

TITLE V- PROPERTY AND LAND USE

CHAPTER 41

ZONING - DISTRICTS AND BOUNDARIES

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41.01 DISTRICTS ESTABLISHED. In order to carry out the purpose and intent of the Zoning Ordinance, the unincorporated area of the County is hereby divided into thirteen (13) zoning district classifications as follows:

- A-1 Agricultural District
- C-A Commercial-Agriculture District
- RR-1 Rural Residential District
- R-1 Suburban Residential District
- R-2 Single Family Residential District
- R-3 Multiple Family Residential District
- R-4 Planned Residential Development District
- R-5 Mobile Home Park Residential District
- C-1 Local Service Commercial District
- C-2 General Commercial-Highway Service District
- M-1 Light Industrial District
- M-2 Heavy Industrial District
- FPC Floodplain and Conservation District

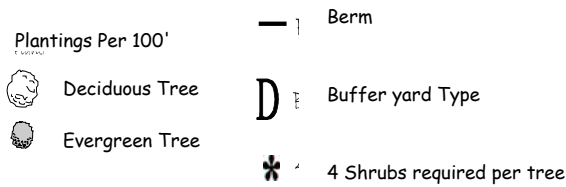
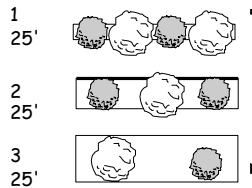
41.02 A-1 DISTRICT REGULATIONS. The A-1 Districts (Agricultural Districts) are intended and designed to preserve the agricultural resources of the County and protect agricultural land from encroachment of non-agricultural uses and activities.

1. Principal Permitted Uses. Only the use of structures or land listed in this section shall be permitted in the A-1 District.
 - A. Agriculture and the usual agricultural buildings and structures including livestock feed lots, poultry farms, grain storage and grain drying facilities.
 - B. Single-family (non-farm) dwellings, including subterranean homes.

- C. Churches, chapels, temples, and similar places of worship.
 - D. Public and parochial schools, elementary and secondary, and colleges and universities.
 - E. Forests and wildlife preserves.
 - F. Private riding stables.
 - G. Cemeteries, including mausoleums, provided that all buildings shall be at least 200 feet from adjacent property lines; and further provided that any new cemetery shall have a minimum lot area of not less than 20 acres.
 - H. Kennels for the raising, breeding and boarding of dogs or other small animals; provided that all buildings, including exercise runways, be at least two hundred (200) feet from all property lines.
 - I. Nurseries, greenhouses and truck gardens.
2. Special Use Permits A-1. The following uses may be permitted in the A-1 District subject to approval by the Board of Adjustment after notice and public hearing and subject to the conditions in subsection 3 of this section:
- A. Mink and chinchilla farms and ranches.
 - B. Private aircraft landing fields.
 - C. Mining and extraction of minerals and raw materials, including sand and gravel pits; subject to approval of the Iowa Department of Natural Resources, including plans for final site treatment, of any such operation located in or on the flood plain on any river or stream.
 - D. Public or private sanitary landfills, solid waste disposal facilities, and yard waste composting facilities.
 - E. Private gun clubs, skeet shooting ranges, commercial swimming pools and similar uses.
 - F. Private camp grounds and travel trailer parks.
 - G. Automobile race tracks and/or drag strips and snowmobile tracks.
 - H. Public water supply and sewage treatment facilities.

- I. Electrical and natural gas transmission, regulating and storage facilities.
- J. Any public building erected and used by any department of the township, county, state, or federal government, not previously allowed as a principal permitted use.
- K. Temporary establishments or enterprises involving large assemblages of people or automobiles including, but not limited to:
 - 1. Carnivals and circuses.
 - 2. Rodeo grounds, show rings, music festivals and sports festivals.
- L. One mobile home for use as a non-farm dwelling unit for the care of parents or other family members, i.e., immediate blood relatives, of owners of the property who require care and assistance.
- M. Livestock feed lots and poultry farms, as provided in subsection 41.02 (1) (A) (2) of this section.
- N. Publicly owned parks, playgrounds, golf courses, and recreation areas.
- O. Private non-commercial recreational areas and centers, including country clubs, swimming pools and golf courses; but not including automotive race tracks, miniature golf courses, drive-in theaters and similar commercial uses.
- P. Publicly owned airports and landing fields.
- Q. Home Business. Subject to the limitations of the Zoning Ordinance of Warren County and this section, home businesses may be permitted, provided such business is neither noxious, offensive, nor hazardous by reason of vehicular traffic, generation or emission of smoke, dust, or other particulate matter, odorous matter, humidity, radiation, or other objectionable emissions. Further, that new or used car and/or truck sales are not to be construed to be included in this section.
- R. One mobile home utilized as living quarters for persons employed on a farm.
- S. Towers under 100 feet must be stealthed. No fall area on monopoles or silos.

T. Electrical Substations, provided that the fence surrounding the substation equipment shall be built no closer than 200 feet from any then existing residential dwelling house with 100 feet of the required separation being on the utility property and that the substation satisfies one of the following bufferyard requirements of the utilities' choice:



3. Conditions for Special Use Permits. In its determination upon the particular use at the location requested, the Board of Adjustment shall consider all of the following conditions:
 - A. That the proposed location, design, construction and operation of the particular use adequately safeguards the health, safety and general welfare of persons residing or working in adjoining or surrounding property;
 - B. That such use shall not impair an adequate supply of light and air to surrounding property;
 - C. That such use shall not unduly increase congestion in the streets or public danger of fire and safety;
 - D. That such use shall not diminish or impair established property values in adjoining or surrounding property; and
 - E. That such use shall be in accord with the intent, purpose, and spirit of the Zoning Ordinance and the Comprehensive Land Use Plan of the County.

4. Applications for Special Use Permits. Applications for a special use permit under the terms of this section shall be accompanied by evidence concerning the feasibility of the proposed request and its effect on surrounding property and shall include a site plan defining the areas to be developed for buildings and structures, the areas to be developed for parking, the locations of driveways and the points of ingress and egress, including access roads where required, the location and height of walls, the location and type of landscaping, the location, size and number of signs and the manner of providing water supply and sewage treatment facilities. Before issuance of a special use permit for any of the above buildings or uses, the Board of Adjustment shall review the conformity of the proposal and site plan with the standards of the Comprehensive Land Use Plan, and with recognized principles of engineering design, land use planning and landscape architecture. The Board may approve or disapprove the special permit as submitted or, before approval, may require that the applicant modify, alter, or amend the proposal as the Board deems necessary to the end that it preserve the intent and purpose of the Zoning Ordinance to promote public health, safety, and the general welfare. In the event a special use permit is granted under the terms of this section, any change thereafter in the approved use or site plan shall be resubmitted and considered in the same manner as the original proposal.

5. Permitted Accessory Uses.

A. Uses of land or structures customarily incidental and subordinate to one of the permitted principal uses, unless otherwise excluded.

B. Private garage or carport.

C. Home occupations as permitted in and as limited by Subsection 40.17.

D. The taking of boarders or the leasing of rooms by a resident family, provided the total number of boarders and roomers does not exceed three (3) per building.

E. Temporary buildings, including mobile homes or trailers, for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of the construction work.

F. One board or sign not to exceed fifty (50) square feet in area referring to the construction, lease, hire, or sale of a building, premises, or lots; which sign shall refer to property on which the sign is located, and shall be removed as soon as the premises are sold or leased or construction completed.

- G. Institutional bulletin board signs.
 - H. Roadside stands for the sale of products grown on the premises.
 - I. Signs, not exceeding 10 square feet in area, identifying the premises or indicating the product grown or material and equipment used on the premises.
 - J. Noncommercial Parabolic, dish type, or ham radio towers are permitted within setback lines.
 - K. Solar collectors mounted on the ground in the rear yard or attached to the principal building facing the front, side or rear yard at a height no greater than the peak of the roof of the principal structure. If required, solar access easements may be obtained from adjoining property owners in accordance with State statutes.
6. Bulk Regulations. The following minimum requirements shall be observed, subject to the modifications contained in Chapter 42 of the Zoning Ordinance.
- A. Minimum Lot Area and Density. Non-farm, single-family dwellings: four dwellings per quarter-quarter section not already containing a farm or non-farm dwelling provided that:

1. Each such dwelling shall be located on a separately owned and described parcel of land which shall have a net lot area of not less than two (2) acres;
2. Each lot or parcel on which a dwelling is located shall have at least one hundred fifty (150) feet of frontage on a road or highway that is a part of the State primary or County secondary road system and frontage on a Level B road does not qualify for this road frontage requirement;
3. No more than four (4) dwellings are permitted in any quarter-quarter. However, one (1) additional dwelling may be allowed with the approval of the Warren County Board of Adjustment.

For other permitted uses, no minimum requirement unless specifically required by other sections of the Zoning Ordinance.

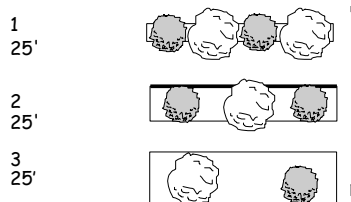
- B. Minimum Lot Width. Dwellings: one hundred fifty (150) feet. Other permitted uses: two hundred (200) feet.

