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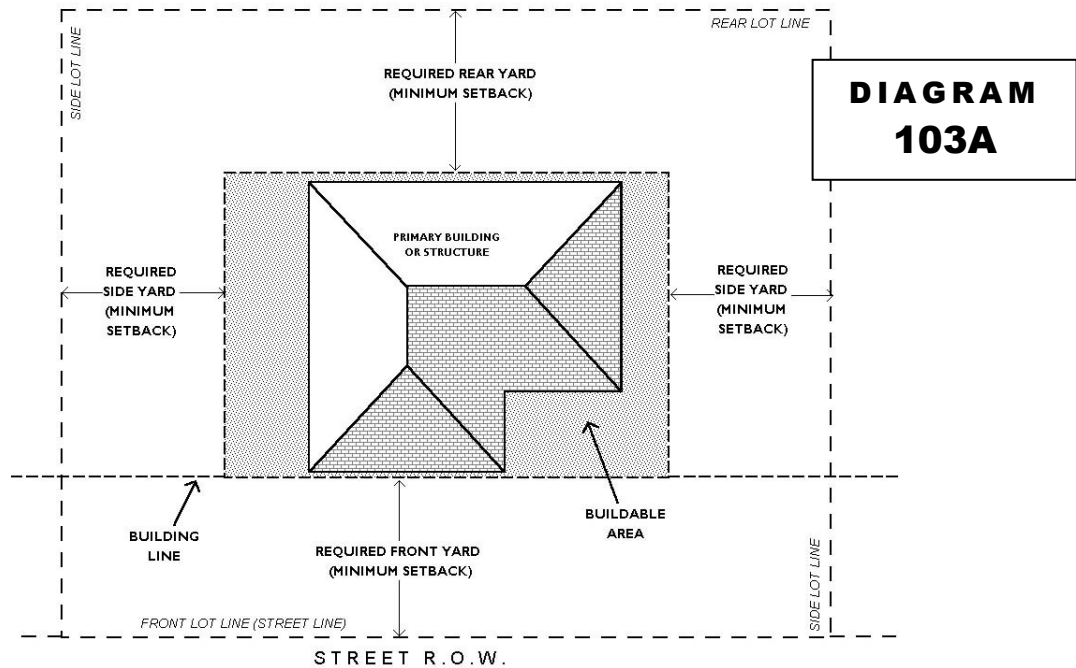
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CHAPTER 1: GENERAL PROVISIONS

- 101 SHORT TITLE.** This Ordinance shall be known and may be cited as the “City of Sac City, Iowa Zoning Ordinance”.
- 102 PURPOSE.** The purpose of this Ordinance is to provide adequate light and air, to prevent the overcrowding of land, to avoid undue concentration of population, to regulate the use of land, and promote the health, safety, and general welfare in the City of Sac City, Iowa.
- 103 DEFINITIONS.** For the purpose of interpreting this Ordinance, certain items, terms, and words are hereby defined. Words used in the present tense shall include the future; the singular number shall include the plural, and the plural shall include the singular. The word “shall” is mandatory; the word “may” is permissive. The words “used” or “occupied” include the words intended, designed, or arranged to be used or occupied. The word “person” includes a firm, association, organization, partnership, trust, company, or corporation as well as the individual. The words “application” and “request” may be used interchangeably.
1. Abutting: Having property or district lines in common.
 2. Access: A way of approaching or entering a property from a public street.
 3. Accessory Building or Use: A separate subordinate building, the use of which is incidental to that of the principal building or to the principal use of the premises, and is located on the same lot as the main building. An accessory use is one that is incidental to the main use of the premises. Where an accessory building is attached to the main building in a substantial manner, as by a wall or roof, such accessory building shall be considered part of the main building.
 4. Accessory Dwelling Unit (ADU): A subordinate residential dwelling unit located on the same lot as a principal single-family dwelling. An ADU may be attached, detached, or internal to the principal dwelling, and shall provide complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. ADUs shall comply with applicable building codes, occupancy standards, and design standards adopted by the City.
 5. Active Solar Energy System: A solar energy system whose primary purpose is to harvest energy by transforming solar energy into another form of energy or transferring heat from a collector to another medium using mechanical, electrical, or chemical means.
 6. Administrative Officer: The City Clerk of the City of Sac City or designated appointee.
 7. Agriculture: The production, keeping or maintenance, for sale, lease, or personal use, of plants and animals useful to man, including but not limited to: forages and sod crops; grains and seed crops; dairy animals and dairy products; poultry and poultry products; livestock, including beef cattle, sheep, swine, horses, mules, or goats, or any mutations or hybrids thereof including the breeding and grazing of any or all such animals; bees and apiary products; fur animals; trees and forest products; fruits of all kinds; vegetables; or lands devoted to a soil conservation or forestry management program.
 8. Alterations: Any change in any building, including a change in the supporting members of a building, such as bearing walls, partitions, columns, beams or girders, that will (1) upon completion, affect a change in the use thereof, or (2) that has the effect of enlarging or reducing the floor area thereof.
 9. Animal Hospital or Clinic: An establishment where animals are admitted principally for examination, treatment, or care by a Doctor of Veterinary Medicine.

10. Antenna: shall mean a device, dish or array used to transmit or receive telecommunication signals.
11. Alley: A public way, other than a street, 20 feet or less in width, affording secondary means of access to abutting property.
12. Apartment: A room or suite of rooms in a multiple dwelling intended or designed for use as residence by a single family and included kitchen facilities.
13. Automobile Repair (Major): General repair, rebuilding or reconditioning of engines, motor vehicles or trailer; collision service, including body, frame or fender straightening or repair; overall painting or paint shop; vehicle steam cleaning.
14. Automobile Repair (Minor): Minor repairs, incidental body and fender work, painting and upholstering, replacement of parts and motor service to passenger automobiles and trucks, but not including any operation specified under "Automobile Repair-Major".
15. Automobile Wrecking Yard: An area outside of an enclosed building where motor vehicles are disassembled, dismantled, or junked, or where vehicles not in operable condition, or used parts of motor vehicles, are stored.
16. Basement: That portion of a building at least partly underground but having at least 50% or one-half of the height or one or more walls below the grade.
17. Billboard: A sign which has a flat surface sign space upon which advertising may be posted, painted, or affixed, and which is primarily designed for the rental or lease of such sign space for advertising not relating to the use of the property upon which the sign exists.
18. Bed & Breakfast Houses: A house, or portion thereof, where short-term lodging, rooms, and meals are provided. The operator shall live on the premises.
19. Board: The Board of Adjustment.
20. Boarding, Lodging, or Rooming House: A building (other than a hotel) where lodging is provided for compensation for 4 or more persons.
21. Buildable Area: The area of a lot remaining after the minimum yard and open space requirements have been met, on which permitted buildings or other structures can be erected (See Diagram 01-03A for illustration).

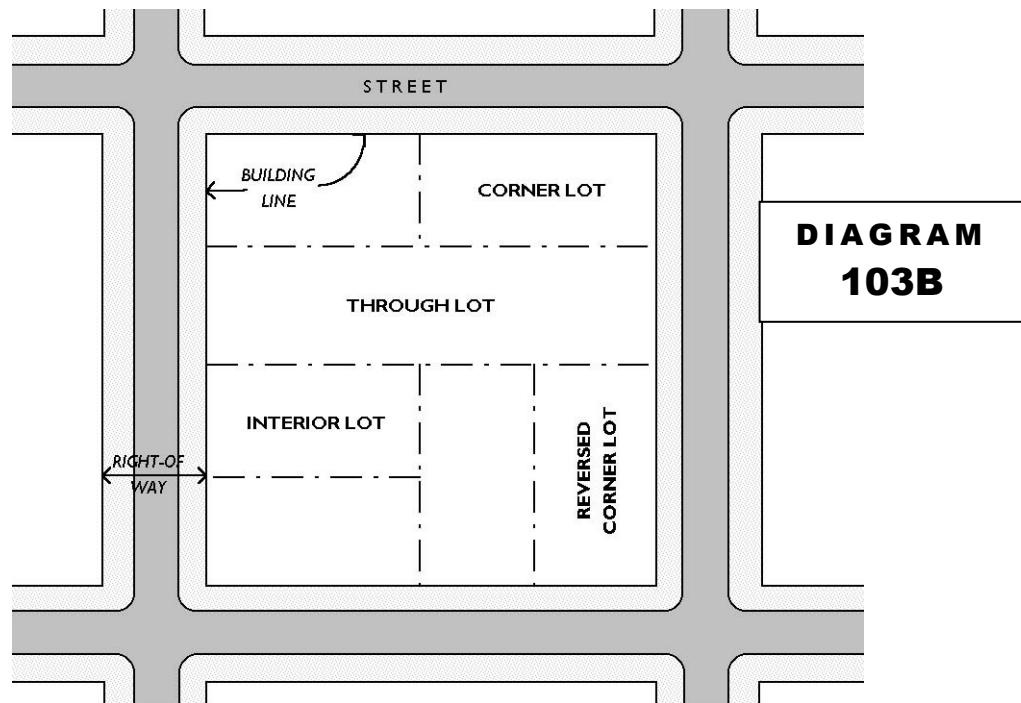


22. Building: Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, or property, but not including signs or billboards and not including structures or vehicles originally designed for transportation purposes.
23. Building, Height of: The vertical distance from the average natural grade at the building line to the highest point of the roof adjacent to the street wall in the case of a flat roof, to the deck line of a ridge for gable, hip, and gambrel roofs.
24. Building-integrated Solar Energy System: An active solar energy system that is integral part of a principal or accessory building, rather than a separate mechanical device, replacing or substituting for an architectural or structural component of a building. Building-integrated systems include but are not limited to photovoltaic or hot water solar energy systems that are contained within roofing materials, windows, skylights, and awnings.
25. Building Line: A line other than a lot line, used to regulate the location of a building or structure in relationship to the abutting street or streets. This line is generally the same as a minimum setback line (See Diagram 01-03A for illustration).
26. Business. An engagement in the purchase, sale, barter, or exchange of goods, wares, merchandise or service or the maintenance or operation of offices or recreational or amusement enterprises.
27. Cell Tower (Telecommunications Tower): A structure, including any supporting base, foundation, guy wires, or other appurtenances, that is designed and constructed primarily for the purpose of transmitting or receiving radio, cellular, broadband, or other wireless communication signals. The term includes monopoles, lattice towers, guyed towers, and similar structures, together with associated equipment shelters or cabinets. "Cell Tower" does not include amateur (ham) radio facilities, satellite dishes, or antenna structures affixed to existing buildings, water towers, or other non-tower support structures less than 65 feet in height.
28. City Administrator: The City Administrator or City Clerk of the City of Sac City, Iowa.
29. Commission: The Planning and Zoning Commission of the City of Sac City, Iowa.
30. Common Wall: An unbroken wall shared by two or more separate buildings.

31. Communications Tower: shall mean a tower, pole or similar structure which supports a telecommunications antenna operated for commercial purposes above ground in a fixed location, free standing, guyed or on a building.
32. Comprehensive Plan: The general plan for land use, transportation and community facilities prepared and maintained by the Commission and adopted by the council.
33. Condominium: A residential or commercial building consisting of multiple units, each under individual ownership of the space contained within each unit, and co-ownership of the remaining real property by the individual owners as tenants in common, but subject to certain joint agreements and regulations.
34. Council: The City Council of the City of Sac City, Iowa.
35. Data Center: A building constructed or adapted to house a group of networked server computers in one physical location used to centralize the storage, management, and distribution of data and information for a specific business or purpose.
36. District: The area defined as a zoning district within which certain zoning provisions apply under this Ordinance.
37. Dwelling: Any building or portion thereof, which is designed or used exclusively for residential purposes, but not including a tent, cabin, trailer, or mobile home.
38. Dwelling, Single Family: A detached building designed for or occupied exclusively by and for residence purposes by one family and having no party wall in common with an adjacent house or houses.
39. Dwelling, Multiple-Family: A building or portion thereof designed for or occupied exclusively by and for residence purposes by 2 or more families.
40. Electric Vehicle Charging Station: A public or private parking space that is served by electrical service equipment for the purpose of transferring electric energy to a battery or other energy storage device in an electric vehicle.
41. Exception, or Special Exception: Modification of the general provisions of this Ordinance under particular given circumstances after it is determined by the Board of Adjustment that strict compliance with the Ordinance would cause undue hardship on the applicant and said modification will not infringe upon the intent of the Ordinance.
42. Family: One or more persons related by blood, marriage, adoption, or legal guardianship occupying a single dwelling unit and living as a single household or housekeeping unit, or a group of not more than 4 persons not related by blood, marriage, adoption, or legal guardianship.
43. Family Home: A community-based residential home which is licensed as a residential care facility under Chapter 135C of the Iowa Code or as a child foster care facility under Chapter 237 of the Iowa Code to provide room and board, personal care, habilitation services, and supervision in a family environment for developmentally disabled persons or foster children any necessary support personnel.
44. Farming: The growth of agricultural products. Farming shall not include the commercial operation of stockyards, slaughterhouses, or feed lots.
45. Flood Area. Any land or portion of land, adjacent to a stream, river, or other natural drainage channels or basins, that is subject to overflow, inundation, or flood hazard from the unusual and rapid accumulation or runoff of surface water from any source.
46. Floor Area: The sum of the gross horizontal areas of the floors of a building, including interior balconies and mezzanines, but excluding exterior balconies.

47. Garage: A building or portion thereof in which a motor vehicle containing gasoline, distillate, or other volatile flammable liquid in its tank is stored, repaired, or kept.
48. Garage, Private: A building or part thereof accessory to the main building and providing for the storage of automobiles and in which no occupation or business for profit is carried on.
49. Garage, Public or Storage: A building or part thereof other than a private garage used for the care, storage, and repair of motor vehicles or where such vehicles are parked or stored for compensation, hire, or sale.
50. Grade: The average elevation of the finished ground at the exterior walls of the main building or structure.
51. Grid-intertie Solar Energy System: A photovoltaic solar energy system that is connected to an electric circuit served by an electric utility company.
52. Health Care Facility: Any residential care facility, intermediate care facility, or skilled nursing facility.
- A. Residential Care Facility. Any institution, place, building, or agency providing for a period exceeding 24 consecutive hours accommodation, board personal assistance, and other essential daily living activities to 3 or more individuals, not related to the administrator or owner, who by reason of illness, disease, or physical or mental infirmity are unable to sufficiently or properly care for themselves but who do not require the services of a registered or licensed practical nurse except on an emergency basis.
- B. Intermediate Care Facility. Any institution, place, building or agency providing for a period exceeding 24 consecutive hours accommodation, board, and nursing services, the need for which is certified by a physician, to 3 or more individuals, not related to the administrator or owner thereof, who by reason of illness, disease, or physical or mental infirmity require nursing services which can be provided only under the direction of a registered nurse or licensed practical nurse.
53. Height, Total System: The height above grade of the wind energy system, including the tower generating unit, and the highest vertical extension of any blades or rotors. Height shall be measured from the adjacent grade of the tower to the tip of the turbine (blade) at its highest point.
54. Home Occupation: An occupation or activity carried on by the immediate members of the family residing in the dwelling.
55. Hospital: Any institution, building, or other facility or place established for the maintenance, observation, medical, and dental care and supervision and skilled nursing care of persons afflicted with or suffering from sickness, disease or injury or for the convalescent or chronically ill persons.
56. Hotel: A building occupied as the more or less temporary residence of individuals who are lodged for compensation with or without meals, in which there are sleeping rooms or suites of rooms, and generally no provision made for cooking in any individual room, and entrance is made through a common lobby or office.
57. Junk Yard: Any area where waste, discarded or salvaged materials are bought, sold, exchanged, baled or packed, disassembled or handled, including 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 and not including the processing of used, discarded or salvaged materials as part of manufacturing operations.
58. Kenel (Commercial): Establishment in which dogs or domestic animals more than one year old are housed, groomed, bred, boarded, trained, or sold.

59. Lot: For the purposes of this Ordinance, a lot is a parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, or on an approved private street, and may consist of:
 - A. A single lot of record;
 - B. A portion of a lot of record;
 - C. A combination of complete lots of record, or complete lots of record and portions of lots of record;
 - D. A parcel of land described by metes and bounds, provided that in no case of division or combination shall any residual lot or parcel be created which does not meet the requirements of this Ordinance.
 - E. The word “lot” includes the words “plot” or “parcel”.
60. Lot Frontage: The portion of a lot nearest the adjacent street. For corner lots, all sides adjacent to streets shall be considered frontage.
61. Lot Line: The legally defined property lines bounding a lot (See Diagram 01-03A for illustration).
 - A. Lot Line, Front. That line separating the lot from adjacent streets.
 - B. Lot Line, Rear. The lot line farthest from or opposite the front lot line. In the case of a corner lot, the rear lot line shall be considered the lot line opposite the adjacent street that is designated as the front street (the street upon which the property’s address is assigned).
 - C. Lot Line, Side. A lot line other than the front or rear lot lines.
62. Lot Measurements:
 - A. Depth: The average horizontal distance between the front and rear lot lines.
 - B. Width: The average horizontal distance between the side lot lines.
63. Lot of Record: A lot which is part of a Subdivision recorded in the Office of the County Recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.
64. Lot Types: (See Diagram 01-03B for illustration)
 - A. “Corner” Lot: A lot located at the intersection of two or more streets.
 - B. “Interior” Lot: A lot other than a corner lot with only one frontage on a street other than an alley.
 - C. “Through” Lot: A lot other than a corner lot with frontage on two parallel or non-intersecting streets.
 - D. “Reversed Corner” Lot: A corner lot, the side street line of which is substantially a continuation of the front lot line of the first lot to its rear.



65. Manufactured Home: A structure built under authority of 42 U.S.C. § 5403, bearing a HUD seal, which is transportable in one or more sections and designed to be used as a dwelling with or without a permanent foundation. Manufactured homes shall be permitted in any district where single-family dwellings are allowed, provided they meet all requirements of the district.”
66. Manufacturing: The use of land, buildings, or structures for the purpose of manufacturing, assembly, making, preparing, inspecting, finishing, treating, altering, repairing, warehousing, or storing or adapting for sale of any goods, substance, article, thing, or service. Processing on farms is not classified as manufacturing if the raw material is grown on the farm.
67. Meteorological Equipment: Equipment primarily used to measure wind speed and directions, including other data relevant to locating an operational wind energy conversion system.
68. Mobile Home: A transportable, factory-built home constructed prior to June 15, 1976, not built to HUD standards. Mobile homes shall only be located within approved mobile home parks.
69. Mobile Home Park: Any lot or portion of a lot upon which two (2) or more mobile homes, occupied for dwelling or sleeping purposes, are located, regardless of whether or not a change is made for such accommodation.
70. Motel (also Motor Hotel, Motor Court, Motor Lodge, or Tourist Court): A building or group of buildings designed to provide sleeping accommodations to transient guests for compensation, and provides near each guest room a parking space for the guests’ vehicle. A swimming pool, restaurant, meeting rooms, management offices and other such accessory facilities may be included.
71. Non-Conforming Use (also Nonconformities): Lots, structures, uses of land and structures, or characteristics of uses, that are prohibited under the terms of the Zoning Ordinance but were lawful at the date of the Ordinance’s enactment.
72. Non-Conforming Lot: A lot whose width, area or other dimension did not conform to the regulations when this code became effective

73. Non-Conforming Sign: A sign or sign structure or portion thereof lawfully existing at the time this code became effective, which does not now conform.
74. Non-Conforming Structure: A building or structure or portion thereof lawfully existing at the time this code became effective, which was designed, erected or structurally altered for a use that does not conform to the zoning regulations of the zone in which it is located
75. Non-Conforming Use: A use that lawfully occupied a building or land at the time this code became effective, which has been lawfully continued and which does not now conform to the use regulations.
76. Nursing or Rest Home: A home for the aged, infirmed, invalid, convalescent, or physically disabled in which 3 or more persons not of the immediate family are received, kept, or provided with food and shelter, or care for compensation; but not including hospitals, clinics, or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.
77. Off-grid Solar Energy System: A photovoltaic solar energy system in which the circuits energized by the solar energy system are not electronically connected in any way to electric circuits that are served by an electric utility company.
78. Parking Space: An area of not less than 180 square feet either within a structure or in the open, exclusive of driveway or access drives, for the parking of a motor vehicle.
79. Passive Solar Energy System: A solar energy system that captures solar light or heat without transforming it to another form of energy or transferring the energy via a heat exchanger.
80. Permitted Use: A use by right that is specifically authorized in a particular zoning district.
81. Photovoltaic System: An active solar energy system that converts solar energy directly into electricity.
82. Portable Storage Container: A container fabricated for the purpose of transporting freight or goods on a truck, railroad, railcar, or ship, including cargo containers, steel cargo containers, shipping containers, freight containers, portable storage containers, cargo boxes, sea vans, or storage units that are placed on private property and used for storage of clothing, equipment, goods, household or office fixtures, furnishings, construction materials, and merchandise.
83. Principal Use: The main use of land or structures as distinguished from an accessory use.
84. Planned Unit Development: A project located on a single tract, controlled by one owner, corporation or agency, including usable open space for the mutual benefit of the entire tract, designed to provide variety and diversity through the variance or normal zoning and subdivision standards, so that maximum long-range benefit can be gained and unique features of the site preserved or enhanced.
85. Projections (into yards): Parts of buildings such as architectural features that extend beyond the building's exterior wall.
86. Recreational Facility: A place designed and equipped for the conduct of sports, leisure time activities and other customary and usual recreational activities. Examples include basketball courts, ball fields, tennis courts, trails, etc. Private recreational facilities are those that are located on private property for the exclusive use of the property owners. Public recreational facilities are those that are located on public property and available for use by the public.
87. Renewable Energy Easement, Solar Energy Easement: An easement that limits the height or location, or both, of permissible development on the burdened land in terms of a structure or vegetation, or both, for the purpose of providing access for the benefited land to wind or sunlight passing over the burdened land.

