), treatment, storage, or distribution facilities.
- L. “Refuse” means any solid waste including garbage, rubbish, trash, debris, or nonfunctioning equipment such as junked vehicles.

M. “Residential Mobile Home Park” means a mobile home park designed, established and maintained for year-round residency by mobile homes.

N. “Sewage Disposal System” means all equipment and devices necessary for proper collection, storage, treatment, and disposal of sewage from a mobile home park.

(1) Public systems collect and treat 1,500 or more gallons per day or serve eight or more mobile home spaces and,

(2) Nonpublic systems collect and treat less than 1,500 gallons/day or serve less than eight mobile home spaces.

3. Supervision/Management.

A. Each mobile home park should have personnel who are responsible for managing the park. These individuals should be identified by the park owner in writing and authorized to arrange for emergency repairs and services and for taking such other actions as may be necessary to comply with State and local requirements.

B. A permanent register of all tenants of the mobile home park must be maintained in accordance with Iowa Code, Chapter 435.

(1) This register is to be made available on the premises on request and open to the inspection by a duly authorized representative of any law enforcement agency.

(2) This register should contain a record of the number of mobile home units harbored, the owners’ names, and year and make of units.

(3) Semi-Annual (January-July) report shall be made to the County Treasurer of all mobile homes in the park. Reports of arrivals and departures with tax clearance forms will be reported to the County Treasurer at time of arrival and/or departure of the mobile home. Park owner liability ends with this report.

C. The owner is responsible for supervision of the park and for the implementation of the provisions of the Iowa Code Chapter 562B, Landlord and Tenant Act, for the removal of any person from the park who willfully or maliciously creates an unsanitary condition or does not adhere strictly to prescribed rules. The mobile home park should provide sanitation, health and safety rules and instructions as needed to protect the residents of the park.

- D. Mobile home park management should require in writing that residents notify the park management of any planned excavation or installation of below-ground facilities, including gas, electric, water or sewer lines, mobile home tie-downs, or barrier posts.
- (1) The management shall contact the utilities to locate for the resident any buried gas or electric lines; and water and sewer lines, as necessary.
4. Park Site.
- A. Residential Mobile Home Park sites should be well drained and not located in a flood plain.
- B. All sites should be free from obvious hazards.
- C. Sites should not be located in or adjacent to swamps, marshes, or other breeding places of insects, rats, and mice.
- D. Storm drainage should be provided in such a manner so as not to endanger any water supply or surface water course.
5. Roadways. Roadways should be maintained in a safe, unobstructed condition at all times.
- A. Twenty-nine (29) feet wide if parking is permitted only on one side and so posted.
- B. Thirty-six (36) feet wide with parking on both sides.
6. Spacing.
- A. The number of mobile homes permitted in the park should not exceed the number of spaces which can be serviced by the sanitary facilities in the park.
- B. Each mobile home space should be clearly numbered. Each mobile home should:
- (1) Abut to a roadway and,
- (2) Have clear, unobstructed access to a public roadway.
- C. Existing mobile home spaces, which are located in parks that have been in continuous operation since prior to August 1, 1970, may be at least eight feet larger than the mobile home in both the lateral and longitudinal directions. New mobile home spaces added to these parks should meet the mobile home spacing criteria of Spacing, Item D.

D. Mobile home parks constructed and new spaces added to existing parks after January 1, 1996, should conform to the following mobile home spacing criteria:

A mobile home should not be located closer than:

- (1) 15 feet from the side of another mobile home;
- (2) 10 feet from the end of another mobile home;
- (3) 10 feet from an accessory shed or building (except that an accessory shed or building may abut the owner's mobile home and should be located or constructed in such a manner as to not impede egress from any doorway of the mobile home);
- (4) 20 feet from the public curblineline or as required by City ordinance;
- (5) 5 feet from boundary of the mobile home park.

7. Water Supply.

A. A continuous supply of safe potable water under at least forty pounds pressure, P.S.I. (pounds per square inch), should be provided for each mobile home park.

- (1) Where a municipal water supply having adequate capacity is available abutting the property, such water supply should be used.
- (2) In mobile home parks where a municipal supply is not available, a private system shall be designed, constructed, and maintained in accordance with Chapter 455B.172 for nonpublic systems and with Iowa Department of Natural Resources, Iowa Code, Chapter 455B.173 for public systems.
- (3) Detailed engineering plans should be on file for each park, especially for new construction.
- (4) Design and operation of public water and nonpublic supply systems are to be consistent with the water supply requirements of the Iowa Department of Natural Resources, Chapters 455B.173 and 455B.172 Iowa Administrative Code.

