



NOTICE OF MEETING

Robins Planning and Zoning Commission

WEDNESDAY JUNE 16TH, 2021

5:30 P.M. @

ROBINS CITY HALL

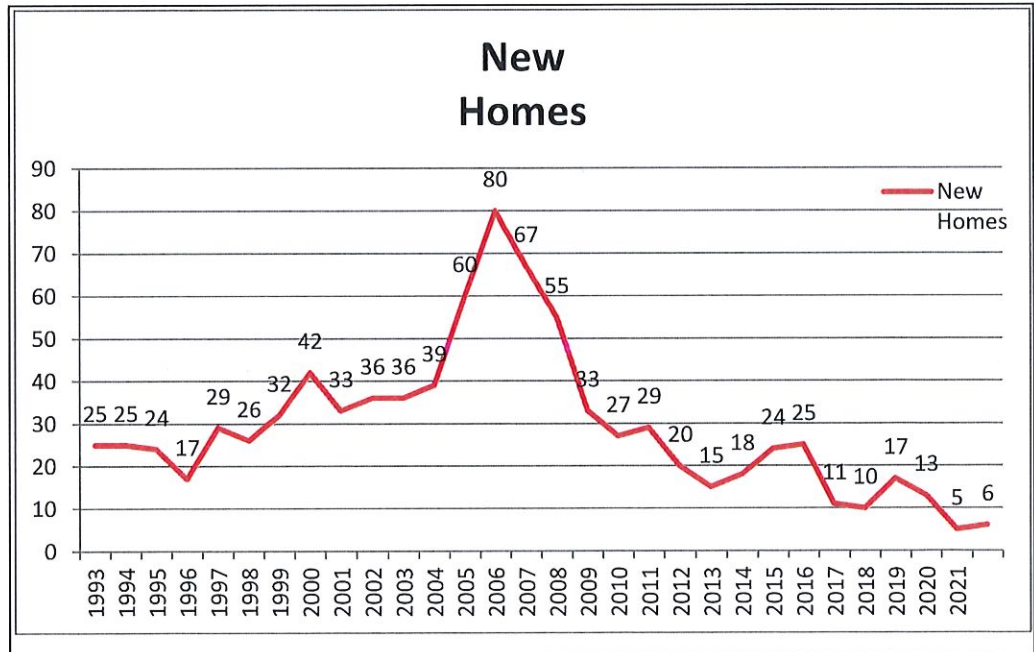
Agenda:

1. Call the meeting to order
2. Roll Call of Members
3. Chairperson and Planning and Zoning Administrator Reports
4. Approval of the Agenda
5. Minutes of the February 9th, 2021 Meeting.
6. Resolution approving the Preliminary and Final Plat for Norris Acres First Addition to Linn County.
7. Resolution No. 2021-1 approving the Preliminary Plat of the Epic Event Center Addition to Robins.
8. Public Hearing to hear Comments and Concerns for Ordinance No. 2104, amending Chapter 165, Zoning Ordinance and Chapter 166, Subdivision Ordinance.
9. Recommend Ordinance No. 2104 to the Robins City Council.
10. Motion to adjourn.

Robins
Planning and Zoning Report
 May 31, 2021

Permit Number	BeginDate	Comment	PermitType	PartyName	FullAddress		City	State	Zip
					#	Street			
B21-001	03/02/21	New Home/ Garage	Building	Academy Homes	540	Dutch Dr			
B21-002	03/02/21	New Home/ Garage	Building	Academy Homes	3095	Brimley Pass			
B21-003	03/30/21	New Home/ Garage	Building	Michelle Starks	1975	W Main St			
B21-004	03/31/21	New Home/ Garage	Building	Frey Homes	3081	Brimley Pass			
BC21-001	02/02/21	New Commercial Storage	Building	Darren Wilson	180	N Troy Rd			
BC21-002	04/16/21	Commercial Suites Bldg 4 Foundation		FC Land LLC	3230	N Center Point Rd			

FY2021 Permits Issued	
January	13
February	13
March	64
April	65
May	42
June	
July	
August	
September	
October	
November	
December	
Total	197





ROBINS PLANNING AND ZONING COMMISSION
MINUTES OF THE FEBRUARY 9TH, 2021 MEETING

Chairperson Todd Roberts called the electronic meeting to order at 5:34 p.m. Roll call was taken with Commission Members Tim O'Hara, AJ Hester, Todd Roberts, and Dennis Trachta present along with Planning and Zoning Administrator Dean Helander, guests Rick Miene, Adan Cervantes, Mike Fossum and City Clerk/Treasurer Lori Pickart.

Roberts noted he had no report, Helander noted he had nothing to add to his report included in the packets. Hester moved to approve the Agenda, Trachta seconded and all voted aye.

- O'Hara moved to appoint Roberts as the Chairperson in 2021, Trachta seconded and all voted aye.
- Trachta moved to appoint O'Hara as the Vice Chairperson for 2021, Roberts seconded and all voted aye.
- O'Hara moved to approve the minutes of the September 15th, 2020 meeting, Hester seconded and all voted aye.
- Roberts opened a public hearing to hear comments and concerns relating to the request of Mike Fossum to amend the Future Land Use and Zoning Map at 101 N. Second Street from C-1 Central Business District to R-2, Single Family Residential at 5:40 p.m. Mr. Fossum noted the only reason he wants the change is to allow him to refinance his mortgage for a 30 year term at a lower interest rate. The public hearing closed at 5:42 p.m.
- Trachta moved to recommend approval of Ordinance No.2101 to the City Council rezoning the property, O'Hara seconded and all voted aye,
- The Commission reviewed the request of Michael and Debra McDowell and Clark and Kimberly Buelt to be allowed to split lot 18 of the Trail View First Addition and add ½ of the lot to each of their properties. O'Hara moved to approve Resolution 2120-1 recommending approval to the City Council, Trachta seconded and all vote aye.
- The Commission discussed the annexation request of Adan and Gloria Cervantes to annex their property into the city. Mr. Cervantes noted they have approximately 15 acres, adding they may sell the property north of the stream (4.3 acres) to abutting property owner Rick Miene, who noted he would like to leave the property as agricultural. Helander noted Mr. Miene is aware of the flood plain. Roberts recommended approval of the request to the City Council, O'Hara seconded and all voted aye.
- O'Hara moved to adjourn at 5:53 p.m., Trachta seconded and all voted aye.

Todd Roberts
Chairperson

Dean Helander
Planning and Zoning Administrator

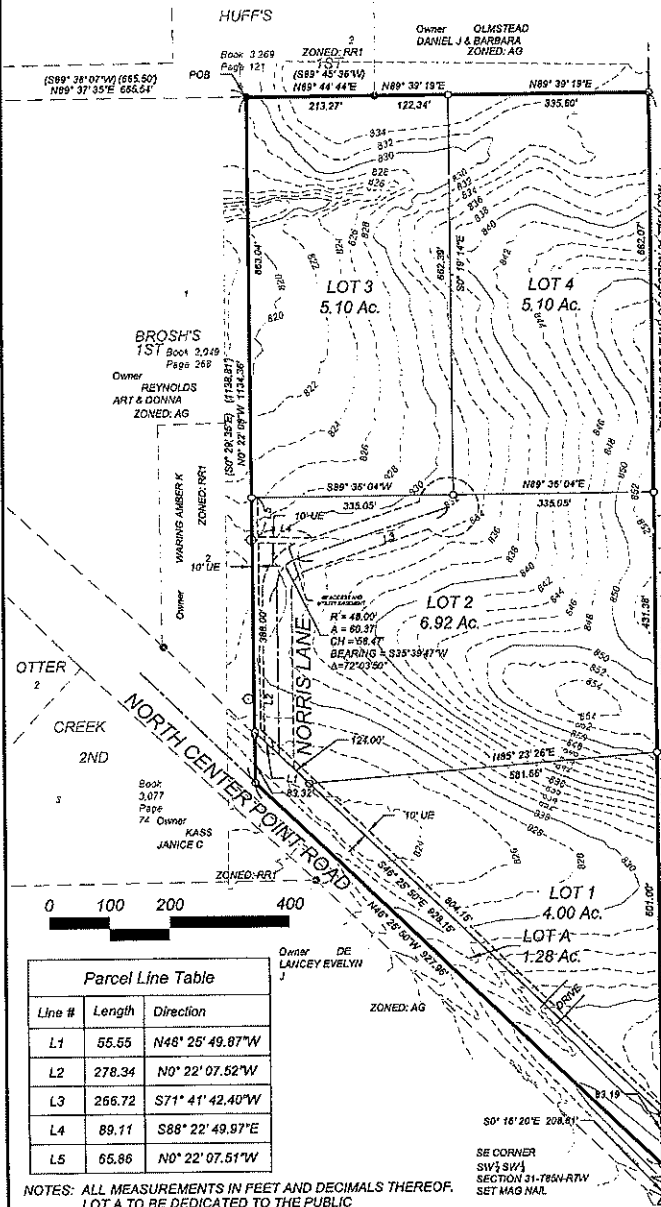
PRELIMINARY PLAT NORRIS ACRES FIRST ADDITION TO LINN COUNTY, IOWA

CONTRACT PURCHASER: BRIAN NORRIS & VICKI NORRIS
3050 QUASQUETON AVE
ROWLEY, IOWA 52359
319-538-5990

Index Legend
Location Description: Part of the NW 1/4 SW 1/4 and part of the SW 1/4 SW 1/4 of Section 31-785N-R7W, Linn County, Iowa
Requestor: Brian Norris
Proprietor: Marvin M. Norris and Linda M. Norris
Surveyor: Stephen M. Brain, PE, LS
Surveyor Company: Brain Engineering, Inc.
Return to: SM Brain, 1540 Midland Ct NE Cedar Rapids, IA 52402 or mikeb@brain-eng.com (319) 294-9424

SURVEYOR: BRAIN ENGINEERING, INC.
1540 MIDLAND COURT NE
CEDAR RAPIDS, IA 52402
319-294-9424

CONTRACT HOLDER: MARVIN M. MORRIS AND
LINDA M. MORRIS
114 CARMELA STREET
HUDSON, IA 50643

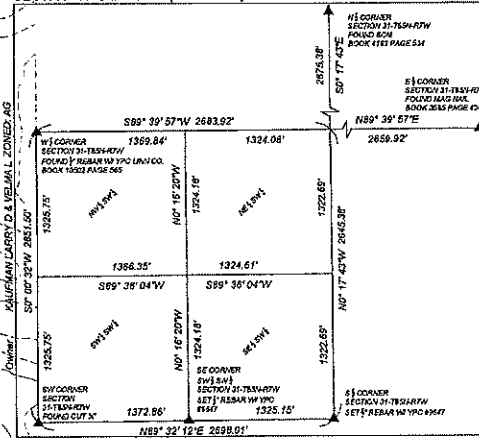


LEGAL DESCRIPTION

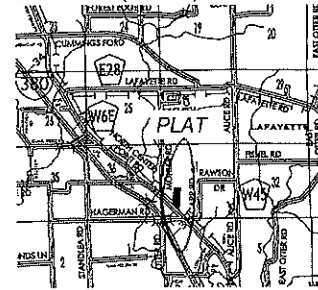
A part of the NW FRL 1/4 SW 1/4 and part of the SW FRL 1/4 of Section 31, Township 85 North, Range 7 West of the 5th Principal Meridian, Linn County described as follows

Beginning at the NE Corner of Lot 1, Brosh's First Addition to Linn County; thence N89°44'44"E along the south line of Lot 2, Huff's First Addition to Linn County, 213.27 feet; thence N89°39'19"E, 457.94 feet to the east line of said NW FRL 1/4 SW 1/4; thence S00°16'20"E along said east line and along the east line of SE 1/4 SW 1/4, 1777.64 feet to the centerline of North Center Point Road; thence N46°25'50"W along said centerline, 927.96 feet to the east line of Lot 2, said Brosh's Addition; thence N00°22'08"W along said east line, 1134.36 feet to the Point of Beginning, containing 22.40 acres which includes 1.28 acres of road right of way.

SECTION BREAKDOWN (NO SCALE)



LOCATION MAP (NO SCALE)



QUARTER	LOT 1	LOT 2	LOT 3	LOT 4	LOTA	TOTAL
NW 1/4 SW 1/4	0.00	0.00	5.10	5.10	0.00	10.20
SW 1/4 SW 1/4	4.00	6.92	0.00	0.00	1.28	12.20
TOTAL	4.00	6.92	5.10	5.10	1.28	22.40

NOTES: ALL MEASUREMENTS IN FEET AND DECIMALS THEREOF. LOT A TO BE DEDICATED TO THE PUBLIC. SUBJECT PROPERTY IS ZONED AG.

- ▲ FOUND SECTION CORNER
- FOUND 5/8" REBAR W/ OPC #13480 OR AS LABELED
- △ SET SECTION CORNER
- SET 1/2" REBAR W/ YPC #9647
- POB POINT OF BEGINNING
- ∅ RECORDED AS
- SCM 4"x 4" CONCRETE POST w/DISK
- UDE UTILITY & DRAINAGE EASEMENT
- YPC YELLOW PLASTIC CAP
- RPC RED PLASTIC CAP

- BORDER
- - - CENTERLINE
- PROPERTY LINE
- - - SECTION LINE
- - - ADJACENT PROPERTY ROW

DATE OF SURVEY: 4/15/2021

Title: PRELIMINARY PLAT NORRIS ACRES FIRST ADDITION	Drawn: DJB	Book: 381
	4/16/21	Scale: 1"=200'
Checked:		



FINAL PLAT NORRIS ACRES FIRST ADDITION TO LINN COUNTY, IOWA

Index Legend
Location Description: Part of the NW 1/4 SW 1/4 and part of the SW 1/4 SW 1/4 of Section 31-T85N-R7W, Linn County, Iowa

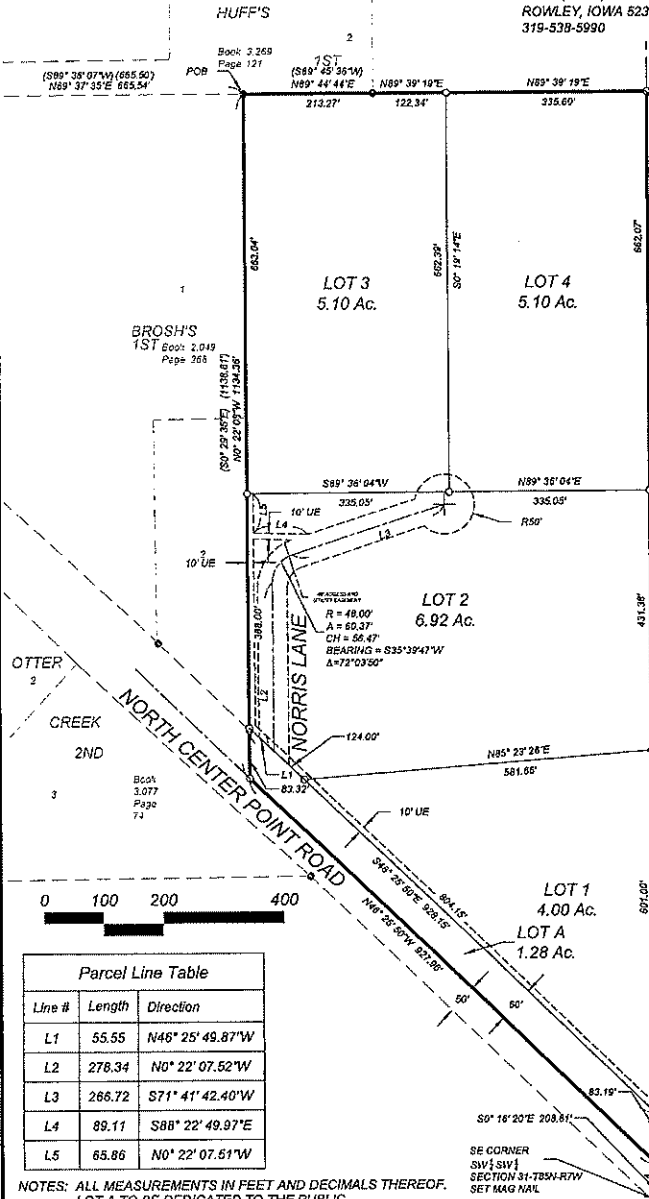
Requestor: Brian Norris
Proprietor: Marvin M. Norris and Linda M. Norris
Surveyor: Stephen M. Brain, PE, LS
Surveyor Company: Brain Engineering, Inc.
Return to: 3141 Brush, 1540 Midland Ct NE Cedar Rapids, IA 52402 or mKeb@brain-eng.com (319) 234-9424

SURVEYOR: BRAIN ENGINEERING, INC.
1540 MIDLAND COURT NE
CEDAR RAPIDS, IA 52402
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CONTRACT HOLDER: MARVIN M. MORRIS AND LINDA M. MORRIS
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HUDSON, IA 50643

CONTRACT PURCHASER: BRIAN NORRIS & VICKI NORRIS
3050 QUASQUETON AVE
ROWLEY, IOWA 52359
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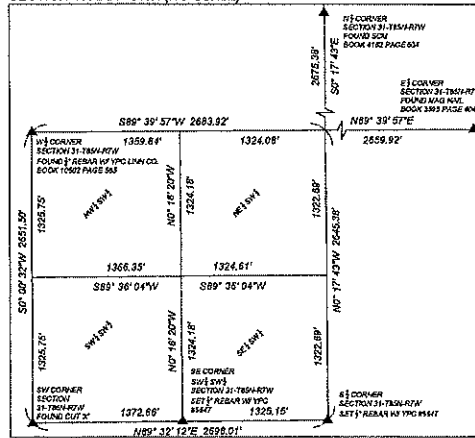
Recorder's Stamp



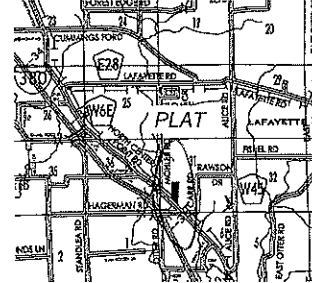
LEGAL DESCRIPTION
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Beginning at the NE Corner of Lot 1, Brosh's First Addition to Linn County; thence N89°44'44"E along the south line of Lot 2, Huff's First Addition to Linn County, 213.27 feet; thence N89°39'19"E, 457.94 feet to the east line of said NW FRL 1/4 SW 1/4; thence S00°16'20"E along said east line and along the east line of SE 1/4 SW 1/4, 1777.64 feet to the centerline of North Center Point Road; thence N45°25'50"W along said centerline, 927.96 feet to the east line of Lot 2, said Brosh's Addition; thence N00°22'08"W along said east line, 1134.36 feet to the Point of Beginning, containing 22.40 acres which includes 1.28 acres of road right of way.

SECTION BREAKDOWN (NO SCALE)



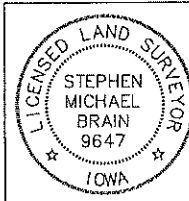
LOCATION MAP (NO SCALE)



QUARTER	LOT 1	LOT 2	LOT 3	LOT 4	LOT A	TOTAL
NW 1/4 SW 1/4	0.00	0.00	5.10	5.10	0.00	10.20
SW 1/4 SW 1/4	4.00	6.92	0.00	0.00	1.28	12.20
TOTAL	4.00	6.92	5.10	5.10	1.28	22.40

Line #	Length	Direction
L1	55.55	N46° 25' 49.87"W
L2	278.34	N0° 22' 07.52"W
L3	266.72	S71° 41' 42.40"W
L4	89.11	S88° 22' 49.97"E
L5	65.86	N0° 22' 07.51"W

NOTES: ALL MEASUREMENTS IN FEET AND DECIMALS THEREOF. LOT A TO BE DEDICATED TO THE PUBLIC SUBJECT PROPERTY IS ZONED AG.



I hereby certify that this land surveying document and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.
Signed _____ Date _____

Stephen Michael Brain, L.S.
My License Renewal Date Is December 31, 2022
License Number 9547
Pages or sheets covered by this seal: THIS PAGE

- ▲ FOUND SECTION CORNER
- FOUND 5/8" REBAR W/ OPC #13480 OR AS LABELED
- △ SET SECTION CORNER
- SET 1/2" REBAR W/ YPC #9647
- POB POINT OF BEGINNING
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- SCM 4" x 4" CONCRETE POST w/DISK
- UDE UTILITY & DRAINAGE EASEMENT
- YPC YELLOW PLASTIC CAP
- RPC RED PLASTIC CAP

DATE OF SURVEY: 4/15/2021

Title:	FINAL PLAT	Drawn: DJB	Book: 381
5683321-10	NORRIS ACRES FIRST ADDITION	4/16/21	Scale: 1"=200'
		Checked:	



RESOLUTION APPROVING PLAT

WHEREAS, A PLAT OF NORRIS ACRES FIRST ADDITION TO LINN COUNTY, containing four (4) lots, numbered one through four, has been filed with the City Planning and Zoning Commission, Robins, Iowa, and after consideration, the same is found to be in correct and in accordance with the provisions of the laws of the State of Iowa, and the approval of the City of Robins, Iowa.

NOW THEREFORE BE IT RESOLVED BY THE CITY PLANNING COMMISSION OF THE CITY OF ROBINS, IOWA, that said plat and dedications of said Norris Acres First Addition to Linn County, Iowa, be and the same is hereby acknowledged and approved on the part of the City Planning and Zoning Commission, and this commission hereby recommends to the City Council, the acceptance of the same, and the chairperson and secretary are hereby authorized and directed to certify this resolution and approval and affix the same to said plat as by law provided.

Passed this 16th day of June, AD, 2021.

Todd Roberts, Chairperson

Dean Helander
Planning & Zoning Administrator

STATE OF IOWA)
) SS
LINN COUNTY)

We, Todd Roberts, Chairperson, and Dean Helander, Planning and Zoning Administrator, Robins, Iowa, do hereby certify that the above and foregoing resolution is a true and correct copy of the resolution passed by the City Planning & Zoning Commission, Robins, Iowa, on this 16th day of June, AD, 2021.

