

REGIONAL LAND USE AND ZONING PLAN

Prepared for the

JOHNSON COUNTY REGIONAL PLANNING COMMISSION

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Johnson County

Town of University Heights

City of Iowa City

Town of Tiffin

City of Coralville

Clear Creek Community School District

Town of Lone Tree

Iowa City Community School District

Town of North Liberty

Lone Tree Community School District

Town of Solon

Johnson County Conservation Board

University of Iowa, Ex Officio

ACKNOWLEDGEMENT OF STATE AND FEDERAL URBAN PLANNING ASSISTANCE

The preparation of this report was financially aided through a Federal Grant from the Department of Housing and Urban Development under the Urban Planning Assistance Program authorized by Section 701 of the Housing Act of 1954 as amended.

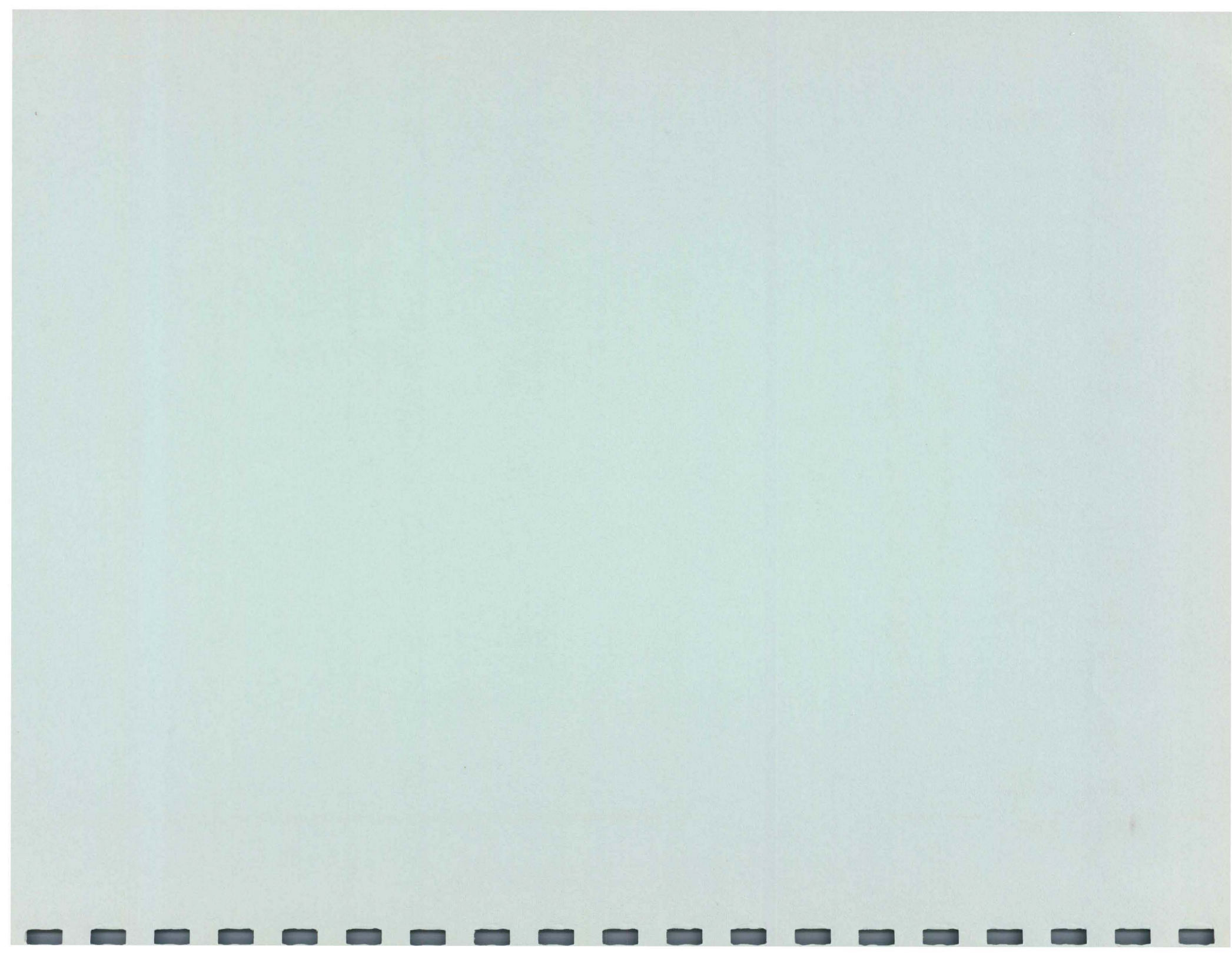
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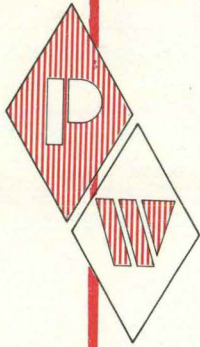
Project Number Iowa P-82

Prepared under contract for and financed in part by the Iowa Development Commission, under the provision of Chapter 28, Code of Iowa, as amended.

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May 13, 1970

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Mr. Allan D. Vestal, Chairman
and Members of the Johnson County Regional
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22 $\frac{1}{2}$ South Dubuque Street
Iowa City, Iowa 52240

Gentlemen:

We are pleased to present the final report of Part I of the Johnson County Regional planning program. This report provides a background for land use planning in the region and contains the plans and recommendations we have developed with you during the course of the program.

Members of our firm have enjoyed working with the Commission and representatives and officials of the various municipalities and agencies participating in the program. We appreciate having had the opportunity to be of service to you and hope that we may continue our relationship in the years ahead.

Very truly yours,

Noel W. Willis, P.E.
Powers-Willis and Associates



УЧЕБНИК ПО МАТЕМАТИКЕ
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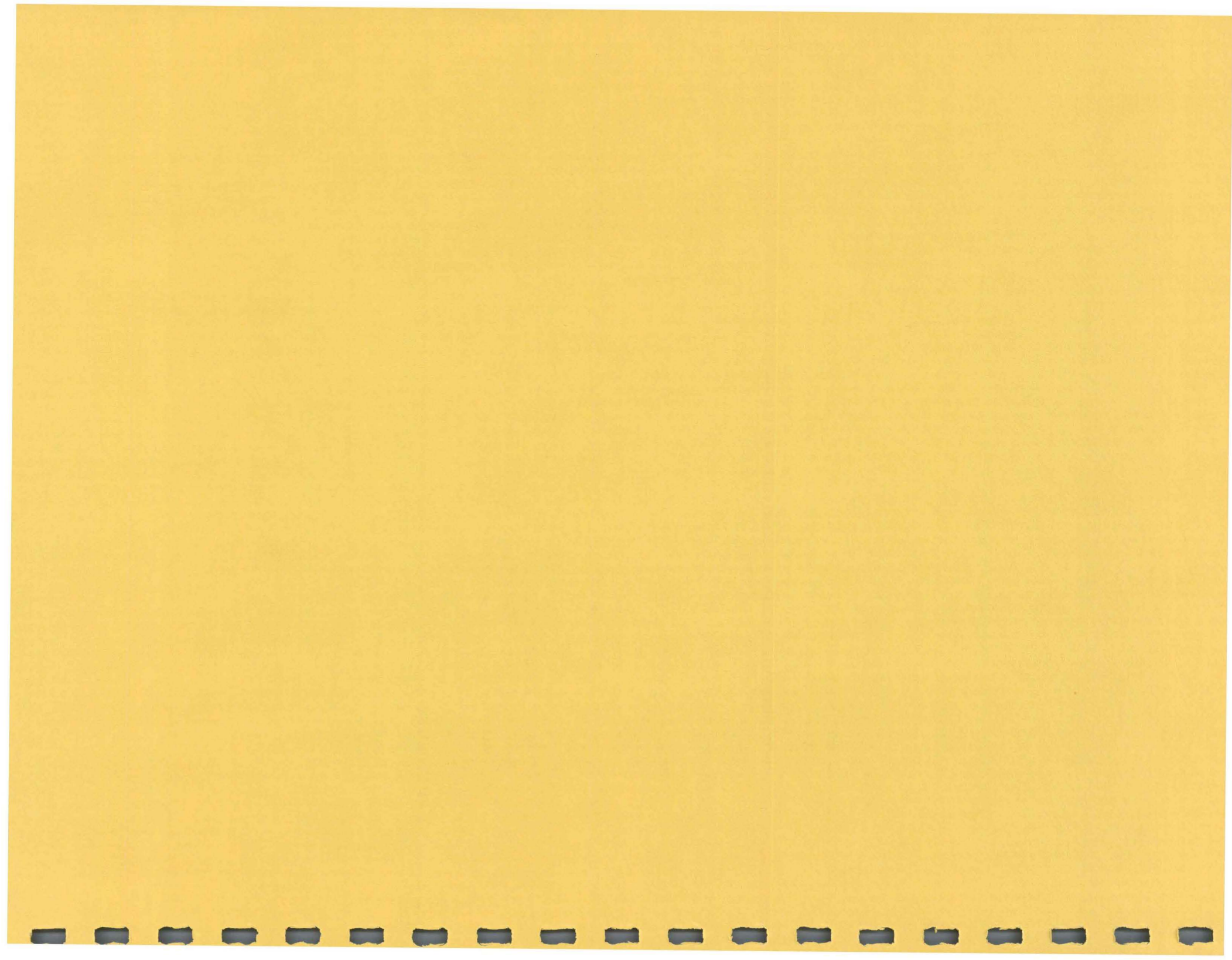
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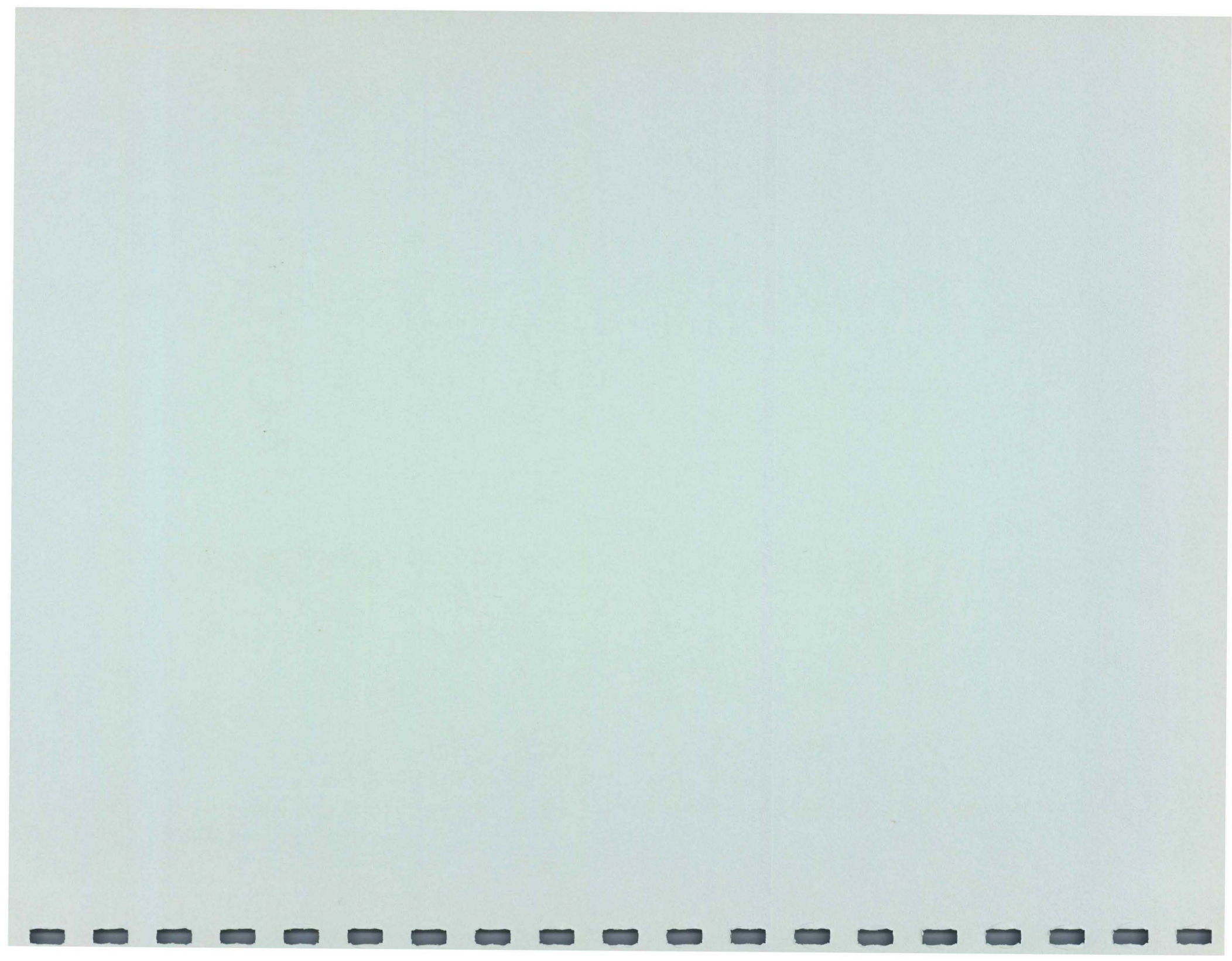
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BACKGROUND



BACKGROUND INFORMATION

FACTORS AFFECTING LAND USE

Introduction

This phase of the Johnson County Regional Planning Program is an analysis of existing land use, a determination of future land use needs, and the preparation of a master zoning ordinance. The three processes are interrelated, in that present land use must be taken into account before a future land use plan and policies can be formulated, while a zoning ordinance is one of the key implements in bringing the plan to fruition.

The analysis of existing land use is prefaced by a discussion of some of the physical and economic factors that have led to existing patterns of development. This is followed by the land use analysis itself, which includes an examination of the various activities and their influence upon each other. The result is a pinpointing of significant patterns -- the base upon which the future land use plan is built.

The future land use needs section is a combination of probabilities and possibilities; the former being a projection based upon existing trends and population forecasts, while the latter is a series of recommendations designed to alter, if possible, those trends that could bring undesirable results.

Prior to the presentation of a master zoning ordinance, the several existing ordinances in the county are reviewed, with emphasis placed on the fact that there is a diversity among them. Rezoning requests and Board of Adjustment cases are also reviewed, both being indications of land use trends in the planning area. Finally, an ordinance is presented which includes a variety of zoning districts that can be utilized by municipalities and rural areas. Ideally, the concept of a master zoning ordinance for a single planning region becomes a more useful implement for carrying out a regional plan.

Topography and Drainage

The land surface of Johnson County was at one time a broad, smooth plain. After glaciation, however, Johnson County was covered by various glacial deposits which have since eroded, forming the present topographical characteristics.

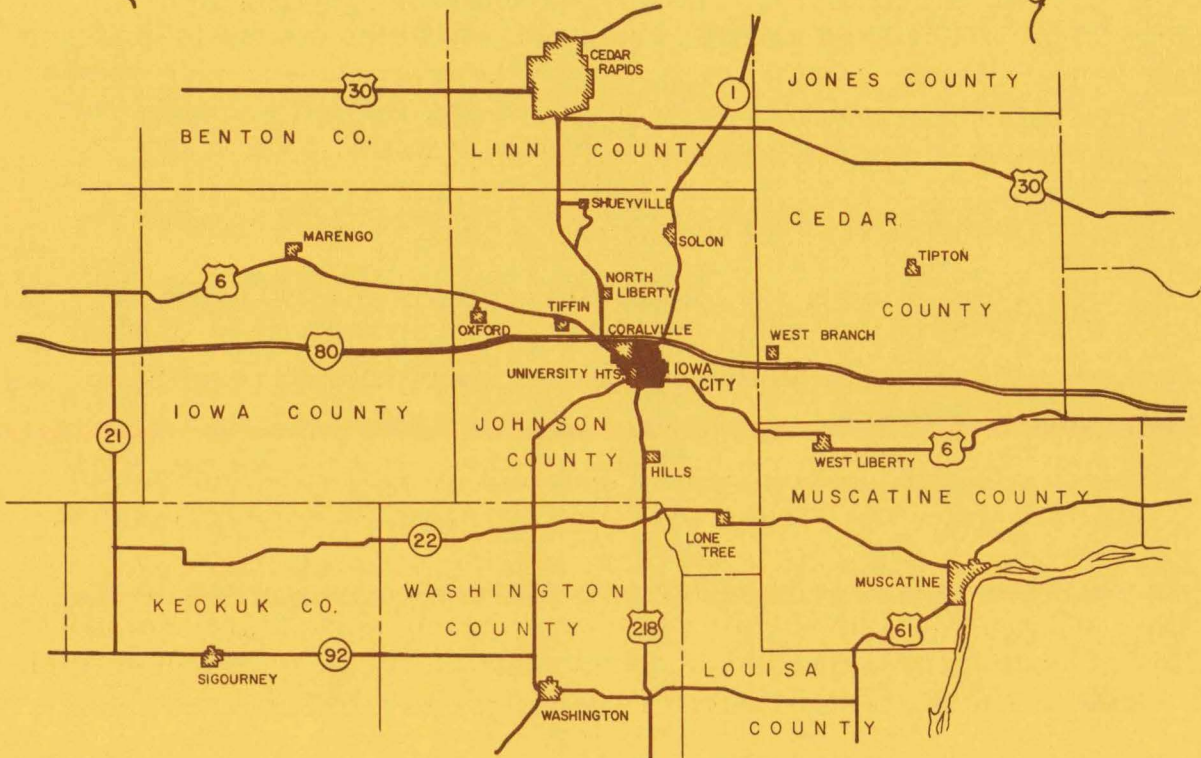
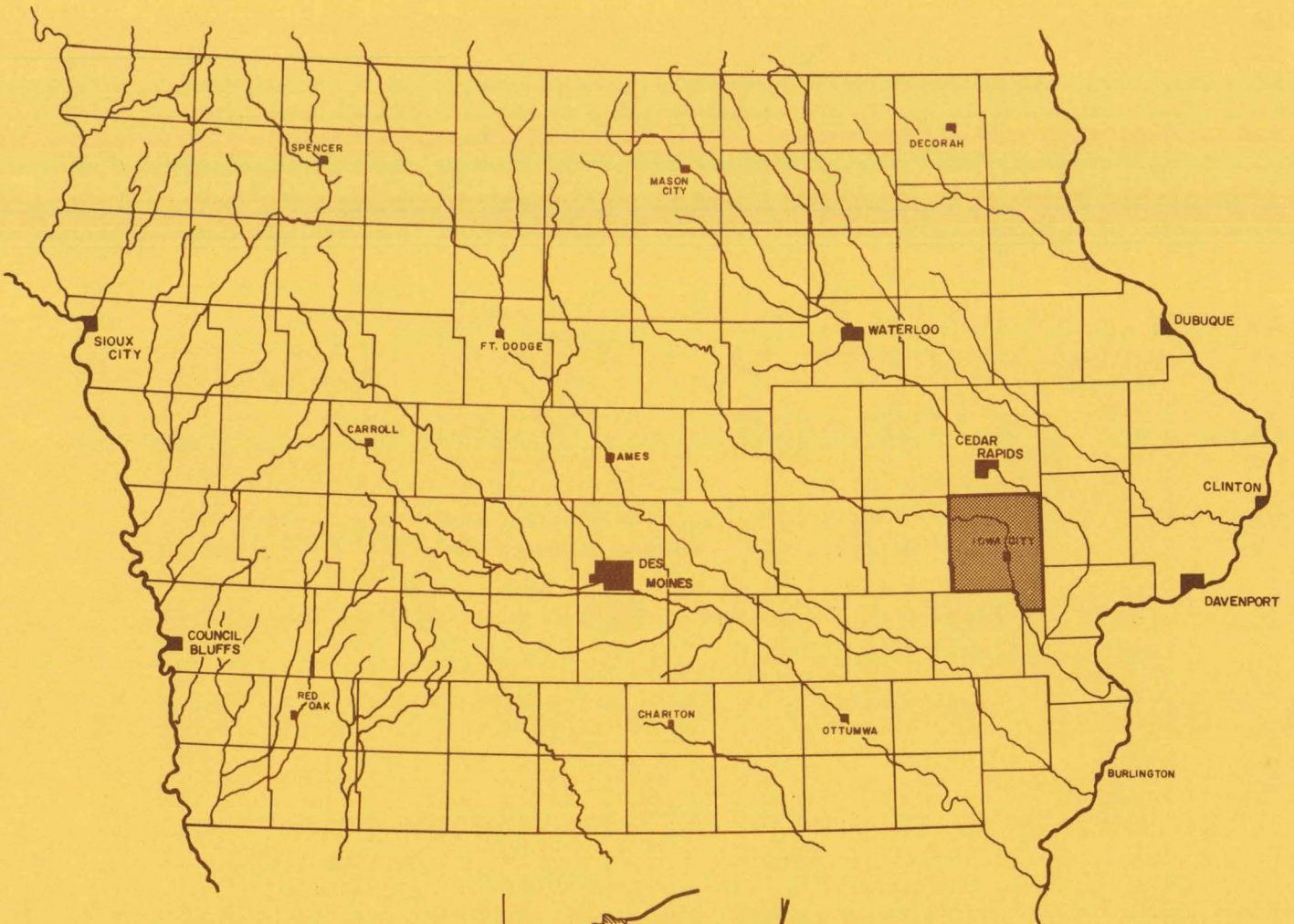
The areas of Iowa drift soils are generally smooth to gently rolling, and are bordered by low ridges. In the northwestern part of Madison Township the North Liberty plain is broken by a group of sand hills or ridges. These often rise to 50 feet above the drift plain and cover several square miles. North of the bottoms, along that part of the Iowa River which cuts through the North Liberty drift plain, the loess hills rise abruptly from the river. The topography is rough for two or three miles until the upland Iowan drift is reached.

South of Iowa City and throughout the entire southern part of the county the uplands are rolling as they approach the streams, but the areas in between the streams are gently undulating to almost flat. The loess hills along the Iowa River and west of the Cedar River, along Clear Creek and other streams in the county, are probably the most striking in topographic features. They rise 40 to 90 feet above the plain level, forming a succession of sharply defined hills and steep sided ravines.

The drainage of the county is brought about by the Cedar and Iowa Rivers and their tributaries (see Map 2). The Cedar River is the larger stream, but it drains only about 30 square miles in the northeast corner of the county and has a few tributaries originating in a narrow strip along the east side of the county.

The Iowa River, with its tributaries, drains the major part of Johnson County. It enters the county about six miles south of the northwestern corner, flows in an easterly direction as far as Section 19 of Grove Township, and then meanders in a southerly direction to the southern boundary of the county.

The major tributaries of the Iowa River are Knapp Creek, Lingle Creek, Turkey Creek, Silver Creek, Rapid Creek, Pardieu Creek, Clear Creek, Buffalo Creek, Deer Creek, Ralston Creek, Old Man's Creek, North Branch Creek, Deep Creek, Dirty Face Creek, Picayune Creek and Snyder Creek. Old Man's Creek and Clear Creek are the largest branches of the river and drain the area to the west.



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LOCATION MAP

JOHNSON COUNTY



MAP
 1

The topography of the county does not hamper the location of non-agricultural land uses, except in some of the more rugged areas along the Iowa River between Iowa City and the Coralville Reservoir, and in the flood plain areas along the Iowa River and some of its major tributaries.

Of more significance in determining urban land use location are the drainage patterns and the resulting watershed areas, which determine the limits of utility services from existing supply, distribution, collection and treatment facilities. Present development has occurred primarily in the Ralston Creek watershed and in the lower end of the Clear Creek watershed, with scattered residential development adjacent to the Iowa River north of Iowa City and around the reservoir and Lake Macbride area. Recent development decisions relating to schools, highways and utilities will place more emphasis on the south side of the Clear Creek watershed and will also focus attention on the Old Man's Creek watershed.