88. Renewable Energy System - A solar energy or wind energy system. Renewable energy systems do not include passive systems that serve a dual function, such as a greenhouse or window. Regulations consistent with Iowa Code §§ 476.8 and 8C.
89. Service Station: A building or premises used for dispensing or offering for sale at retail any automobile fuels, oils, or having pumps and storage tanks therefore, or where battery, tire, or any similar services are rendered, and where vehicles are not parked for purposes of inspection or sale.
90. Setback: The minimum required horizontal distance measured at right angles to the boundary of the lot or parcel between the farthest protruding point of the wall of the building closest to the lot line (See Diagram 01-03A for illustration).
91. Shouse/Barndominium: A structure that combines residential living space with an area designed for storage, workshop, or similar accessory use within the same principal building. A shouse or barndominium shall be constructed on a permanent foundation and shall meet all applicable residential building, electrical, plumbing, and energy codes. The residential portion shall comply with the minimum dwelling standards of this Ordinance, and the non-residential portion shall be incidental and subordinate to the residential use. Metal-sided or pole-frame construction may be permitted provided exterior materials, roof pitch, and façade design are compatible with surrounding residential structures.
92. Sign: Any object or device, or part thereof, situated outdoors or indoor, which is used to advertise, identify, display, direct, or attract attention to any object, person, institution, organization, business product, service, event, or location by any means including words, letters, figures, designs, symbols, fixtures, color, motion, illumination, or projected images. A sign includes any billboard but does not include the following: flags of nations, states, and cities, or merchandise, picture or models of products or services incorporated with an inside window display; or works of art, which in no way identify a product or service.
93. Site Plan Review: The process by which the City evaluates a proposed development for compliance with zoning, design, environmental, and infrastructure requirements prior to the issuance of permits.
94. Solar Access: Unobstructed access to the solar resource (see definition below) on a lot or building including access across adjacent parcel air rights, for the purpose of capturing direct sunlight to operate a solar energy system
95. Solar Collector: A device, structure or a part of a device or structure for which the primary purpose is to transform solar radiant energy into thermal, mechanical, chemical, or electrical energy
96. Solar Collector Surface: Any part of a solar collector that absorbs solar energy for the use in the collectors energy transformation process. Collector surface does not include frames, support and mounting hardware
97. Solar Daylighting: A device specifically designed to capture and redirect the visible portion of the solar spectrum, while controlling the infrared portion, for use in illuminating interior building spaces in lieu of artificial lighting.
98. Solar Energy: Radiant energy received from the sun that can be collected in the form of the heat or light by a solar collector.
99. Solar Energy System: A device or structural design feature, a substantial purpose of which is to provide daylight for interior lighting or provide for the collection, storage, and distribution of solar energy for space heating, cooling, electricity generation, or water heating.
100. Solar Heat Exchanger - A component of a solar energy device that is used to transfer heat from one substance to another, either liquid or gas.

101. Solar Hot Air System (also referred to as Solar Air Heat or Solar Furnace) – An active solar energy system that includes a solar collector to provide direct supplemental space heating by heating and re-circulating conditioned building air. The most efficient performance typically uses a vertically mounted collector on a south-facing wall.
102. Solar Hot Water System (also referred to as Solar Thermal) – A system that includes a solar collector and a heat exchanger that heats or preheats water for building heating systems or other hot water needs, including residential domestic hot water and hot water for commercial processes.
103. Solar Mounting Device: Racking, frames, or other devices that allow the mounting of a solar collector onto a roof surface or the ground.
104. Solar Resource: A view of the sun from a specific point on a lot or building that is not obscured by any vegetation, building, or object for a minimum of four hours between the hours of 9:00 AM and 3:00 PM Standard time on any day of the year.
105. Solar Storage Unit: A component of a solar energy device that is used to store solar generated electricity or heat for later use.
106. Special Use: A reasonable use that will not impair the public health, safety, or welfare in a zone but does not conform to the character of the zone in which it is located. Certain restrictions on the location, aesthetics, size, and other performance standards may be imposed. Said special use runs with the owner and not with the land.
107. Story: That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between the floor and the ceiling or roof next above it. A half-story is a space under a sloping roof that has the line of intersection of roof decking and wall face not more than 4 feet above the top floor level. A half story containing independent apartments or living quarters shall be counted as a full story.
108. Street: The entire width between the boundary lines of a public right-of-way which provides for public means of access to abutting property or for public use for the purpose of vehicular and pedestrian traffic and the placement of utilities and including the terms “road”, “highway”, “lane”, “place”, “avenue”, and other similar designations.
109. Street Line: The dividing line between a lot and a street.
110. Structure: Anything constructed or erected that requires location on the ground or attached to something having location on the ground, including signs and billboards, fences or walls used as fences.
111. Subdivision: The division of land into 2 or more lots of other division of land for the purpose, whether immediate or future, or 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 theretofore divided or platted into lots or other divisions of land, or, if a new street is involved, any division of land.
112. Swimming Pool: A water-filled enclosure, permanently constructed or portable, at least 18” deep and intended primarily for bathing, swimming, and/or diving, but shall not include a natural, dug, or dammed pond or other body of water.
113. Telecommunications: shall mean the electronic, telephonic, or other high-tech transmission, reception or exchange of data or information between or among points specified by the user of information of the user’s choosing, without change in the form or content of the information as sent or received, by a means which requires the approval or licensing by the Federal Communications Commission.

114. Temporary Use: A use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period or completion of an activity for which the temporary use is incidental.
115. Tent: A portable or temporary cover or shelter with or without side panels, which is supported by poles and is made of canvas, plastic, or similar materials, that is not permanently affixed to the site and is not considered a structure.
116. Use: The purpose or activity for which a piece of land or its buildings is designed, arranged, or intended, or for which it is occupied or maintained.
117. Variance: A modification of the special regulations of this Ordinance granted by resolution of the Board of Adjustment in accordance with the provisions and terms of this Ordinance, which grants a property owner relief from certain provisions of the Ordinance when, because of the particular physical surroundings, shape, or topographical condition of the property (which condition is not of the owner's making), compliance would result in particular hardship on the owner, as distinguished from a mere inconvenience or desire to make more money.
118. Wind Energy Conversion System: A system consisting of at least one of the following: a wind turbine, a tower, and associated control or conversion electronics, which is intended to reduce on-site consumption of utility power, is incidental and subordinate to a permitted use on the same parcel and has a rated capacity of up to one hundred (100) kilowatts.
119. Wind Turbine: A structure used to collect kinetic energy from wind and convert it into electricity.
120. Yard: The unoccupied or unobstructed open space on the same lot with a main building (See Diagram 01-03A for illustration).
121. Yard, Front: An open space extending the full width of the lot between a building and the front lot/property line, unoccupied and unobstructed from the ground upward, except as hereinafter specified. A corner lot shall have two front yards.
122. Yard, Rear: On open space extending the full width of a lot between a building and the rear lot/property line, unoccupied and unobstructed from the ground upward, except as hereinafter specified. On corner lots, the rear yard shall be considered opposite the adjacent street that is designated as the front street (the street upon which the property's address is assigned).
123. Yard, Side: An open space extending from the front yard to the rear yard between a building and the side lot/property line, unoccupied and unobstructed from the ground upward, except as hereinafter specified.
124. Zoning Compliance, Certificate of: A permit stating that the premises have been inspected after the erection, construction, reconstruction alteration or moving of a building or structure, or after change in use of character of land, referred to herein, and that the proposed use of the building, structure, or land complies with the provisions of the ordinance.
125. Zoning District: A section of the City designated in the Zoning Ordinances text and delineated on the Zoning Map in which requirements for the use of land, the building and development standards are prescribed. Within each district, all requirements are uniform.
126. Zoning Map: The Map delineating the boundaries of districts which, along with the zoning text, comprises the Zoning Ordinance.

104 DISTRICTS ESTABLISHED. The City of Sac City, Iowa, is hereby divided into the following zoning districts:

A-1	Agricultural District
R-1	One to Four-Family Residential District
R-2	Medium Density Residential
R-2MH	Mobile Home Park District
C-1	Central Commercial District
C-2	Arterial (Suburban) Commercial District
M-1	Light Industrial District
M-2	Heavy Industrial District
F-1	Flood Plain District
F-2	Flood Fringe District

105 ZONING MAP.

105.01 Provision for Official Zoning Map. The location and boundaries of the districts are hereby established as shown on the Official Zoning Map of the City of Sac City, Iowa. Said Map, including all designations, notations, references, amendments and other information shown thereon shall be and are hereby made a part of this Ordinance by reference. The Official Zoning Map shall be identified by the signature of the Mayor, attested by the City Clerk, under the following words: “This is to certify that this is the Official Zoning Map referred to in the Zoning Ordinance of the City of Sac City, Iowa”, together with the date of adoption. The Official Zoning Map shall remain on file in the Office of the City Clerk. The Official Zoning Map shall be maintained in both printed and digital form. Amendments shall be reflected in both versions, with certified copies filed with the City Clerk.

105.02 Changes or Amendments. Changes or amendments in district boundaries shall be made by an ordinance amending the Zoning Ordinance, and shall be entered on the Official Zoning Map promptly after the amendment has been approved by the City Council with an entry notation on the Official Zoning Map identifying the change (including the changes by ordinance number and date of adoption). The amending ordinance shall refer to the Official Zoning Map and shall set out the identification of the area affected by the legal description and identify the zoning district as the same exists and the new district designation applicable to said property.

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

105.04 Interpretation of District Boundaries. The following rules shall aid in the interpretation of the Official Zoning Map:

- A. Boundaries appearing to follow the centerlines of streets, highways, or alleys shall be construed to follow such centerlines;
- B. Boundaries appearing to follow platted lot lines shall be construed as following such lines;
- C. Boundaries appearing to follow City Limits shall be construed as following such City Limits;
- D. Boundaries appearing to follow railroad lines shall be construed to be midway between the main tracks;
- E. Boundaries appearing to follow shorelines shall be construed to follow such shorelines, and in the event of a change in the shoreline, the boundary shall be construed as moving with the actual shoreline; boundaries indicated as approximately following the centerlines of streams, rivers, or other bodies of water shall be construed to follow such centerlines;
- F. Boundaries appearing as parallel to or extensions of features indicated in Subsections A-C above shall be so construed. The scale shown on the map shall determine distances not specifically indicated on the Official Zoning Map.
- G. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, or in other circumstances not covered by Subsections A-F above, the Board of Adjustment shall interpret the district boundaries.
- H. Where a district boundary line divides a lot that was in single ownership at the time of passage of this Ordinance, the Board of Adjustment may permit, as a special exception, the extension of the regulations for either portion of the lot not to exceed 50 feet beyond the district line into the remaining portion of the lot.
- I. Whenever the City Council vacates and disposes of a Street or Alley, adjacent districts shall extend to the centerline of the vacation.
- J. Whenever a variance exists between the Zoning Map and the legal description on an amendment to this Ordinance, the legal description applies.

106 APPLICATION OF DISTRICT REGULATIONS. The regulations set by this Ordinance within each district shall be minimum regulations and shall apply uniformly to each class of land except as hereinafter provided:

- A. No building, structure, or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, or structurally altered except in conformity with all the regulations herein specified for the district in which it is located.
- B. No part of a yard, or other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this Ordinance, shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building.
- C. No yard or lot existing at the time of passage of this Ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance.
- D. Whenever the requirements of this Ordinance are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions, or covenants, the most restrictive or that imposing the higher standards shall govern.

107 CLASSIFICATION OF NEWLY ANNEXED LAND. All newly annexed territory shall be considered a part of the A-1 (Agricultural) district until zoned by the Planning and Zoning Commission and the City Council.

108 NON-CONFORMING LOTS, NONCONFORMING USES OF LAND, NONCONFORMING STRUCTURES, AND NONCONFORMING USES OF STRUCTURES AND PREMISES.

108.01 Statement of Intent. Within the districts established by this Ordinance, there exist lots, structures, and uses of land and structures that were lawful before this Ordinance was passed or amended, but that are prohibited, regulated or restricted under the terms of this Ordinance or future amendment. It is the intent of this Ordinance to permit these nonconformities to continue until they are removed, but not to encourage their survival. Further nonconformities shall not be enlarged upon, expanded, or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district.

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

108.02 Nonconforming Uses of Land (or Land with Minor Structures Only). Where at the time of passage or amendment of this Ordinance lawful use of land exists that would not be permitted by the regulations imposed by this Ordinance, and where such use involves no individual structure with a replacement cost exceeding \$1,000.00, the use may be continued so long as it remains otherwise lawful, subject to the following provisions:

- A. No such nonconforming use shall be enlarged or increased, nor extended to occupy a greater area of land.
- B. No such nonconforming use shall be moved in whole or in part to any other portion of the lot or parcel.
- C. If any such nonconforming use of land ceases for any reason for a period of 12 months, any subsequent use of such land shall conform to the district regulations for the district in which such land is located.
- D. No structure or building shall be constructed on or moved onto the land, unless the use is changed to a use permitted in that district.

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

- A. No such nonconforming structure may be enlarged or altered in such a way that increases its nonconformity, but any structure or portion thereof may be altered to decrease its nonconformity. However, where a side yard is a pre-existing nonconformity, the

nonconformity may be extended along the lot line but in no case may it become closer to the lot line.

- B. A non-conforming structure damaged by fire, flood, or other calamity may be reconstructed if begun within 12 months, provided it does not increase the degree of non-conformity. Routine maintenance, repair, and interior remodeling are permitted.

- 108.04 Maintenance and Repair to Vested Nonconforming Structures.** Nothing in this section shall prohibit the maintenance and repair of vested nonconforming structures to keep such structures in sound and safe condition, provided that no structural enlargement, extension, alteration, or change shall be made to increase the degree of nonconformity.
- 108.05 Change of Tenancy, Ownership, or Management.** There may be change of tenancy, ownership, or management of any existing nonconforming use of land, structure, or land and structure providing there is not a change in the nature or character of said nonconforming use.
- 108.06 Special Exceptions not Nonconforming Uses.** Any use that is permitted as a special exception in a district under the terms of this Ordinance (other than a change through Board of Adjustment action from a nonconforming use to another use not generally permitted in the district) shall not be deemed a nonconforming use in such district.
- 108.07 Adaptive Reuse of Nonconforming Structures or Sites.** Nonconforming structures or sites may be adaptively reused without loss of legal nonconforming status if the reuse brings the property into partial compliance with current standards. Such adaptive reuse projects shall require review by the Planning and Zoning Commission to ensure computability with surrounding uses and furtherance of Comprehensive Plan goals.

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CHAPTER 2: DISTRICT REGULATIONS

Infill lots platted prior to 1950 may be developed under historic dimensions, provided health and safety standards are met.

201 INDIVIDUAL DISTRICT REGULATIONS.

201.01 A-1: Agricultural District. This district is intended to provide for areas predominantly agricultural in character or undeveloped for urban use. The following tables detail principal and accessory uses in agricultural districts; special exceptions, which require approval of the Board of Adjustment; and setback, area, and height requirements.

TABLE 201.01A		USES IN THE A-1 AGRICULTURAL DISTRICT	
Permitted Principal Uses Uses that are permitted in the agricultural district	Permitted Accessory Uses Uses customarily incidental and subordinate to principal permitted uses, and only permitted if there is an existing permitted principal use	Special Exceptions Uses that may be authorized only by the Board of Adjustment. Specific conditions may be applied to special exceptions if they are approved.	
- Agricultural crops, including gardening, but not raising of poultry, pets, or livestock for commercial purposes or on a scale that would be objectionable because of noise or odor or sight to surrounding residences - Single family detached dwellings - Greenhouses & nurseries - Home Occupations, per provisions of Section 02-02.04 of this Ordinance - Cemeteries, crematories, or mausoleums - Commercial kennels - Golf courses & recreational facilities - Recreational trails, public or private - Mining and extraction of minerals - Churches & accessory facilities - Airports or landing strips - Public utility and public service installations & facilities, including substations & relays, but excluding business offices, repair and storage facilities	- Private Garages, utility sheds, farm buildings and barns no larger than 40 feet X 40 feet - Living quarters of persons employed on the premises - Accessory Dwelling Unit - Grain bins & other grain, hay, or forage storage structures - Roadside stands offering for sale only agricultural products or other products produced on the premises - Temporary uses, such as buildings for uses incidental to construction work which shall be removed upon completion or abandonment of the work - Fences & walls, per Section 02-02.06 - Satellite Dish Antennas, lampposts, flagpoles, & other yard fixtures per Section 02-02.09 - Swimming Pools, per Section 02-02.10 - Keeping of domestic animals as pets, but <u>not</u> on a commercial basis (i.e., breeding for sale) or scale objectionable to neighbors; the keeping or raising of pigs, sheep, goats, cattle, fowl, or horses is prohibited except on premises containing 2 acres or more, and within an enclosure at least 300' from any house except that of the owner. - Renewable Energy Systems - Telecommunications facilities	- Reduction of the minimum required side & rear yard setbacks by up to 50% if application is made, applicant shows reasonable cause for such reduction, and doing so will not cause harm to any adjacent property owners - Private garages & storage sheds larger than 40' X 40' feet in size - Stables, private or public	

TABLE 201.01B		MINIMUM SETBACK, AREA, & HEIGHT REQUIREMENTS IN THE A-1 AGRICULTURAL DISTRICT**			
Minimum Lot Area	Minimum Lot Width	Minimum Front Yard Setback	Minimum Side Yard Setback	Minimum Rear Yard Setback	Maximum Height
10 acres	200 feet	PRINCIPAL USES			
		50 feet	50 feet	50 feet	60 feet
		ACCESSORY BUILDINGS & STRUCTURES			

		50 feet	50 feet	50 feet	60 feet
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**See Section 103 for explanations regarding setback & yard measurement. See Section 202.07 for modifications and exceptions of setback, area, & height requirements as well as other requirements that may apply to principal and accessory uses.