Todd Roberts, Chairperson

Dean Helander,
Planning & Zoning Administrator



June 1, 2021

Planning and Zoning Commission
City of Robins
265 South Second Street
Robins, IA 52328

RE: THE EPIC EVENTS CENTER ADDITION
PRELIMINARY PLAT

Dear Planning and Zoning Commission:

The Preliminary Plat for the Epic Events Center Addition, located along County Home Rd, has been reviewed.

We find the Preliminary Plat to be in general conformance with the City of Robins' requirements for C-2 zoning.

Sincerely,

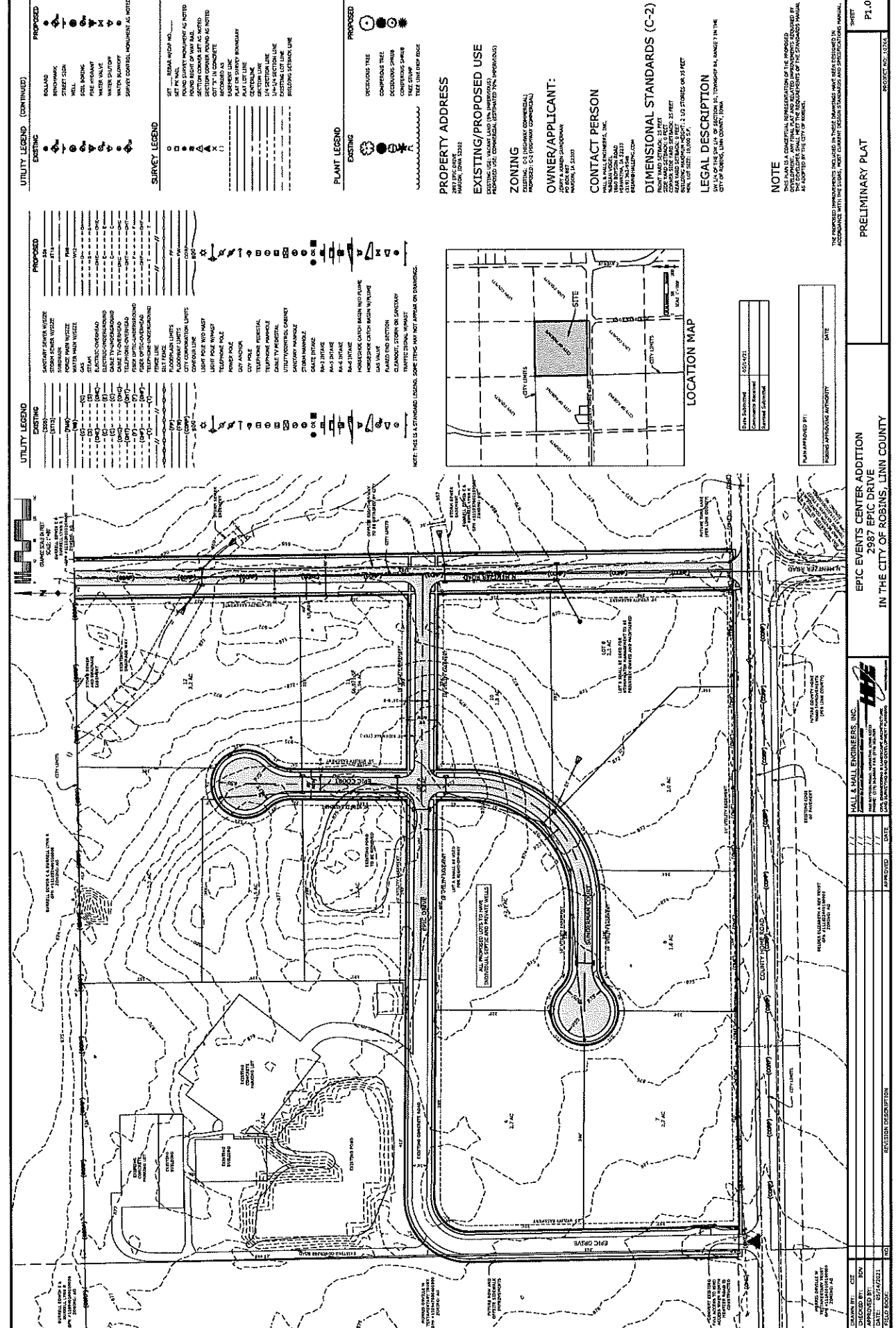
SNYDER & ASSOCIATES, INC.

A handwritten signature in blue ink that reads 'Kelli Scott'.

Kelli Scott
Project Manager

KJS

cc: Jerry & Karen Sunderman, Owner
Brian Vogel, Hall & Hall Engineers, Inc.



UTILITY LEGEND (CONTINUED)

EXISTING

- SEWER
- STREET C&G
- WELL
- FUEL W/SLING
- FIRE HYDRANT
- WATER VALVE
- WATER BATTERY
- SAFETY CONTROL MONUMENT AS NOTED

PROPOSED

- SEWER
- STREET C&G
- WELL
- FUEL W/SLING
- FIRE HYDRANT
- WATER VALVE
- WATER BATTERY
- SAFETY CONTROL MONUMENT AS NOTED

PROPERTY ADDRESS

2987 EPIC DRIVE
 MARIETTA, GA 30067

EXISTING/PROPOSED USE

COMMERCIAL

ZONING

C-2

OWNER/APPLICANT:

JAMES H. HALL, INC.

CONTACT PERSON

JAMES H. HALL, INC.
 1110 HARTWOOD ROAD
 MARIETTA, GA 30067
 770-426-8800

DIMENSIONAL STANDARDS (C-2)

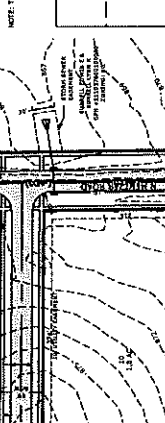
FRONT YARD SETBACK: 12 FEET
 SIDE YARD SETBACK: 5 FEET
 REAR YARD SETBACK: 5 FEET
 CORNER SETBACK: 5 FEET
 MAXIMUM BUILDING HEIGHT: 33 FEET
 MIN. LOT SIZE: 10,000 SQ. FT.

LEGAL DESCRIPTION

SW 1/4 OF THE SW 1/4 OF SECTION 34, TOWNSHIP 34 N, RANGE 7 W IN THE CITY OF MARIETTA, Linn County, GA.

NOTE

THIS PLAN IS A PRELIMINARY REPRESENTATION OF THE PROPOSED DEVELOPMENT AND THE CITY AND RELATED AGENCIES, INCLUDING THE ENGINEER, ARE NOT GUARANTEEING THE ACCURACY OF THE INFORMATION AS SHOWN ON THIS PLAN.



UTILITY LEGEND

EXISTING

- SEWER
- STREET C&G
- WELL
- FUEL W/SLING
- FIRE HYDRANT
- WATER VALVE
- WATER BATTERY
- SAFETY CONTROL MONUMENT AS NOTED

PROPOSED

- SEWER
- STREET C&G
- WELL
- FUEL W/SLING
- FIRE HYDRANT
- WATER VALVE
- WATER BATTERY
- SAFETY CONTROL MONUMENT AS NOTED

PLANT LEGEND

EXISTING

- DECIDUOUS TREE
- CONIFEROUS TREE
- DECIDUOUS SHRUB
- CONIFEROUS SHRUB
- THESE ARE NOT TO SCALE

PROPOSED

- DECIDUOUS TREE
- CONIFEROUS TREE
- DECIDUOUS SHRUB
- CONIFEROUS SHRUB
- THESE ARE NOT TO SCALE

UTILITY LEGEND

EXISTING

- SEWER
- STREET C&G
- WELL
- FUEL W/SLING
- FIRE HYDRANT
- WATER VALVE
- WATER BATTERY
- SAFETY CONTROL MONUMENT AS NOTED

PROPOSED

- SEWER
- STREET C&G
- WELL
- FUEL W/SLING
- FIRE HYDRANT
- WATER VALVE
- WATER BATTERY
- SAFETY CONTROL MONUMENT AS NOTED

PLANT LEGEND

EXISTING

- DECIDUOUS TREE
- CONIFEROUS TREE
- DECIDUOUS SHRUB
- CONIFEROUS SHRUB
- THESE ARE NOT TO SCALE

PROPOSED

- DECIDUOUS TREE
- CONIFEROUS TREE
- DECIDUOUS SHRUB
- CONIFEROUS SHRUB
- THESE ARE NOT TO SCALE

PLAN NUMBER	DATE	DESCRIPTION

APPROVED BY: [Signature]

DATE: 05/14/2024

SCALE: AS SHOWN

PREPARED BY: [Name]

CHECKED BY: [Name]

DATE: 05/14/2024

EPIC EVENTS CENTER ADDITION
 2987 EPIC DRIVE
 IN THE CITY OF ROBINS, LINN COUNTY

PRELIMINARY PLAT

PROJECT NO. 103104

PLAT NO.

PLAT DATE

APPROVED BY: [Signature]

DATE: 05/14/2024

HALL & HALL ENGINEERS, INC.

1110 HARTWOOD ROAD
 MARIETTA, GA 30067
 770-426-8800

JAMES H. HALL, INC.

1110 HARTWOOD ROAD
 MARIETTA, GA 30067
 770-426-8800

ORDINANCE NO. 2104

AN ORDINANCE AMENDING CHAPTER 165, ZONING ORDINANCE AND CHAPTER 166, SUBDIVISION REQUIREMENTS OF THE ROBINS MUNICIPAL CODE, ROBINS, IOWA

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROBINS, IOWA, that the Municipal Code of the City of Robins, Iowa is amended as follows:

SECTION 1. The “Table of Contents” for “Chapter 165 – ZONING REGULATIONS” is deleted and replaced with the following:

CHAPTER 165

ZONING REGULATIONS

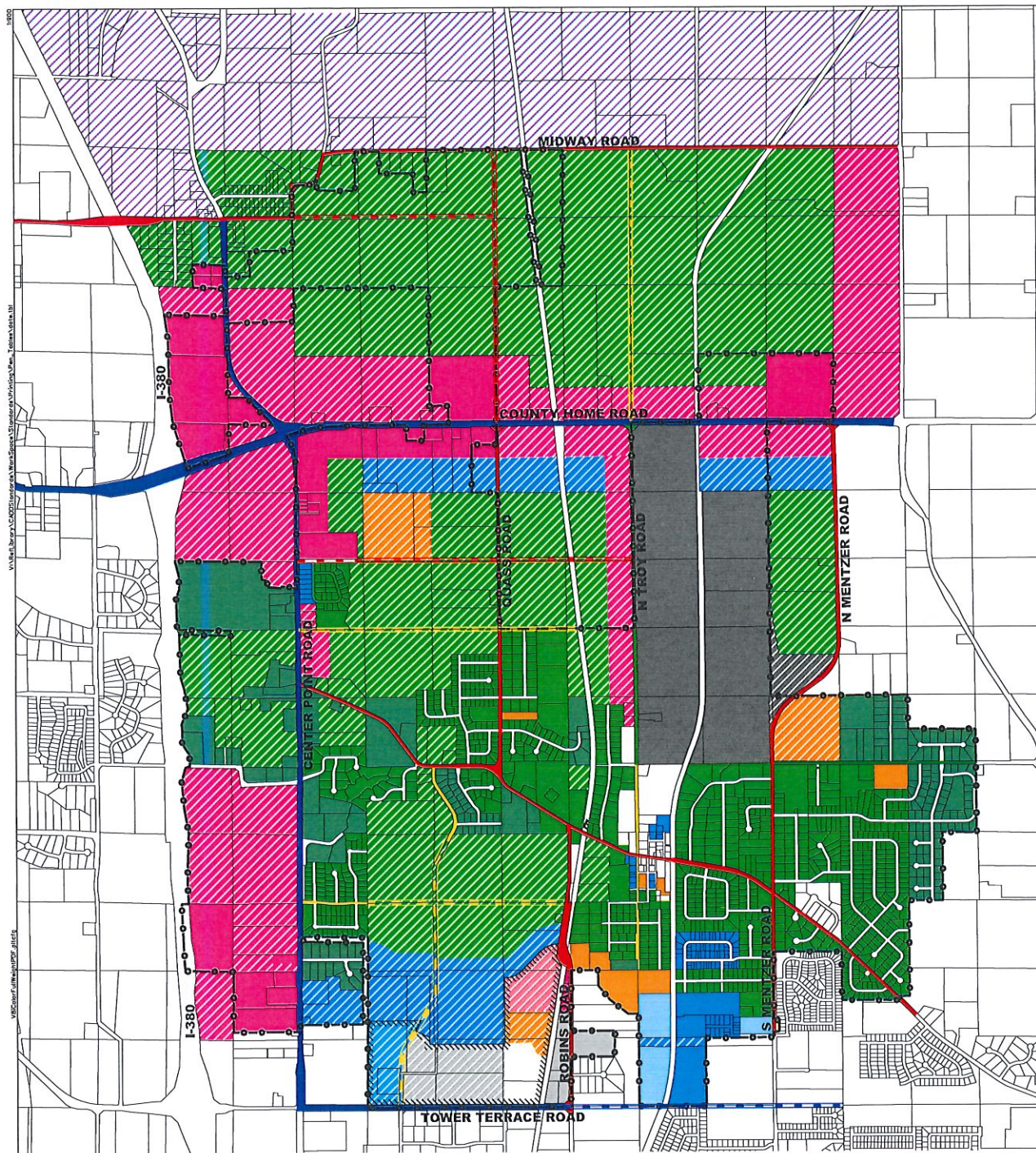
165.01 Title and Purpose; Compatibility	165.21 R-1 Low Density, Single-Family Residential
165.02 Definitions	165.22 R-2 – Medium Density, Single Family R
165.03 Administration and Enforcement	165.23 R-3 – Medium Density, Two-Family Residential
165.04 Zoning Administrator	165.231 R-3A - Medium Density, Two-Family Residential with Association
165.05 Board of Adjustment	165.24 R-4 – High Density, Multiple-Family Residential
165.06 Appeals to the Board of Adjustment	165.25 RMH – Mobile Home Park Residential
165.07 Use Categories	165.25A PUD – Planned Unit Development
165.08 Variances	165.26 C-1 – Central Commercial Business
165.09 Planning and Zoning Commission	165.261 C-1A – Neighborhood Commercial District
165.10 City Council	165.262 RI – Research Park Innovation District
165.11 Amendments	165.27 C-2 – Highway Commercial District
165.12 Building Permits and Certificate of Occupancy Requirements	165.28 PUD – Planned Unit Development
165.13 Interpretation of Provisions	165.29 PLI – Planned Light Industrial District
165.14 Violations and Penalties	165.30 P-1 – Public Use
165.15 Establishment of Districts and	165.301 RL – robins Landing Overlay District
165.16 Changes In Official Zoning Map	165.31 Sign Regulations
165.17 Interpretation of District Boundaries	165.32 Fence, Wall and Hedge Regulations
165.18 Applicability of Regulations	165.33 Off-Street Parking and Loading Space
165.19 A-1 – Agricultural	

SECTION 2 The Robins Future Land Use Map adopted November 8th, 2016 is hereby replaced with the map revised on June 10, 2021.

SECTION 3 Chapter 165.02, “DEFINITIONS” is amended by deleting the same and inserting in lieu thereof the following:

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

1. “Abutting” means adjoining or bordering.
2. “Access” means the right to cross between public and private property, allowing pedestrians and vehicles to enter and leave property.



ROBINS FUTURE LAND USE MAP

STREETS LEGEND

- MAJOR ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL STREET
- FUTURE MAJOR ARTERIAL
- FUTURE MINOR ARTERIAL
- FUTURE COLLECTOR

ZONING LEGEND

- | | |
|--|---|
| <ul style="list-style-type: none"> A-1 AGRICULTURAL R-1 LOW DENSITY SINGLE-FAMILY RESIDENTIAL R-2 MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL R-3 MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL R-3A MEDIUM DENSITY MULTIPLE-FAMILY RESIDENTIAL WITH ASSOCIATION R-4 HIGH DENSITY MULTIPLE-FAMILY RESIDENTIAL WITH ASSOCIATION RMH MOBILE HOME PARK RESIDENTIAL C-1 CENTRAL COMMERCIAL BUSINESS C-1A NEIGHBORHOOD COMMERCIAL BUSINESS C-2 HIGHWAY COMMERCIAL PL-1 PLANNED LIGHT INDUSTRIAL PI PLANNED INDUSTRIAL P-1 PUBLIC USE MUD MIXED USE DEVELOPMENT RI RESEARCH PARK INNOVATION RL ROBINS LANDING OVERLAY DISTRICT | <ul style="list-style-type: none"> A-1 FUTURE AGRICULTURAL R-1 FUTURE LOW DENSITY SINGLE-FAMILY RESIDENTIAL R-2 FUTURE MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL R-3 FUTURE MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL R-3A FUTURE MEDIUM DENSITY MULTIPLE-FAMILY RESIDENTIAL WITH ASSOCIATION R-4 FUTURE HIGH DENSITY MULTIPLE-FAMILY RESIDENTIAL WITH ASSOCIATION RMH FUTURE MOBILE HOME PARK RESIDENTIAL C-1 FUTURE CENTRAL COMMERCIAL BUSINESS C-1A FUTURE NEIGHBORHOOD COMMERCIAL BUSINESS C-2 FUTURE HIGHWAY COMMERCIAL PL-1 FUTURE PLANNED LIGHT INDUSTRIAL PI FUTURE PLANNED INDUSTRIAL P-1 FUTURE PUBLIC USE MUD FUTURE MIXED USE DEVELOPMENT RI FUTURE RESEARCH PARK INNOVATION ROBINS CORPORATE LIMITS |
|--|---|

ADOPTED: AUGUST 2, 2021

REVISED: JUNE 10, 2021

PRINTED: V:\Projects\2021\11210310.08\CADD\MAP_Robins_FLUM.dgn 6/14/2021



S SNYDER & ASSOCIATES



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3. “Accessible Parking Space” means parking spaces accessible for persons with disabilities.
4. “Accessory Parking” means the parking of vehicles of the residents, customers, guests, employees, or owners of a site, not including vehicles for sale by the owner or tenant of the site. Vehicles under this definition must be registered and licensed, and must be able to be started and move on their own power a distance of at least 200 yards. Accessory parking outdoors for more than 72 hours is considered outdoor storage as defined in this chapter.
5. “Accessory building, structure, tree house or use” means a use or structure subordinate to the principal use of a building or land on the same lot or parcel of ground and serving a purpose customarily incidental to the use of the principal building or use of land. (Ordinance No. 1501, 3/2/15)
6. “Accessory Use” means a use incidental to, and on the same lot as, a primary use.
7. “Adaptive Reuse” means rehabilitation or renovation of existing building(s) or structures for any use(s) other than the present use(s).
8. “Adult Entertainment Facilities”: See Table 29.501(4)-7.
9. “Agriculture” means the use of land for the purpose of raising and harvesting crops; or for the raising, breeding, pasturing or management of domestic animals, poultry, fish, and honeybees; or for dairying, truck gardening, forestry, nurseries, or orchards; for the non-commercial on-farm storage or processing of agricultural products; or for any similar agricultural, horticultural, silva-cultural, or aqua-cultural use. Agricultural use shall not allow land to be operated as commercial feedlots and fur farms or for the disposal of garbage, sewage, rubbish or offal or rendering plants or for the slaughtering of animals, except such animals as have been raised on the premises or have been maintained on the premises.
10. “Airport” means any area of land or water which is used or intended for use for the landing and taking off of aircraft, and any appurtenant areas which are used or intended for use for airport buildings or other airport facilities or right-of-ways, including all necessary taxiways, aircraft storage and tie-down areas, hangars and other buildings and open spaces.
11. “Alley” means any dedicated public way affording a secondary means of vehicular access to abutting property, and not intended for general traffic circulation.
12. “Alterations, structural” means any change in the supporting members of a building such as bearing walls, columns, beams, or girders.
13. “Ambient Sound Level” The amount of background noise at a given location prior to the installation of Small Wind Energy System, which may include, but is not limited to, traffic, machinery, lawnmowers, general human activity, and the interaction of the wind with the landscape. Ambient Sound Level is measured on the Decibel – dB(A) – weighted scale as defined by the American National Standards Institute (ANSI).
14. “Animal Hospital or Clinic” means an establishment where animals are admitted principally for examination, treatment, board or care by a doctor of veterinary medicine. This does not include open kennels or runs.
15. “Apartment” means a room or suite of rooms used as the dwelling of a family, including bath and culinary accommodations, located in a building in which there are multiples of these units.
16. “Artificial Lake and Ponds” means man made area where water collects and stored over a long period of time. All lakes and ponds shall meet or exceed the Iowa Department Natural Resource requirements and regulations.

17. “Assisted Living Facility” means a residence for 2 or more elderly that provides rooms, meals, personal care and supervision of self-administered medication. These facilities may provide other services, such as recreational activities, financial services, and transportation.
18. “Automobile repair” means the general repair, engine rebuilding, collision service or reconditioning of motor vehicles.
19. “Automobile service station” means an establishment for the retail sale of fuel, lubricants, tires or other similar products and supplies for vehicles, including minor accessory parts. It may also include minor parts installation, towing, servicing, vehicle washing facilities, and minor repairs of vehicles and trailer rental when secondary to the above activities. Major repairs and sales of vehicles are expressly excluded.
20. “Balcony” means an unroofed platform, unenclosed except by a railing, which projects from the outer wall of any building above ground level with or without support other than the building.
21. “Basement” means that portion of a building which is partly below grade but has more than one-half its height below the average grade of the adjoining ground. For the purpose of this chapter a basement is not considered a story unless designed or used for habitable space or business purposes.
22. “Bed and breakfast” means any single-family or multi-family dwelling unit used for the purpose of overnight or temporary lodging for one or more persons wherein meals may also be provided.
23. “Billboard” means all structures, regardless of the material used in the construction of same, which are erected, maintained or used for public display of posters, painted signs, wall signs, whether the structure is placed on the wall or painted on the wall itself, pictures or other pictorial reading material which advertise a business, entity or attraction. (Ordinance No. 1601, 6/20/16)
24. “Board” means the Board of Adjustment as described in Section 414.7 of the Code of Iowa.
25. “Boarder” means an individual other than a member of the family occupying a dwelling unit who, for a consideration, is furnished sleeping accommodations, meals, and may be provided personal care, financial services, counseling or other such services.
26. “Boarding house” means a building other than a hotel or motel where, for compensation and by prearrangement for definite periods, meals (or lodging and meals) are provided for three (3) or more persons.
27. “Broadcast tower” means a structure for the transmittal or broadcast of radio, television, radar or microwaves, which exceeds the maximum height permitted in the district in which it is located; provided, however noncommercial radio towers not exceeding fifty (50) feet in height are not to be considered broadcast towers.
28. “Building” means any structure designed or built for the support, shelter, enclosure or protection of persons, animals, chattels or movable property of any kind, and includes any structure.
29. “Building envelope” means the build able area of lot which remains after the minimum yard setbacks, height requirements, and open space requirements of this chapter have been complied with.
30. “Building, height of” means the vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the average height level between eaves and ridge for gable, hip and gambrel roofs.
31. “Building line” means a line formed by the face of the building; and, for the purposes of this chapter, a minimum building line is the same as a front setback line.