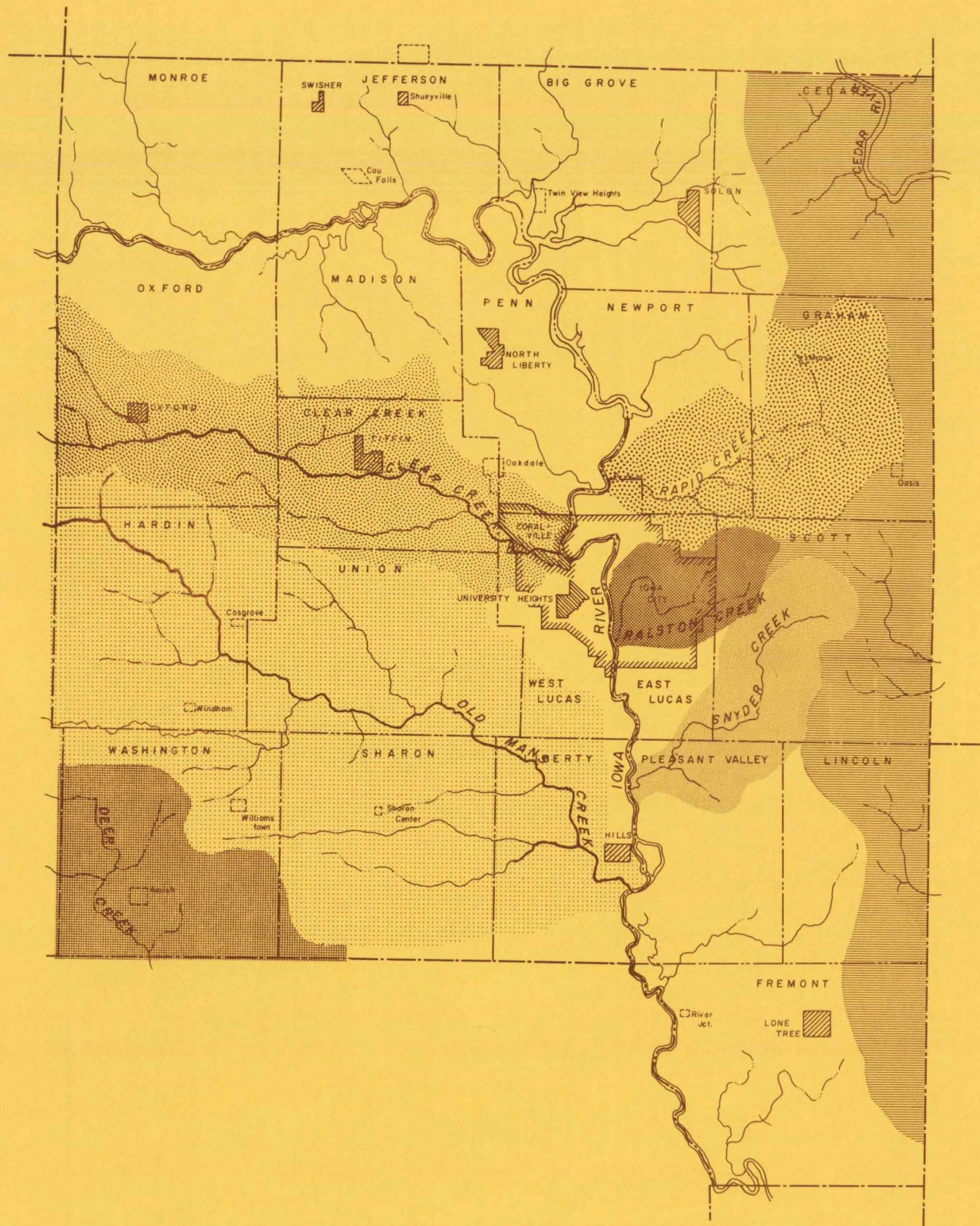
Soils

There are four major soil groups in Johnson County: drift soils, loess soils, terrace soils and swamp and bottomland soils. Drift soils are formed from deposits left behind by receding glaciers, are variable in composition and contain numerous pebbles and boulders. Loess soils are fine, dust-like particles deposited by the winds. Terrace soils are old bottomlands which have been raised above overflow by a deepening of the river channel or by a decrease in the volume of the streams which deposited them. Swamp and bottomland soils are those occurring in low, poorly drained areas along streams and are subject to more or less frequent overflow.

Of the four soil groups, the loess soils are the most extensive, covering 71.9% of the county (see Map 3). Drift soils cover 8.9%; terrace soils cover 9.1%; and swamp and bottomland soils cover 10.1% of the county.

The four soil groups are further subdivided into 28 soil types (see Table 1) of which the Clinton and Tama silt loams are most prevalent.

Areas of bottomland soils should be avoided when considering locations for urban developments. Likewise, prime agricultural cropland soils should be preserved as much as possible, by guiding commercial, industrial and non-farm residential land uses to other areas. The



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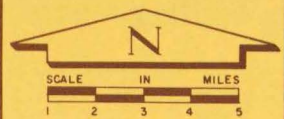
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MAJOR WATERSHEDS

JOHNSON COUNTY, IOWA

IOWA



MAP

2


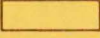



TABLE 1

Areas of Different Soil Types in Johnson County, Iowa

Soil Type	Acres	Percent of Total Area of County
<u>DRIFT SOILS</u>		
Carrington silt loam	28,864	7.4
Carrington fine sandy loam	2,816	0.7
Shelby loam	1,920	0.5
Shelby silt loam	1,216	0.3
<u>LOESS SOILS</u>		
Clinton silt loam	179,456	45.9
Tama silt loam	73,984	18.9
Muscatine silt loam	21,568	5.5
Knox sand	5,696	1.5
Scott silt loam	448	0.1
<u>TERRACE SOILS</u>		
Waukesha silt loam	9,024	2.3
Bremer silt loam	7,232	1.9
Bremer silty clay loam	5,824	1.5
Buckner loamy sand	4,352	1.1
Jackson silt loam	2,944	0.8
Waukesha loam	2,688	0.7
Waukesha sandy loam	1,024	0.3
Bremer loam	960	0.2
Buckner silt loam	448	0.1
Chariton silt loam	284	0.1
Buckner fine sandy loam	64	0.1
<u>SWAMP AND BOTTOMLAND SOILS</u>		
Wabash silt loam	20,288	5.6
Wabash silt loam (colluvial phase)	1,664	
Cass silt loam	9,344	2.4
Wabash silty clay loam	6,336	1.6
Sarpy sand	768	0.2
Meadow	448	0.1
Muck	384	0.1
Riverwash	256	0.1
TOTAL	390,400	

Source: Soil Survey of Iowa



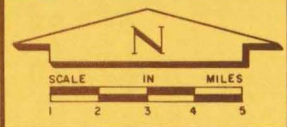
- LEVEL TO UNDULATING-BOTTOMLAND & TERRACE SOILS 
- GENTLY ROLLING TO ROLLING - LOESS SOILS 
- HILLY TO STEEP-LOESS SOILS 
- LEVEL TO UNDULATING - LOESS SOILS 
- LEVEL TO ROLLING - DRIFT SOILS 



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SOIL GROUPS BY LAND FORM

JOHNSON COUNTY, IOWA



MAP
 3

amount of land required for commercial and industrial purposes is rather small, and its proper location determined by many other factors, but residential development is more flexible in its requirements, and need not encroach on valuable agricultural lands when other locations are readily available.

Geology and Natural Resources

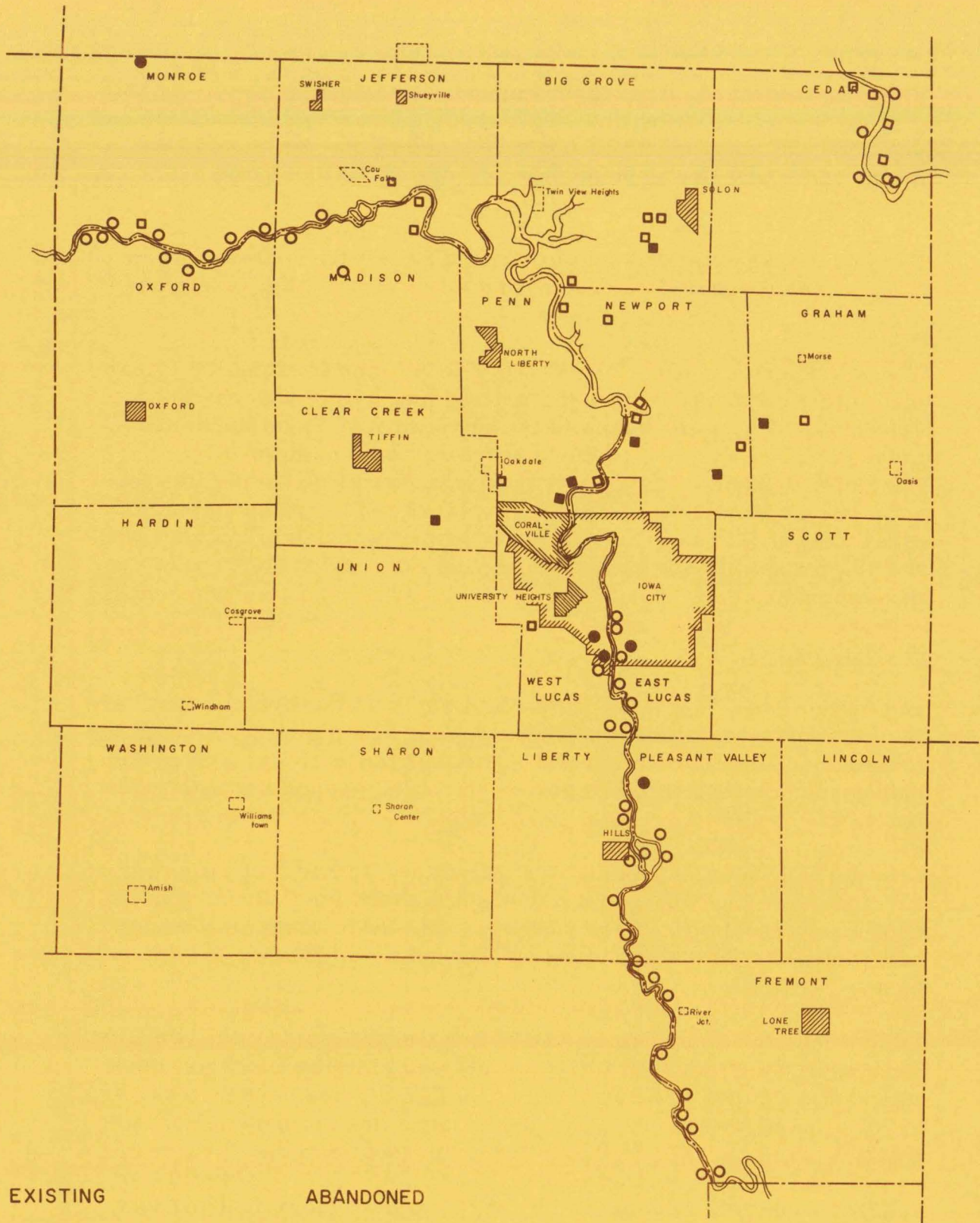
The bedrock underlying the soils of Johnson County is so deeply buried under the deposits of glacial drift and loess that it has no effect on the soil formations. The first glacier to cover the county left a thick deposit of debris called Kansan drift. This drift material consists of a blue clay, containing numerous boulders of varying size. Through weathering, the material has been oxidized to a reddish-brown color, to varying depths, below which is a layer of yellowish boulder clay that merges into the unchanged blue clay of the original drift.

The Iowan glacier entered the county from the north in three areas, depositing Iowan drift over the Kansan. The first area of Iowan drift covers Big Grove and Cedar Townships, and is referred to as the Solon plain. The second area extends into the county from the northwestern corner, in a southeasterly direction, passing the town of North Liberty. The third area is found in the north central part of the county including the town of Shueyville. The Iowan drift materials are generally a light yellow silty to sandy clay with some boulders and gravel. The deposit is variable in depth, but is thin compared to the underlying Kansan drift.

The upland soils of the county are mainly derived from the loessial deposit. Most of the Kansan and Iowan drift has been covered by loess material. Along both sides of the Iowa and Cedar Rivers, the loessial deposits are 10 to 15 feet in depth, passing below that point into a yellowish sand resting on the drift clay. In the southwestern part of the county, the loess is shallower than in other areas and the reddish-brown Kansan drift often shows in road cuts.

The geological formations and glacial movements have produced no important mineral resources other than a rich soil for agriculture and materials that support several gravel and quarry operations.

Mining, in the form of sand and gravel and stone quarry operations, has flourished primarily along the Cedar and Iowa Rivers (see Map 4). Here the drift and loess have been sufficiently eroded to



EXISTING

ABANDONED



GRAVEL & SAND



STONE QUARRY



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GRAVEL AND QUARRY OPERATIONS

JOHNSON COUNTY, IOWA



MAP

4

bring the gravel or stone close enough to the surface for profitable mining purposes. Over the years about 50 sand and gravel mines and about 30 stone quarries have operated at one time or another. Today there are five sand and gravel pits and seven stone quarries in operation.

Woodlands, as a natural resource, are relatively sparse in Johnson County, since most of the county has been cleared for development or agricultural purposes (see Map 5).

The woodland areas that do exist are found mainly along the Cedar and Iowa Rivers and their tributaries. The major concentration of Johnson County's woodlands is in the vicinity of Lake Macbride State Park and the Coralville Reservoir, north of Iowa City. Forestation is important for recreational activities as well as for protecting the watersheds and flood plain areas from erosion. Consideration should be given to the remaining woodlands in order that they be preserved and protected against encroachment from future development.

Transportation

One of the most important features of any community or county is the highway system that serves the area. The highway is one of the main generators of commercial and industrial activity, and of the subsequent residential and service activities associated with these functions.

Johnson County is served by U. S. Highway 218 and State Highway 218 and State Highway 1 in a north-south direction. Running in an east-west direction are State Highway 22, U. S. Highway 6 and the new Interstate 80 that provides easy access west to Des Moines and east to Davenport.

In addition, the county is served by the Cedar Rapids and Iowa City Railway running parallel to U. S. 218 and also the Chicago, Rock Island and Pacific Railway. The C. R. I. & P. has branches running across the northeast corner of the county, running parallel to U. S. 6 and running parallel to U. S. 218 south (see Map 6).

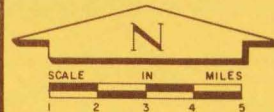
Johnson County is also served by the Iowa City Municipal Airport, which has a limited passenger and freight service. The Cedar Rapids Municipal Airport, 20 miles north of Iowa City in Linn County, makes connecting flights with most of the major cities in the Midwest.



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WOODED AREAS

JOHNSON COUNTY, IOWA



MAP
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Planned improvements to the transportation network include the widening of Highway 218 south of Iowa City, and the development of the southwest bypass connecting Highway 518, an expressway route that will link Iowa City and Cedar Rapids. The latter will be located west of Iowa City, and will intersect Interstate 80 at a point between the present Tiffin and Highway 218 interchanges. Just as Interstate 80 has been a major influence on development since its completion, these current improvements will also be a major determining factor in land use decisions, particularly those relating to further commercial and industrial development of the region.

Employment

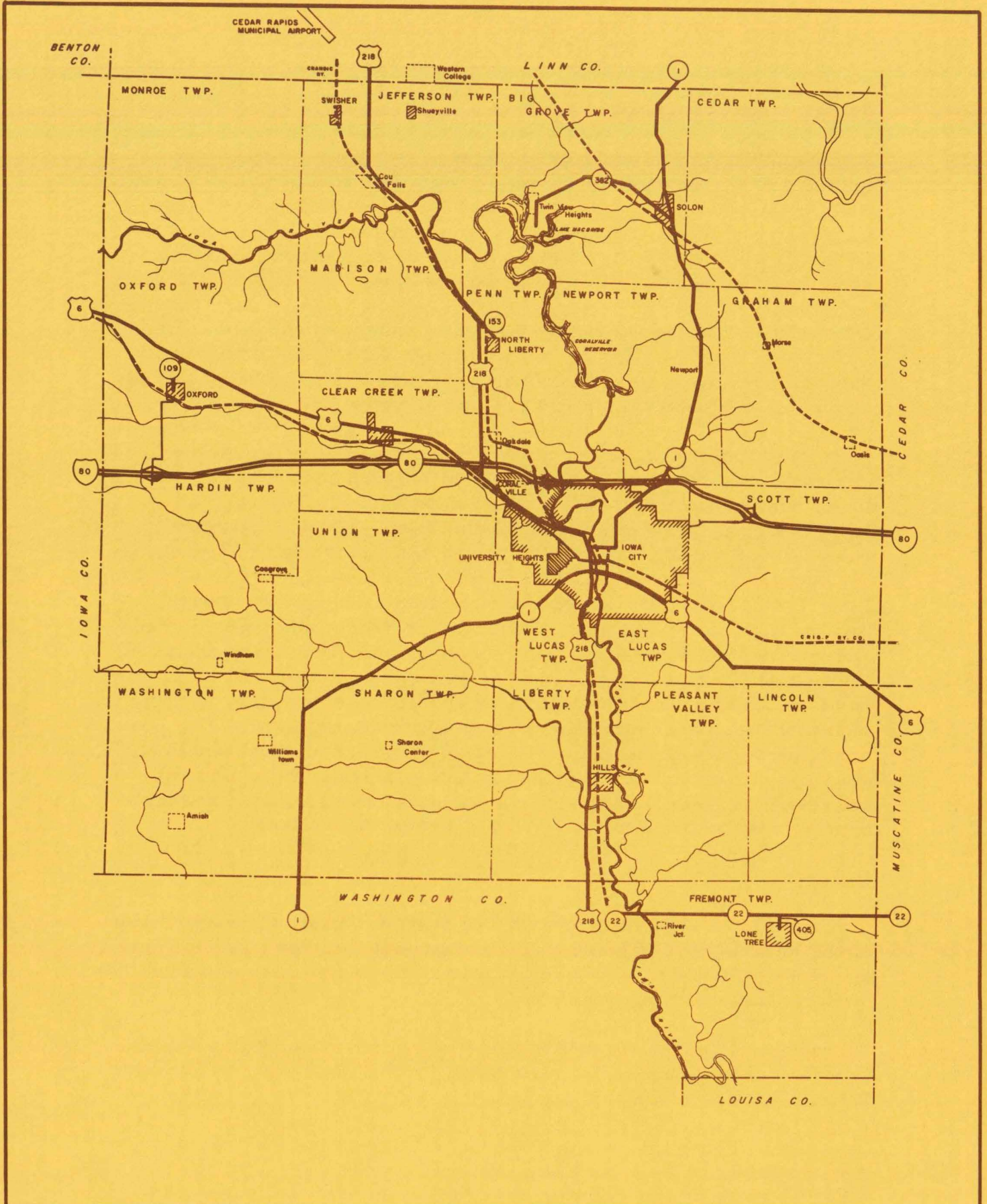
A significant element influencing the future growth and development of Johnson County is the employment opportunity that is generated here or in nearby counties.

Map 7 shows the total employment, by county, within 75 miles of the center of Johnson County. Linn County, north of Johnson County, is the largest employment center in the region, providing over 49,000 jobs. Other areas of employment opportunity within 50 miles of Johnson County include Scott County, 37,000 jobs; Muscatine County, 8,000 jobs, and Iowa County, 3,000 jobs. Although Blackhawk and Dubuque Counties provide over 60,000 job opportunities, this does not seem to be of particular significance to Johnson County.

The growth of the University of Iowa and the University Hospitals will have the greatest impact on the Iowa City-Coralville area and the county. Cedar Rapids, in Linn County, also has its impact on Johnson County, generating job and shopping opportunities that create substantial movement between the two counties.

Travel time is an important factor in determining where a person will live and how far he will travel to and from his place of employment. The interstate highway has greatly decreased the travel time in the east-west direction, and the new 518 expressway will further reduce north-south travel time.

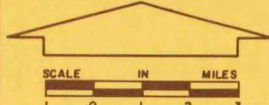
The 1960 census reported that, of 21,448 workers residing in the county, 1,047 persons worked outside of the county. It is reasonable to assume that this figure has increased and will continue to do so as a result of people electing to live along the Iowa River and in the smaller communities of the county, and as the increasing population of the Iowa City-Coralville area seeks additional employment opportunities.



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MAJOR TRANSPORTATION FACILITIES

JOHNSON COUNTY, IOWA



MAP
 6

Schools and School Districts

Schools are an important element to be considered in the future growth and development of Johnson County. The county is subdivided into 10 school districts (Map 8). Of the 10 districts, only Clear Creek, Solon, Iowa City and Lone Tree have attendance centers within the county limits. The remaining school districts send their children to attendance centers in the adjoining counties.

Clear Creek Community School District has four attendance centers; Oxford attendance center consists of a high school and elementary school; the Cosgrove center has a junior high and elementary school; and Tiffin and Madison centers have elementary schools only.

Iowa City Community School District consists of 16 attendance centers as follows: two high schools (one under construction); two junior high schools; and twelve elementary schools. In addition, there are three parochial high schools, three parochial elementary schools, and the University High School within the district boundaries.

Lone Tree Community School District consists of a kindergarten through high school attendance center, and Solon Community School District has a junior-senior high school and an elementary school.

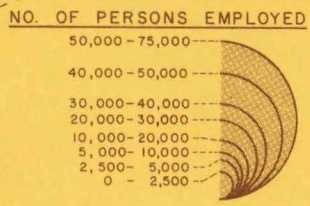
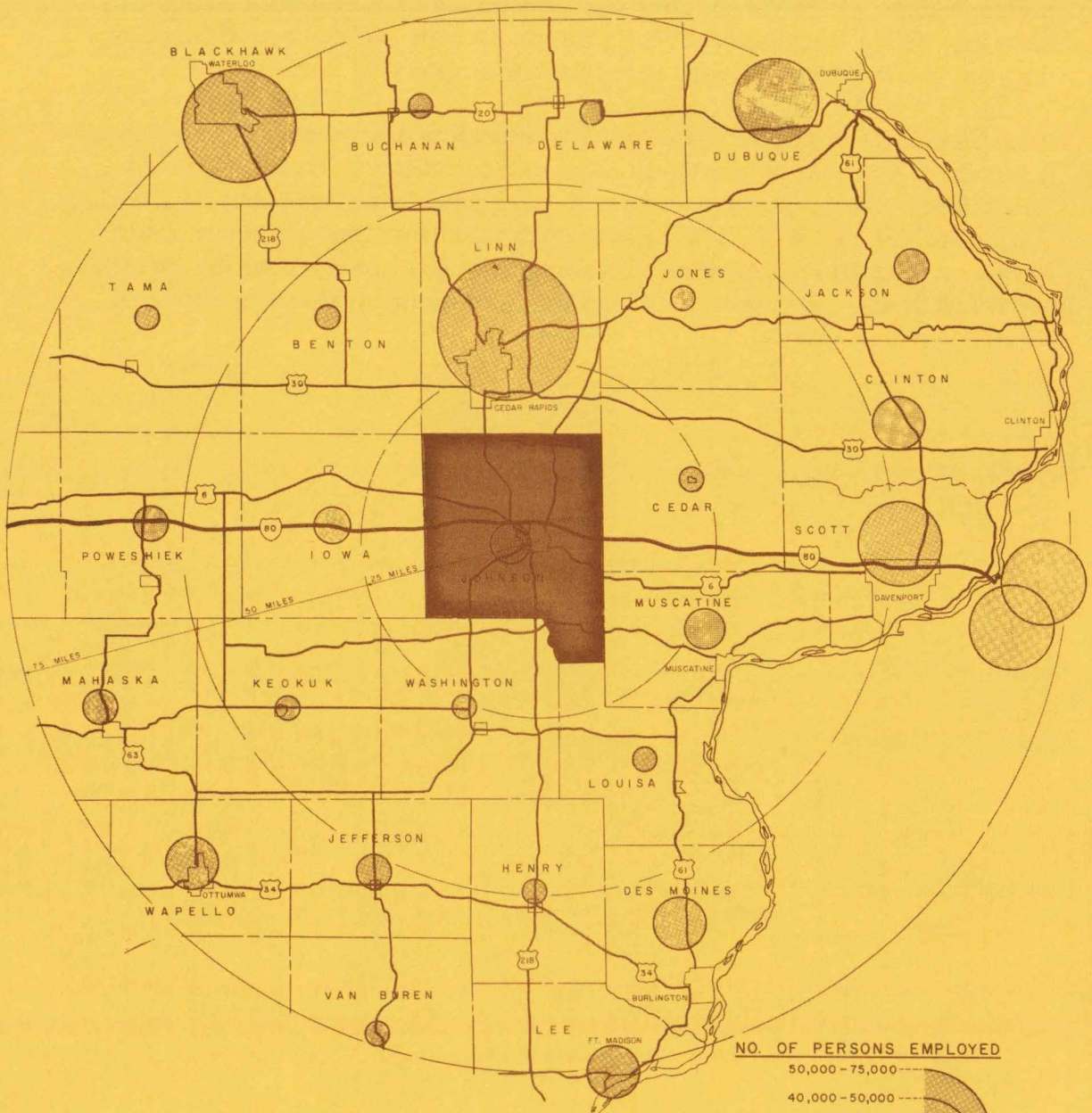
The location of attendance centers, particularly elementary and junior high facilities, are, for many people, determinants in selecting new home sites. Consequently, efficient development practice would suggest that residential development should first occur near existing attendance centers, and that new attendance centers should be located conveniently to areas more suited for residential expansion.

Utilities

Electric power service is provided to Johnson County via power lines of the Iowa-Illinois Gas and Electric Company, the Iowa Electric Light and Power Company, and Union Electric Power Company and a number of Rural Electric Cooperatives.

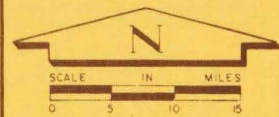
Gas comes to the county through pipelines of the Natural Gas Pipeline Company of America and is distributed for the most part by the Iowa-Illinois Gas and Electric Company.

Oil travels through the lines of the Great Lakes Pipeline Company and the Mid-America Pipeline Company.