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201.02A R-1: One to Four-Family Residential District. This district is intended to provide for 1 to 4-family residential housing units where public utilities and services are available, and to encourage a suitable living environment through the promotion of public health, safety, and welfare. Criteria such as topography, soil types, access, traffic load on streets, schools, utilities, recreation, and other public facilities shall be taken into consideration when lot area requirements are established in various residential areas of the City. The following tables detail principal and accessory uses in R-1 districts; special exceptions, which require approval of the Board of Adjustment; and setback, area, and height requirements.

TABLE 201.02A1		USES IN THE R-1 ONE TO FOUR--FAMILY RESIDENTIAL DISTRICT	
Permitted Principal Uses Uses that are permitted in R-1 districts	Permitted Accessory Uses Uses customarily incidental and subordinate to principal permitted uses, and only permitted if there is an existing permitted principal use	Special Exceptions Uses that may be authorized only by the Board of Adjustment. Specific conditions may be applied to special exceptions if they are approved.	
- Single-family detached dwellings - Multi-family dwellings up to 4 units - Family Homes - Home Occupations, per provisions of Section 02-02.04 of this Ordinance - Publicly owned and operated buildings and facilities, including libraries, except repair facilities - Publicly owned parks, playgrounds, & recreational areas, except recreational trails - Churches & Accessory Facilities - Cemeteries - Public utility and public service installations & facilities, including substations & relays, but excluding business offices, repair and storage facilities - Bed and Breakfast Houses - Health care facilities & Nursing homes - Hospitals & medical, dental, or chiropractic clinics, or similar uses - Golf courses	- Private garages & storage sheds no larger than 40 feet X 40 feet or higher than 25 feet - Living quarters of persons employed on the premises - Accessory Dwelling Unit - Parking lots - Temporary uses, such as buildings for uses incidental to construction work which shall be removed upon completion or abandonment of the work - Fences & walls, per Section 02-02.06 - Satellite Dish Antennas, lampposts, flagpoles, & other yard fixtures per Section 02-02.09 - Swimming Pools, per Section 02-02.10 - Private recreational facilities - Keeping of domestic animals as pets, but not on a commercial basis (i.e., breeding for sale) or scale objectionable to neighbors; the keeping or raising of pigs, sheep, goats, cattle, fowl, or horses in this district is prohibited. Pet shelters (including doghouses), cages, fences, and runs for pets shall be considered accessory structures and shall be regulated as such. - Renewable Energy Systems	- Schools-any age or grade - Funeral Homes & Mortuaries - Clubs or lodges - Automobile Repair, Minor - Boarding & Lodging Houses - Business or professional offices, such as lawyers, engineers, etc. - Child care centers - Fences as Principal Structures	

TABLE 201.02A2		MINIMUM SETBACK, AREA, & HEIGHT REQUIREMENTS IN THE R-1 ONE TO FOUR-FAMILY RESIDENTIAL DISTRICT**			
Minimum Lot Area	Minimum Lot Width	Minimum Front Yard Setback	Minimum Side Yard Setback	Minimum Rear Yard Setback	Maximum Height
6,000 square feet for 1 & 2-family dwellings; Multi-family, 6,000 sq feet plus 1,500 additional for each unit over 2	65 feet for 1 & 2-family dwellings; 90' for multi-family dwellings	PRINCIPAL USES			
		25 feet	1 FAMILY: 5 feet one side, 15' sum both sides; 2-4 FAMILY: 5 feet one side, 20' sum both sides	15 feet for 1 & 2 family; 25' for multi-family (4 units max)	The lesser of 2 ½ stories or 35 feet
		ACCESSORY BUILDINGS & STRUCTURES			

		25 feet	SAME AS FOR PRINCIPAL USES	15 feet	Accessory buildings shall not exceed 25 ft in height, and shall not exceed a height of 5 ft above main structure.
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**See Section 103 for explanations regarding setback & yard measurement. See Section 202.07 for modifications and exceptions of setback, area, & height requirements as well as other requirements that may apply to principal and accessory uses. ∴ ∴ ∴ ∴ ∴

201.02B R-2: Medium Density Residential (MDR). The Medium Density Residential (MDR) District is intended to provide a flexible residential zoning category that accommodates a variety of housing types, including single-family homes, duplexes, triplexes, and small-scale multifamily developments. The district promotes neighborhood reinvestment, housing diversity, and infill development in areas served by public infrastructure. Accessory dwelling units (ADUs) are permitted, and higher-density residential projects may be considered through a conditional use process. Development in the MDR District should support walkable, connected neighborhoods and be consistent with the goals and policies of the Comprehensive Plan.

TABLE 201.02B1	USES IN THE R-2 MULTIPLE-FAMILY RESIDENTIAL DISTRICT	
Permitted Principal Uses Principal uses that are permitted in the R-2 district.	Permitted Accessory Uses Uses customarily incidental and subordinate to principal permitted uses, and only permitted if there is an existing permitted principal use	Special Exceptions Uses that may be authorized only by the Board of Adjustment. Specific conditions may be applied to special exceptions if they are approved.
- Single-family detached dwellings - Multi-family dwellings - Family Homes - Home Occupations, per provisions of Section 02-02.04 of this Ordinance - Publicly owned and operated buildings and facilities, including libraries, except repair facilities - Publicly owned parks, playgrounds, & recreational areas, except recreational trails - Churches & Accessory Facilities - Cemeteries - Public utility and public service installations & facilities, including substations & relays, but excluding business offices, repair and storage facilities - Bed and Breakfast Houses - Health care facilities & Nursing homes - Hospitals & medical, dental, or chiropractic clinics, or similar uses - Golf courses	- Private garages & storage sheds no larger than 40 feet X 40 feet or higher than 25' - Temporary uses, such as buildings for uses incidental to construction work which shall be removed upon completion or abandonment of the work - Accessory Dwelling Unit - Private recreational facilities - Fences & walls, per Section 02-02.06 - Satellite Dish Antennas, lampposts, flagpoles, & other yard fixtures per Section 02-02.09 - Swimming Pools, per Section 02-02.10 - Keeping of domestic animals as pets, but not on a commercial basis (i.e., breeding for sale) or scale objectionable to neighbors; the keeping or raising of pigs, sheep, goats, cattle, fowl, or horses in this district is prohibited. Pet shelters (including doghouses), cages, fences, and runs for pets shall be considered accessory structures and shall be regulated as such. - Renewable Energy systems	- Reduction of the minimum required side & rear yard setbacks by up to 50% if application is made, applicant shows reasonable cause for such reduction, and doing so will not cause harm to any adjacent property owners - Private garages & storage sheds larger than 40' X 40' feet in size or higher than 25 feet - Child care centers - Fences as Principal Structures

TABLE 201.02B2		MINIMUM SETBACK, AREA, & HEIGHT REQUIREMENTS IN THE R-2 MULTIPLE-FAMILY RESIDENTIAL DISTRICT**			
Minimum Lot Area	Minimum Lot Width	Minimum Front Yard Setback	Minimum Side Yard Setback	Minimum Rear Yard Setback	Maximum Height
5,000 square feet for 1 & 2-family dwellings; Multi-family, 7,500 sq feet plus 1,500 additional for each unit over 2	55 feet for 1 & 2-family dwellings; 90' for multi-family dwellings	PRINCIPAL USES			
		25 feet	1 FAMILY: 5 feet one side, 15' sum both sides; MULTI FAMILY: 10 feet one side, 20' sum both sides	15 feet for 1 & 2 family; 25' for multi-family	The lesser of 2 ½ stories or 35 feet
		ACCESSORY BUILDINGS & STRUCTURES			
		25 feet	SAME AS FOR PRINCIPAL USES	15 feet	Accessory buildings shall not exceed 25 ft in height, and shall not exceed a height of 5 ft above main structure.

See Section **103 for explanations regarding setback & yard measurement. See Section **202.07** for modifications and exceptions of setback, area, & height requirements as well as other requirements that may apply to principal and accessory uses.

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201.02C R-2MH: Mobile Home Park District. This section is intended to establish regulations for mobile home parks, which are allowable in the R-2 Residential district. The section provides that mobile home parks are to be free from other uses except those that are both compatible with and convenient to the residents within the park. The following tables detail principal and accessory uses in MH districts; special exceptions, which require approval of the Board of Adjustment; and setback, area, and height requirements.

TABLE 201.02C1		USES IN THE R-2MH: MOBILE HOME PARK DISTRICT
Permitted Principal Uses Principal uses that are permitted in the R-3MH Mobile Home Park district.	Permitted Accessory Uses Uses customarily incidental and subordinate to principal permitted uses, and only permitted if there is an existing permitted principal use	Special Exceptions Uses that may be authorized only by the Board of Adjustment. Specific conditions may be applied to special exceptions if they are approved.
• Mobile Homes • Home Occupations, per provisions of Section 202.04 of this Ordinance	• Private garages & storage sheds no larger than 10' X 12' or higher than 10' • Temporary uses, such as buildings for uses incidental to construction work which shall be removed upon completion or abandonment of the work • Keeping of domestic animals as pets, but not on a commercial basis (i.e., breeding for sale) or scale objectionable to neighbors; the keeping or raising of pigs, sheep, goats, cattle, fowl, or horses in this district is prohibited. Pet shelters (including doghouses), cages, fences, and runs for pets shall be considered accessory structures and shall be regulated as such. • Private recreational facilities • Renewable Energy Systems	• Nursery Schools • Public utility and public service installations & facilities, including substations & relays, but excluding business offices, repair and storage facilities • Churches & Accessory Facilities • Recreational trails, public or private

A. General Provisions.

1. No person, firm, or corporation shall establish, construct, maintain, conduct or operate, expand, remodel, or make alterations to a mobile home park within City limits without first obtaining approval from the Planning & Zoning Commission and City Council per the provisions of Section 02-02.01 of this Ordinance titled "Planned Unit Developments".
2. All mobile home parks shall be established, constructed, maintained, conducted, or operated in compliance with all provisions of this Section.

B. Bulk Regulations.

1. The minimum site for a mobile home park shall be five (5) acres.
2. Density is limited to 8 mobile homes per acre.
3. All mobile homes shall be located at least 25 feet from any park property boundary line abutting upon a public street or highway not within the park and at least 10 feet from other park property boundary lines.
4. Each mobile home site shall be provided with a stand consisting of a reinforced, 4-inch thick, poured Portland cement concrete apron not less than 8 feet wide and 45 feet long and a paved outdoor patio of at least 180 square feet located at the main entrance to the mobile home.
5. All utility wire, pipes, and tanks shall be underground.
6. Not less than 8 percent of the gross site area shall be devoted to recreation facilities, generally provided in a central location if possible. Recreation areas may include space

for community buildings and community use facilities, such as indoor recreation area, swimming pool, hobby and repair shops and service buildings. The site of centralized recreation areas shall be calculated on a basis of at least 100 square feet per lot, provided that no recreation area shall contain less than 5,000 square feet..

7. Each mobile home shall be located on a lot having an area of at least 4,000 square feet. The mobile home stand shall not occupy an area in excess of 1/3 of the respective lot area. The total occupied area of the mobile home and other accessory structures on the lot shall not exceed 2/3 of the respective lot area.
8. Each mobile home park shall be graded and drained so that rainwater will not stand in pools or puddles.
9. Each street and parking area in any mobile home park shall be bounded by a sidewalk at least 3 feet wide.
10. Trailer and boat storage shall be provided at a minimum ratio of 250 square feet of land for each mobile home lot, and such storage areas shall be surrounded, except at entry and exit points, with a wood or masonry wall fence or hedge at least 8 feet high.
11. All mobile home parks shall have a minimum of two vehicular entrances from a public street or highway. One entrance may be kept closed to the general public if provisions are made for emergency access if necessary. Minimum paved street widths in mobile home parks shall be as follows:

TABLE 201.02C2		MINIMUM STREET WIDTHS IN MOBILE HOME PARKS	
Parking Situation on Street:	One-way Traffic	Two-way Traffic	
None	14 feet	20 feet	
Parallel parking on one side	20 feet	30 feet	
Parallel parking on both sides	26 feet	36 feet	

12. Two (2) parking spaces shall be provided for each mobile home lot, plus one guest space for every 10 lots. Spaces located on mobile home park streets may be counted towards this requirement provided the streets meet the requirements of No. 11 above.
 13. No mobile home shall be located closer than 20 feet from any other mobile home or other permanent building (excluding accessory structures, for which a 10 foot minimum distance is required) in the mobile home park.
- C. Location of Mobile Homes. It shall be unlawful for any person, firm, or corporation to park or place any mobile home anywhere within this City, except in a mobile home park that complies with the provisions of this Section of the zoning ordinance. This section shall not apply to:
1. Dealer's Stock. Mobile homes parked upon private property as part of a dealer or manufacturer's stock not used as a place of human habitation.
 2. Manufactured Homes. Manufactured homes, or mobile homes meeting the requirements of the State Building Code and which are converted to real property in accordance with Section 435.26 of the Code of Iowa, providing that the construction, location and installation of such manufactured home meets all other zoning and building code requirements established by the City of Sac City.

201.03 C-1: Central Commercial District. This district is intended to accommodate the major business and office concentration in the City. It is characterized further by a variety of stores and related activities that occupy the central commercial area of the City. This district is intended to be the single central business district in the City, and no other use of this district designation shall be utilized other than continuously with the currently established district. The following tables detail principal and accessory uses in the C-1 district; special exceptions, which require approval of the Board of Adjustment; and setback, area, and height requirements.

TABLE 201.03A		USES IN THE C-1 CENTRAL COMMERCIAL DISTRICT	
Permitted Principal Uses Uses that are permitted in the C-1 district	Permitted Accessory Uses Uses customarily incidental and subordinate to principal permitted uses, and only permitted if there is an existing permitted principal use	Special Exceptions Uses may be authorized by the Board of Adjustment with conditions	
- Business sales and services conducted entirely within the building, including those with incidental manufacturing or processing of goods or products - Residential dwellings (except on ground level) - Single & multi-family dwellings existing on lots as of the date of adoption of this Ordinance and the replacement or reconstruction thereof on the same lot - All publicly owned and operated buildings and facilities - Business or Professional Offices - Automobile Repair, Minor - Churches & Accessory Facilities - Hotels and motels - Any other retail or service sales business, including food preparation for off-site sales (catering) - Public utility business offices, repair, & storage facilities - Hospitals & medical, dental, or chiropractic clinics, or similar uses - Recreational trails, public or private - Funeral Homes & Mortuaries	- Outdoor Sales & Service - Parking Lots - Private garages & storage sheds no larger than 40 feet X 40 feet or higher than 25 feet - Temporary uses, such as buildings for uses incidental to construction work which shall be removed upon completion or abandonment of the work - Private recreational facilities - Fences & walls, per Section 02-02.06 - Satellite Dish Antennas, lampposts, flagpoles, & other yard fixtures per Section 02-02.09 - Keeping of domestic animals as pets, but not on a commercial basis (i.e., breeding for sale) or scale objectionable to neighbors; the keeping or raising of pigs, sheep, goats, cattle, fowl, or horses in this district is prohibited. Pet shelters (including doghouses), cages, fences, and runs for pets shall be considered accessory structures and shall be regulated as such. - Living quarters (no ground floor; basements, 2nd floor & above allowable) of persons employed on the premises or otherwise used as a separate dwelling - Co-working and shared office facilities - Renewable Energy System - Telecommunication Facilities	- Service & filling stations, with the following minimum provisions: gasoline pumps & lubricating devices must be located at least 20 feet from any lot line or street; and, all fuel, oil, or similar products or substances must be stored at least 35 feet from any lot line or street warehousing - Outdoor storage - Automobile Repair, Major - Private garages & storage sheds larger than 40' X 40' feet in size or higher than 25 feet - Other uses that, as determined by the Board of Adjustment, are of the same general character as those listed under "Principal Permitted Uses" and which will not be detrimental to the district or surrounding properties - Public utility and public service installations & facilities, including substations & relays - Fences as Principal Structures - Small-scale Manufacturing and artisan production - Food and beverage production	

TABLE 201.03B		MINIMUM SETBACK, AREA, & HEIGHT REQUIREMENTS IN THE C-1 CENTRAL COMMERCIAL DISTRICT**			
Minimum Lot Area	Minimum Lot Width	Minimum Front Yard Setback	Minimum Side Yard Setback	Minimum Rear Yard Setback	Maximum Height
RESIDENTIAL USES					
<i>ALL SETBACK, AREA, WIDTH, & COVERAGE REQUIREMENTS FOR RESIDENTIAL USES THE SAME AS THE R-2 DISTRICT</i>					
NON-RESIDENTIAL USES					
None	None	PRINCIPAL USES			
		None	None, unless adjacent to a residential district, then 5 ft.	None, unless adjacent to a residential district, then 15 ft.	60 Feet, unless height increase approved by Board of Adjustment
		ACCESSORY BUILDINGS & STRUCTURES			
		None, except if a front yard is provided, it shall be at least equal to that of the principal structure	None, unless adjacent to a residential district, then 5 ft.	None, unless adjacent to a residential district, then 15 ft.	25 feet

**See Section 103 for explanations regarding setback & yard measurement. See Section 202.07 for modifications and exceptions of setback, area, & height requirements as well as other requirements that may apply to principal and accessory uses.

201.04 C-2: Arterial Commercial District. This district is intended to provide for certain areas of the city for the development of service, retail, and other non-residential uses which, because of certain locational requirements and operation characteristics, are appropriately located in close proximity to arterial and other main thoroughfares. This district is characterized by a typical need for larger lot sizes, off-street parking, adequate setbacks, clear vision, safe ingress and egress, and access to other adjacent thoroughfares. The following tables detail principal and accessory uses in C-2 districts; special exceptions, which require approval of the Board of Adjustment; and setback, area, and height requirements.

TABLE 201.04A		USES IN THE C-2 ARTERIAL COMMERCIAL DISTRICT	
Permitted Principal Uses Principal uses that are permitted in the C-2 district.	Permitted Accessory Uses Uses customarily incidental and subordinate to principal permitted uses, and only permitted if there is an existing permitted principal use	Special Exceptions Uses that may be authorized only by the Board of Adjustment. Specific conditions may be applied to special exceptions if they are approved.	
- Residential uses allowed in the R-2 district - Home Occupations, per provisions of Section 02-02.04 of this Ordinance - Sales and display rooms and lots, including yards for the storage or display of new or used building materials, but not for any scrap or salvage operation or sales. Outdoor or open storage shall be allowed only when the material is enclosed within a solid fence at least 6 feet high. - Business or Professional Offices - Automobile Repair, Major & Minor, including service stations - Churches & Accessory Facilities - Hotels and motels - Any other retail or service sales business, including food prep. for off-site sales (catering) - All publicly owned and operated buildings and facilities, including storage & repair facilities - Public utility business offices, repair, & storage facilities - Health Care Facilities & Nursing Homes, Hospitals & medical, dental, or chiropractic clinics, or similar uses - Funeral Homes - Recreational trails, public or private	- Outdoor Sales & Service - Parking Lots - Private garages & storage sheds no larger than 40 feet X 40 feet or higher than 25 feet - Temporary uses, such as buildings for uses incidental to construction work which shall be removed upon completion or abandonment of the work - Private recreational facilities - Fences & walls, per Section 02-02.06 - Satellite Dish Antennas, lampposts, flagpoles, & other yard fixtures per Section 02-02.09 - Swimming Pools, per Section 02-02.10 - Keeping of domestic animals as pets, but not on a commercial basis (i.e., breeding for sale) or scale objectionable to neighbors; the keeping or raising of pigs, sheep, goats, cattle, fowl, or horses in this district is prohibited. Pet shelters (including doghouses), cages, fences, and runs for pets shall be considered accessory structures and shall be regulated as such. - Living quarters of persons employed on the premises or otherwise used as a separate dwelling - Renewable Energy Systems - Telecommunication Facilities	- Reduction of the minimum required side & rear yard setbacks by up to 50% if application is made, applicant shows reasonable cause for such reduction, and doing so will not cause harm to any adjacent property owners - Private garages & storage sheds larger than 40' X 40' feet in size or higher than 25 feet - Public utility and public service installations & facilities, including substations & relays - Commercial Kennels - Fences as Principal Structures	

TABLE 201.04B		MINIMUM SETBACK, AREA, & HEIGHT REQUIREMENTS IN THE C-2 ARTERIAL COMMERCIAL DISTRICT**			
Minimum Lot Area	Minimum Lot Width	Minimum Front Yard Setback	Minimum Side Yard Setback	Minimum Rear Yard Setback	Maximum Height
RESIDENTIAL USES					
<i>ALL SETBACK, AREA, WIDTH, & COVERAGE REQUIREMENTS FOR RESIDENTIAL USES THE SAME AS THE R-2 DISTRICT</i>					
NON-RESIDENTIAL USES					
None, except that building area shall not exceed 50% of lot area	None	PRINCIPAL USES			
		25 feet	None, unless adjacent to a residential district, then 5 ft.	15 feet	35 Feet, unless height increase approved by Board of Adjustment
		ACCESSORY BUILDINGS & STRUCTURES			
		None, except if a front yard is provided, it shall be at least equal to that of the principal structure	None, unless adjacent to a residential district, then 5 ft.	15 feet	25 feet

**See Section 103 for explanations regarding setback & yard measurement. See Section 202.07 for modifications and exceptions of setback, area, & height requirements as well as other requirements that may apply to principal and accessory uses.