32. “Building, main or principal” means a building in which is conducted the principal use of the lot on which it is situated.
33. “Business” means the engaging in the purchase, sale, barter, or exchange of goods, wares, merchandise, or services, the maintenance or operations of offices or recreational and amusement enterprises for profit.
34. “Business establishment” means a place of business carrying on operations, the ownership and management of which are separate and distinct from those of any other place of business located on the same zoning lot.
35. “Car wash” means any building or portion thereof, containing facilities for the primary purpose of washing vehicles, using production line methods with a chain conveyor, blower, steam cleaning device, or other mechanical devices; or providing space, water, equipment or soap for the complete or partial hand-washing of such vehicles, whether by attendant or customer.
36. “Cellar” means that portion of a building partially or wholly underground, having half or more than half its clear height below the grade plane. A cellar is non-habitable and is not counted as a story.
37. “Cemetery” means land used or intended to be used for the burial of the human dead and dedicated cemetery purposes, including columbarium’s, crematories, mausoleums, and mortuaries if operated in connection with, and within the boundaries of such cemetery.
38. “Cemetery, pet” means land used or intended to be used for the burial of domesticated animals and dedicated for pet cemetery purposes.
39. “Child day care facility” means a facility in which six or more children are received for part or all of a day for care and/or instruction. The facility shall be approved and licensed by the State of Iowa. The term “child day care facility” includes but is not limited to the following: nursery schools, child care centers, day nurseries, kindergartens, preschools and play groups, but does not include bona fide kindergartens or nursery schools operated by public or private elementary or secondary school systems.
40. “Church” means a building or structure, or groups of buildings or structures, that by design and construction are primarily intended for conducting organized religious services and associated accessory uses.
41. “Clinic, medical or dental” means an organization of specializing physicians and/or dentists, who have their offices in a common building. A clinic does not include in-patient care.
42. “Club” shall mean the same as “lodge.”
43. “Conceptual Plan” means a document that shows an illustration of the architectural features and materials of a proposed building, proposed location of the building on the lot and proposed means of access.
44. “Convalescent home” shall mean the same as “nursing home”.
45. “Convenience store” means any retail establishment offering for sale prepackaged food products; household items; newspapers and magazines, drinks, sandwiches and other freshly prepared foods, as well as other similar convenience goods and the on-site dispensing and sales of vehicular fuel.
46. “Deck” means a covered or uncovered platform area, accessible at or from above grade, and attached to the ground.

47. “Design Requirements” means the current edition of SUDAS and supplemental as adopted by the City
48. “Drive-up” means any establishment that by design, physical facilities, service, or by packaging procedures encourages or permits customers to receive services, obtain goods or be entertained while remaining in their motor vehicles.
49. “Dwelling” means any building or portion thereof consisting of a dwelling unit that is used exclusively for residential purposes. Said building shall have an outside dimension of no less than twenty-four (24) feet for the main body, and 900 square feet of floor area above grade, excluding any attached garage, if any.
50. “Dwelling, condominium” means a multiple dwelling as defined in this chapter whereby the fee title to each dwelling unit is held independently of the others.
51. “Dwelling, cooperative” means a housing unit that is owned and controlled jointly by a group of individuals who have equal shares, membership, and/or occupancy rights to the housing community
52. “Dwelling, duplex” means a residence designed for or occupied by two families only, with separate housekeeping and cooking facilities for each family.
53. “Dwelling, multiple” means a building designed with accommodations in order to be occupied exclusively by more than three (3) families living independently of each other.
54. “Dwelling, patio home” means a dwelling as defined in this chapter whereby the fee title to each dwelling unit is held independently of the others. Each unit is erected on a separate lot and may be separated from others by an approved wall or walls.
55. “Dwelling, row home” means any one of three or more attached dwellings in a continuous row, each such dwelling designed and erected as a unit on a separate lot, and separated from one another by an approved wall or walls.
56. “Dwelling, single-family” means a building designed with accommodations for exclusive occupancy by one (1) family.
57. “Dwelling, town home” means a multiple dwelling as defined in this chapter whereby the fee title to each dwelling unit is held independently of the others. Each unit is erected on a single lot and separated from others by an approved wall or walls.
58. “Dwelling, two-family” means a building designed with accommodations for occupancy exclusively by two (2) families living independently of each other and the dwellings are joined together on a common boundary line with a common wall between units.
59. “Dwelling unit” means any room or group of rooms located within a dwelling, and forming a single habitable unit with facilities that are used, or intended to be used, for living, sleeping, cooking, eating, and sanitation, by one family.
60. “Efficiency unit” means a dwelling unit consisting of one principal room exclusive of bathroom, kitchen, hallway, closets, or dining alcove directly off the principal room, providing such dining alcove does not exceed 125 square feet in area.
61. “Family” means one or more persons related by direct lineal descent, marriage, adoption or placement by a governmental or social service agency, occupying a dwelling unit as a single housekeeping organization. A family may also be two, but no more than two persons not so related, and the children of either or both, including children by adoption, legal guardianship or as foster or

step parent-child, living together on the premises as a common household. A family may also include domestic servants and health care providers residing with the said family.

62. "Family group care home" means a residential facility having fifteen (15) beds or less providing 24-hour room, board, personal assistance and a program of services designed to meet the special needs of mentally or physically disabled persons who cannot live alone. The home must be duly approved and licensed as required by applicable State and local regulations.

63. "Farm" means an area where farming is the main or principal use of the land and buildings within the area or an area of not less than five (5) acres where agriculture use is an accessory use for the growing of common agricultural products such as vegetables, fruits and grains, and their storage upon the area, as well as the keeping of domestic animals as permitted by the Robins Animal Control regulations.

64. "Farm building" means a building or structure used for farming purposes within a farm unit.

65. "Farming" means a business engaged in the cultivating, harvesting and storage of agricultural products; or the rearing, raising, pasturing, and management of agricultural domestic animals; and the maintenance and operations of equipment or farm buildings used within a farm unit for a profit.

66. "Feedlot" means a lot, yard, corral, or other area in which domestic animals are present and confined, for the purposes of feeding and growth before slaughter. This does not include areas which are used for the raising of crops or other vegetation and upon which domestic animals are allowed to graze or feed as permitted by Robins Animal Control regulations.

67. "Feedlot, commercial" means a confined area where 500 or more cattle, swine, sheep, or 30,000 or more fowl are housed, penned and fed.

68. "Fence" means a structure more than 18 inches in height, erected as a barrier for separating or enclosing all or a portion of a field, yard, or other area adjoining real property, or for the purpose of preventing intrusion or straying.

69. "Fence, non-agricultural" means a fence that is not used for agricultural purposes.

70. "Fence, temporary" means a fence erected for a short duration to serve a specific limited functional purpose (e.g. snow, soil erosion, construction public safety barrier) and once the purpose has been served, the temporary fence will be removed from the property. A temporary fence shall meet all fencing requirements specified within this Code of Ordinances except no building permit shall be required.

71. "Floodplain" is defined in Chapter 160 of this Code of Ordinances.

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

73. "Frontage" means all the property on one side of a street between two intersecting streets (crossing or terminating), measured along the line of the street, or if the street is dead ended, then all of the property abutting on one side between an intersecting street and the dead end of the street.
74. "Garage, private" means a building that is subordinate or used for storage of motor-driven vehicles owned and used by the occupants of the building to which it is accessory and shall not exceed 1,250 square feet. (Ordinance No. 1701, 5/15/17)
75. "Garage, public" means a building or portion thereof other than a private or storage garage, designed or used for equipping, servicing, repairing, hiring, selling or storing motor-driven vehicles.
76. "Garage, storage" means a building or portion thereof designed or used for term storage of personal belongings by pre-arrangement, and at which motor fuels and oils are not sold, and motor driven vehicles are not equipped, repaired, hired or sold.
77. "Garden house" means an accessory structure of not more than 140 square feet in area and having a height of eight (8) feet or less constructed primarily for storage.
78. "Grade" means the average level of the finished surface of the ground adjacent to the exterior walls of the building except when any wall approximately parallels and is not more than five (5) feet from a street line, then the elevation of the street shall be grade. The purpose is to regulate the number of stories and height of a structure.
79. "Health club" means a non-medical service establishment intended to maintain or improve the physical condition of persons and containing exercise and game equipment and facilities, steam baths, saunas or similar equipment and facilities. This definition shall not be construed to include massage establishments as defined herein.
80. "Home occupation" means any business, occupation or activity conducted for gain within a residential building, or an accessory building thereto, which is incidental or secondary to the primary use of such building for dwelling purposes and which does not change the essential residential character of the primary building. The following regulations are designed to protect and maintain the residential character of a neighborhood within residential zoned districts while permitting certain limited commercial activities that are traditionally carried out in a home and meet the following limitations:
- A. All home occupation activities shall be carried out wholly within the principal structure or in an accessory building. No more than twenty percent (20%) of floor area of the principal building, and no more than five hundred (500) square feet of floor area of an accessory building, shall be devoted to the activity.
 - B. No person who is not a member of the immediate family and residing on the premises shall be employed in the activity on the premises.
 - C. No outside storage of material or equipment shall create any external evidence of the home occupation.
 - D. No toxic chemicals or highly flammable or explosive materials shall be stored within the buildings or used in the activity.
 - E. No activity shall be permitted that is noxious, offensive or hazardous by reason of pedestrian or vehicular traffic, or by creation of noise, odor, refuse, heat, vibration, smoke, radiation or any other objectionable emissions, or by interference with televisions or radio reception.
 - F. No mechanical, electrical or other equipment within the occupation shall create noise, vibration, glare, fumes, odors, or electrical interference detectable outside the building.

G. Not more than one business motor vehicle, no more than one (1) ton in size, in conjunction to the home occupation, shall be permitted to be parked outside of any building.

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

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

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

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

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

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

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

82. "Identification sign" means a sign displaying the name, address, crest, insignia or trademark, occupation or profession of an occupant of a building or the name of any building on the premise. (Ordinance No. 1601, 6/20/16)

83. "Institution" means an establishment occupied or operated by a private or public non-profit corporation, association, organization, or group for use or benefit of the general public.

84. "Junk/salvage yard" means any lot or portion thereof where waste, discarded, or salvaged materials are bought, sold, exchanged, baled or packed, disassembled, or handled, including the dismantling or "wrecking" of automobiles or other machinery, house wrecking yards, used lumber yards and places or yards for storage of salvaged house wrecking and structural steel materials and equipment; but not including areas where such uses are conducted entirely within a completely enclosed building.

85. "Kennel" means an establishment where small animals are bred, raised, trained, groomed or boarded for compensation, sale or other commercial purposes.
86. "Loading space" means an off-street space within the main building or on the same lot providing for the standing, loading or unloading of commercial vehicles, having a minimum dimension of twelve (12) by thirty-five (35) feet and a vertical clearance of at least fourteen (14) feet.
87. "Lodge" means a building or portion thereof or premises owned or operated by a corporation, association, person, or persons for social, educational, or recreational purposes primarily for the exclusive use of members and their guests, but not primarily for profit or to render a service which is customarily carried on as a business.
88. "Lot" means a parcel of land occupied or intended for occupancy by one main building together with its accessory buildings officially approved and having its principal frontage upon a dedicated street. The boundaries of the lot shall be determined by its lot lines.
89. "Lot, corner" means a lot abutting upon two (2) or more streets at their intersections.
90. "Lot, depth of" means the average horizontal distance between the front and rear lot lines.
91. "Lot, double frontage" means a lot having a frontage on two (2) non-intersecting streets, as distinguished from a corner lot.
92. "Lot, interior" means a lot other than a corner lot.
93. "Lot lines" means the lines bounding a lot as defined herein:
- A. Front Lot Line: In the case of an interior lot, that line separating said lot from the street. In the case of a corner lot, or double frontage lot, "front lot line" means that line separating said lot from that street which is designated as the front street in the plat and in the application for a zoning compliance permit.
 - B. Rear Lot Line: That lot line opposite and most distant front lot line. In the case of a lot pointed at the rear or triangular shaped, the rear lot line is an imaginary line parallel to the front lot line not less than ten (10) feet long and farthest from the lot line and wholly within the lot.
 - C. Side Lot Line: Any lot line other than the front lot line or rear lot line. A side lot line separating a lot from a street is a side street lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.
94. "Lot of record" means a lot which is part of a subdivision, the plat of which has been recorded in the office of the County Recorder.
95. "Lot, reversed corner" means a corner lot, the rear of which abuts the side of another lot.
96. "Lot width" means the width of a lot measured at the building line and at right angles to its depth where the minimum building line or setback intersects the side lot lines.
97. "Lot, zoning" means a single parcel of land which at the time of filing for a building permit is designated by its owner or developer to be used, developed, or built upon as a unit, under single ownership or control. A "zoning lot or lots" may or may not coincide with a lot of record.
98. "Main building" means a building in which is conducted the principal use of the lot upon which it is situated.
99. "Main use" means the principal use to which the premises are devoted and the principal purpose for which the premises exists.

100. "Manufactured home" means a factory-built structure, built under authority of 42 U.S.C. Sec. 5403, and which is required by Federal law to display a seal from the United States Department of housing and urban development, and was constructed on or after June 15, 1976. If a manufactured home is placed in a mobile home park, the home must be titled and is subject to the mobile home square foot tax. If a manufactured home is placed outside of a mobile home park, the home is to be assessed and taxed as real estate. A manufactured home shall not be constructed with a permanent hitch or other device allowing it to be moved other than for the purpose of moving to a permanent site, and which does not have permanently attached to its body or frame any wheels or axles. A mobile home constructed to the Federal Manufactured Home Construction and Safety Standards is not a manufactured home unless it has been converted to real property and is taxed as a site built dwelling as is provided in Code of Iowa, Section 435.26. For the purpose of any of these regulations, a manufactured home is considered the same as a single-family detached dwelling.

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

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

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

104. "Modular home" means a factory-built structure which is manufactured to be used as a place of human habitation, is constructed to comply with the Iowa State Building Code for modular factory-built structures, and must display the seal issued by the State Building Code Commissioner. If a modular home is placed in a mobile home park, the home is subject to the annual tax as required by Section 435.22 of the Code of Iowa. If a modular home is placed outside a mobile home park, the home shall be considered real property and is to be assessed and taxed as real estate.

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

106. "Motor vehicle" means any passenger vehicle, truck-trailer, trailer, or semi-trailer propelled or drawn by mechanical or electrical power.

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

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

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

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

111. "Nursing home" means an institution which is advertised, announced, or maintained for the express or implied purpose of providing nursing or convalescent care for persons unrelated to the licensee. A nursing home is a home for chronic or convalescent patients who, upon admission, are not, as a rule, acutely ill and who do not usually require special facilities, such as an operating room, x-ray facilities, laboratory facilities and obstetrical facilities. A nursing home provides care for persons who have remedial ailments, for which continuing medical and skilled nursing care is indicated; who, however, are not sick enough to require general hospital care. A major factor which distinguishes a nursing home is that the residents will require the individualization of medical care. For the purpose of this chapter, a "nursing home" is also considered to be a "convalescent home." Such institution shall be in compliance with the provisions of Sections 135C.1 (13), nursing facility, and (17), residential care facility, Code of Iowa.

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

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

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

115. "Outdoor lighting" means fixtures and supporting structures used to illuminate the exterior of a building or open space.

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

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

118. "Plan" means the adopted Comprehensive Plan of the City.

119. "Planned unit development" means a development of a parcel of land or contiguous parcels of land of sufficient size to create its own environment, controlled by a single landowner or by a group of landowners in common agreement as to control to be developed as a single entity, which is compatible with adjacent parcels and meets the intended density and land use goals of the underlying zoning district. A Planned Unit Development may be granted relief from rigid requirements of a defined zoning district, such as minimum lot standards and use categories, in return for assurances of an overall quality of development, including any specific features which will be an exceptional benefit to the community as a whole and which would not otherwise be required by this Chapter.
120. "Pole sign" means a sign wholly supported by a single structure in the ground. (Ordinance No. 1601, 6/20/16)
121. "Principal use" means the main use of land or structures as distinguished from secondary or accessory use. For example, a house is a principal use in a residential area; a garage or pool is an accessory use.
122. "Private," in reference to a building, structure, utility, facility, or use, means owned by someone other than a unit of government, or an agency of government, unless the context clearly indicates that "private" is being used in a broader sense of something not open or available to the general populace.
123. "Public," in reference to a building, structure, utility, facility, or use, means owned and/or operated by a unit of government or an agency thereof, unless the context clearly indicates that "public" is being used in the broader sense of something available to the general populace.
124. "Public utility (service use)" means fire stations; police stations; radio and television stations and towers; railroad right-of-ways (not including railroad yards and shops other than for passenger purposes); telephone exchange, telephone transmission equipment buildings and microwave towers; waterworks, reservoir, pumping stations, and filtration plant; and other municipal buildings.
125. "Regular Business Hours" means hours of operation between 6 AM and 10 PM Monday through Friday and limited hours on Saturday and Sunday.
126. "Restaurant" means a business where the dispensing and consumption of edible foodstuff and/or beverage is the principal business operation, including a café (indoor and outdoor), cafeteria, coffee shop, lunch room, tea room, and dining room; but not including as the principal use a bar, cocktail lounge, or tavern.
127. "Restaurant, drive-in" means a restaurant in which food is served directly to customers in motor vehicles for consumption on the premises.
128. "Restaurant, drive-through" means a restaurant in which food is served directly to customers in motor vehicles for consumption off the premises.
129. "Rest home" shall mean the same as "nursing home".
130. "Setback" means the distance required to obtain the front, side or rear yard open space provisions of this chapter.
131. "Sexually oriented business" means an adult arcade, adult bookstore or adult video store, adult cabaret, adult motion picture theater, adult theater, escort agency, nude model studio or sexual encounter center or any other commercial establishments which offer products, services, or experiences appropriate only for adults.
132. "Sign" means any structure or part thereof or device attached thereto or painted, or represented thereon, which displays or includes any letter, word, model, banner, flag, pennant,

insignia, device or representation used as, or which is in the nature of, an announcement, direction or advertisement. Signs include billboards.

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

134. "Site Development Plan" means a document which is drawing of a commercial, industrial, institutional or residential development project, showing existing site conditions and proposed improvements with sufficient detail for agency review, approval and subsequent construction. A Site Development Plan is required to be submitted with each application for annexation and amendment of the zoning and/or future land use plan within R-3, R-3A, R-4, PUD, C-1, C-1A, C-2, RL, RI, PLI and PI zoning districts. (Ord. 1701, 5/15/17).

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

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

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

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

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

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

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

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

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

144. "Swimming pool, public" means a swimming pool, admission to which may be gained by the general public with or without payment of the fee.
145. "Swimming pool, semi-private" means a swimming pool on the premises of, or part of, a hotel, motel, mobile home or travel trailer park, apartment house, private club, association or similar establishment, where admission to the use of the pool is included in the fee, or consideration paid or given for the general use of the premises.
146. "Tavern" means an establishment used primarily for the serving of liquor by the drink to the general public and where food or packaged liquors may be served or sold only as an accessory to the primary use.
147. "Tent" means any temporary structure or enclosure, the roof of which and/or one-half or more of the sides are constructed of silk, cotton, canvas, fabric, or similar pliable material. No tent shall be erected, used, or maintained for living quarters. The requirements for test used for purposes other than residential shall be as specified within Section 165.04(F) of this Chapter.
148. "Trailer camp" or "tourist camp ground" means an area providing spaces for two or more travel trailers, camping trailers, or tent sites for temporary occupancy, with necessary incidental services, sanitation, and recreation facilities to serve the traveling public.
149. "Travel trailer" or "motor home" means a vehicle with or without motive power used or so manufactured or constructed as to permit its being used as a conveyance upon the public streets and highways and so designed to permit the vehicle to be used as a place of human habitation by one or more persons. If such vehicle is customarily or ordinarily used as a place of human habitation for more than 90 days in any 18-month period, it shall be classed as a mobile home, regardless of the size and weight limitation provided herein.
150. "Tree house" means a structure or building constructed around, next to or among the trunk or branches of one or more mature trees while above ground level and is used for recreational purposes. (Ordinance No. 1501, 3/2/15)
151. "Truck Stop" means an area in which service stations, hotels, and/or motel and restaurants are permitted uses. Also permitted are customary uses incidental to the permitted uses. Customary facilities and services in conjunction with the permitted uses may be provided for trucks and truck drivers.
152. "Use" means the purpose or activity for which the land or building thereon is designed, arranged or intended, or for which it is occupied and maintained.
153. "Use, permitted" means a use which may be lawfully established in a particular district or districts provided it conforms to all requirements, regulations, and standards of such district.
154. "Variance" means a modification of the literal provisions of the Zoning Ordinance, which would cause undue hardship owing to circumstances unique to the individual property on which the variance is granted. The crucial points of variance are (a) undue hardship, (b) unique circumstances and (c) applying to property. The authority to grant variances is vested in the Board of Adjustment pursuant to Chapter 414 of the Code of Iowa.
155. "Yard" means an open space between a building and the adjoining lot lines unoccupied and unobstructed by any portion of a structure. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of the rear yard, the minimum horizontal distance between the lot lines and the main building line shall be used.
156. "Yard, front" means a yard extending across the front of a lot and being the minimum horizontal distance between the street or place line and the main building or any projections thereof

other than the projections of the usual uncovered steps. On corner lots the front yard shall be considered as parallel to the street upon which the lot has its least dimension, except where owner shall elect to front the building on a street parallel to the lot line having the greater dimension.