- C. Minimum Front Yard Depth. Dwellings and other permitted uses: fifty (50) feet, unless otherwise specified. In all cases the front yard depth shall be measured from the right-of-way line.
- D. Minimum Side Yard Width. Each side yard: fifteen (15) feet.
- E. Minimum Rear Yard Depth. Dwellings and other permitted uses: fifty (50) feet unless otherwise specified.
- F. Maximum Height. No Limitation.
- G. Maximum Number of Stories. No Limitation.
- H. Off-Street Parking and Loading. As required by Sections 40.22 and 40.23 of the Zoning Ordinance.
- I. Minimum Width Regulation. The minimum dimension of the main body of the principal building shall not be less than twenty-four (24) feet.
- J. Perimeter Foundation Requirement. A permanent perimeter foundation shall be required for all principal buildings.

41.03 C-A DISTRICT REGULATIONS. The C-A Districts (Commercial-Agriculture Districts) are intended to provide for those agriculturally related service business uses unique to and interrelated to the A-1 Agricultural Districts. The C-A Districts are to be dispersed through the A-1 Districts.

- 1. Principal Permitted Uses. Only the use of structures or land listed in this section shall be permitted in the C-A District.
 - A. Agriculture and the usual agricultural buildings and structures including livestock feed lots, poultry farms, grain storage and grain drying facilities, provided however, that all feed lots and poultry farms meet all of the waste treatment requirements of the Iowa Department of Natural Resources and obtain the necessary permits where applicable.
 - B. Commercial feed lots subject to the requirements of subsections 41.02 (1) (A) (1) and (2) of this chapter.
 - C. Agricultural feed and seed sales.
 - D. Agricultural equipment repair, such as blacksmith, welding, mechanical repair and related services.

- E. Storage and repair facilities of custom hire machinery and equipment and supplies incidental to the production of farm produce. Such types of equipment or machinery included in this section may include, but are not necessarily limited to: any type of tillage equipment, chemical application equipment (ground types only).
2. Special Use Permits C-A. The following uses may be permitted in the C-A District subject to approval by the Board of Adjustment after notice and public hearing, and subject to the conditions contained in subsection 3 hereof:
- A. Veterinary clinics provided that any structures, including any livestock holding facilities, be located at least two hundred (200) feet from any "R" District boundary lines.
 - B. Ammonia storage and pumping facilities.
 - C. Sale barns provided that all structures including any holding facilities, be located at least four hundred (400) feet from any "R" District boundary lines.
 - D. Facilities for the custom cleaning and drying of grain.
 - E. Storage and repair of facilities of tiling contractors including incidental supplies and equipment.
 - F. Fertilizer and agricultural chemicals sales.
 - G. Towers under 100 feet must be stealthed. No fall area on monopoles or silos.
 - H. Electrical Substations, provided that the fence surrounding the substation equipment shall be built no closer than 200 feet from any then existing residential dwelling house with 100 feet of the required separation being on the utility property and that the substation satisfies one of the following bufferyard requirements of the utilities' choice:



Plantings Per 100'



Deciduous Tree



Evergreen Tree



Berm



Bufferyard Type



4 Shrubs required per tree

Further, structures and equipment within such facilities are exempt from the height regulations of the district.

3. Conditions for Special Use Permits. In its determination upon the particular use at the location requested, the Board shall consider all of the following conditions:
 - A. That the proposed location, design, construction and operation of the particular use adequately safeguards the health, safety, and general welfare of the persons residing or working in adjoining or surrounding property.
 - B. That such use shall not impair an adequate supply of fresh air and light to surrounding property.
 - C. That such use shall not unduly increase congestion in the streets or public danger of fire and safety.
 - D. That such use shall not diminish or impair established property values in adjoining or surrounding property.
 - E. That such use shall be in accord with the intent, purpose and spirit of the Zoning Ordinance and the Comprehensive Land Use Plan of the County.

4. Applications for Special Use Permits. Applications for a special use permit under terms of this section shall be accompanied by evidence concerning the feasibility of the proposed request and its effect on surrounding property and shall include a site plan defining the areas to be developed for buildings and structures, the areas to be developed for parking, the locations of driveways, and the points of ingress and egress, including access roads where required, the location and height of walls, the location and type of landscaping, the location, size and number of signs and the manner of providing water supply and sewage treatment facilities. Before issuance of a special use permit for any of the above buildings, or uses, the Board of Adjustment shall review the conformity of the proposal and site plan with the standards of the Comprehensive Land Use Plan, and with recognized principles of engineering design, land use planning and landscape architecture. The Board may approve or disapprove the special use permit as submitted, or before approval may

require that the applicant modify, alter, or amend the proposal as the Board deems necessary to the end that it preserve the intent and purpose of the Zoning Ordinance to promote public health, safety, and the general welfare. In the event a special use permit is granted under the terms of this section, any change thereafter in the approved use or site plan shall be resubmitted and considered in the same manner as the original proposal.

5. Permitted Accessory Uses.
 - A. Uses of land or structures customarily incidental and subordinate to one of the principal permitted uses.
 - B. Signs pertaining to products or uses in the C-A Districts.
6. Bulk Regulations. The following minimum requirements shall be observed, subject to modifications contained in Chapter 42 hereof:
 - A. Minimum Lot Area. Permitted uses listed in this section: No minimum.
 - B. Minimum Lot Width. Permitted uses listed in this section: No minimum.
 - C. Minimum Front Yard Depth. All uses: fifty (50) feet. In all cases the front yard depth shall be measured from the right-of-way line.
 - D. Minimum Side Yard Width. Permitted uses listed in this section:
 1. When adjacent to an “A” District-fifty (50) feet.
 2. When adjacent to an “R” District-one hundred (100) feet.
 - E. Minimum Rear Yard Depth. Fifty (50) feet.
 - F. Height Regulations. No structure shall exceed three (3) stories or forty (40) feet in height.
 - G. Off-Street Parking and Loading. As required in Sections 40.22 and 40.23 of the Zoning Ordinance.

41.04 RR-1 DISTRICT REGULATIONS. The RR-1 Districts (Rural Residential Districts) are intended and designed to provide for the development of very low density single-family subdivisions in the agricultural areas of the County. It is the intent of this section to provide for such large lot development in accordance with the basic land use

policies adopted by the Board of Supervisors regarding residential land use and the preservation of agricultural land. Community facilities and open space uses which serve the residents of the District are also permitted.

1. Principal Permitted Uses. Only the use of structures or land listed in this section shall be permitted in the RR-1 Districts.
 - A. Single-family dwellings, including subterranean homes.
 - B. Churches, chapels, temples, and similar places of worship, provided that all principal buildings be set back a minimum of fifty (50) feet from all property lines.
 - C. Public and parochial schools, elementary and secondary, and other educational institutions having an established current curriculum the same as ordinarily given in the Warren County public schools, provided that all principal buildings be set back a minimum of fifty (50) feet from all property lines.
 - D. Publicly owned parks, playgrounds, golf courses, recreation areas, forests and wildlife preserves.
 - E. Private non-commercial recreational areas and facilities, swimming pools, institutional or community recreation centers including country clubs or golf courses.
 - F. Cemeteries adjacent to or an extension of existing cemeteries.
 - G. Agricultural uses, including nurseries and truck gardens, but not including the feeding or raising of livestock or poultry, provided that no offensive odors or dust are created, and provided further, that no retail sales shall be permitted on the premises.
 - H. Family homes as permitted by and as limited by Section 335, Code of Iowa, 2003.
 - I. Elder family homes as permitted by and as limited by Section 335.31 and Section 231 A.2, Code of Iowa, 2003.
 1. Special Use Permits RR-1. The following uses may be permitted in the RR-1 District subject to approval by the Board of Adjustment after notice and public hearing, and subject to the conditions contained in subsection 3 hereof:

- A. Electrical substations. Structures and equipment within such facilities are exempt from the height regulations of the district.
3. Conditions for Special Use Permits. In its determination upon the particular use at the location requested, the Board shall consider all of the following conditions:
- A. That the proposed location, design, construction and operation of the particular use adequately safeguards the health, safety, and general welfare of the persons residing or working in adjoining or surrounding property.
 - B. That such use shall not impair an adequate supply for fresh air and light to surrounding property.
 - C. That such use shall not unduly increase congestion in the streets or public danger of fire and safety.
 - D. That such use shall not diminish or impair established property values in adjoining or surrounding property.
 - E. That such use shall be in accord with the intent, purpose and spirit of the Zoning Ordinance and the Comprehensive Land Use Plan of the County.
4. Applications for Special Use Permits. Applications for a special use permit under terms of this section shall be accompanied by evidence concerning the feasibility of the proposed request and its effect on surrounding property and shall include a site plan defining the areas to be developed for buildings and structures, the areas to be developed for parking, the locations of driveways, and the points of ingress and egress, including access roads where required, the location and height of walls, the location and type of landscaping, the location, size and number of signs and the manner of providing water supply and sewage treatment facilities. Before issuance of a special use permit for any of the above buildings, or uses, the Board of Adjustment shall review the conformity of the proposal and site plan with the standards of the Comprehensive Land Use Plan, and with recognized principles of engineering design, land use planning, and landscape architecture. The Board may approve or disapprove the special use permit as submitted, or before approval may require that the applicant modify, alter, or amend the proposal as the Board deems necessary to the end that it preserve the intent and purpose of the Zoning Ordinance to promote public health, safety, and the general welfare. In the event a special use permit is granted under the terms of this section, any change thereafter in the approved use or site plan shall be resubmitted and considered in the same manner as the original proposal.