201.05 M-1: Light Industrial District. This district is intended to provide for areas of development by industrial firms that have high standards of performance and that can locate in close proximity to residential and business uses. The district regulations are designed to permit the development of any manufacturing or industrial operations which on the basis of actual physical and operational characteristics, would not be detrimental to the surrounding area or to the community as a whole, by reasons of noise, dust, smoke, odor, traffic, physical appearance, or other similar factors. Outdoor storage is allowed in this district when the material is enclosed within a continuous and impenetrable fence at least 6 feet high and said fence is within required setback lines. All industrial operations must be in an enclosed building. No residential uses are permitted in the Light Industrial District. The following tables detail principal and accessory uses in the M-1 district; special exceptions, which require approval of the Board of Adjustment; and setback, area, and height requirements.

TABLE 201.05A		USES IN THE M-1 LIGHT INDUSTRIAL DISTRICT	
Permitted Principal Uses Uses that are permitted in the M-1 district	Permitted Accessory Uses Uses customarily incidental and subordinate to principal permitted uses, and only permitted if there is an existing permitted principal use	Special Exceptions Uses that may be authorized only by the Board of Adjustment. Specific conditions may be applied to special exceptions if they are approved.	
- Any Principal Permitted Uses in the C-1 or C-2 Commercial Districts - Animal Hospitals & Veterinary Clinics - Any nonresidential building or use which would not be hazardous, obnoxious, offensive, or unsightly by reason of odor, sound, vibrations, radioactivity, electrical interference, glares, liquid or solid waste, smoke, or other air pollutants; and further the use must be in conformance with the Iowa Department of Natural Resources, Environmental Protection Agency, and any other applicable laws and regulations. - Storage, manufacture, compounding, processing, packing and/or treatment of products, exclusive of the rendering or refining of fats and/or oils - Manufacture, compounding, assembly and/or treatment of articles or merchandise derived from previously prepared materials - Assembly of appliances and equipment, including manufacture of small parts - Wholesale distribution of all standard types of prepared or packaged merchandise - Sale and storage of building materials. Outdoor or open storage shall be allowed when the material is enclosed within a solid or other impenetrable (such as chain link) fence at least 6 feet high. - Contractor's offices and storage of equipment - Public utility and public service installations & facilities, including substations & relays	- Accessory uses customarily incidental to any permitted principal use - Living quarters for watchmen or custodians of industrial properties - Renewable Energy Systems - Telecommunication Facilities	Other uses that, as determined by the Board of Adjustment, are of the same general character as those listed under "Principal Permitted Uses" and which will not be detrimental to the district or surrounding properties	

TABLE 201.05B		MINIMUM SETBACK, AREA, & HEIGHT REQUIREMENTS IN THE M-1-LIGHT INDUSTRIAL DISTRICT**			
Minimum Lot Area	Minimum Lot Width	Minimum Front Yard Setback	Minimum Side Yard Setback	Minimum Rear Yard Setback	Maximum Height
None, except that building area shall not exceed 50% of lot area without approval of the Board of Adjustment	None	PRINCIPAL USES			
		50 feet	None, except if adjacent to a residential district, then it shall be 25 ft.	40 feet	60 Feet, unless height increase approved by Board of Adjustment
		ACCESSORY BUILDINGS & STRUCTURES			
		50 feet	None, except if adjacent to a residential district, then it shall be 25 ft.	40 feet	25 feet

See Section **103 for explanations regarding setback & yard measurement. See Section **202.07** for modifications and exceptions of setback, area, & height requirements as well as other requirements that may apply to principal and accessory uses.

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201.06 M-2: Heavy Industrial District. This district is intended to provide for areas for activities and uses of a heavy industrial nature. In the best interest of the City, certain uses in the M-2 district (those listed in the 3rd column below) shall be subject to final Board of Adjustment approval, conditional approval, or denial to ensure that proper safeguards are taken. No residential uses are permitted in the M-2 district. The following table details principal and accessory uses in the M-2 district and special exceptions, which require approval of the Board of Adjustment. Table 02-01.06B details setback, area, and height requirements for M-2 districts.

TABLE 201.06A			USES IN THE M-2 HEAVY INDUSTRIAL DISTRICT		
Permitted Principal Uses Uses that are permitted in the M-2 district		Permitted Accessory Uses Uses customarily incidental and subordinate to principal permitted uses, and only permitted if there is an existing permitted principal use		Permitted Uses Requiring Special Approval Uses may be authorized by the Board of Adjustment with conditions, per provisions and procedure as detailed in this section	
Any use, except any residential use, and except those uses listed at right that require approval of the Board of Adjustment		- Accessory uses customarily incidental to any permitted principal use - Living quarters for watchmen or custodians of industrial properties - Renewable Energy Systems - Telecommunication Facilities		- Acid Manufacture - Cement, line, gypsum, or plaster of Paris manufacture - Distillation of bones - Explosive manufacture or storage - Fat or oil rendering - Fertilizer manufacture & storage - Garbage, offal, or dead animals, reduction or dumping - Glue manufacture - Refining of petroleum or petroleum products - Smelting of tin, copper, zinc, or iron ores - Stockyards or slaughter of animals - Junk Yards: Must be surrounded by a solid* fence at least 6 feet high located within setback lines, and the junk must not be piled higher than the fence.	

*Fence must be constructed of a solid material so as to prevent the contents from being seen from outside the property.

A. Procedure for Review by the Board. Before granting approval for a use identified in column 3 of the table above, the Board shall refer applications to the Planning & Zoning Commission for Study, investigation, and report. If no report is received in 30 days, the Board may assume approval of the application. The Board shall then hold a public hearing on the application. After said hearing, the Board shall consider all of the following provisions in its determination upon the particular use at the location requested:

1. That the proposed location design, construction, and operation of the particular use adequately safeguards the health, safety, and general welfare of persons residing or working in adjoining or surrounding property;
2. That such use shall not impair an adequate supply of light and air to the surrounding property;
3. That such use shall not unduly increase congestion in the streets, or public danger of fire and safety;

4. That such use shall not diminish or impair established property values in adjoining or surrounding property;
5. That such use shall be in accord with the intent, purpose, and spirit of this Ordinance and the Comprehensive Plan of the City.

B. Required Conditions.

1. The best practical means known for the disposal of refuse matter or water-carried waste, the abatement of obnoxious or offensive odor, dust, smoke, gas, noise, or similar nuisance shall be employed and subject to conformance with Iowa Department of Natural Resources, Environmental Protection Agency, and other applicable laws and regulations.
2. All principal buildings and all accessory buildings or structures, including loading and unloading facilities, shall be located at least 100 feet from any residential district boundary, except where adjoining a railroad right-of-way, and 50 feet from any commercial district boundary.

TABLE 201.06B		MINIMUM SETBACK, AREA, & HEIGHT REQUIREMENTS IN THE M-2 HEAVY INDUSTRIAL DISTRICT**			
Minimum Lot Area	Minimum Lot Width	Minimum Front Yard Setback	Minimum Side Yard Setback	Minimum Rear Yard Setback	Maximum Height
None, except that building area shall not exceed 50% of lot area without approval of the Board of Adjustment	None	PRINCIPAL USES			
		50 feet	None, except if adjacent to a residential district, then it shall be 25 ft.	40 feet	60 Feet, unless height increase approved by Board of Adjustment
		ACCESSORY BUILDINGS & STRUCTURES			
		50 feet	None, except if adjacent to a residential district, then it shall be 25 ft.	40 feet	25 feet

**See Section 103 for explanations regarding setback & yard measurement. See Section 202.07 for modifications and exceptions of setback, area, & height requirements as well as other requirements that may apply to principal and accessory uses.

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201.07 F-1: Flood Plain District. This district is intended to accommodate flood water. Only uses which will not interfere with the flow of water or decrease the water storage capacity of this area are permitted. Land shall be used only for the following purposes, providing further that no buildings shall be permitted. The following tables detail permitted uses in F-1 districts; and setback, area, and height requirements.

TABLE 201.07A	USES IN THE F-1 FLOOD PLAIN DISTRICT
Permitted Uses Uses that are permitted in the F-1 district.	
• Parking lots • Railroad right-of-way and trackage • Farming, no structures • Forests • Plant nurseries • Pastures • Parks, no structures • Golf ball driving ranges • Tennis courts & similar game areas • Nature & wildlife preserves	

TABLE 201.07B	MINIMUM SETBACK, AREA, & HEIGHT REQUIREMENTS IN THE F-1 FLOOD PLAIN DISTRICT**				
Minimum Lot Area	Minimum Lot Width	Minimum Front Yard Setback	Minimum Side Yard Setback	Minimum Rear Yard Setback	Maximum Height
NONE	NONE	PERMITTED USES			
		25 feet	10 feet	25 feet	NONE

**See Section 103 for explanations regarding setback & yard measurement. See Section 202.07 for modifications and exceptions of setback, area, & height requirements as well as other requirements that may apply to principal and accessory uses.

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201.08 F-2: Flood Fringe District. This district is intended to provide a flood hazard area between the F-1 Floodplain district and the flow line of the maximum probable flood where inundation is caused by overflow and back water which is relatively free of any current. The following tables detail permitted uses in F-1 districts; and setback, area, and height requirements.

Site plans are required for all building permits in an F-2 district. No first floor, basement floor, nor cellar floor shall be constructed at an elevation lower than the elevation designated for that particular area by the City engineer or an engineer or engineering firm so designated by the City.

All development within the Flood Plain (F-1) and Flood Fringe (F-2) Districts shall comply with the most current Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs), as well as the Iowa Department of Natural Resources' floodplain management regulations, pursuant to Iowa Code Chapter 455B and all applicable federal, state, and local requirements.

TABLE 201.08A**USES IN THE F-2 FLOOD FRINGE DISTRICT****Permitted Principal & Accessory Uses**

Uses that are permitted in the F-2 district.

- Any use permitted in the F-1 district
- Any use permitted in an adjacent district within 500 feet of the lot on which the use is requested or structure is to built

TABLE 201.08B**MINIMUM SETBACK, AREA, & HEIGHT REQUIREMENTS IN THE F-2 FLOOD FRINGE DISTRICT****

Minimum Lot Area	Minimum Lot Width	Minimum Front Yard Setback	Minimum Side Yard Setback	Minimum Rear Yard Setback	Maximum Height
7,500 Sq. Feet	55 feet	PRINCIPAL USES			
		25 feet	10 feet	25 feet	35 feet
		ACCESSORY BUILDINGS & STRUCTURES			
		25 feet	10 feet	25 feet	25 feet

**See Section 103 for explanations regarding setback & yard measurement. See Section 202.07 for modifications and exceptions of setback, area, & height requirements as well as other requirements that may apply to principal and accessory uses.

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202 SUPPLEMENTARY DISTRICT REGULATIONS**202.01 Reserved**

202.02 Planned Unit Developments. The owner or owners of any tract of land comprising an area of not less than 5 acres may submit to the City Council a plan for the use and development of the entire tract of land, commonly referred to as a “Planned Unit Development” (or P.U.D.). A P.U.D. is intended to provide a means of the development or redevelopment of tracts of ground on a unit basis, allowing greater flexibility and diversification of land uses and building locations than the conventional single-lot method provided in other sections of the Ordinance.

It is further the intent of this section that the basic principles of good land use planning, including an orderly and graded relationship between various types of uses, be maintained and that the zoning standards as set forth in this Ordinance be preserved. Normal permitted uses are those of a primarily residential character including single-family and multiple-family dwellings; usual accessory buildings such as garages; storage space; maintenance structures; and buildings for recreational purposes. Commercial uses in such developments are limited to those that are primarily for the service and convenience of the residents of the development.

A. Review by Planning & Zoning Commission. Any proposals for a P.U.D. received by the Council shall be referred to the Planning & Zoning Commission for study and report, and the Commission shall hold a public hearing on the proposed plan. After the public hearing, the Commission may recommend the project for approval if it finds, through its studies of the proposed project, that the project meets the following conditions:

1. That the tract of land on which the project is to be erected is of sufficient size and has appropriate topography and sufficient access to service to support the project.
2. That the buildings are to be used primarily for residential purposes and the customary accessory uses, such as private garages, storage spaces, recreational and community activities.
3. That the average lot area per family or dwelling unit on the site, exclusive of the area occupied by drives or streets, will not be less than the lot area per family required in the residential district in which the project is to be located.
4. That there is to be provided within the tract, or immediately adjacent thereto, parking spaces in private garages or off-street parking areas as specified in 1.15.
5. That there are to be provided, as a part of the project, adequate recreation facilities to serve the needs of the anticipated population to be housed therein.
6. That drives, access ways and parking areas are developed to a standard equal to that required for public use.
7. That such drives and access ways are protected by recorded deed covenants assuring their availability to all residents of the project.
8. That the proposed project will constitute a residential environment of a sustained desirability and stability; that it will be in harmony with the character of the surrounding neighborhood and ensure substantially the same type of occupancy as obtained or may be expected to be obtained in said neighborhood; that it will result in intensity of land utilization no higher, and standards of open spaces at least as high as permitted or specified in the ordinance in the district in which the project is to be located.

9. That the project will be consistent with the intent and purpose of the ordinance to promote public health, safety, and general welfare.
- B. Setback Requirements. The setback requirements of the conventional zoning districts in which the development is located do not apply, except that minimum yards specified in the conventional district for suitable screening or buffering shall be provided around the boundary of the development.
- C. Approval by City Council. After review by the Planning & Zoning Commission, the City Council may then consider the P.U.D. proposal. If the City Council approves the plan, building permits may be issued even though the use of the land, location of buildings, and yards and open spaces detailed by the plans do not conform in all respects to the district regulations of the district in which it is located. Upon approval, said area shall be designated on the official zoning map.

202.03 Signs. The following regulations shall apply to signs in all districts.

- A. On-premise free-standing signs shall be no larger than 64 square feet and shall comply with the height restrictions for that district.
- B. On-premise signs affixed to a building shall be no larger than 128 square feet and shall comply with the height restrictions for that district.
- C. No sign may be lighted in a manner that impairs the vision of the driver of any motor vehicle.
- D. No sign may obstruct the view of any highway or railroad so as to render dangerous the use of the highway.
- E. No sign may imitate or resemble an official traffic control sign, signal, or device.
- F. Signs shall not encroach or extend over public right-of-way
- G. No sign may obscure or physically interfere with an official traffic control sign, signal, or device.
- H. No advertisement or advertising structure shall be posted, erected, or maintained that simulates any official, directional, or warning sign erected or maintained by the State, County, Municipal or other governmental subdivision or which incorporates or makes use of lights simulating or resembling traffic signals or control signs.
- I. No advertisement shall be posted or maintained on rocks, fences, trees, or other perennial plants, or on poles maintained by public utilities.
- J. No billboard, sign, banner, or other advertisement shall be constructed of such height that it interferes with any utility pole, line, or wire. Utility providers may provide restrictions regarding how close billboards, signs, banners and supporting structures may be located in relation to utility poles and wires. Such restrictions shall govern.
- K. Billboards shall be allowed in the A-1 District, and only in other districts by special exception of the Board of Adjustment, and shall be subject to the following requirements:
 1. No billboard or similar advertising banner or signboard shall be located at intersections so as to obstruct vision, hearing, or interfere with pedestrian or vehicular safety.

2. Billboards shall not exceed 300 square feet in area.
3. No billboard or similar advertising banner or signboard shall be constructed or located where it will unreasonably interfere with the use and enjoyment of neighboring property.
4. Billboards and off-premise signs with a total sign surface area of 32 square feet or less may be located on any part of a lot provided the sign is no higher than 5 feet and does not interfere with any traffic visibility. Signs between 33 and 75 square feet may be located/constructed so that the closest edge of the sign or structure supporting the sign is a minimum of 10 feet from any adjacent property line. Height requirements in the district apply. Billboards with sign surface areas over 75 square feet shall be subject to the same height and location (located a minimum of 25 feet away from all property lines) (setback) requirements as other structures in the respective district.
5. There shall be at least 500 ft of space between all billboard structures that are situated along the same side of the street or highway.
6. All billboards and off-premise signs shall require a building permit per Section 03-07 of this Ordinance.

202.04 Home Occupations. Within the various districts as described, certain uses are permitted, as they are mutually compatible. It is the intent of this section to restrict incompatible uses; however, it is not the intent to eliminate certain home occupations that may be compatible with residential areas. Home occupations are hereby permitted and defined as business, occupation, or profession carried on within a residential dwelling by a resident thereof, and shall be subject to the following provisions:

- A. There shall be no exterior advertising other than identification of the home occupation by a sign that shall be attached to the dwelling and shall not exceed 1 square feet in area.
- B. There shall be no emission of smoke, dust, odor, fumes, glare, noise, vibration, and electrical or electronic disturbance at or beyond the property line.
- C. The activity shall employ primarily members of the immediate family of the residents of the dwelling.
- D. The use shall be clearly incidental and secondary to the use of the dwelling purposes and shall not change the character thereof.
- E. There shall not be any activity so as to cause parking and/or traffic problems annoying to adjacent property owners and the public, including the storage of materials. A home occupation shall provide additional off-street parking area in accordance with the provisions of this Ordinance. A home occupation shall also have adequate enclosed storage so as to prevent the storage of materials or equipment outside (i.e., contractors storing tools, equipment, materials, etc.)
- F. The above listed provisions shall not be construed to restrict rummage or garage sales of the sale of garden produce on the premises, provided this exception shall not extend to allow the operation of a commercial greenhouse or nursery, or the existence of stands or booths for the display of produce.

202.05 Off-street Parking and Loading Requirements. The intent of this section is to prevent traffic congestion and to provide for property traffic safety by preserving the public thoroughfares for the unimpaired movement of pedestrian and vehicular traffic. The requirements of this section are minimum requirements, and in certain circumstances, they may be inadequate. If a review of site plans or building permit applications reveals, through the application of proven standards or experience, that the requirements herein are inadequate for the specific project or land use, greater requirements for parking or off-street loading may be required by the Council.