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

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

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

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

SECTION 4. Chapter 165.07, "SPECIAL USES" is amended by deleting the same and inserting in lieu thereof the following:

165.07 USE CATEGORIES. The purpose of this Section is to describe the different classifications of uses found in this Ordinance and to provide a systematic basis for assignment of present and future uses to zones.

1. Classification of Uses. Uses shall be assigned to the category with the description and listing of uses most closely describing the nature of the Principal Use.
 - a. Developments with Multiple Principal Uses. When all the Principal Uses of a development fall within one Use Category, then the development is assigned to that Use Category. When the Principal Uses of a development fall within different Use Categories, each Principal Use is classified in the applicable category and is subject to the regulations for that category.
 - b. Accessory Uses. Unless otherwise stated in this Ordinance or otherwise indicated in the Use Tables for each zone:
 - i. Accessory Uses are allowed by right in conjunction with a Principal Use;
 - ii. Accessory Uses are subject to the same regulations as the Principal Use except as otherwise indicated;
 - iii. All uses include parking for residents, customers or employees as an Accessory Use;
 - iv. Examples of common Accessory Uses are listed within the Use Categories;
 - v. Accessory Uses;
 1. Are clearly incidental and customary to and commonly associated with the operation of the Principal Use;
 2. Are operated and maintained under the same ownership or by lessees or concessionaires of the owner, and on the same zone lot as the Principal Use;
 3. Do not include structures or structural features inconsistent with the Principal Use;
 4. May include the use a portion of a dwelling unit that is the primary

residence of the property owner as limited Short-Term Rental (Home Share or Hosted Home Share).

5. Do not include residential occupancy in conjunction with uses other than hotels, motels, tourist homes and similar uses offering transient housing accommodations, which is also not permitted except by owners and employees employed on the premises and of the immediate families of such owners and employees; and
6. Have a gross floor area that, in combination with all other uses accessory to Principal Uses located in the same structure or on the same lot, does not exceed 25% of the gross floor area utilized by all Principal Uses. The 25% floor area limitation does not apply to off-street parking or Short-Term Rentals.

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

- i. A written application for a special use is submitted to the City Clerk indicating the section of this chapter under which the special use is sought and stating the grounds on which it is requested. The application shall be presented to the City Clerk a minimum of four (4) weeks prior to the monthly regular scheduled Board of Adjustment meeting. Additional information such as Site Development Plan or other supporting materials should be provided with the application. The Zoning Administrator shall determine within a reasonable amount of time whether the special use application is complete. Any missing items or necessary corrections shall be communicated to the requestor for inclusion or incorporation and updated information shall be provided to the City. If the special use application has been completed to the satisfaction of the Zoning Administrator, within a minimum of fourteen (14) days prior to a monthly regular scheduled Board of Adjustment meeting, a public hearing on the rezoning application shall be placed on the Board of Adjustment agenda.
 - ii. Notice shall be given at least seven (7), but not more than twenty (20) days in advance of the public hearing by publication in a newspaper of general circulation in the City and shall be mailed to all property owners within a distance of two hundred (200) feet of the affected property.
 - iii. The City shall provide each applicant sufficient special use permit notification signs, which shall be clearly posted by the applicant at least seven (7) but not more than twenty (20) days in advance of the public hearing, on the property for which a special use permit request has been made. The applicant shall pay the City Clerk such costs at the time the request is submitted as may be prescribed by the City Council. If the signs are not posted in accordance to the preceding requirements, no public hearing shall be held by the Board of Adjustment. No person except the applicant or his or her agent shall take down or in any way affect the visibility of the sign or signs, and no person shall tamper, deface, or in any way interfere with the sign or signs during the period provided by this section.
- d. Public Hearing. The Board of Adjustment public hearing shall be held in accordance with the State of Iowa Open Meetings Law (Chapter 21 of the Code of Iowa) and any party may appear in person, or by agent or by attorney or through written means submitted prior to the

- public hearing.
- e. Findings. The Board of Adjustment shall make a finding that it is empowered under the section of this code described in the application to grant the special use, and that the granting of the special use will not adversely affect the public interest.
 - f. Conditions To Be Prescribed. In granting any special use, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this chapter. Violation of such conditions and safeguards, when made a part of the terms under which the special use is granted, shall be deemed a violation of this chapter and punishable under Section 165.14 of this chapter. The Board of Adjustment shall prescribe a time limit within which the action for which the special use is required shall be begun or completed, or both. Failure to begin or complete, or both, such action within the time limit set shall void the special use.
 - g. Fees. Any person who submits an application under the terms of this section shall be charged a fee in accordance with a schedule of fees established by resolution by the City Council. The denial of an application by the Board of Adjustment shall not be construed as any reason for refunding the fee to the applicant.
2. Uses Included. The names of uses on the following Tables are generic, and similar uses not listed in the "Uses Included" list may also be included in the Use Category if they are not included in another Use Category. Uses included are based on the common meaning of the terms and not on the name that an owner or operator might give to a use.

**Table 165.07-1
RESIDENTIAL USE CATEGORIES**

Group Living

Definition. Residential occupancy of a structure by a group of people who do not meet the Household Living definition. Size is larger than the average household size. Average length of stay is 60 days or longer. Structures generally have a common eating area for residents. Residents may receive any combination of care, training, or treatment, or none of these, as long as they also reside at the site.

Uses Included

Assistant Living Facilities
Boarding, rooming or lodging houses and single room occupancy (SRO) hotels with more than 6 units
Congregate housing-
Dormitories or residence halls
Fraternities and sororities
Hospices
Nursing and convalescent homes
Residences for the physically disabled, mentally retarded, or emotionally disturbed which do not meet the definition of Family Home
Transitional Living Facilities, such as halfway houses for former offenders
Supervised Transitional Homes

Accessory Uses

Recreational facilities

Household Living

Definition. Residential occupancy of a dwelling unit by a family, where the average length of stay is 60 days or longer.

Uses Included

Apartment Building
Manufactured Housing
Other structures with self-contained dwelling units
Single Family Attached Dwellings
Single and Two-family houses
Single Room Occupancy Housing (SRO's), if the average length of stay is 60 days or longer, there are no common dining facilities, and there are 6 units or less

Accessory Uses

Recreational activities;
Clubhouses subject to limitations found in the Zone Use Tables;
Home Occupations and Home Day Cares are accessory uses that are subject to limitations found in the Zone Use Tables and the Use Development Standards
Home Share
Hosted Home Share

Accessory Uses Specific to Manufactured Housing

Those buildings or structures that are complimentary to the manufactured home or mobile home such as carport, cabanas, garages, patio awnings, porches and storage buildings. Accessory structures shall not obstruct required opening for light and ventilation nor shall prevent the inspection of mobile home equipment and ventilation.

Subcategories of Uses:

Single Family House: A detached structure containing one Residential Unit.

Two Family House: A single structure containing 2 Residential Units.

Single Family Attached Dwelling: One of 2 or more attached residential buildings having a common or party wall separating the dwelling units.

Apartment Building: A single structure containing 3 or more Residential Units.

Short-Term Lodging

Definition. Facilities offering lodging accommodations to the general public, where the length of stay is 31 days or less. Short-term lodging is subject to State of Iowa definitions, permits, and rules, including remittance of hotel and motel tax.

Uses Included

Bed & Breakfast Establishment

Hotels

Motels

Recreational Vehicle Park

Vacation Lodging

Accessory Uses

Coffee shops and dining areas primarily for use by guests or residents of the facility

**Table 165.07-2
OFFICE USE
CATEGORIES**

Definition. Activities conducted in an office setting and primarily focusing on administrative, business, government, professional, medical, or financial services. Contractors and others who perform services off-site are included in this Use Category if equipment and materials are not stored on the site and fabrication, services, or similar work is not carried on at the site.

Exception: Offices that are part of and are located with a firm in another category are considered accessory to the firm's primary activity.

Uses Included

Office uses such as:

Banking and bank-related services

Brokerage houses

Data processing centers

Government offices

Insurance services

Lenders and credit services

Public utility offices

Real estate and related services
Sales offices

General office uses

Medical and dental clinics, laboratories and offices
Professional service offices such as:

Accountants

Architects

Engineers

Lawyers

Televisions and radio studios

Accessory Uses

Cafeterias, health facilities, and other amenities primarily for the use of employees or visitors of the firm or building

**Table 165.07-3
TRADE USE CATEGORIES**

Automotive and Marine Craft Trade

Definition. Retail sale or leasing of automobiles, including cars and trucks, and marine craft, including all types of boats and ships.

Uses Included

Sales or leasing of consumer vehicles, including:

- Passenger vehicles
- Motorcycles
- Light and medium trucks
- Other recreational vehicles
- Marine craft and accessories, retail

Accessory Uses

Vehicle servicing, repair, detailing, body work and finishing when conducted as a secondary activity to the sale of vehicles

Entertainment, Restaurant and Recreational Trade

Definition. Facilities providing entertainment or recreation services and eating and drinking establishments.

Uses Included

- Banquet halls
- Bars and taverns
- Billiards and pool halls
- Bowling alleys
- Catering establishments
- Exhibition and meeting areas (20,000 sf or less)
- Game arcades
- Health clubs and gyms
- Ice or roller skating rinks
- Indoor firing ranges
- Lodges and social clubs
- Membership clubs
- Movie theaters
- Restaurants, cafes, delicatessens (with seating areas)
- Swimming pools
- Tennis courts
- Theaters

Accessory Uses

- Offices and storage of food and alcohol

Retail Sales and Services—General

Definition. Uses that involve the sale, lease or rental of new or used consumer products, including prepared foods, to the general public and uses providing services involving predominantly personal or business services, including repair of consumer and business goods.

Exceptions: Lumber yards and other building material sales facilities that sell primarily to contractors and do not have a retail orientation are classified as Wholesale Trade. Sales, rental, or leasing of heavy trucks and equipment is classified as Wholesale Trade. Uses for the repair and service of consumer motor vehicles, motorcycles, and light and medium trucks are classified as Vehicle Service Facilities. Repair and service of industrial vehicles and equipment, and heavy trucks is classified as Industrial Service.

Uses Included

Retail Sales:

Stores selling, leasing, or renting consumer, home, and business goods including:

- Antiques
- Appliances
- Art
- Art supplies
- Automobile supplies (no services)
- Bicycles and Motorized Bicycles
- Books and printed material
- Clothing
- Computer hardware and software sales and service
- Convenience Store
- Dry goods
- Electronic equipment
- Fabric
- Furniture
- Garden supplies
- Gifts
- Groceries
- Hardware
- Home improvements
- Household products
- Jewelry
- Music supplies
- Newspaper distribution
- Office machines
- Package liquor
- Pets
- Pet food
- Pharmaceuticals
- Plants and flowers
- Shoes
- Sporting goods
- Stationery

Tobacco products
Toys
Video

Food sales (not including seating areas):

Bakeries
Candy
Delicatessens

Retail Personal, Business and Repair Services:

Animal grooming salons
Blueprinting and photocopying services
Branch banks
Business and commercial trade schools
Business and management consulting services
Dance or music schools
Dry cleaning collection and distribution centers
Emergency medical care facilities
Employment agencies
Hair, tanning, and personal care services
Kennels
Laundromats
Locksmiths
Martial arts instruction
Office equipment rental
Photo drop-off
Photographic studios
Quick printing
Recycling drop-off
Scientific and professional instrument repair
Sign making
Tailors
Television, bicycle, motorized bicycle, clock, watch, shoe, gun, appliance and office equipment repair
Upholsterers
Veterinarian offices

Accessory Uses

Offices and storage of goods, and manufacture or repackaging of goods for on-site sale

Wholesale Trade

Definition. Uses that involve the sale, lease, or rental of products primarily intended for industrial, institutional, or commercial businesses. Uses emphasize on-site or order-taking and often include display areas. Businesses may or may not be open to the general public, but sales to the general public are limited. Products may be picked up on-site or delivered to the customer.

Uses Included

Mail order

housesSale or

rental of:

- Agricultural and Farm Equipment
- Building materials (including lumber)
- Electrical supplies
- Equipment
- Heating and plumbing equipment
- Heavy trucks
- Janitorial supplies
- Machine parts
- Machinery
- Restaurant equipment
- Special trade tools
- Store fixtures
- Welding supplies

Wholesalers of:

- Alcoholic beverages
- Auto parts
- Building hardware
- Clothing
- Electronics
- Home furnishings
- Food

Accessory Uses

Offices, product, repair, warehouses, minor fabrication services, limited retail areas, and repackaging of goods

**Table 165.07-4
INDUSTRIAL USE CATEGORIES**

Industrial Service

Definition. Uses that involve the repair or serving of industrial, business or consumer machinery, equipment, products, or by-products, but not including consumer goods services or retail outlets.

Exception: Establishments providing office space for contractors and others who perform services off-site are reconsidered office uses if major equipment or bulk quantify material storage is not conducted at the site, and fabrication or similar work is not carried on at the site.

Uses Included

Auto and truck salvage and wrecking
Building, heating, plumbing or electrical contractors
Electric motor repair
Exterminators
Fuel oil distributors
Furniture stripping and refinishing
Heavy machinery sales, repair, and storage
Heavy truck servicing and repair
Janitorial and building maintenance services
Laundry, dry-cleaning, and carpet cleaning facilities
Machine shops
Metal and building materials, salvage or wrecking
Photo finishing laboratories
Printing, publishing, commercial art and reproduction services
Research and development laboratories
Solid fuel yards
Tire retreading or recapping
Tool repair
Towing and vehicle storage
Truck stops
Welding shops

Accessory Uses

Offices, storage, rail spur or lead lines, and docks

Manufacturing and Processing

Definition. Uses that involve the manufacturing, processing, fabrication, packaging or assembly of goods. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on-site, but if so, they are a subordinate part of sales.

Exceptions: Manufacture of consumer goods to be sold primarily on-site and to the general public is classified as Retail Sales and Services. Manufacture and production of products from composting organic material are classified as Waste Processing and Transfer.

Uses Included

- Apparel and textiles manufacturing
- Artwork, jewelry and toy production
- Chemicals, rubber, leather, clay, bone, plastic, stone, and glass materials manufacturing
- Concrete batching and asphalt mixing
- Food and related products manufacturing
- Furniture and fixtures manufacturing
- Lumber and wood product manufacturing
- Metal and metal products manufacturing, including enameling and galvanizing
- Machinery and electrical equipment manufacturing
- Manufactured homes and prefabricated structures manufacturing
- Movie production facilities
- Printing and publishing
- Rock crushing and screening
- Woodworking, including cabinetry

Accessory Uses

Offices, cafeterias, employee recreational facilities, warehouses, storage yards, rail spur or lead lines, docks, repair facilities, truck fleet maintenance and parking area, and caretakers' quarters

Resource Production and Extraction

Definition. Uses that involve agricultural production, commercial fishing mining, quarrying, and mineral extraction

Uses Included

- Farming Mining Quarrying
- Production or extraction of mineral products

Accessory Uses

Offices, storage, rail spur or lead lines and docks

Warehouse and Freight Handling

Definition. Uses that involve the storage or movement of goods. Goods are generally delivered to other firms or the final consumer. There is little on-site sales activity with the customer present.

Exception: Uses that involve the transfer or storage of solid or liquid wastes are classified as Waste Processing and Transfer uses.

Uses Included

- Bus barns or yards
- Cold storage plants, including frozen food lockers
- Freight storage
- Grain terminals
- Household moving storage
- Inter-model transfer facilities
- Mini-warehousing and self-service storage facilities

Parcel services
Regional postal distribution facilities
Sand and gravel storage
Truck and air freight terminals
Warehouses used by retail stores
Weapons and ammunition storage
Wholesale distribution centers

Accessory Uses

Offices, truck fleet parking and maintenance areas, rail spur or lead lines, docks, and repackaging of goods

Waste Processing and Transfer

Definition. Uses that receive solid or liquid wastes from other uses for disposal storage or treatment on-site or for transfer to another location; uses that collect sanitary wastes; uses that treat contaminated materials; uses that process materials for recycling; and uses that manufacture or produce goods or energy from the composting or organic material.

Uses Included

Energy recovery plants
Portable sanitary collection equipment storage and pumping
Recycling operations
Sewage treatment plants
Waste composting
Waste incineration

Accessory Uses

Offices, recycling of materials, and repackaging and transshipment of by-products

**Table 165.07-5
INSTITUTIONAL USE CATEGORIES**

Colleges and Universities

Definition. Colleges and other institutions of higher learning that offer courses of general or specialized study leading to a degree. They are certified by a recognized accrediting agency.

Uses Included

Community colleges
Liberal arts colleges
Nursing and medical schools not accessory to a hospital
Seminaries
Universities

Accessory Uses

Accessory Uses include offices, housing for students, food service, laboratories, health and sports facilities, theaters, meeting areas, and maintenance facilities.

Community Facilities

Definition. Uses generally providing a local service to people of the community. Services are generally provided on the site or employees are at the site on a regular basis. The service is ongoing, not just for special events. Community centers or facilities that have membership provisions are open to the general public to join at any time (e.g., any senior citizen could join a senior center). The use may also provide special counseling, education, or training of a public, nonprofit or charitable nature. Alternative incarceration centers are not included in this definition.

Exception: Private lodges, clubs, and private or commercial athletic or health clubs are classified as Entertainment, Restaurant and Recreation Trade.

Uses Included

Community centers
Libraries
Museums Post offices
Senior centers
Swimming pools (open to the public)
Vocational training for the handicapped
Youth club facilities

Accessory Uses

Offices, meeting rooms, food preparation areas, health and therapy areas, day care uses, and athletic facilities.

Child Day Care Facilities

Definition. Uses where a program of supplementary care, protection, and supervision is regularly provided to children at least twice a week. The service is provided outside the home of the care recipients and covers only a portion of the day. Child Care Facilities uses include "group child care homes", "child care centers" and "registered family child care homes" as those terms are defined in the Iowa Code. Commercial Day Care uses permitted under this Ordinance do not include any unlicensed facilities for which licensure is required by law.

Exception: Home Day Care, which includes "family child care homes" as defined by the Iowa Code, is accessory to all residential uses.

Uses Included

- Child care center
- Group child care homes
- Latchkey programs
- Nursery schools
- Preschools

Registered family child care homes

Accessory Uses

Offices and play areas.

Funeral Facilities

Definition. Uses providing for the preparation of the deceased for burial or cremation, the display of the deceased and the rituals connected therewith before burial or cremation, or the storage of human bodies prior to burial or cremation.

Exceptions: Cemeteries and accessory structures erected therein are classified as Parks and Open Areas.

Uses Included

- Crematories
- Funeral Homes
- Mortuaries

Medical Centers

Definition. Uses providing medical or surgical care to patients and offering overnight care, including uses that provide in-patient care and planned treatment for psychiatric, alcohol, or drug problems.

Exceptions: Medical clinics that provide care where patients are generally not kept overnight are classified as Office uses. Emergency medical care clinics are classified as Retail Sales and Services.

Uses Included

- Drug, alcohol and psychiatric in-patient facilities
- Hospitals
- Medical centers

Accessory Uses

Out-patient clinics, offices, laboratories, teaching facilities, meeting areas, cafeterias, maintenance facilities, housing facilities for staff or trainees, and gift and hospitality shops.

Religious Institutions

Definition. A facility where people regularly attend religious services and affiliated meetings and activities. Religious institutions include buildings in which the religious services of any denomination are held.

Uses Included

- Churches
- Mosques
- Synagogues Temples
- Other houses of worship

Accessory Uses

Religious educational facilities, residence for clergy, caretakers' housing, and group living facilities such as convents or rectories.

Schools

Definition. Facilities that provide a curriculum of elementary and secondary academic instruction, including public and private kindergartens, elementary schools, junior high schools, and high schools.

Exceptions: Preschools are classified as a Day Care use.

Uses Included

Boarding schools

Military academies

Public and private day schools

Public School Administration Center in conjunction with a public school building

Accessory Uses

Play areas, cafeterias, recreational and sport facilities, auditoriums, and before- or after-school day care.

Table 165.07-6
**TRANSPORTATION, COMMUNICATIONS AND
ESSENTIAL SERVICES USE CATEGORIES**

Basic Utilities

Definition. Utility infrastructure that needs to be located in or near the area where the service is provided. Basic Utility uses generally do not have regular employees at the site. Services may be publicly or privately provided.

Exception: Regional power lines and utility pipelines are classified as Rail lines and Utility Corridors. Power generating plants are classified under manufacturing and Production as energy production uses.

Uses Included

Electrical substations
Mass transit turnarounds
Storm water retention and detention
Telephone exchanges
Water and sewer pump stations
Water towers and reservoirs

Commercial Parking

Definition. Parking not accessory to a specific use, whether or not a fee is charged. A facility that provides both accessory parking for a specific use and regular fee parking for vehicles not connected with the use is classified as a Commercial parking use.

Exceptions: The following facilities are classified as Accessory Uses: parking facilities accessory to a principal use, but charging the public to park for occasional events nearby; and parking facilities that are accessory to a Principal use, even if the operator leases the facility to the Principal Use or charges a fee to the individuals who park in the facility.

Uses Included

Commercial shuttle parking
Office/retail zone shared parking lots
Mixed parking lots (partially for a specific use, partially for rent to others)
Short- and long-term fee parking facilities (surface and structured)

Accessory Uses

In a parking structure only, Accessory Uses may include gasoline sales, car washing, and vehicle repair activities, if these uses provide service solely for autos parked in the garage.

Parks and Open Areas

Definition. Land outdoors, open to the public, and reserved primarily as a natural area or an area consisting mostly of vegetative landscaping, outdoor recreation space, community gardens, or public square or plaza.