5. Permitted Accessory Uses.
- A. Uses of land or structures customarily incidental and subordinate to one of the permitted principal uses, unless otherwise excluded.
 - B. Private garage or carport.
 - C. Home occupations as permitted in and as limited by Subsection 40.17.
 - D. Reserved.
 - E. The taking of boarders or the leasing of rooms by a resident family, provided the total number of boarders and roomers does not exceed three (3) per building.
 - F. Customary home occupations such as the following: handicraft, dressmaking, millinery, laundering, preserving and home cooking.
 - G. Temporary buildings, including mobile homes or trailers, for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of the construction work.
 - H. Temporary use of a dwelling structure within a new subdivision as a job office and real estate office for the subject subdivision, which use shall terminate upon completion or abandonment of the project.
 - I. One board or sign not to exceed fifty (50) square feet in area referring to the construction, lease, hire or sale of a building, premises, or subdivision lots, which sign shall refer to property on which the sign is located, and shall be removed as soon as the premises are sold or leased or construction completed.
 - J. Institutional Bulletin Board Signs.
 - K. Day nurseries and nursery schools.
 - L. Private stable, provided that any structure shall be located at least two hundred (200) feet from all boundary lines of the property on which located. The Board of Supervisors may waive this requirement during the subdivision process.

- M. Parabolic or dish type antennas which shall be placed in the rear yard and must be a minimum of ten (10) feet from all property lines and shall not be larger than eight (8) feet in diameter if of opaque construction or ten (10) feet in diameter if of wire or mesh construction. All such parabolic or dish type antennas shall be mounted at ground level. The erection and construction of a parabolic or dish type antenna shall require obtaining a permit from the Zoning Administrator prior to the commencement of any work.
 - N. Solar collectors mounted on the ground in the rear yard or attached to the principal building facing the front, side or rear yard at a height no greater than the peak of the roof of the principal structure. If required, solar access easements may be obtained from adjoining property owners in accordance with State statutes.
6. Criteria for Establishing RR-1 Districts. Subject to the provisions of Section 43.10 of the Zoning Ordinance, the Board of Supervisors shall evaluate all requests for a zoning change to the RR-1 District in accordance with, but not limited to, the following criteria:
- A. That the proposed district will not include any lands subject to flooding;
 - B. Plans or proposals, submitted by the owner or developer, indicating how the proposed development will be designed to minimize the loss of woodlands or timber, if available on the site;
 - C. That the proposed district is at least ¼ mile (1,320 feet) from any existing livestock feed lot, with more than 500 head of livestock on feed, or poultry farm housing more than 5,000 fowl;
 - D. That at least seventy-five percent (75%) of the property included in the proposed district has a Corn Suitability Rating (CSR) of fifty-five (55) or less;
 - E. Evidence that the proposed source of water supply and method of wastewater treatment will meet the requirements of the Warren County Board of Health;
 - F. Evidence that existing roads and bridges providing access to the proposed district are adequate to serve any proposed development;
 - G. Any comments or recommendations from local school district officials regarding classroom capacity and bus service to the proposed district;

- H. That the proposed district will be in accord with the intent, purpose and spirit of the Zoning Ordinance and the Land Use Plan and Policies of the County.
7. Bulk Regulations. The following minimum requirements shall be observed, subject to modifications contained in Chapter 42 of this Zoning Ordinance.
- A. Minimum Lot Area. Two (2) net acres.
 - B. Minimum Lot Width. Dwellings: one hundred fifty (150) feet. Other permitted uses: two hundred (200) feet.
 - C. Minimum Front Yard Depth. Dwellings and other permitted uses: fifty (50) feet, unless otherwise specified. In all cases the front yard depth shall be measured from the right-of-way line.
 - D. Minimum Side Yard Width. Each side yard-dwellings: fifteen (15) feet. Other permitted uses: twenty-five (25) feet unless otherwise specified.
 - E. Minimum Rear Yard Depth. Dwellings and other permitted uses: fifty (50) feet unless otherwise specified.
 - F. Maximum Height. Principal building: thirty-five (35) feet. Accessory building: twelve (12) feet.
 - G. Maximum Number of Stories. Principal building: three (3) stories. Accessory building: one (1) story.
 - H. Off-street Parking and Loading. As required by Sections 40.22 and 40.23 of the Zoning Ordinance.
 - I. Minimum Width Regulation. The minimum dimension of the main body of the principal building shall not be less than twenty-four (24) feet.
 - J. Perimeter Foundation Requirement. A permanent perimeter foundation shall be required for all principal buildings.

41.05 R-1 DISTRICT REGULATIONS. The R-1 Districts (Suburban Residential Districts) are intended and designed to provide for certain low density residential areas of the County now developed with single-family dwellings, and areas where similar residential development seems likely to occur. These districts will be permitted only

where public owned water supply and publicly owned sewage treatment works are available.

1. Principal Permitted Uses. Only the use of structures or land listed in this section shall be permitted in the R-1 Districts.
 - A. Single-family dwellings.
 - B. Church or other place of worship, including parish house and Sunday school building.
 - C. Public and parochial schools and colleges for academic instruction.
 - D. Public buildings and properties of the cultural, administrative or public service type, but not including such uses as storage yards, warehouses, or garages.
 - E. Private non-commercial recreational areas and facilities, swimming pools, institutional or community recreation centers including country clubs and golf courses. Commercial golf courses may be permitted by the Board of Supervisors after public hearing and recommendation by the Zoning Commission.
 - F. Cemeteries adjacent to or an extension of existing cemeteries.
 - G. Nurseries and greenhouses.
 - H. Family homes as permitted by and as limited by Section 335.25, Code of Iowa, 2003.
 - I. Elder family homes as permitted by and as limited by Section 335.31 and Section 231 A.2, Code of Iowa, 2003.
 - J. Agricultural uses, including nurseries and truck gardens, but not including the feeding or raising of livestock or poultry; provided that no offensive odors or dust are created and provided further, that no retail sales shall be permitted on the premises.
2. Special Use Permits R-1. The following uses may be permitted in the R-1 District subject to approval by the Board of Adjustment after notice and public hearing, and subject to the conditions contained in subsection 3 hereof:
 - A. Electrical substations. Structures and equipment within such facilities are exempt from the height regulations of the district.

3. Conditions for Special Use Permits. In its determination upon the particular use at the location requested, the Board shall consider all of the following conditions:
 - A. That the proposed location, design, construction and operation of the particular use adequately safeguards the health, safety, and general welfare of the persons residing or working in adjoining or surrounding property.
 - B. That such use shall not impair an adequate supply for fresh air and light to surrounding property.
 - C. That such use shall not unduly increase congestion in the streets or public danger of fire and safety.
 - D. That such use shall not diminish or impair established property values in adjoining or surrounding property.
 - E. That such use shall be in accord with the intent, purpose and spirit of the Zoning Ordinance and the Comprehensive Land Use Plan of the County.

4. Applications for Special Use Permits. Applications for a special use permit under terms of this section shall be accompanied by evidence concerning the feasibility of the proposed request and its effect on surrounding property and shall include a site plan defining the areas to be developed for buildings and structures, the areas to be developed for parking, the locations of driveways, and the points of ingress and egress, including access roads where required, the location and height of walls, the location and type of landscaping, the location, size and number of signs and the manner of providing water supply and sewage treatment facilities. Before issuance of a special use permit for any of the above buildings, or uses, the Board of Adjustment shall review the conformity of the proposal and site plan with the standards of the Comprehensive Land Use Plan, and with recognized principles of engineering design, land use planning, and landscape architecture. The Board may approve or disapprove the special use permit as submitted, or before approval may require that the applicant modify, alter, or amend the proposal as the Board deems necessary to the end that it preserve the intent and purpose of the Zoning Ordinance to promote public health, safety, and the general welfare. In the event a special use permit is granted under the terms of this section, any change thereafter in the approved use or site plan shall be resubmitted and considered in the same manner as the original proposal.

5. Permitted Accessory Uses.
 - A. Uses of land or structures customarily incidental and subordinate to one of the permitted principal uses, unless otherwise excluded.
 - B. Private garage or carport.
 - C. Summer houses and other customary incidental structures.
 - D. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of the construction work. This shall include trailers and house trailers used as offices.
 - E. Institutional Bulletin Board Signs.
 - F. One bulletin board or sign not exceeding fifty (50) square feet in area appertaining to the construction, lease, hire or sale of a building or premises, which board or sign shall be removed as soon as the premises are leased, hired, sold, or construction completed.
 - G. Private stable, provided that any structure shall be located at least two hundred (200) feet from all boundary lines of the property on which located.
 - H. Home occupations as permitted and as limited by Subsection 40.17.
 - I. Parabolic or dish type antennas which shall be placed in the rear yard and must be a minimum of ten (10) feet from all property lines and shall not be larger than eight (8) feet in diameter if of opaque construction or ten (10) feet in diameter if of wire or mesh construction. All such parabolic or dish type antennas shall be mounted at ground level. The erection and construction of a parabolic or dish type antenna shall require obtaining a permit from the Zoning Administrator prior to the commencement of any work.
 - J. Solar collectors mounted on the ground in the rear yard or attached to the principal building facing the front, side or rear yard at a height no greater than the peak of the roof of the principal structure. If required, solar access easements may be obtained from adjoining property owners in accordance with State statutes.
6. Bulk Regulations. The following minimum requirements shall be observed, subject to the modifications contained in Chapter 42 hereof.