- A. Off-Street Loading. The following off-street loading requirements shall apply in all zoning districts:
1. All activities or uses allowed in any district shall be provided with adequate receiving facilities accessible by motor vehicle from any adjacent service drive or open space on the same lot.
 2. Loading shall not be permitted to block the public right-of-way.
- B. Specific-use Parking & Loading Requirements. The following minimum off-street parking requirements shall apply:

TABLE 202.05A		OFF-STREET PARKING REQUIREMENTS
GROUP A: All uses of land and buildings enumerated under Group A shall provide off-street parking and loading space on the same zoning lot as such use or building and said parking or loading space shall have convenient and unobstructed pedestrian access across said zoning lot to a principal entrance to the building or use.		
USE	PARKING REQUIRED	LOADING SPACE REQUIRED
1 & 2-Family Dwellings	2 for each unit	2 for each
Multi-Family Dwellings (3 and above)	1 ½ for each unit	1 for any building containing 10 units plus 1 additional space for each additional 20 units
Automotive or Machinery Sales and Service Garages	1 for each 400 square feet of floor area	1 for each 5,000 square feet of floor area
Banks, Professional & General Offices	1 for each 400 square feet of floor area	None
Beauty and Barber Shops	2 for each operator	None
Boarding, Rooming & Lodging Houses	1 for each bedroom	None
Bowling Alleys	5 for each alley	None, unless a restaurant or tavern is attached, then 1 space
Doctor's Offices, Medical & Dental Clinics	5 spaces for each physician	None
Funeral Homes & Mortuaries	1 for each 3 seats in chapels or 1 for each 50 square feet of public area, whichever is greater	1 for each hearse, ambulance, or other non-passenger vehicle
Furniture & Appliance Sales & Repair	1 for each 500 square feet of gross sales & repair space	1 for the first 5,000 square feet plus 1 for each addition 20,000 square feet
Real Estate Sales Office	2 for the first 200 square feet plus 1 for each 100 square feet of office and public space	None
Restaurants, Taverns, Bars, & Night Clubs	1 for each 2 ½ seats	1
Retail Stores and Shops	1 for each 100 square feet of gross sales space	1 for the first 5,000 square feet plus 1 for each additional 30,000 square feet
Sports & Recreation Establishments, Dance Halls	1 for each 3 fixed seats or 1 for each 100 square feet of gross floor area of public space	None
Small Item Service & Repair Shops	1 for each 200 square feet of gross floor area	1 for the first 400 square feet of gross floor area plus 1 space for each additional 5,000 square feet

GROUP B: All uses of land and buildings enumerated under Group B shall provide off-street parking and loading space on the same zoning lot as such use or building for all customers or patrons frequenting the establishment and said parking or loading space shall have convenient and unobstructed pedestrian access across said zoning lot to a principal entrance to the building or use. That portion of the parking requirement that is attributed to employees may be provided within 330 feet of the use or building.

USE	PARKING REQUIRED	LOADING SPACE REQUIRED
Clubs, Organizations & Halls	1 for each 100 square feet of assembly space on site, plus 1 space for each 2 employees	1
College Fraternities, Sororities	1 for each 2 bedrooms (1/2 of the requirements may be off-site)	None
Hospitals & Rest Homes	1 space for each 4 beds plus 1 space for each 2 staff physicians on site, plus 1 space for each 3 employees of all classes on the largest shift	1 space for the first 40,000 square feet of floor area plus 1 space for each additional 150,000 square feet of floor area
Hotel, Apartment Hotel, Motel, Club with Guest Rooms	1 space for each unit for the first 20 units plus 1 space for each 2 units for those in excess of 20 on site; plus 1 space for each 2 employees on the largest shift	1 space for the first 40,000 square feet of floor area, plus 1 space for each additional 150,000 square feet of floor area
Single-occupancy Office Buildings of 10,000 square feet or larger	1 space for each 500 square feet of gross floor area on site, plus 1 space for each 600 square feet	1 space for the first 10,000 square feet plus 1 space for each additional 40,000 square feet of gross floor area
Warehouses	4 spaces for the first 5,000 square feet of gross floor area, plus 1 additional space for each additional 5,000 square feet (25% of total requirements shall be on-site)	2 spaces for the first 5,000 square feet of gross floor area plus 1 space for
Wholesale, Stores with Stock of Goods	1 space for each 400 square feet of gross floor area. (50% of total requirements shall be on-site)	1 space for the first 6,000 square feet of gross floor area plus 1 space for each additional 20,000 square feet of gross floor area

GROUP C: All uses of land and buildings enumerated under Group C shall provide off-street loading space on the same zoning lot as such use or building and said loading space shall have convenient and unobstructed access to the building or use. Parking requirements for customers, patrons and employees may be provided within 660 feet of said use or building.

USE	PARKING REQUIRED	LOADING SPACE REQUIRED
Auditoriums, Stadiums (except school), Theaters, Community Centers and similar places of public assembly	1 space for each 5 seats in the main assembly area, or where no fixed seats are provided, 1 space for each 50 square feet of main assembly area	None
Churches	1 space for each 4 seats in the main assembly area	None
Libraries, Museums and similar uses	1 space for each 400 square feet of gross space to which the public has access	1 space for the first 5,000 square feet of gross floor area plus an additional 1 space for each additional 10,000 square feet of gross floor area
Manufacturing & Freight Terminals	4 spaces for each 10,000 square feet of gross floor area, plus 1 space for each employee on the largest shift	Sufficient to allow for completely off-street loading operation but in no event less than required for a warehouse
Senior High Schools, Junior High Schools, Elementary Schools	1 space for each teacher or employee except that where living accommodations for such teachers or employees are provided on or near the site this requirement may be satisfied by the parking provided for the living quarters so provided, plus 1 space for each 100 square feet of seating space in the auditorium or multi-purpose room, whichever is larger	None

C. Other Off-street Parking & Loading Provisions.

1. All parking spaces should be a minimum of 9 feet wide and 19 feet long.
2. Loading spaces shall be at least 12 feet wide and 60 feet long for industrial and warehouse type uses but may be 12 feet wide and 30 feet long for retail, service, and institutional establishments. Aisles adequate to accommodate the maneuvering into position of such vehicles shall be provided accessory to such space or spaces. Required parking spaces shall not be provided within a required front yard.
3. Adequate entrances and exits shall be provided for so as to minimize traffic congestion.
4. Parking areas shall be properly graded for drainage.
5. Parking areas shall be surfaced with Portland cement, asphaltic cement concrete, or crushed gravel.
6. New Additions: In case of new additions to existing buildings, off-street parking and loading areas shall be provided for the new floor area added in accordance with the provisions of the table above.
7. Several Uses: If several uses occupy a single structure or parcel, the total requirements for off-street parking shall be the sum of the requirements of the uses computed separately.
8. Joint Use. Owners of 2 or more uses, structures, or parcels may agree to utilize jointly the same parking and loading spaces when the hours of operation do not overlap or are adequate for both uses, provided that satisfactory legal evidence is presented in the form of deeds, leases, or contracts to establish joint use.
9. Availability: Required spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons and employees only, and shall not be used for storage of vehicles or materials or for the parking of trucks used in conducting the business of use.
10. Plan: All applications for building permits shall include plans showing how the off-street parking and loading requirements will be met.

- D. Vehicles & Trailer Parking in Residential Districts. In all residential districts, vehicles or trailers of any kind or type without current license plates shall not be parked or stored on any lot other than in completely enclosed buildings. No automotive vehicle or trailer of any kind shall be parked or stored in a required front yard on any lot in any residential district except when parked on a designated driveway. No vehicle of any kind shall be parked on public or private property so as to create a safety hazard with pedestrian or vehicular traffic.

202.06 Fences, Walls, Hedges, & Trees. Fences, walls (including retaining walls), hedges, and trees are permitted in all districts in accordance with the following provisions:

- A. If a sidewalk is present, fences must be constructed no closer than 2 feet from the sidewalk.
- B. No fence, wall, hedge, sign, or similar obstruction exceeding three [3] feet in height shall be located within a sight triangle at intersections, as defined by the City Engineer, to protect visibility for traffic safety.
- C. Fences, walls, or hedges less than 4 feet high may be located on any remaining part of a lot.

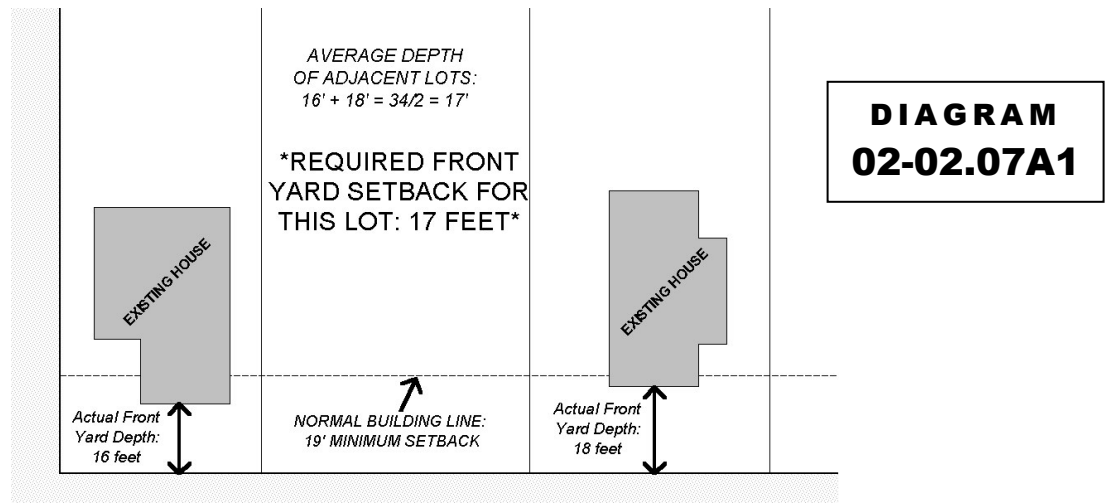
- D. Fences, walls, or hedges less than 6 feet high may be erected on those parts of a lot that are as far back or further back from a street than the main building or structure. Higher fences may be allowed by special exception by the Board of Adjustment.
- E. Fences or walls shall require a building permit per Section 03-07 of this Ordinance.
- F. Tree branches that overhang a public sidewalk shall be kept trimmed to a height of at least eight feet above the sidewalk level. Tree branches that overhang a public street shall be kept trimmed to a height of at least 16 feet above the street level.

202.07 Area, Height, Yard, Setback Modifications and Exceptions.

A. Front Yard Modifications & Exceptions.

- 1. Bay windows or balconies occupying in the aggregate not more than 1/3 of the front wall, open fire escapes, and the ordinary projection of fireplaces and flues may project 3 & 1/2 feet into a required yard if so approved and permitted by the Zoning/Building Administrator.
- 2. Belt courses, leaders, sills, pilasters, or other decorative features may project no more than 2 feet into a required yard.
- 3. Open, unenclosed and uncovered porches and stairs may extend up to 10 feet into a front yard by special exception of the board of adjustment.
- 4. In any district where the average depth of two or more existing front yards on lots within 100 feet of the lot in question and within the same block front is less than the minimum front yard setback prescribed, front yard setbacks may be varied.

The depth of the front yard setback on such lot shall not be less than the average of said existing front yards or the average depth on the two lots immediately adjoining, or, in the case of a corner lot, the depth of the front yard on the lot immediately adjoining; provided, however, that the depth of front yard on a lot in any residential district shall be at least 15 feet. (See Diagram 02-02.07A1 below for example)



B. Side Yard Modifications & Exceptions.

1. Along any district boundary line, any abutting side yard setback on a lot in the less restricted district shall have at least width equal to that required in the more restrictive district.
2. Side yard setbacks may be reduced by three inches from the otherwise required least width of each side yard setback for each foot by which a lot of record at the time of enactment of this Ordinance is narrower than the minimum lot width specified for the district in which the lot is located, provided the owner of record does not own any adjoining property, and provided that no side yard shall be narrower at any point than three feet.

TABLE 202.07B1		SAMPLE CALCULATION OF SIDE YARD SETBACK REDUCTIONS FOR EXISTING LOTS SMALLER THAN MINIMUM REQUIREMENTS OF THIS ORDINANCE		
Actual Lot Width	Minimum Required	Difference	X 3 inches =	60 inches ÷ 12 inches (1 foot) =
50 feet	70 feet	20 feet	60 inches	5' (total reduction in side yard setback, or 2 ½ feet for each side yard)

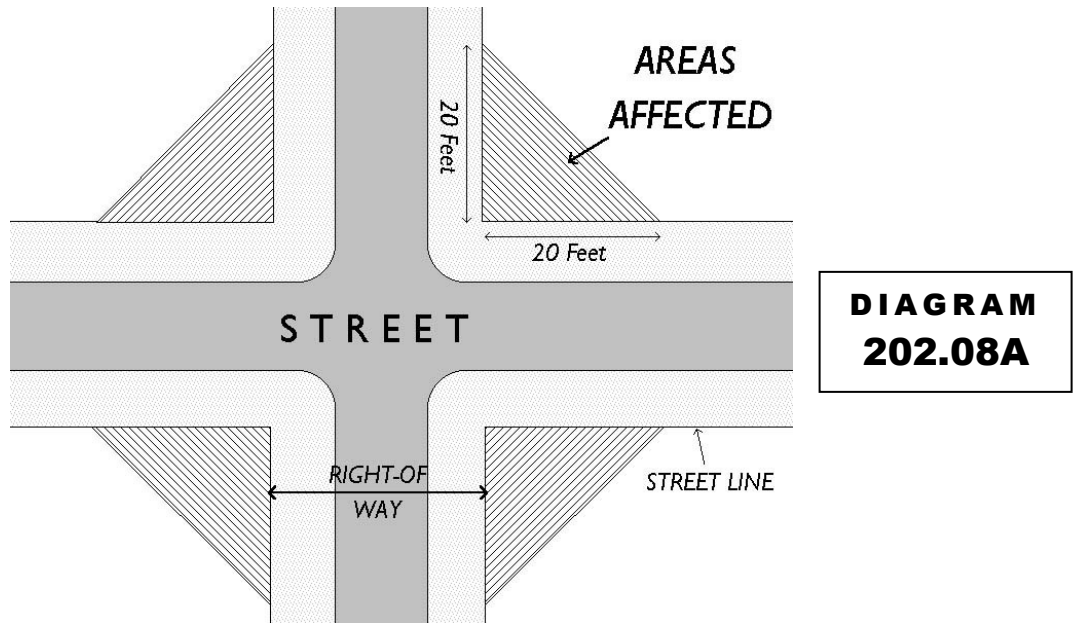
- C. Accessory Buildings & Structures. No accessory building, including detached private garages, storage sheds, doghouses or runs, or any other such structure may be constructed in any required front yard. Such structures may be constructed in a side or rear yard provided the structure is not closer than 5 feet from any side or 3 feet from any rear lot line. Accessory buildings and structures shall be kept a minimum of 5 feet from the principal building, and the total area of all accessory buildings & structures (in aggregate) shall not occupy more than 30 percent of a required rear or side yard. Accessory buildings or structures may not exceed 15 feet in height except by special exception of the Board of Adjustment.

There shall be no more than three (3) accessory buildings or structures on any property unless so approved by special exception by the Board of Adjustment. (i.e., a detached garage, garden shed, and dog run would be considered 3 accessory structures and would constitute the maximum). All accessory buildings, including garages and storage sheds, in residential districts shall be constructed with materials and finishes that conform in style and aesthetics to the principal structure (house, apartment, etc.) on the property, and fit in with the character of the surrounding residential properties.

Accessory Dwelling Units shall not exceed one thousand square feet or fifty percent of the size of the single-family residence, whichever is larger.

- D. Height Limits. Height limits specified in district regulations or elsewhere shall not apply to chimneys, church steeples, cooling towers, grain elevators, fire towers, monuments, stacks, stage towers or scenery, lofts, water towers, spires, wireless communication towers, elevator bulkheads, or other necessary mechanical appurtenances.

202.08 Traffic Visibility Across Corner Lots. In any residential district on any corner lot, nothing shall be erected, placed, maintained, planted, or allowed to grow in the area within 20 feet of the corner of the intersection right-of-way so as to interfere with traffic visibility across the corner (See Diagram 03.02.08A for illustration).



**DIAGRAM
202.08A**

202.09 Accessory Yard Fixtures (Satellite Dishes, Lampposts, Flagpoles, etc.). Semi-permanent accessory fixtures are allowed in all districts subject to the provisions and limitations in this section. The construction or installation of any such fixture, whether listed here or not, shall require a building permit per the requirements of Section 03-07 of this Ordinance

- A. Liquid Propane Fuel Tanks. All liquid propane fuel tanks shall be placed in rear or side yards. LP fuel tanks holding under 125 gallons may be placed in any part of rear or side yards. LP fuel tanks holding between 125 and 500 gallons shall be placed a minimum of 10 feet from any property or lot line. In relation to buildings and structures, LP fuel tanks shall be sited at distances from buildings sufficient to meet Uniform Fire Code requirements.
- B. Satellite Dish Antennas. The placement of satellite dish antennas (other than those attached to a building), either permanent or temporary, is permitted in side or rear yards of any district. Satellite dish antennas shall be considered an accessory structure (except that a 72 hour temporary use is allowed), and shall be subject to provisions for accessory structures as provided in Section 02-02.07C. No satellite dish shall exceed a diameter of 12 feet, except in the case of one that is owned and operated by, and part of a public cable television system. The installation of a satellite dish antenna shall require a building permit per Section 03-07.
- C. Lampposts. Lampposts, light bollards, and other similar exterior lighting fixtures are permitted in all districts. Lampposts shall not exceed a height of 7 feet, and no lamppost or bollard exceeding 3 feet in height may be erected or placed within 20 feet of any intersection or on any public utility easement. All electrical and gas lines powering lampposts or bollards must be underground. The erection or placement of lampposts or bollards shall require a building permit per Section 03-07.
- D. Flagpoles. Flagpoles are permitted in all districts. Flagpoles shall be subject to height requirements in each district. Flagpoles may be erected in any part of a yard so long as they do not interfere with any public utility lines or create traffic visibility issues. All electrical lines powering lights for lighted flagpoles shall be underground. The erection or placement of a flagpole shall require a building permit per Section 03-07.

- E. Clotheslines. Fixtures such as clotheslines may be erected on any part of a side or rear yard as long as they meet all other requirements of this Ordinance. The installation of a clothesline shall require a building permit per Section 03-07.
- F. Basketball Hoop Poles. Basketball hoop poles may be erected on any part of a rear or side yard so long as they meet all other requirements of this Ordinance and do not interfere with any public utility lines or create visibility issues. Basketball hoop poles may be installed in a front yard only if they are adjacent to a paved driveway that leads to an enclosed garage, are no closer to the property line than the midway point between the property line and the structure, and do not interfere with any public utility lines or create visibility issues. The erection of a basketball hoop pole shall require a building permit per Section 03-07.

202.10 Swimming Pools in Residential Districts. Swimming pools, including those permanently constructed and those that are temporarily erected, are permitted to be constructed or placed only in a rear yard, with the following provisions:

- A. All swimming pools must be erected, constructed, or placed at least 6 feet from the nearest lot line. The maximum area of any permanently constructed swimming pool should not exceed 15 percent of the total lot area.
- B. Permanently constructed swimming pools must be enclosed by a fence at least 4 feet high and located not less than 5 feet and not more than 15 feet from the edge of the pool. Such fence may be solid or not, but must prevent unauthorized access to the pool area (i.e., a chain-linked fence is acceptable).
- C. The maximum height of all swimming pools is 4 feet above the finished grade level of the ground surrounding the pool.
- D. Swimming pools or any portion thereof may not be located directly under any electrical service wires.
- E. Temporary swimming pools, such as those not intended for permanent installation (by manufacturer's design or otherwise), shall not be subject to the fence requirements outlined herein, but shall be subject to all other provisions herein. Additionally, property owners with temporary swimming pools shall make provisions to safeguard against accidents, including taking such actions as draining or covering the pool, erecting temporary fencing, etc.