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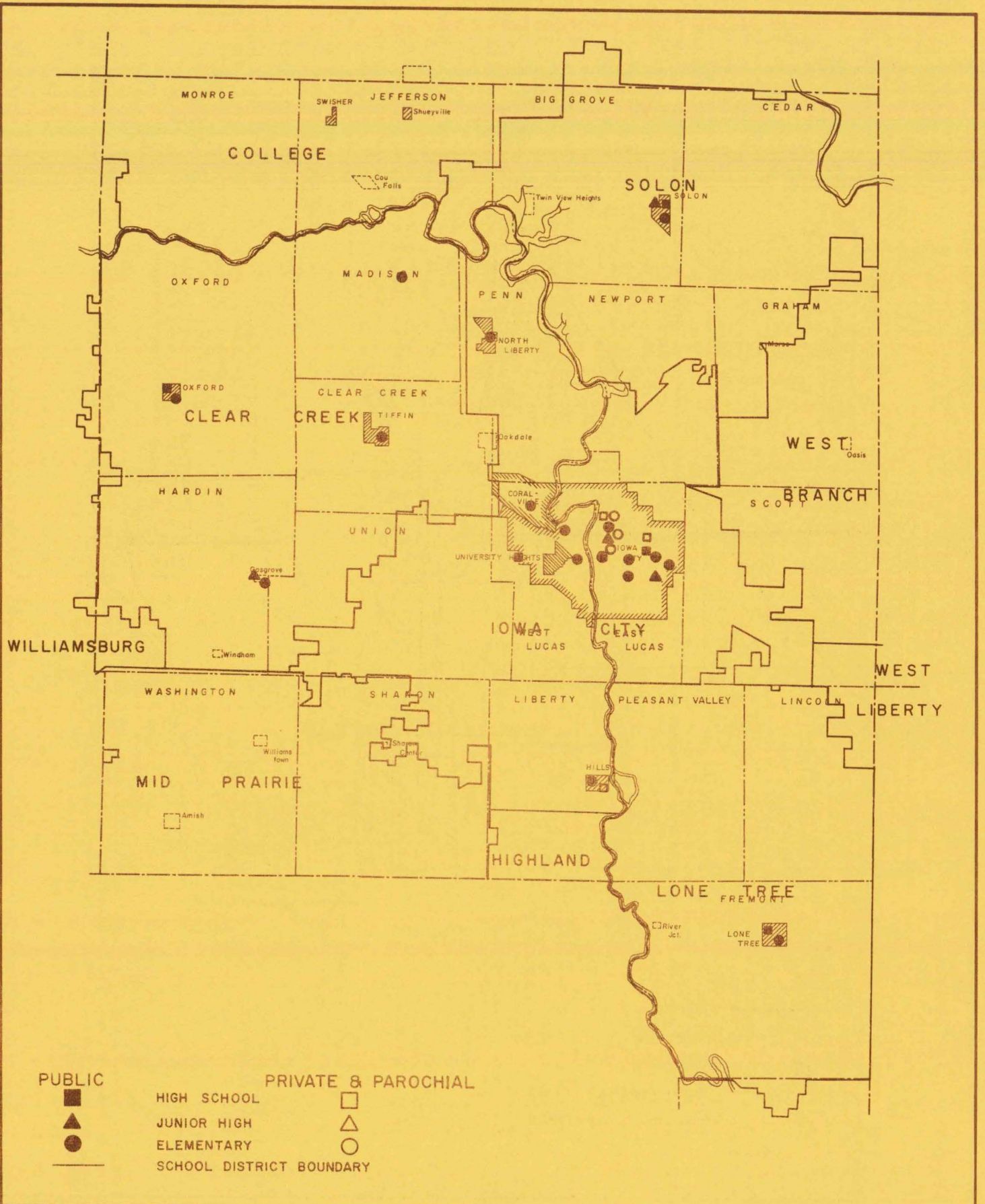
**BUSINESS EMPLOYMENT
 BY COUNTY**
 JOHNSON COUNTY, IOWA



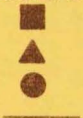
MAP
7

The Northwestern Bell Telephone Company has an easement for an underground toll cable that runs north-south across the county, and an aerial line that runs east-west. Other telephone companies that provide service to the county include the Iowa Telephone Company, serving Tiffin and Oxford, the Sharon Center Telephone Company, and the South Slope Co-op Telephone Company of North Liberty.

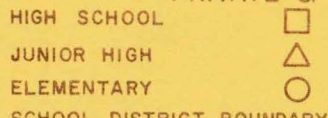
The locations of these major utility service distributors (see Map 9) must be taken into account as they are permanent fixtures on the landscape, and there are areas of restricted use adjacent to them. Their locations, and particularly points where two or more intersect, or parallel each other a short distance apart, may be barriers to the orderly development of urban land uses or the extension of local street systems.



PUBLIC

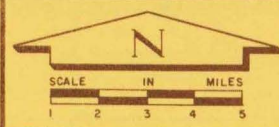


PRIVATE & PAROCHIAL

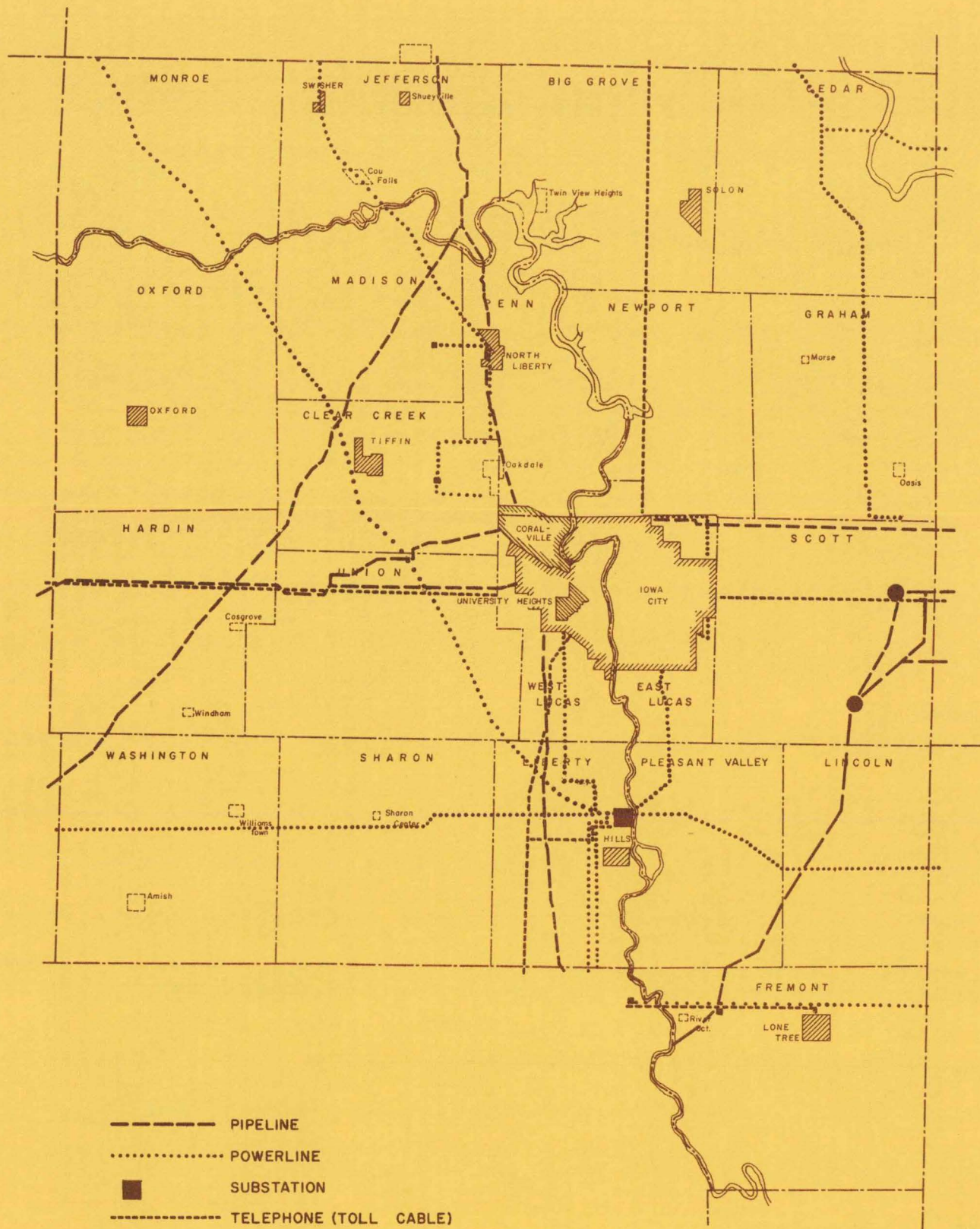


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SCHOOLS
 AND SCHOOL DISTRICTS
 JOHNSON COUNTY, IOWA



MAP
 8



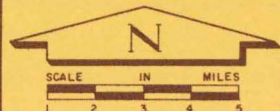
- PIPELINE
- POWERLINE
- SUBSTATION
- - - - TELEPHONE (TOLL CABLE)
- UNDERGROUND GAS STORAGE



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MAJOR UTILITY LINE LOCATIONS

JOHNSON COUNTY, IOWA



MAP
 9

EXISTING LAND USE

Introduction

A field survey of existing land use in the core area of Johnson County, exclusive of the area within municipalities, was conducted during January, 1968. The "core area", as delineated for the study, is shown on Map 10. It encompasses an area 15 miles by 20 miles and contains a little over 192,000 acres. It is bisected from east to west by Interstate Highway 80 and from north to south by the Iowa River. The municipalities of Iowa City, Coralville, University Heights, Tiffin, Solon, Hills and North Liberty are within the core area. These municipalities contain slightly over 13,300 acres and account for about 7% of the core area and 56% of the developed non-farm land uses in the core.

The existing land use data was tabulated according to the following major categories:

- a) Residential
- b) Commercial
- c) Industrial
- d) Cultural, entertainment, recreational
- e) Transportation, communication, utilities
- f) Resource production and extraction
- g) Undeveloped areas

These categories and the locations of the uses are shown on Map 11. Table 2 presents a tabulation of the core area land use, by acres and as percentages of both the developed area and the total area in the core. Figure 1 illustrates these percentages.

Residential Areas

Non-farm residential land uses occupy 1,160 acres of the core, comprising 4.9% of the area. Farmsteads were not tabulated by area, but the survey revealed 982 occupied and 91 vacant farmsteads in the survey area. Non-farm land uses, also shown on Map 11, have been divided into three subcategories: single-family residences, multi-family residences (including mobile home parks), and individual mobile homes.

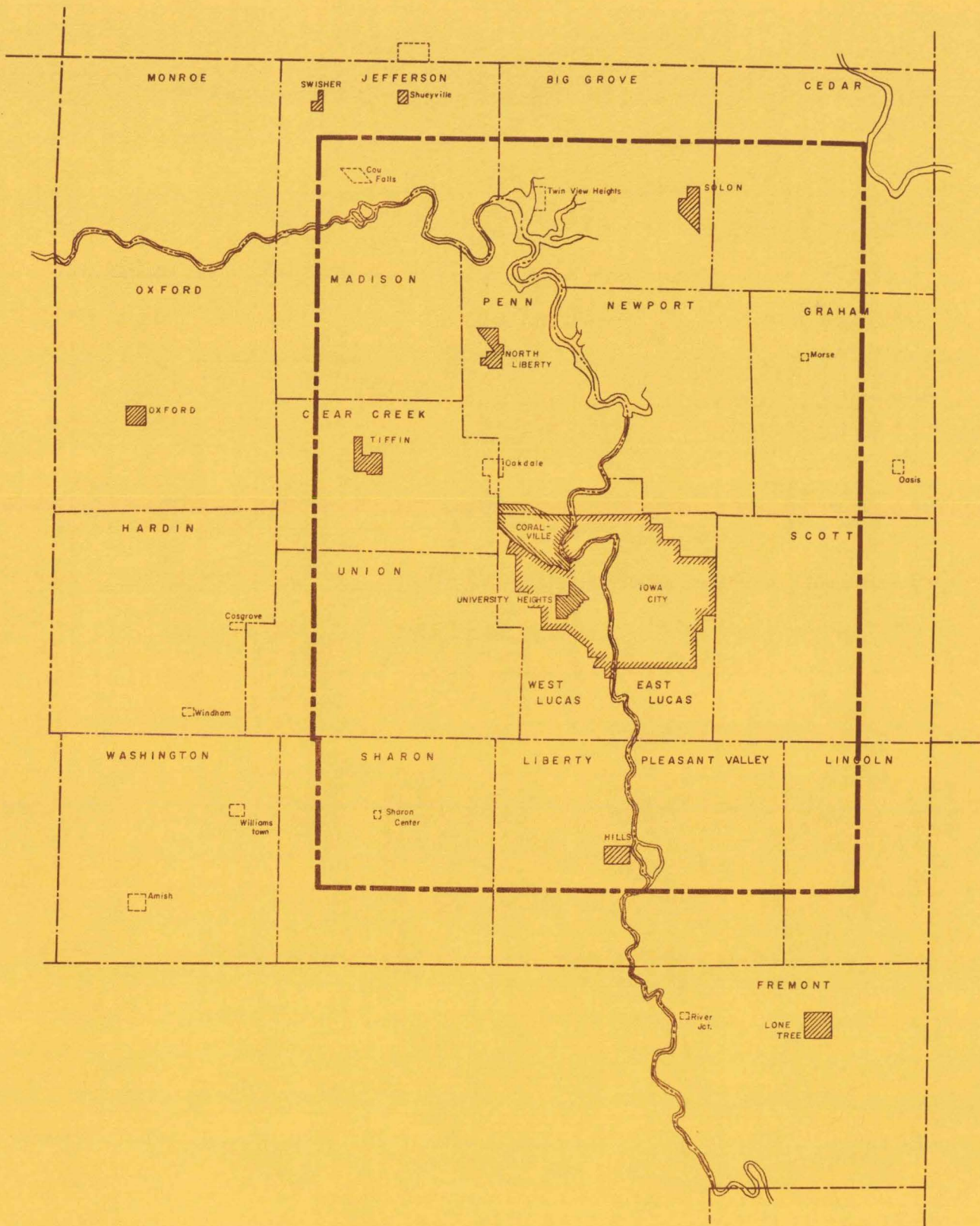
TABLE 2

Core Area Land Use
Johnson County, Iowa

Land Use Category	Area in Acres	% of Developed Area	% of Total Area
Vacant	91 units		
Farm	982 units		
Non-Farm	1, 037. 3		
Mobile Home	71. 0		
Multi-Family	51. 7		
TOTAL RESIDENTIAL	1, 160. 0	4. 9	0. 6
Wholesale	2. 0		
General Retail	2. 0		
Highway Commercial	278. 4		
Office and Personal Services	12. 7		
TOTAL COMMERCIAL	295. 1	1. 2	0. 2
Light Industrial	3. 3		
Heavy Industrial	76. 3		
TOTAL INDUSTRIAL	79. 6	0. 3	
Semi-Public	64. 5		
Public	2, 901. 3	12. 2	1. 2
Private	208. 3		
TOTAL CULTURAL- ENTERTAINMENT- RECREATIONAL	3, 174. 1	13. 4	1. 7
Interstate Highway	698. 5	2. 9	0. 4
State Highway	834. 0	3. 5	0. 4
County Trunk Road	268. 1	1. 6	0. 2
County Road	2, 906. 1	12. 2	1. 5
Railroad	449. 2	1. 9	0. 2
Communication and Utilities	478. 5	2. 0	0. 2
TOTAL TRANSPORTATION COMMUNICATION AND UTILITIES	5, 717. 9	24. 1	3. 0
Municipalities	13, 321. 1	56. 1	6. 9
TOTAL DEVELOPED AREA	23, 747. 8	100. 0	12. 3

TABLE 2 (Continued)

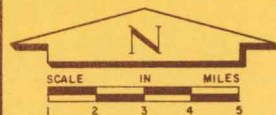
Land Use Category	Area in Acres	% of Developed Area	% of Total Area
Agriculture	153,300.1		79.7
Minerals	382.8		
TOTAL RESOURCE PRODUCTION AND EXTRACTION	153,682.9		80.0
Public Land	10,793.8		5.6
Water	4,109.6		2.1
TOTAL UNDEVELOPED AREA	168,602.8		87.7
TOTAL AREA	192,350.6		100.0



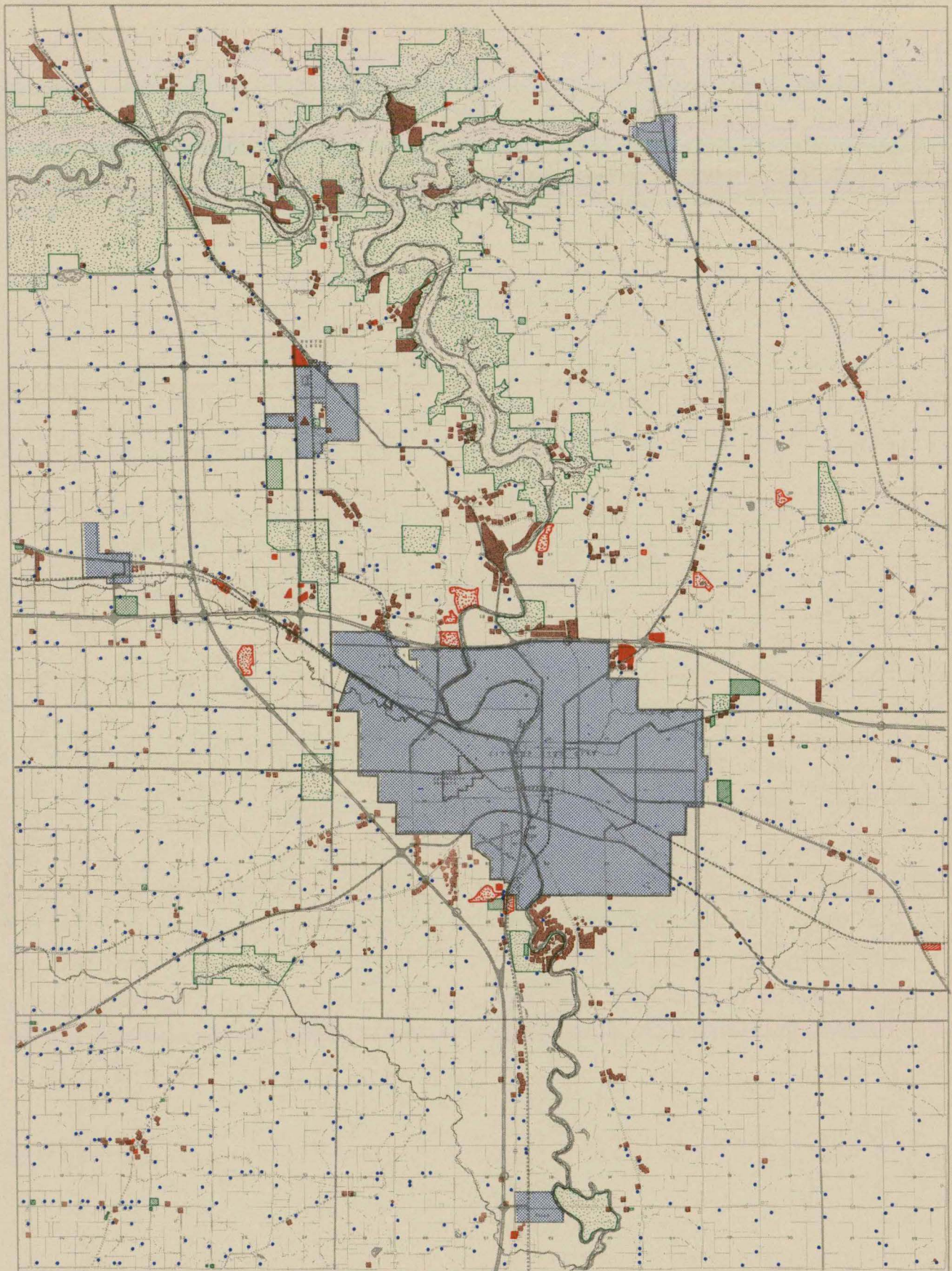
POWERS-WILLIS & ASSOCIATES
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 IOWA CITY, IOWA

CORE AREA

JOHNSON COUNTY, IOWA



MAP
 10



PUBLIC		INDUSTRIAL		NONFARM RESIDENTIAL		FARMSTEADS	
SEMI - PUBLIC		COMMERCIAL		SINGLE FAMILY		MUNICIPALITIES	
		MINERAL		MOBILE HOME			
				MULTIPLE FAMILY			

THE INFORMATION ON THIS MAP WAS OBTAINED FROM THE 1968 LAND USE SURVEY OF JOHNSON COUNTY, IOWA. THE BOUNDARIES OF MUNICIPALITIES AND TOWNSHIPS SHOWN ON THIS MAP WERE OBTAINED FROM THE 1968 LAND USE SURVEY OF JOHNSON COUNTY, IOWA. THE DATE OF THE SURVEY IS 1968.



EXISTING LAND USE - 1968
JOHNSON COUNTY, IOWA
 SPONSOR: COUNTY WARREN'S PLANNING COMMISSION

MAP
 II

JOHNSON COUNTY WARREN'S PLANNING COMMISSION
 1000 WEST 10TH STREET, DES MOINES, IOWA 50319
 PHONE: 281-1111
 DATE OF MAP: 1968

As illustrated by the maps, non-farm residential land use is concentrated in several distinct areas. The largest areas are found north of Iowa City along the Iowa River and around the Coralville Reservoir-Lake Macbride shorelines. A substantial number of dwelling units are also found south of the Iowa City corporate limits along the river and highways. Smaller areas are found in the unincorporated villages of Sharon Center, Morse and Cou Falls, and individual structures are scattered throughout the core area.

This pattern of non-farm residential development is a result of people seeking larger lots, a rural atmosphere, the amenities of woods and water, and, in some cases, freedom from the expense of municipal taxes, though the latter is an illusion, at best.

The Coralville Reservoir-Lake Macbride area has been particularly appealing, as evidenced by the number of new subdivisions platted in the area, (see Map 12). It is estimated that subdivisions in the core area contain about 1,500 lots, of which approximately 1,000 are presently developed.

The multi-family land uses consist of three mobile home parks and a few apartment buildings, occupying about 52 acres. Most are along major highways and relatively close to the Iowa City-Coralville area.

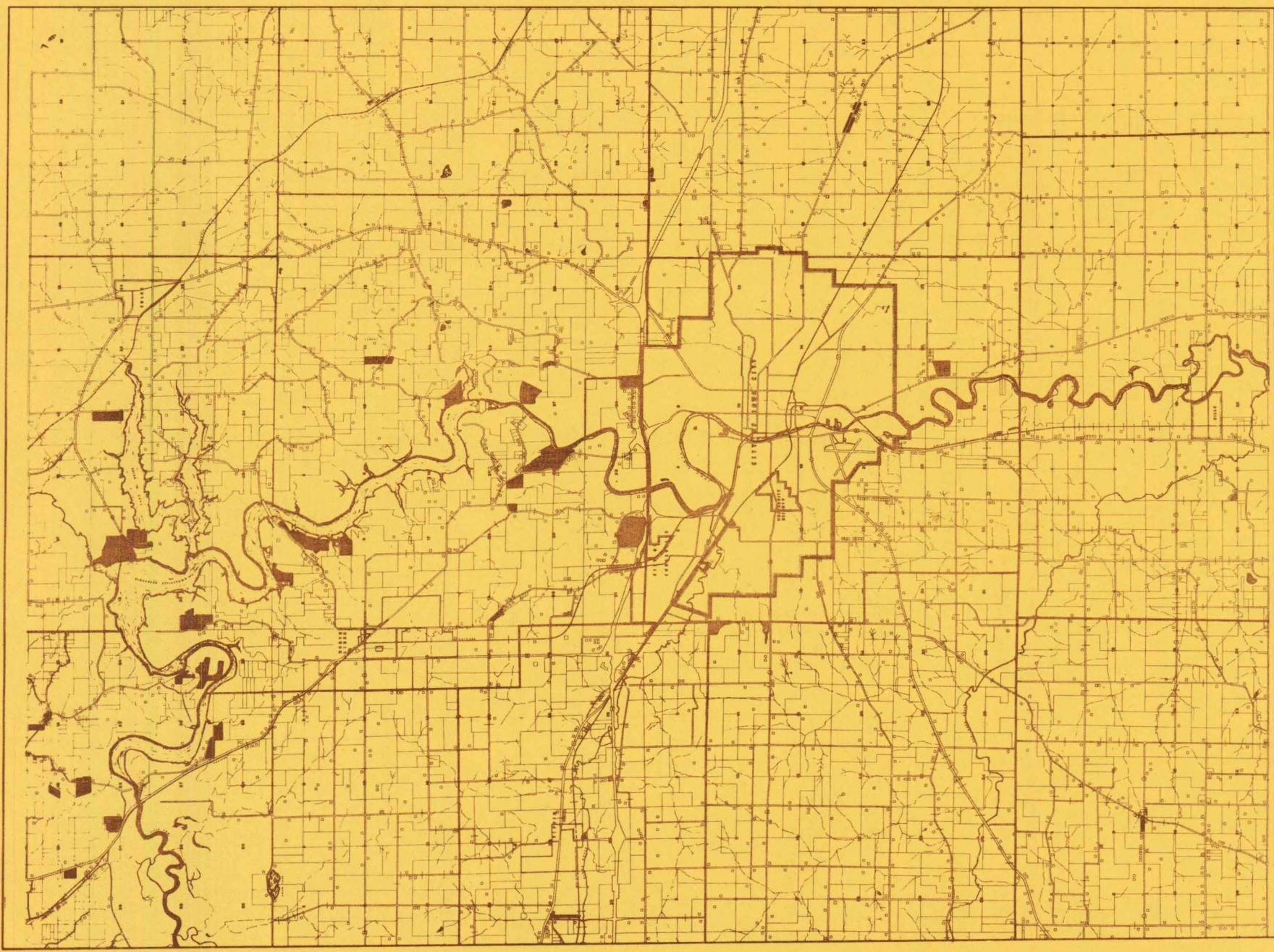
In addition to the mobile home parks, there are more than 75 single mobile homes in the core area. There is no particular pattern to the location of these structures. Policies on location of individual mobile homes should be reviewed.

These residential development patterns indicate a need to thoroughly review the residential zoning provisions. It is estimated that there is nearly 15,000 acres zoned for residential use in the core, while only about 1,160 acres has been developed to date.

Commercial Areas

Commercial areas, outside of cities and town, are relatively small as shown on Map 11. The majority of such developments are highway commercial uses, serving the traveling public with food, lodging, and automobile services. In the Johnson County core area, such uses account for 278 of the 295 acres in commercial land use.

Wholesale, general retail, and office-personal service uses account for the balance in small areas (see Table 2). As would be expected,



AREAS OF RESIDENTIAL GROWTH

THE INFORMATION ON THIS MAP WAS OBTAINED FROM THE RECORDS OF THE REGISTERED PLATTS OF JOHNSON COUNTY, IOWA, AND IS SUBJECT TO THE PROVISIONS OF CHAPTER 176, IOWA CODE, WHICH PROVIDES THAT THE INFORMATION ON THIS MAP IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE REGISTERED PLATTS COMMISSIONER.