- A. Minimum Lot Area. Forty thousand (40,000) square feet.
- B. Minimum Lot Width. Dwellings and other permitted uses: one hundred (100) feet.
- C. Minimum Front Yard Depth. Dwellings and other permitted uses: fifty (50) feet unless otherwise specified. In all cases the front yard depth shall be measured from the right-of-way line.
- D. Minimum Side Yard Width. Each side yard - dwellings and other permitted uses: twelve (12) feet unless otherwise specified.
- E. Minimum Rear Yard Depth. Dwellings: fifty (50) feet. Other permitted accessory uses: twelve (12) feet unless otherwise specified.
- F. Maximum Height. Principal building: thirty-five (35) feet. Accessory building: twelve (12) feet.
- G. Maximum Number of Stories. Principal building: three (3) stories. Accessory building: one (1) story.
- H. Off-street Parking and Loading. As required by Sections 40.22 and 40.23 of the Zoning Ordinance.
- I. Minimum Width Regulation. The minimum dimension of the main body of the principal building shall not be less than twenty-four (24) feet.
- J. Perimeter Foundation Requirement. A permanent perimeter foundation shall be required for all principal buildings.

41.06 R-2 DISTRICT REGULATIONS. The R-2 Districts (Single-Family Residential Districts) are intended and designed to provide for certain medium density residential areas of the County now developed with single-family dwellings, and areas where similar residential development seems likely to occur. These districts will be permitted only where public owned water supply and publicly owned sewage treatment works are available.

- 1. Principal Permitted Uses. Only the use of structures or land listed in this section shall be permitted in the R-2 Districts.
 - A. Single-family dwellings.

- B. Any use or structure permitted and as regulated in the R-1 District except as otherwise provided herein, except cemeteries, nurseries, and greenhouses.
- 2. Special Use Permits R-2. The following uses may be permitted in the R-2 District subject to approval by the Board of Adjustment after notice and public hearing, and subject to the conditions contained in subsection 3 hereof:
 - A. Electrical Substations. Structures and equipment within such facilities are exempt from the height regulations of the district.
- 3. Conditions for Special Use Permits. In its determination upon the particular use at the location requested, the Board shall consider all of the following conditions:
 - A. That the proposed location, design, construction and operation of the particular use adequately safeguards the health, safety, and general welfare of the persons residing or working in adjoining or surrounding property.
 - B. That such use shall not impair an adequate supply for fresh air and light to surrounding property.
 - C. That such use shall not unduly increase congestion in the streets or public danger of fire and safety.
 - D. That such use shall not diminish or impair established property values in adjoining or surrounding property.
 - E. That such use shall be in accord with the intent, purpose and spirit of the Zoning Ordinance and the Comprehensive Land Use Plan of the County.
- 4. Applications for Special Use Permits. Applications for a special use permit under the terms of this section shall be accompanied by evidence concerning the feasibility of the proposed request and its effect on surrounding property and shall include a site plan defining the areas to be developed for buildings and structures, the areas to be developed for parking, the locations of driveways, and the points of ingress and egress, including access roads where required, the location and height of walls, the location and type of landscaping, the location, size and number of signs and the manner of providing water supply and sewage treatment facilities. Before issuance of a special use permit for any of the above

buildings, or uses, the Board of Adjustment shall review the conformity of the proposal and site plan with the standards of the Comprehensive Land Use Plan, and with recognized principles of engineering design, land use planning, and landscape architecture. The Board may approve or disapprove the special use permit as submitted, or before approval may require that the applicant modify, alter, or amend the proposal as the Board deems necessary to the end that it preserve the intent and purpose of the Zoning Ordinance to promote public health, safety, and the general welfare. In the event a special use permit is granted under the terms of this section, any change thereafter in the approved use or site plan shall be resubmitted and considered in the same manner as the original proposal.

5. Permitted Accessory Uses.

- A. Any use or structure permitted and as regulated in the R-1 District, except as otherwise provided herein, but not including private riding stables.
- B. Nursery schools, preschools, and child care centers when the principal building is located not less than twenty (20) feet from any other lot in the “R” district; provided there is established and maintained in connection therewith a completely fenced and screened play lot.

6. Bulk Regulations. The following minimum requirements shall be observed, subject to the modifications contained in Chapter 42 of the Zoning Ordinance.

- A. Minimum Lot Area. Dwellings: ten thousand (10,000) square feet. Other permitted uses: twenty thousand (20,000) square feet.
- B. Minimum Lot Width. Dwellings: eighty (80) feet. Other permitted uses: one hundred (100) feet.
- C. Minimum Front Yard Depth. Dwellings: thirty-five (35) feet. Other permitted uses: forty (40) feet. In all cases the front yard shall be measured from the right-of-way line.
- D. Minimum Side Yard Width. Dwellings: [one to one and one-half (1 to 1 ½) stories]: ten (10) feet; [two to three (2 to 3) stories]: twelve (12) feet. Other permitted uses: twelve (12) feet. Accessory buildings: four (4) feet.
- E. Minimum Rear Yard Depth. Dwellings: forty (40) feet. Other permitted uses: fifty (50) feet. Accessory buildings: four (4) feet.

- F. Maximum Height. Principal building: thirty-five (35) feet.
Accessory building: twelve (12) feet.
- G. Maximum Number of Stories. Principal building: three (3) stories.
Accessory building: one (1) story.
- H. Off-street Parking and Loading. As required by Sections 40.22
and 40.23 of the Zoning Ordinance.
- I. Minimum Width Regulation. The minimum dimension of the
main body of the principal building shall not be less than twenty-
four (24) feet.
- J. Perimeter Foundation Requirement. A permanent perimeter
foundation shall be required for all principal buildings.

41.07 R-3 DISTRICT REGULATIONS. The R-3 Districts (Multiple Family Residential Districts) are intended and designed to provide for certain high density residential areas of the County and areas where similar development seems likely to occur. These districts will be permitted only where public owned water supply and publicly owned sewage treatment works are available.

- 1. Principal Permitted Uses. Only the use of structures or land listed in this section shall be permitted in the R-3 Districts.
 - A. Any use permitted in and as regulated by the R-2 District regulations.
 - B. Two-family dwellings.
 - C. Multiple dwellings, including row dwellings and condominium dwellings.
 - D. Boarding and rooming houses.
 - E. Institutions of a religious, educational, or philanthropic nature, including libraries and hospitals.
 - F. Nursing, convalescent and retirement homes.
 - G. Private clubs, lodges, or veterans organizations.
- 2. Special Use Permits R-3. The following uses may be permitted in the R-3 District subject to approval by the Board of Adjustment after notice and public hearing, and subject to the conditions contained in subsection 3 hereof:

- A. Electrical substations. Structures and equipment within such facilities are exempt from the height regulations of the district.
3. Conditions for Special Use Permits. In its determination upon the particular use at the location requested, the Board shall consider all of the following conditions:
- A. That the proposed location, design, construction and operation of the particular use adequately safeguards the health, safety, and general welfare of the persons residing or working in adjoining or surrounding property.
 - B. That such use shall not impair an adequate supply for fresh air and light to surrounding property.
 - C. That such use shall not unduly increase congestion in the streets or public danger of fire and safety.
 - D. That such use shall not diminish or impair established property values in adjoining or surrounding property.
 - E. That such use shall be in accord with the intent, purpose and spirit of the Zoning Ordinance and the Comprehensive Land Use Plan of the County.
4. Applications for Special Use Permits. Applications for a special use permit under terms of this section shall be accompanied by evidence concerning the feasibility of the proposed request and its effect on surrounding property and shall include a site plan defining the areas to be developed for buildings and structures, the areas to be developed for parking, the locations of driveways, and the points of ingress and egress, including access roads where required, the location and height of walls, the location and type of landscaping, the location, size and number of signs and the manner of providing water supply and sewage treatment facilities. Before issuance of a special use permit for any of the above buildings, or uses, the Board of Adjustment shall review the conformity of the proposal and site plan with the standards of the Comprehensive Land Use Plan, and with recognized principles of engineering design, land use planning, and landscape architecture. The Board may approve or disapprove the special use permit as submitted, or before approval may require that the applicant modify, alter, or amend the proposal as the Board deems necessary to the end that it preserve the intent and purpose of the Zoning Ordinance to promote public health, safety, and the general welfare. In the event a special use permit is granted under the terms of this section, any change thereafter in the approved use or site plan shall be resubmitted and considered in the same manner as the original proposal.

5. Permitted Accessory Uses. Accessory uses and structures as permitted and regulated in the R-2 District except as otherwise provided herein.

6. Bulk Regulations. The following minimum requirements shall be observed, subject to the modifications contained in Chapter 42 of the Zoning Ordinance.

A. Minimum Lot Area.

One-family dwelling - seven thousand five hundred (7,500) square feet.

Two-family dwelling – nine thousand (9,000) square feet.

Multiple dwellings (including row housing) – twelve thousand (12,000) square feet, plus an additional three thousand (3,000) square feet for each unit over four (4).

B. Minimum Lot Width.

One-family dwelling – sixty (60) feet.

Two-family dwelling – seventy (70) feet.

Row housing units – twenty (20) feet.

Multiple family dwelling – eighty (80) feet.

Other permitted uses – one hundred (100) feet.

C. Minimum Front Yard Depth. Dwellings: thirty (30) feet. Other permitted uses: forty (40) feet. In all cases the front yard shall be measured from the right-of-way line.

D. Minimum Side Yard Width.

One-family dwelling – eight (8) feet each side.

Two-family dwelling – ten (10) feet each side.

Multiple family dwelling – twelve (12) feet each side.

