
CHAPTER III: ZONING DISTRICTS / MAPS / USES

3.1 ESTABLISHMENT OF DISTRICTS. The following districts are hereby established for the unincorporated area of the County:

A-1	Prime Agricultural District
AR-1	Agricultural-Recreational District
R-1	Residential Suburban District
R-2	Residential Urban District
C-1	Highway Commercial District
C-2	General Commercial District
M-1	Limited Industrial District
M-2	General Industrial District
PUD	Planned Unit Development District

The location and boundaries of these districts are shown on the Official Zoning Map.

3.2 ZONING MAP.

3.2.1 Adoption of Official Zoning Map. The Official Zoning Map and the explanatory material thereon is hereby adopted by reference and declared to be a part of this ordinance.

3.2.2 Identification of Official Zoning Map. The Official Zoning Map shall be identified by the signature of the Chairman of the Board of Supervisors and attested to by the County Auditor under the following statement:

“This is to certify that this is the Official Zoning Map referred to in Chapter III, Section 3.2.2, of the Zoning Ordinance of Clinton County, Iowa, as adopted the ____ day of ”

The Official Zoning Map shall be on file in the office of the County Auditor and shall be the final authority as to the current zoning status of land, buildings and other structures in the County.

3.2.3 Changes in Official Zoning Map. No change in the Official Zoning Map shall be made except by amendment to this ordinance pursuant to Section 9.3.2. Such changes shall be promptly made by the Administrator and the ordinance number, nature of change and date of change shall be noted on the map, with the signature of the Chairperson of the Board of Supervisors approving such change. No amendment to this ordinance which involves matter portrayed on the Official Zoning Map shall become effective until after such change and entry has been made on said map.

Any unauthorized change of any kind whatsoever in the Official Zoning Map by any person or persons shall constitute a violation of this ordinance and be punishable as provided in Chapter X of this ordinance.

3.3 DISTRICT BOUNDARIES.

3.3.1 Zoning District Boundaries. Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

- A. Boundaries indicated as approximately following centerline of streets, highways, or alleys shall be construed to follow such centerlines.
- B. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
- C. Boundaries indicated as following township or section lines shall be construed to follow such lines.
- D. Where a district boundary line divides a lot of record, the Board of Adjustment may permit, as a special exception, the extension of the district regulations for either portion of the lot to the remaining portion of the lot, provided that the district regulations may not be applied for a distance greater than fifty (50) feet beyond the district boundary line.

3.4 USES NOT PROVIDED FOR IN ZONING DISTRICTS.

3.4.1 Administrator Makes Interpretation. For any use not explicitly listed as authorized in a zoning district, the Administrator shall make a determination if a use not mentioned can reasonably be interpreted to be substantially similar to a listed use. If a substantially similar use is found in any zoning district then the zoning regulations applicable to that use shall apply. Interpretations shall be ratified by the Planning & Zoning Commission at the next regularly scheduled meeting and attached to this ordinance.

3.4.2 Appeals and Non-Interpretations. Where the Administrator determines that a use not mentioned is of a type, scope, or impact that is not substantially similar to any listed use, the Administrator may initiate a text amendment procedure to modify the zoning district use lists.

3.5 PROHIBITED CONVERSIONS. Unless expressly provided for in these zoning regulations, no land shall be used and no building shall be erected for, or converted to, any use other than those authorized for the district in which the use is located. No building or portion thereof designed and constructed as a residential building shall be changed to an office, retail or business use of any type, except as provided herein.



3.6 ZONING DISTRICT REGULATIONS

3.6.1 A-1 Prime Agricultural District

- A. Purpose.** The A-1 Prime Agricultural District is intended to preserve areas appropriate for agricultural uses and to protect those areas of the County having the best soils for agricultural purposes from encroachment by non-farm uses. The A-1 District implements the Agricultural Future Land Use category of the Master Plan.

Agricultural uses are the primary intended use in this district. Farmers shall have the continuing right to conduct normal farm operations. Any person who requests a zoning permit to place a non-farm dwelling on property which lies within the district is deemed to be aware of the normal agricultural uses and farming practices within the district, including night farming, noise, odors and other impacts from normal farm operations.

B. A-1 Permitted Principal Uses & Structures.

1. Agricultural, farms, farming and the usual farm buildings including farm dwellings.
2. Truck gardens, nurseries and horticulture.
3. Single family dwelling. Newly constructed non-farm dwellings shall not be located closer than 1,320 feet to an established feed lot or livestock confinement operation, unless an existing confinement feeding operation, or a proposed confinement feeding operation which has made an application for a permit to the Iowa Department of Natural Resources, is of sufficient size that State of Iowa regulations would require that a greater separation distance than 1320 feet would be necessary between the confinement feeding operation structure and a dwelling for siting of the confinement feeding operation structure, the greater separation distance will be required for locating the newly constructed non-farm dwelling. (Amended 5/21/03-Ord 2003-03) (Amended 8/8/2016-Ord 2016-02)
4. Public parks, fairgrounds, playgrounds, campgrounds and recreation areas.
5. Wildlife preserves, hunting areas, lakes and ponds.
6. Kennels, riding stables and the boarding of horses, provided that a Type E bufferyard surrounds all animal enclosure areas except pastures.
7. Railroad, street, sewer, water, trail easements and rights-of-way, and other utilities, but not including storage or maintenance yards and buildings, or administrative and sales offices. (Amended 11/22/2000-Ord 2000-05)
8. Group Home. Subject to Section 4.2.6.

9. Family Day Care Home. Subject to Section 4.2.5.

C. A-1 Permitted Accessory Uses and Structures. Uses and structures clearly incidental and necessary to the permitted principal uses and structures of this district, not involving the conduct of business on the site (except home occupations) and located on the same lot or a contiguous lot under the same ownership.

1. Secondary farm dwellings pursuant to Section 4.2.1.
2. Private swimming pools, garages, tennis courts, gardens and greenhouses.
3. Temporary buildings used in conjunction with construction work provided that such buildings are removed promptly upon completion of work.
4. Roadside stands for the sale of produce provided that access to such stands shall be so located as to afford a minimum sight distance of 750 feet to motor vehicles on adjacent roads, that no parking space shall be located closer than 20 feet to the road right-of-way and that not less than 4 parking spaces be provided.
5. Home occupation as provided in Section 4.2.2.
6. Non-Commercial WECS, subject to Section 4.2.17 (Amended 9/8/08-Ord 2008-02)
7. Non-Utility Scale Solar Installations, as provided in Section 4.2.19 of this ordinance. (Amended 10/3/2016-Ord 2016-03)

D. A-1 Special Exception Uses and Structures. (Amended 1/16/02-Ord 2002-02) Subject to Section 9.3.4 and other requirements contained herein, the Board of Adjustment may permit the following:

1. Agricultural service businesses involving processing, storage, and sale of grain for seed or feed; alfalfa dehydrating; sale of feed supplements; storage, distribution or sale of agricultural lime, agricultural chemicals or fertilizers; trenching, terracing or well drilling; but not including the sale or display of farm machinery, petroleum products, building materials or appliances; provided that the business produces no offensive noise, vibration, smoke, dust, odor, heat, glare or electrical interference detectable within the limits of the nearest dwelling. (Amended 11/22/2000-Ord 2000-05)
2. Mining and extraction of minerals or raw materials, as provided in Section 4.2.9, including necessary processing equipment, provided that access shall not cause a real or potential traffic hazard; that 1 off-street parking space for each employee plus 1 off-street space for each company



vehicle be provided. Any person or firm seeking a conditional use for the extraction of minerals or other raw materials shall submit a plan whereby the land so used would be restored by the applicant to a condition compatible with the surrounding area upon conclusion of the operation.