JOHNSON COUNTY REGISTERED PLATTS COMMISSIONER

MAP 12

DATE OF LAST MAP REVISION: NOVEMBER 1987

these uses are found at the Interstate 80 interchanges and on the major highway routes leading into Iowa City and Coralville. As highway routes are improved or relocated, altering the traffic patterns in the region, there will be a desire to establish additional commercial areas. Also, the concentrations of residential development north of the urban area will generate pressures for some local service commercial facilities to serve this added population and to serve recreational and tourism traffic generated by the area.

The total commercial development occupies only 1.2% of the developed land in the core and 0.2% of the total core area. Nonetheless, the expansion or locations of new commercial areas must be carefully considered because of potential effects on adjacent lands and on the total development pattern of the region.

Industrial Land Use

Industrial land uses are also shown on Map 11. They account for about 80 acres of the core area, and with the exception of the uses along the C. R. I. & P. Railroad between Coralville and Tiffin, are small areas scattered throughout the core area. Nearly all these uses are agricultural service industries related to feed, fertilizers or fuel. A few areas are used for the collection and storage of junked automobiles and farm machinery.

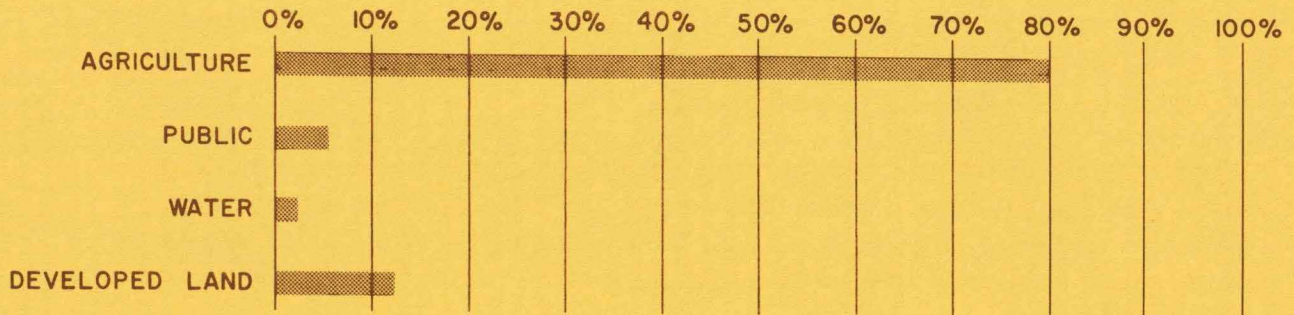
The amount of industrial land required is difficult to assess, because the actual development of industry is dependent upon many unpredictable factors. Land particularly suited to industrial use should, however, be protected from encroachment by incompatible uses, to assure its availability when the need arises.

Resource Production and Extraction

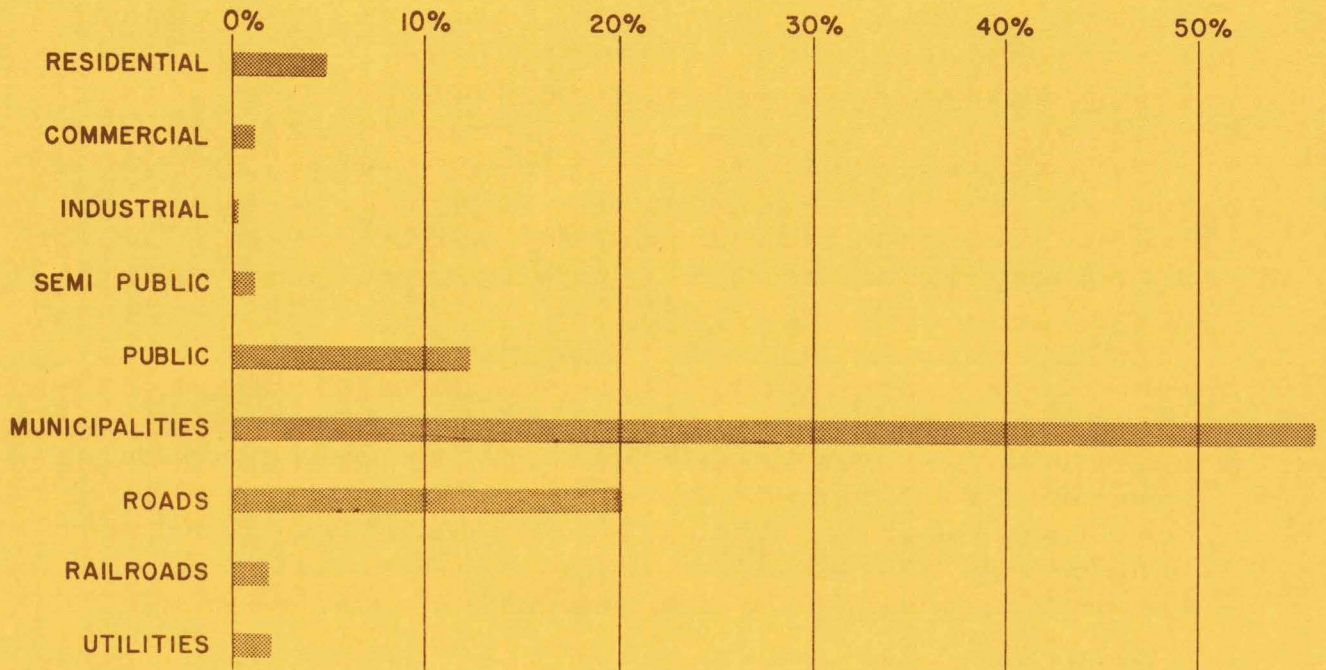
This category consists primarily of agricultural land totaling 153,300 acres, or nearly 80% of the total core area. Natural resource extraction uses (sand, gravel and stone) occupy 383 acres and are located in a band running east to west just north of Interstate 80 and along the Iowa River south of Iowa City (see Maps 4 and 11).

The location of gravel and stone quarries north of the Interstate would seem to indicate an area of useful deposits which should be protected from encroachment by urban uses, in order that these resources might be available for construction in future years. Deposits of sand,

TOTAL CORE AREA



DEVELOPED AREA



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 IOWA CITY IOWA

LAND USE COMPOSITION

FIGURE

1

gravel and limestone must be recognized where they occur, and more flexible land uses should be guided to other locations in order to prevent conflicts between such uses and the extractive industries.

Wooded areas outside of recreational areas are included in the agricultural tabulation. For the location of major wooded areas of the core area, see Map 5.

Cultural, Entertainment and Recreational

Public and semi-public lands and some private entertainment and recreational uses occupy 3,174 acres, or 13.4% of the developed area of the core. Of this, 2,900 acres are public lands, 65 acres are semi-public and 208 acres are private developments (see Table 2).

Most of the public recreational area is found in the Coralville Reservoir-Lake Macbride area. Other public land uses include the Oakdale Sanitorium and Hospital on Highway 218 north of Interstate 80, and the Johnson County Home west of Iowa City on the IWV Road.

Semi-public lands consist largely of small church and cemetery sites scattered throughout the core. Private lands in the category include the two golf courses east of Iowa City, the Iowa City Extended Care Center, marinas, riding stables, and the Izaak Walton site.

Additional public lands totaling 10,794 acres are found in the reservoir area, and there are 4,100 acres of water in the core area. The land and water areas also have recreation potential, and are presently used to some degree, though not actually developed for such purposes.

Transportation, Communication and Utilities

Interstate Highway 80 occupies nearly 700 acres of the Johnson County core area. State highways cover 834 acres, and county roads use approximately 3,275 acres of land. Railroads use another 450 acres, and communications and utilities, largely power substations and radio towers, occupy 479 acres of land. All of these tabulations are exclusive of the area occupied by such uses inside of corporate limits.

Road rights-of-way are the second largest non-agricultural land use in the core, illustrating the fact that providing accessibility and service to scattered developments may well consume more land than the development itself. The coordination of locations of transportation, utility and communication facilities is essential to efficient urban land

use development, and warrants considerably more attention than it is usually given.

Summary

In general, residential land use appears to be developing to a greater degree in the northern section of Johnson County, in the vicinity of the Iowa River and Coralville Reservoir (Map 12). The desirability of this area for home sites, especially those in proximity to the reservoir, has already been discussed. The interesting topography along the reservoir, with its hills, woodlands and ravines, creates impressive vistas and makes the area attractive to prospective home builders and developers. The accessibility of this area in respect to Cedar Rapids and Iowa City is important. A person living in this area can travel to and from work in Cedar Rapids or Iowa City in a short period of time. One may also enjoy all the social, cultural and economic advantages of the two cities and yet live in a rural landscape.

Commercial activity represents only 1.2% of the developed core area and has developed most recently around the interchanges of Interstate 80. Highway commercial uses may also continue to expand along Route 6 west and Highway 218 north as in the past, and the new Cedar Rapids-Iowa City expressway will create a demand for some commercial development nears its interchange points.

Industrial activity in the core accounts for only 0.3% of the developed area and does not appear to be increasing significantly in the rural areas.

Natural resources, while limited to agricultural land, sand, gravel, and limestone, will be essential to future generations, and should be protected and preserved to the greatest extent possible.

Transportation, utilities and communications facilities are major land users, and efficient land planning and development regulation is necessary to prevent unnecessary consumption of land by these uses.

EXISTING ZONING DISTRICTS

A comparison of existing land uses with the present zoning districts (Map 13) indicates a variety of difference.

The present zoning districts do not reflect the needs of future industrial development, particularly in areas adjacent to the cities and towns, where a logical extension of existing industrial areas appears desirable and necessary for potential industrial growth. Existing industrial zones generally reflect small areas of existing development and do not recognize future needs.

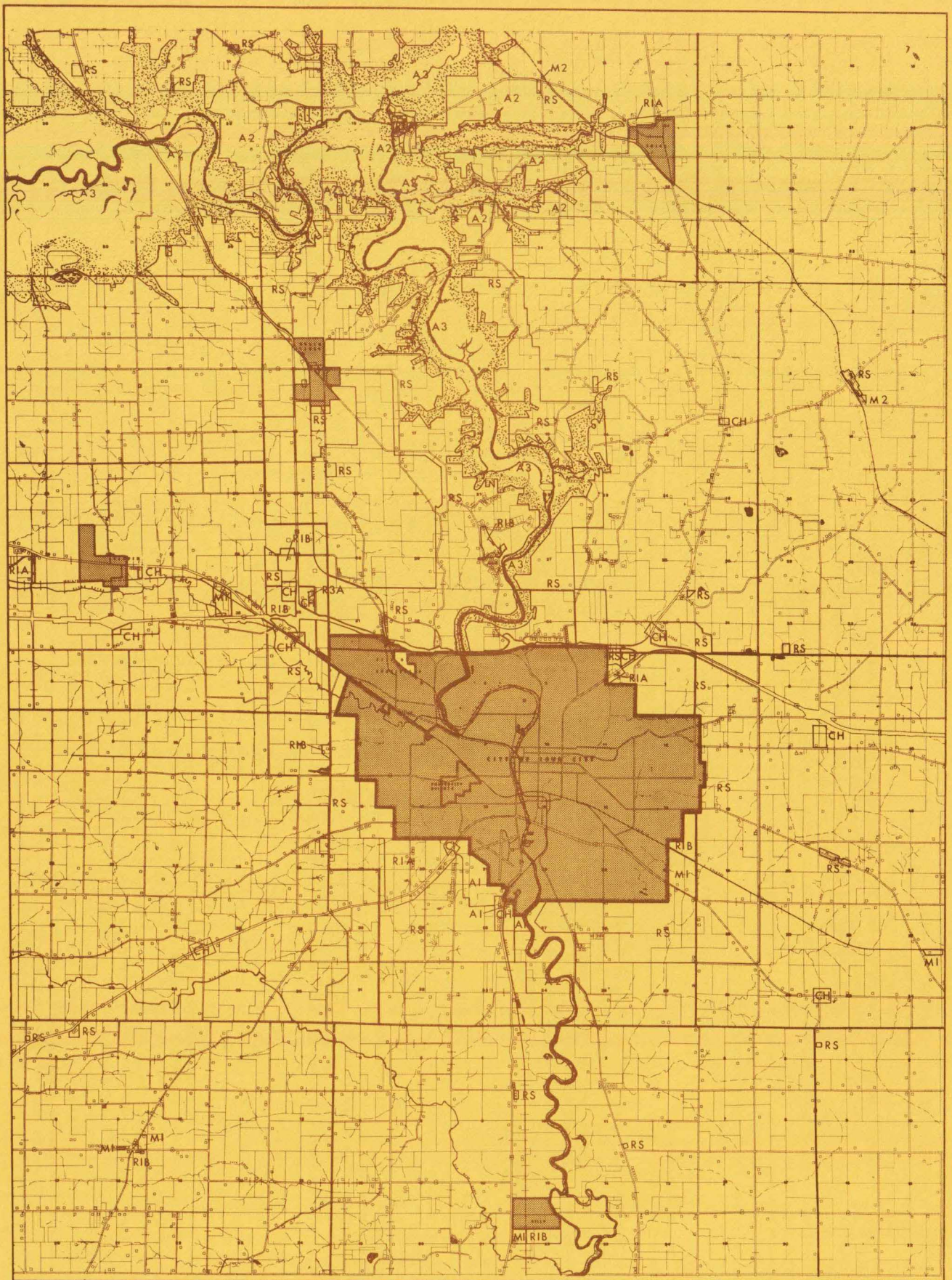
Commercial zoning is primarily a recognition of immediate demand, with most commercial zoning districts being so used. Exceptions are areas to the east and west of Iowa City where some commercially zoned areas are being used for other purposes.

The most obvious difference between the present zoning districts and the existing land use is the amount of land zoned for residential use (RS). A considerable area surrounding Iowa City, the Coralville Reservoir and Lake Macbride, has been designated for residential use. Most of this area that is not wooded is presently being used for agricultural purposes and can be expected to continue as such for some time.

Because of the extensive area zoned for residential purposes, the zoning ordinance does not promote the orderly development of the area, but does in fact encourage scattered development.

The zoning districts should provide the land use regulation that is needed at the present time as well as several years hence.

In achieving long-range goals, the zoning ordinance cannot overlook the short-range land use needs, and as development occurs, the zoning districts should be adjusted, utilizing the Future Land Use Plan as a basis for change.



A1-RURAL
 A2-RESORT
 A3-FLOOD PLAIN
 RS SUBURBAN RESIDENTIAL

RIA-URBAN RESIDENTIAL
 RIB-URBAN RESIDENTIAL
 R2-TWO-FAMILY RESIDENTIAL
 R3A-MULTI-FAMILY RESIDENTIAL
 CI-LOCAL COMMERCIAL

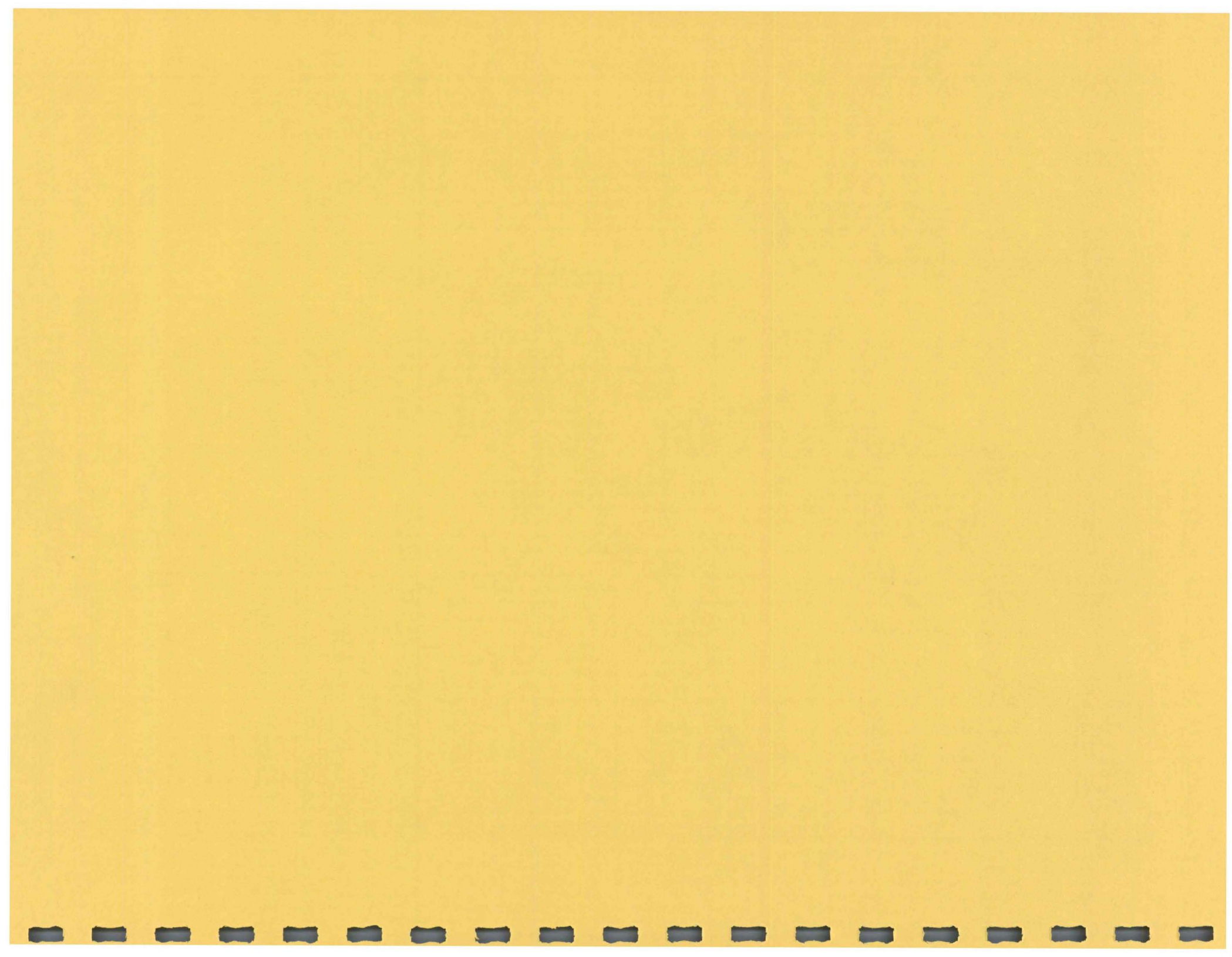
C2-COMMERCIAL
 CH-HIGHWAY COMMERCIAL
 MI-LIGHT INDUSTRIAL
 M2-HEAVY INDUSTRIAL



EXISTING ZONING DISTRICTS
JOHNSON COUNTY, IOWA
 JOHNSON COUNTY REGIONAL PLANNING COMMISSION

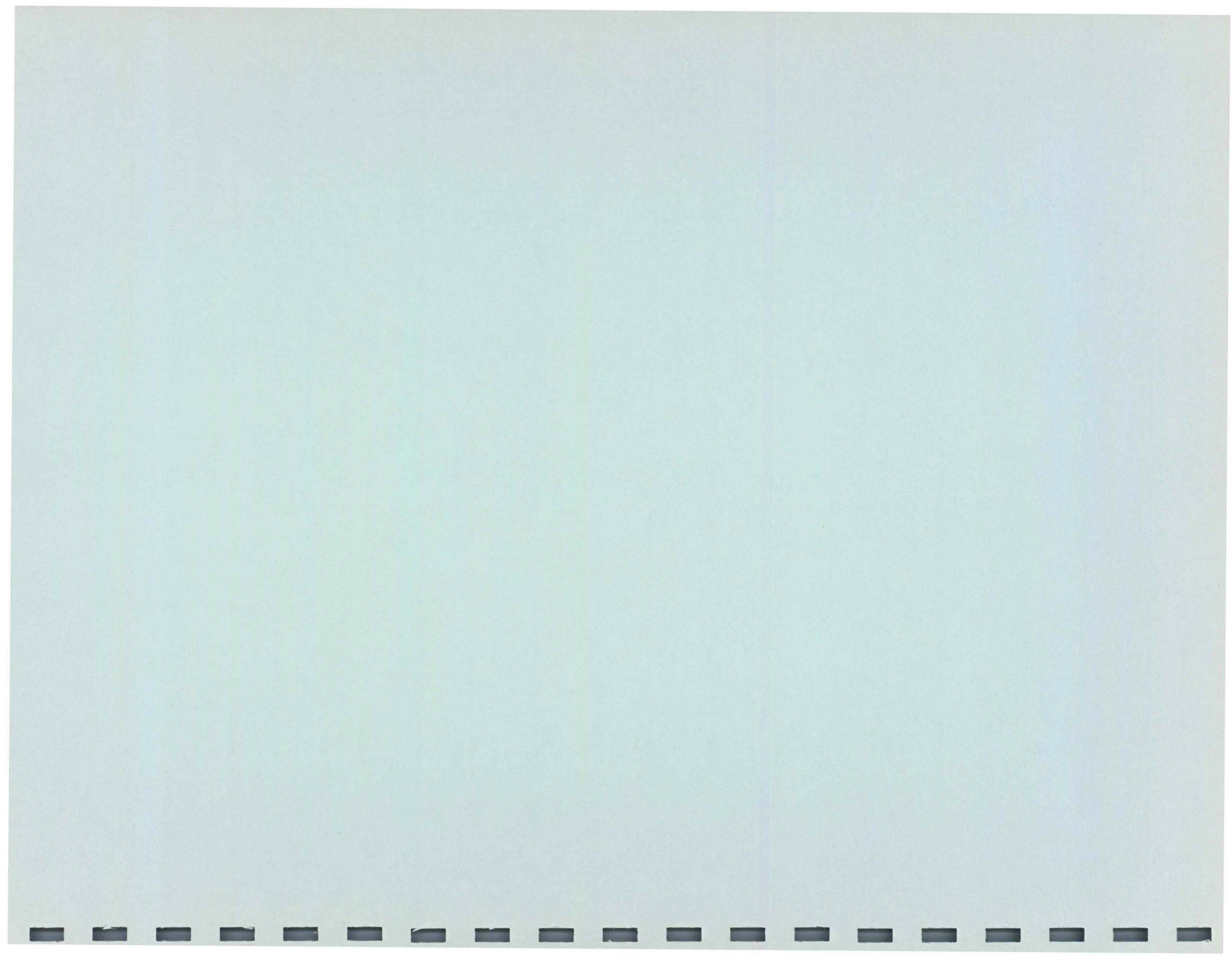
MAP
 13

THIS PLANNING DRAFT PROJECT OF JUNE 1953
 PREPARED UNDER CONTRACT FOR THE PROJECTS
 IN PART BY THE JOHNSON COUNTY REGIONAL PLANNING
 COMMISSION FOR THE PURPOSES OF CHAPTER 41, LAW
 1000 BY THE BOARD OF SUPERVISORS OF JOHNSON
 COUNTY, IOWA.
 PLANNING DRAFT PROJECT
 JUNE 1953
 DATE OF MAP AND INFORMATION RECEIVED 1957





LAND USE PLAN



FUTURE LAND USE PLAN

PLANNING CRITERIA

Introduction

In the previous section of the Johnson County Regional planning program, the various factors affecting land use in the county and specifically in the core area were discussed and the results of the existing land use survey presented. The economic factors affecting regional growth have also been discussed and the projected total population consequences outlined.

From this information, two major conclusions were drawn:

1. The region's core population will be about 100,000 in 1985-1990, an increase of 45,000 over its present population.
2. Land use planning provisions should be made to accommodate most of the 45,000 additional residents on the immediate periphery of the existing urbanized area.

It is on these two primary criteria that the Future Land Use planning concepts have been developed, though also related are secondary factors which have a definite influence on the nature and direction of land use development in Johnson County. Among the most significant of these are watershed orientation, public policy decisions and the processes of "invasion and succession" and "decentralization."

Watershed Orientation

Watershed orientation has played a substantial role in the settlement patterns of the urbanized areas of the region. This role has been both positive and negative--positive from the standpoint of discouraging growth outside of primarily settled watersheds.

The region can be divided graphically into four quadrants. These have the north-south axis as the Iowa River and the east-west axis as Highway 6 Bypass and Highway 1 West. The major growth in the region up to this time has been in the Ralston Creek Watershed in the northeast quadrant of the region.

The limits of the reasonable settlement density are about reached in this quadrant. In some instances, the growth has gone beyond

the water shed divides, this being true particularly on the eastern part of Iowa City in the industrial complex.

The next major residential concentration has occurred in the Clear Creek Watershed, namely Coralville. This watershed now has a population of about 5,000 people, whereas the Ralston Creek Watershed has a population of about 20,000 people, excluding the University. However, the Clear Creek Watershed population may be expected to be doubled in the planning period or to reach a total of about 10,000.

The watershed orientation concept will continue but its further influence will not continue in as obvious a manner because the growth will now be influenced by public policy decisions as well as watershed orientation.

Public Policy Decisions

An important public policy decision was made by the Iowa City Community School District when it located the new West Side High School on the IWV Road, at a point about the same distance from the Iowa River as the existing City High School. This school will encourage a growth pattern on the west side of the river which is similar to the residential pattern on the east side of the river. To make this residential growth on the west side possible, the City of Iowa City extended the southwest interceptor sewer in such a way as to serve a great deal of the area south of the IWV Road and west of Sunset Street. This interceptor sewer was sized to serve the entire geographic area, making possible the residential buildup which will be created by the new West Side High School.