Accessory building: four (4) feet.

Other permitted uses – twelve (12) feet each side.

E. Minimum Rear Yard Depth.

One-family dwelling – thirty-five (35) feet.

Two-family dwelling – thirty-five (35) feet.

Multiple family dwelling – forty (40) feet.

Accessory building: four (4) feet.

Other permitted uses – fifty (50) feet.

F. Maximum Height.

Principal building: forty (40) feet.

Accessory building: fifteen (15) feet.

G. Maximum Number of Stories.

Principal building: three (3) stories.

Accessory building: one (1) story.

H. Off-street Parking and Loading. As required by Sections 40.22 and 40.23 of the Zoning Ordinance.

I. Minimum Width Regulation. The minimum dimension of the main body of the principal building shall not be less than twenty-four (24) feet.

J. Perimeter Foundation Requirement. A permanent perimeter foundation shall be required for all principal buildings.

41.08 R-4 DISTRICT REGULATIONS. The R-4 Districts (Planned Residential Development Districts) are intended to provide for the development or redevelopment of tracts of ground on a unit basis, allowing greater flexibility of land use and building locations than the conventional single lot method provided in other sections of the Zoning Ordinance. It is the intent of this section that basic principles of land use planning, including an orderly relationship between various types of land uses, be maintained and that zoning standards set forth herein and other statutes of the County concerning adequate light and air, recreation, open space and building coverage be preserved. These districts will be permitted only where public owned water supply and publicly owned sewage treatment works are available. Semipublic sewage disposal systems will not be allowed.

1. Procedure. The owner or owners of any tract of land comprising an area of not less than 10 acres may petition the Board of Supervisors for a change to the R-4 Zoning District Classification. The petition shall be accompanied by evidence that the proposed development is compatible with the surrounding area, evidence showing how the owner or owners propose to maintain any common ground included within the development, evidence of the feasibility of providing adequate storm and surface water drainage, water supply, water mains and sanitary sewerage facilities for the proposed development, and evidence that the developer is capable of successfully completing the proposed development. A preliminary plan of the proposed development shall be submitted in triplicate, showing in schematic form the location of all proposed (a) buildings and uses, the height and exterior design of typical dwellings and the number of dwelling units in each; (b) parking areas; (c) access drives; (d) streets abutting or within the proposed development; (e) walks; (f) site topographic features; (g) landscaping and planting areas; (h) required peripheral yards; (i) common land, recreation areas and parks; (j) existing utility or other easements; and (k) development stages and timing. The petition and all attachments shall be referred to the County Zoning Commission for study and report after public hearing. The Commission shall review the conformity of the proposed development with the standards of the Comprehensive Plan and with recognized principles of urban design, land use planning and landscaping architecture. After public hearing, the Commission may approve or disapprove the preliminary plan and request for rezoning as submitted, or require that the petitioner amend the plan to preserve the intent and purpose of the Zoning Ordinance to promote public health, safety and the general welfare. The petition and preliminary plan along with the Commission's recommendations on the request for rezoning shall then be referred to the Board of Supervisors.

The Board, after public hearing, may approve or disapprove the preliminary plan and request for rezoning, as reported, or may require such changes as are necessary to preserve the intent and purpose of the Zoning Ordinance to promote public health, safety, and the general welfare. If the Board approves the preliminary plan and request for rezoning, the applicant shall submit within 270 days, or such longer period as may be approved by the Board after recommendation by the Commission, to the Commission a final development plan, in triplicate, of not less than one stage of the proposed development showing in detail the location of all proposed: (a) buildings and uses, the height and exterior design of typical dwellings and the number of dwelling units in each; (b) parking areas; (c) access drives; (d) streets abutting or within the proposed development; (e) walks; (f) all proposed walls and fences; (g) landscaping and plant material; (h) required peripheral yards; (i) common land,

recreation areas and parks; (j) existing and proposed utilities and public easements; (k) proposed signs and their area and dimensions; (l) storm and sanitary sewer lines; (m) water mains; and (n) development stages and timing. The final development plan shall be accompanied by the following required documents:

- A. If the proposed development includes common land which will not be dedicated to the County, and the proposed development will not be held in single ownership, proposed bylaws of a homeowner's association fully defining the functions, responsibilities and operating procedures of the association. The proposed bylaws shall include but not be limited to provisions (1) automatically extending membership in the association to all owners of dwelling units within the development; (2) limiting the uses of the common property to those permitted by the final development plan; (3) granting to each owner of a dwelling unit within the development the right to use and enjoyment of the common property; (4) placing the responsibility for operation and maintenance of the common property in the association; (5) giving every owner of a dwelling unit voting rights in the association; and (6) if the development will combine rental and for sale dwelling units, stating the relationship between the renters and the homeowner's association and the rights renters shall have to the use of the common land.
- B. Performance bond or bonds, in accordance with the requirements of Chapter 46 of this Code of Ordinances (the Subdivision Ordinance), which bond or bonds shall insure to the County that the dedicated public streets and utilities, including sewers and water mains, located therein and other common development facilities shall be completed by the developer within the time specified on the final development plan.
- C. Covenant to run with the land, in favor of the County, and all persons having a proprietary interest in any portion of the development premises, that the owner or owners of the land or their successors in interest will maintain all interior streets, parking areas, sidewalks, common land, parks and plantings which have not been dedicated to the County, in compliance with this Code of Ordinances.
- D. Any additional easements and/or agreements required by the Board of Supervisors at the time of preliminary plan approval.

- E. A final plat shall be submitted with each stage of the final development plan. The plat shall show building lines, lots and/or blocks, common land, streets, easements and other applicable items required by the Subdivision Ordinance. Following approval of the final plat by the Commission and Board, the plat shall be recorded with the Warren County Auditor and Recorder.
- 2. Final Plan. The final development plan and required documents shall be reviewed by the Commission, for compliance with the standards of this section and substantial compliance with the preliminary plan. The Commission's recommendations and report on the final development plan shall be referred to the Board. The Board shall review the final development plan and approve it if it complies with the standards of this section and is in substantial compliance with the preliminary development plan. No building permits or zoning certificates shall be issued until the final development plan and final plat have been approved by the Board of Supervisors.
 - 3. Standards. Permitted principal and accessory land uses, lot area, yard and height requirements shall be as set out below, which shall prevail over conflicting requirements of the Zoning Ordinance or the Subdivision Ordinance.
 - A. Buildings shall only be used for residential purposes, occupant garages, occupant storage space and similar accessory uses, non-commercial recreational facilities, and community activities, including churches and schools.
 - B. The minimum lot and yard requirements of the zoning districts in which the development is located shall not apply, except that minimum yards specified in the district or suitable screening or buffering shall be provided around the boundaries of the development. In the absence of an appropriate physical barrier, the Board may require open space or screenings be located along all or a portion of the development boundaries. The height requirements of the zoning district in which the development is located shall apply within 125 feet of the development boundary.
 - C. All public streets, water mains, sanitary sewer and storm sewer facilities shall comply with appropriate ordinances and specifications of the County Board of Health, the Iowa Department of Natural Resources and the County Engineer.

- D. “Common land” as used in this section refers to land retained in private ownership for the use of the residents of the development or to land dedicated to the general public.
 - E. Any land gained within the development because of the reduction in lot sizes, below minimum Zoning Ordinance requirements, shall be placed in common land to be dedicated to the County or retained in private ownership to be managed by a homeowner’s association. The dedication of land to the County shall be referred to the Warren County Conservation Board for recommendation and report.
 - F. The requirements of Sections 40.22 and 40.23 of this Zoning Ordinance, relating to off-street parking and loading, shall apply to all R-4 developments.
 - G. Each stage of the final development plan shall comply with the density requirements of this section for the zoning district in which it is located.
 - H. No stage of a final development plan shall contain less than 10 acres.
4. Density Requirements. The maximum number of dwelling units permitted in an R-4 development shall be determined by dividing the net development area by the minimum lot area per dwelling unit required by the zoning district or districts in which the area is located. Net development area shall be determined by subtracting the area set aside for churches and schools, if any, and deducting the area actually proposed for streets from the gross development area. The area of land set aside for common land, open space, or recreation shall be included in determining the number of dwelling units permitted. The maximum number of multiple dwelling units permitted in the R-4 development shall be determined by the zoning district in which the development is located as follows:

<u>Zoning District</u>	<u>Percentage of Total Dwelling Units Permitted as Multiples</u>
R-1	30%
R-2	50%
R-3	75%

If the development area contains two (2) or more different zoning classifications, the number of dwelling units permitted and the percentage of multiples allowed shall be determined in direct proportion to the area of each zoning classification contained in the entire tract.

5. Completion. The Board may make the approval of the development plan contingent upon the completion of construction and improvements within a reasonable period of time; provided, however, that in the determination of such period, the Board shall consider the scope and magnitude of the development project and any schedule of construction and improvements submitted by the developer. Failure to complete all construction and improvements within said period of time shall be deemed sufficient cause for the Board, in accordance with the provisions of Section 43.10 of the Zoning Ordinance, to rezone the unimproved property to the classification effective at the time of original submission of the development plan, unless an extension is recommended by the Commission and approved by the Board for due cause shown. Any proposed change in the development plan after approval by the Board shall be resubmitted and considered in the same manner as the original proposal. For the purpose of this section, the term “unimproved” property shall mean all property situated within a stage or stages of the final development plan upon which the installation of improvements has not been commenced.
6. Completion of Stages. In no event shall the installation of any improvements be commenced in the second or subsequent stages of the final development plan until such time as ninety (90%) of all construction and improvements have been completed in any prior stage of such plan.