3. Sanitary landfill, provided that refuse be covered with dirt daily if it contains raw garbage; that a nuisance due to smoke, odor or blowing of trash and debris shall not be created; that the site shall be restored to a condition compatible with the adjacent area upon conclusion of the landfill operation. A dust free access road shall be provided.
4. Concrete, asphalt mixing or batching plants for temporary use during the construction, repair or maintenance of public roads, highways, or other public facilities, provided that the area be restored to a suitable condition free of refuse and debris.
5. Privately operated campgrounds, exposition grounds, youth or summer camps, gun clubs, marinas, boat docks, and recreation vehicle riding areas, race courses and similar outdoor recreation activities.
6. Golf courses and clubhouses but not including miniature golf courses.
7. Airports and landing fields approved by the Federal Aviation Administration.
8. Animal exhibits and zoos, subject to the conditions established in Section 4.2.3.
9. Bed and breakfast inn as established in Chapters 137B and 137C, Code of Iowa, and as provided in Section 4.2.4 of this ordinance.
10. Cemeteries.
11. Storage units. Subject to Section 4.2.11 and other conditions to ensure compatibility.
12. Child Day Care Center. Subject to Section 4.2.5.
13. Cottage Industry on parcels of five or more acres unless the Board of Adjustment finds that:
 - a. Allowing the Cottage Industry on a smaller area is appropriate for the specific site, and (Amended 9/8/08-Ord 2008-02)
 - b. allowing the Cottage Industry on a smaller area will not cause adverse impacts on neighboring properties greater than the impact caused if the Cottage Industry were on five acres or more. (Amended 9/8/08-Ord 2008-02)

14. Bed and breakfast home as established in Chapters 137B and 137C, Code of Iowa, and as provided in Section 4.2.4 of this ordinance.
15. More than one secondary farm dwelling on a farm.
16. Elementary & secondary schools and other educational facilities.
17. Churches.
18. Communications stations and towers, provided that they will not interfere with the operation of any airport or landing strip. See Section 4.2.13.(Amended 5/21/03-Ord 2003-03)
19. Except as provided in Section 4.1.4, single family residences sold separately from farm structures located within 1,320 feet of the dwelling and under common ownership. (Amended 5/18/09-Ord 2009-08)
20. Commercial WECS, subject to Section 4.2.16. (Amended 9/8/08-Ord 2008-02)
21. Utility Scale Solar Installations, as provided in Section 4.2.18 of this ordinance. (Amended 10/3/2016-Ord 2016-03)

E. A-1 Lot Development Standards. All development shall comply with the standards in Exhibit 3.6.1.

Exhibit 3.6.1: A-1 Lot Development Standards.

Maximum Density	One Dwelling unit per 40 acres or one-sixteenth of a section (one quarter-quarter section), including rights-of-way
Minimum Lot Area and Width.	Non-farm Dwellings and Institutional Uses Minimum Area - 2 net acres, provided that sufficient acreage is reserved for farm use to ensure that non-farm density does not exceed one unit per forty (40) acres. Minimum Width - 150 Feet
	Utility and telecommunication facilities - no minimum area or width
	Other uses (unless specifically authorized by the Board of Supervisors) Minimum Area 40 acres Minimum Width 500 feet
Minimum Setbacks	Front 50 feet Side 15 feet Side for corner lot 30 feet Rear 40 feet
Maximum Height	35 feet or 2 ½ stories



F. A-1 Special Requirements.

1. Non-farm uses and structures shall not be located on areas containing more than twenty-five percent (25%) of soils having a corn suitability rating in excess of 60.
2. Only one non-farm dwelling may be allowed per forty acres of land. The Zoning Commission may recommend and the Board of Supervisors may approve the transfer of density pursuant to Section 3.3.9 of the Subdivision Regulations.

3.6.2 AR-1 Agricultural - Recreation District

- A. Purpose.** The AR-1 Agricultural-Recreational District is intended to accommodate various recreational, residential and agricultural uses in areas appropriately suited for such uses and located on adequately constructed roads. The AR-1 District implements the Rural Future Land use category of the Master Plan.

Agricultural uses are the primary intended use in this district. Farmers shall have the continuing right to conduct normal farm operations. Any person who requests a zoning permit to place a non-farm dwelling on property which lies within the district is deemed to be aware of the normal agricultural uses and farming practices within the district, including night farming, noise, odors and other impacts from normal farm operations.

B. AR-1 Permitted Principal Uses & Structures.

1. Agriculture, farms, farming and the usual farm buildings including farm dwellings.
2. Truck gardens, nurseries, greenhouses, horticulture.
3. Single family dwelling. Newly constructed non-farm dwellings shall not be located closer than 1,320 feet to an established feed lot or livestock confinement operation, unless an existing confinement feeding operation, or a proposed confinement feeding operation which has made an application for a permit to the Iowa Department of Natural Resources, is of sufficient size that State of Iowa regulations would require that a greater separation distance than 1320 feet would be necessary between the confinement feeding operation structure and a dwelling for siting of the confinement feeding operation structure, the greater separation distance will be required for locating the newly constructed non-farm dwelling. (Amended 5/21/03-Ord 2003-03) (Amended 8/8/2016-Ord 2016-02)
4. Public parks, fairgrounds, playgrounds, campgrounds and recreation areas.
5. Wildlife preserves, hunting areas, lakes and ponds.