The third major public policy decision which will have an influence on the Future Land Use pattern is the proposed Southwest Bypass, which will connect to Highway 6 and existing 218. The interchange area, with Highway 1 and with the IWV Road will provide easy access and a modern expressway to Cedar Rapids, thus having an influence on the movement of people and goods. An additional need and demand for commercial and industrial land in the area served by the highway will be created.

Thus, it can be seen that watershed orientation and public policy decisions are two important influences in the Land Use Plan for the Johnson County region.

Invasion and Succession

Another land use process which has had substantial influence on the settlement patterns of the region is that known as "invasion and

succession." These processes occur as linked in sequence. Invasion is the interpenetration of one population group or use area by another, the difference between the new and the old being economic, social or cultural. Succession occurs when the new population group or use types finally displace the former occupants of uses of the area and assume a dominant role. It is possible for an area to experience invasion but never reach the succession stage. There are instances of invasion with and without succession in the region.

The normal instances of invasion and succession occur with the changing of areas or neighborhoods through the inflow and outflow of different ethnic groups. However, in our case, the main impetus to invasion and succession in this region comes through the influence of the University of Iowa. This institution has a program of constantly expanding facilities and needs, not all of which can take place within the existing boundaries of the University. This causes the University to acquire property in separate parcels on a continuing basis. It is estimated that over 100 separate parcels of real estate (mostly of residential and commercial nature) have been acquired by the University in the past five years. Some parcels have been cleared of buildings. Others retain the buildings and are being put to institutional uses. In the area bounded by Madison Street, Capitol Street, Prentiss Street and Court Street, 30 or more separate properties have been acquired and the buildings razed in preparation for interim parking facilities and a future dormitory site.

There is no reason to believe that the parcel acquisition will not continue as the University grows and the needs for additional space and facilities occur. The change in use of the former Jefferson Hotel to University use is an illustration of this process.

The principal consequence of this invasion is the same as that of any other land use invasion: a breakup of the existing population and land use makeup of an area, with succession being the culmination of the breakup, and the new achieving complete displacement of the old. Viewing the effect of displacement or succession in "off-the-site" land use, it may be noted that displaced businesses and services have tended to follow transportation routes, creating ribbon development along major thoroughfares, or a filling in of new commercial cells.

Decentralization

In this area, a major consequence of invasion and succession is decentralization. We are now beginning to see a pronounced tendency toward settlement patterns of a polynucleated order, with the appearance of some outlying centers of work, commerce and entertainment.

This decentralization involves a migration outward to fringe areas or nearby subcenters. This migration comes from the transformation of land uses which lie immediately around the major institutional core. As the region and the University grow, one may expect further decentralization as a result of the invasion and succession of the University and as the result of the development of a series of commercial, industrial and high density residential nuclei.

These multiple cores of commerce sometimes occur from origins in an urbanized area and persist as centers when residential growth has filled in the areas in between them. But, in our case, new cores will emerge as urbanization proceeds. A good example of the multiple nuclei concept is the major commercial growth which is occurring on the Highway 6 Pypass at the southeast eadge of the now urbanized region.

As this area develops commercially and as industrial uses continue to develop east of the existing industrial complex, substantial residential growth will occur to the south of Highway 6 as a result of the commercial and industrial sector patterns. It is expected that this growth will be subsequent to and smaller than that growth which may be expected in the northwest quadrant or in the area influenced by the West Side High School.

RECOMMENDED LAND USE PLANNING GOALS

Goals and Objectives

Preparatory to considering the future land use needs and the policies and land use plans necessary to meet these needs, land use planning goals for the region should be established. As a result of the studies and deliberation to date, the following goals and objectives are recommended for the Johnson County Regional Land Use Plan:

1. The Regional Land Use Plan should recognize and facilitate the coordination and correlation of local land use planning which has been undertaken to date by the JCRPC member agencies.

The regional land use planning program is concerned primarily with the development of the unincorporated portion of the "core area" as delineated on Map 10, but the development of this area is essentially a result of expansion of the incorporated member communities. Of these, Iowa City and Coralville have prepared land use plans and have local ongoing planning programs. Solon, University Heights and North Liberty have been involved in the basic land use planning process during the development of their zoning ordinances, and through their zoning administrations are maintaining, in effect, a current land use plan. Outside the core, Lone Tree has completed a comprehensive planning program for the town and immediate adjacent area. In the unincorporated part of the county, land use planning is essentially reflected in the evolution of the zoning districts since the original studies in 1958. To the extent that this planning is considered valid by the local member agencies, it must be worked into the fabric of the regional plan.

2. The Regional Land Use Plan should accommodate the potential growth of the region through the provisions to the maximum extent possible, of optimum locations for the necessary expansion of residential, commercial, industrial, public and semi-public land uses.

Each category of land use has certain specific requirements in terms of location, topography, transportation facilities, utilities services, areas, soil and subsoil conditions, and various other conditions. It is suggested that the availability of the most nearly optimum combination of these factors should determine the locations of the future uses of land. Where use requirements develop, immediate need and

interest to develop and availability of alternate locations for the competing uses must be given additional consideration. Land is a limited resource and once committed to urbanization, it is not likely to be restored to a natural state. Similarly, land committed to commercial or industrial use, even though only limited or scattered development may have occurred, will be rejected for conversion to residential uses. Therefore, land to accommodate future growth must be evaluated now, and policies to protect its future availability for its most suitable purpose adopted.

3. An environment conducive to the further expansion and development of the University of Iowa as an institution of learning and as a regional medical center should be preserved.

In planning for the region's future, recognition of the University of Iowa as the major contributor to increased employment and population is paramount. It is essential that public policy reflect the physical, social and cultural requirements of this expansion. Some policies must deal with matters that directly affect the University, such as accepting the "invasion and succession" of University uses in areas adjacent to the campus or in preventing encroachment of certain uses into long-range expansion areas to the west. Other policies will deal with matters of accommodating the housing, recreation, shopping and service needs of the off-campus student and University employee population.

4. The open space resources of the region, such as the Lake MacBride-Coralville Reservoir areas, the Iowa River, the woodlands along major drainage courses, and other similar areas should be conserved and protected for the benefit of the total regional population.

As the Johnson County region grows, great demands will be placed upon present open space resources. Because the region's major existing resource in this area has a service area far greater than the region itself, it is imperative to conserve and protect from urbanization other additional lands that can make a positive contribution to the region's open space network. Among the areas that must receive primary consideration are lands bordering the Iowa River, both above and below Iowa City, and woodland areas along Old Man's Creek, Snyder Creek, Clear Creek, Rapid Creek, and their tributary drainage courses, as well as additional areas in the Lake MacBride-Coralville Reservoir vicinity. Both public acquisition and regulation of private development will be necessary to achieve this goal.

5. Valuable agricultural lands should be protected from unnecessary encroachment by urban land uses.

Prime agricultural crop land is Iowa's greatest single natural resource. It cannot be created. It cannot be moved. It cannot be replaced once it has been destroyed. Because good agricultural land is usually of uniform to gently rolling topography, it is also the easiest to develop for urban uses. Where other land is available that with proper planning and design would make suitable sites for urban land uses, it should be public policy to discourage the use of the best agricultural land for these purposes.

6. Natural resources needed now and by the future population of the region should be protected from incompatible uses or over use that would make their future utilization difficult or impossible.

The natural resources of the region consist of sand, gravel, limestone, the surface water of the lakes, rivers and streams, and the ground water supply. These must be recognized where they occur and their present and future availability protected. Permitting development too close to sand, gravel or limestone deposits may hamper or prohibit their future use. Overdevelopment of land and inadequate provisions for waste disposal may pollute surface and ground water supplies. The regional land use plan must recognize these potential problems and promote a land use pattern that will protect the natural resources of the region.

FUTURE LAND USE NEEDS

Required Coordination of Local Planning

Coordination of regional and local planning and of planning in areas where jurisdiction of local governing bodies may overlap is obviously essential. Correlation of the new regional land use plan with the presently valid portions of the 1960 Iowa City Land Use Plan by Harland Bartholomew and Associates and the 1965 Coralville general development plan by Scruggs and Hammond is of particular importance in planning for the urbanizing center of the core area of Johnson County, and these plans have been studied and considered in the light of the total regional growth picture.

Generally, these plans, when modified to reflect the actual locations of major traffic arteries, schools, parks and private development envisioned at the time of their preparation, are consistent with the future development trends that can be forecast at this time. Therefore, the regional plan proposals are not at variance with the local plans of Iowa City and Coralville.

Lone Tree has the only other comprehensive community plan prepared in the County, and because it is recent (1966) and because development there will be largely within the present corporate limits, it does not present any difficulties.

The present zoning of Solon and the physical factors affecting location of new developments in the community are not in conflict, and the present zoning pattern can be projected to accommodate the additional 500 persons forecast by 1990. Since the preparation of this report, Solon has taken steps to prepare a comprehensive community plan.

North Liberty is recognized as having considerable potential for future growth, assuming continued improvements in community facilities and services and the location of additional commercial and industrial enterprises in the immediate vicinity. Some land in the area has the physical characteristics and locational appeal for major industry but actual development of such is not apparent at this time. If and when such would occur, the North Liberty area would require the greatest land use planning attention of any area outside of the Iowa City-Coralville-University Heights urban area.

Tiffin and Hills in the core area and Oxford, Swisher and Shueyville outside of the core area do not pose any coordination problems. Hills and Tiffin will share in the total core area population growth, perhaps to the extent of 500 persons each, but land use changes will be primarily in increased residential areas to accommodate the population growth. Both Hills and Tiffin can expect some new commercial development at nearby major highway intersections.

Presently, the areas outside of the urbanizing center of the core which require the greatest attention are rural residential areas north of Iowa City, along the Iowa River and around the Coralville Reservoir and Lake Macbride. As was pointed out in the preceding section (see Maps 11 and 12), rural non-farm residential uses are generally scattered, with a tendency to gravitate toward the Reservoir-Lake area. The scatteration is largely a result of an excess of suburban residentially zoned land. The continuation of the appeal of the areas for residential uses makes it highly desirable to encourage a more efficient development pattern that can be properly serviced, and to discourage further random scatteration, with its attendant problems of providing policing, fire protection, school services, water supply, waste disposal, road maintenance and other services.

Accommodation of Expected Growth

The population increase of 45,000 for the core area will consume only about 8,000 acres of land, and of this, 7,000 will be in the urbanizing center of the core. The smaller incorporated communities will utilize approximately 300 acres of new land, largely for residential purposes, while rural subdivisions and scattered non-farm uses will account for the remaining 700 acres. In other words, the foreseeable new urban and suburban development will, in total, occupy 12.5 square miles, an area similar in size to the present Iowa City-Coralville-University Heights area. Outside of the core area, conversion of raw land to residential-commercial and industrial purposes is expected to be negligible.

Residential Growth

As has been discussed earlier in this report, watershed orientation and major public policy decisions place the emphasis on residential development in the west quadrant. This area, generally surrounding the new West Side High School, is expected to accommodate 20,000 of the 40,000 population increase in the urban area. This will require 1,750 acres, or a little less than three square miles of presently undeveloped land.

Two areas of current growth activity that are expected to continue to accommodate a portion of the new residential development are the Clear Creek Watershed (Coralville-Oakdale) and the Ralston Creek Watershed. The first will have an additional 5,500 persons by 1990, while the latter can be expected to increase by a population of 4,500. This residential activity will consume 460 and 375 acres, respectively.

Later in the planning period, as commercial and industrial development expands in the southeast quadrant and public facilities increase, the area along and south of the U. S. Highway 6 Bypass is expected to experience residential building expansion and receive an additional 10,000 population, resulting in the conversion of some 800 acres to urban use.

Outside the immediate urbanizing center, the towns of Hills, Tiffin, Solon and North Liberty will experience increases in population of up to 500 persons each. The demands in terms of additional public services from even this seemingly modest increase will place considerable financial pressure upon those communities. Approximately 200 acres of land will be developed among the four communities.

In the unincorporated portion of the core, a population increase of about 3,000 persons is expected, to be dispersed largely in the Reservoir-Lake area, and because of a lower density, will require approximately 600 acres.

Thus, it can be seen that of these 8,000 acres of development expected to occur by 1990, slightly over half of the land will be utilized for residential purposes, including streets and roads which provide access to the building sites.

Commercial Development

New commercial development has a tendency to lag behind the "market" or the population increase, although in an area such as the Johnson County region, where the achievement of the population forecast is more inevitable because of the certain growth of the University of Iowa, there is less cause for such caution. In practice, however, this caution appears still to be exercised, and even recent major commercial developments indicate less than adequate provisions for expansion. While some fragmentation of customer shopping now exists, a determined attempt may be made to forestall further deterioration by the furnishing of additional amenities in existing centers, such as adequate provision for pedestrian access and accommodation, additional attention to aesthetic considerations and provision of plant and shade materials

and benches. This forestalling of any additional substantial fragmentation will strengthen the economic base, and thus the consumer attraction of the present commercial enterprises will act to the general benefit of the entire region.

Additional commercial development can be expected to be of several distinct types, each having particular locational characteristics.

Highway Commercial development can be anticipated at major highway interchanges on the new north-south expressway in the vicinity of North Liberty and Iowa City, and as a further expansion of development presently occurring at the Interstate 80 interchanges in the core. In addition, limited new highway oriented uses will occur along U. S. Highway 6 in Coralville and Iowa City, and along Iowa Highway 1, west to the expressway.

Local Service Centers will be required at several new locations in the urban core, providing sites for necessary shopping and personal services to meet the daily requirements of surrounding residential neighborhoods.

General Commercial and Office Uses will require some additional locations for "independent" enterprises not requiring a close relationship to other shopping facilities. Some such uses will find locations within or on the fringe of the Iowa City CBD, and on sites intermingled with other commercial and industrial uses. Still others will be accommodated in commercial and light industrial subdivisions, such as those found in southeast Iowa City along the Highway 6 Bypass.

Regional Retail Shopping Facilities will be required and present indications are that these facilities will be provided in the Iowa City CBD and in a somewhat lineal and fragmented center along the U. S. Highway 6 Bypass, between the Wardway Plaza and Sycamore Mall Centers. Population growth in the southwest quadrant and Clear Creek watersheds, coupled with the southwest bypass (518 Expressway) will create a demand for a major shopping facility west of the present urban area, and if the present existing and developing centers are unable to fulfill their role in the eyes of the consumer, a new west side location could cause a major shift in regional shopping patterns.

In spite, however, of the variety of types of new and relocated commercial uses that will be required to serve the new population growth, the aggregate total of new land area required will range between 50 and 150 acres, not a very large percentage of the total developed area.

Industrial Growth

New industrial growth cannot be forecast accurately, as it results from aggressive pursuit and good fortune. From the land use planning standpoint, however, it is important to select areas suitable for industrial development and preserve and protect them, so that they are available when the demand presents itself. The Future Land Use Plan contemplates that some 500 to 750 acres should be available in locations to the east and west of the urban area, accessible to the major highway and rail transportation routes. That this land is designated for industrial use does not mean that the growth will occur; but without such designation the growth cannot occur.

"Super Industry" and the Resulting Implications

From time to time, large industries make site analyses and location studies in this immediate area. These are generally not "heavy" in nature, perhaps research-oriented in some activities, and looking for the amenities usually associated with University communities. Naturally, there is intense competition for these industries, particularly if they are large employers and have high quality employees who earn good wages.

It has been the experience of those who are most actively engaged in industrial development for the region that the larger employer who needs a large site (500 acres and up) traditionally has been interested in locations on the high and rather level ground to the north and west of North Liberty, and south of the flood plain of the Coralville Reservoir. The construction of the 518 Freeway to Interstate highway standards with an interchange at North Liberty enhances the potential of the area.

Factors influencing the area potential are good potential water supply, good foundation conditions, good natural topography, accessibility to rail and highway, and favorable location with respect to two labor markets.

The actual relocation to this region by a "super industry" is by no means a certainty or even a probability. There have been ample inquiries to establish a possibility and the Future Land Use Plan proposes to account for the possibility by planning for the proper area to be left open to allow flexibility.

The actual location of such an industry would have a profound effect upon its immediate environment. This might well provide the impetus for the development of a complete new urban complex in the general area of the industry.

The combination of development patterns as a result of this event are almost unlimited, which makes any detailed planning or land allocation not meaningful at this time. However, the possibility must be remembered and taken into account as future land use decisions are made by the various responsible public officials.

Public- Semi-Public Land Uses

The private residential, commercial and industrial development discussed so far accounts for a little over 5,000 acres of land. The remaining 3,000 acres of land can be expected to be utilized for a variety of public and semi-public purposes, including major streets, public buildings, schools, parks, playgrounds, athletic fields, churches, utilities plants, substations, and easements, University expansion, and open space preserves. In part, this land will be required to make up present deficiencies, in part to serve the future population, and in the case of recreation land, in part to serve the much broader service area of the major recreation facilities located in the county. Yearly attendance at Lake Macbride State Park, for example, is expected to reach 1,600,000 by 1990. The localized facilities will, of course, have to be dispersed according to the population distribution, but regional facilities should be concentrated in larger blocks of land, on the fringe of the urban development.

Agriculture

Agriculture will continue to be the major land user in the region, though the quantity of land in crop production will inevitably decrease as land is consumed by urban uses. In spite of effects to the contrary, a substantial portion of additional 8,000 acres required for various aspects of urban development by 1990 will probably be prime agricultural cropland. Though this reduction of agricultural land will be less than 2% of the county's total, available crop acreage, it cannot be viewed without concern in light of cumulative state and nationwide losses of this irreplaceable resource during the same period. Channeling the urban growth, when possible, to the less agriculturally productive land will pay greater dividends in 1990 than may be envisioned now.

Natural Resources

Urban development consumes considerable quantities of sand, gravel and crushed stone for buildings, roads, parking lots and many other uses. With the construction required to serve the population forecast for 1990, the deposit of this resource along the Iowa River, both north and south of

the present urban area, will be of considerable importance to the region and their protection for future utilization is essential.

Water is another resource for which the demand will greatly increase by 1990. Consumption for human use, manufacturing, fire protection, cleaning, cooling and a multitude of other uses can be adequately supplied by the available supply, if it is properly protected. Utilization of water as a recreational resource will increase and the prevention of pollution of the Iowa River, Coralville Reservoir, and Lake Macbride is of utmost importance to the future of Johnson County.

Woodland areas are not in as great a supply in Johnson County as in other areas of southeast Iowa. As a recreational resource, a haven for game birds and animals, wind breaks, erosion preventative, and an element of scenic beauty in the landscape, the remaining woodlands should be preserved and protected and additional areas created where possible.

RECOMMENDED FUTURE LAND USE POLICIES

Introduction

To achieve the recommended land use planning goals and meet the demands for location and land of the various land uses, it is necessary that the Regional Planning Commission adopt and recommend to its member agencies for local implementation and enforcement, a number of future land use and development policies. These may be classified as major policies consisting of those which have application to the entire region, and as supplementary policies, which have relevance only to a portion of the region or to a particular local jurisdiction.

Recommended Major Policies

The following major policies are recommended for adoption by the Johnson County Regional Planning Commission:

1. Encourage future growth and development of urban land uses to occur as compact, logical extensions of existing urban areas and discourage the proliferation of non-farm uses on the rural landscape.

This policy would help achieve the goal of providing optimum location for all uses by preventing "leapfrogging" or "sprawl" and the resulting intermixing of incompatible uses that occurs when development is unguided. It would also protect open space, agricultural lands, and Natural Resources and promote the most efficient provision of public facilities and services.

2. Promote the respect of natural limitations on development by giving prime consideration to watershed orientation and topography in selection of locations for new development.

The "watershed orientation" factor has been discussed previously and adoption of this policy would affirm recognition of it as a major factor in Johnson County Core Area development. Much essential efficiency and economy can be achieved by respecting the natural limitations on serving new growth and directing it to locations readily accessible to existing public services.

3. Adopt the multiple nuclei concept as the most effective development pattern to serve the present and future urban core population.

There are many alternative patterns of development that have and might be considered, but past public policy relative to land use, zoning, public facilities and transportation development has already resulted in several major commercial, apartment, educational and industrial nuclei in the urban area and other imminent developments point to the demand and fulfillment of demand of additional nuclei for various purposes. Recognition and guidance of this trend is considered the best and most obtainable of the various alternatives available.

4. Provide adequately for the normal variety and quantity of uses necessary to serve the additional 45,000 population by 1990 and to improve or expand services for the present population, but maintain an attitude of flexibility in both plans and policies to accommodate additional major changes or developments not presently envisioned.

In adopting this policy, the Regional Commission would acknowledge that the additional 8,000 acres required for various land use needs is a realistic expectation, and would therefore make provision for this development in the land use plan, while also declaring that it would maintain close watch on the plan and growth trends, and in the event of a major, unexpected occurrence (the advent of super industry, perhaps) it would be prepared to re-evaluate its plans and policies and take appropriate steps to accommodate such a new development.

5. Encourage aggressive acquisition of light manufacturing, warehousing and research oriented industries, and encourage provision and protection of sites suitable for the location of new and the expansion of existing industries.

Industrial development is a highly competitive endeavor and should be supported at all levels of local government. In Johnson County, the regional approach is highly desirable, for whether new industry locates east of Iowa City, between Coralville and Tiffin, or west of North Liberty, it will provide a source of employment and income for residents of all communities in the region. Recognizing that aggressive action is needed, and that good industrial sites must be available and protected, should be a major policy of the Regional Commission.

6. Conserve and protect existing public parks, recreation areas, open spaces and lands under private ownership having significant scenic, open space or recreational value.

Existing parks, and recreation areas will suffer from excessive use unless provision is made to protect them through expansion of area, control of adjacent land uses, and balance user loads through the provision of additional facilities. Methods must also be sought to conserve the scenic, open space and recreational value of certain lands under private ownership when urban development is undertaken. A combination of legislation, acquisition, and persuasion will be required.

These major policies will have to be supplemented by additional local policies which are essential to maintaining coordination of local plans with regional goals, plans, and policies. Implementation of these local policies will also provide the means of realizing the regional land use plan. The recommended supplementary policies are as follows:

1. Each member agency should keep the Regional Planning Commission advised of local conditions, trends, plans and zoning changes through regular or periodic reports.

This will enable the Regional Planning Commission to maintain an up-to-date record of land use development, planning and zoning activity, providing information basic to evaluating and modifying the regional land use plans and policies.

2. Local governments should extend municipal utilities and services only to those areas that are logical additions to the urban area and which can readily be served efficiently and economically. Extensions of services beyond the corporate limits, to developments other than to those presently developed areas having no other alternative should not be made available.

Such a policy will assist in maintaining a compact urban core and will prevent future costly service extensions across unbenefited property to serve leapfrogging developments.

3. Local governments should adopt a relatively tight zoning policy, rezoning additional land for various purposes only when the proposal is a logical extension of an existing district or is an appropriate location for a new district, as evidenced by the Future Land Use Plan, and when there is demonstrable need for and intent to develop the area for which rezoning is proposed.

Compact development can be further encouraged by not overzoning for various purposes, or by not classifying too much land too far in advance of actual development potential. Too often, overzoning for commercial purposes results in scattered development followed by a decline in the desirability of intervening land for other less intensive uses.

4. Each local agency should adopt a subdivision regulation ordinance and strictly enforce the ordinance, both within the corporate limits and within the one-mile control area.

By enforcing essential improvement requirements in the one-mile control area, developments will either locate as logical extensions of the urban area where such improvements can be installed economically, or they will go beyond the one-mile area and lose some of the advantages of proximity.

5. Innovative approaches to land development should be encouraged through provisions in local development ordinances and reasonable flexibility in local design and development standards where such will not sacrifice the health, safety, comfort, convenience or general welfare of the ultimate occupants of such developments.

New design concepts can be the key to preserving open spaces and natural resources, or utilizing land not adaptable to conventional urban development patterns. These should be encouraged and permitted as long as the public interest can be maintained.

6. Potential growth areas should be studied in detail at the local level, well in advance of development, and the regional and community plans refined to provide a more precise guide for public and private actions.

Such studies would be consistent with the view of the planning process as a series of refinements from the regional to the county and municipal level, to the area, district or neighborhood, and finally to the subdivision, commercial area or industrial park, or apartment complex. At the present time, area or district planning studies should be initiated by Iowa City for the northwest and southeast quadrants and by Coralville for the area west and north of the present developed area, including the Oakdale complex.

RECOMMENDED REGIONAL LAND USE PLAN

Introduction

The Regional Land Use Plan illustrates the recommended development pattern for Johnson County and especially for the core area. Land use allocations on the plan are necessarily generalized but do indicate graphically the location and approximate quantity of land recommended to accommodate the expected regional growth to a population of 100, 000 by 1990. The plan has also been designed to reflect the regional land use planning goals and to recognize the local land use planning that has been done to date.

Residential and public lands occupy the greatest area of land outside of the present corporate boundaries, excluding agriculture, with future commercial and industrial areas being limited to extensions of existing areas and a few new areas adjacent to major highway routes.

Iowa City-Coralville-University Heights Area

Expansion of the urban center of the core can be accommodated within the limits of the Clear Creek and Ralston Creek watersheds, as indicated by the location of future residential areas on Map 14. The Plan calls for 20, 000 to 25, 000 persons to be accommodated in the "Northwest Quadrant", in the area surrounding the West High School, 5, 000 persons to be accommodated north and west of Coralville, 5, 000 persons to be accommodated in the Ralston Creek Watershed in eastern Iowa City, and 5, 000 persons to be housed in southeastern Iowa City, south of the Highway 6 Bypass. As this latter area moves into the Snyder Creek Watershed, an additional 5, 000 persons can be expected in that area.