41.09 R-5 DISTRICT REGULATIONS. The R-5 Districts (Mobile Home Park Residential Districts) are intended and designed to provide for certain high density residential areas of the County for the development of mobile home parks, which by reason of their design and location will be compatible with nearby residential and agricultural areas. These districts will be permitted only where public owned water supply and publicly owned sewage treatment works are available. Semipublic sewage disposal systems will not be allowed.

1. Principal Permitted Uses. Only the use of structures or land listed in this section shall be permitted in the R-5 Districts: Mobile home parks, in accordance with the provisions of this section, regulations of the County Board of Health and applicable State statutes; but not including mobile home sales and display areas. No part of any park shall be used for nonresidential purposes except such uses that are required for the direct servicing and well being of park residents and for the management and maintenance of the park. This shall in no way prohibit the sale by the resident owner of a mobile home located on a mobile home stand and connected to the pertinent utilities.

2. Special Use Permits R-5. The following uses may be permitted in the R-5 District subject to approval by the Board of Adjustment after notice and public hearing, and subject to the conditions contained in subsection 3 hereof:

- A. Electrical substations. Structures and equipment within such facilities are exempt from the height regulations of the district.

3. Conditions for Special Use Permits. In its determination upon the particular use at the location requested, the Board shall consider all of the following conditions:

- A. That the proposed location, design, construction and operation of the particular use adequately safeguards the health, safety, and general welfare of the persons residing or working in adjoining or surrounding property.
- B. That such use shall not impair an adequate supply for fresh air and light to surrounding property.
- C. That such use shall not unduly increase congestion in the streets or public danger of fire and safety.
- D. That such use shall not diminish or impair established property values in adjoining or surrounding property.
- E. That such use shall be in accord with the intent, purpose and spirit of the Zoning Ordinance and the Comprehensive Land Use Plan of the County.

4. Applications for Special Use Permits. Applications for a special use permit under terms of this section shall be accompanied by evidence concerning the feasibility of the proposed request and its effect on surrounding property and shall include a site plan defining the areas to be developed for buildings and structures, the areas to be developed for parking, the locations of driveways, and the points of ingress and egress, including access roads where required, the location and height of walls, the location and type of landscaping, the location, size and number of signs and the manner of providing water supply and sewage treatment facilities. Before issuance of a special use permit for any of the above buildings, or uses, the Board of Adjustment shall review the conformity of the proposal and site plan with the standards of the Comprehensive Land Use Plan, and with recognized principles of engineering design, land use planning, and landscape architecture. The Board may approve or disapprove the special use permit as submitted, or before approval may require that the applicant modify, alter, or amend the proposal as the

Board deems necessary to the end that it preserve the intent and purpose of the Zoning Ordinance to promote public health, safety, and the general welfare. In the event a special use permit is granted under the terms of this section, any change thereafter in the approved use or site plan shall be resubmitted and considered in the same manner as the original proposal.

5. Permitted Accessory Uses.

- A. Accessory uses may include common facility service buildings which provide laundry facilities, short order food service, accessory supplies, vending machines, garage, parking areas, storage facilities, etc; also park management buildings, maintenance buildings, community buildings, swimming pools, and uses of a similar nature.
- B. One permanent identification sign shall be permitted at any main entrance to a mobile home park. Such sign shall be of ornamental metal, stone, masonry, wood, or other permanent material and shall indicate only the name of such mobile home park. Such sign shall not exceed twenty (20) square feet in surface area.

6. Height Regulations. No mobile home or accessory building shall exceed twenty-five (25) feet in height.

7. Lot Area, Lot Frontage and Yard Requirements.

- A. The minimum area proposed for a mobile home park shall have at least ten (10) acres of gross development area. The maximum density allowed for the gross development area shall be eight (8) mobile home units per gross acre.
- B. No part of any mobile home space shall be closer to any public street upon which the park adjoins than seventy-five (75) feet; however, interior park streets may be located within the setback area.
- C. The individual mobile home lot shall contain not less than 4,500 square feet in area with a minimum depth of ninety (90) feet. Each lot shall have a front yard of not less than fifteen (15) feet in depth measured from the edge of the surfaced street to the closest point of the lower face of the mobile home. Side and rear yards shall be provided and maintained so as to provide a separation at the nearest point between mobile homes, and other buildings and structures on adjoining lots of at least twenty-five (25) feet. Nothing in the Zoning Ordinance shall prevent the construction of entrance-ways, rooms, breeze ways, or other integral parts to the existing mobile home.

- D. A minimum of 250 square feet for each lot shall be provided for one or more recreation areas which shall be easily accessible to all park residents. The required recreational area shall be computed in addition to the minimum lot area specified herein.
8. Parking. A minimum of two (2) off-street parking spaces for each mobile home shall be provided. These required parking spaces, or parking areas, shall be so located as to provide convenient access to the mobile home, but shall not exceed a distance of 200 feet from the mobile home that it is intended to serve. All parking areas shall be constructed with a portland cement concrete or asphaltic concrete surface.
 9. Streets. The entrance road connecting the park streets with a public street shall have a minimum road pavement width of thirty-one (31) feet, measured back to back of curbs. All interior streets shall not be less than twenty-eight (28) feet in width, measured back to back of curbs. All streets shall be constructed with either hot mix asphaltic or portland cement concrete with an approved curb to provide for drainage.
 10. Skirting. Skirting of a permanent type material and construction shall be installed within ninety (90) days to enclose the open space between the bottom of a mobile home floor and the grade level of the mobile home stand. This skirting shall be maintained in an attractive manner consistent with the exterior of the mobile home and to preserve the appearance of the mobile home park.
 11. Utilities. Sewer and water facilities shall be provided for each mobile home park space in accordance with the requirements of the Iowa Department of Natural Resources. Any lagoons, or other treatment facilities, constructed in conjunction with the development, shall be located not less than seventy-five (75) feet from any public road or street or lot line (in the case of a lagoon, this distance shall be measured from the outside toe of the levee slope).
 12. Plan Required. Each petition for a change to the R-5 zoning classification submitted to the Board of Supervisors shall be accompanied by a mobile home park plan. Said plan shall show each mobile home space, the water, electrical and sewer lines serving each mobile home space, the location of garbage cans, water hydrants, service buildings, driveways, walkways, recreation areas, required yards, parking facilities, lighting and landscaping. If public water and sanitary sewerage facilities are not available to the mobile home park site, private water and sewerage systems shall be provided in accordance with the requirements of the Iowa Department of Natural Resources, subject to approval of the Board of

Supervisors. The plan shall be considered by the County Zoning Commission and the Board of Supervisors, who may approve or disapprove said plan or require such changes thereto, as are deemed necessary to effectuate the intent and purpose of the Zoning Ordinance. All changes to the R-5 classification shall be made in accordance with the provisions of Section 43.10 of the Zoning Ordinance.

41.10 C-1 DISTRICT REGULATIONS. The C-1 Districts (Local Service Commercial Districts) are intended to provide for the normal business and commercial uses required to serve the local needs of the unincorporated areas of the County.

1. Principal Permitted Uses. Only the use of structures or land listed in this section shall be permitted in the C-1 Districts: Any retail business or service establishment supplying commodities or performing services, such as the following.

A. Automotive Service:

Filling station (See Chapter 42 for Regulations)
Tire and auto accessory store
Public parking
Repair garage
Car wash.

B. Business Service:

Bank
Loan office
Professional or commercial office
Travel bureau.
Real estate office.

C. Clothing Service:

Apparel shop
Clothes cleaning pickup station
Costume rental
Diaper service
Shoe sales or repair
Tailor
Hat cleaning or repair shop.

- D. Equipment Service:
 - Household appliances
 - Phonograph/record shop
 - Photographic shop.

- E. Food Service:
 - Caterer
 - Grocery
 - Fruit and vegetable store
 - Meat market
 - Drug store
 - Tea rooms
 - Restaurant
 - Tavern
 - Delicatessen shop.

- F. Personal Services:
 - Beauty parlor
 - Barber shop
 - Cosmetics
 - Masseur salon
 - Optician
 - Reducing salon
 - Medical and dental clinics.

- G. General Retail Service:
 - Antique store
 - Bicycle sales and repair shops
 - Bird or pet shop
 - Book store
 - Cigar store
 - Florist shop
 - Furrier
 - Hardware
 - Paint and wallpaper store
 - Toy shop
 - Variety store.

- H. Amusement Enterprises:
 - Bowling alleys
 - Billiard hall
 - Theater (indoor).
- I. Hotel, Motel, Private Club or Lodge.
- J. Electrical Substations and Telephone Exchanges.
- K. Advertising Sign or Billboard; provided that when the same is located within fifty (50) feet of an “R” district boundary line, it shall be affixed to or be on a building and not extend over any street line nor project above the roof line or parapet wall. See Chapter 42 for additional regulations.
- L. Milk Distribution Stations, but not processing concerns.
- M. Microwave, radio, television and cellular telephone communication towers. Fall areas shall be required on all towers over 150 feet in height. Requirement of one and one-half (1 ½) times the height of the tower (as measured from the base) to all tower site boundaries.
- 2. Permitted Accessory Uses.
 - A. Accessory uses and structures customarily accessory and incidental to any permitted principal use.
 - B. Any exterior sign shall pertain only to a use conducted within the building and be integral or attached thereto. No sign may project over any street line or extend more than six (6) feet over any building line whether fixed to the building or any other structure. In no case shall any sign project more than four (4) feet above the roof line or a parapet wall, and the total area of all signs pertaining to the business conducted in any building shall not exceed two (2) square feet in area for every foot occupied by the front of the building displaying such sign. Where the lot adjoins an “R” district, the exterior sign shall be attached flat against the building and shall not face the side of the adjacent lot located in the “R” district; however this does not apply to the side of the building which is opposite that side adjoining the “R” district.