202.11 Structures to Have Access. Every building hereafter erected or moved shall be on a lot adjacent to a public street, or with access to an approved private street, and all structures shall be located on lots so as to provide safe and convenient access for servicing, fire protection, and required off-street parking.

202.12 Residential Dwelling Standards. In all districts permitting single-family dwellings on a single lot, the following standards shall apply to each dwelling constructed:

- A. All dwellings in residential districts must have minimum dimensions of 24 feet X 24 feet.
- B. The foundation shall meet one of the following construction type requirements:
 - 1. A continuous and complete permanent perimeter foundation on the main body of the structure;
 - 2. Slab-style, with 10-inch width by 42-inch depth perimeter frost footing;

3. Pier footing system, provided the planned footings have been designed and are constructed to be compatible with the proposed structure and the building site, and have certification to such from a structural engineer or architect
4. Structures shall be permanently affixed to the foundation.

C. All hitches, wheels, axles, and any other types of towing devices shall be permanently removed.

D. All dwellings shall contain a minimum of 960 square feet of living space.

202.13 Renewable Energy Systems and Telecommunications Facilities Solar energy systems and small wind energy systems shall be permitted accessory uses in all zoning districts, subject to applicable height, setback, and safety regulations consistent with Iowa Code §§ 476.8 and 8C. Telecommunications facilities shall be permitted accessory uses only in non-residential zoning districts, subject to applicable height, setback, and safety regulations.

202.14 Wind Energy Conversion Systems

A. Purpose. The purpose of this section is to allow and encourage the safe, effective and efficient use of small wind energy systems; identify locations in areas of the City which would be least adversely impacted by the visual, aesthetic, and safety implications of their siting; and enhance the ability of the providers of wind energy services to provide such services to the community quickly, efficiently, and effectively.

B. General Regulations.

1. General: wind energy conversion systems shall be allowed as a special use accessory to a permitted use in all zoning districts other than residential zoning districts.
2. Number of systems per property: no property shall contain more than one wind energy conversion system.
3. Permit required: all wind energy conversion systems require a special use permit to be obtained from the Board of Adjustment prior to site grading and installation. The Board of Adjustment can revoke a special permit at any time if the requirements set forth in this ordinance and/or any conditions imposed by the Board of Adjustment are not met. The Board of Adjustment will revoke the special use permit of an abandoned wind energy conversion system.
4. Insurance: the owner/operator of a wind energy conversion system unit must demonstrate adequate liability insurance.
5. FAA Regulations: wind energy conversion systems must comply with applicable FAA regulations, including any necessary approvals for installations close to airports. The applicant has the responsibility of determining applicable FAA regulations and must provide evidence of securing the necessary approvals.
6. Maintenance: all wind energy conversion systems shall be properly maintained in operational condition at all times, subject to reasonable maintenance and repair outages. The owner of any wind energy conversion system deemed unsafe by the zoning official or his/her designee shall repair the structure to meet all federal, state and local safety standards or remove it within six (6) months.

C. Bulk Regulations:

1. Minimum Lot Size: two (2) acre minimum lot size required for any tower mounted wind energy conversion systems.

2. Minimum Setback Requirements: all wind energy conversion systems shall require a setback of one hundred ten percent (110%) of the total system height from any property line.
3. Maximum Height: the maximum height for wind energy conversion system is eighty (80) feet.
4. Number of Systems Allowed: no more than one (1) wind energy system may be placed on any parcel.
5. Location:
 - a. Tower mounted wind energy conversion systems shall only be located outside of any minimum building setback requirements.
 - b. No part of a wind energy conversion system shall be located within or over drainage, utility or other established easements, or on or over property lines.
 - c. A wind energy conversion system shall be in compliance with guidelines of the Federal Aviation Administration (FAA) regulations.
 - d. No wind energy conversion system shall be constructed within twenty (20) feet laterally of an overhead electrical power line (excluding secondary electrical service lines or service drops). The setback from underground electric distribution lines shall be at least five (5) feet.
 - e. No wind energy conversion system shall be located in a residential zoning district.
 - f. No roof mounted wind energy conversion system will be allowed.
6. Minimum System Design Standards. The following standards are required of all wind energy conversion systems and shall be deemed to be conditions of approval for every wind energy system.
 - a. Color: the wind energy conversion system shall be white or light gray in color. Other neutral colors may be allowed at the discretion of the Board of Adjustment. The surface of the structure shall be non-reflective.
 - b. Lighting: no lights shall be installed on the tower, unless required by the Federal Aviation Administration (FAA).
7. Signs: One sign, limited to four (4) square feet, shall be posted at or near the base of the tower. The sign shall include a notice of no trespassing, a warning of high voltage, and the phone number to the property owner/operator to call in case of emergency. Such sign shall be directly visible from any external fencing and/or landscaping. Brand names or advertising associated with any installation shall not be visible from any public right-of-way.
8. Clearance of Blade Above Ground: no portion of the tower mounted wind energy conversion system shall extend within thirty (30) feet of the ground. No blades may extend over parking areas, driveways or sidewalks.
9. Installation: installation must be done by a qualified professional and according to manufacturer's recommendations.
10. Noise: the wind energy conversion system shall not exceed 65 decibels, except during short term events such as severe wind storms and utility outages. Maximum sound pressures will be measured from the closest point on the closest property line.
11. Use of Electricity Generated: a wind energy conversion system shall be used exclusively to supply electrical power for onsite consumption, except that when a parcel on which a wind energy conversion system is installed also receives electrical power supplied by a utility company, excess electrical power generated by the wind energy system and not presently needed for onsite use may be used by the utility

company in accordance with Section 199, Chapter 15.11(5) of the Iowa Administrative Code.

12. Automatic Over speed Controls: all wind energy conversion systems shall be equipped with manual and automatic over-speed controls to limit the blade rotation speed to within the design limits of the wind energy conversion system.
13. Electromagnetic Interference: all blades shall be constructed of a nonmetallic substance. No wind energy conversion system shall be installed in any location where its proximity with existing fixed broadcast, retransmission, or reception antenna for radio, television, or wireless phone or other personal communication systems would produce electromagnetic interference with signal transmission or reception. No wind energy conversion system shall be installed in any location along the major axis of an existing microwave communications link where its operation is likely to produce electromagnetic interference in the link's operation.
14. Interconnection: the wind energy conversion system, if interconnected to a utility system, shall meet the requirements for interconnection and operation as set forth by the utility and the Iowa Utilities Board.
15. Wind Access Easements: the enactment of this section does not constitute the granting of an easement by the City. The owner/operator shall provide covenants, easements, or similar documentation to assure sufficient wind to operate the wind energy conversion system unless adequate accessibility to the wind is provided by the site.
16. Shadow Flicker: a shadow flicker model demonstrates that shadow flicker shall not fall on, or in, any existing residential structure. Shadow flicker expected to fall on a roadway or a portion of residentially zoned parcel may be acceptable if the flicker does not exceed thirty (30) hours per year; and the flicker will fall more than one hundred (100) feet from an existing residence; or the traffic volumes are less than five hundred (500) vehicles per day on the roadway. The shadow flicker model shall:
 - a. Map and describe within a one thousand (1,000) foot radius of the proposed dispersed wind energy system the topography, existing residences and location of their windows, locations of other structures, wind speeds and directions, existing vegetation and roadways. The model shall represent the most probable scenarios of wind constancy, sunshine constancy, and wind directions and speed;
 - b. Calculate the locations of shadow flicker caused by the proposed project and the expected durations of the flicker at these locations, calculate the total number of hours per year of flicker at all locations;
 - c. Identify problem areas where shadow flicker will interfere with existing or future residences and roadways and describe proposed mitigation measures, including, but not limited to, a change in siting of the wind energy conversion system, a change in the operation of the wind energy conversion system, or grading or landscaping mitigation measures.
17. Appearance: the property owner of any wind energy system shall maintain such system in a safe and attractive manner, including replacement of defective parts, painting, cleaning, and other acts that may be required for the maintenance and upkeep of the function and appearance of such a system. The owner shall maintain the ground upon which the system is located in an orderly manner, such that is free of debris, tall grass and weeds, and any structures remain quality in appearance.

- D. Abandonment. Any wind energy system that is not operated for a period of one hundred eighty (180) consecutive days shall be considered abandoned and shall constitute a nuisance. Within the next 180 days, after notice from the City, the owner shall reactivate the tower or it shall be

dismantled and removed at the owner's expense. Removal of the system includes the entire structure including foundations, transmission equipment and fencing from the property. If the abandoned wind energy system is not removed in the specified amount of time, the City may remove it and recover its costs from the wind energy conversion system owner or owner of the ground upon which it is located.

- E. New Technologies. Should new technology present itself after construction that is more effective, efficient, and economical, the owner may petition the City to allow the upgrade, provided that the upgrade does not alter the conditions set forth in this chapter.
- F. Liability and Damages. The owner/operator of a wind energy conversion system must demonstrate adequate liability insurance. Upon the granting of a permit, applicant shall assume full responsibility for any and all damages, claims, expenses, liabilities, judgments and costs of any kind, including reasonable attorney's fees related to or caused by the erection, location, use, or removal of a facility, whether on public or private property, and shall agree to hold the City harmless, indemnify and defend it from all such liabilities incurred or judgments entered against it as a result of the erection, location, use or removal of the facility.
- G. Engineer Certification. Applications for wind energy conversion systems shall be accompanied by standard drawings of the wind turbine structure, including the tower, base, and footings. An engineering analysis of the tower showing compliance with the applicable regulations and certified by a licensed professional engineer shall also be submitted.
- H. Utility Notification. A wind energy conversion system shall not be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator.
- I. Application and Approval Requirements. Applications for a special use permit shall be submitted with the following information:
 - 1. A properly completed and signed application.
 - 2. A statement from the applicant that the wind energy conversion system will be installed in compliance with manufacturer's specifications, and a copy of the manufacturer's specifications.
 - 3. A statement indicating what hazardous materials will be used or stored on the site and how those materials will be stored.
 - 4. A description of the wind energy conversion system's height and design, including a cross section, elevation, and diagram of how the wind energy conversion system will be anchored to the ground, prepared by a professional engineer licensed in the State of Iowa.
 - 5. A site plan including the following information:
 - a. Legal description of the property
 - b. Parcel boundaries
 - c. Existing buildings
 - d. Easements
 - e. Fencing
 - f. Proposed location of wind energy conversion system
 - g. Setbacks
 - h. Travel ways
 - i. Overhead utility lines
 - j. Contour map with contours at intervals of two feet, if the general slope is less than ten (10) percent, and at vertical intervals of five feet if the general slope is greater than ten (10) percent.

- k. If connection to the publicly regulated utility grid is proposed, a copy of the contract between applicant and utility verifying the proposed connection is acceptable, and/or other evidence making clear that the utility is aware of the proposed connection and finds it acceptable.
 - l. Shadow flicker model.
- 6. The City may require that the application and site plan be reviewed by a City Engineer before the Board of Adjustment schedules a hearing on the application for a special use permit.
- J. Accessory Use. A wind energy conversion system shall only be allowed as an accessory use to a permitted principal use.

203 SOLAR ENERGY STANDARDS

203.01 Permitted Accessory Use: Active solar energy systems shall be allowed as an accessory use in all zoning classifications where structures of any sort are allowed, subject to certain requirements as set forth below. Active solar energy systems that do not meet the visibility standards in C below will require a special use permit, except as provided in Section 170.31(2)(B).

- A. Height. Active solar energy systems must meet the following height requirements:
 - 1. Building- or roof- mounted solar energy systems shall not exceed the maximum allowed height in any zoning district. For purposes for height measurement, solar energy systems other than building-integrated systems shall be given an equivalent exception to height standards as building mounted mechanical devices or equipment.
 - 2. Ground- or pole-mounted solar energy systems shall not exceed 20 feet in height when oriented at maximum tilt.
- B. Set Back. Active solar energy systems must meet the accessory structure setback for the zoning district and primary land use associated with the lot on which the system is located.
 - 1. Roof-mounted Solar energy systems. In addition to the building setback, the collector surface and mounting devices for roof-mounted solar energy systems shall not extend beyond the exterior perimeter of the building on which the system is mounted or built, unless the collector and mounting system has been explicitly engineered to safely extend beyond the edge, and setback standards are not violated. Exterior piping for solar hot water systems shall be allowed to extend beyond the perimeter of the building on a side yard exposure.
 - 2. Ground-mounted Solar energy systems. Ground-mounted solar energy systems may not extend into the side-yard or rear setback when oriented at minimum design tilt.
- C. Visibility. Active solar energy systems shall be designed to blend into the architecture of the building or be screened from routine view from public right-of-ways other than alleys. The color of the solar collector is required to be consistent with other roofing materials.
 - 1. Building Integrated Photovoltaic Systems. Building integrated photovoltaic solar energy systems shall be allowed regardless of whether the system is visible from the public right-of-way, provided the building component in which the system is integrated meets all required setback, land use or performance standards for the district in which the building is located.
 - 2. Solar Energy Systems with Mounting Devices. Solar energy systems using roof mounting devices or ground-mount solar energy systems shall not be restricted if the

- system is not visible from the closest edge of any public right-of-way other than an alley. However, roof-mount systems that are visible from the nearest edge of the street frontage right-of-way shall not have a highest finished pitch steeper than the roof pitch on which the system is mounted, and shall be no higher than twelve (12) inches above the roof.
3. Coverage. Roof or building mounted solar energy systems, excluding building-integrated systems, shall allow for adequate roof access to the south-facing or flat roof upon which the panels are mounted. The surface area of pole or ground mount systems shall not exceed half the building footprint of the principal structure.
 4. Historic Buildings. Solar energy systems on buildings within designated historic districts or on locally designated historic buildings (exclusive of State or Federal historic designation) will require a special use permit.
- D. Approved Solar Components. Electric solar energy system components must have a UL listing and solar hot water systems must have an SRCC rating.
- E. Plan Approval Required. All solar energy systems shall require administrative plan approval by the zoning official.
1. Plan Applications. Plan applications for solar energy systems shall be accompanied by to-scale horizontal and vertical (elevation) drawings. The drawings must show the location of the system on the building or on the property for a ground-mount system, including the property lines.
 - a. Pitched Roof Mounted Solar Energy Systems. For all roof-mounted systems other than a flat roof the elevation must show the highest finished slope of the solar collector and the slope of the finished roof surface on which it is mounted.
 - b. Flat Roof Mounted Solar Energy Systems. For flat roof applications a drawing shall be submitted showing the distance to the roof edge and any parapets on the building and shall identify the height of the building on the street frontage side, the shortest distance of the system from the street frontage edge of the building, and the highest finished height of the solar collector above the finished surface of the roof.
 2. Plan Approvals. Applications that meet the design requirements of this ordinance, and do not require a special use permit, shall be granted administrative approval by the zoning official. Plan approval does not indicate compliance with Building Code or Electric Code.
- F. Compliance with Building Code. All active solar energy systems shall meet approval of local building code officials, consistent with the State of Iowa Building Code and solar thermal systems shall comply with HVAC-related requirements of the Electric Code.
- G. Compliance with State Electric Code. All photovoltaic systems shall comply with the Iowa State Electric Code.
- H. Compliance with State Plumbing Code. Solar thermal systems shall comply with applicable Iowa State Plumbing Code requirements.
- I. Utility Notification. All grid-intertie solar energy systems shall comply with the interconnection requirements of the electric utility. Off-grid systems are exempt from this requirement.

203.02 Special Use: The city encourages the installation of productive solar energy systems and recognizes that a balance must be achieved between character and aesthetic considerations and the reasonable desire of building owners to harvest their renewable energy resources. Where the standards in 170.31(1)(A), 170.31(1)(B), or 170.31(1)(C) cannot be met without diminishing the minimum reasonable performance of the solar energy system, a special use permit may be sought from the Board of Adjustment. A special use permit shall be granted if the standards set out in paragraph B, below are met.

- A. Minimum Performance Design Standards. The following design thresholds are necessary for efficient operation of a solar energy system:
 - 1. Fixed-Mount Active Solar Energy Systems. Solar energy systems must be mounted to face within 45 degrees of south (180 degrees azimuth).
 - 2. Solar Electric (photovoltaic) Systems. Solar collectors must have a pitch of between 20 and 65 degrees.
 - 3. Solar Hot Water Systems. Solar collectors need to be mounted at a pitch between 40 and 60 degrees.
 - 4. System Location. The system is located where the lot or building has a solar resource.
- B. Standards for a Special Use Permit. A special use permit shall be granted by the Board of Adjustment if the applicant meets the following safety, performance and aesthetic conditions:
 - 1. Aesthetic Conditions. The solar energy system must be designed to blend into the architecture of the building or be screened from routine view from public right-of-ways other than alleys to the maximum extent possible while still allowing the system to be mounted for efficient performance.
 - 2. Safety Conditions. All applicable health and safety standards are met.
 - 3. Non-Tracking Ground-Mounted Systems. Pole-mounted or ground-mounted active solar energy systems must meet set-back requirements.

203.03 Renewable Energy Conditions for Certain Permits

- A. Condition for Rezoning or Special Use Permit. The City may, in an area where the local electric distribution system was installed more than twenty years ago, or where the local electric utility has documented a near-term need for additional distribution substation or conductor capacity, require on-site renewable energy systems as a condition for a rezoning or a special use permit.
 - 1. The renewable energy condition may only be exercised for new construction or major reconstruction projects.
 - 2. The renewable energy condition may only be exercised for sites that have 90% unimpeded solar or wind energy access, and for which the renewable energy system can reasonably meet all performance standards and building code requirements.

B. Condition for Planned Unit Development (PUD) Approval. The City may require onsite renewable energy systems as a condition for approval of a PUD permit, in order to mitigate for:

1. Risk to the performance of the local electric distribution system,
2. Increased emissions of greenhouse gases,
3. Other risks or effects inconsistent with the City's Comprehensive Plan.

204 TELECOMMUNICATIONS STANDARDS. The City Council for the City of Sac City finds that in order to ensure public safety and provide efficient delivery of services by City and others wishing to utilize wireless communication technologies, to ensure the health, safety and welfare of the population, to provide for the regulation and administration and orderly location of antenna arrays and towers, and to secure the rights of the City to regulate its public property and charge a reasonable fee for use of public property, it is necessary for the City to establish uniform rules, regulations and policies. This Ordinance is to be interpreted in light of these findings for the benefit of the citizens of Sac City, Iowa.

204.01 Definitions. As used in this Ordinance:

“Antenna” shall mean a device, dish or array used to transmit or receive telecommunication signals.

“Communications tower” shall mean a tower, pole or similar structure which supports a telecommunications antenna operated for commercial purposes above ground in a fixed location, free standing, guyed or on a building.

“Height” of a communications tower is the distance from the base of the tower to the top of the structure.

“Telecommunications” shall mean the electronic, telephonic, or other high-tech transmission, reception or exchange of data or information between or among points specified by the user of information of the user's choosing, without change in the form or content of the information as sent or received, by a means which requires the approval or licensing by the Federal Communications Commission.

204.02 Local Regulation. The Telecommunications Act of 1996 prohibits the City from establishing policies that discriminate against one or a group of providers in favor of another or another group of providers or potential providers. The following objectives shall be applied consistently to all telecommunications providers that request a location on City property for their communication towers and antennas.

- A. To minimize the overall number of towers located in the City, providers may be required to participate in collocation agreements.
- B. To ensure that new towers will be safe and blend into their environment, providers will propose designs consistent with site characteristics.
- C. To minimize placement of wireless equipment in highly populated areas, residential locations will be considered as a last resort.
- D. To assure revenues from site leases of City-owned and controlled land and structures reflects fair compensation for use of City property and administration of this Ordinance.