Commercial nuclei, in the form of regional shopping centers, provide focal points of activity throughout the urban area. Regional commercial centers designated are the Iowa City CBD and several locations on the Highway 6 Bypass (Map 14). Also shown on the map are highway service centers, principally located at major highway interchanges and along U. S. Highway 6 in Coralville and South Riverside Drive in Iowa City. Local commercial centers designated are those areas currently serving as neighborhood service centers in Iowa City and Coralville. New highway service centers are shown at the Highway 518-Highway 1 interchange southwest of Iowa City. Locations of additional local service centers are shown in eastern Iowa City, in southwestern Iowa City, and in west Coralville.

Industrial areas include the Iowa City industrial park and its eastward extension in the southeast part of the city, the Coralville industrial park at I-80 and First Avenue, and the Highway 6 industrial area west of Highway 218. The most desirable land in the urban center for industry is in southeast Iowa City between Highway 6 and the railroad.

Lake Macbride-Coralville Reservoir Area

Two concentrations of rural residential development have occurred -- one in the vicinity of Lake Macbride and the Coralville Reservoir, which is composed of a number of subdivisions, and the other in the general area of River Heights Subdivision. Each of these areas is expected to accommodate an additional 1,000 persons by 1990. To facilitate public services, it is recommended that rural residential development be encouraged to locate in these areas, and that the vast areas of suburban residential zoning be substantially reduced.

Other Incorporated Areas

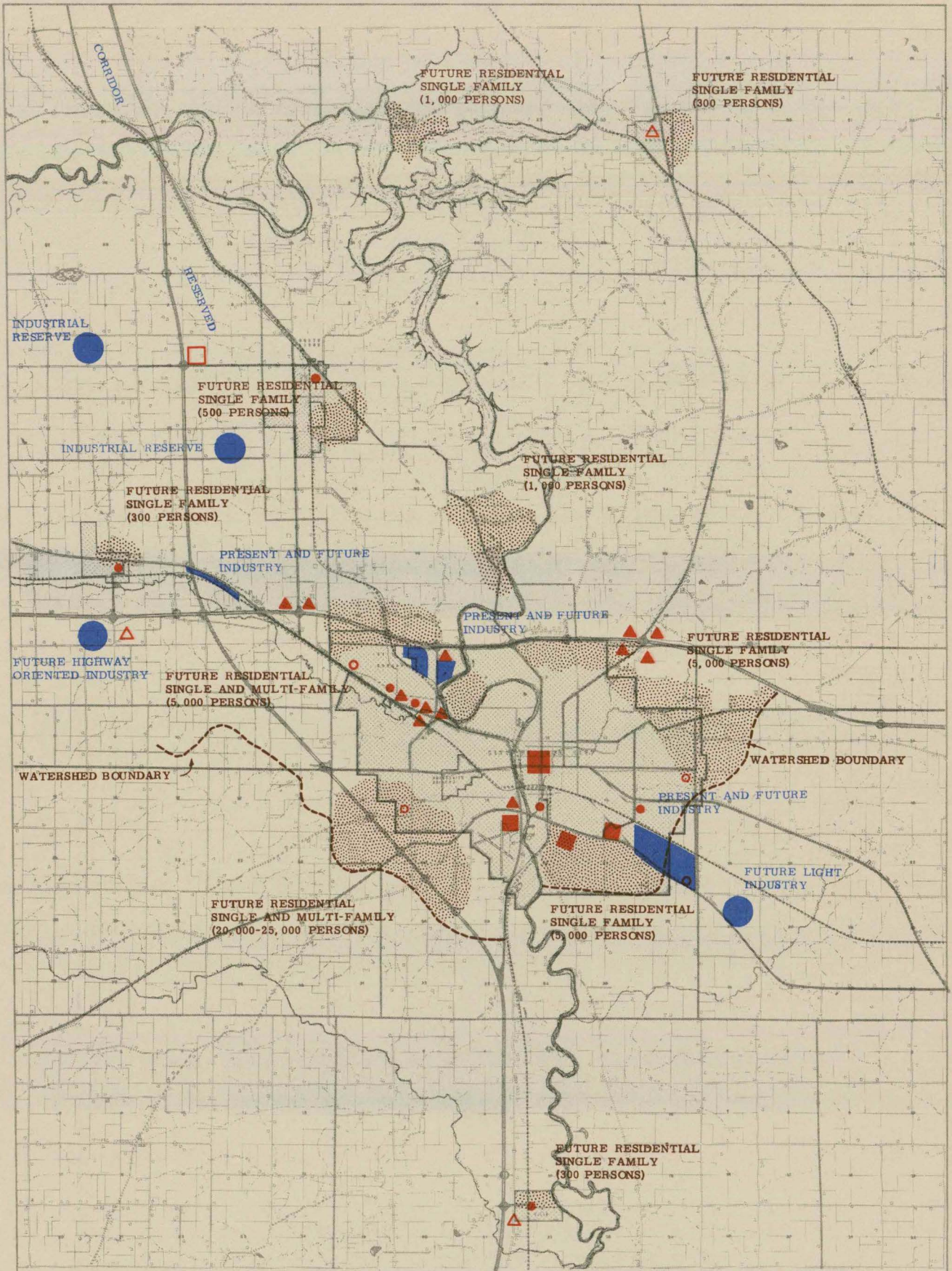
Solon, Tiffin and Hills are expected to each accommodate an additional population of 300 while North Liberty will have a slightly larger growth of 500 persons. Each town will maintain and should improve its own commercial service center. Additional highway commercial development can be projected at the Highway 518 interchange west of Hills and the I-80 interchange south of Tiffin. The I-380 interchange west of North Liberty is a potential site for a regional commercial center. Solon should also function as the service center for many of the visitors to the Lake Macbride-Coralville Reservoir recreation areas. South of Tiffin is land with good highway-oriented industrial potential, while the region's most suitable area to create large industrial sites is west of North Liberty. This area is designated as industrial reserve on the Map.

Rural Areas

The balance of the core area is expected to be agricultural, with some scattered non-farm residential uses. Non-farm residential uses should, however, be encouraged to concentrate in the areas previously discussed.

Implementation

Implementation of the Regional Land Use goals and Future Land Use Plan can be accomplished only through public policy decisions and



RESIDENTIAL		INDUSTRIAL		EXISTING		REGIONAL COMMERCIAL CENTER		FUTURE	
				EXISTING		LOCAL SERVICE CENTER		FUTURE	
				EXISTING		HIGHWAY SERVICE CENTER		FUTURE	

THE PREPARATION OF THIS MAP WAS FINANCED BY THE IOWA TURNPIKE AUTHORITY. THE IOWA TURNPIKE AUTHORITY IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE IOWA TURNPIKE AUTHORITY IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

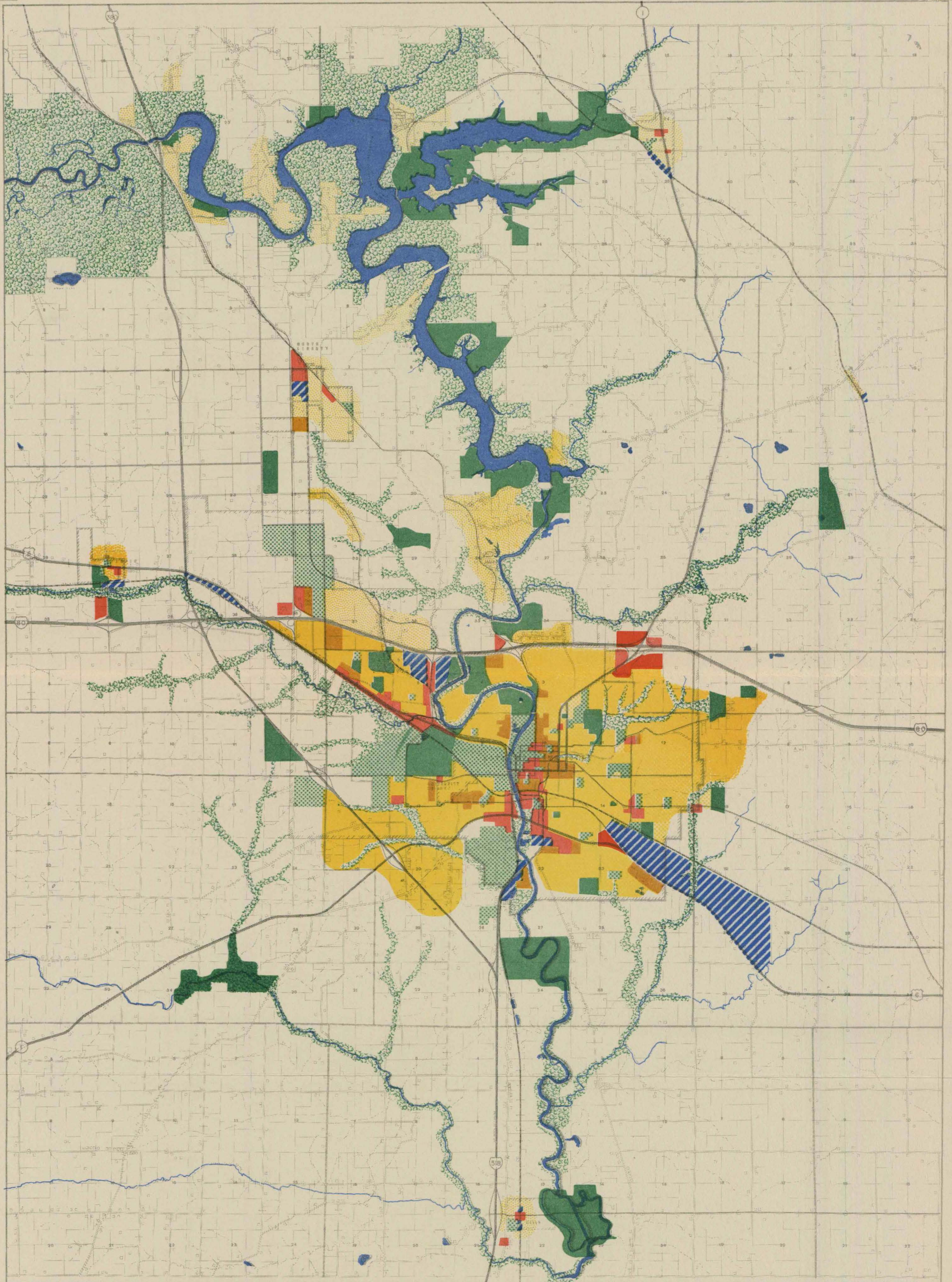
FUTURE INDUSTRIAL, COMMERCIAL, RESIDENTIAL AREAS MAP 14
 JOHNSON COUNTY, IOWA
 JOHNSON COUNTY ENGINEERS PLANNING CONSULTANTS

STATE PLANNING BOARD, DES Moines, IOWA
 IOWA TURNPIKE AUTHORITY, DES Moines, IOWA
 IOWA TURNPIKE AUTHORITY, DES Moines, IOWA
 IOWA TURNPIKE AUTHORITY, DES Moines, IOWA

adoptions of regulatory measures by local governing bodies. Decisions regarding the extension or expansion of utilities, location of major traffic arteries, acquisition and development of sites for public facilities, and priorities assigned to these various capital improvements are major determinates in guiding future land use development. The adoption and administration of zoning, subdivision, and other regulatory measures are the legislative tools available to implement the land use plan. The zoning map should be a reflection of the current stage of evolution of the community toward its future land use plan. Through the subdivision regulation process, street locations can be guided, and proper parcel sizes and relationships provided.

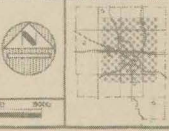
The Regional Land Use Plan should be adopted by the Johnson County Regional Planning Commission and recommended to the local governing bodies and planning agencies. Each local agency should evaluate the plan and its local regulatory measures and public policies with the objective of bringing local plans, policies and regulatory measures into harmony with those of the Regional Commission and other local agencies. Once the local agency concurs with the regional plan, it should undertake the refinement and detailing of that portion of the plan for which it is responsible, ultimately bringing the plan to reality through the various local actions at its disposal.

Periodically, at the neighborhood, community and regional level, the plans must be reevaluated to determine their success, effectiveness, and current validity, and then either reaffirmed or modified as the condition may dictate. Such a reevaluation should consider all viewpoints, including those of private enterprise and the individual citizen, as well as those of the region's planning and governing agencies.



LOW DENSITY RESIDENTIAL		COMMERCIAL		PARKS AND RECREATION AREAS	
MEDIUM DENSITY RESIDENTIAL		INDUSTRIAL		INSTITUTIONAL	
HIGH DENSITY RESIDENTIAL				OPEN SPACE	

THE REPRESENTATION OF THIS MAP WAS FINANCED IN PART THROUGH A FEDERAL GRANT FROM THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT UNDER THE URBAN PLANNING ASSISTANCE PROGRAM AUTHORIZED BY TITLE 42 OF THE HOUSE NO. 857 OF PUBLIC LAW, AS AMENDED.



FUTURE LAND USE PLAN

JOHNSON COUNTY, IOWA

JOHNSON COUNTY REGIONAL PLANNING COMMISSION

MAP
15

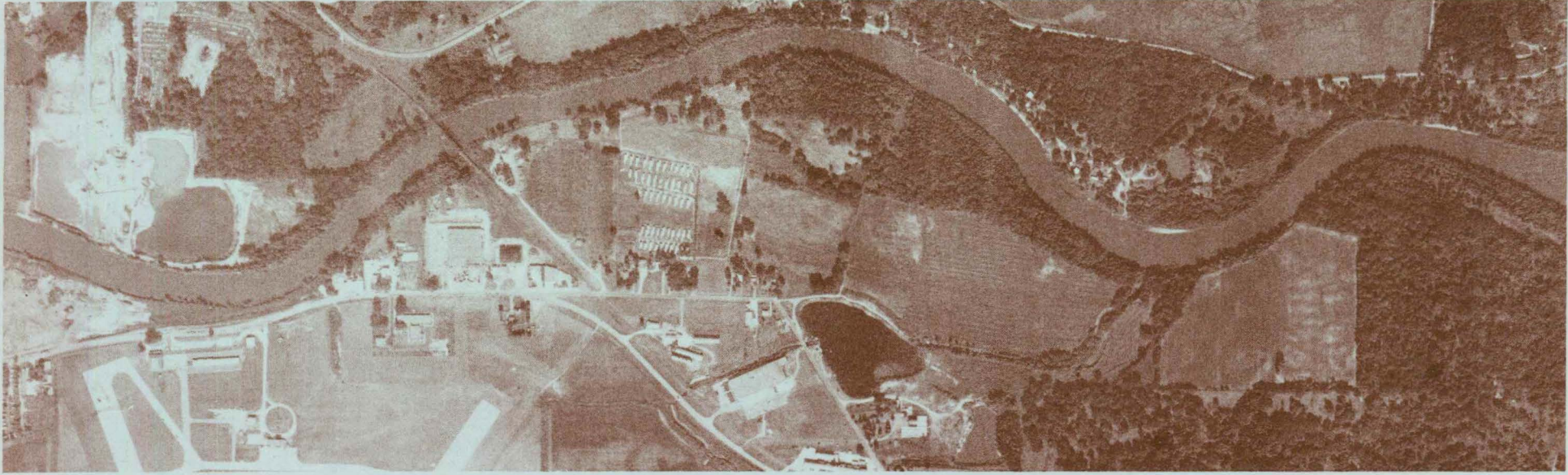
URBAN PLANNING GRANT PROJECT NO. 504-1-52
PREPARED UNDER CONTRACT TO AND FINANCED IN PART BY THE URBAN DEVELOPMENT COMMISSION UNDER THE PROVISIONS OF CHAPTER 89, LAWS OF THE 57th GENERAL ASSEMBLY OF IOWA, 1951, AMENDED BY
POWERS, WELLS & ASSOCIATES
PLANNING ENGINEERS ARCHITECTS
IOWA CITY, IOWA
DATE OF BASE MAP PREPARATION: NOVEMBER 1967

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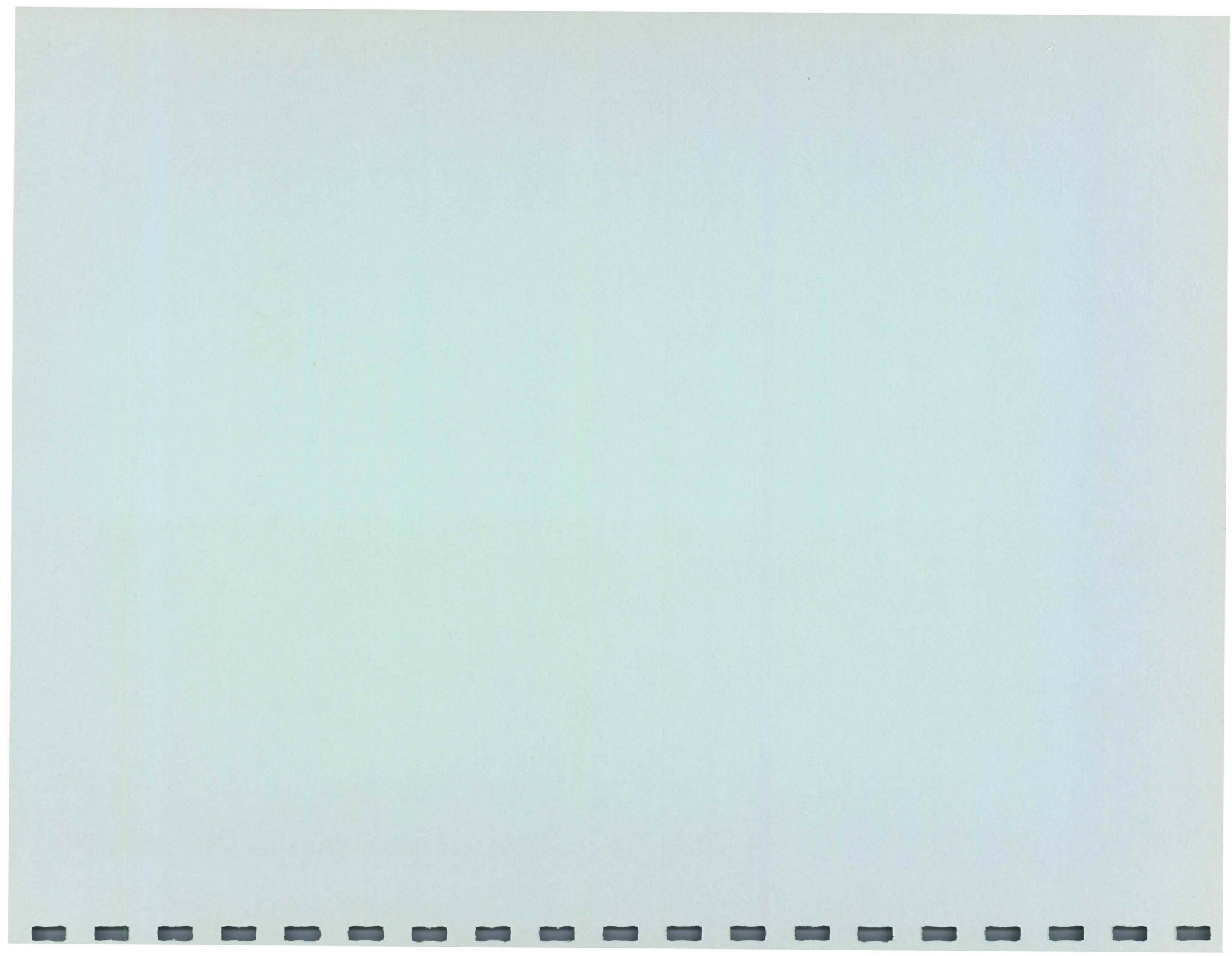
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ZONING



ZONING

ZONING REGULATIONS

Introduction

Increased urban development and the rapid conversion of the use of land to various nonagricultural purposes have created a need for the guidance and regulation of land use and land development. Zoning has become the principal means of guiding land use and development in both urban and rural areas, by regulating the way in which land and buildings are used, and by establishing minimum standards for yard requirements, the width and area of building lots, height of structures and off-street parking, as well as other requirements.

It is the intent of zoning to protect an area from incompatible land use encroachments, restricting individual actions only when they would be contrary to the use and development standards established by the ordinance and detrimental to the community as a whole.

Zoning does not regulate the style of architecture, type of materials used or the method of construction, and does not take the place of the building, plumbing, electrical, fire or housing codes. These codes, although not a part of the zoning ordinance, are also necessary if minimum housing and building construction standards are to be maintained.

A zoning plan should be based on a comprehensive plan which reflects the existing land use pattern and recognizes the future land use plan and the land use changes that are desired. Zoning should not be adopted for the singular purpose of keeping certain uses out of a town or county, but rather should be utilized to provide a proper place for all uses.

Zoning is not retroactive and cannot be considered a major device for correcting bad conditions which may already exist. It can help improve conditions that have resulted from improper land use, overcrowding or other causes, but only over a period of many years. When the ordinance is adopted, there will be some uses (or structures) that do not conform to the provisions of the ordinance. These are called nonconforming uses (or structures), and it should be the intent of the ordinance to permit those that presently exist to continue for their useful life, but not to encourage their existence or permit them to become even more nonconforming.

Under the proposed zoning ordinance, new development is encouraged to take place in areas that are best suited for such use, and where necessary utilities and public facilities can be made available. New land uses are ususally welcome additions; however, new growth also brings additional responsibility, such as the construction and maintenance of additional water and sewer facilities, schools, parks, roads and the need for increased police and fire protection. Zoning can protect rural areas from premature urban development as well as prevent losses in property values resulting from incompatible land uses.

Land is one of our most valuable natural resources, and greater efforts must be made to protect agricultural land from the unwise conversion to urban use. Once land is developed for urban use, whether it be a residential subdivision, industrial complex or a commercial use, it is unlikely that the land would ever be returned to agricultural production, even if the great expense to do so were not a factor.

Through proper planning administration and enforcement of the zoning ordinance, future development that does take place in both the rural areas and within the cities and towns in Johnson County can become an asset to the region and not a liability.

Zoning Enabling Legislation

Iowa's Municipal Zoning Legislation was adopted April 24, 1923, and is now Chapter 414 of the Code of Iowa. According to a news report at the time, it was passed "without amendment or dissenting vote," so the legislature apparently was convinced that it was essential to Iowa's cities and towns. The County Zoning Enabling Act, Chapter 358A, was first passed in 1947, and finally, after several amendments, became available to all counties at the option of the boards of supervisors in 1958. Unfortunately, it is only recently that many have taken advantage of this legislation and consequently most cities, towns and counties have land use problems that can only be corrected over a long period of time.

The power to zone is granted for the purpose of promoting the health, safety, morals and general welfare of the community, and all regulations of the Code delegate this responsibility to the cities and towns. Section 358A.3 contains a similar provision for counties. Cities, towns and counties are empowered to regulate and restrict:

" . . . the height, number of stories, and size of the building and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, the location and use of buildings, structures, and land for trade industry, residence, or other purposes."

This regulation is accomplished by dividing the community or county into districts "of such number, shape and area as may be deemed best suited to carry out the purposes of this chapter." The districts so established must provide uniform or equal treatment of similar buildings or land within any particular district, but, of course, the regulations may vary from one district to another. (Sections 414.2, 358A.4, Code of Iowa)

The basis of the regulation, according to Sections 414.3 and 358A.5, must be a comprehensive plan. By a comprehensive plan, it is meant that the zoning concept must have been developed for the entire community or county, and the ensuing regulations must be designed to accomplish this total plan, rather than just be a piecemeal attempt to resolve a problem in one location. The objectives of the total plan are also spelled out in Section 414.3 and 358A.5 as:

" . . . to lessen congestion in the streets; to secure safety from fire, flood, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the provision of transportation, water, sewerage, schools, parks, and other public requirements."

and in the final paragraph of this section, it is further stated that:

"Such regulations shall be made with reasonable considerations among other things as to the character of the area of the district and the peculiar suitability of such area for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout such city or town (county)."

Thus it is apparent that a zoning ordinance cannot be the result of an arbitrary decision, or contain unreasonable restrictions. It must be the result of careful study and should effectively promote the most appropriate, permanent, productive use of land.

Adoption of the Zoning Ordinance

The establishment of the official district boundaries and the adoption of the administrative procedures is a legislative matter, to be acted upon by the City Council, or Board of Supervisors, who are the elected, representative, local legislative body. The same is true of any change or supplement to the original ordinance. However, in order that the Council or Board may benefit from the opinions of the citizens of the community and be certain that some particular condition has not been overlooked in the preparation of the ordinance, the enabling acts, in Sections 414.4, 414.6 and 358A.6-358A.8 provide for several safeguards.

The first of these is the establishment of a Zoning Commission, which may also be the City Plan Commission in a municipality. Such is the case in Iowa City, Coralville, University Heights, Lone Tree, North Liberty and Solon. The purpose of the Commission is "to recommend the boundaries of the various original districts and appropriate regulations and restrictions to be enforced therein."

The Zoning Commission is an appointed, unsalaried, advisory body, charged with the preparation of a preliminary draft of the ordinance. Once the draft is prepared to the Commission's satisfaction, it must hold a public hearing to obtain an official reaction from the citizenry. Following the hearing, a final report is prepared reflecting any revisions the Commission considers necessary as a result of the information presented by the public, and recommended to the legislative body.

The Council or Board must then review the ordinance and schedule a second official public hearing before it, the legislative body. Following this hearing, the Council may then take action adopting the ordinance or referring it back to the Zoning Commission for further study and revision. In the latter case, if substantial changes are to be made, the Commission and the governing body must again hold public hearings before final action is taken.

At least fifteen days notice must be given of the time and place of any public hearing on a zoning matter (Section 414.4 and 358A.6) and a copy of the subject of the hearing, whether it be the complete ordinance or an amendment, should be on file with the City Clerk or County Auditor for study and examination by interested persons.