6. Railroad, street, sewer, water, trail easements and rights-of-way, and other utilities, but not including storage or maintenance yards and buildings, or administrative and sales offices. (Amended 11/22/2000-Ord 2000-05)
 7. Group Home. Subject to Section 4.2.6.
 8. Family Day Care Home. Subject to Section A.2.5 (same as A-1.)
- C. AR-1 Permitted Accessory Uses And Structures.** Uses and structures clearly incidental and necessary to the permitted principal uses and structures of this district, not involving the conduct of business on the site, except home occupations and located on the same lot or a contiguous lot under the same ownership.
1. Secondary farm dwellings pursuant to Section 4.2.1
 2. Private swimming pools, garages, tennis courts, gardens and greenhouses.
 3. Temporary buildings used in conjunction with construction work provided that such buildings are removed promptly upon completion of the work.
 4. Roadside stands for the sale of produce provided that access to such stands shall be so located so as to afford a minimum sight distance of 750 feet to motor vehicles on adjacent roads, that no parking space shall be located closer than 20 feet to the road right-of-way and that no less than 4 parking spaces be provided.
 5. Home occupation as provided in Section 4.2.2.
 6. Non-Commercial WECS, subject to Section 4.2.17. (Amended 9/8/08-Ord 2008-02)
 7. Non-Utility Scale Solar Installations, as provided in Section 4.2.19 of this ordinance. (Amended 10/3/2016-Ord 2016-03)
- D. AR-1 Special Exception Uses and Structures.** (Amended 1/16/02-Ord 2002-02) Subject to Section 9.3.4 and other requirements contained herein, the Board of Adjustment may permit the following:
1. Agricultural service businesses involving the processing, storage and sale of grain for seed or feed, alfalfa dehydrating; the sale of feed supplements; the storage, distribution or sale of agricultural lime, agricultural chemicals or fertilizers; trenching, terracing, or well drilling; but not including the sale or display of farm machinery, petroleum products, building materials, or appliances; provided that the business produces no offensive noise, vibration, smoke, dust, odor, heat, glare or electrical interference detectable within the limits of the nearest dwelling.
 2. Mining and extraction of materials or raw materials, as provided in Section 4.2.9, including necessary processing equipment, provided access shall not



cause a real or potential traffic hazard. Any person or firm seeking a special exception for the extraction of minerals or other raw materials shall submit a plan whereby the land so used would be restored by the applicant to a condition compatible with the surrounding area upon conclusion of the operation as provided in Section 4.2.9.

3. Concrete, asphalt mixing or batching plants for temporary use during the construction, repair or maintenance of public roads, highways or other public facilities, provided that the area be restored to a suitable condition free of refuse and debris.
4. Privately operated campgrounds, youth or summer camps, ski slopes, gun clubs, marinas, boat docks, and recreation vehicle riding areas, race courses and similar outdoor recreational activities.
5. Bed and breakfast inn as established in Chapters 137B and 137C Code of Iowa and as provided in Section 4.2.4 of this ordinance.
6. Recreational vehicle or trailer park, subject to the conditions established in 4.2.10 and other conditions the Board determines are appropriate for the site.
7. Cemeteries.
8. Child Day Care Center. Subject to Section 4.2.5.
9. Golf courses and clubhouses but not including miniature courses.
10. Cottage Industry on parcels of five or more acres unless the Board of Adjustment finds that:
 - a. allowing the Cottage Industry on a smaller area is appropriate for the specific site, and (Amended 9/8/08-Ord 2008-02)
 - b. allowing the Cottage Industry on a smaller area will not cause adverse impacts on neighboring properties greater than the impact caused if the Cottage Industry were on five acres or more. (Amended 9/8/08-Ord 2008-02)
11. Bed and breakfast home as established in Chapters 137B and 137C Code of Iowa and as provided in Section 4.2.4 of this ordinance.
12. More than one secondary farm dwelling on a farm.
13. Churches.
14. Elementary & Secondary Schools and other Educational Facilities.
15. Kennels, riding stables and horse boarding.
16. Communications stations and towers. See Section 4.2.13.

17. Except as provided in Section 4.1.4, single family residences sold separately from farm structures located within 1,320 feet of the dwelling and under common ownership. (Amended 5/18/09-Ord 2009-08)
18. Commercial WECS, subject to Section 4.2.16. (Amended 9/8/08-Ord 2008-02)
19. Utility Scale Solar Installations, as provided in Section 4.2.18 of this ordinance. (Amended 10/3/2016-Ord 2016-03)

E. AR-1 Lot Development Standards. All development shall comply with the standards in Exhibit 3.6.2:

Exhibit 3.6.2: AR-1 Lot Development Standards.

Maximum Density	One Dwelling unit per 5 acres
Minimum Lot Area and Width.	Non-farm Dwellings Minimum Area 2 net acres, provided that for any subdivision after the date of adoption of this ordinance, sufficient acreage is reserved for open space to ensure that the gross density does not exceed one unit per 5 acres. Minimum Width 150 Feet
	Section deleted (Amended 11/22/2000-Ord 2000-05)
	Utility and telecommunication facilities - no minimum area or width
	Other uses Minimum Area 5 acres Minimum Width 150 feet
Minimum Setbacks	Front 50 feet Side 15 feet Side for corner lot 30 feet Rear 40 feet
Maximum Height	35 feet or 2 ½ stories

F. AR-1 Special Requirements.

1. Principal uses and structures which are permitted subject to the special requirements contained herein, shall not be located on areas containing more than twenty-five percent (25%) of soils having a corn suitability rating in excess of 60.



3.6.3 R-1 Suburban Residential District

- A. Purpose.** The R-1 Suburban Residential District is intended to accommodate various residential and agricultural uses in areas appropriately suited for such uses and located on adequately constructed roads. The R-1 District implements the Suburban Residential future land use category of the Master Plan.
- B. R-1 Permitted Principal Uses & Structures.**
1. Agriculture, farms, farming and the usual farm building including farm dwellings.
 2. Single family dwellings.
 3. Public parks, fairgrounds, playgrounds, campgrounds and recreation areas.
 4. Wildlife preserves, hunting areas, lakes and ponds.
 5. Group homes.
- C. R-1 Permitted Accessory Uses And Structures.** Uses and structures clearly incidental and necessary to the permitted principal uses and structures of this district, not involving the conduct of business on the site, except home occupations.
1. Secondary farm dwellings pursuant to Section 4.2.1.
 2. Private swimming pools, garages, tennis courts, gardens and greenhouses.
 3. Temporary buildings used in conjunction with construction work provided that such buildings are removed promptly upon completion of the work.
 4. Roadside stands for the sale of produce provided that access to such stands shall be so located so as to afford a minimum sight distance of 750 feet to motor vehicles on adjacent roads.
 5. Home occupation as provided in Section 4.2.2.
 6. Non-Utility Scale Solar Installations, as provided in Section 4.2.19 of this ordinance. (Amended 10/3/2016-Ord 2016-03)
- D. R-1 Special Exception Uses and Structures.** (Amended 1/16/02-Ord 2002-02) Subject to Section 9.3.4 and other requirements herein, the Board of Adjustment may permit the following:
1. Railroads, sewer treatment facilities, water treatment plants, but not including storage or maintenance yards and buildings or administrative and sales offices.
 2. Privately operated campgrounds, youth or summer camps, gun clubs, marinas, boat docks, and recreation vehicle riding areas, race courses and similar outdoor recreational activities.

3. Group Quarters. Subject to Section 4.2.6.
4. Bed and breakfast inns as established in Chapters 137B and 137C Code of Iowa and as provided in Chapter IV, Section 4.2.4 of this ordinance.
5. Cemeteries.
6. Child Day Care Center. Subject to Section 4.2.5.
7. Golf courses and clubhouses but not including miniature courses.
8. Bed and breakfast home as established in Chapters 137B and 137C Code of Iowa and as provided in Chapter IV, Section 4.2.4 of this ordinance.
9. More than one secondary farm dwelling on a farm.
10. Elementary & secondary schools and other educational facilities.
11. Churches.
12. Communications stations and towers. See Section 4.2.13.
13. Family Day Care Home. Subject to Section A.2.5 (same as A-1.)