B. All sources of potential contamination should be situated at a reasonable safe distance from drinking water wells. Minimum distances between all wells and named sources of pollutions should be as outlined in Table I.

TABLE I

**RECOMMENDED LATERAL DISTANCES
FROM ANY DRINKING WATER WELLS***

| <u>SOURCES OF CONTAMINATION</u> | <u>MINIMUM LATERAL DISTANCE</u> |
|--|---|
| Solid waste disposal site | 200 feet |
| Lagoons or waste treatment facilities | 1000 feet |
| Cesspools (receiving raw sewage prohibited for new construction) | 150 feet |
| Preparation or storage area for spray materials, commercial fertilizers or chemicals | 150 feet |
| Drainage or improperly abandoned wells | 100 feet |
| Soil absorption field, pit privy or similar disposal unit | 100 feet |
| Confined feeding operations | 100 feet |

| <u>SOURCES OF CONTAMINATION</u> | <u>MINIMUM LATERAL DISTANCE</u> |
|---|---------------------------------|
| Septic tank, concrete vault privy, sewer of tightly joined tile or equivalent material, sewer connected foundation drain, or sewer under pressure | 50 feet |
| Ditches, streams, or lakes | 25 feet |
| Sewer of cast iron with leaded or mechanical joints, independent clear water drains, or cisterns | 10 feet |
| Well pumphouse floor drain draining to ground surface | 5 feet |

***NOTE:** The distances shown in Table I are minimum distances required by the Iowa Department of Natural Resources. For public water supplies, Iowa Department of Natural Resources requirements shall be complied with.

C. Pipes and fittings used in constructing water system distribution mains, laterals and water risers should be:

- (1) Composed of materials meeting the requirements of the State Plumbing Code 661-16.400(103A) Iowa Administrative Code.
- (2) Marked to indicate the approval by the National Sanitation Foundation Testing Laboratory (NSF).
- (3) Installed and bedded in accordance with the manufacturer’s instructions and specifications.

D. In new installations, the water distribution lines should be separated horizontally from sanitary sewers by at least ten feet of undisturbed or compacted earth, except as specified below.

- (1) When water and sewer lines cross, the water line should be at least twelve inches above the top of the sewer line throughout a distance of ten feet horizontally, and no joints are to be made in the water line within this distance of ten feet.
- (2) Water and sewer lines may be laid in the same trench providing:
 - (a) The bottom of the water line is laid at all points at least twelve inches above the top of the sewer line at its highest point;

- (b) The water line is laid on a solid shelf excavated at one side of the common trench or on a solidly tamped backfill;
- (c) The joints in the water line are kept at a minimum;
- (d) The sewer is constructed of cast iron with leaded or mechanical joints or approved plastic, and shown to be watertight by test. In cases where cast iron or plastic is not suitable sewer material, other durable and corrosion-resistant material may be used provided it meets State Plumbing Code requirements.
- (e) The size of water distribution mains may be as specified in Table II in new installations and as specified in Table VII for those constructed prior to June 1, 1980.

TABLE II

RECOMMENDED SIZE OF WATER PIPE

| <u>MINIMUM PIPE SIZE (INCHES)</u> | <u>RESIDENTIAL MOBILE HOME SPACES SERVED</u> |
|---------------------------------------|--|
| 1 | 2 - 5 |
| 1¼ | 6 - 11 |
| 1½ | 12 - 14 |
| 2 | 15 - 50 |
| 2½ | 51 - 100 |
| 3 | 101 - 150 |
| 4 | 151 - 300 |

- (f) Fire protection requirements for water supply shall be as required by the State or local authority having specific jurisdiction for the protection.
- (g) Each mobile home space water riser and connection should:
 - (i) Terminate at least four inches above established grade.
 - (ii) Be provided with a control valve.
 - (iii) Be capped or otherwise protect when not in use.