Thus, these safeguards -- study and preparation by a representative advisory commission, a public hearing before that commission, a public hearing before the governing body, and adequate notice of the time and place of the hearings -- assure that the adopted zoning ordinance will represent the best collective judgement of the community. Further safeguards are provided in the ordinance amendment procedure.

Amending the Zoning Ordinance

Once the ordinance is adopted, it is not static. The Zoning Commission's job is not finished. Sections 414.5 and 358A.7 also provide for the amendment of the ordinance, and 414.6 further provides:

"After the adoption of such regulations, restrictions, and boundaries of districts, the zoning commission may from time to time, recommend to the council, amendments, supplements, changes, or modifications."

Section 358A.8 also contains similar provisions for county ordinances. The same safeguards are applicable to the amendment of the ordinance, and in addition:

"In case, however, of a protest against such change signed by the owners of twenty percent or more either of the area of the lots included in such proposed change, or of those immediately adjacent in the rear thereof extending the depth of one lot or not to exceed two hundred feet therefrom, or of those directly opposite thereto, extending the depth of one lot or not to exceed two hundred feet from the street frontage of such opposite lots, such amendment shall not become effective except by the favorable vote of at least three-fourths of all the members of the council." (Section 414.5)

Interpreting the Zoning Ordinance

The greatest portion of the enabling legislation is devoted to the Board of Adjustment. Sections 414.7 through 414.19 and Sections 358A.10 through 358A.21 define in detail the duties, responsibilities, limitations, and procedures of the Board. It is a quasi-judicial body whose basic function is to interpret and equalize the application of ordinance provisions. The powers of the Board are specifically enumerated in Sections 414.12 and 358A.15, both of which state:

" 1. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of this chapter or of any ordinance adopted pursuant thereto.

2. To hear and decide special exceptions to the terms of the ordinance upon which such board is required to pass under such ordinance.

3. To authorize upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of the ordinance will result in unnecessary hardship, and so that the spirit of the ordinance shall be observed and substantial justice done."

These powers cannot be further limited or expanded at the local level. Neither can they be assumed in whole or in part by another body such as the Planning and Zoning Commission, the City Council, or Board of Supervisors. The decision of the Board of Adjustment is final unless it is appealed to the district court. (See Section 414.15 or 358A.18)

Enforcing the Zoning Ordinance

Violations of the Zoning Ordinance are subject to prosecution in a court of law and punishable by a fine or imprisonment, just as any other local ordinance violation. In addition, Sections 414.20 and 358A.23 authorize the governing body to:

"Institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use, to restrain, correct, or abate such violation, to prevent the occupancy of said building, structure, or land, or to prevent any illegal act, conduct, business, or use in or about such premises."

Enforcement of the ordinance is usually delegated to the Administrative Officer, who is responsible for initiating appropriate corrective measures or advising the council when he believes a certain action should be taken. In actual practice, fines, imprisonment, or court proceedings are seldom necessary. Most persons are willing to correct a violation if given reasonable notice and explanation, and if allowed an adequate period of time in which to comply.

Reviewing the Ordinance

Periodically, every zoning ordinance should be reviewed and, if necessary, revised and brought up-to-date. Such a review should consider the relationships of existing land use to present district boundaries, the future land use plan of the community, and the number and type of changes that have been necessary since the adoption of the ordinance. In subsequent sections of this report, the existing ordinances in Johnson County are reviewed and the areas in apparent need of improvement discussed.

INVENTORY AND REVIEW OF ORDINANCES

District and Uses

The existing zoning ordinances in Johnson County, in order to establish zoning districts, generally utilize a four-fold classification of land use: agricultural, residential, commercial, and industrial.¹ These categories are further subdivided as indicated in Table 3.

Beyond the four general classifications, the uses allowed in comparable zones vary with each jurisdiction. For example, the flood plain zones in the Johnson County and Coralville ordinances exclude industrial, commercial and residential uses while the Iowa City ordinance permits these uses in the Valley Plain Zone, subject to certain elevation requirements. Pronounced variation also occurs in the treatment of residential uses in commercial and industrial zones: two ordinances exclude the establishment of single-family and two-family residences in these areas, while others allow residential uses in most commercial and even some industrial zones. In at least one case, it is unclear whether certain uses are or are not permitted: M-1 district use regulations in the Johnson County ordinance state that "any use" is permitted except those specifically confined to the heavy industrial zone. On its face this would seem to allow residential uses, but the section on area regulations states that residential uses are prohibited in M-1 districts.

The above examples are illustrative of the variations in permitted principal uses among these ordinances. There are also differences in accessory uses, and in the character and number of special exceptions which may be granted by the boards of adjustment, city councils or the Board of Supervisors. Accessory use differences include the allowing of some commercial activities, (such as home occupations), in residential zones, but only in some of the ordinances. Other ordinances may treat similar uses as special exceptions in these zones or exclude them altogether. Special exceptions, sometimes labeled as such but more often enumerated as uses subject to the approval of legislative bodies, vary greatly in number. Some of the ordinances list a few permitted principal uses in certain commercial and industrial districts, placing "all others of a similar nature" in a special use category.

¹ Iowa City does not utilize agricultural districts as such, but permits agricultural uses in flood plain zones. University Heights has one district -- a single-family residential zone.

TABLE 3

ZONING DISTRICTS IN JOHNSON COUNTY

IOWA CITY
ZONING ORDINANCE

VC: Valley Channel
 VP: Valley Plain
 R-1A: Single-Family Residential
 R-1B: Single-Family Residential
 R-2: Two-Family Residential
 R-3: Multi-Family Residential
 R-3A: Multi-Family Residential
 R-3B: Multi-Family Residential
 C-1: Local Commercial
 CH: Highway Commercial
 C-2: Commercial
 CB: Central Business
 PC: Planned Commercial
 M-1: Light Industrial
 M-2: Heavy Industrial
 IP: Industrial Park

UNIVERSITY HEIGHTS
ZONING ORDINANCE

R-1: Single-Family Residential

NORTH LIBERTY
ZONING ORDINANCE

A-1: Agricultural
 R-1: Residential
 R-2: Residential
 R-3: Residential
 C-1: General Commercial
 C-2: Highway Commercial
 M-1: Industrial

CORALVILLE ZONING ORDINANCE

AG: Agricultural
 FP: Flood Plain
 R-1: Single-Family Residential
 R-2: Two-Family Residential
 R-3: Multi-Family Residential

JOHNSON COUNTY
ZONING ORDINANCE

A-1: Rural
 A-2: Resort
 A-3: Flood Plain
 RS: Suburban Residential
 R-1A: Urban Residential
 R-1B: Urban Residential
 R-2: Two-Family Residential
 R-3A: Multi-Family Residential
 C-1: Local Commercial
 C-2: Commercial
 CH: Highway Commercial
 M-1: Light Industrial
 M-2: Heavy Industrial

LONE TREE
ZONING ORDINANCE

A-1: Agricultural
 R-1: Residential
 C-1: Commercial
 M-1: Industrial

SOLON ZONING ORDINANCE

A-1: Agricultural
 R-1: Residential
 R-2: Residential
 C-1: Commercial
 M-1: Industrial

C: General Commercial
 CH: Highway Commercial
 CH-X: Exclusive Highway Commercial
 I-1: Light Industrial
 I-2: Heavy Industrial

Variations in districts and uses reflect the zoning practices prevalent at the time the ordinance was prepared and the diverse character of the areas to which they have been applied. Traditionally, zoning ordinances were drafted according to the idea that there is a hierarchy of uses, from single-family dwellings "down" to heavy industrial activities. Thus some ordinances would "begin" with an R-1 district and add uses to each "lower" district while generally permitting uses accumulated in previous districts, all of this culminating in an industrial zone which allowed residential and commercial uses as well. Most modern zoning practice suggests that there are no necessarily higher or lower uses, that each category has particular locational requirements, making one part of the community more desirable for its location than another. The attempt is made to protect incompatible uses from each other, rather than to protect a "higher" from a "lower" use.

Diversity of character among communities also promotes diversity in districts and uses. A small community, for instance, has few highway commercial establishments and probably no real need to regulate their use in the way a large community must, due to traffic problems and the large demand for land along major thoroughfares. The demand for multi-family housing in a small community, also, is such that these uses sometimes may be mixed with single-family residences, provided that adequate yard and area regulations are established. Conversely, Iowa City, with a large renting population, is much more concerned with multi-family dwellings, and has established three districts regulating their placement and use.

Nonconformities²

The treatment of nonconformities should be placed on a policy of preventing their enlargement and discouraging their continuation, on the premise that they constitute a special privilege not available to similarly situated properties or structures. A strong zoning ordinance should contain provisions which foresee such contingencies as the enlargement, relocation, intermittent cessation and destruction of a nonconformity, as well as the shifting from one nonconformity to another. Those uses under construction when the ordinance is adopted should also be considered.

²Nonconformities. A general term which encompasses nonconforming of land, nonconforming uses of structures, nonconforming lots of record, nonconforming structures, or a combination of the foregoing.

The Johnson County ordinances vary in their handling of these problems. Among provisions that differ are the time after which a discontinued nonconformity cannot be restored, and what degree of damage must befall a nonconformity before its restoration is prohibited. Some ordinances permit the physical enlargement of nonconforming industrial and commercial uses, while others allow only repair. Changing from one nonconforming use to another is permitted in some jurisdictions, but not in others. Structures under construction when the ordinance is adopted must be completed within a certain time limit, according to three ordinances; the others do not provide for this possibility. There are no provisions in many of the ordinances for premises used only for open storage and billboards, for nonconforming lots of record, or for moving a nonconformity to another part of a lot or structure.

Development Standards

A large measure of the differences among these ordinances occurs both in the development standards designed for the creation of new uses, and in the regulations imposed upon existing uses. Lot area requirements for single-family residences in R-1 districts vary from a minimum of 6,000 square feet and a 50-foot lot width in one jurisdiction to 10,000 square feet and an 80-foot width in another. In some general commercial districts rear yard requirements are set at a minimum 20-foot depth, while in other areas there is no established minimum. The maximum height regulation for light industry in one ordinance is at six stories and 90 feet; in another ordinance the maximum is set at three stories and 45 feet. The off-street parking requirements for a single-family residence is two spaces per dwelling unit in some ordinances, one space per unit in others, while one ordinance establishes no requirement for any use. In addition, the regulations for signs, fences and accessory uses do not coincide, either in respect to placement of these uses or in their features.

While these standards may be reasonable in themselves, given a variety in size and complexity of the areas which have been zoned, their diversity adds to the problems of promoting coordinated development for the county as a whole.

Definitions

The definitions section of a zoning ordinance is important in several respects: it renders the ordinance more understandable by simplifying and clarifying words and terms used; it eliminates the problems of defining a term each time it appears in the text; it sometimes aids

in avoiding litigation by explaining a term upon which a controversy is based; it provides specific legislative guidelines for a judge or for a board of adjustment when it is asked to interpret an ordinance in effecting a decision.

Upon reviewing the Johnson County ordinances, one finds that in some instances words and terms are inadequately defined. For example, it is wise to define both "cellar" and "basement" from the perspective of height regulations. A basement is usually counted as a story for this purpose, while a cellar is not, and the definitions of these terms should explicitly say so, otherwise the term "story" is unclear. In other instances, words used in the text are not defined at all -- "alley", "farm", "yard", and "frontage" are all terms which should be clearly understood the way the framers of the ordinance intended.

A greater problem exists in the varying definitions of similar terms from one ordinance to another. Prerequisites for calling a particular use a "hotel" or a certain group a "family" differ, as do requirements for a "parking space" or a "mobile home". The latter, for example, should be subdefined into those which are mobile and those which have been converted to real estate. Some of the ordinances fail to make this distinction.

Some of these problems may be resolved in the model zoning text by adopting definitions established by the Iowa Housing Law, (Section 414.3, Code of Iowa, 1966). This section of the code defines "basement", "cellar", "yard" and other terms, and thus provides an accessible guideline for many of the definitions used in zoning.

Procedures

Administrative procedures in the several ordinances in Johnson County are roughly similar, because the Code of Iowa enabling provisions have established guidelines, providing for such necessities as zoning commission, boards of adjustment, permits, fees, public hearings and appeals. Where variety does exist, it is in the schedules of fees, or in requirements for occupancy and building permits, forms, etc. Two of the ordinances do not provide for instances where a zoning commission fails to act on an amendment, while others state that the commission has "approved" if the amendment has not been acted upon after a specified time period.

In four of the ordinances, the power to grant most special exceptions has been retained by the legislative body of the county or city. This

presents an urgent problem, as a recent ruling by the Iowa Supreme Court states that this power lies exclusively with a board of adjustment.³

Format

One of the earmarks of a well-written law is the easy accessibility of its various provisions. A zoning ordinance, especially, should be constructed with the property owner in mind. He should be able to discern what the law is in respect to his property -- what he can and cannot do with it.

Some of the Johnson County ordinances are instantly more readable than others. The district regulations are laid out in a mutually exclusive format, with all permitted uses, exceptions, and regulations in columns, affording the reader the best possible opportunity to understand the requirements of each district.

Other improvements which would render an ordinance easier to follow and interpret are underlined subtitles and preambles to various district regulations, exposing the intent of the lawmakers in zoning a given area in a particular manner.

The above inventory is not an all-inclusive review, but rather an attempt to demonstrate diversity among the ordinances. The commentary which will accompany the Model Zoning Text will further elaborate upon these differences, as well as explain how they have been resolved in the text itself.

³Depue v. City of Clinton, 160 N.W. 2d 860. The case deals with the terms "special use" or "special exception", but suggests that retention of this power under any guise may violate separation of powers.

INVENTORY AND REVIEW OF REZONING REQUESTS

Nature of Change and Location

During the period from October 1960 to August 1969, 188 requests for rezoning were submitted to the Johnson County Zoning Commission. Of these, 165 (88%) were eventually approved⁴ by action of the Board of Supervisors, while 23 were either denied or withdrawn prior to final action. Map 16 locates the rezonings by section, and indicates the nature of each change.

Several generalizations may be deduced from a breakdown of these changes into prior and subsequent classifications. (See Figure 2.) The greatest single category embraces rezonings from an A-1 rural to an RS urban residential status (35%). Such a large portion reflects two causal factors: (1) The A-1 district use regulations which exclude non-farm dwellings, and (2) an inclination on the part of many prospective home builders to build in rural areas, for various reasons. Some of these reclassifications were preliminary steps to subdivision development, which has accelerated during the past decade, especially north of Iowa City and in the Lake Macbride-Coralville Reservoir area.

Reclassifications to commercial (29%) and industrial (12%) uses comprise the second and third largest categories of change. Most of the commercial rezoning has been from a residential to a CH or highway commercial status, and is generally located either near Interstate 80 interchanges or near main highways in and out of the Iowa City-Coralville urban area. Industrial reclassifications have been almost entirely from A-1 and are scattered throughout the urban core, and not exclusively near previously existing industrial sites.

The actual number of rezonings to R-3A multi-family uses comprises a low percentage of the total (5%), but is significant in that it creates pocket concentrations of population in various unincorporated areas around Iowa City. In all but one instance these reclassifications were within single-family residential districts.

⁴Subsequent to this tabulation (to March 1, 1970), an additional 18 requests were granted as follows: A-1 to RS -- 11; A-1 to A-2 -- 2; CH to RS -- 3; RS to CH -- 1; A-1 to CH -- 1.

In a few isolated cases, property in A-1 or RS districts was reclassified A-2. It is assumed that these parcels were rezoned to provide for various allowable A-2 uses, such as private recreational facilities, summer homes or single-family dwellings lacking frontage upon an official street or highway. Some sections of A-2 were rezoned to other uses -- to permit sand and gravel extraction or commercial uses where such were proven needed.

FROM

TO

	A-1	A-2	A-3	R-1A	R-1B	R-2	R-3A	RS	C-1	C-2	CH	M-1	M-2	TOTAL
A-1	2							4						6
A-2	6							2						8
A-3														X
R-1A	3							2						5
R-1B														-
R-2	1			2				2						5
R-3A	1				1			5			1			8
RS	58			2			1				1			62
C-1	3							3						6
C-2	4				1									5
CH	16	2		2	1			17					1	39
M-1	8				2			2						12
M-2	8											1		9
TOTAL	108	4	X	6	5	-	1	37	-	-	2	1	1	165

SOURCE: OFFICE OF THE COUNTY ZONING ADMINISTRATOR



POWERS-WILLIS & ASSOCIATES
 PLANNERS · ENGINEERS · ARCHITECTS
 IOWA CITY IOWA

CHANGES IN ZONING CLASSIFICATION

FROM OCTOBER 1960 TO AUGUST, 1969

JOHNSON COUNTY,

IOWA

FIGURE

2

ZONING DISTRICT BOUNDARY CONSIDERATIONS

Residential Boundaries

We have seen that the rezonings of rural parcels to non-farm residential uses make up a large share of district boundary revisions during the past decade. There is no indication that requests for such change will not continue, therefore some policies should be adopted to deal with them. Scattered rezonings from agricultural to residential might well be discouraged, not only because it is difficult to provide services for scattered non-farm dwellings, but also because this scattering in certain areas may reduce the availability of large sites suitable for the location of new industry or the expansion of existing industry.

In the same way, those areas which are earmarked for rapid residential growth, and presently zoned as such, should be preserved for residential uses. Requests for commercial or industrial rezoning within these areas should be considered in light of the future land use needs, policies and plan.

It should be noted here that some areas originally zoned as residential were excessive and premature. Portions of these districts have yet to undergo significant residential development, while in the same areas a number of requests and eventual rezonings to agricultural, commercial and industrial uses have taken place. Particular areas over-zoned residentially are near the Interstate interchanges, along other major highways in and out of Iowa City and Coralville, and along the Iowa River north of Iowa City.

Finally, just as scattered single-family residential development is difficult to deal with, so too is large scale multi-family dwelling construction in unincorporated areas, where increased service requirements and the location of needed commercial service development is difficult. Multi-family developments might well be left to the municipalities, where the increased requirements can be handled more economically. In short, the incidence of rezoning to multi-family uses has been low, but the needs created by these districts can be difficult to accommodate.

Commercial Boundaries

Commercially zoned land in Johnson County is generally a recognition of immediate demand. The advent of Interstate 80 and increased traffic flow on other major routes has resulted in numerous reclassifications to

commercial uses near interchanges and along thoroughfares just outside Iowa City. Most of this property was originally zoned agricultural or residential, an indication that commercial districts should be redrawn to meet present needs and to achieve a desirable distribution of commercial growth. In addition, the setting aside of areas for commercial development in anticipation of growth will make certain that the needs of emerging residential developments will be properly served. As an example, the projected increase of population in the southwest quadrant of the core area will support a major commercial center somewhere on the west side. Possible sites for such a center can be protected by tying zoning closely to the future land use plan.

Some of the existing commercial nuclei have little room to expand, and consequently if adjacent areas cannot be zoned commercially, future commercial services may be further fragmented rather than being developed as convenient clusters serving the surrounding population.

Industrial Boundaries

Much of what can be said concerning industrial boundaries has been covered in the previous sections. Although it is sometimes difficult to reject a request which will add to the economic base of a given area, the fragmentation of industrial uses should be avoided because it hinders planning in other fields. Prime consideration should therefore be given to providing reserve areas into which industry can move, and which can meanwhile provide the immediate needs of the area. Lands zoned A-1, excluding non-farm residences, may best serve this objective. Areas surrounding existing industrial uses can also be protected through zoning in order to encourage further development around these sites. Prohibiting non-industrial uses in areas projected as desirable industrial locations on the land use plan is one method that might be used.

Agricultural Boundaries

Agricultural zones in Johnson County can be used successfully in future land use planning. In so doing, prime agricultural lands can be preserved, and certain areas can be held in reserve for industry and commerce, while serving useful interim purposes. Rezoning from RS to A-1 and A-2 uses during the past decade indicate that perhaps too much land was originally zoned residential in areas where residential growth did not in fact occur and where rural and resort classifications were more appropriate.

There has been no rezoning activity in the A-3 flood plain districts since the inception of county zoning. Flooding problems south of Iowa City during the extraordinary rains of 1969 perhaps dictate a reclassification to A-3 in some areas.

INVENTORY OF BOARD OF ADJUSTMENT REQUESTS

From October 1960 to October 1969, seven hearings were conducted by the Johnson County Board of Adjustment, pursuant to powers granted that body by the Johnson County Zoning Ordinance. In six of these cases, the Board granted special exceptions, enabling the erection of either a communication tower or a public utility use, while the seventh case involved an appeal from an administrative decision concerning a quarry operation. In the latter case, the appeal was denied and the action of the Administrative Officer was affirmed.

1. March 1964 - Application to build a natural gas storage tank northwest of the Town of Solon. Approved.
2. April 1965 - Appeal from decision of the Administrative Officer denying a request to extend or expand a quarry operation. Appeal denied.
3. June 1965 - Application for a permit to use premises south of Interstate 80 for a T. V. translator tower which would provide UHF service over station WOC in Davenport and WMT in Cedar Rapids. Approved.
4. June 1966 - Request by Iowa-Illinois Gas and Electric Company to construct a gas regulating station southeast of Iowa City. Approved.
5. June 1966 - Request by Iowa-Illinois Gas and Electric Company to construct a substation north of the Town of Hills. Approved.
6. April 1967 - Application by a communication and engineering company to erect a tower for service to two-way and FM radio customers on a tract off Prairie duChien Road. Approved.
7. June 1968 - Request by Iowa-Illinois Gas and Electric Company to construct a substation south of Interstate 80-- now the American College Testing building. Approved.

Nearly all of these hearings involve the granting of a special exception. Iowa enabling legislation empowers boards of adjustment to grant whatever

special exceptions have been enumerated in the zoning ordinance. The Johnson County ordinance specifies two exceptions:

- (a) Use of premises for public utility and railroad purposes or for a radio or television tower or broadcasting station.
- (b) Reconstruction of a nonconforming building that would otherwise be prohibited by Section 6 of Article XXI where such action would not constitute continuation of a monopoly.

It should be noted here that the number of special exceptions may vary radically from ordinance to ordinance. For example, some ordinances allow certain public and private institutions to be erected, under specified conditions, as special exceptions to the use requirements applying generally to the district. Thus, persons seeking to build a hospital in such a district would go to the Board of Adjustment. As opposed to the prerequisites of a variance, one who applies for a special exception need demonstrate only that he meets the requirements laid down in the ordinance. One seeking a variance must ordinarily demonstrate hardship or practical difficulty in adhering to the letter of the ordinance, such as the impracticability of complying with yard or setback requirements of an ordinance because of an existing natural barrier.

The appeal function of the Board was called upon only once, an apparent indication of fair and reasonable administration of the ordinance. There were no requests made of the Board to exercise its power to grant variations of height, yard, area, lot and parking regulations where exceptional circumstances were present.

Recommended Procedures

Since the County Zoning Ordinance and several of the municipal ordinances do not prescribe some of the safeguards and procedures desirable to assure the proper function of the Boards of Adjustment, it seem appropriate to recommend changes that would make this section of the ordinances more complete. As previously mentioned, the Board of Adjustment has three basic powers, as follows:

1. To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of this chapter or of any ordinance adopted pursuant thereto.

2. To hear and decide special exceptions to the terms of the ordinance upon which such Board is required to pass under such ordinance.
3. To authorize upon appeal, in specific cases, such variance from the terms of the ordinance as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of the ordinance will result in unnecessary hardship, and so that the spirit of the ordinance shall be observed and substantial justice done.

In the exercise of these powers, certain procedures are recommended to assure that the Board has adequate information available, that it makes the necessary findings prior to its decisions, and that the spirit and intent of the ordinance are preserved. The first of these is the adoption of a set of rules or procedures by the Board, establishing its method of operation. Such is required by Sections 358A.12 and 414.9 of the Code of Iowa:

RULES AND REGULATIONS. The Board shall adopt rules in accordance with the provisions of any regulation or ordinance adopted pursuant to this chapter.

Meetings of the Board shall be held at the call of the chairman and at such other times as the Board may determine. Such chairman, or in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board 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 Board and shall be a public record.

The rules adopted should, at a minimum, contain the following sections:

1. General Governing Rules, referring to the appropriate ordinance and to the Iowa Code, and establishing procedures to adopt and amend the rules.
2. Officers and Committees, setting out election of officers, duties, and provisions for appointing committees to investigate cases.

3. Meetings, establishing a time and place for regular meetings, quorum requirements and a procedure to call special meetings, and other matters such as adjourned meetings.
4. Conduct of Meetings, setting out the format of meetings, and providing for an agenda.
5. Voting, which establishes voting rights and procedures, including abstention in cases of personal interest.
6. Vacancies, including attendance requirements and a method of filling vacancies.
7. Public Hearing, setting out procedural rules and format for public hearings.
8. Decisions, setting a time limit for arriving at decisions, forms for making and reporting decisions to the applicant and the Administrative Official, and any special voting requirements.
9. Adoption Clause.

Note also that the Code also requires the Board to keep minutes of its proceedings, a record of each member's vote, and a record of its examination or testimony received in each case, all of which are to be readily available as a public record.

In exercise of the three specific powers granted to the Board of Adjustment by the Code, certain requirements should be established in the ordinance, to be followed by the appellant or by the Board when hearing an appeal or making a decision:

1. When there is an appeal to the Board for administrative review, appellant should be required to submit a detailed account of his basis for appeal, stating the reasons why he feels his request complies with the section of the ordinance concerned. As required by the Code and the ordinance, the Administrative Officer should supply the Board with copies of a Request for Compliance certificate and reasons for denial. Both the Administrative Officer and Appellant should be present at the hearing.