E. R-1 Lot Development Standards. All development shall comply with the standards in Exhibit 3.6.3:

Exhibit 3.6.3: R-1 Lot Development Standards.

Maximum Density	One Dwelling unit per 2 acres
Minimum Lot Area and Width.	Non-farm Dwellings
	Minimum Area 2 net acres
	Minimum Width 100 Feet
	Section deleted (Amended 11/22/2000-Ord 2000-05)
	Utility and telecommunication facilities - no minimum area or width
Minimum Setbacks	Other uses
	Minimum Area 2 acres
	Minimum Width 100 feet
	Front 30 feet
	Side 15 feet
	Side for corner lot 30 feet
	Rear 35 feet
Maximum Height	35 feet or 2 ½ stories



3.6.4 R-2 Urban Residential District

- A. Purpose.** The R-2 Urban Residential District is intended to accommodate residential development in areas where municipal utilities and services are readily available, or where development is on a sufficiently large scale to justify the installation of community sewer and water systems. Land rezoned to R-2 will only be permitted on major roads presently adequate to provide for the traffic generated and where fire protection is readily available or where plans for improvements are proposed by the developer or Board of Supervisors. Areas not immediately developed may remain in their current use. The R-2 District implements the Urban Residential future land use category of the Master Plan.
- B. Permitted Principal Uses & Structures.**
1. Single family dwellings.
 2. Public parks, playgrounds and recreational areas.
 3. Group home.
- C. Permitted Accessory Uses and Structures.** Uses and structures clearly incidental and necessary to the permitted principal uses or structures of this district, not involving the conduct of business on the premises, except home occupations located on the same lot or a contiguous lot under the same ownership.
1. Private swimming pools, garages, tennis courts, gardens and greenhouses.
 2. Temporary buildings used in conjunction with construction work, provided that such buildings are removed promptly upon completion of the construction work.
 3. Home occupation as provided in Section 4.2.2.
 4. Non-Utility Scale Solar Installations, as provided in Section 4.2.19 of this ordinance. (Amended 10/3/2016-Ord 2016-03)
- D. Special Exception Uses and Structures.** (Amended 1/16/2002 Ord 2002-02) Subject to Section 9.3.4 and the other requirements contained herein, the Board of Adjustment may permit the following:
1. Group quarters. Subject to Section 4.2.6.
 2. Cemeteries.
 3. Child Day Care Center. Subject to Section 4.2.5.
 4. Golf courses and clubhouses but not included miniature courses.

5. Family Day Care Home. Subject to Section A.2.5 (same as A-1.)
6. Railroads, sewer treatment facilities, water treatment plants, but not including equipment storage or maintenance yards and buildings or administrative and sales offices.
7. Bed and Breakfast home as established in Chapters 137B and 137C, Code of Iowa and as provided in Section 4.2.4 of this Ordinance.
8. Elementary & Secondary Schools and other Educational Facilities.
9. Churches.
10. Family Day Care Home.

E. R-2 Lot Development Standards. All development shall comply with the standards in Exhibit 3.6.4:

Exhibit 3.6.4: R-2 Lot Development Standards.

Maximum Density	Four dwelling units per acre, provided, however that the County shall require lower densities in areas where centralized water and/or wastewater service is not available. Where neither service is available the minimum lot size shall be 2 net acres.
Minimum Lot Area and Width.	Dwellings served by centralized water and wastewater service Minimum Area 9,600 square feet Minimum Width 80 feet
	Utility and telecommunication facilities and other uses - minimum area or width to be based on use and compatibility with adjacent properties
Minimum Setbacks	Front 30 feet Side 10 feet Side for corner lot 25 feet Rear 35 feet
Maximum Height	35 feet or 2 ½ stories

F. R-2 Special Requirements. Railroad, sewer, water and other utility buildings shall meet the front and rear yard requirements for dwellings and shall provide side yards of not less than 25 feet.

3.6.5 C-1 Highway Commercial District

A. Purpose. The C-1 Highway Commercial District is intended to accommodate commercial development which primarily serves the traveling public. This district is also intended to accommodate certain other commercial uses which ordinarily require access to a major street or highway. The C-1 District implements the Highway Commercial future land use category of the Master Plan.



Land rezoned to C-1 shall be located within ½ mile of the intersection of a State Highway and another paved roadway which is capable of handling the increased traffic load unless the Board of Supervisors finds that the site is capable of providing safe and adequate access and is compatible with planned uses of adjacent property.

B. C-1 Permitted Principal Uses & Structures.

1. Automotive, truck, farm implement or manufactured home display sales, service or repair.
2. Motorcycle, boat and recreation vehicle display sales service or repair.
3. Animal hospitals, kennels and veterinarians' office.
4. Drive-in banks.
5. Motels.
6. Bait shops.
7. Plant nurseries and garden centers.
8. Antique shop.
9. Restaurant, nightclubs and taverns.
10. Drive-in restaurants and refreshment stands.
11. Recreation & amusement activities such as bowling alleys, miniature golf courses, driving ranges, skating rinks, dance halls.
12. Drive-in theaters.
13. Lumber yards and building material sales and distribution.
14. Office condominium.
15. Gas stations and convenience stores.
16. Bed and breakfast inn or home as established in Chapter 137B and 137C, Code of Iowa and as provided in Section 4.2.4 of this Ordinance.
17. Storage units as provided in Section 4.2.11.
18. Child Day Care Center.

C. C-1 Permitted Accessory Uses and Structures. Use and structures clearly incidental and necessary to the permitted principal uses or structures of this district.

1. Storage warehouses in conjunction with the permitted principal uses or structures of this district.
2. Temporary buildings used in conjunction with construction work provided that such buildings are removed promptly upon completion of the construction work.
3. Residential apartments, condominiums, and dwelling units in a commercial structure provided that an open yard of at least 2,400 square feet is reserved and maintained for each dwelling unit and that 2 off-street parking spaces per unit be provided.
4. Outdoor display of goods and for sale or lease is authorized in any yard, provided the goods are not displayed in required parking or landscaped areas.
5. Non-Commercial WECS, subject to Section 4.2.17. (Amended 9/8/08-Ord 2008-02)
6. Non-Utility Scale Solar Installations, as provided in Section 4.2.19 of this ordinance. (Amended 10/3/2016-Ord 2016-03)

D. C-1 Special Exception Uses and Structures. (Amended 1/16/02 Ord 2002-02)
Subject to Section 9.3.4 herein, the Board of Adjustment may permit the following:

1. Commercially operated campgrounds or tourist camps on sites of not less than 5 acres provided that no campsite shall be located within 50 feet of a Residential District and that water and sewer disposal facilities shall be approved by County and/or State Health Departments.
2. Flea market or swap meet, subject to section 4.2.15.
3. Recreational vehicles and trailer parks. Subject to Section 4.2.10.
4. Railroads, water and wastewater treatment facilities, but not including equipment storage or maintenance yards.
5. Communication stations and towers. (See Section 4.2.13)
6. Commercial WECS, subject to Section 4.2.16. (Amended 9/8/08-Ord 2008-02)
7. Utility Scale Solar Installations, as provided in Section 4.2.18 of this ordinance. (Amended 10/3/2016-Ord 2016-03)



- E. C-1 Lot Development Standards.** All development shall comply with the standards in Exhibit 3.6.5:

Exhibit 3.6.5: C-1 Lot Development Standards.