- (iv) Be provided with a watertight connection for attachment to the mobile home water line.
 - (v) Be protected against freezing if the park is operated throughout the year.
 - (vi) It is recommended that a curb stop valve be installed preceding each individual space water riser outlet in residential mobile home parks.
- (h) The water supply system should be so installed as to eliminate all potential sources of contamination.
- (i) Prior to installation, water pipes should not be stored where they will come in contact with sewage or other contamination.
 - (ii) During installation, disturbed soil should be compacted, and the grade should be sloped away from water risers.
 - (iii) Means should be provided to prevent backflow of contaminated water from appliances, fixtures, drains, and sewers.
 - (iv) No water system should be connected to a nonpotable or questionable water supply.
 - (v) Backflow preventers should be placed on all freezeless hydrants or faucets supplying potable water to mobile home spaces. Control valves of the “stop and waste” type should be prohibited for installation.
 - (vi) All water systems should be disinfected after installation and prior to use.
- (i) Water Sample Analysis.
- (i) The water supplied to mobile home sites should be demonstrated to be of satisfactory quality by means of sampling and laboratory analysis prior to initial use or after any repairs are made to the system.
 - (ii) Public water systems serving a mobile home park must be sampled by the owner of

the water system with the frequency and for the contaminants required by the Iowa Department of Natural Resources, Chapter 455B.173, Iowa Code. More frequent sampling is recommended if known sources of contamination exist or if the analytical record shows a history of contamination.

(iii) It is recommended that the owner of a nonpublic water system serving a mobile home park sample the water system at least once per month and have the sample analyzed for coliform bacteria. Sampling and analysis for other contaminants should be at least as frequent as required for public water systems.

(iv) All residents should be notified in writing when the water supply has been found to be unsafe due to bacteriological, chemical, or other contamination. When the water supply has been determined to contain more than 45 mg/l of nitrate, the owner should notify the residents in writing that the water should not be used for infant feeding.

(j) Disinfection and treatment equipment, if employed, shall be approved by the Iowa Department of Natural Resources.

8. Sewage System.

A. Adequate facilities should be provided and maintained for the collection and treatment of sewage from all mobile homes, community buildings, and other facilities. Cesspools are prohibited for all mobile home park sewage systems constructed, reconstructed, or altered.

(1) Disposal of sewage and other water-carried wastes should be into a public sewer system where a public sewer system is available and abutting the property.

(2) Where a public sewer is not available, a sewage disposal system designed, constructed and maintained according to the Iowa Department of Natural Resources requirements for public sewage systems or according to the requirements of the Iowa Department of Natural Resources,

Iowa Code, Chapter 455B.171-455B.192 for nonpublic systems must be provided.

(3) The connection between the mobile home drain and park sewer should be made with a leak-proof connector of durable, corrosion-resistant material attached at the inlet and outlet end with a water and gas-tight joint.

(4) Each sewer outlet should be tightly capped when not in use.

(5) No discharge of sewage or any other type of waste water from any mobile home or building should be permitted onto the ground surface.

(6) Means should be provided to prevent sewage odors from escaping out of any sewer connection or outlet.

(7) Cleanouts should be provided in accordance with Iowa Department of Natural Resources Design Standards for public sewage systems, and the State Plumbing Code, Chapter 661.16.400(103A), Iowa Administrative Code and Iowa Department of Natural Resources rules on nonpublic sewage systems, Chapter 455B.171-455B.192, Iowa Code. Alternatively, manholes may be used in accordance with Iowa Department of Natural Resources Design Standards for public sewage systems.

B. In new installations, each space sewer lateral should be connected to the park sewer main in the following manner:

(1) Through the use of an approved “Y” fitting.

(2) It should connect below the frost line.

(3) It should extend vertically to not less than three nor more than six inches above established grade.

(4) Individual risers should not be less than three inches in diameter.

C. In new installations the pipes and fittings used in constructing sewer mains, laterals, sewer risers, long sweep quarter bends, and the connecting length of lateral to each space should be:

(1) Composed of materials meeting the requirements of the State Plumbing Code Iowa Administrative Code, Chapter 661.16.400(103A).

(2) Installed and bedded in accordance with the manufacturer’s specifications.