- 204.03 Lease Required.** No person or other entity shall use any public property without first obtaining a lease from the City.
- 204.04 Fee Required.** No lease for the use of public property shall be granted without requiring the lessee thereof to pay a reasonable and competitively neutral fee for the use of that public property.
- 204.05 Limit on Term.** No lease for the use of public property under this Ordinance shall be granted for a term of more than twenty-five (25) years.
- 204.06 Priorities.** Priority of the use of City-owned land for communication towers and antenna towers, antennas and facilities will be given to the following entities in descending order of priority:
- A. All functions of the City of Sac City, Iowa.
 - B. Public safety agencies that are not part of the City, including law enforcement, fire and ambulance services, and private entities with a public safety agreement with the City.
 - C. Other governmental agencies for uses which are not related to public safety.
 - D. Entities providing licensed commercial communication services, including cellular, personal communication services (PCS), specialized mobilized radio (SMR), enhanced specialized mobilized radio (ESMR), paging and similar services that are marketed to the general public for business and/or personal use.
- 204.07 Placement Requirements.** The placement of communications towers, antennas or facilities on City-owned property must comply with the following requirements:
- A. The tower, antenna or facility will not interfere with the purpose for which the City-owned property is intended.
 - B. The tower, antenna or facility will have no adverse impact on surrounding private property.
 - C. The applicant will produce proof of adequate liability insurance for potential damage that could reasonably be caused to City property and facilities by the location of the towers, antennas or facilities on City property.
 - D. The applicant will commit to a lease agreement which includes equitable compensation for the use of public land and other necessary provisions and safeguards. The fee shall be established by the City Council and shall reflect potential expenses and risks to the City and other appropriate factors.
 - E. The applicant will submit a letter of credit, performance bond or other security acceptable to the City to cover the costs of tower, antenna or facilities removal.
 - F. The towers, antennas or facilities will not interfere with other uses which have a higher priority as discussed in the paragraphs above.
 - G. Upon reasonable notice, the towers, antennas or facilities may be required to be removed at the user's expense.
 - H. The applicant must reimburse the City for any costs which it incurs based on the presence of the applicant's towers, antennas or facilities.
 - I. The user must obtain all necessary land use approvals.

- J. The applicant will cooperate with the City's objective to promote collocations and, thus, limit the number of separate antenna sites requested.

204.08 Application Process. All applicants who wish to locate a communications tower, antenna or facilities on City-owned or private property must file with the City a completed application accompanied by a fee as set by City Council Resolution and the following documents, if applicable:

- A. One (1) copy of typical specifications for proposed structures and antennas, including a description of the design characteristics and material to be used.
- B. A Site Plan drawn to scale showing property lines, tower location, tower height, guy wires and anchors, existing structures, photographs or elevation drawings depicting typical design of the proposed structures, parking, fences, landscape plan and existing land uses on adjacent property. The Site Plan is not required if the antenna is to be mounted on an approved, existing structure.
- C. A current map or update for an existing map on file showing the locations of the applicant's antennas or facilities which are existing and proposed towers which are reflected in public records serving any property within the City.
- D. A report from a structural engineer showing the tower antenna capacity by type and number and a certification that the tower is designed to withstand winds in accordance with ANS/EIA/TIA222, latest revision, standards.
- E. Identification of the owners of all antennas and equipment to be located on the site.
- F. Written authorization from the site owner for the application.
- G. Evidence that a valid FCC license for the proposed activity has been applied for or issued.
- H. A line of site analysis showing the potential visual and aesthetic impacts on adjacent residential districts.
- I. A written agreement to remove the tower, antenna and/or facilities within one hundred eighty (180) days after cessation of use.
- J. Additional information, as reasonably required by the City, to determine that all applicable regulations and ordinances are met.
- K. Any communications facilities located on the roof of an antenna support structure must be set back at least one (1) foot from the edge of the roof of the structure. This setback requirement shall not apply to communications facilities located above the roof of the structure, if the facilities are appropriately screened from view through the use of panels, walls, fences or other screening techniques approved by the City, or camouflaged antennas that are mounted to the exterior of the antenna support structures below the roof, but do not protrude more than twenty-four (24) inches from the side of such an antenna support structure.

204.09 Conditions for Approval. Applicant must also show evidence that all of the following conditions which are applicable are met prior to approval of the application.

- A. Applicant must show that the proposed communications tower, antenna, accessory structure or facilities will be placed in a reasonably available location that will minimize the visual impact on the surrounding area and allow the facility to function in accordance with minimum standards

imposed by applicable communications regulations and applicant's technical design requirements.

- B. Applicant must show that a proposed antenna and equipment cannot be accommodated and function as required by applicable regulations and applicant's technical design requirements without unreasonable modifications on any existing structure or tower under the control of the applicant.
- C. Applicant, for a permit in a residential district, must show that based on valid technical reasons, that the area cannot be adequately served by a facility placed in a nonresidential district.
- D. Prior to consideration of a permit for the location, on private property which must be acquired, applicant must show that available publicly-owned sites and available privately-owned sites occupied by a compatible use are unsuitable for operation of the facility under applicable communications regulations and the applicant's technical design requirements.
- E. Applicant must provide the names, addresses and telephone numbers of all owners of other towers or usable tower support structures within a half mile radius of the proposed new tower site, including City-owned property, and written documentation that the applicant made diligent, but unsuccessful efforts for a minimum of forty (40) days prior to the submission of the application to install or collocate the applicant's telecommunications facilities on towers or usable antenna support structures owned by the City and other persons located within a half mile radius of the proposed tower site, or written technical evidence from an engineer that the proposed tower or facilities cannot be installed or collocated on another person's tower or support structure within one-half mile radius of the proposed tower and must be located at the proposed site in order to meet the coverage requirements of the applicant's wireless communications system.
- F. Applicants must show that a new tower is designed to accommodate additional antenna equal in number to applicants' present and future requirements.
- G. Applicant must show that all applicable health, nuisance, noise, fire, building and safety code requirements will be met and how they will be met.
- H. All towers and communications facilities shall be of camouflage design standards to blend into the surrounding environment or to look other than as a tower. The applicant must show, by certificate from a registered engineer, that the proposed facility will contain only equipment meeting FCC rules and must file with the City Clerk a written indemnification of the municipality and proof of liability insurance or financial ability to respond to claims to a minimum of One Million Dollars (\$1,000,000.00) in the aggregate.
- I. Land use regulations, visibility, fencing, screening, landscaping, parking, access, lot size, exterior illumination, sign, storage and all other general zoning district regulations, except setback and height, shall apply to the use. Setbacks on all sides shall be a distance equal to the height of the tower. The following height conditions apply:

Residential districts – free-standing tower with height not exceeding one hundred (100) feet is a permitted conditional use. Height exceeding one hundred (100) feet requires a special exception.

Commercial districts – free-standing or guyed tower with a height not exceeding one hundred eighty (180) feet is a permitted conditional use. Height exceeding one hundred eighty (180) feet requires a special exception.

Industrial districts – free-standing or guyed tower with height not exceeding three hundred sixty (360) feet is a permitted conditional use. Height exceeding three hundred sixty (360) feet requires a special exception.

- J. A tower must be a minimum distance equal to one and one half (1½) of the height of the tower from property designated historic or architecturally significant, and must be set back from all lot lines a distance equal to the district setback requirements or twenty-five (25) percent of the tower height, whichever is greater.

204.10 Noise & Emissions Standards. No equipment shall be operated at towers or telecommunications facilities so as to produce noise in excess of applicable standards under WAC173-60, except during emergencies or periodic routine maintenance which requires the use of a backup generator where the noise standards may be exceeded temporarily. Applicants for tower sites shall be required to provide information on the projected power density of the facility and how this meets FCC standards.

204.11 Placement of Facilities & Related Lease Fees. The placement and maintenance of communication towers, antennas, and facilities on City-owned sites, such as water towers and parks, will be allowed when the following additional requirements are met:

- A. Water tower or reservoir sites. The City's water tower and reservoir represent a large public investment in water pressure stabilization and peak capacity reserves. Therefore, its protection is of prime importance. As access to the City's water storage system increases, so does potential for contamination of the public water supply. For these reasons, the placement of communication towers or antennas on water towers or reservoir sites will be allowed only when the following requirements are met:

1. The applicant must have written approval from the City each time access to the facility is desired. This will minimize the risk of contamination to the water supply.
2. There is sufficient room on the structure and/or the grounds to accommodate the applicant's facilities.
3. The presence of the facility will not increase the water tower or reservoir maintenance costs to the City.
4. The presence of the facility will not be harmful to the health or safety of workers maintaining the water tower or reservoir.

- B. Parks. The presence of certain communications towers, antennas or facilities represents a potential conflict with the purpose of certain City-owned parks and recreational facilities. The tower shall be prohibited in designated conservation areas. Communications towers and antennas will be considered only in the following parks after the recommendation of the Park Board and approval of the City Council:

1. Public parks of a sufficient scale and character that are adjacent to an existing commercial or industrial use.
2. Commercial recreational areas and major ball fields.
3. Park maintenance facilities.

- C. Fees. Fees for placing communications towers, antennas and/or facilities on public property shall be set by City Council Resolution.

- 204.12 Abandonment.** In the event the use of any communications tower has been discontinued for a period of one hundred eighty (180) consecutive days, the tower shall be deemed to be abandoned. Determination of the date of abandonment shall be made by the City, which shall have the right to request documentation and/or affidavits from the communications tower owner or operator regarding the issue of tower usage. One hundred eighty-one (181) days from the date of abandonment, without reactivating or upon completion of dismantling or removal, any special exception and/or variance approval for the tower shall automatically expire. Upon abandonment, the owner or operator of the tower shall have an additional ninety (90) days within which to either reactivate the use of the tower or transfer the tower to another owner/operator who makes actual use of the tower within the ninety (90) days or to dismantle and remove the tower.
- 204.13 Termination.** The City Council may terminate any lease if it is determined that any one (1) of the following conditions exist:
- A. A potential user of a higher priority cannot find another adequate location and the potential use would be incompatible with the existing use.
 - B. A user's frequency broadcast unreasonably interferes with other uses of higher priority, regardless of whether or not this interference was adequately predicted in the technical analysis.
 - C. A user violates any of the standards in this Ordinance or the conditions or terms of the City's Lease Agreement.
 - D. Before taking action, the City will provide notice to the user of the intended termination and the reasons for it and provide an opportunity for a hearing before City Council regarding the proposed action. This procedure need not be followed in emergency situations.
- 204.14 New Technologies.** During the term of any lease, if technological advancements are made in the telecommunications field which will provide the communications tower owner/operator the opportunity to be more effective, efficient and economical through the use of a substance or material other than those for which the lease was originally made, the holder of the lease may petition the City Council, which, with such requirements or limitations as it deems necessary to protect public health, safety and welfare, may allow the use of such substances under the terms and conditions of the lease.
- 204.15 Home Rule.** This Ordinance is intended to be and shall be construed as consistent with the reservation of local authority contained in the 25th Amendment to the Iowa Constitution granting cities home rule powers. To such end, any limitation on the power of the City contained herein is to be strictly construed, and the City reserves to itself the right to exercise all power and authority to regulate and control its local affairs, and all ordinances and regulations of the City shall be enforced against the holders of any lease.
- 205 SITE PLAN REVIEW** A site plan shall be required for all multifamily and nonresidential development projects. Site plans shall be reviewed within thirty (30) calendar days of submission. The review process and requirements shall be established by the City.
- A. Site plans will be required for all multi-family and non-residential developments and or additions to developments already in place.
 - B. The site plan must contain access points, boundary lines, utility lines, parking, existing and proposed structures.
 - C. The City of Sac City will review the site plan within thirty (30) calendar days of submission.

- D. The City of Sac City has the right to require changes to be in compliance with city code.
- E. No construction or any related action is allowed before the site plan has been approved.

205.01 Application Completeness Review All applications for zoning review or approval shall be reviewed by City staff for completeness within five (5) business days of submission. Statutory timelines for review and decision-making shall begin once an application is determined to be complete.

- A. All zoning applications will be reviewed by City staff for completeness within 5 business days of submission.
- B. Only complete applications will be formally accepted and initiate statutory timelines for review and decision-making.
- C. Incomplete applications will be returned or held until all required materials are provided.

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CHAPTER 3: ADMINISTRATION

301 PLANNING & ZONING COMMISSION.

- 301.01 Commission Created.** There is hereby created a city Planning and Zoning Commission, hereinafter referred to as the Commission, composed of seven residents of the City, who shall be qualified by knowledge and experience to act in matters pertaining to the development of city planning and zoning, none of whom shall hold any elective position in the City or County. Such members shall be appointed by the city council.
- 301.02 Terms.** The term of office of members of the commission shall be 5 years. The terms of not more than 1/3 of the commission will expire in any one year.
- 301.03 Officers.** The commission shall elect at its first meeting of any year, one of its members to act as chairperson and another as vice-chair, who shall perform all the duties of the chairperson during their absence or disability.
- 301.04 Compensation.** All members of the Commission shall serve without compensation, except their actual expenses, which shall be subject to approval of the Council.
- 301.05 Meetings/Quorum.** Meetings of the Commission shall be open to the public. Three members of the Commission shall constitute a quorum. Without a quorum, no business will be transacted and no official action on any matter will take place. An affirmative vote of three members of the Commission will be required for the exercise of powers or functions conferred or imposed on the commission.
- 301.06 Vacancies.** Vacancies caused by resignation or otherwise shall be filled by a successor appointed by the Council in the same manner as the original appointee for the remainder of the original term.
- 301.07 Powers & Duties.** The Commission shall have and exercise the following powers and duties:
- A. Adopt Rules & Regulations. The Commission shall adopt such rules and regulations governing its organization and procedure as it may deem necessary.
 - B. Comprehensive Plan. The Commission shall have full power and authority to make such surveys, studies, maps, plans or plats of the whole or any portion of the city and of any land outside thereof, which in the opinion of the Commission bears relation to a comprehensive plan, and shall submit such plan to the council with its studies and recommendations, and it may publish the same.
 - 1. **Preparation.** For the purpose of making a comprehensive plan for the physical development of the City, the Commission shall make careful and comprehensive studies of present conditions and future growth of the City and with due regard to its relation to neighboring territory. The plan shall be made with the general purpose of guiding and accomplishing coordinated, adjusted, efficient, and harmonious development of the City, which will, in accordance with the present and future needs, best promote health, safety, morals, order, convenience, prosperity, and general welfare, as well as efficiency and economy in the process of development.
 - 2. **Public Hearing.** The Commission shall hold at least one public hearing before adopting a Comprehensive Plan, any part of it, or substantial amendment thereof, thereon. Notice of said public hearing(s) shall be given by one publication in a newspaper of general circulation in the City not less than 7 or more than 20 days before the date of the hearing.

3. Amendments. The Commission may recommend to the city council, from time to time, as conditions require, amendments, supplements, changes or modifications in the comprehensive plan prepared by it. When the Comprehensive Plan has been adopted, no substantial amendment or modification thereof shall be made without such proposed change first being referred to the Commission for its recommendations. If the Commission disapproves the proposed change, the Council may adopt it only by the affirmative vote of at $\frac{3}{4}$ of the members of the said Council.

C. Review & Comment on Plats. All plans, plats or re-plats of subdivision or re subdivision of land embraced in the city or adjacent thereto, laid out in lots or plats with the streets, alleys, or other portions of the same intended to be dedicated to the public in the city, shall first be submitted to the Commission and its recommendations obtained before approval by the Council.

D. Review & Comment on Street Improvements. No plan for any street, park, parkway, boulevard, traffic way, river front, or other public improvement affecting the city plan shall be finally approved by the city or the character or location thereof determined, unless such proposal shall first have been submitted to the commission and the latter shall have had thirty days within which to file its recommendations thereon.

E. Zoning. The commission shall have and exercise all the powers and duties and privileges in preparing and amending the city zoning code as provided by Chapter 414 of the Code of Iowa.

F. Review of Building Permit Applications, per Section 03-07 of this Ordinance.

301.08 Fiscal Responsibilities & Debts. The Commission shall have authority to expend for and on behalf of the City all sums of money appropriated to it by the Council. The Commission shall have no power to contract debts.

302 BOARD OF ADJUSTMENT.

302.01 Board Created. There is hereby created a Board of Adjustment, hereinafter referred to as the Board, composed of five residents of the City, none of whom shall hold any elective position in the City. A majority of the Board shall be persons representing the public at large and not involved in the real estate business. Board members shall be appointed by the city council.

302.02 Terms. The term of office of members of the Board shall be 5 years. The term of not more than one of the Board members will expire in any one year.

302.03 Officers. The Board shall elect annually at its first meeting of any year, one of its members to act as chairperson and another as vice-chair, who shall perform all the duties of the chairperson during their absence or disability. The Board shall also appoint a Secretary, who may be a Board member or other city official, who shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the City Clerk and shall be public record. All actions of the Board concerning special exceptions or variances shall also be recorded in the office of the County Recorder, and it shall be the responsibility of the appellant to record said action(s) and all corresponding stipulations and further said action shall take effect upon the Board receiving sufficient confirmation of the same.

302.04 Compensation. All members of the Board shall serve without compensation, except their actual expenses, which shall be subject to approval of the Council.

302.05 Meetings/Quorum. Meetings shall be held at the call of the Chairman and at such other times as the Board may determine. Meetings of the Board shall be open to the public. Three members of the

Board shall constitute a quorum. Without a quorum, no business will be transacted and no official action on any matter will take place. An affirmative vote of three members of the Board will be required for the exercise of powers or functions conferred or imposed on the Board.

302.06 Vacancies. Vacancies caused by resignation or otherwise shall be filled by a successor appointed by the Council in the same manner as the original appointee for the remainder of the original term.

302.07 Rules & Regulations. The Board shall adopt rules and regulations as it may deem necessary to carry into effect the provisions of this Ordinance. Said rules and regulations shall be consistent with law and the provisions of this Ordinance.

302.08 Assistance From Municipal Departments/Staff. The Board may call on municipal departments or staff for assistance in the performance of its duties, and it shall be the duty of such departments or staff to render such assistance to the board as may reasonably be required.

302.09 Powers & Duties of the Board. The Board of Adjustment shall exercise only those powers granted by Iowa Code § 414.7–414.12, including variances, appeals, and special exceptions expressly provided herein. Variances shall not permit uses otherwise prohibited in a zoning district:

A. Appeals. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Zoning/Building Administrator in the enforcement of this Ordinance or any amendment thereto. Appeals shall be reviewed according to the following provisions:

1. Procedure. Appeals to the Board may be taken by any person aggrieved, or by any officer, department, or board of the City affected by any decision of the Zoning/Building Administrator. Such appeal shall be taken within 60 days by filing with the Zoning/Building administrator and the Board a notice of appeal specifying the grounds thereof. The Zoning/Building Administrator shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from is taken.
2. Stay of Proceedings. An appeal stays all proceedings in furtherance of the action appealed from, unless the Zoning/Building Administrator certifies to the Board that a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed other than by restraining order which may be granted by the Board of Adjustment or by a court of record on application or notice to the Zoning/Building Administrator from whom the appeal was taken on due cause shown.
3. Hearing. The Board shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to the parties in interest and decide the same within 30 days. At said hearing, any party may appear in person, by agent, or by attorney.

B. Special Exceptions. To hear and decide only such special exceptions as the Board is specifically authorized to pass by the terms of this Ordinance; to decide such questions as are involved in determining whether special exceptions should be granted; and to grant special exceptions with such conditions and safeguards as are appropriate under this Ordinance, or to deny special exceptions when not in harmony with the purpose and intent of this Ordinance. The Board shall review requests for special exceptions according to the following provisions:

1. Application. A written application for special exception shall be submitted to the Board indicating the section of this Ordinance under which the special exception is sought and stating the grounds on which it is requested.