Maximum Intensity (FAR)	0.40, provided that a lesser intensity may be required where centralized water and/or wastewater service is not available or site conditions limit development potential
Minimum Lot Area and Width.	Minimum Area - 1 net acre, provided that minimum may be increased if site conditions limit development potential. Minimum Width - the greater of 150 feet or 1/3 the lot depth, but in no case shall a lot width of greater than 500 feet be required.
Minimum Setbacks	Front - 30 feet Side - 20 feet Side for corner lot - 30 feet Rear - 25 feet
Maximum Height	35 feet or 2 ½ stories

- F. C-1 Special Requirements.** C-1 district shall not exceed 10 acres except that the County may approve a larger district if located along US Hwy 30 or US Hwy 61 or if the Board finds that the proposed use is consistent with adopted County goals and policies.

3.6.6 C-2 Rural Support Commercial District

- A. Purpose.** The C-2 General Commercial District is intended to accommodate various retail commercial uses and services not necessarily dependent upon a highway location or serving the traveling public. It is further the intent of this district to accommodate clusters or groups of commercial uses, or individual uses which are extensions of existing commercial districts as contrasted with individual uses located separately. The C-2 district implements the Rural Support Services future land use category of the Master Plan.

Land rezoned to C-2 shall be located within 1/4 mile of the intersection of two paved roads that are capable of handling the increased traffic load unless the Board of Supervisors finds that the site is capable of providing safe and adequate access, there is a local need for the uses allowed in the district and allowable uses are compatible with planned uses of adjacent property.

B. C-2 Permitted Principal Uses & Structures.

1. Sale of goods at retail, including hardware, food, apparel, home furnishings, books, and other merchandise of a similar nature.
2. Animal hospital or veterinary clinic but not including open runways or pens.
3. Banks and financial institutions.
4. Business / professional offices and schools.
5. Bakeries.
6. Beauty and barber shops.
7. Laundry, dry cleaners, tailoring, shoe repair.
8. Medical, dental and chiropractor clinics.
9. Religious and charitable institutions other than churches.
10. Studios and photo galleries.
11. Automotive, truck, or farm implement sales service or repair. (Amended 1/16/02-Ord 2002-02)
12. Clubs, lodges and similar uses.
13. Motorcycle, boat and recreation vehicle sales, service or repair.(Amended 1/16/02-Ord 2002-02)
14. Theaters and auditorium.
15. Funeral Homes.
16. Recreational and amusement activities such as skating rinks and dance halls.
17. Restaurants, taverns, and night clubs.
18. Bowling alleys.
19. Miniature golf.
20. Plant nurseries, greenhouses, florist shop.
21. Office condominium.
22. Bed and breakfast inn as established in Chapter 137B and 137C, Code of Iowa and as provided in Section 4.2.4 of this Ordinance.
23. Storage units as provided in Section 4.2.11.
24. Child Day Care Center.
25. Gas station/convenience store.



- C. Permitted Accessory Uses and Structures.** Uses and structures clearly incidental and necessary to the permitted principal uses or structures of this district.
1. Storage warehouses in conjunction with the permitted principal uses or structures of this district.
 2. Temporary buildings used in conjunction with construction work provided that such buildings are removed promptly upon completion of the construction work.
 3. Residential apartments, condominiums, and dwelling units in a commercial structure provided that 2 off-street parking spaces per unit be provided.
 4. Non-Commercial WECS, subject to Section 4.2.17. (Amended 9/8/08-Ord 2008-02)
 5. Non-Utility Scale Solar Installations, as provided in Section 4.2.19 of this ordinance. (Amended 10/3/2016-Ord 2016-03)
- D. C-2 Special Exception Uses and Structures.** (Amended 1/16/02-Ord 2002-02) Subject to Section 9.3.4 and the requirements contained herein, the Board of Adjustment may permit the following:
1. Other commercial uses that the Board of Supervisors determines are compatible with the site, available infrastructure and adjacent development.
 2. Railroads, water treatment plants, and wastewater treatment plants, but not including equipment storage or maintenance yards.
 3. Communications stations and towers. (See Section 4.2.13)
 4. Flea market or swap meet, subject to section 4.2.15.
 5. Commercial WECS, subject to Section 4.2.16. (Amended 9/8/08-Ord 2008-02)
 6. Utility Scale Solar Installations, as provided in Section 4.2.18 of this ordinance. (Amended 10/3/2016-Ord 2016-03)
- E. C-2 Lot Development Standards.** All development shall comply with the standards in Exhibit 3.6.6:

Exhibit 3.6.6: C-2 Lot Development Standards.

Maximum Intensity (FAR)	0.40, provided that a lesser intensity may be required where centralized water and/or wastewater service is not available or site conditions limit development potential	
Minimum Lot Area and Width.	Minimum Area	1 net acre, provided that minimum may be increased if site conditions limit development potential.
	Minimum Width	the greater of 150 feet or 1/3 the lot depth, but in no case shall a lot width of greater than 500 feet be required.
Minimum Setbacks	Front	30 feet
	Side	20 feet
	Side for corner lot	30 feet
	Rear	25 feet
Maximum Height	35 feet or 2 ½ stories	

F. C-2 Special Requirements. A C-2 district shall not exceed five acres except that the County may approve a larger district if the Board finds that the proposed use is consistent with County goals and policies.

3.6.7 M-1 Limited Industrial District

A. Purpose. The M-1 Limited Industrial District is intended principally for manufacturing, processing, storage, wholesaling, distribution and related uses that are generally contained within a building. The M-1 District implements the Employment future land use category of the Master Plan.

It is further the intent of this district to accommodate such uses in appropriate locations which will not adversely affect existing and future land uses in other districts, and be located on adequately constructed roads capable of handling the increased traffic load.

B. M-1 Permitted Principal Uses & Structures.

1. Manufacturing & processing within an enclosed building.
2. Contract construction office, maintenance shop or storage yard.
3. Farm, implement or truck sales, service and repair.
4. Lumber yards and building material sales and storage.



5. Distribution and warehousing, but not including the bulk storage of liquid fertilizer under pressure or petroleum products under pressure.
6. Truck and freight terminals.
7. Grain elevators and feed mills.
8. Welding, machine and repair shops.
9. Automobile paint and body shops.
10. Plumbing, heating, air conditioning and sheet metal shops.
11. Railroads, sewer treatment plants, water treatment facilities, and other utilities, including storage and maintenance yards.
12. Storage units including outdoor storage of operating recreational vehicles such as RV'S, boats and cars, pursuant to Section 4.2.11.