D. The minimum size and slope of sewer installations constructed should be determined in accordance with Table III.

TABLE III
RECOMMENDED SIZE AND SLOPE OF SEWER

| Sewer Diameter (Inches) | Mobile Homes Connected (Number) | | Slope Per 100 Feet (Inches) |
|----------------------------|------------------------------------|---------------------|--------------------------------|
| | <u>Residential</u> | <u>Recreational</u> | |
| 4 | 2 - 15 | 2 - 30 | 15 |
| 6 | 16 - 60 | 31 - 120 | 8 |
| 8 | 61 - 100 | 121 - 200 | 5 |

9. Gas and Fuel Systems. The gas and fuel systems should be installed and operated so as not to create obvious hazards, such as unsecured gas bottles and unprotected gas meters. See item D under Supervision/Management for recommended action necessary to avoid potential hazards associated with buried gas or fuel lines.

10. Electrical System.

A. The electrical system should be installed and operated so as not to create obvious hazards such as poor connections, exposed or unprotected wiring. See item D under Supervision/ Management for action necessary to avoid potential hazards associated with buried electrical lines.

B. Obvious hazards, such as poor connections, exposed or unprotected wiring, should be eliminated.

C. Lighting should be provided for all streets, walkways, buildings, and other facilities subject to nighttime use.

(1) Illumination is to be provided in accordance with local requirements, or

(2) Where no local requirements exist, an average illumination level of 0.1 foot-candle should be maintained on all streets, and

(3) Potentially hazardous locations such as street intersections and steps or ramps should be individually illuminated with a minimum level of 0.3 foot-candle.

11. Community Buildings. Community buildings are not required, but if one is provided, it shall conform to local codes.

12. Public Swimming Pools.
 - A. Any swimming pools, wading pools or bath houses used in connection with pools should be constructed and operated in a safe and sanitary manner.
 - B. The design and operation of swimming pools is to be according to the Iowa Department of Public Health's criteria.
 - C. In new installations, engineering plans and specifications must be submitted to the Department of Public Health.
13. Refuse Disposal.
 - A. The proper storage, collection and disposal of refuse should be the responsibility of the park owner or operator. Refuse disposal and the control of the growth of grass, bushes, and noxious plant should be accomplished in a manner to avoid creation of health hazards such as a rodent harborage, insect breeding areas or public health nuisance conditions.
 - B. The park owner should be responsible to assure that sufficient containers are available to provide storage space for all garbage produced between collections. All garbage and refuse should be stored in fly-tight, water-tight, and rodent-proof containers having tight-fitting lids. Each container should be maintained in good condition at all times. A plastic bag should

not be acceptable as a container and should only be used as a liner in a durable and otherwise satisfactory container.

- (1) Garbage should be collected from the containers at least once a week.
 - (2) It should be transported to a disposal site approved by the Iowa Department of Natural Resources in a covered vehicle.
- C. The park premises should be kept free of any refuse, plant overgrowth, or noxious weeds at all times.
- D. Abandoned or junked vehicles should not be stored or accumulated within a park in accordance with local ordinance.
14. Chemical and Fuel Safety.
- A. Application of pesticides should comply with current rules and guidelines of the Iowa department of Agriculture and the Iowa Department of Natural Resources.
- (1) Pesticides should be stored in a safe location not accessible to children.
 - (2) Pesticides, fuel, or other hazardous chemicals should not be stored in a well house or a well frost pit.
- B. Recreational fire should be supervised and only be permitted in designated safe areas.
- C. Storage of flammable material and fuel or fuel containers should not be allowed beneath the mobile homes. Flammable material such as hay or straw should not be used for skirting or insulation of mobile homes.
- D. Any garbage dumpsters utilized should be of the “child-safe” type and shall be so designated by the manufacturer.
15. Miscellaneous Recommendations.
- A. The park’s rules should prohibit residents from permitting their pet animals to run at large and to create any health or safety hazard within a mobile home park.
- B. In new installations, when skirting is provided around a mobile home, an access panel should be provided for inspection and maintenance of service connections. In existing installations, the park owner should insure accessibility through any skirting.

166.08 C-1 COMMERCIAL DISTRICT. The C-1 Commercial District is intended to provide a district for a wide range of services and goods which are basically retail in nature. The C-1 Commercial District is designed to accommodate retail and office activities and assembly in conjunction with retail sales.

1. Permitted Accessory Uses.

- A. Accessory buildings and uses customarily incident to the uses permitted.
- B. Off-street parking and loading as regulated by Section 168.07 of this Zoning Code.
- C. Signs as regulated by Section 168.06(3) of this Zoning Code.
- D. Multiple dwelling and apartment when located on the second floor or above; or if on first floor in C-1 Commercial areas not included in Subsection (1), dwellings or multiple dwellings must be approved by the Board of Adjustment.