Uses Included

Boat launching areas
Botanical gardens
Cemeteries
Golf courses
Nature preserves

Parks
Plazas
Public squares
Recreational trains
Tennis courts (open to the public)

Accessory Uses

Accessory Uses may include club houses, maintenance facilities, concessions, and caretakers' quarters, and a crematory only in a cemetery.

Passenger Terminals

Definition. Passenger terminals and related facilities for aircraft, regional bus service, regional rail service

Uses Included

Air passenger terminals
Bus passenger terminals for regional bus service
Helicopter landing facilities
Railroad passenger stations for regional rail service

Accessory Uses

Freight handling areas, ticketing areas, concessions, offices, and maintenance and fueling facilities

Essential Public Services

Definition. Uses of a public nature, generally provided a local service to people of the community. Services are generally provided on the site or employees are at the site on a regular basis. The service is on-going, not just for special events.

Uses Included

Ambulance stations
Fire stations
Police stations

Accessory Uses

Offices, meeting rooms, and food preparation areas

Radio and Television Broadcast Facilities

Definitions. All devices, equipment, machinery, structures or supporting elements necessary to produce or transmit non-ionizing electromagnetic radiation for radio or television broadcast or transmission and operating as a discrete unit to produce or transmit a signal or message. Towers may be self-supporting or mounted on poles or buildings.

Exception: Radio and television studios are classified as Office uses. Personal wireless service facilities are classified in a separate definition.

Uses Included

Broadcast towers
Communication towers
Point-to-point microwave towers

Accessory Uses

Transmitter facility buildings

Personal Wireless Service Facilities

Definition. Facilities for the provision of personal wireless services to include commercial mobile services, unlicensed wireless communications, and common carrier wireless exchange access services.

Uses Included

Wireless communication antenna
Antenna support structure

Accessory Uses

Wireless communication transmission building

Rail Lines and Utility Corridors

Definition. Railroad tracks and lines for the movement of trains on land owned or leased by the railroad. This category also includes public or private passageways, excluding easements, for the express purpose of transmitting or transporting electricity, gas, oil, water, sewage, communication signals, or other similar services on a regional level.

Exceptions: Railroad lead and spur lines for delivery of rail cars on specific sites are classified as accessory to the Principal Use of the site. Rail lines and utility corridors that are located within motor vehicle rights-of-way are not included. Railroad yards

Uses Included

Rail trunk and feeder lines
Regional electrical transmission lines
Regional gas and oil pipelines

Railroad Yards

Definition. Areas with multiple railroad tracks used for rail car switching, assembling of trains.

Exception: Facilities for the transshipment of goods from other transportation modes to trains are classified as Warehouse and Freight Handling.

Accessory Uses

Offices, employee facilities, storage areas, and rail car maintenance and repair facilities.

**Table 165.07-7
MISCELLANEOUS USE
CATEGORIES**

Adult Entertainment Facilities

Definition. Establishments including bookstores, bars, restaurants, movie theaters, and arcades where films are shown, or videotapes, magazines, books, or other printed matter are sold, or live performances take place, that are characterized by an emphasis upon the depiction or exposure of Specified Sexual Activities or Specified Anatomical Areas. Massage parlors where services are not administered by a licensed medical practitioner, chiropractor, acupuncturist, therapist or similar person licensed by the state are also included in this Use Category.

Uses Included

- Adult motion picture arcades
- Adult bookstores
- Adult cabarets
- Adult motion picture theaters
- Adult theaters
- Bars featuring “topless” or “exotic” dancers or striptease performances
- Massage parlors

Agricultural and Farm Related Activities

Definition. Establishments primarily engaged in supplying soil preparation services, crop services, landscaping, horticultural services, veterinarian and other animal services, and farm labor and management services.

Uses Included

- Farms
- Stables

Accessory Uses

- Seed sales and sale of other farm produce

Commercial Outdoor Recreation

Definition. Large, generally commercial facilities, that provide continuous or seasonal recreation or entertainment-oriented activities. They generally take place outdoors or may take place in a number o structures that are arranged together in an outdoor setting.

Exceptions. Golf courses and botanical gardens/arboretums are classified as Parks and Open Space. Uses that draw large members of people to periodic events, rather than on a continuous basis, such as stadiums and amphitheaters, are classified as Major Event Entertainment.

Uses Included

- Amusement parks
- Beach clubs
- Campgrounds (private)
- Golf driving ranges
- Miniature golf facilities
- Zoos

Accessory Uses

Accessory uses may include concessions restaurants, caretakers' quarters, and maintenance facilities.

Detention Facilities

Definition. Facilities for judicially required detention or incarceration of people. Inmates and detainees are under 24-hour supervision by sworn officers, except when on an approved leave.

Exception. Programs that provide transitional living experience for former offenders, such as halfway houses, where residents are not supervised by sworn officers, are classified as Group Living.

Uses Included

- Alternative incarceration centers
- Jails
- Juvenile detention homes
- Probation centers

Accessory Uses

Offices, recreational and health facilities, therapy facilities, maintenance facilities, and hobby and manufacturing activities.

Major Event Entertainment

Definition. Activities and structures that draw people to spectate or participate at specific events or shows.

Exception: Motion picture theaters, including drive-in theaters, are classified as Entertainment, Restaurant and Recreations Trade.

Uses Included

- Auditoriums
- Bazaars and carnivals
- Coliseums
- Exhibition and meeting areas (more than 20,000 sf)
- Fairgrounds
 - Sports arenas
 - Stadiums

Accessory Uses

Restaurants, bars, concessions, and maintenance facilities

Vehicle Service Facilities

Definition. Either of the following subcategories of uses:

Vehicle service Stations. Any use where gasoline and other petroleum products are sold and/or light maintenance activities such as engineer tune-ups, lubrication, minor repairs, and carburetor cleaning is conducted. Service station uses shall not include premises where heavy automobile maintenance activities such as engine overhauls, automobile painting, and body fender work are conducted.

Vehicle Repair Facilities. Businesses servicing passenger vehicles, light and medium trucks and other consumer motor vehicles such as motorcycles, boats and recreational vehicles, including premises where heavy automobile maintenance activities such as engine overhauls, automobile painting and body fender work are conducted.

Exception: Repair and service of industrial vehicles and equipment and of heavy trucks, towing and vehicle storage, and vehicle wrecking and salvage are classified as Industrial Service.

Uses Included**Vehicle Service Station Uses:**

- Car washes
- Publicly and privately owned vehicle emission test sites
- Gas stations
- Minor auto repair and tire sales
- Quick lubrication services

Vehicle Repair Facility Uses:

- Auto body shops
- Auto detailing shops
- Auto upholstery shops
- Tire sales and mounting shops
- Transmission or muffler shops
- Vehicle repair shops

Accessory uses

Offices, sales of parts, and vehicle storage

Solar Energy Conversion

Definition. The use of Solar Energy Systems for the collection, inversion, storage, and distribution of solar energy for electricity generation, space heating, space cooling or water heating; primarily for use on-site as an accessory use to the principal use.

Sports Practice Facilities

Definition. An indoor facility dedicated solely to the training and development of sports teams. Uses shall not include the playing of scheduled games, matches, championships, or tournaments. The facility may have limited observation seating for family and associates of the players who wish to watch the practice, but it is not open to the public; nor is the facility used for other assembly-type uses when not otherwise used for sports practice. The facility may also include ancillary offices.

Wind Energy Conversion

Definition. The use of Wind Energy Systems for the conversion of the power of wind into electrical energy primarily for on-site as an accessory use to the principal use.

SECTION 5 Chapter 165.12, “**BUILDING PERMITS AND CERTIFICATE OF OCCUPANCY REQUIREMENTS**” is amended by deleting the same and inserting in lieu thereof the following:

165.12 BUILDING PERMITS AND CERTIFICATE OF OCCUPANCY REQUIREMENTS.

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

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

2. Certificate of Occupancy. No structure or building shall be occupied, and the primary use of a structure or building shall not be changed, unless and until a Certificate of Occupancy has been issued. A Certificate of Occupancy shall only be approved if the structure or building conforms to all applicable requirements of this chapter, all applicable subdivision approval requirements (See Chapter 166), all applicable building codes (See Chapters 155 & 156), and any other applicable laws and regulations of the City of Robins.
3. Private Water Supply and Sewage Disposal Permit Requirements. Where public sewer or water is not readily available to serve the property, private water supply or sewage disposal systems may be allowed provided the systems meet the requirements in Chapters 90 and 98 of this Code of Ordinances and Section 165.19(16) of this chapter. When a private system is allowed, copies of the approved permits from the Linn County Health Department or other applicable agency or department shall be provided to the City prior to the final approval of the building permit or temporary occupancy.
4. Site Plan Requirements. Each building permit application within R-3, R-3A, R-4, PUD, C-1, C-1A, C-2, RI, RL, PLI and PI zoning districts, except for existing single or two family dwellings and accessory buildings thereof, shall be accompanied by four (4) copies of a Site Plan. A record of the Site Plan shall be kept on file in the City Clerk's office with the building permit. The Site Plan shall conform to the zoning regulations within the applicable zoning district and to any plat of prior Site Development Plans approved by the City Council unless otherwise directed by the Zoning Administrator; the Site Plan is to be prepared by a professional engineer, certified architect and/or landscape architect. The petitioner may, as part of the final Site Plan approval, be required to install public utilities including, but not limited to, water lines, storm sewer, sanitary sewer, street paving, fire hydrants, and such other utilities as applicable to properly serve the proposed plan. Where required as part of a Site Plan approval, utilities shall be constructed in accordance with the City's construction standards for those portions within the public right-of-way and shall be dedicated to the City. The petitioner may also be required to construct to the same specifications for those undedicated portions where said utilities may have a direct effect on the future safety, proper functioning, and maintenance of those portions to be dedicated. The Site Plan shall be prepared to scale showing the following (Ord. 1302, 7/15/13):
5. Owner and applicant contact information, including address, phone number, and fax number.
6. North arrow, scale and date of preparation of the plan.

7. The dimensions of the lot to be built upon.
8. The size, shape, and location of the building to be erected.
9. Location of existing right-of-ways, easements, and infrastructure (e.g., streets, sanitary sewer, storm sewer) and any proposed infrastructure improvements.
10. Spot grade and pavement elevations and contour lines at intervals of not more than two (2) feet; City datum; if substantial topographic change is proposed, the existing topography shall be illustrated on a separate map, and the proposed finished topography shown on the final site plan to demonstrate drainage patterns.
11. The proposed location, size, shape, color, and material type of all buildings or structures. Building design should be visually harmonious and compatible with the neighborhood character. The following guidelines should be followed for building design:
 - (1) Buildings located on property with double frontages should have similar wall design facing both streets.
 - (2) Buildings should have a consistent architectural style throughout the development on each lot, as defined by repetition of exterior building material and colors, and architectural elements.
 - (3) Commercial buildings' side and rear elevations should be comprised of the same materials, and reasonably similar in character and quality as the front elevation, unless screened from view from all public streets and residential areas by topography differences, landscaping materials, or other screening devices, in which case, building material may be concrete block or tilt-up concrete panels.
 - (4) Preferred commercial building materials: stucco, wood siding, brick, or open face block. Premium grade vinyl siding may be used.
 - (5) Preferred light industrial and warehouse building material: stucco, natural wood siding, brick, open face block, and concrete. If the building is built with a concrete facade, it is highly recommended that the front façade be built with stucco, natural wood siding, brick, or open face block. Premium grade vinyl siding may be used.
 - (6) No reflective surface shall be allowed where, in the opinion of the City Engineer, the surface would pose a public safety issue.
 - (7) Special attention should be taken to incorporate external mechanical equipment into the design such that it does not detract from the aesthetics of the site and building as well as shield from nearby residential areas.
 - (8) Pitched roofs with a minimum slope of 5/12 are preferred.
 - (9) Roof top equipment shall be screened.

12. Traffic and pedestrian circulation patterns within two hundred (200) feet of the property and proposed location of sidewalks, crosswalks, driveways, parking areas, number of parking spaces proposed, number of parking spaces required, type of surfacing to be used, etc. Parking areas or lots shall be designed in accordance with Section 165.33 of this chapter.
13. Location and access of commercial solid waste containers and the screening thereof.
14. Such other information as may be necessary to provide for the enforcement of applicable zoning and municipal regulations including, but not limited to, the type, size, and location of all proposed signs and lighting. (Ord. 1302, 7/15/13)
 - (1) 5. Residential Accessory Building Permit Requirements. Residential accessory buildings shall be in compliance with Section 165.19 (12) of this chapter. For each building permit application for an accessory building over 120 square feet, the applicant shall provide the location, size, shape, color and material type information of the accessory building and that of the principal residential building. The accessory building design, siding and roof material shall be consistent with the principal building and the neighborhood character. The property owner is responsible to ensure the accessory building is in conformance with any restrictive covenants and not in conflict with any easements. No accessory building over a total of 800 square feet shall be permitted without prior approval by the Commission. (Ordinance No. 1501, 3/2/15)
 - (2) 6. Swimming Pool, Hot Tub and Spa Requirements. Swimming pools, spas and hot tubs, whether in-ground, above-ground or on-ground, which contain water over twenty-four (24) inches deep, shall comply with minimum and transitional yard requirements for the zoning district. Refer to Chapters 155 and 156 of this Code of Ordinances for additional requirements regarding swimming pools, hot tubs and spas.
15. 7. Fees. Any person who submits an application for a building permit in accordance with this chapter shall be charged a fee in accordance with a schedule of fees established by resolution by the City Council.

SECTION 6. Chapter 165.03, “**R-3 – MEDIUM DENSITY TWO-FAMILY RESIDENTIAL**” is amended by deleting the same and inserting in lieu thereof the following:

165.23 R-3 DISTRICT – MEDIUM DENSITY TWO-FAMILY RESIDENTIAL.

This district is intended to establish and preserve medium density areas for single and two family dwellings and require the provisions of urban facilities and services. This district would be free

from other uses except those which are both compatible with and convenient to the residents of such a district.

The R-3A District is subject to the following regulations:

1. Permitted Principal Uses and Structures.
 - A. Duplex
 - B. Patio Home
 - C. All principal uses and structures as permitted in R-2.
2. Permitted Accessory Uses and Structures. All accessory uses and structures as permitted in R-2.
3. Special Uses. As approved by the Board of Adjustment.
4. Bulk Regulations. The following minimum requirements shall be observed in the R-3 District:

Use	Minimum Lot Area	Minimum Lot Width	Minimum Front Yard	Minimum Side Yard	Corner Side Yard	Minimum Rear Yard	Maximum Height
Single-Family	7,000 square feet	65 feet	30 feet	10 feet	30 feet	30 feet	Principal building 35 feet
Duplex	6,250, square feet per dwelling unit	45 feet per dwelling unit	30 feet	10 feet except at common wall	30 feet	30 feet	Principal building 35 feet

5. Other Standards.
 - A. Common wall must meet current codes adopted by the City.
 - B. For Duplexes, zero lot lines may only occur in the vertical plane. Stacked units or zero lot lines in the horizontal plane are not allowed. Each unit must have a public accessible entrance.
 - C. No fence shall be allowed in the front yard.
 - D. No on-street parking shall be allowed.
 - E. No detached garages shall be allowed.
 - F. Each principal building unit shall have separate City and private services and metering systems.
 - G. There shall be at least one entrance per unit facing the street.

- H. All uses shall meet the parking, design and sign standards of this chapter.
- I. A site plan for all structures shall be submitted for approval prior to building permit issuance.

SECTION 7. Chapter 165.231 “R3A DISTRICT – MEDIUM DENSITY TWO-FAMILY RESIDENTIAL WITH ASSOCIATION” is hereby established.

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

The R-3A District is subject to the following regulations:

- 6. Permitted Principal Uses and Structures.
 - A. Condominium
 - B. Patio homes.
 - C. Town homes
 - D. All principal uses and structures as permitted in R-3 except for single-family dwellings.
- 7. Permitted Accessory Uses and Structures. All accessory uses and structures as permitted in R-3.
- 8. Special Uses. As approved by the Board of Adjustment.
- 9. Bulk Regulations. The following minimum requirements shall be observed in the R-3A District:

Minimum Lot Area	Minimum Lot Area	Minimum Lot Width	Minimum Front Yard	Minimum Side Yard	Corner Side Yard	Minimum Rear Yard	Maximum Height
Single-Family	7,000 square feet	65 feet	30 feet	10 feet	30 feet	30 feet	Principal building 35 feet
Duplex	6,250, square feet per dwelling unit	45 feet per dwelling unit	30 feet	10 feet except at common wall	30 feet	30 feet	Principal building 35 feet

- 10. Other Standards.

- A. Common wall must meet current codes adopted by the City.
- B. For Condominiums, Patio homes and Town homes, zero lot lines may only occur in the vertical plane. Stacked units or zero lot lines in the horizontal plane are not allowed. Each unit must have a public accessible entrance. Association agreements shall be created to provide for the maintenance and replacement of the commonly owned interior streets, public walks and grounds.
- C. No fence shall be allowed in the front yard.
- D. No on-street parking shall be allowed.
- E. No detached garages shall be allowed.
- F. Each principal building unit shall have separate City and private services and metering systems.
- G. There shall be at least one entrance per unit facing the street.
- H. All uses shall meet the parking, design and sign standards of this chapter.
- I. An LLC or non-profit corporation and the associated covenants, conditions and restrictions shall be formed and the documentation submitted with the Final Plat prior to acceptance of the Final Plat.
- J. A site plan for all structures shall be submitted for approval prior to building permit issuance.

SECTION 8. Chapter 165.24, “**R-4 - HIGH-DENSITY MULTIPLE-FAMILY RESIDENTIAL**” is amended by deleting the same and inserting in lieu thereof the following:

165.24 R-4 DISTRICT – HIGH DENSITY MULTIPLE-FAMILY RESIDENTIAL WITH ASSOCIATION. This district is intended to establish and preserve areas for high density residential development, with a homeowner’s association and free from other uses, except those which are both compatible with and convenient to the residents of such a district. This district is designed to serve as a buffer between lower density residential districts and more intensive zoning districts such as commercial districts and would require the provisions of urban type facilities and services.

The R-4 District is subject to the following regulations:

1. Permitted Principal Uses and Structures.

- A. Multiple dwellings, including row dwellings, townhouses, condominiums, cooperative and apartments. Row dwellings, townhouses and condominiums are to consist of not more than eight units in a continuous row per building.
 - B. Boardinghouses and rooming houses.
 - C. Nursing, convalescent and retirement homes.
 - D. All principal uses and structures as permitted in R-3A.
2. Permitted Accessory Uses and Structures. All accessory uses and structures as permitted in R-3A.
 3. Special Uses. As specified by the Board of Adjustment.
 4. Bulk Regulations. The following minimum requirements shall be observed in the R-4 District:

Minimum Lot Area	Minimum Lot Area	Minimum Lot Width	Minimum Front Yard	Minimum Side Yard	Corner Side Yard	Minimum Rear Yard	Maximum Height
Single-Family	7,000 square feet	65 feet	30 feet	10 feet	30 feet	30 feet	Principal building 35 feet
Duplex	6,250, square feet per dwelling unit	45 feet per dwelling unit	30 feet	10 feet except at common wall	30 feet	30 feet	Principal building 35 feet
Multi-Family	4,500 square feet per dwelling unit	45 feet per dwelling unit	30 feet	10 feet except at common wall	15 feet	30 feet	Principal building 45 feet

5. Other Standards.

- A. Common wall must meet current codes adopted by the City.
- B. For Duplexes, Condominiums, Patio homes, Row homes and Town homes, zero lot lines may only occur in the vertical plane. Stacked units or zero lot lines in the horizontal plane are not allowed. Each unit must have a public accessible entrance. Association agreements shall be created to provide for the maintenance and replacement of the commonly owned interior streets, public walks and grounds.
- C. No fence shall be allowed in the front yard.
- D. No on-street parking shall be allowed.
- E. No detached garages shall be allowed.
- F. Each principal building unit shall have separate City and private services and metering systems.
- G. There shall be at least one entrance per unit facing the street.
- H. All uses shall meet the parking, design and sign standards of this chapter.
- I. An LLC or non-profit corporation and the associated covenants, conditions and restrictions shall be formed and the documentation submitted with the Final Plat prior to acceptance of the Final Plat.
- J. A site plan for all structures shall be submitted for approval prior to building permit issuance.

SECTION 9. Chapter 165.26, “CENTRAL COMMERCIAL BUSINESS DISTRICT” is amended by deleting the same and inserting in lieu thereof the following:

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

- 1. Permitted Principal Uses and Structures.
 - A. Office Use

- B. Entertainment, Restaurant and Recreational Trade
 - C. Retail Sales and Services – General
 - D. Community Facilities
 - E. Child Day Care Facilities
 - F. Medical Centers
 - G. Drive-up uses.
 - H. Personal service shops.
 - I. Retail business.
 - J. Restaurants.
 - K. Wholesale display and sales rooms and offices.
 - L. Medical and dental clinics and drugstores.
 - M. Temples, Churches, and Public Buildings.
 - N. Indoor theaters.
 - O. Fruit, vegetable, and produce stands.
2. Permitted Accessory Uses and Structures.
- A. Accessory uses and buildings incidental to and on the same lot as the principal use.
 - B. Dwelling units above a store or shop on the second floor.
3. Special Uses. As approved by the Board of Adjustment.
- A. Parks, public utilities and service uses.
 - B. Animal hospitals.
 - C. Convenience Store.

4. Bulk Regulations. The following minimum requirements shall be observed in the C-1 District:

Minimum Lot Area	Minimum Lot Width	Minimum Front Yard	Minimum Side Yard	Corner Side Yard	Minimum Rear Yard	Maximum Height
3,000 square feet per dwelling unit	50 feet	25 feet	15 feet except at common wall ¹	15 feet	25 feet	Principal building 45 feet

¹ Unless abutting a residential lot, then minimum side yard required is 15ft

**Central Commercial Business District (C-1)
Zone Development Standards**

DEVELOPMENT STANDARDS	PLI ZONE
Landscaping in Setbacks Abutting an R Zoned Lot	20 ft. with High Screen. See Section 29.403
Maximum Impervious Surface Coverage	70%
Minimum Landscaped Area	20%
Drive-Through Facilities Permitted	Yes
Outdoor Display Permitted	No
Outdoor Storage Permitted	No

5. Site Development Plan Requirements.

- A. In addition to Site Development Plan submittals, a Use Analysis Report shall be prepared by the applicant that shows the following:
1. Approximate number of employees;
 2. Approximate utility needs and effect upon existing systems, e.g., projected water demand (Gallons Per Minute or Gallons Per Day), waste water generation (Gallons Per Day + Chemical oxygen Demand or Biochemical oxygen Demand), electricity demand (Kilowatts), storm water increase (Cubic Feet Per Second), solid waste generation (tons).
 3. Possible nuisance factors and means for alleviating those factors, such as noise, odor, smoke, dust, fumes, vibration, or heat; and
 4. Uses with a substantial inventory of hazardous materials, as regulated by the Robins Fire Department, shall be sited away from residential uses.