- C. One post sign on each street on which a business abuts, provided, however, that said post sign shall not have a surface area greater than fifty (50) square feet on any one side thereof and not more than two (2) sides of said post sign shall be used for advertising purposes. The bottom of said post sign or surface area thereof shall be not less than twelve (12) feet above the sidewalk or above the surface of the ground upon which it is erected, and the total vertical or horizontal dimension of said sign shall not be greater than nine (9) feet. The term post sign as herein defined shall not be deemed to include any sign advertising the trade name, merchandise, or service of any person, firm, or corporation who pays a consideration for the privilege of placing, maintaining, or using any portion of said sign to the owner or occupant of the premises upon which said sign is erected or placed. Said post sign shall not extend over street right-of-way lines nor otherwise obstruct or impair the safety of pedestrians or motorists.
3. Bulk Regulations. The following minimum requirements shall be observed, subject to the modifications contained in Chapter 42 of the Zoning Ordinance.
- A. Minimum Lot Area. Permitted uses listed in this section: no minimum.
- B. Minimum Lot Width. Permitted uses listed in this section: no minimum.
- C. Minimum Front Yard Depth. All uses: Thirty (30) feet. In all cases the front yard shall be measured from the right-of-way line.
- D. Minimum Side Yard Width. Permitted uses in this section:
- When adjacent to an “A” District - 50 feet.
- When adjacent to an “R” District – 75 feet.
- E. Minimum Rear Yard Depth. Thirty-five (35) feet.
- F. Height Regulations. Two and one-half (2 ½) stories, but not exceeding thirty-five (35) feet in height; and no accessory structure shall exceed one (1) story or fifteen (15) feet in height.
- G. Off-street Parking and Loading. As required by Sections 40.22 and 40.23 of the Zoning Ordinance.

41.11 C-2 DISTRICT REGULATIONS. The C-2 Districts (General Commercial-Highway Service Districts) are intended to provide for the commercial and highway service uses required to serve the general needs of the County and the highway traveling public.

1. Principal Permitted Uses. Only the use of structures or land listed in this section shall be permitted in the C-2 District.
 - A. Uses as permitted and regulated in the C-1 District except as otherwise provided herein.
 - B. Automobile, trailer, mobile home, and farm implement establishments for display, hire, sales, and repair, including sales lots; however, this paragraph shall not be construed to include automobile, tractor, machinery, or similar wrecking and used parts yards.
 - C. Theaters, provided that for drive-in theaters, the screen shall be so located as to not be visible from adjacent highways. Sufficient driveway area shall be provided so that cars will not be waiting in line on any public right-of-way or otherwise create a hazard to vehicular movement.
 - D. Animal hospital, veterinary clinic or kennel, provided any structure or area used for such purpose shall be at least two hundred (200) feet from any "R" district boundary and one hundred (100) feet away from any A-1 or C-1 district boundary.
 - E. Commercial baseball fields, swimming pools, skating, golf driving ranges, or similar recreational uses and facilities.
 - F. Carpenter, sheet metal and sign painting shops, baker, laundry, clothes cleaning and/or dyeing establishments; lumber yards and commercial greenhouses; provided that no heating plant or ventilating flue in connection with such operations shall be within fifty (50) feet of any "R" district.
 - G. Outdoor advertising signs in accordance with the provisions of Chapter 42.
 - H. Camping grounds.

- I. Drive-in Restaurants.
- J. Public mini-storage.
- K. Amusement Parks.
- L. Microwave, radio, television and cellular telephone communication towers. Distance regulations are one and one-half (1 ½) times the height of the tower (as measured from the base) to all tower site boundaries.

2. Permitted Accessory Uses.

- A. Accessory uses and structures customarily incidental to any permitted principal use.
- B. Accessory uses and structures as permitted in and regulated by the C-1 District regulations; provided, however, that the surface area of post signs may be increased to two hundred (200) square feet.

3. Bulk Regulations. The following minimum requirements shall be observed, subject to the modifications contained in Chapter 42 of the Zoning Ordinance.

- A. Minimum Lot Area. Permitted uses listed in this section: no minimum.
- B. Minimum Lot Width. Permitted uses listed in this section: no minimum.
- C. Minimum Front Yard Depth. All uses: thirty (30) feet. In all cases the front yard shall be measured from the right-of-way line.
- D. Minimum Side Yard Width. Permitted uses in this district:

When adjacent to an “A” District – 50 feet.

When adjacent to an “R” District – 75 feet.

- E. Minimum Rear Yard Depth. Thirty-five (35) feet.
- F. Height Regulations. No structure shall exceed three (3) stories or forty (40) feet in height (excluding Section 41.11 [1][L]).

G. Off-street Parking and Loading. As required by Sections 40.22 and 40.23 of the Zoning Ordinance.

4. Special Use Permits: The following uses may be permitted in the C-2 district subject to approval by the Board of Adjustment after notice and public hearing, and subject to the conditions contained in subsection 5 and 6 hereof:

- A. Adult uses.
- B. Amusement parks.
- C. Camping grounds.
- D. Drive-in theater.

5. Special Restrictions.

- A. Adult uses.
 - 1. An adult use shall not be located within one thousand five hundred (1,500) feet of another adult use, nor shall they be located within one thousand five hundred, (1,500) feet of any public school or parochial school, day care center, church, public park, residential district, or any existing residential dwelling (one family, two family, or multiple dwelling).
 - 2. The one thousand five hundred (1,500) foot restrictions shall be computed by measurement from the residential zone or from the nearest property line of the land used for another adult use or any public or parochial school, licensed day care facility, church, public park, residential district, or any existing dwelling to the nearest entrance of the building in which adult uses are to occur, using a route of direct measured horizontal distance.
 - 3. All building openings, entries, windows, etc., shall be covered or screened in such a manner as to prevent a view into the interior from any public or semi-public area. Advertisements, displays, or other promotional materials shall not be shown or exhibited so as to be visible to the public from pedestrian sidewalks, walkways, or from other public, or semi-public areas. Signage for the adult use will

be restricted to printed word form which shall include only the name of the business, type of operations, and hours of operation. No visually explicit or derogatory signs will be allowed on any sign or on the façade of the building. Compliance to other signage requirements in sections 40.19, 40.20, and 40.21 is required.

4. No more than one adult business will be allowed per building and property.
5. Due to their adverse effect, the adult use property shall be properly screened from the road and from other adjacent uses by either use of landscaping or screened fence. A site plan according to subsection 7 of this section showing the location of the building, the overall site layout, and methods of buffering, will be submitted to the director and Board of Adjustment for their review at the time of application.
6. Conditions for Special Use Permits. In its determination upon the particular use at the location requested, the Board shall consider all of the following conditions:
 - A. That the proposed location, design, construction, and operation of the particular use adequately safeguards the health, safety, and general welfare of the persons residing or working in adjoining or surrounding property.
 - B. That such use shall not impair an adequate supply of fresh air and light to surrounding properties.
 - C. That such use shall not unduly increase congestion in the streets or public danger of fire and safety.
 - D. That such use shall not diminish or impair established property values in adjoining or surrounding property.
 - E. That such use shall be in accord with the intent, purpose and spirit of the Zoning Ordinance and the Comprehensive Land Use Plan of the county.

7. Application for Special Use Permit. Applications for a special use permit under terms of this section shall be accompanied by evidence concerning the feasibility of the proposed request and its effect on surrounding property. It shall include a site plan defining the areas to be developed for buildings and structures, the areas to be developed for parking, the locations of driveways, and the points of ingress and egress, including access roads where required, the location and height of walls, the location and type of landscaping, the location size and number of signs and the manner of providing water supply sewage treatment facilities. Before issuance of a special use permit for any of the above buildings, or uses, the Board of Adjustment shall review the conformity of the proposal and site plan with the standards of the Comprehensive Land Use Plan. The board may approve or disapprove the special use permit as submitted, or before approval may require that the applicant modify, alter, or amend the proposal as the board deems necessary to the end that it preserve the intent and purpose of the Zoning Ordinance to promote public health, safety and general welfare. In the event a special use permit is granted under the terms of this section, any change thereafter in the approved use or site plan shall be resubmitted and considered in the same manner as the original proposal.

41.12 M-1 DISTRICT REGULATIONS. The M-1 Districts (Light Industrial Districts) are intended and designed to provide areas of the County suitable for activities and uses of a light industrial nature. It is not intended that any new residential development be permitted in the M-1 Districts.

1. Principal Permitted Uses. Only the use of structures or land listed in this section shall be permitted in the M-1 Districts.
 - A. Any use permitted in the C-2 District. No new residential uses shall be permitted, unless accessory to a permitted principal use.
 - B. Automobile assembly and major repair.
 - C. Creamery, bottling, ice manufacturing and cold storage plant.
 - D. The manufacturing, compounding, processing, packaging, or treatment of cosmetics, pharmaceuticals, and food products, except fish and meat products, sauerkraut, vinegar, yeast, and the rendering or refining of fats and oils.
 - E. The manufacturing, compounding, assembling, or treatment of articles or merchandise from previously prepared materials such as bone, cloth, cork, fiber, leather, paper, plastics, metals, stones, tobacco, wax, yarns, and wood.