(1) In the area within and contiguous to the following: beginning at Oak Street and Adams Street, east to Pine Street, north to Mills Street, west to Oak Street, then south to point of beginning. Apartments and dwellings may be located on the first-floor; however, those properties shall maintain a commercial store front along public streets on the first floor of the building consisting of at least 50% of the depth of the building and entire width. For the purpose of this subsection on a corner lot, the front of the building shall be the shortest street lot line. Any use of the front 50% of the building for other than a commercial storefront in this area shall be approved by a Conditional Use Permit.

Dwellings or multiple dwellings that exist and are occupied on July 1, 2021, are exempt until such time as they shall become unoccupied. At the time the dwelling or multiple dwellings become vacant, they will become subject to this regulation. The Iowa is exempt from the provisions of this section.

(Subsection D – Ord. 20-190 – Jun. 20 Supp.)

- E. Additions, alterations or accessory buildings to be used with single-family dwellings existing at the time of passage of the ordinance codified herein.
2. Conditional Uses.
- A. Public and private parking lots.
 - B. Bed and breakfast homes or bed and breakfast inns, providing that said use conforms to the provisions of Chapter 170A and 170B of the Code of Iowa and that a public hearing is held on each request before said facility is permitted in the use district. This conditional use must also provide one off-street parking space per guest room and one off-street guest space for the host or owner.

- C. Any use permitted in R-1 or R-2 not allowed in subsection E of subsection 1 of this section.
- D. Conditional Uses. Governmental and public utility buildings and structures necessary for the health, safety and general welfare of the community provided that:
- (1) Conformity with the surrounding neighborhood is maintained and required setbacks and side yard requirements are met.
 - (2) Equipment is completely enclosed in a permanent structure with no outside storage.
- (Ord. 04-78 – Oct. 04 Supp.)*
3. Height, Yard and Area Regulations.
- A. Height Regulations. No building shall be erected or structurally altered to exceed eighty (80) feet in height.
- B. Yard Regulations and Lot Coverage Regulations. There shall be no specific yard requirements except as necessary to provide off-street parking and loading if required, or if a commercial district abuts the residential district. The yard requirements of the residential district shall govern. The yard requirements for a dwelling shall be the same as its respective district.
4. General Regulations. Additional regulations in the C-1 District are set forth in Chapter 168.

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166.09 C-2 LIGHT COMMERCIAL OFFICE DISTRICT. The C-2 Light Commercial Office District is intended to provide office locations generally serving neighborhood or community needs. This District should be located adjacent to a C-1 Commercial District or an arterial or collector street and is designed to be compatible in scale and land use intensity with residential settings. The District allows for the integration of limited supporting commercial uses into office developments. The District is most appropriately located along collector and arterial streets in areas of transition between residential and higher intensity uses, and in areas of existing and new office development. The District is not intended to allow commercial or retail sales.

1. Permitted Uses. The following use types are permitted:
 - A. Office uses. (Business hours must be between 7:30 a.m. and 7:30 p.m.)
 - B. General offices.
 - C. Financial services.
 - D. Medical offices.
 - E. Professional services offices. (Businesses that require licensure by the State of Iowa such as legal, engineering, surveying, financial consulting, real estate)
 - F. Additions, alterations or accessory buildings to be used with single-family dwellings existing at the time of passage of Ordinance No. 03-69, codified herein.
 - G. Commercial uses such as (Business hours must be between 7:30 a.m. and 5:30 p.m.) business support services (such as information technology, computer programming and software, office machine repair service, janitorial services).
 - H. Civic uses such as:
 - (1) Administrative services.
 - (2) Convalescent services.
 - (3) Cultural services.
 - (4) Day care.
 - (5) Local utility services.
 - (6) Park and recreation services.
 - (7) Religious assembly.
2. Conditional Uses. The following use types are allowed, subject to approval of a conditional use permit:
 - A. Residential Uses. Any use permitted in R-1 or R-2 not allowed in Subsection F of Subsection 1 above.
 - B. Bed and breakfast homes or bed and breakfast inns, providing that said use conforms to the provisions of Chapter 170A and 170B of

the Code of Iowa and that a public hearing is held on each request before said facility is permitted in the use district. This conditional use must also provide one off-street parking space per guest room and one off-street parking space for the host or owner.