C. M-1 Permitted Accessory Uses and Structures. Uses and structures clearly incidental and necessary to the permitted principal uses or structure of this district.

1. Temporary buildings used in conjunction with construction work provided that such buildings are removed promptly upon completion of the construction work.
2. A dwelling unit for watchmen, caretakers, or owner/operators employed on the premises provided that an open yard of at least 2,400 sq. ft. is reserved and maintained for use by the occupant.
3. Sales of goods produced on the site.
4. Non-Commercial WECS, subject to Section 4.2.17. (Amended 9/8/08-Ord 2008-02)
5. Non-Utility Scale Solar Installations, as provided in Section 4.2.19 of this ordinance. (Amended 10/3/2016-Ord 2016-03)

D. M-1 Special Exception Uses and Structures. (Amended 1/16/02Ord 2002-02)
Subject to Section 9.3.4 and the requirements contained herein, the Board of Adjustment may permit the following:

1. Bulk storage of anhydrous fertilizers and petroleum products under pressure.
2. Other production uses that the Board of Adjustment determines are compatible with the site, available infrastructure and adjacent development.
3. Communications stations and towers. (See Section 4.2.13.)

4. Exterior storage, provided it creates no offensive noise, dust, odor, vibration or electrical interference.
5. Commercial WECS, subject to Section 4.2.16. (Amended 9/8/08-Ord 2008-02)
6. Utility Scale Solar Installations, as provided in Section 4.2.18 of this ordinance. (Amended 10/3/2016-Ord 2016-03)

E. M-1 Lot Development Standards All development shall comply with the standards in Exhibit 6.3.7:

Exhibit 6.3.7: M-1 Lot Development Standards.

Maximum Intensity (FAR)	0.25, provided that a lesser intensity may be required where centralized water and/or wastewater service is not available or site conditions limit development potential
Minimum Lot Area and Width.	<p>Minimum Area - 5 net acres, provided that minimum may be increased if site conditions limit development potential.</p> <p>Minimum Width - the greater of 150 feet or 1/3 the lot depth, but in no case shall a lot width of greater than 500 feet be required.</p>
Minimum Setbacks	<p>Front - 30 feet</p> <p>Side - 20 feet</p> <p>Side for corner lot - 30 feet</p> <p>Rear - 25 feet</p>
Maximum Height	35 feet or 2 ½ stories-

F. M-1 Special Requirements.

1. The minimum district size shall not be less than ten (10) acres.
2. No raw material, finished product or waste product which may cause dust or odor which would adversely affect adjoining properties shall be stored outside a building nor shall any other debris or waste product be permitted to accumulate on the site. Open storage yards, shipping and receiving yards shall be located at least thirty (30) feet from any street right-of-way and at least twenty (20) feet from any lot line, with the exception that any livestock feed, grain, coal and similar materials shall be stored at least three hundred (300) feet from any Residential District. Storage yards containing combustibles shall be so located as to permit easy access for the fighting of a fire in such an area.



3.6.8 M-2 General Industrial District

A. Purpose. The M-2 General Industrial District is intended to accommodate general manufacturing and closely related uses while providing protection from harmful effects to existing and future uses in other districts and be located on adequately constructed roads capable of handling the increased traffic load. The M-2 District implements the Employment future land use category of the Master Plan.

B. M-2 Permitted Principal Uses & Structures.

1. Manufacturing and processing, within an enclosed building.
2. Contract construction office, maintenance shop or storage yard.
3. Automotive, farm implement or truck sales, service and repair. (Amended 5/21/03-Ord 2003-03)
4. Lumber yards and building materials sales and storage, concrete products ready mix plants.
5. Distribution and warehousing, but not including bulk storage of liquid fertilizer, petroleum products under pressure, explosives or highly volatile chemicals or materials.
6. Truck and freight terminals.
7. Grain elevators and feed mills.
8. Welding, machine and repair shops.
9. Automobile paint and body shops.
10. Plumbing, heating, air conditioning and sheet metal shops.
11. Railroads, sewer treatment plants, water treatment plants and other utilities, including storage and maintenance yards.

C. Permitted Accessory Uses and Structures.

1. Uses and structures clearly incidental and necessary to the permitted principal uses or structures of this district.
2. Temporary buildings used in conjunction with construction work, provided that such buildings are removed promptly upon completion of the construction work.
3. Dwelling units for watchmen, caretakers or owners/operators employed on the premises provided that an open yard of at least 2,400 square feet is reserved and maintained for use by the occupants.
4. Non-Commercial WECS, subject to Section 4.2.17. (Amended 9/8/08-Ord 2008-02)

5. Non-Utility Scale Solar Installations, as provided in Section 4.2.19 of this ordinance. (Amended 10/3/2016-Ord 2016-03)

D. M-2 Special Exception Uses and Structures. (Amended 1/16/02-Ord 2002-02)
Subject to Section 9.3.3 and the requirements contained herein, the Board of Adjustment may approve the following provided that they are not closer than 1000 feet to any dwelling unit other than that of the owner or operator, or any park, school, church or place of public assembly:

1. Chemical plants.
2. Explosive manufacture or storage.
3. Fertilizer manufacture.
4. Bulk storage of anhydrous fertilizers and petroleum products under pressure.
5. Garbage, offal, or dead animal reduction.
6. Refining of petroleum and natural gas and their products.
7. Stockyards or slaughter of animals and handling or processing of by-products.
8. Sanitary landfill or waste disposal area, provided that refuse is covered with dirt daily if it contains raw garbage; that a nuisance due to smoke, odor or blowing of trash and debris shall not be created; that the site shall be restored to a condition compatible with the adjacent area upon conclusion of the landfill operation. A dust free access road shall be provided.
9. Auto wrecking and junkyards provided that the front yard be maintained as an open space free of weeds and debris; that the site be enclosed with a 6 foot high opaque fence or a suitable landscape planting that shall screen the operation from the view of adjacent public streets and places of public assembly, parks, recreation areas, and residential properties.
10. Commercial WECS, subject to Section 4.2.16. (Amended 9/8/08-Ord 2008-02)
11. Utility Scale Solar Installations, as provided in Section 4.2.18 of this ordinance. (Amended 10/3/2016-Ord 2016-03)

E. M-2 Special Exception Uses and Structures. Subject to Section 9.3.4 and the requirements contained herein, the Board of Adjustments may permit the following:

1. Outdoor production activities for permitted uses.
2. Communications stations and towers. (See Section 4.2.13.)



F. M-2 Lot Development Standards. All development shall comply with the standards in Exhibit 3.6.8:

Exhibit 3.6.8: M-2 Lot Development Standards.