- B. No Site Development Plan approval will be issued for any use in the C-1 District if the determination is made by the approving authority exercising independent judgment, that there is reason to believe that the proposed use or structure, as presented by the application, will create a nuisance in terms of diminished air quality, smoke, noise, toxic matter, odor, vibration, glare, sewage waste, water quality, street system capacity, heat or other condition detrimental to the public health and safety or reasonable use, enjoyment and value of other properties; or diminish the quality or quantity of any utility service presently provided by the City. Furthermore, no approval or permit shall be issued unless there is compliance with all other applicable City, state, and federal regulations.

SECTION 10. Chapter 165.261 “C-1A NEIGHBORHOOD COMMERCIAL BUSINESS DISTRICT” is hereby established.

165.261 C-1A – NEIGHBORHOOD COMMERCIAL BUSINESS DISTRICT. This district is intended for small areas in or near residential neighborhoods. The zone encourages the provision of small-scale retail and service use for nearby residents and operating during regular business hours. Uses are restricted in size to promote a local orientation and to limit adverse impacts on nearby residential areas. Development is intended to be pedestrian-oriented and compatible with the scale of surrounding residential areas. Parking areas are strictly regulated, to promote compatibility with the character of surrounding residential development and the intended pedestrian orientation of the uses.

- 1. Permitted Principal Uses and Structures.
 - A. All principal uses and structures as permitted in C-1, except Drive-up uses.
- 2. Permitted Accessory Uses and Structures.
 - A. All accessory uses and structures as permitted in C-1.
- 3. Special Uses. As approved by the Board of Adjustment.
- 4. Bulk Regulations. The following minimum requirements shall be observed in the C-1 District:

Minimum Lot Area	Minimum Lot Width	Minimum Front Yard	Minimum Side Yard	Corner Side Yard	Minimum Rear Yard	Maximum Height
3,000 square feet per dwelling unit	50 feet	25 feet	15 feet except at common wall ¹	15 feet	25 feet	Principal building 35 feet
1 Unless abutting a residential lot, then minimum side yard required is 15ft						

**Neighborhood Commercial Business District (C-1A)
Zone Development Standards**

DEVELOPMENT STANDARDS	PLI ZONE
Landscaping in Setbacks Abutting an R Zoned Lot	20 ft. with High Screen. See Section 29.403
Maximum Impervious Surface Coverage	70%
Minimum Landscaped Area	20%
Drive-Through Facilities Permitted	No
Outdoor Display Permitted	No
Outdoor Storage Permitted	No

5. Site Development Plan Requirements.

A. In addition to Site Development Plan submittals, a Use Analysis Report shall be prepared by the applicant that shows the following:

1. Approximate number of employees;
2. Approximate utility needs and effect upon existing systems, e.g., projected water demand (Gallons Per Minute or Gallons Per Day), waste water generation (Gallons Per Day + Chemical oxygen Demand or Biochemical oxygen Demand), electricity demand (Kilowatts), storm water increase (Cubic Feet Per Second), solid waste generation (tons).
3. Possible nuisance factors and means for alleviating those factors, such as noise, odor, smoke, dust, fumes, vibration, or heat; and
4. Uses with a substantial inventory of hazardous materials, as regulated by the Ames Fire Department, shall be sited away from residential uses across University Boulevard.

B. No Site Development Plan approval will be issued for any use in the C-1A District if the determination is made by the approving authority exercising independent judgment, that there is reason to believe that the proposed use or structure, as presented by the application, will create a nuisance in terms of diminished air quality, smoke, noise, toxic matter, odor, vibration, glare, sewage waste, water quality, street system capacity, heat or other condition detrimental to the public health and safety or reasonable use, enjoyment and value of other properties; or diminish the quality or quantity of any utility service presently provided by the City. Furthermore, no approval or permit shall be issued unless there is compliance with all other applicable City, state, and federal regulations.

SECTION 11. Chapter 165.262 “RI – RESEARCH PARK INNOVATION DISTRICT” is hereby established.

165.262. “RI” RESEARCH PARK INNOVATION DISTRICT. This district is intended to provide areas for the development of office, research, service, production and assembly. It is designated to accommodate office buildings, similar structures and complementary uses in a mutually compatible environment

1. Permitted Principal Uses and Structures.

- a. Office Uses
- b. Retail Sales and Services – General – Located within the Hub Activity Area
- c. Restaurant – Located within Hub Activity Area – no drive throughs
- d. Recreation Trade – Within Hub Activity Area
- e. Research and Development Facilities and Laboratories
- f. Manufacturing and Processing - all uses except concrete batching and asphalt mixing; lumber and wood products manufacturing; manufactured homes and prefabricated structures manufacturing; printing and publishing; and rock crushing and screening
- g. Public Facilities and Services
- h. Commercial Parking
- i. Child Day Care Facilities – Located within Hub Activity Area
- j. Hub Activity Area uses may only be allowed for properties that are consistent with a City Council approved master plan accompanying a rezoning request. A Hub Activity Area means an area of concentrated commercial uses providing support services intended primarily to provide service and retail uses supportive of the surrounding businesses and their employees.

2. Permitted Accessory Uses and Structures.

- a. Accessory uses and buildings incidental to and on the same lot as the principal use.

3. Special Uses. As approved by the Board of Adjustment.

4. Bulk Regulations. The following minimum requirements shall be observed in the RI District:

Minimum Lot Area	Minimum Lot Width	Minimum Front Yard	Minimum Side Yard	Corner Side Yard	Minimum Rear Yard	Maximum Height
25,000 sf	100 feet	25 feet	15 feet ¹	25feet	25 feet ²	Principal building 100 feet
1 Except when adjacent to an R District, in which case minimum side yard shall be 50 feet. 2 Except when adjacent to an R District, in which case the minimum rear yard shall be 50 feet.						

5. Development Standards. The following minimum requirements shall be observed in the RI District:

DEVELOPMENT STANDARDS	RI ZONE
Landscaping in Setbacks Abutting an R Zoned Lot	20 ft. with High Screen.
Maximum Impervious Surface Coverage	70%
Minimum Landscaped Area	20%
Outdoor Display Permitted	No
Outdoor Storage Permitted-not between building and the street	No

6. Site Development Plan Requirements.

- a. In addition to Site Development Plan submittals, a Use Analysis Report shall be prepared by the applicant that shows the following:
 - i. Approximate number of employees;
 - ii. Approximate utility needs and effect upon existing systems, e.g., projected water demand (Gallons Per Minute or Gallons Per Day), waste water generation (Gallons Per Day + Chemical oxygen Demand or Biochemical oxygen Demand), electricity demand (Kilowatts), storm water increase (Cubic Feet Per Second), solid waste generation (tons);
 - iii. Possible nuisance factors and means for alleviating those factors, such as noise, odor, smoke, dust, fumes, vibration, or heat; and
 - iv. Uses with a substantial inventory of hazardous materials, as regulated by the Robins Fire Department.
- b. No Site Development Plan approval will be issued for any use in the RI District if the determination is made by the approving authority exercising independent judgment, that there is reason to believe that the proposed use or structure, as presented by the application, will create a nuisance in terms of diminished air quality, smoke, noise, toxic matter, odor, vibration, glare, sewage waste, water quality, street system capacity, heat or other condition detrimental to the public health and safety or reasonable use, enjoyment and value of other properties; or diminish the quality or quantity of any utility service presently provided by the City. Furthermore, no approval or permit shall be issued unless there is compliance with all other applicable City, state, and federal regulations.

SECTION 12. Chapter 165.28, "**I-1 – LIGHT INDUSTRIAL**" is amended by deleting the same and inserting in lieu thereof the following:

165.28 "PLI" PLANNED LIGHT INDUSTRIAL DISTRICT. This district is intended to accommodate industrial activities that do not create major nuisances from noise or odor with surrounding land uses. This district should be well served by adequate public utilities and

services and abutting major collector street or highways and intersections.

1. Permitted Principal Uses and Structures.

- a. Office Use
- b. Industrial Service - limited to: printing, publishing, commercial art and reproduction services; and research and development laboratories
- c. Manufacturing and Processing - all uses except concrete batching and asphalt mixing; lumber and wood products manufacturing; manufactured homes and prefabricated structures manufacturing; and rock crushing and screening
- d. Public Facilities and Services
- e. Parks and Open Areas
- f. Commercial Parking

2. Permitted Accessory Uses and Structures.

- a. Accessory uses and buildings incidental to and on the same lot as the principal use.

3. Special Uses. As approved by the Board of Adjustment.

4. Bulk Regulations. The following minimum requirements shall be observed in the PLI District:

Minimum Lot Area	Minimum Lot Width	Minimum Front Yard	Minimum Side Yard	Corner Side Yard	Minimum Rear Yard	Maximum Height
1 Acre	100 feet	50 feet	20 feet ¹	30 feet	30 feet ²	Principal building 100 feet
1 Except when adjacent to an R District, in which case minimum side yard shall be 50 feet. 2 Except when adjacent to an R District, in which case the minimum rear yard shall be 50 feet.						

5. Development Standards. The following minimum requirements shall be observed in the PLI District:

DEVELOPMENT STANDARDS	PLI ZONE
Landscaping in Setbacks Abutting an R Zoned Lot	20 ft. with High Screen
Maximum Impervious Surface Coverage	70%
Minimum Landscaped Area	20%
Drive-Through Facilities Permitted	No
Outdoor Display Permitted	No
Outdoor Storage Permitted	No

6. Site Development Plan Requirements.

- a. In addition to Minor or Major Site Development Plan submittals, a Use Analysis Report shall be prepared by the applicant that shows the following:
 - i. Approximate number of employees;
 - ii. Approximate utility needs and effect upon existing systems, e.g., projected water demand (Gallons Per Minute or Gallons Per Day), waste water generation (Gallons Per Day + Chemical oxygen Demand or Biochemical oxygen Demand), electricity demand (Kilowatts), storm water increase (Cubic Feet Per Second), solid waste generation (tons); and
 - iii. Possible nuisance factors and means for alleviating those factors, such as noise, odor, smoke, dust, or fumes, vibration, heat.
- b. No Site Development Plan approval will be issued for any use in the PLI District if the determination is made by the approving authority exercising independent judgment, that there is reason to believe that the proposed use or structure, as presented by the application, will create a nuisance in terms of diminished air quality, smoke, noise, toxic matter, odor, vibration, glare, sewage waste, water quality, street system capacity, heat or other condition detrimental to the public health and safety or reasonable use, enjoyment and value of other properties; or diminish the quality or quantity of any utility service presently provided by the City. Furthermore, no approval or permit shall be issued unless there is compliance with all other applicable City, state and federal regulations.

SECTION 13. Chapter 165.29, "~~I-2~~ **HEAVY INDUSTRIAL**" is amended by deleting the same and inserting in lieu thereof the following:

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

1. Permitted Principal Uses and Structures.
 - A. Industrial Service
 - B. Manufacturing and Processing
 - C. Resource Production and Extraction.
 - D. Warehouse and Freight Handling
 - E. All other uses permitted under PLI.
2. Permitted Accessory Uses and Structures.

- A. Accessory uses and buildings incidental to and on the same lot as the principal use.
- 3. Special Uses. As approved by the Board of Adjustment.
- 4. Bulk Regulations. The following minimum requirements shall be observed in the PI District:

Minimum Lot Area	Minimum Lot Width	Minimum Front Yard	Minimum Side Yard	Corner Side Yard	Minimum Rear Yard	Maximum Height
1 Acre	100 feet	50 feet	25 feet ¹	30 feet	30 feet ²	Principal building 100 feet
1 Except when adjacent to an R District, in which case minimum side yard shall be 50 feet. 2 Except when adjacent to an R District, in which case the minimum rear yard shall be 50 feet.						

- 5. Development Standards. The following minimum requirements shall be observed in the PI District:

DEVELOPMENT STANDARDS	PI ZONE
Landscaping in Setbacks Abutting an R Zoned Lot	20 ft. with Industrial Screen
Maximum Impervious Surface Coverage	70%
Minimum Landscaped Area	20%
Drive-Through Facilities Permitted	No
Outdoor Display Permitted	No
Outdoor Storage Permitted	No

- 6. Site Development Plan Requirements.

- c. In addition to Minor or Major Site Development Plan submittals, a Use Analysis Report shall be prepared by the applicant that shows the following:
 - i. Approximate number of employees;
 - ii. Approximate utility needs and effect upon existing systems, e.g., projected water demand (Gallons Per Minute or Gallons Per Day), waste water generation (Gallons Per Day + Chemical oxygen Demand or Biochemical oxygen Demand), electricity demand (Kilowatts), storm water increase (Cubic Feet Per Second), solid waste generation (tons); and
 - iii. Possible nuisance factors and means for alleviating those factors, such as noise, odor, smoke, dust, or fumes, vibration, heat.
- d. No Site Development Plan approval will be issued for any use in the PI District if the determination is made by the approving authority exercising independent judgment, that there is reason to believe that the proposed use or structure, as presented by the application, will create a nuisance in terms of

diminished air quality, smoke, noise, toxic matter, odor, vibration, glare, sewage waste, water quality, street system capacity, heat or other condition detrimental to the public health and safety or reasonable use, enjoyment and value of other properties; or diminish the quality or quantity of any utility service presently provided by the City. Furthermore, no approval or permit shall be issued unless there is compliance with all other applicable City, state and federal regulations.

SECTION 14. Chapter 165.301 “RL – ROBINS LANDING OVERLAY DISTRICT” is hereby established.

165.301. “RL” ROBINS LANDING OVERLAY DISTRICT. This district is intended to provide guidance for the architectural and design requirements of the development of Robins Landing beyond the minimum requirements elsewhere in Chapter 165.

7. Permitted Principal Uses and Structures.
 - a. As allowed in the Primary Zoning District
8. Permitted Accessory Uses and Structures.
 - a. As allowed in the Primary Zoning District
9. Special Uses. As approved by the Board of Adjustment.
10. Bulk Regulations. The following minimum requirements shall be observed in the RL District:
 - a. As allowed in the Primary Zoning District
11. Design Guidelines

The goal is to create a development that acknowledges its natural surroundings, develops a human scale, and provides innovative contemporary architectural designs which harmonize with the environment, express individuality and promote worker health, wellness and productivity. Site Plan approvals must be found to conform to site development standards and the design guidelines. The design shall be reviewed by Planning and Zoning to promote consistency with the intent of the District and to adapt to individual site needs. The final decision with respect to the design acceptance rests with the City Council.

- a. Site Design Guidelines
 - i. Use site design to locate buildings and site improvement in manner that is supportive of the pedestrian environment.
 - ii. Coordinate building and parking in manner that is supportive of a transition to trails and pedestrian areas.
 - iii. Extend walkways to both public streets and trail system.
 - iv. Coordinate shared access points for lots to reduce driveway intersections along bike and pedestrian facilities.
 - v. Locate support areas such as mechanical areas and storage areas away

from pedestrian areas and behind the principal building.

c. Landscape Design Guidelines

- i. Use landscape design to support sustainable site features, such as stormwater treatment and parking lot shading.
- ii. Locate landscape areas in a manner which is complementary to adjacent open space areas in types of vegetation and planting.
- iii. Incorporate vegetation that provides for screening of storage and equipment areas from trails and streets.
- iv. Use landscape design to enhance pedestrian environments with shading of sidewalks and creating visual interest with art, trellis, gathering spaces, and interesting vegetation.

d. Architectural Design Guidelines

- i. Building Location. All buildings with any building face adjoining Tower Terrace Road shall be constructed with the primary or front face of the building toward Tower Terrace Road.
- ii. Architectural Requirements. The desired architectural style or appearance is a distinctive style using clean or simple lines and features. Decorative and ornate architectural features generally not allowed. Individual building must comply with the architectural guidance standards.
 1. A minimum of 50% of front wall surface shall be brick, stucco, stone and/or architectural masonry..
 2. All other exterior wall surfaces shall be either vinyl, steel or fiber cement siding. Other materials as approved by Planning and Zoning.
 3. Gutters and downspouts shall match or blend with exterior materials.

4. Window styles and patterns shall be consistent utilizing vinyl/steel clad windows or aluminum framing systems.
- iii. No temporary structures, trailers or storage garages are allowed unless a permanent facility is under construction within three (3) months of installation of temporary structure.
- e. Conceptual Plan
- i. Conceptual Plan Approval. The standards set forth for building location, architectural requirements and access management and control in the Robins Landing Overlay District are inherently discretionary. The final decision with respect to building location, architectural requirements and access management and control requirements in the RL District rests with the City Council. Any party considering a development with the RL District that would need to comply with any or all of these standards is required to submit a Conceptual Plan for review and consideration by the City Council.
 1. A Conceptual Plan must show the building layout including driveway and access. The Conceptual Plan must show an illustration of the architectural features of the building and identify proposed building materials. It is preferred, but not required, for the Conceptual Plan to illustrate the architectural style in color.
 2. The Conceptual Plan must be sufficiently complete to allow the City to review and consider the issues of building location, architectural requirements and access. The Conceptual Plan is not required to meet additional standards set forth for a site plan.
 3. The Conceptual Plan shall be submitted on drawings not larger than 11-inch by 17-inch.
 4. The Conceptual Plan shall be submitted to the Zoning Administrator. 15 copies shall be provided to the Zoning Administrator.
 5. The Zoning Administrator and Building Official shall review the Conceptual Plan within 30 days of receipt. Following completion of the review by the Zoning Administrator and Building Official, the Zoning Administrator may place the Conceptual Plan on the next agenda of the Planning and Zoning Commission, or return the Conceptual Plan to the Owner with comments.
 6. The Planning and Zoning Commission shall consider the Conceptual Plan within 45 days after referral from the Zoning Administrator. Following review by the Planning and Zoning Commission, or the passage of 45 days without consideration by the Planning and Zoning Commission, the Conceptual Plan will be placed on the next available agenda of the City Council for consideration.

7. The City Council shall consider and take action on the Conceptual Plan within 45 days after referral from Planning and Zoning Commission. In the event the City Council takes no action within 45 days the Conceptual Plan shall be deemed to be denied, unless both parties mutually agree to an extension of the 45 day period.
 8. A Site Plan for the proposed buildings set forth in an approved or conditionally approved Conceptual Plan must be initiated within 12 months following final action by the City Council to approve or conditionally approve the Conceptual Plan. The period of validity of a Conceptual Plan may be extended by the City Council.
- f. Access Management and Control.
- i. No driveway access directly to Tower Terrace Road shall be permitted.

SECTION 15. Chapter 165.33, “OFF-STREET PARKING AND LOADING SPACE” is amended by deleting the same and inserting in lieu thereof the following:

165.33 OFF-STREET PARKING AND LOADING SPACE.

1. Scope of Provisions. The off-street parking and loading provisions of this chapter shall be applied as follows:
 - a. For all buildings and structures erected and all uses of land established after the effective date of the Zoning Ordinance, accessory parking and loading facilities shall be provided as required by the regulations of the districts in which such buildings or uses are located.
 - b. Whenever the existing use of a building or structure shall hereafter be changed to a new use, parking or loading facilities shall be provided as required for such new use. However, if the said building or structure was erected prior to the effective date of the Zoning Ordinance, additional parking or loading facilities are mandatory only in the amount by which the requirements for the new use would exceed those for the existing use, if the latter were subject to the parking and loading provisions of this chapter.
 - c. Nothing in this chapter shall be deemed to prevent the voluntary establishment of off-street parking or loading facilities to serve any existing use of land or buildings, provided that all regulations herein governing the location, design, and operation of such facilities are adhered to.
2. Off-Street Parking.
 - a. Exemption. On lots of record as of the effective date of the Zoning Ordinance which are 40 feet or less in width, which are to be improved with a single-family dwelling, and for which no alley has been dedicated to the rear, accessory off-street parking facilities shall not be required.

- b. Location. All parking spaces required to serve buildings or uses erected or established after the effective date of the Zoning Ordinance shall be located on the same zoning lot as the building or use served, except that parking spaces to serve, industrial buildings or uses may be located within 500 feet of such use if said spaces are located in an Industrial or Commercial District. Buildings or uses existing on the effective date of the Zoning Ordinance which are subsequently altered or enlarged so as to require the provision of parking spaces under this chapter, may be served by parking facilities located on land other than the zoning lot on which the building or use served is located, provided such facilities are within 500 feet walking distance of a main entrance to the use served. Owners of property which is nonconforming as to parking who elect to provide parking and become conforming may locate such parking on land other than the zoning lot on which the building or use is located, as allowed in this section.
- i. Off-street parking spaces, open to the sky, may be located in any yard, with the following exceptions:
 1. front yards in a Residential District,
 2. any yard abutting arterial and collector streets
 - ii. Enclosed buildings and carports containing off-street parking shall be subject to applicable yard requirements.
- c. Overnight Parking. Except on lots accommodating single-family dwellings, vehicles needing overnight parking shall not be visible from arterial and collector streets.
- d. Size. Except for parallel parking spaces, each required off-street parking space shall be at least eight (8) feet six (6) inches in width and at least nineteen (19) feet in length, exclusive of access drives or aisles, ramps, columns, or office or work areas. Such space shall have a vertical clearance of at least seven (7) feet six (6) inches, and shall be measured at right angles to the axis of the vehicle. For parallel parking, the length of the parking space shall be increased to twenty-four (24) feet.
- e. Access. Except on lots accommodating single-family dwellings, each off-street parking space shall open directly upon an aisle or driveway at least 12 feet wide or such additional width and design as to provide safe and efficient means of vehicular access to such parking space. All off-street parking facilities shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movement.
- f. Collective Provision. Off-street parking facilities for separate uses may be provided collectively if the total number of spaces so provided is not less than the sum of the separate requirements governing location of accessory

parking spaces in relation to the use served are adhered to. Further, no parking space or portion thereof shall serve as a required space for more than one use unless otherwise authorized by the Board of Adjustment.