2. Hearing. The Board shall fix a reasonable time for the hearing of the special exception, give public notice thereof, as well as due notice to the parties in interest and decide the same within 30 days. At said hearing, any party may appear in person, by agent, or by attorney. The public hearing shall be held.
 3. Finding. The special exception shall not be granted unless the Board finds that it is empowered under the section of this Ordinance described in the application to grant the special exception, and that the granting of the special exception will not adversely affect the public interest.
- C. Variances. To authorize upon appeal, in specific cases, such variance from the terms of this Ordinance as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of this Ordinance would result in unnecessary hardship, and so that the spirit of this Ordinance shall be observed and substantial justice done. However, no variance shall permit the use of the property for purposes not authorized within the district. The Board shall review applications for variances according to the following provisions:
1. Initiation. A property owner or his authorized agent may initiate a request for variance. The City Council or Planning & Zoning Commission may also initiate a request where a City property is involved.
 2. Application. A written application by a property owner or his authorized agent for variance, in form approved by the City Council, shall be filed with the Zoning/Building Administrator. Adequate drawings and other descriptive materials essential to understanding the variance requested shall accompany the application. The application shall include evidence demonstrating:
 - a.) That there are special, exceptional or extraordinary circumstances or conditions applying to the property in question or to the intended use of the property that do not apply generally to other properties or class of uses in the same zoning district.
 - b.) That the special circumstances or conditions did not result from actions of the applicant;
 - c.) That such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same zoning district and in the vicinity.
 - d.) That the authorizing of such variance will not be of substantial detriment to adjacent property and will not materially impair the purpose of the ordinance or the public interest.
 3. Hearing. The Board shall fix a reasonable time for the hearing of the variance request, give public notice thereof, as well as due notice to record owners of property abutting and within 200 feet of the lot or parcel of land on which the variance is requested or record owners of any other lot or land parcel which may be affected by the proposed variance. Any decision by the Zoning/Building Administrator as to the identity of persons affected by the proposed variance shall not be subject to appeal.

At said hearing, any party may appear in person, by agent, or by attorney. The variance may be granted, refused, or tabled subject to further investigation.
 4. Findings. The Board shall make their final decision within 30 days of the hearing. The variance shall not be granted unless the Board finds beyond a reasonable doubt that the conditions detailed in the application actually exist, that reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building or structure. The Board shall, in order to grant the variance, further find that the granting of the variance will be in harmony with the general purpose and intent of this Ordinance, and

will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

In granting the variance, the Board may attach conditions that it feels are necessary to protect the public interest and carry out the purposes of this Ordinance. A concurring vote of three members of the Board shall be necessary to grant a variance and the Zoning/Building Administrator shall notify the applicant in writing of the Board's action within 7 days after the Board has rendered its decision.

5. Condition not Recurrent or Typical. No variance shall be granted unless the board specifically finds the condition or situation of the specific piece of property for which the variance is sought is not of so typical or recurrent a nature as to make reasonably practicable the formulation of a general regulation, under an amendment of the ordinance, for such conditions or situations.
6. No Power to Establish Variance for Non-conforming use. The board shall have no power to authorize a variance for the establishment of a non-conforming use where none previously existed.
7. Review by Council. The Council may provide for its review of variances granted by the Board of Adjustment before their effective date. The Council may remand a decision to grant a variance to the Board of Adjustment for further study. The effective date of the variance is, in such case, delayed for 30 days from the date of remand.

- D. Special Use Permits. To review applications for Special Use Permits, per the requirements and provisions of Section 03-08 of this Ordinance.

302.10 Judicial Review. All final administrative decisions of the board of adjustment shall be subject to judicial review pursuant to the provisions of Chapter 414, Code of Iowa, and all amendments and modifications thereof, and the rules adopted pursuant thereto.

303 ZONING/BUILDING ADMINISTRATOR

303.01 Position Created. The Council shall designate or appoint a Zoning/Building Administrator, hereinafter referred to as Administrator to enforce this Ordinance. The Administrator may be an employee of the City, but may not be an elected official, or a member of either the Board of Adjustment or Planning & Zoning Commission. The Administrator may be provided with the assistance of the City Clerk or other such other persons as the City Council may direct.

303.02 Powers & Duties. The Administrator shall:

- A. Be familiar with this Zoning Ordinance and all terms and provisions contained herein;
- B. Work with the Council to review all completed building permit applications;
- C. Conduct inspection of buildings, structures, and use of land to determine compliance with the terms of this Ordinance, including setback provisions, and issue Certificates of Zoning Compliance for projects or uses in compliance with this Ordinance;
- D. Make preliminary reviews of applications for variances and special exceptions, and provide assistance to the Board of Adjustment in determining the validity of such requests;
- E. Initiate, direct, and review from time to time a study of the provisions of the Ordinance and make reports of recommendations to the Planning & Zoning Commission and Council;
- F. Notify, in writing, persons responsible for violations of the provision of this Ordinance, including the nature of the violation and the necessary action to correct it. The Administrator

shall also notify the City Attorney, when necessary, who shall take any action necessary to remedy uncorrected violations.

- G. Review building permit applications, per Section 03-07 of this Ordinance.

304 CITY CLERK/ADMINISTRATOR

304.01 Powers & Responsibilities in Regards to Zoning. In regards to the administration of this Zoning Ordinance, the City Clerk/Administrator shall:

- A. Make available to the public applications for appeals, building permits, variances, special exceptions, special uses, and zoning changes;
- B. Accept all completed applications as described in the preceding paragraph and forward as appropriate per the provisions of this ordinance to the Zoning/Building Administrator, City Council, Planning & Zoning Commission, Corridor Design Review Commission, and/or the Board of Adjustment for review;
- C. Assist the Zoning/Building Administrator, City Council, Planning & Zoning Commission, Corridor Design Review Commission, and/or the Board of Adjustment in the scheduling of meetings or inspections and with the necessary mailing, posting, and publishing of notices as relating to said meetings or inspections;
- D. Maintain permanent and correct records of the Ordinance, including, but not limited to, all maps, amendments, uses on review, variances, appeals, and applications thereof;
- E. Provide and maintain a public information service relative to all matters rising out the Ordinance.

305 BUILDING MAINTENANCE.

305.01 Maintenance. Every building shall be maintained to be weather and watertight, and free from excessively peeling paint (which shall equal 50% of the exterior structure that is visible from any public road/alley) or other conditions suggestive of deterioration or inadequate maintenance. Exterior surfaces shall not have holes or broken glass; loose, cracked, or damaged singles or siding; or other defects in the exterior finish which admit rain, cold air, dampness, rodents, insects, or vermin. Basements, cellars, and crawl spaces shall be free of standing water and hazards. All wood, including floorboards, subfloors, joists, bridging, roof rafters and sheathing, and all other wood in any interior or exterior floor, wall, roof, or other part of the structure, and all other wood in any interior or exterior floor, wall, roof, or other part of the structure, shall be maintained to be free of cracks affecting structural integrity, termite damage, infestation, or rot. Any and all damaged or deteriorating materials shall be replaced. If infestation exists in any basement, cellar, or crawl space, such infestation shall be remedied in accordance with industry standards. Polystyrene board, Tyvek, and insulation board are not acceptable permanent finishes.

305.02 Enforcement. The creation or maintenance of a violation of this ordinance is prohibited and shall constitute a misdemeanor. Each day that the violation is permitted to continue constitutes a separate offense.

306 ENFORCEMENT & PENALTY

306.01 Interpretation & Enforcement. The Zoning/Building Administrator shall have the power and duty to interpret and enforce the provisions of this Ordinance. Any appeal from a ruling of the Zoning/Building Administrator shall be made to the Board of Adjustment. It is the intent of this

Ordinance that all questions on interpretations and enforcement shall first be presented to the Zoning/Building Administrator.

306.02 Penalties. Violations of the provisions of this Ordinance, or with any of its requirements (including violations of conditions established in connection with grants of variances or special exceptions) shall constitute a misdemeanor, and any person upon conviction thereof shall be fined not more than \$750.00. Each day that the violation continues shall be considered a separate offense.

306.03 Complaints Regarding Violations. Any person may file a written complaint when a violation of this Ordinance has occurred or is alleged to have occurred. Such complaint shall state fully the causes and basis thereof, and be filed with the Zoning/Building Administrator, who shall properly record said complaint, immediately investigate, and take appropriate action thereon as provided by this Ordinance.

306.04 Remedies. In case any building, structure, or other physical improvement is erected, constructed, reconstructed, altered, repaired, converted or maintained, or any building, structure or land is used in violation of the provisions of the ordinance, the municipal attorney, in addition to other remedies under the Code of Iowa is hereby authorized to institute an action to enjoin, or any other appropriate action or proceeding to prevent, stop, or reverse such erection, construction, reconstruction, alteration, repair, conversion, maintenance or use.

307 BUILDING PERMITS.

307.01 Application Required. No building, structure, or other physical improvement (i.e., fences, sidewalks, driveways, porches, decks, gazebos, dog runs, lamp posts, etc.) shall be erected, constructed, moved, added to, or demolished without a building permit. Said building permit shall be approved as specified below **before** any work commences on any project. Any person commencing work without an approved permit shall be subject to penalties as defined in Section 03-06.02 ABOVE in addition to the required permit application fees.

307.02 Application Form Approved/Information Required. Building permits in a form so approved by the City Council and the Zoning/Building Administrator shall be available from City Hall or the Zoning/Building Administrator directly. Every application for a permit shall be accompanied by a detailed drawing or plan drawn to scale in ink or blueprint, showing the actual shape and dimensions of the lot to be built upon, the exact location, size and height of the building or structure to be erected or altered, the location of all lot/property lines, streets, and alleys, the required setbacks (based on the zoning district requirements), the existing and intended use of each building or part, the proposed number of units, the approximate cost of the project; types and kinds of material to be used. Building permit applicants shall be required, at the discretion of the Zoning/Building Administrator, to set stakes showing their property line boundaries, and stakes where the proposed building will be placed, prior to the inspection and before any action on the permit is taken. Such other information with regard to the lot and neighboring lots as may be necessary for the enforcement of the ordinance shall also be provided.

307.03 Procedure for Application. Applications shall be submitted to City Hall or directly to the Zoning/Building Administrator. Incomplete applications will be returned to the applicant with instructions for providing the appropriate information. Once all information and required fees have been submitted, the Administrator will review the application and plans for compliance with all provisions of this Ordinance, including applicable setbacks, use requirements, lot area coverage, etc. If the application meets all requirements, the Administrator will issue the permit and assign a project number. In addition to signing the permit, the Administrator will issue a placard that must be displayed on the project site until all construction is complete.

308 SPECIAL USE PERMITS. Allowable special uses may be permitted, enlarged, or altered upon submission of an application for a special use permit to the Board of Adjustment. The Board may grant or deny a special use permit in accordance with the standards set forth herein and the intent and purposes of this ordinance. In granting special use permits, the Board shall authorize the issuance of a special use permit and may prescribe and impose appropriate conditions and safeguards for the performance of the special use permit. Special use permits shall always have specified time limits, and therefore may also be referred to as “temporary use permits”.

308.01 Application Form/Information Required. A request for a special use permit for a special use or modification of a special use may be initiated by a property owner or his authorized agent by filing an application with the City Clerk upon forms prescribed for the purpose. The application shall be accompanied by a site plan and such other plans and data showing the dimensions, arrangements, descriptive data, and other materials constituting a record essential to an understanding of the proposed use or proposed modification in relation to the standards set forth herein.

308.02 Meeting. Before issuance of any special use permit, the Board of Adjustment will consider the application at a meeting held at the call of the Chairperson within 30 days after the filing of the application.

308.03 Decisions. The concurring vote of 3 members of the Board of Adjustment shall be necessary to grant a special use permit. Special use permits may generally be granted by the Board for no longer than 6 months, unless the Board specifically grants a longer period of time or a building permit is obtained within the 6 month period and construction is started.

308.04 Standards. No special use permit shall be granted by the Board unless the Board finds:

- A. Special uses shall be approved if the applicant demonstrates that the use will not: (1) substantially injure neighboring property values; (2) create undue traffic congestion or hazards; (3) overburden public utilities; or (4) violate public health and safety standards..
- B. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property valued within the neighborhood.
- C. That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
- D. That adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided, but that the use shall not involve any activity substantially increasing the burden on any public utilities or facilities unless provisions are made for any necessary adjustment.
- E. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets, and that the use will not involve any activity substantially increasing the movement on public streets unless procedures are instituted to limit traffic hazards and congestion.
- F. The use shall not include any activity involving the use or storage of flammable, or explosive materials unless protected by adequate firefighting and fire suppression equipment and by such safety devices as are normally used in the handling of any such material.
- G. The use shall not include noise that is objectionable due to volume, frequency, or beat unless muffled or otherwise controlled, nor vibration that is discernable without measuring instruments on any adjoining lot or property.
- H. The use shall not involve any malodorous gas or matter which is discernable on any adjoining lot or property, nor any pollution of the air by fly ash, dust, vapors, or other substance which

may be harmful to health, animals, vegetation or other property or which can cause soiling, discomfort, or irritation.

- I. The use shall not involve any direct or reflected glare that is visible from any adjoining property or from any public street, road, or highway.

309 FEES. The Council may establish, by resolution, fees for various matters relating to this Ordinance including, but not limited to, the following:

- Building Permit Applications
- Application for Variance
- Application for Special Exception
- Application for Special Use
- Application for Change in Zoning Classification
- Appeals

The schedule of fees shall be available in the offices of City Administrator and Zoning/Building Administrator. The schedule may be altered or amended only by the Council, although the Planning & Zoning Commission may make recommendations. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application, appeal, or other action.

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CHAPTER 4: AMENDMENTS & CHANGES

401 AMENDMENTS.

- 401.01 Amendments & Changes.** The City Council may, from time to time, on its own initiative, on petition, or on recommendation by the Planning & Zoning Commission, after public notice and public hearings as provided by law and after report by the Planning & Zoning Commission or after 30 days notice to said Commission, amend, supplement, or change the regulations or districts herein or subsequently established.
- 401.02 Petition.** Whenever the owners of 50% or more of the area of the lots in any district or part thereof desire any amendment, supplement, or change in any of the provisions of this Ordinance applicable to the area, they may file a petition with the City Clerk requesting the City Council to make such amendment, supplement, or change.
- 401.03 Application.** Petitions shall be accompanied by a map or diagram showing the area affected by the proposed amendment, supplement, or change, together with the boundaries of the said area and the names and addresses of all the owners of record in the office of the County Recorder, of lots therein and within a distance of 200 feet outside of the boundaries in said area. The Council shall approve all zoning amendment application forms. All applications and petitions shall be submitted with the appropriate fee as established by the Council for said application.
- 401.04 Planning & Zoning Commission Study.** All applications & petitions for Zoning Ordinance or district changes shall be immediately forwarded to the Planning & Zoning Commission for study. The Commission shall, within 30 days, make and submit a report to the City Council detailing its recommendations approving, disapproving, or modifying the proposed amendment, supplement, or change.
- 401.05 Protest.** If a written protest against any proposed amendment, supplement, or change is presented to the City Council signed by 20% or more of the owners, either of the area of the lots included in such proposed change or those immediately adjacent to the area, such amendments shall not become immediately effective except by the favorable vote of at least $\frac{3}{4}$ of the members of the City Council.
- 401.06 Limitation.** Whenever a petition requesting an amendment, supplement, or change of any regulation prescribed by this Ordinance has been denied by the City Council, such petition cannot be re-submitted for review for 6 months thereafter. This provision, however, shall not prevent the City Council from acting on its own initiative in any case or at any time as provided in this Ordinance.
- 401.07 Record.** The Zoning/Building Administrator shall maintain a record of amendments to the text, the land use plans, and zoning maps in a form convenient for the use of the public and shall provide the City Clerk with a copy of each amendment to the text of this Ordinance and change to the maps and shall keep them as part of the public record.
- 402 REPEALER.** All ordinances or parts of ordinances in conflict with this Zoning Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.
- 403 SEVERABILITY.** If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Ordinance.

404 **EFFECTIVE DATE.** This Ordinance shall become effective upon its passage, approval, and posting or publication as provided by law.

ADOPTED AND APPROVED by Ordinance Number 2026-341 by the City Council of the City of Sac City, Iowa, February 24, 2026.

1ST READING: February 24, 2026

2ND READING: March 10, 2026

3RD READING: March 24, 2026
(FINAL)

PUBLICATION DATE (DATE EFFECTIVE): March 31, 2026

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Ordinance No. 2026-341
ORDINANCE ADOPTING THE
2026 SAC CITY ZONING ORDINANCE

Section I. PURPOSE. The purpose of this Ordinance is to enable the City of Sac City, Iowa, to preserve the health, safety, and general welfare and development of the community in an orderly and efficient manner.

Section II. ADOPTION. The City of Sac City, Iowa hereby adopts the “City of Sac City, Iowa Zoning Ordinance,” as amended and revised in 2026, hereafter referred to as the “Sac City Zoning Ordinance” for the City of Sac City, Iowa pursuant to published notice and following a public hearing on February 24, 2026, as provided for in Chapter 414 of the Iowa Code.

Section III. CONTENT. The Sac City Zoning Ordinance shall contain provisions regulating height, number of stories, and size of buildings and other structures, area of lots that can be occupied, the size of yards, the density of population, and the location and use of buildings, structures, and land for trade, industry, and residential purposes. All parts and provisions of the previous 2006 Zoning Ordinance in force on the date of publication of this Ordinance are hereby repealed except as herein provided.

The repeal provided for in the preceding paragraph of this Ordinance shall not affect any offense or act committed or done, or any penalty or forfeiture incurred, or any contract or right established or accruing before the effective date of this Ordinance; nor shall any repeal affect any permit or restriction already approved.

Nor shall it affect any other right or franchise conferred by any ordinance or resolution of the Council on any other person or corporation; nor shall it affect any prosecution, suit, or other proceedings pending or any judgment rendered on or before or prior to the effective date of this Ordinance.

The complete Sac City Zoning Ordinance shall include this adopting Ordinance and the City Clerk’s certification of its adoption and passage.

If the Sac City Zoning Ordinance includes any section which has adopted by reference the provisions of any statewide or nationally recognized standard code pursuant to the provisions of Section 380.10 of the Iowa Code, the City Clerk shall keep on file, with the official copy of the City Code, a copy of such standard code.

Section 4. FORMAT. The Sac City Zoning Ordinance shall be compiled in a loose leaf format.

Section 5. OFFICIAL COPY. The City Clerk shall be responsible for the compilation, organization, and maintenance of the official Sac City Zoning Ordinance and shall be keep the official copy on file in the office of the City Clerk.

Section 6. PUBLIC COPIES. Additional copies of the Sac City Zoning Ordinance shall be kept in the office of the City Clerk and shall be available for public inspection and for sale for cost to the public. A copy of the Sac City Zoning Ordinance shall be kept on file in the City Clerk’s office for public inspection.

Section 7. ADDITIONAL ORDINANCES. All ordinances regulating zoning, except as hereinafter provided, adopted after the effective date of the Ordinance shall be in the form of an amendment to or an addition to the Sac City Zoning Ordinance.

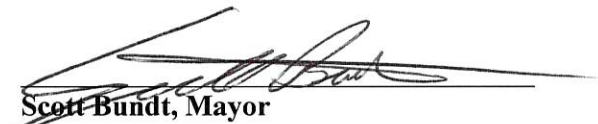
Section 8. EFFECTIVE DATE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

Passed and Approved this 24th day of March, 2026.

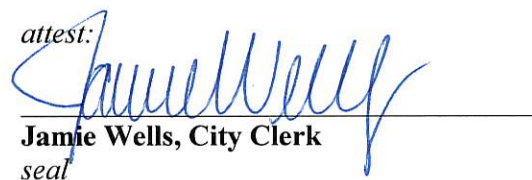
1st Reading: February 24, 2026

2nd Reading: March 10, 2026

3rd Reading: March 24, 2026



Scott Bundt, Mayor

attest: 

Jamie Wells, City Clerk
seal