Maximum Intensity (FAR)	0.25, provided that a lesser intensity may be required where centralized water and/or wastewater service is not available or site conditions limit development potential
Minimum Lot Area and Width.	Minimum Area - 5 net acres, provided that minimum may be increased if site conditions limit development potential. Minimum Width - the greater of 150 feet or 1/3 the lot depth, but in no case shall a lot width of greater than 500 feet be required.
Minimum Setbacks	Front - 50 feet Side - 20 feet Side for corner lot - 30 feet Rear - 50 feet
Maximum Height	50 feet or 4 stories

G. M-2 Special Requirements

1. The minimum district size shall not be less than ten (10) acres.
2. No raw material, finished product or waste product which may cause dust or odor which would adversely affect adjoining properties shall be stored outside a building nor shall any other debris or waste product be permitted to accumulate on the site. Open storage yards, shipping and receiving yards shall be located at least thirty (30) feet from any street right-of-way and at least twenty (20) feet from any lot line, with the exception that any livestock feed, grain, coal and similar materials shall be stored at least three hundred (300) feet from any Residential District. Storage yards containing combustibles shall be so located as to permit easy access for the fighting of a fire in such an area.

3.6.9 PUD Planned Unit Development District

A. Purpose. To provide flexibility in exchange for long term community benefits where streets and utilities are adequate, where the proposed use is compatible with adjacent development and where proposed development does not impinge on existing agricultural operations on adjacent properties. This district generally will require simultaneous subdivision and rezoning, as well as the execution of a development agreement to provide for the installation and continued maintenance of private facilities. This district should be located in areas where corn suitability ratings are below 60 for at least 80 percent of the property, the development of the property will not interfere with nearby

agricultural operations and flexible development patterns will allow the creation of more efficient development patterns with less disruption of natural resources.

A Planned Unit Development district requires review pursuant to Section 9.3.10 to ensure that increased densities and development flexibility are limited to high quality developments providing amenities for district residents and long-term benefits for the community as a whole.

B. Permitted Uses/Structures.

1. Any use that the Board of Supervisors finds compatible with the existing and planned uses in the development and on adjacent properties.
2. The Board of Supervisors, at the time of adoption of an ordinance establishing a PUD district shall list uses that are authorized by right and by special use permit. All authorized uses shall be subject to applicable permit and approval processes established in Chapter IX of this Code. Modification of the authorized use lists for any planned development shall be processed pursuant to the rezoning process established in Section 9.3.2. (Amended 1/16/02-Ord 2002-02)

C. Density/Intensity

1. **Residential Density.** Gross residential densities for the development shall be established at the time of planned development approval. In determining the gross density, the Board of Supervisors shall consider:
 - a. The amenities and services provided for the development's residents;
 - b. Potential conflicts with nearby agricultural operations;
 - c. Natural features, such as wetlands, flood plains, sink holes or steep slopes; and
 - d. The adequacy of on-site and off-site streets to carry traffic likely to be generated by the development.
2. **Non-residential Intensity.** Non-residential development shall be established as a maximum floor area ratio (FAR) at the time of planned development approval. In determining the maximum FAR, the Planning & Zoning Commission and Board of Supervisors shall consider:
 - a. The intensity of adjacent development;
 - b. Demands for the non-residential development proposed in the PUD;
 - c. The mix of residential and non-residential development in the vicinity;
 - d. The adequacy of transportation facilities, including streets, parking, transit facilities and bicycle/pedestrian facilities; and



e. The adequacy of utilities and public services.

D. Minimum District Size. A minimum of 5 acres shall be required for the establishment of a planned development district, unless the Planning & Zoning Commission recommends and the Board of Supervisors finds that a smaller district is appropriate for the development or redevelopment of a smaller infill site.

E. Bulk Standards.

1. **Minimum Lot Dimensions and Area** shall be established at the time of Planned Unit Development approval.
2. **Setback Standards.** Residential building setbacks shall not be less than the minimum setback standards established in the R-2 district and non-residential standards shall not be less than the minimum setback standards established in the C-2 district unless the applicant can demonstrate that:
 - a. buildings can be designed safely and compatibly with lesser setbacks;
 - b. reduced setbacks are offset by the provision of readily accessible private or common open space;
 - c. modified setbacks provide for the protection of steep hillsides, wetlands or other environmentally sensitive natural features; and
 - d. all buildings are provided with adequate emergency access for fire protection.
3. **Maximum Building Height** shall be established at the time of Planned Unit Development approval.

F. Special Requirements.

1. **Development Standards.** Planned Unit Developments shall comply with the standards of this Code, except when the County finds that public or private amenities provided by the proposed development exceed those that would be achieved through development that strictly complies with the minimum standards of this code.
2. **Community Amenities.** Deviation from the standards of this ordinance may be recommended by the Planning & Zoning Commission and approved by the Board of Supervisors subject to the provision of the following community amenities.
 - a. Transportation amenities, including additional trails, bike or pedestrian amenities, transit oriented improvements (including school bus shelters);

- b. Park land dedication and facilities for active or passive recreation;
 - c. Open space or agricultural land reservation;
 - d. Community facilities for provision of public services beyond those required for development within the PUD;
 - e. Housing that is reserved as affordable to moderate, low and very low income households pursuant to HUD definitions for no less than 20 years; or
 - f. Other provisions in excess of minimum standards that the Board finds provide sufficient community benefit to offset the proposed deviation from strict development standards.
3. **Contractual Agreement.** Approval of a PUD allows the development and use of a parcel of land under certain specific conditions. No use of the parcel, nor construction, modification, or alteration of any use or structures within a PUD project shall be permitted unless such construction or use complies with the terms and conditions of the approved plan. A seller of a property that is zoned PUD shall apprise the buyer of the terms and conditions of the PUD approval. The County bears no liability for misrepresentation of terms and conditions of an existing approval. The developer shall set forth the conditions of approval within covenants. Such covenants shall be recorded with the final approved plan and plat.
4. **Conformance with Subdivision Review.** Subdivision review, in accordance with the Subdivision Regulations, shall be carried out simultaneously with the review of a PUD rezoning.
5. **Conformance with Subdivision Requirements.** The site plans submitted under Section 9.3.10 shall satisfy the requirements of the subdivision regulation for preliminary plans and final plats.
6. **Final Plat Not Required.** The requirements of this chapter and those of the Subdivision Regulations shall apply to all PUDs except when a PUD is proposed in an existing subdivision and no changes are proposed in existing lot boundaries, rights-of-way, or public or private easements.
7. **Transfer of Ownership.** No person shall sell, convey, or transfer ownership of any property or any portion thereof within a planned unit development zone until such person has informed the buyer of the property's exact status with respect to the planned development process and conditions of approval.
8. **Planned Development Zone Designation.** The Administrator shall designate each approved PUD on the Official Zoning Map by specifying the ordinance amendment number.



3.7 SUMMARY OF DISTRICT BULK STANDARDS. A summary of the each zoning district's bulk standards is provided in Exhibit 3.7.1.

Exhibit 3.7.1: Summary of District Bulk Standards.