C. Civic Uses:

- (1) Community recreation.
- (2) Group care facility.
- (3) Postal facilities.
- (4) Recreational clubs.
- (5) Safety services.

D. Conditional Uses. Governmental and public utility buildings and structures necessary for the health, safety and general welfare of the community provided that:

- (1) Conformity with the surrounding neighborhood is maintained and required setbacks and side yard requirements are met.
- (2) Equipment is completely enclosed in a permanent structure with no outside storage.

(Ord. 04-78 – Oct. 04 Supp.)

3. Site Development Regulations. Each site in the office district shall be subject to the following site development regulations:

Regulator:

| | |
|---------------------------------------|---|
| Lot Area | 10,000 square feet minimum |
| Lot Width | 90 feet minimum |
| Front Yard | Same as those in the R-1 Single Family District |
| Street Side Yard | Same as those in the R-1 Single Family District |
| Side Yard (abutting commercial) | 15 feet minimum |
| Rear Yard (abutting residential) | 30 feet minimum |
| Rear Yard (abutting commercial) | 15 feet minimum |
| Height | 30 feet maximum |
| Building Coverage Impervious Coverage | 0.50 maximum |

4. Additional Regulations.

A. Abutting Residential Zones. When abutting residential zones, the office zoned area shall be required to provide visual buffers in the side yard or rear yard setbacks. The buffers shall consist of earthen berms no less than 3 foot above the elevation at the property line of the abutting residential property, or landscaping with trees and shrubs or a combination thereof.

B. Commercial Uses. Certain commercial sales are allowed only if the sales relates directly to a professional service being provided at the location.

C. Signs. Signs shall conform to the general provisions for all districts. Where a sign is illuminated, the light source shall not be directed at residential areas and the source shall be indirect lighting from the ground surface. Signs shall only be lighted during business hours. Signs mounted on the building shall not project higher than the building and shall not project more than one foot (1') perpendicular from the building face. Ground set signs shall not be higher than eight feet (8') above ground surface and shall be set back a minimum of ten feet (10') from front yard lot line. The total sign surface shall be one-half of that allowed for C-1 Commercial Districts. Only one sign shall be allowed per parcel or lot regardless of number of businesses contained in the structure or on the parcel. For corner lots, the sign shall be placed so as to be visible from the street with the higher traffic volume.

D. Parking and Loading. The office district zone shall follow the current Parking and Loading Regulations in Section 168.07 of this Code of Ordinances.

E. Curb Cuts. No curb cut or driveway shall exceed forty-five feet (45') in width.

F. Fences or Walls. Fences or walls in the office district shall comply with Section 168.01(1), Fences or Walls in Residential Zones.

(Section 166.09 - Ord. 03-69 – Nov. 03 Supp.)

166.10 I-1 LIGHT INDUSTRIAL DISTRICT The I-1 Light Industrial District is intended to establish areas in which light manufacturing may situate for administering, wholesaling, manufacturing and related uses which can maintain high standards of appearance, including open spaces and landscape and limit external effects such as noise, odors, smoke and vibration. The District will provide locations which offer adequate utilities and insure a functional relationship among various types of land uses.

1. Accessory Uses. Additions, alterations or accessory buildings to be used with single-family dwellings existing at the time of passage of the ordinance codified herein.

2. Conditional Uses.

A. Any manufacturing, production, processing, cleaning, storage, servicing, repair and testing of materials, goods or products similar to those described above which comply with the performance standards of this district.

B. Retail and service establishments essential to a Planned Industrial District and providing goods and services which are primarily for the use of persons employed in this District.

C. Bed and breakfast homes or bed and breakfast inns, providing that said use conforms to the provisions of Chapter 170A and 170B of the Code of Iowa and that a public hearing is held on each request before said facility is permitted in the use district. This conditional use must also provide one off-street parking space per guest room and one off-street guest space for the host or owner.

D. Any use permitted in R-1 or R-2, not allowed in Section 166.09(1).

E. Conditional Uses. Governmental and public utility buildings and structures necessary for the health, safety and general welfare of the community provided that:

(1) Conformity with the surrounding neighborhood is maintained and required setbacks and side yard requirements are met.

(2) Equipment is completely enclosed in a permanent structure with no outside storage.

(Ord. 04-78 – Oct. 04 Supp.)