- g. Computation. When determination of the number of off-street parking spaces required by this chapter results in a requirement of a fractional space, any fraction of less than one-half ($\frac{1}{2}$) may be disregarded, while a fraction of one-half ($\frac{1}{2}$) or more shall be counted as one parking space. Parking spaces required on an employee basis shall be based on the maximum number of employees on duty or residing, or both, on the premises at any one time.
- h. Design Requirements.
 - i. Plan. Except for R-1, R-2, and R-3 residential uses, an off-street parking plan shall be submitted prior to construction. All off-street parking plans shall be subject to review and approval of the Zoning Administrator and issuance of a building permit. The Plan shall depict, but not limited to, the following:
 - 1. Location within the property,
 - 2. Number of parking spaces proposed,
 - 3. Number of parking spaces required,
 - 4. Type of surfacing to be used,
 - 5. Spot grading and pavement elevations, and
 - 6. Such other information as may be necessary to illustrate conformance with off-street parking requirements.
 - ii. Surfacing. All open off-street parking areas, except a single parking space accessory to a single-family dwelling, shall be surfaced with a dustless, all-weather material capable of carrying a wheel load of at least 4,000 pounds. The dustless, all-weather surface shall consist of either Portland Cement Concrete (PCC) or Asphalt Cement Concrete (ACC) surface. Permanent markings indicating stall locations shall be required on the off-street parking surfaces.
 - iii. Screening and Landscaping. All open automobile parking areas containing more than four parking spaces shall be effectively screened on each side adjoining or fronting on property situated in a Residential District or any institutional premises by a wall, fence, or densely planted compact hedge not less than five feet or more than eight feet in height. ~~However, the Zoning Administrator may waive this requirement, if the closest point of such parking area is at least 75 feet from the nearest residential or institutional property line.~~

- iv. Lighting. All outdoor lighting shall conform to the regulations specified in Chapter 152 of this Code of Ordinances.
- v. Wheel Guards. Where applicable, wheel guards or bumper guards shall be required to prevent parked vehicles to extend beyond the property line and onto other private or public areas.
- vi. Design. Parking Design Standards shall be in accordance with illustrations on file in the office of the Zoning Administrator. The 90° perpendicular parking layout with 9 feet stall width, 19 feet stall length, and 24 feet driveway width, shall be considered the normal standard for off-street parking. Alternative 45° and 60° angle parking configuration may be submitted on an individual bases, and must be approved by the Zoning Administrator.
- vii. Signs. Accessory signs shall be permitted on parking areas in accordance with the provisions specified in Section 165.31 of this chapter.
- viii. Accessory Building. Any accessory building associated with off-street parking shall conform to the zoning district minimum and transitional yard requirements. No loudspeaker system shall be allowed within 100 feet of a residential zoned area.
- i. Repair, Service and Maintenance.
 - i. Residence Districts: No motor vehicle repair work or service of any kind shall be permitted in association with parking facilities provided in Residence Districts.
 - ii. Commercial Districts: No motor vehicle repair work or service of any kind shall be permitted in conjunction with parking facilities in a Commercial District. No gasoline or motor oil shall be sold in conjunction with any accessory parking facilities provided in a Commercial District unless such accessory parking facilities are enclosed in a building, in which case, gasoline and motor oil may be sold within such building to the Users of said accessory parking facilities, provided that no sign advertising the sale of same is visible from outside, and provided further that all gasoline pumps shall be effectively screened from view from the public way.
 - iii. Industrial Districts: No motor vehicle repair work or service of any kind shall be permitted in conjunction with any open accessory parking facilities provided in an Industrial District, if such parking facilities are within 500 feet of a Residence or Commercial District. Washing of accessory vehicles and emergency service required to start vehicles shall be permitted.

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

OFF-STREET PARKING TABLE (PARKING CLASSES)

Parking Class	Uses (Permitted or Conditional)	Required Spaces
Class No. 1	<ul style="list-style-type: none"> a. Dwelling, single-family b. Dwelling, two-family c. Hotel d. Motel e. Lodging house 	2 per dwelling unit or habitable living unit
Class No. 2	<ul style="list-style-type: none"> a. Dwelling, multiple-family b. Mobile homes 	1.5 per dwelling unit
Class No. 3	<ul style="list-style-type: none"> a. Institution: <ul style="list-style-type: none"> (1) For the care and residence of children and adults (2) For the treatment of drug addiction or alcoholism b. Convalescent home, extended care facility or rest home, nursing home and sanitarium c. Convent, monastery, nunnery d. Parsonage, rectory or parish house e. Religious retreat 	1 per 1,000 square feet of gross floor area
Class No. 4	<ul style="list-style-type: none"> a. Aquarium b. Day care center or preschool c. Historic site d. Hospital e. Library, museum or art gallery f. Philanthropic and charitable institutions 	2 per 1,000 square feet of gross floor area

Class No. 5	<ul style="list-style-type: none"> a. Animal hospital and veterinarian b. Animal kennels c. Art studio d. Bank, savings and loan association e. Blueprinting f. Business machine sales and service g. Bus terminal or depot h. Catering service i. Civil defense; fire station, police station j. Clinic/office for: doctor, dentist, osteopath, podiatrist, chiropractor, chiropodist, optometrist or similar profession k. Clothing and costume rental l. Club or lodge, private: operated for the benefit of members and not for gain m. Custom dressmaking n. Diaper service o. Dry cleaning plant employing not more than 6 persons p. Employment agency q. Financial institutions and uses r. Frozen food locker plants, including sale of frozen foods s. Government administration buildings, without garages or shops t. Interior decorator u. Laboratory, medical, dental or optical v. Laboratory, research and testing w. Labor union offices and lodges x. Lithographing y. Locksmith z. Massage salon aa. Newspaper distribution agency bb. Office, business and professional cc. Office machine sales and service dd. Photostatting ee. Physical culture and health services ff. Post office gg. Recording studio hh. Recreational and community center buildings ii. Repair of shoes, clothing and hats jj. School, music, dance and vocal kk. Small animal grooming establishment ll. Tailor shop mm. Telephone exchange and equipment building nn. Ticket or travel agency 	4 per 1,000 square feet of gross floor area
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Class No. 6	a. Auto service station b. Bowling alley c. Furniture store d. Furrier e. Hearing aid store f. Leather goods and luggage store g. Orthopedic and medical appliance sales and service h. Photography studio i. Picture framing j. Rummage shop	5 per 1,000 square feet of gross floor area
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Class No. 7	<ul style="list-style-type: none"> a. Apparel store b. Antique store c. Art and school supply store d. Art store, retail e. Auto accessory store f. Bakery, retail g. Barber shop h. Beauty shop i. Book and stationery store j. Camera and photographic supply store k. Candy, nut and confectionery store l. Carpet and floor covering store m. China and glassware store n. Clothes pressing o. Coin store p. Currency exchange q. Dairy products store r. Delicatessen s. Department store t. Dry cleaning and laundry receiving station u. Dry goods store v. Drugstore w. Electrical and household appliance store x. Florist y. Funeral parlor z. Garden supply, tool and seed store aa. Gift store bb. Grocery or food store cc. Haberdasheries dd. Hand laundry ee. Hardware store ff. Hobby shop gg. Home furnishings hh. Household appliance store ii. Ice cream store jj. Jewelry store kk. Laundry, self-service ll. Liquor store mm. Meat or fish market nn. Millinery shop oo. Musical instruments sales and service pp. Paint, glass and wallpaper store qq. Pawn shop rr. Petshop ss. Phonograph, record and music store tt. Repair, rental and servicing of any item, the retail sale of which is permitted in the Commercial District uu. Sewing machine sales and service vv. Shoe store ww. Sporting goods store xx. Tobacco store yy. Toy store 	6 per 1,000 square feet of gross floor area
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Class No. 8	<ul style="list-style-type: none"> a. Auction room b. Cocktail lounge, nightclub c. Convention hall or exhibition hall d. Dance hall e. Meeting hall f. Railroad passenger station g. Restaurant h. Taverns i. Skating rinks 	10 per 1,000 square feet of gross floor area
Class No. 9	<ul style="list-style-type: none"> a. Concrete mixing plant b. Correctional institution c. Dry cleaning plant d. Elementary school e. Exterminator f. Junior high school g. Machinery sales and service h. Machinery sales, no repair or service i. Mail order house j. Microwave relay towers, radar installations and towers, radio and television stations and towers k. Taxidermist 	1 per each employee
Class No. 10	<ul style="list-style-type: none"> a. Greenhouses and nurseries, retail b. Golf driving ranges 	1 per 1,000 square feet of gross floor area, and 1 per 2,000 square feet of gross land area~
Class No. 11	<ul style="list-style-type: none"> a. Golf courses, public and private b. Pitch and putt golf courses c. "Par 3" golf courses 	100 per 9 holes (regular golf) or 40 per 9 holes ("Par 3")
Class No. 12	<ul style="list-style-type: none"> a. Zoos or zoological gardens b. Commercial camping ground c. Outdoor rifle range; trap or skeet shooting range 	1 per 2,000 square feet of gross land area
Class No. 13	<ul style="list-style-type: none"> a. Athletic field b. Botanical gardens c. Forest preserve d. Grounds of recreational clubs, noncommercial e. Polo fields f. Public parks and playgrounds g. Public swimming pool h. Tennis courts and clubs 	1 per 5,000 square feet of gross land area, or 1 per 75 square feet of water area when a public swimming pool is an isolated use
Class No. 14	<ul style="list-style-type: none"> a. Drive-in theater (outdoor) 	Reservoir of 10 percent of capacity of use

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

Class No. 22	<ul style="list-style-type: none"> a. Abrasives manufacturing b. Air, motor, railroad and water freight terminal c. Asphalt manufacturing d. Bakery e. Bedding manufacturing f. Boot and shoe manufacturing g. Bottling companies h. Brick and structural clay products manufacturing i. Carpet manufacturing j. Cartage and express facilities k. Cement, bulk storage l. Chemical processing and manufacturing m. Cloth products manufacturing n. Cosmetic manufacturing o. Dairying p. Electric substation q. Electronic, scientific and precision instrument manufacturing r. Electroplating s. Feed mills t. Feed and seed store u. Food manufacturing, packaging and processing v. Foundries and forge plants w. Fuel and ice plants and sales x. Fuels, solid or liquid, storage and wholesale distribution y. Fur processing z. Gas regulator station 	1 per each two employees
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<p>Class 22 (continued)</p>	<ul style="list-style-type: none"> aa. Glass products production and sales bb. Grain storage and processing cc. Graphite products manufacturing dd. Gypsum manufacturing ee. Heavy machinery manufacturing ff. Insulating material manufacturing gg. Laundry hh. Leather tanning and curing ii. Light machinery production, appliances and business machines jj. Linoleum manufacturing kk. Machine shop ll. Meat packing mm. Metal reduction and refinement nn. Metal stamping oo. Mining operations pp. Musical instrument manufacturing qq. Orthopedic and medical appliance manufacturing rr. Paint products manufacturing ss. Paper products manufacturing tt. Petroleum products, refining, storage and processing uu. Plastics manufacturing vv. Pottery and ceramics manufacturing ww. Printing and publishing xx. Restricted production and repair yy. Rope, cord and twine manufacturing zz. Rubber manufacturing and processing aaa. Sewage treatment plant bbb. Soap manufacturing ccc. Sporting goods manufacturing ddd. Steel manufacturing eee. Warehousing and wholesaling establishments fff. Warehousing, storage and distribution ggg. Waterworks, reservoir, pumping station and filtration plant hhh. Wearing apparel manufacturing iii. Woodworking, planing mills and wood products manufacturing jjj. Any similar production processing, cleaning, servicing, testing, storage and repair 	<p>1 per each two employees</p>
<p>Class 23</p>	<ul style="list-style-type: none"> a. Amusement parks and establishments b. Billiard and pool halls c. Indoor amusements, including indoor archery, rifle range and shooting gallery d. Miniature golf 	<p>3 per 1,000 square feet of gross floor area, plus 3 per 1,000 square feet of gross land area</p>

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

3. Off-Street Loading – Generally.

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

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

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

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

E. Repair and Service.

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

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

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

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

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

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

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

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

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

4. Off-Street Loading – Specific Requirements.

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

(1) Health, medical and institutional uses. One loading berth shall be provided for buildings containing 10,000 to 100,000 square feet of gross floor area, plus one additional loading berth for each

additional 100,000 square feet of gross floor area or fraction thereof. Each such loading berth for buildings in excess of 200,000 square feet in gross floor area shall be not less than 12 feet in width by 55 feet in length.

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

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

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

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

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

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

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

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

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

as established for that use in the preceding section for Residence Districts.

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

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

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

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

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

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

- a. Clubs and lodges (not-for-profit) - containing retail shops, convention halls, auditoriums, exhibition halls, or business or professional offices (other than accessory).
 - b. Convention halls.
 - c. Exhibition halls.
 - d. Radio and television stations and studios.
 - e. Recording Studios.
 - f. For the standards containing retail shops, convention halls, auditoriums, exhibition halls, or business or professional offices.
- (6) For the uses listed hereunder, one loading berth shall be provided for buildings containing 10,000 to 200,000 square feet of gross floor area, plus one additional loading berth for each additional 200,000 square feet of gross floor area or fraction thereof.
- a. Clubs and lodges (not-for-profit) - containing no retail shops, convention halls, auditoriums, exhibition halls, or business or professional offices (other than accessory).
 - b. Hotels and motels containing no retail shops, convention halls, auditoriums, exhibition halls, or business or professional offices.
 - c. Meeting halls.
 - d. Schools-music, dance, business, and trade.
 - e. Theaters, indoor.
- (7) Amusement establishments-bowling alleys, swimming pools, and skating rinks: For buildings containing 10,000 to 100,000 square feet of gross floor area, one loading berth shall be provided, plus one additional loading berth for each additional 100,000 square feet of gross floor area or fraction thereof.
- (8) Stadiums, auditoriums, and arenas: For buildings containing 10,000 to 100,000 square feet of gross floor area, one loading berth shall be provided, plus one additional loading berth for each additional 100,000 square feet of gross floor area or fraction thereof. Each such loading berth for buildings in excess of 20,000 square feet of gross floor area shall be not less than 12 feet in width by 55 feet in length.
- (9) Undertaking establishments and funeral parlors: For buildings containing 7,000 to 100,000 square feet of gross floor area one

loading berth shall be provided, plus one additional loading berth for each additional 100,000 square feet of gross floor or fraction thereof.

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

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

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

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

(1) Any production, processing, cleaning, servicing, testing, repair, or storage of materials, goods, or products: For buildings containing, 7,000 to 40,000 square feet of gross floor area, one loading berth shall be provided. For buildings containing 40,000 to 100,000 square feet of gross floor area, two loading berths shall be provided, plus one additional loading berth for each additional 100,000 square feet of gross floor area or fraction thereof. Each such loading berth for building in excess of 10,000 square feet of gross floor area shall be not less than 12 feet in width by 55 feet in length.

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

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

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

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

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

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

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

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

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

For each additional 200,000 square feet of gross floor area or fraction thereof, over 100,000 square feet of gross floor area, one

additional loading berth shall be provided. Such additional loading berth shall be at least 12 feet in width by 55 feet in length.

SECTION 16. Chapter 166.06, “**DEFINITIONS**” is amended by deleting the same and inserting in lieu thereof the following:

166.06 DEFINITIONS. For use in this chapter the following terms or words are defined:

1. “Alley” means a public or private right-of-way primarily signed to serve as secondary access to the side or rear of those properties whose principal frontage is on some other street.
2. “Applicant” means the owner of land to be subdivided or its representative.
3. “Berm” means a mound or embankment of earth, usually two to six feet in height, used to shield or buffer properties from adjoining uses, highways or noise.
4. “Block” means a tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines of waterways, or corporate boundaries.
5. “Bond” means any form of security including a cash deposit, surety bond, collateral, property or instrument of credit in an amount and form satisfactory to the Council.
6. “Buffer yard” means a landscaped area along lot lines provided to separate and partially obstruct the view of two (2) adjacent land uses or properties from one another. No structures except fences shall be allowed in the buffer yard.
7. “Building” means any structure built for support, shelter, or enclosure of persons, animals, chattels, or movable property of any kind, and includes any structure.
8. “Central sewage system” means a private sewer system including collection and treatment facilities established by the developer to serve a new subdivision or re-subdivision.
9. “Central water system” means a private water system established by the developer to serve a new subdivision or re-subdivision. It includes water treatment and distribution facilities.
10. “City Engineer” means the person designated by the Council to furnish engineering assistance for the administration of these regulations.
11. “Commission” means the Planning and Zoning Commission of Robins, Iowa.
12. “Cul-de-sac” means a municipal service street with only one outlet and having an appropriate terminal for safe and convenient reversal or traffic movement.
13. “Deciduous overstory tree” means a shade producing woody plant having a mature height and spread of at least thirty (30) feet with one well-defined trunk having no branches at or near the base.

14. “Deciduous shrubs” means woody plants that range from three (3) to fifteen (15) feet tall at maturity and often are multi-stemmed with low branching.

15. “Deciduous understory tree” means a woody plant at least fifteen (15) feet tall at maturity with one or more well-defined trunks.

16. “Design Requirements” means the current edition of SUDAS and supplemental as adopted by the City

17. “Developer” means the owner of land proposed to be subdivided or such owner’s representative.

18. “Easement” means an authorization by a property owner for the use by another, and for a specified purpose, or any designated part of said owner’s property.

19. “Evergreen/conifer shrub” means a woody plant having green needle-like foliage throughout the year and ranging from three (3) to fifteen (15) feet tall at maturity and often are multi-stemmed with low branching.

20. “Evergreen/conifer tree” means an upright cone-bearing plant having green needle-like foliage throughout the year and at least fifteen (15) feet at maturity.

21. “Frontage” means that portion of a lot abutting on a street or way and complying with the set back and front yard requirements as they may exist, but it shall not be considered as the side of a corner lot.

22. “Individual sewage disposal system” means a septic tank, seepage tile sewage disposal system, or any other approved sewage treatment device.

23. “Landscaped area” means the area within the boundaries of a given lot consisting primarily of plant material, including but not limited to grass, trees, shrubs, flowers, vines, ground cover and other organic plant materials. Inorganic materials, such as brick, stone, or aggregate, may be used within landscaped areas as identified in this section.

24. “Landscaping Plan” means a plan containing the information provided for in subsection 5 of this section. In addition to a subdivision platting process, the information of a landscaping plan may be incorporated within a Site Plan or building permit as specified in Chapter 165.

25. “Local board of health” means the Linn County Health Department.

26. “Lot” means a portion of a subdivision or other parcel of land intended for the purpose, whether immediate or future, of transfer of ownership or for building development.

27. “Minimum street landscaping” means the minimum landscaped area which must be provided in a street yard, expressed as a percent of the total area contained within that street yard.

28. “Municipal arterial streets” means those streets which connect principal traffic generating areas or connect such areas with other street systems.

29. “Municipal collector streets” means those streets that collect traffic from municipal service streets and connect to other street systems.
30. “Municipal service streets” means those streets that primarily provide access to property.
31. “Owner” means any person having legal title to or sufficient proprietary interest in the land to be sought to be subdivided under these regulations.
32. “Plat” means a map, drawing or chart on which the developer’s plan of the subdivision of land is presented and which the developer submits for approval and intends, in final form, to record.
33. “Public improvement” means any drainage ditch, roadway, parkway, sidewalk, pedestrian crosswalk, tree, lawn, off-street parking area, lot improvement, or other facility for which the local government may ultimately assume the responsibility for maintenance and operation, or which may affect an improvement for which local government responsibility is established.
34. “Right-of-way” means a strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees, or for another special use. The usage of the term “right-of-way “ for land platting purposes means that every right-of-way hereafter established and shown on a final plat is to be separated and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels. Right-of-way intended for streets, crosswalks, water mains, sanitary sewers, storm drains, or any other use involving maintenance by a public agency shall be dedicated to public use by the maker of the plat on which such right-of-way is established.
35. “Roadway” means that portion of the street available for vehicular traffic, and where curbs are laid, the portion from back to back of curbs.
36. “Street” means and includes any public way, highway, street, avenue, boulevard, parkway, or other public thoroughfare, and each of such words includes every other of them, and includes the entire width between property lines.
37. “Street yard (street frontage)” means a contiguous area along the street right-of-way.
38. “Subdivider” means a person or developer undertaking the subdivision or re-subdivision of a parcel of land.
39. “Subdivision” means the division of land into two (2) or more lots or other division of land for the purpose, whether immediate or future, of transfer of ownership or building development. The term, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided, or, the re-subdivision of land heretofore divided or platted into lots or other divisions of land, or, if a new street is involved, any division of land.

40. "Surveyor" means a land surveyor licensed and registered under the provisions of Chapter 114 of the Code of Iowa.

41. "Vehicular use area (parking area)" means all areas subject to vehicular traffic, including but not limited to access-ways, driveways, loading areas, service areas and parking stalls for all types of vehicles. This definition shall not apply to covered parking structures, underground parking lots or public streets.

SECTION X Chapter 166.34, "LANDSCAPING AND SCREENING" is amended by deleting the same and inserting in lieu thereof the following:

166.34 LANDSCAPING AND SCREENING. As identified within the comprehensive plan, regulations relating to landscaping and screening are intended to improve the physical appearance of the community; to improve the environmental performance of new development by contributing to the abatement of heat, glare, and noise and by promoting natural percolation of storm water; reducing the visual impact of parking lots, unsightly equipment, or materials from the view of persons on the public streets or adjoining properties and buffering from uncomplimentary land uses and by improving the quality of air, and to conserve the value of property and neighborhoods within the City.