Residential Zoning Districts	Maximum Gross Density	Minimum Lot Size	Minimum Setbacks				Maximum Height
			Front	Side	Corner	Rear	
A-1	1 unit / 40 acres	2 acres	50	15	30	40	35' or 2 ½ stories
AR-1	1 unit / 5 acres	2 acres	50	15	30	40	*
R-1	1 unit / 2 acres	2 acres	30	15	30	35	*
R-2	4 units / 1 acre	9,600 sq.ft.	30	10	25	35	*
Nonresidential Zoning Districts	Maximum Intensity (FAR)	Minimum Lot Size	Minimum Setbacks				Maximum Height
			Front	Side	Corner	Rear	
C-1	0.40	1 acre	30	20	30	25	*
C-2	0.40	1 acre	30	20	30	25	*
M-1	0.25	5 acres	30	20	30	25	*
M-2	0.25	5 acres	50	20	30	30	50' or 4 stories

* 35 feet or 2 ½ stories.

3.8 APPLICATION OF DISTRICT REGULATIONS. The regulations set by this ordinance shall apply uniformly to each class or kind of structure or land, and particularly within each district, except as hereinafter provided.

3.8.1 All Uses and Structures to Conform. No building, structure, or land shall be used or occupied and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, or structurally altered unless in conformity with all of the regulations herein specified for the district in which it is located, except as allowed in Section 4.2.1.A.1.

3.8.2 Minimum Setback and Lot Areas May Not Be Reduced. No setback or lot existing at the time of passage of this ordinance shall be reduced in dimension or area below the minimum requirements set forth except pursuant to Section 9.3.5. Lots or development

created after the effective date of this ordinance shall meet at least the minimum requirements established by this ordinance.

3.8.3 Area and Bulk Regulations.

A. Lot Area.

1. Measurement. Lot area is measured as the net area contained within the property lines as defined in Section 2.2 of this ordinance.
2. Exceptions. No zoning permit or development approval shall be issued for a lot that fails to meet the minimum lot area requirements of this Code except in the following cases.
 - a. **Utilities.** Utilities using land or an unoccupied building covering less than 1,000 square feet of site area are exempt from minimum lot area standards.
 - b. **Single-Family Dwelling Unit Exemption.** The minimum lot area standards of this Code shall not prohibit the construction of a detached, single-family dwelling unit on a lot that was legally platted or recorded before the adoption of this Code, provided that the dwelling unit is constructed in compliance with all applicable dimensional standards.

B. Lot Width. Lot width is measured as the shortest distance between side lot lines behind the front building setback.

C. Street Frontage. Street frontage is measured between side lot lines along the front lot line.

D. Setbacks. Setbacks are measured as the shortest distance between the furthestmost projection of a structure and the property line of the lot on which the structure is located, except as modified by the standards of this section.

E. Exceptions and Permitted Encroachments. The following features may encroach into required setbacks:

1. Landscaping and berms;
2. Bay windows, belt courses, cornices, ornamental features and sills, not to exceed 3 feet;
3. Open-lattice enclosed fire escapes, fireproof outside stairways and balconies opening upon fire towers and the ordinary projections of chimneys and flues into the rear yard may be permitted for a distance of not more than three and one-half (3-1/2) feet and where the same are so placed as not to obstruct light and ventilation;
4. Clothesline post;



5. Driveways, curbs and sidewalks;
6. Flagpoles;
7. Heating and cooling units, not to exceed 3 feet from structure;
8. Mailboxes;
9. Overhanging roof, eave, gutter, cornice, or other architectural feature and awnings, not to exceed 2 feet, however, the Administrator may permit eaves and overhang features to project into a required yard a distance not to exceed forty-eight (48) inches;
10. Septic systems, wells and underground utilities;
11. Signs;
12. Steps, stairs or fire escapes (non-enclosed), not to exceed 6 feet from structure;
13. Uncovered, unenclosed terraces or porches, platforms and ornamental features which do extend more than three feet above the floor level of the ground story, provided these uses maintain a minimum distance of five feet from the adjacent side and rear lot lines;
14. Accessory buildings, to within 5 feet of the rear property line unless otherwise limited;
15. Fences or walls; and
16. Yard and service lighting fixtures, poles.

F. Lot Coverage. Lot coverage is measured as the percentage of the total lot area covered by buildings and other impervious surfaces. It is calculated by dividing the square footage of impervious cover by the square footage of the lot. All parking areas, whether paved or graveled shall be counted towards lot coverage.

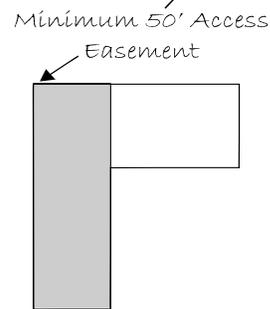
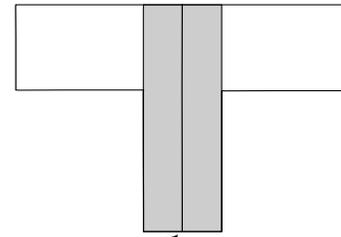
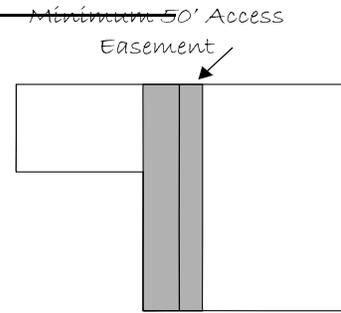
G. Height.

1. Measurement. Building height is measured as defined in Section 2.2.
2. Exceptions. Zoning district height limits do not apply to grain storage bins, grain elevators, feed mills, or to spires, belfries, cupolas, chimneys, antennas that are less than 100 feet in height, water tanks, utility poles or towers, ventilators, elevator housings or other structures placed above the roof level and not intended for occupation.
3. FAA Limitations. The construction, maintenance, or establishment of any building, tree, smokestack, chimney, flagpole, wire, tower or other structure or appurtenances thereto, which may constitute a hazard or obstruction to safe air navigation, landing, or take-off of aircraft near an airport, is prohibited. Regulations adopted by the Federal Aviation

Agency (FAA) shall be minimum standards. No request shall be approved if it violates FAA standards.

3.8.4 Flag Lots. Flag lots shall be allowed in all Agricultural and Residential zoning districts in accordance with the standards of this subsection, provided they comply with the minimum driveway spacing standards.

- A. Frontage.** Each flag lot shall have at least 25 feet of street frontage, provided that the County may require a minimum access easement of 50 feet at each location where a flag lot reaches public right-of-way. Said easement shall run the full depth of the lot or lots as shown in Exhibit 3.8.4.
- B. Lot Area Calculation.** The area of the access easement shall not be counted as part of lot area.
- C. Driveways.** Driveways shall be designed to allow vehicles to drive-out forward. Common driveways shall be allowed to serve up to 6 lots.
- D. Number.** A maximum of 2 flag lots are allowed in subdivisions of 4 lots or less. No more than 20 percent of the lots within a subdivision containing 5 or more lots shall be flag lots. No more than 2 flagpole lots may be contiguous.
- E. Front Yard Setback.** The front yard setback shall be measured from the easement along the pole of a flag lot.



3.8.5 Lot Standards. Lots shall comply with the standards established in Section 3.3 of the Subdivision Regulations.