- F. Manufacture of musical instruments, novelties and molded rubber products.
- G. Manufacture or assembly of electrical appliances, instruments, and devices.
- H. Manufacture of pottery or other similar ceramic products, using only previously pulverized clay and kilns fired only by electricity or gas.
- I. Laboratories – experimental, film or testing.
- J. Manufacture and repair of electric signs, advertising structures, light sheet metal products, including heating and ventilating equipment.
- K. Blacksmith, welding, or other metal shop, excluding drop hammers and the like.
- L. Foundry casting lightweight non-ferrous metals, or electric foundry not causing noxious fumes or odors.
- M. Bag, carpet, and rug cleaning; provided necessary equipment is installed and operated for the effective precipitation or recovery of dust.
- N. Enameling, lacquering, or japanning.
- O. Crematory – if located not less than two hundred (200) feet from any “R” district.
- P. Concrete mixing, concrete products manufacture.
- Q. Sawmill, planing mill; including manufacture of wood products not involving chemical treatment.
- R. Building material sales yards, retail lumber yard, contractor’s equipment storage yard or plant for rental of equipment commonly used by contractors, storage and sale of livestock, feed and/or fuel, provided dust is effectively controlled, and storage yards for vehicles of a delivery or drying service.
- S. Circus, carnival or similar transient enterprise, provided all structures or buildings shall be at least two hundred (200) feet from any “R” District.
- T. Flammable liquids, underground storage only, not to exceed 50,000 gallons.

U. Storage and wholesale distribution of grains.

V. Printing and/or publishing houses.

W. Wholesale warehouse or business.

X. Truck terminal or yard, including repair.

2. Permitted Accessory Uses.

A. Any accessory uses or structures customarily, accessory or incidental to a permitted principal use.

B. Signs permitted in and as regulated in the C-2 District.

3. Required Conditions.

A. All uses specified in subsections 41.12 (1) (B) through (X), inclusive, shall be conducted wholly within a completely enclosed building except for parking, loading, and unloading facilities.

B. No use shall be permitted to be established or maintained which by reason of its nature or manner of operation is or may become hazardous, noxious or offensive owing to the emission of odor, dust, smoke, cinders, gas fumes, noise, vibration, refuse matter or water-carried waste. All facilities required for the discharge, collection and treatment of liquid, solid or gaseous wastes shall be designed, constructed and operated in accordance with the regulations of the Iowa Department of Natural Resources.

4. Bulk Regulations. The following minimum requirements shall be observed subject to the modifications contained in Chapter 42.

A. Minimum Lot Area. No minimum.

B. Minimum Lot Width. No minimum.

C. Minimum Front Yard Depth. All uses: fifty (50) feet. In all cases the front yard shall be measured from the right-of-way line.

D. Minimum Side Yard Width. Permitted uses in this section:

When adjacent to an "A" District – 75 feet.

When adjacent to an "R" District – 100 feet.

- E. Minimum Rear Yard Depth. All uses: Forty (40) feet. No rear yard required where the rear of the property adjoins a railroad right-of-way.
- F. Height Regulations. No structures shall exceed three (3) stories or fifty (50) feet in height.
- G. Off-street Parking and Loading. As required by Sections 40.22 and 40.23 of the Zoning Ordinance.

41.13 M-2 DISTRICT REGULATIONS. The M-2 Districts (Heavy Industrial Districts) are intended and designed to provide areas of the County for activities and uses of a heavy industrial character. Since this is the least restrictive of any district, almost any use is permissible which does not conflict with other ordinances or regulations of Warren County or the State of Iowa. In addition, no residential uses are permitted except farm dwellings in areas used for agriculture.

1. Principal Permitted Uses. A building premises may be used FOR ANY PURPOSE whatsoever provided the regulations listed in the following subsections are met:
 - A. Uses permitted in the M-1 District; provided that no Zoning Certificate shall be issued for any dwelling, school, hospital, clinic or other institution for human care, except where incidental to a permitted principal use.
 - B. Any other use not otherwise prohibited by law; provided, however, that none of the following uses shall be established or reconstructed, structurally altered, enlarged, or moved unless the Board of Adjustment approves the issuance of a permit therefore in accordance with the provisions of Sections 43.07 through 43.09 of the Zoning Ordinance.
 - (1) Abattoirs, slaughter houses, meat packing and processing plants and stockyards.
 - (2) Acid manufacture or wholesale storage of acids.
 - (3) Anhydrous ammonia storage and/or pumping facilities.
 - (3) Cement, lime, gypsum, or plaster of paris manufacture.
 - (4) Distillation of bones.
 - (5) Explosive manufacture or storage.

- (6) Fat rendering; fertilizer, gas, or glue manufacture.
- (7) Garbage, offal or dead animal reduction or dumping.
- (8) Petroleum or petroleum products refining.
- (9) Smelting or reduction of ores or metallurgical products.
- (10) Salvage yards, including auto wrecking and salvage, used parts sales and junk, iron or rags storage or baling. No portion of the front yard is to be used for the conduct of business in any manner whatsoever except for parking of customer or employee vehicles. Any premises on which such activities are carried on shall be wholly enclosed within a building or by a wooden or masonry fence or wall not less than six (6) feet in height and in which any openings or cracks are less than fifteen percent (15%) of the total area.
- (11) Wholesale storage of gasoline.
- (12) Transmitting stations.
- (13) Composting facilities.

2. Required Conditions.

- A. The best practical means known for the disposal of refuse matter or water-carried waste, the abatement of obnoxious or offensive odor, smoke, dust, gas, noise or similar nuisance shall be employed.
- B. All principal buildings and all accessory buildings or structures, housing a use permitted only in the M-2 District, shall be located at least two hundred (200) feet from any “R” district boundary.
- C. All facilities required for the discharge, collection and treatment of liquid, solid or gaseous wastes shall be designed, constructed and operated in accordance with the regulations of the Iowa Department of Natural Resources.

3. Bulk Regulations. The following minimum requirements shall be observed, subject to the modifications contained in Chapter 42 of the Zoning Ordinance.

- A. Minimum Lot Area. No minimum.
- B. Minimum Lot Width. No minimum.
- C. Minimum Front Yard Depth. All uses: fifty (50) feet. In all cases the front yard shall be measured from the right-of-way line.
- D. Minimum Side Yard Width. Permitted uses in this section:

When adjacent to an “A” District – 75 feet.
When adjacent to an “R” District – 100 feet.
- E. Minimum Rear Yard Depth. All uses: fifty (50) feet. No rear yard required when the rear of the property adjoins a railroad right-of-way.
- F. Height Regulations. No limitation.
- G. Off-street Parking and Loading. As required by Sections 40.22 and 40.23 of this Zoning Ordinance.

41.14 FPC DISTRICT REGULATIONS. The FPC Districts (Floodplain and Conservation Districts) are intended to preserve and protect the river and stream banks and floodplains of the County as well as the heavily wooded areas from adverse future development. It is further intended that development of the floodplains be restricted to minimize the danger to life and property which results from development undertaken without full realization of such danger.

- 1. Principal Permitted Uses. Only the use of structures or land listed in this section shall be permitted in the FPC Districts.
 - A. Agriculture, truck gardening and nurseries, and the usual accessory buildings, but not including livestock feed lots or poultry farms; provided that no permanent dwelling unit shall be erected thereon unless the tract contains twenty (20) or more acres.
 - B. Forests and forestry.
 - C. Publicly owned parks, playgrounds, golf courses, and recreational uses.
 - D. Any use erected or maintained by a public agency.
 - E. Private or publicly owned recreational uses including guest ranches, hunting, fishing and camping areas; boat docks and

marinas; riding stables and trails; provided, however, that water supply and sewage collection and disposal systems shall meet all of the requirements of the Iowa Department of Natural Resources and the County Board of Health.

- F. Mining and extraction of minerals and raw materials, subject to approval of the Board of Adjustment including plans for final site treatment; provided that in areas subject to flooding prior approval is obtained from the Iowa Department of Natural Resources.
- G. Public utility structures.
- H. Dumping of non-combustible materials for landfill purposes, subject to prior approval of the Iowa Department of Natural Resources in areas subject to flooding.
- I. Private or publicly owned grass landing strips, not changing the elevation of the FEMA floodplain for construction.

2. Permitted Accessory Uses.

- A. Accessory uses customarily incidental to a permitted principal use.
- B. Bulletin boards and signs appertaining to the use of the premises or to the lease, hire or sale of a building or premises, or signs appertaining to any material that is mined, grown, or treated within the District; provided however, that such signs shall not exceed 10 square feet in area.
- C. Outdoor music festivals and concerts, provided that any assembly of more than 200 persons shall not be permitted without prior approval of the Board of Adjustment.

3. Bulk Regulations. The following minimum requirements shall be observed in the FPC District.

- A. Minimum Front Yard Depth. 100 feet.
- B. Minimum Side Yard Width. Two side yards, not less than 50 feet each.
- C. Minimum Rear Yard Depth. 100 feet.
- D. Maximum Height. No limitation.

- E. Maximum Number of Stories. No limitation.
- F. Off-street Parking and Loading. Spaces for off-street parking and loading shall be provided in sufficient number to accommodate the permitted uses and shall not encroach on any public right-of-way.