In order to provide adequate landscaping and screening within the community, a developer shall prepare and provided a landscaping plan to City in accordance with all landscaping and screening standards established by the City as part of the preliminary plat submitted process. The Commission shall study the landscaping plan based on development growth characteristics and expected uses identified within city and regional comprehensive plans and for conformance to any adopted landscaping and screening standards. The approval and implementation of the landscaping plan shall be a requirement for final plat approval.

1. Landscaping and Screening Standards. The purpose of these standards is to promote and protect the safety and welfare of the public through requirements for landscaping and screening which prevent soil erosion, improve air and water quality and enhance and preserve the beauty and appearance of the environment.
2. Applicability. These landscaping and screening standards shall be applicable to any/and all properties located within the City. Parking lot landscaping shall be required of any development with off-street parking areas except single and two family residential developments. Street front landscaping shall be required of any development within multi-family, mobile home, commercial and industrial districts and along arterial or collector streets within single and two family developments. The landscaping and buffer requirements standards shall apply to:
 - A. New development, including principle and accessory structures on property located within the districts listed in this section.

- B. Expansion and reconstruction of parking lots with twenty (20) or more parking spaces.
 - C. Expansion and major renovation of an existing building that includes significant site modification as determined by the Planning and Zoning Commission based on site conditions and improvements. Major renovation will generally increase the assessed valuation of the subject property by at least fifty percent (50%). In the event that the property owner or developer does not agree with the Planning and Zoning Commission determination regarding the applicability of the standards, an appeal to that determination may be filed for review by City Council.
 - D. The landscaping and screening requirements shall not apply to golf course, park, cemetery and nursery developments.
3. Applicability and Exceptions of Landscaping and Screening Elements. The landscaping and screening requirements include a number of design elements as identified in this subsection. These elements will have varying applicability depending on the Zoning District and adjoining land uses. For the purpose of this subsection, undeveloped properties shall be considered based on their expected use based on the Future Land Use Map of the Robins Comprehensive Plan.

Design Elements	Applicable Districts
Street Trees	Street trees are not permitted in any zoning district except as permitted by Chapter 151 of the Robins Code of Ordinances.
Shade Trees	R-1, R-2
Street Front Landscaping	R-1, R-2, R-3, R-3A, R-4, R-MH, C-1, C-1A, C-2, PI, PLI
Parking Lot Landscaping	R-3, R-3A, R-4, R-MH, C-1, C-1A, C-2, PI, PLI
Buffer Yards	R-3, R-3A, R-4, R-MH, C-1, C-1A, C-2, PI, PLI where the property adjoins R-1, R-2, R-3, R-3A, R-4, R-MH as depicted in the matrix below. For the purpose of this subsection the term district shall also include property designated for such uses under the Future Land Use Map of the Robins Comprehensive Plan.

Buffer Yard Matrix (X Denotes Required Buffer Yard)					
District*	Adjoining District				
	R-1, R-2	R-3, R-3A, R-4	R-MH	C-1, C-1A, C-2**	PI, PLI **
R-1, R-2					

R-3, R-3A, R-4	X				
R-MH	X	X			
C-1, C-1A, C-2	X	X	X		
PI, PLI	X	X	X		
<p>* District shall mean areas zoned, developed, or designated for such use under the Future Land Use Map of the Robins Comprehensive Plan. ** May be required by Planning and Zoning Commission if uses are incompatible</p>					

4. **Landscaping Plan** General Requirements. Landscaping and screening plans shall be subject to the following general requirements:
 - A. Landscaping plans are to be provided for each phase of the development review and building permit process - the extent of such plans shall be included in general concept plans at the initial submittal with detail landscape plans provided for site plan or building permit approval. At a minimum the landscaping plan shall require the following:
 - (1) The applicants name and address and interest in the property.
 - (2) The owners name and address, if different from the applicant, and the owners signed consent to the filing of the plan.
 - (3) The street address and/or legal description of the property.
 - (4) Title, scale, north marker, and date.
 - (5) Zoning classification of site and all adjoining property(s).
 - (6) All lot lines, easements and rights-of-way.
 - (7) All surrounding roads including names.
 - (8) The total square foot of the vehicle use areas and the street yard.
 - (9) Location, scientific name, common name, quantity and size of all existing plant materials and designation of all vegetation to remain and/or be removed.
 - (10) Proposed landscaped planting by location, scientific name and common name, planting size and planting method. A plant list should be provided listing this information and keyed to plant location on the plan.
 - (11) All existing and proposed drainage and detention areas.
 - (12) Designation of area(s) to be used for snow storage.
 - (13) Other information or documentation as the Zoning Administrator may deem necessary to allow a full and proper consideration and disposition of the particular plan.

- B. Street front landscaping shall be provided for development within the minimum setback area along street frontages.
 - C. Buffer yards between various types of land use and residential areas, both existing and planned shall include design elements in a combination to provide effective buffering with consideration of existing topography and site conditions. The proposed plan for said design elements shall be reviewed by the Planning and Zoning Commission to determine consistency with the provisions of this section. Placement of trees and shrubs shall be designated to meet City requirements regarding minimum sight lines from driveways and intersections, proximity to utility lines, and underground utility easements. These factors shall be addressed by the City Engineer during landscape review process.
 - D. Landscaping plans provided for construction shall identify the minimum size and number of required trees, shrubs, and provisions for living groundcover such as grass. Non-living ground cover such as rock and walk on bark, that does not exceed twenty-five percent (25%) of the overall planting area may be used. Impervious materials, such as concrete or asphalt paving, shall not be used within required landscaping areas with the exception of sidewalk areas or edging.
 - E. Existing appropriate mature trees and vegetation may be incorporated into overall site design and shall be considered in meeting the requirements of this section. The extent that such existing vegetation meets the requirements of these standards shall be reviewed and approved by the Planning and Zoning Commission.
 - F. All areas prone to soil erosion shall be defined on the landscape plan and shall be controlled through landscaping. All disturbed areas on the site shall be re-vegetated or landscaped in a manner as approved by the Planning and Zoning Commission.
5. Tree and Groundcover Requirements.
- A. No trees are permitted to be located within the public street right-of-way without obtaining approval from the Robins Tree Commissioner as specified within Chapter 151 of this Code of Ordinances. The location, size, and number of trees within the right-of-way shall be determined by the Tree Commissioner at time of appeal. Trees within street rights-of-way or any trees on private property which overhang the public right-of-way shall be maintained in accordance with Chapter 151 of this Code of Ordinances.
 - B. Living ground cover, such as grass, shall be provided within right-of-way areas of all districts. Non-living materials (such as walk on

bark, mulch, and ornamental rock) may be used for up to twenty-five percent (25%) of the right-of-way exclusive of access.

- C. All plantings within the landscaping plan are to conform to the Suggested Planting List approved by the City. Any planting in the landscaping plan which is not on the Suggested Planting List shall be approved by the Planning and Zoning Commission prior to being planted.
6. Street Front Landscaping. All areas adjoining public or private street frontage shall be landscaped to include trees, shrubs, and living ground cover as required by this subsection. Landscape areas between the public or private street and parking areas are strongly encouraged to include mounding to enhance the screening of vehicles from the street.
- A. Non-Residential Landscaping Standards
 - (1) Non-residential landscaping standards are designed to be applied on commercial, industrial or other non-residential sites. The minimum areas required to be landscaped are listed in the Zone Development Standards Tables for Base Zones. In the case of Special Purpose Districts and Overlay Zones, landscaping, screening and buffer standards shall be as required in the Base Zone or as modified within the Overlay Zone.
 - B. Residential Landscaping Standards
 - (1) Landscape depth for Single/Two Family, Multiple Family and Mobile Home Districts shall comply with the underlying setback required under the Zoning District. Street front landscaping shall include all areas along public or private street frontage, public or private street side setbacks, and setbacks along other property lines boarding a public or private side setback, and setbacks along other property lines bordering a public or private street.
 - (2) For lots having a depth of less than one hundred fifty feet (150') and a total area not exceeding twenty thousand (20,000) square feet the minimum street frontage landscape depth shall be at least five feet (5'). Landscaping shall comply with the general standards indicated below. It is intended that the standards shall provide landscape design flexibility in plant selection while still meeting the General Landscaping Standards.
 - C. General Landscaping Standards
 - (1) Double frontage lots shall maintain a minimum street front landscape depth of five feet (5').

- (2) Trees. Street trees shall be provided at a rate of one tree per forty feet (40') of frontage excluding driveway openings. A minimum of fifty percent (50%) of the required trees shall be at least two inch (2") diameter shade trees. The remaining trees may be any combination, at least two inch (2") diameter shade trees, at least one and one-half inch (1½") flowering trees and/or six foot (6') high evergreen trees. Street frontage trees shall not be required for lots having a depth of less than one hundred fifty feet (150') and an area not exceeding twenty thousand (20,000) square feet.
 - (3) Shrubs. Six (6) per one thousand square feet (1000 sf) of planting area where parking does not adjoin street and sufficient shrubs to provide sixty-six percent (66%) screening to a height of three feet (3') where parking adjoins a street. Up to twenty percent (20%) of the required shrubs may be replaced by ornamental grasses or perennial flowers at a rate of four (4) such plants per shrub replaced.
 - (4) Ground Cover. Living ground cover, such as grass, shall be provided within all required street frontage landscaped areas. Non-living materials (such as walk-on bark, mulch, and ornamental rock) may be used for up to twenty-five percent (25%) of the landscaped area.
 - (5) Mounding, not exceeding one foot (1') in height for every three (3) of depth is strongly encouraged to screen vehicles for street frontages adjoining parking lots with a depth of ten feet (10') or greater.
 - (6) The specific location of trees and landscaping within the required setback area shall be approved by the Planning and Development Department based on site characteristics.
7. Parking Lot Landscaping. All parking lots shall include landscaping and trees located within the parking area as required by this subsection. Trees required by this subsection shall be in addition to trees and landscaping required under other provisions of this section. It is the objective of this subsection to provide shade within parking areas and break up large expanses of parking lot pavement.
- A. Trees at a rate of one (1) tree per twelve (12) parking spaces shall be provided for all parking lot areas. Required parking area trees shall be large shade tree varieties and have a minimum two inch (2") diameter at breast height at the time of planting.
 - B. For parking lot areas having twenty (20) or more spaces such trees shall be located in protected landscape areas within the parking lot

- with the provision that up to fifteen percent (15%) of the required trees may be located within ten feet (10') of the parking lot perimeter. The location, size, and design of the landscaped areas shall be approved by the Planning and Zoning Commission to ensure viability of the planting and protection from damage by vehicles while also meeting the objectives of this section.
- C. For parking lot areas with forty (40) or more spaces, a continuous planter, including trees, shall be provided for every fourth parking bay. Said continuous planter shall include large shade trees planted no closer than twenty (20) foot centers. The width and design of said continuous planter shall be approved by the Planning and Zoning Commission to ensure viability of the planting and protection from damage by vehicles.
 - D. Planter areas shall be a minimum width of six feet (6') measured from the inside of the protective curbing. These areas may be widened to accommodate head in parking with a thirty inch (30") vehicle overhang into the planter area so long as the required six foot (6') minimum width for the tree planting is maintained.
8. Buffer Yards. Yards separating multi-family, mobile home, commercial, and industrial development closer than one hundred feet (100') from zoning districts where buffer yard is required by this subsection shall provide an effective buffer as indicated in this subsection. It is the objective of the buffer yard to lessen, rather than completely eliminate, land use conflicts between such uses. It is not expected that buffer yards will totally screen such uses. It is expected that the buffer yard design elements identified below will provide immediate lessening of land use conflicts and such buffering will be enhanced over time as landscaping matures. Buffer yards may include a combination of elements including setback distances as separation, tree and shrubs, solid fencing, and/or berming.
- A. Existing Vegetation. It is encouraged that existing topography and vegetation be included in the design of the buffer yard as approved by the Planning and Zoning Commission. Retention of existing matures trees is strongly encouraged in meeting the requirements of this subsection.
 - (1) Existing vegetation within the developed area of a site may be credited towards the corresponding landscape requirement for trees, shrubs, and groundcover. Trees in good condition and of a desirable species that are greater than 8-inches in diameter may count at a 2 to 1 ratio and trees greater than 12-inches in diameter may be count at a 3

- to 1 ratio. Retained trees must be protected during construction.
- B. Rear buffer yards shall have a minimum depth of fifteen feet (15') or as indicated in the **Zone Development Standards Tables for Base Zones** and include standards as identified below.
- (1) Natural Buffers. Four (4) evergreen variety trees, two (2) flowering variety trees, and ten (10) shrubs per one hundred feet (100') of linear distance or evergreen shrubs to be spaced at five feet (5') on center with a minimum mature height of five (5) feet or fifteen (15) large deciduous shrubs, per one hundred feet (100') of linear distance planted in a staggered double row.
 - (2) Structural Buffers. Solid six foot (6') high wall or fence with two (2) evergreen variety trees, two (2) flowering variety trees, and five (5) large shrubs per one hundred feet (100') of linear distance.
 - (3) Earthen Berm Buffer. Minimum fifteen foot (15') rear buffer yard with berming not to exceed a 1:3 (vertical:horizontal) slope, three (3) large evergreen trees, two (2) flowering variety trees per one hundred (100) feet of linear distance, and sufficient evergreen shrubs with a combined height (berm and mature shrub) of five feet (5') to form a continuous screen within three (3) years of planting and/or sufficient deciduous shrubs with a combined height of five feet (5') to form a continuous screening within three (3) years of planting.
- C. Side buffer yards shall have a minimum depth of fifteen feet (15') and include standards as identified below.
- (1) Natural Buffer - Evergreen. Four (4) evergreen variety trees, two (2) flowering variety trees and ten (10) evergreen shrubs per one hundred feet (100') of linear distance.
 - (2) Natural Buffer – Deciduous. Four (4) deciduous variety trees, two (2) flowering variety trees, and fifteen (15) large shrubs per one hundred feet (100') of linear distance.
 - (3) Structural Buffers. Solid six foot (6') high wall or fence with two (2) flowering trees and five (5) large shrubs per one hundred feet (100') of linear distance.
- D. **High Screen Dissimilar Use Transition and Parking Screen. The high screen landscape standard provides physical and visual separation between uses and improvements.**
- (1) **Required Landscape Elements. High shrubs shall be installed at a maximum distance of 6 feet on center to form a dense screen with a minimum mature height of 6 feet. In**

addition, one Landscape Tree is required per 50 lineal feet of landscaped area. Ground cover plants must fully cover the remainder of the landscaped area. The high shrubs must be at least 4 feet in height at the time of installation. The minimum planter depth for a High Screen is 5 feet unless otherwise required to be greater by this ordinance.

- (2) Alternatively, a 6-foot high fence with the fence posts on the interior side unless the fence is finished on both sides may be substituted for some or all of the high shrubs. When a 6-foot high fence is installed, high shrubs shall be planted at the rate of one shrub or 3 ornamental grasses per 20 lineal feet. In lieu of shrubs, additional ornamental trees may be approved by the Planning & Zoning Administrator. An existing fence that is in good condition and repair may be utilized to meet the fence requirement with a condition that replacement or repair of the fence is the obligation of property that requires fence to meet their High Screen requirement.

E. Industrial Screen and Wall Screen between Industrial and Residential Areas.

- (1) Generally. The industrial screening standard is intended to be used in special instances where extensive screening of both visual and noise impacts is needed to protect abutting uses in areas where there is little space for separation. These buffers must be designed and installed to separate activity areas of a site from the surroundings. Areas behind buildings with no outdoor activity areas or openings do not require walls unless necessary to enclose other activity areas on the site.
- (2) Required Landscape Elements. The L4 standard requires an 8-foot-high masonry (but not non-decorative concrete block) wall along the interior side of the landscape area. One Landscape Tree is required per 50 lineal feet of wall. In addition, 3 high shrubs or 6 low shrubs are required per 30 lineal feet of wall. Ground cover plants must fully cover the remainder of the landscaped area.
- (3) Alternative Compliance. The L4 standard can be met alternatively for sites that provide a minimum of 30 feet of separation from the property line to the use of the site by providing a berm with a minimum height of 4 feet with coniferous shrubs placed on the slope of the berm with an aesthetically pleasing density and coniferous trees planted

within 10 feet of the berm. Landscaped trees shall also be provided at 1 tree per 50 linear feet.

9. Additional Landscaping/Screening Requirements. Landscape and building elements shall be used to screen areas of low visual interest or visually intrusive site elements (such as trash collection, open storage, service areas, loading docks and blank walls) from off-site view. Such screening shall be established on all sides of such elements except where an opening is required for access. If access is possible only on a side that is visible from a public street, a removable or operable screen shall be required.
 - A. F1, Partially Sight-Obscuring Fence.
 - (1) Generally: The F1 fence standard provides a tall, but not totally blocked, visual separation. The standard is generally applied where a low level of screening is adequate to soften the impact of the use of development or where visibility between areas is more important than a total visual screen. It is generally applied in areas where landscaping is not necessary and where nonresidential uses are involved.
 - (2) Construction Standards. Fences must be 6 feet high and at least 50% sight-obscuring. Fences may be made of wood, metal, bricks, masonry or other permanent materials.
 - B. F2, Fully Sight-Obscuring Fence.
 - (1) Generally. The F2 fence standard provides a tall and complete visual separation and is primarily intended to be used in special instances where complete screening is needed to protect abutting uses and landscaping is not practical. It is usually applied in nonresidential situations.
 - (2) Construction Standards. Fences must be 6 feet high, but no more than 8 feet in height, and 100% sight-obscuring. Fences may be made of wood, metal, bricks, masonry or other permanent materials.
- A. Screening of Outside Storage Areas. For all uses, except any individual lot occupied by a single-family or two-family dwelling, all storage areas shall have visual and noise screening between adjacent lots or parcels and streets or thoroughfares.
 - (1) For C-1, C-1A or C-2 zoning district uses, all storage except for any machinery, vehicles, or equipment in operable condition and having a net weight not more than three tons net weight shall be within completely enclosed buildings or effectively screened by a solid wall or F2 fence, including solid entrance and exit gates. No outside storage of any

machinery, vehicles, or equipment with a net weight exceeding three tons shall be permitted.

- (2) For **PLI or PI** zoning district uses, no outdoor storage shall be permitted in required front setback areas. All outdoor storage located within three hundred (300) feet of a residential district, except motor vehicles in operable condition, shall be within completely enclosed buildings or effectively screened **by a solid wall or F2 fence, including solid entrance and exit gates.** In the event a solid wall is used to satisfy this requirement, the yard requirements of this district shall apply exterior to the wall.
- B. Screening of Ground Mounted Mechanical Units. For all uses, except any individual lot occupied by a single-family or two-family dwelling, all ground-mounted mechanical units, including but not limited to: air-conditioning condensers, heat pumps, ventilation units, computer cooling equipment, etc., and any related utility structures and equipment, that are visible from any adjacent public thoroughfare shall be effectively screened **by an F1 fence**
- C. Screening of Roof Mounted Mechanical Units. All roof-mounted mechanical units shall be screened from adjacent public thoroughfares by the use of an opaque screening material compatible with the architecture of the building or architecturally designed screening such as a parapet wall. The screening of the roof-mounted units shall be designed to blend with the building and roof materials. Additional screening may be required due to topographic differences in the adjoining properties.
- D. Screening of Trash Receptacles. For all uses, except any individual lot occupied by a single-family or two-family dwelling, using a common trash receptacle and all nonresidential uses:
- (1) **F2 fence or** full screening landscaping on three sides.
 - (2) Enclosure openings directly visible from a public right-of-way and/or adjoining residential area shall have **solid entrance gates.** For larger enclosure areas a separate gate access is encouraged.
 - (3) Access drives shall be constructed of material and thickness to accommodate truck loading. Year round accessibility to the enclosure area for service trucks shall be maintained by the property owner or tenant.
 - (4) Enclosures shall be of an adequate size to accommodate expected containers. It is encouraged to design the enclosure area to be expandable to accommodate future additional containers.

- (5) Enclosure structures shall be designed to protect the walls from damage by containers. Such protection may be provided by use of barrier curbing, reinforced masonry walls, or other similar means.
 - (6) Materials and elevations for enclosures that are attached to buildings shall be designed to be **visually** compatible with the main structure.
 - (7) If enclosures are to be attached to buildings they shall comply with applicable fire and building codes.
 - (8) Trash enclosures shall not be located within a required street front or street side setback or occupy area used for required parking spaces.
2. Administrative Requirements.
 - A. Previously Approved Plans and Building Permits. Any Site Plan or Landscaping Plan approved by the City prior to the effective date of the ordinance codified herein shall remain enforceable and in force.
 - B. Installation. All landscaping required by this section shall be installed prior to occupancy or commencement of a use. If the landscaping cannot be installed prior to occupancy or commencement of a use because of climatic conditions, the building inspector may issue a temporary certificate of occupancy and grant a delay of landscaping installation until the calendar date of June 1 immediately following the date of said temporary certificate of occupancy.
 - C. Maintenance of Required Landscaping. Trees and vegetation, irrigation systems, fences, walls and other landscaping elements shall be considered as elements of the project in the same manner as parking, building materials and other site details. The applicant, landowner or successors in interest shall be responsible for the regular maintenance of all landscaping elements in good condition. All landscaping shall be maintained free from disease; pests, weeds and litter, and all landscape structures such as fences and walls shall be repaired and replaced periodically to maintain a structurally sound condition in order to maintain the required landscaping of the site.
 - D. Rights-of-Way, Easements, and Drainage. Required landscaping shall not disturb drainage systems or be placed upon easements of rights-of-way without approval of the City.
3. Changes to Approved Landscape Plan. The landscaping shall be installed and maintained according to the approved landscape plan except where authorized changes are permitted. The approved landscape plan and supporting data shall be binding on the applicants, their successors, and grantees. (Ord. 0610 – Sep. 06 Supp.)

SECTION 17 Repealer. All Ordinances or parts thereof in conflict with the provisions of the Ordinance are repealed.

SECTION 18 Severability. If any section, provision, or part of the Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 19 Effective Date. This Ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

PASSED AND APPROVED this _____ day of _____, ____ 21.

Chuck Hinz, Mayor

Lori Pickart, City Clerk/Treasurer