3. Height, Yard and Area Regulations.

A. Height Regulations. No structure shall exceed eighty (80) feet in height, except that cooling towers and domes which do not contain usable space, water towers and smokestacks may be of any height which does not conflict with airport requirements.

B. Front Yard Regulations. There shall be a front yard having a depth of not less than thirty (30) feet, except yard requirements for dwellings shall be the same as their respective districts. Where that part of a district is adjacent to or across the street from a residential district there shall be a front yard having a depth of not less than fifty (50) feet.

C. Side Yard Regulations. There shall be a side yard on each side of a building, each yard having a width of not less than fifteen (15) feet; except where that part of a district abuts a residential district, the side yard shall have a width of not less than twenty-five (25) feet.

D. Rear Yard Regulations. There shall be a rear yard having a depth of not less than thirty (30) feet; except where that part of a district abuts a residential district, there shall be a rear yard having a depth of not less than fifty (50) feet.

E. Lot Area Regulations. Every individual lot, site, or tract shall have an area adequate for employee and customer parking and loading.

F. General Regulations. Additional regulations applicable to the I-1 District are set out in Chapter 168.

166.11 I-2 HEAVY INDUSTRIAL DISTRICT. The I-2 Heavy Industrial District is intended for general industrial uses which, due to their size and nature, would not be appropriate in the I-1 Light Industrial District.

1. Permitted Uses. Within an I-2 Heavy Industrial District, unless otherwise provided by the Zoning Code, no building or land shall be used except for general industrial uses.
2. Accessory Buildings and Uses.
 - A. Off-street parking and loading as regulated in Section 168.07.
 - B. Signs as regulated in Section 168.06.
 - C. Additions, alterations or accessory buildings to be used with single-family dwellings existing at the time of passage of the ordinance codified herein.
3. Conditional Uses. Within an I-2 Heavy Industrial District, buildings or land may be used for one or more of the following uses if granted a Conditional Use Permit as provided in Section 165.11.
 - A. Any manufacturing, production, processing, cleaning, storage, servicing, repair, and testing of materials, goods, or products that are hazardous, radioactive, emit odors or fumes, or dust.
 - B. Extraction, processing, or storage of sand and gravel, stone or other raw materials.
 - C. Retail and service establishments essential to the operation of a Heavy Industrial District.
 - D. Bed and breakfast homes or bed and breakfast inns, providing that said use conforms to the provisions of Chapter 170A and 170B of the Code of Iowa and that a public hearing is held on each request before said facility is permitted in the use district. This conditional use must also provide one off-street parking space per guest room and one off-street guest space for the host or owner.
 - E. Conditional Uses. Governmental and public utility buildings and structures necessary for the health, safety and general welfare of the community provided that:
 - (1) Conformity with the surrounding neighborhood is maintained and required setbacks and side yard requirements are met.
 - (2) Equipment is completely enclosed in a permanent structure with no outside storage.
4. Height, Yard and Area Regulations.
 - A. Height Regulations. No structure shall exceed eighty (80) feet in height.

(Ord. 04-78 – Oct. 04 Supp.)

B. Front Yard Regulations. There shall be a front yard having a depth of not less than thirty (30) feet, except yard requirements for dwellings shall be the same as their respective districts.

C. Side Yard Regulations. There shall be a side yard on each side of a building each having a minimum width of not less than fifteen (15) feet, except no building shall be located within fifty (50) feet of a residential district.

D. Rear Yard Regulations. There shall be a rear yard having a depth of not less than thirty (30) feet, except where that part of a district abuts a residential district, there shall be a rear yard having a depth of not less than fifty (50) feet.

E. Lot Area Regulations. Every individual lot, site, or tract shall have adequate area for customer and employee parking and loading.

| EDITOR’S NOTE | |
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| <p>The following ordinances have been adopted amending the Official Zoning Map described in Section 166.02 and have not been included as a part of this Code of Ordinances but have been specifically saved from repeal and are in full force and effect.</p> | |
| ORDINANCE NUMBER | DATE ADOPTED |
| 10.3 | June 7, 1988 |
| 10.4 | June 7, 1988 |
| 10.6 | May 2, 1989 |
| 10.11 | July 17, 1990 |
| 10.12 | December 4, 1990 |
| 10.51 | May 2, 1992 |
| 05-84 | May 17, 2005 |