The Board, after studying testimony and facts submitted, may obtain such additional information as is necessary to reach a decision. If the Board denies the appeal it should not, as a matter of course, make an unsolicited decision as to the appropriateness of a special exception or variance in the case unless the appellant has specifically filed an application for a variance or a special exception.

2. When the Board is asked to grant a special exception, it should require a written application to be submitted, indicating the section of the ordinance under which the exception is sought and the grounds on which it is requested. There should be a public hearing on the matter with sufficient notice given beforehand. Before the Board grants or denies the special exception it should make a finding that it is empowered to grant the exception and that granting it will not adversely affect the public interest. The Board should then make written findings, certifying compliance with the specific rules in the ordinance that govern the exception sought.

3. When the Board is asked to authorize a variance from the terms of the ordinance, the procedure is relatively the same, but the findings are different. In granting a variance, the Board must find that the applicant will undergo unnecessary hardship or practical difficulty if the letter of the ordinance is enforced. Again, a written application should be submitted, demonstrating existing special conditions which are peculiar to the land involved and not applicable to other property in the district; that a literal interpretation of the ordinance would deprive the applicant of a right commonly enjoyed by other property in the district; that the special circumstances do not result from the actions of the applicant; that granting of the variance will not confer a special privilege denied to other land in the same district.

There should be a public hearing, and the Board, if it grants the variance, should find that requirements have been met by the applicant; that the variance is the minimum variance that will make possible the reasonable use of the property; that the variance is in harmony with the general purpose and intent of the ordinance and will not be detrimental to the neighborhood or the public welfare.

In granting either a special exception or a variance, the Board may prescribe appropriate conditions in conformity with the ordinance. Violations of these conditions may be termed violations of the ordinance itself and punishable under the appropriate section.

4. The Board is also empowered to interpret district boundaries, when rules in the ordinance itself for interpreting boundaries do not apply. A request to interpret can come from the Administrative Officer or from anyone else concerned with the location of a district boundary.

The Board of Adjustment can well be the key to an effective and functional ordinance that will guide the development of an area toward the goals set out in the future land use plan. Incorporating the foregoing procedures into the ordinance will do much to aid the Board in the proper exercise of its duties.

CONSTRUCTION OF THE MODEL ZONING ORDINANCE

The model zoning ordinance prepared for Johnson County consists of three basic parts. These are the text, the schedules of district regulations, and the official zoning district map. The text is further divided into three chapters, each covering a series of related provisions in a logical sequence.

The first chapter is titled "District Regulations" and provides for the establishment of the types of districts, the adoption of the official zoning map, the adoption of the schedules of district regulations, and the handling of nonconformities. Chapter II, "Administration," covers the appointment of the Administrative Officer, the enforcement provisions, required permits and appeals to the Board of Adjustment. The final chapter of the text includes several general provisions, such as definitions of terms, amendments, and adoption clauses.

The official zoning district map is an original reproducible map, identifying the boundaries of the several districts, having certifications of the Planning and Zoning Commission and the Chairman of the Board of Supervisors or Mayor, establishing its authenticity, and including space for approving each amendment that may subsequently be made.

The Schedules of District Regulations consist of a two page tabular format for each district which clearly and concisely spells out the following provisions:

- Permitted Principal Uses
- Permitted Accessory Uses
- Required Off-Street Parking
- Permitted Special Exceptions
- Required Lot Area
- Required Front, Side, and Rear Yards
- Maximum Height
- Sign Regulations
- Special Requirements

Essentially all of the provisions affecting land or buildings in a particular district can be found in the schedule. Only a few special provisions, generally applicable to all districts have been placed in a brief section, "Supplementary District Regulations" following the Schedules. These Supplementary Regulations may also include the provisions for planned unit development, large scale residential development or a large scale commercial development presently found in the Iowa City ordinance.

Benefits of Good Zoning Practice

The zoning ordinance is the primary means of implementing the future land use plan. The zoning plan or official zoning map can be considered as reflecting the current stage of the community's evolution from its existing land use pattern. The districts are intended to recognize as much of the present development as is in accord with future plans and to allow enough room for growth and change in the immediate future. Changes in the zoning plan should be based upon a logical extension of an existing district, or on the establishment of a new district in a location that will accomplish the objectives of the future land use plan.

Premature zoning, overzoning, spot zoning and strip zoning will destroy the value and integrity of the zoning ordinance and should be avoided.

Properly administered, the zoning ordinance can be a valuable tool in achieving the following objectives:

1. To protect established, sound land uses from encroachment by incompatible land uses.
2. To establish areas of compatible land use which will provide attractive, healthy, orderly, convenient and safe locations for residential, commercial, industrial, agricultural and public development.
3. To encourage the eventual discontinuing or relocation of incompatible or detrimental land uses.

An ordinance which is designed and administered to accomplish these objectives and objectives outlined in the enabling legislation will benefit every person, individually and collectively, and will help make the community a better environment in which to live, work, study and play.

Recommended Zoning Ordinance

On the following pages, the draft of a model zoning ordinance for Johnson County is presented and the recommended rural zoning district boundaries are illustrated. It is recommended that the Johnson County Regional Plan Commission and each local Commission and governing body study it carefully, and then take the necessary steps to adopt it at an early date.

MASTER ZONING TEXT

Note that any or all of the proposed districts may be used by the County or by individual municipalities.

An asterisk (*) is used to denote sections that will require changes, in order to be used by cities and towns. An explanation of these changes begins on page 167.

* ORDINANCE NUMBER _____

PROPOSED ZONING ORDINANCE OF
JOHNSON COUNTY, IOWA

AN ORDINANCE to regulate and restrict the location and use of buildings, structures, and land for trade, industry, residence and other purposes; to regulate and restrict the height of buildings and structures, the number and size of buildings and other structures; to establish the size of yards, courts and other open spaces; to establish minimum lot areas; to regulate the density of population and the percentage of lot that may be occupied; to require off-street parking; to regulate the location, size and number of signs; to divide the unincorporated area of the County into districts for such purposes; to provide for the administration and enforcement of its provisions; to create a Board of Adjustment; to prescribe penalties for the violation of its provisions, all in accordance with Chapter 358A, Code of Iowa; and to be known and cited as "The Zoning Ordinance of Johnson County, Iowa."

WHEREAS, the Board of Supervisors of Johnson County, Iowa, deems it necessary to prevent and to lessen congestion in the streets and highways; to secure safety from fire, flood, panic and other dangers; to protect the public health and general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements; to conserve the value of buildings and encourage the most appropriate use of land throughout the County, all in accordance with a Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF JOHNSON COUNTY, IOWA:

CHAPTER 1

DISTRICT REGULATIONS

- * 1.01 Establishment of Districts. The following districts are hereby established for the unincorporated areas of Johnson County:

A-1	Agricultural
A-2	Resort
VC	Valley Channel
VP	Valley Plain
R-1	Single Family Residential
R-8	Mobile Home
C-1	Neighborhood Service Commercial
C-3	General Commercial
C-4	Highway Commercial
M-1	Limited Industrial
M-2	General Industrial
M-3	Industrial Park

For the purpose of this ordinance, the unincorporated areas are divided into certain districts, as shown on the Official Zoning Map of Johnson County.

- * 1.02 Adoption of Official Zoning Map. The Official Zoning Map of Johnson County and the explanatory material thereon, is hereby adopted by reference, declared to be a part of this ordinance, and shall subsequently be referred to as the Official Zoning Map.
- * 1.03 Identification of Official Zoning Map. The Official Zoning Map shall be identified by the signature of the Chairman of the Board of Supervisors and attested to by the County Auditor under the following statement:

"This is to certify that this is the Official Zoning Map referred to in Chapter 1, Section 1.02, of the Zoning Ordinance of Johnson County, Iowa, as adopted the _____ day of _____, 19__ A.D."

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

- *1.04 Changes in Official Zoning Map. No changes in the Official Zoning Map shall be made except as may be required by amendments to this ordinance under Section 3.02 herein. If required, such changes shall be promptly made and the ordinance number, nature of change, and effective date of change shall be noted on the map with the signature of the Chairman of the Board of Supervisors approving such change on the Official Zoning Map.

Any unauthorized change of any kind whatsoever in the Official Zoning Map by any person or persons shall constitute a violation of this ordinance and shall be punishable as provided in Section 2.04 of this ordinance.

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

1. A boundary indicated as approximately following the centerline of a street, a highway, or an alley shall be construed to follow such centerline.
2. A boundary indicated as approximately following a platted lot line or a property line of record shall be construed as following such lot line.
3. A boundary indicated as approximately following a township line or a section line shall be construed as following said township line or section line.
4. A boundary indicated as approximately following a railroad line shall be construed to be midway between the main tracks.
5. A boundary indicated as following the shore line of a stream or another body of water shall be construed to follow such shore line. In the event of change in the shore line, said boundary shall be construed as moving with the actual shore line; a boundary

indicated as approximately following the centerline of a stream, a river or any other body of water shall be construed to follow such centerline. In the event of change in the centerline, the boundary shall be construed as moving with the actual centerline.

6. A boundary indicated as parallel to or as an extension of a feature indicated in subsections 1 through 5 above shall be so construed. A distance not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.
7. Where a physical or cultural feature existing on the ground is at variance with that shown on the Official Zoning Map or in any other circumstance not covered by subsections 1 through 6 above, the Board of Adjustment shall interpret the district boundary.
8. Where a district boundary line divides a lot of record which was in single ownership at the time of the effective date 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.

1.06 Farms Exempt. No regulation or requirement adopted under the provisions of this ordinance shall be construed to apply to land, farm houses, farm barns, farm outbuildings or other buildings, structures or erections which are primarily adapted, by reason of nature and area, for use for agricultural purposes while so used; provided, however, that such regulations or requirements which relate to any structure, building, dam, construction, deposit or excavation in or on the plains of any river or stream which may be contained herein, or which may be subsequently adopted under this ordinance shall apply equally to agricultural and non-agricultural land, buildings, and structures.

No Construction Compliance Certificate or Occupancy Compliance Certificate shall be required for the erection, construction, reconstruction, alteration, remodeling, or expansion of use, on a farm, of any:

farmstead dwelling
farm garage
farm machine shed
corn crib
farm grain bin
silo
farm barn
cattle shed
chicken coop
hog house
farm fence
mail box
dairy barn
farm milk house

or for the use of any land for:

pasturage
agriculture
horticulture
floriculture
animal husbandry
poultry husbandry
farm ponds
soil conservation
forestation
reforestation,

or similar buildings and uses customarily associated with the pursuit of agricultural enterprises in Johnson County.

The following non-agricultural uses and buildings, though customarily found in the agricultural areas of the county, or conducted, built, or maintained by persons coincidentally engaged in agricultural pursuits, shall obtain a Construction Compliance Certificate or Occupancy Compliance Certificate, or both, in accordance with the provisions of this ordinance:

private golf courses,
private lakes or ponds for recreational use by the general public, or a private club, lodge, or association
stables or kennels operated as a business, club or association
sawmills

gravel and sand pits and rock quarries
tourist campgrounds
private parks
private or commercial hunting preserves
farmstead home occupations
roadside produce stands
private dumps or waste disposal areas
commercial feeding of animals or poultry

Any farm dwelling, building or structure intended for permanent human habitation, while not requiring a Construction Compliance Certificate, or Occupancy Compliance Certificate, shall comply with the same flood plain zoning regulations as non-agricultural single family dwellings.

1.07 Schedules of District Regulations. The following schedules of district regulations are hereby adopted and declared to be a part of this ordinance:

A-1	Agricultural District
A-2	Resort District
VC	Valley Channel District
VP	Valley Plain District
R-1	Single Family Residential District
R-8	Mobile Home District
C-1	Neighborhood Service Commercial District
C-3	General Commercial District
C-4	Highway Commercial District
M-1	Limited Industrial District
M-2	General Industrial District
M-3	Industrial Park District

STATEMENT OF INTENT

The Agricultural District is intended to preserve areas appropriate for agricultural and related uses, and to reserve areas which are suitable for the efficient development of other uses, until there is a need and intent to develop, according to a future land use plan.

PERMITTED PRINCIPAL USES AND STRUCTURES

MINIMUM OFF-STREET PARKING

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| <ol style="list-style-type: none"> 1. Farms. 2. The sale and distribution of agricultural products and products, other than machinery, that are to be used for agricultural purposes 3. Farmstead dwellings, including a maximum of 3 such dwellings on a farm of 10 acres or more 4. Mobile homes occupied by owners or employees of a farm, limited to one mobile home on the premises. 5. Airports and landing fields having prior approval of the Federal Aviation Authority 6. Commercial greenhouses and nurseries. 7. Roadside stands for the sale of produce, provided that access to such stand shall be so located as to afford a minimum sight distance of 750 feet to motor vehicles travelling on the adjacent road, and that no parking space shall be provided closer than 20 feet to the road right-of-way | <p>1 space per employee plus 1 space per service vehicle</p> <p>1 space per 2 employees, plus 1 space per 100 sq. ft. of sales, floor, or office area</p> |
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PERMITTED ACCESSORY USES AND STRUCTURES

1. Uses and structures clearly incidental and necessary to the permitted principal uses of structures or this district, but not including the feeding of garbage or offal to swine or other animals.
2. Temporary buildings used in conjunction with construction work provided that such buildings are removed promptly upon completion of the construction work.
3. Keeping of small animals and fowl but not on a commercial basis or on a scale reasonably objectionable to adjacent property owners; provided, however, that this shall not affect farms of more than three acres where animals are housed in structures located more than 50 feet from property lines.
4. Storage of wood, lumber and other material where the land occupied by such storage is confined to one location with a maximum area of 100 square feet.
5. Keeping of horses and cows on lots of less than three acres, provided that there be a properly maintained stable and that the stable and pasture be so located as to not be reasonably objectionable to adjacent property owners.
6. Home occupations.
7. Farmstead home occupations.
8. Private swimming pools, tennis courts, gardens and greenhouses.

SPECIAL EXCEPTIONS

1. Mining and extraction of minerals or raw materials, and the manufacturing, processing, treating and storing of materials or minerals which are extracted from any portion of the district; provided that any such operation shall be located at least fifty (50) feet from the right-of-way line of any public road; that such operation shall not be closer than five hundred (500) feet to any dwelling, park or school; that access to a public road shall not be situated in such a way as to cause real or potential traffic hazard; that one off-street parking space for each employee plus one off-street space for each company vehicle be provided. In addition, any person seeking a special exception for the mining or extraction of minerals or other raw materials shall submit a plan whereby the land so used would be restored by the applicant to a condition compatible with the surrounding area upon conclusion of the operation. Prior to the granting of the exception, said plan shall be referred to and approved by the Zoning Commission, and the applicant shall be required by the Board of Adjustment to post bond or to provide other appropriate assurance of the plan's completion.
2. Sanitary landfill or waste disposal area, provided it is not used for disposal of dead animals; that refuse shall be covered with dirt daily if it contains raw garbage; that a nuisance due to smoke, odor or blowing of trash and debris shall not be created; that the site shall be restored to a condition compatible with the adjacent area upon conclusion of the dump operation. An access road having at least a gravelled surface and five (5) off-street parking spaces shall be provided. No landfill of waste disposal area shall be located closer than one-fourth ($\frac{1}{4}$) mile to any dwelling, park, school or place of public assembly.
3. Railroads and public utilities but not including equipment storage or maintenance yards and buildings or general administrative and sales offices, provided that any substation or building shall meet the yard requirements for dwellings, and that two (2) off-street parking spaces per substation or one (1) off-street space per employee at the site be provided.
4. Communications stations and towers, provided that they shall not be closer to a dwelling or place of public assembly than a distance equal to one-half ($\frac{1}{2}$) their height and that the height and location shall not interfere with the operation of any airport or landing strip.
5. Commercial animal and poultry feeding, provided that such use is located at least 1,000 feet from the nearest dwelling other than that of the owner or operator, and at least one mile from the nearest non-agricultural use.
6. Cemeteries of 10 acres or more.

MINIMUM LOT AREA AND WIDTH	MINIMUM YARDS	MAXIMUM HEIGHT
Area: 3 acres Width: 150 feet	Front: 40 feet Each Side: 25 feet Rear: 35 feet	2½ stories or 35 feet

PERMITTED SIGNS

1. Name plates attached flat against the wall of the main building not to exceed 1 square foot in area.
2. Church or public bulletin boards not to exceed 16 square feet in area.
3. Temporary signs, advertising the lease or sale of the premises, no sign to exceed 6 square feet in area.
4. Home occupation and farmstead home occupation signs, not to exceed 3 square feet in area.
5. Billboards or advertising signs within one mile of the establishment to which they refer, not to exceed two such signs for each establishment. No such sign shall be located:
 - a. Within 300 feet of an intersection, highway structure, residence or another billboard or advertising sign.
 - b. Within 100 feet of a park, school, cemetery, or public or semi-public building.
 - c. Within 75 feet of the centerline of a city or county road, or 150 feet of a state or federal highway, or within 600 feet of a federal interstate highway.
6. All signs and billboards shall be maintained in a neat and presentable condition and in the event their use shall cease, the area shall be restored to a condition free from refuse and rubbish.
7. Any sign not conforming to the provisions of this ordinance shall be made to conform or be removed within 3 years after the adoption of this ordinance.
8. Any sign used in conjunction with a non-conforming use shall be regulated in accordance with the provisions of any district in which such use is permitted by this ordinance.
9. No use shall have more than one (1) of each type of permitted sign for that use.

STATEMENT OF INTENT

The Resort District is intended to protect existing and potential recreation areas, while permitting other uses which are not incompatible to recreation, such as agricultural, institutional, related commercial and low density residential uses.

PERMITTED PRINCIPAL USES AND STRUCTURES

MINIMUM OFF-STREET PARKING

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| <ol style="list-style-type: none"> 1. Farms. 2. Parks, playgrounds, golf courses, private clubs and recreational uses. 3. Single-family dwellings and summer houses and cabins 4. Mobile homes, occupied by owners or employees of a farm, limited to one mobile home on the premises 5. Churches and temples. 6. Public schools or private schools with curricula similar to those of public schools
 7. Bathing beaches and bathhouses provided that prior approval of the location and development be obtained from the local health officer. 8. Non-commercial private and public boat docks. 9. Commercial greenhouses and nurseries. 10. Roadside stands for the sale of produce, provided that access to such stands shall be so located as to afford a minimum sight distance of 750 feet to motor vehicles travelling on the adjacent road, and that no parking space shall be provided closer than 20 feet to the road right-of-way. | <p>Golf courses: 5 spaces per green
 Others: 5 spaces per developed acre.
 2 spaces per dwelling</p> <p>1 space for each 6 seats in the auditorium
 Elementary } 1 space per classroom and
 or office space
 Junior high }
 High schools - 1 space per classroom and
 office space plus 1 space
 for each 6 seats in the
 principal auditorium or
 stadium, whichever is
 greater</p> <p>1 space per 250 sq. ft. of beach area
 1 space per 10 linear feet of shore
 (commercial docks only)
 1 space per 200 sq. ft. of sales, floor, or
 office area.</p> |
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PERMITTED ACCESSORY USES AND STRUCTURES

1. Uses and structures clearly incidental and necessary to the permitted principal uses or structures of this district, but not including the feeding of garbage or offal to swine or other animals.
2. Temporary buildings used in conjunction with construction work, provided that such buildings are removed promptly upon completion of the construction work.
3. Keeping of small animals and fowl but not on a commercial basis or on a scale reasonably objectionable to adjacent property owners; provided, however, that this shall not affect farms of more than three acres where animals are housed in structures located more than 50 feet from property lines.
4. Storage of wood, lumber and other material where the land occupied by such storage is confined to one location with a maximum area of 100 square feet.
5. Keeping of horses and cows on lots of less than three acres, provided that there be a properly maintained stable and that the stable and pasture be so located as to not be reasonably objectionable to adjacent property owners.
6. Home occupations.
7. Farmstead home occupations.
8. Private swimming pools, tennis courts, gardens and greenhouses.
9. The selling or leasing of fishing equipment and bait and the sale of food and refreshments as an accessory use to commercial boat docks, or to bathing beaches and bathhouses.

SPECIAL EXCEPTIONS

1. Riding stables, operating in such a way as not to cause traffic hazard and located not closer than five hundred (500) feet to any dwelling other than that of the owner or operator.
Parking: one off-street space per 200 square feet of floor area used in operating the stable.
2. Railroads and public utilities, but not including equipment storage or maintenance yards and buildings or general administrative and sales offices, provided that any substation or building shall meet the front and rear yard requirements for dwellings and shall provide side yards of not less than twenty-five (25) feet, and that two (2) off-street parking spaces per substation or one (1) per employee at the site be provided.
3. Communications stations and towers, provided that they shall not be closer to a dwelling or place of public assembly than a distance equal to one-half (1/2) their height, and that the height and location shall not interfere with the operation of any airport or landing strip.

SPECIAL EXCEPTIONS (continued)

4. Mining and extraction of minerals or raw materials, and the manufacturing, processing, treating and storing of materials or minerals which are extracted from any portion of the district; provided that any such operation shall be located at least fifty (50) feet from the right-of-way line of any public road; that such operation shall not be closer than five hundred (500) feet to any dwelling, park or school; that access to a public road shall not be situated in such a way as to cause real or potential traffic hazard; that one off-street parking space for each employee plus one off-street space for each company vehicle be provided. In addition, any person seeking a special exception for the mining or extraction of minerals or other raw materials shall submit a plan whereby the land so used would be restored by the applicant to a condition compatible with the surrounding area upon conclusion of the operation. Prior to the granting of the exception, said plan shall be referred to and approved by the Zoning Commission, and the applicant shall be required by the Board of Adjustment to post bond or to provide other appropriate assurance of the plan's completion.
5. Commercial boat docks and marinas, located not closer than 500 feet to any dwelling other than that of the owner or operator, and providing one off-street parking space per 10 linear feet of shore line used.

MINIMUM LOT AREA AND WIDTH	MINIMUM YARDS	MAXIMUM HEIGHT
Area: 20,000 square feet Width: 100 feet	Front: 35 feet Each side: 15 feet Rear: 30 feet	2½ stores or 35 feet

PERMITTED SIGNS

1. Nameplates attached flat against the wall of the main building not to exceed 1 square foot in area.
 2. Church or public bulletin boards not to exceed 16 square feet in area.
 3. Temporary signs, advertising the lease or sale of the premises, no sign to exceed 6 square feet in area.
 4. Home occupation and farmstead home occupation signs, not to exceed 3 square feet in area.
 5. Billboards or advertising signs within one mile of the establishment to which they refer, not to exceed two such signs for each establishment. No such sign shall be located:
 - a. Within 300 feet of an intersection, highway structure, residence or another billboard of advertising sign.
 - b. Within 100 feet of a park, school, cemetery, or public or semi-public building.
 - c. Within 75 feet of the centerline of a city or county road, or 150 feet of a state or federal highway, or within 600 feet of a federal interstate highway.
- Billboards and advertising signs shall be non-flashing, motionless, and shall not exceed 300 square feet in advertising area, or 25 feet in height.
6. All signs and billboards shall be maintained in a neat and presentable condition and in the event their use shall cease, the area shall be restored to a condition free from refuse and rubbish.
 7. Any sign not conforming to the provisions of this ordinance shall be made to conform or be removed within 3 years after the adoption of this ordinance.
 8. Any sign used in conjunction with a non-conforming use shall be regulated in accordance with the provisions of any district in which such use is permitted by this ordinance.
 9. No use shall have more than one (1) of each type of permitted sign for that use.

STATEMENT OF INTENT

The Valley Channel District is the area of a channel and those portions of the flood plain adjoining the channel which are reasonably required to carry floodwaters. It is intended that no construction or land filling be permitted in these areas if these works will interfere with the passage of floodwaters.

PERMITTED PRINCIPAL USES AND STRUCTURES

MINIMUM OFF-STREET PARKING

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| <ul style="list-style-type: none"> 1. Farms, truck gardens and nurseries. 2. Parks, playgrounds, golf courses and other recreational areas. 3. Game, wildlife and nature preserves and reservations. 4. Commercial parking lots | <ul style="list-style-type: none"> Golf course: 5 spaces per green Others: 5 spaces per developed acre 2 spaces per employee |
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PERMITTED ACCESSORY USES AND STRUCTURES

- 1. Uses and structure clearly incidental to the permitted principal uses or structures of this district, but not including the feeding of garbage or offal to swine or other animals.

ADDITIONAL REQUIREMENTS

- 1. Premises in the Valley Channel Zone shall not be filled with any material nor shall any structure be built that will cause an obstruction to the conveyance of a flow of 25,000 cubic feet per second (c. f. s.) in the Iowa River measured at the Iowa City Gauging Station.

STATEMENT OF INTENT

The Valley Plain District is intended as an additional requirement attached to areas which are not necessarily required to convey floodwaters, but which may be subject to periodic inundation. This district actually overlaps portions of other districts, and is intended to minimize damages to property when flooding occurs.

USES AND REGULATIONS

Any district or part of a district which is additionally designated as "VP" or Valley Plain on the Official Zoning Map shall be governed by the uses and regulations of the district or part thereof which has been so designated, subject to the following additional requirements:

- a. No building or structure or any portion thereof shall be erected unless the finished surface of the ground is higher than, or is raised by filling, to the elevation shown for the particular area on the zoning map.
- b. No first floor or a basement floor, nor a cellar floor or any dwelling or other building shall be constructed at an elevation lower than the elevation shown for the particular area on the zoning map.

STATEMENT OF INTENT

The R-1 Single Family Residential District is intended to provide for low density residential development, generally outside incorporated towns, and in accordance with surrounding districts and services available. A limited number of institutional and recreational facilities that may serve residential areas are also permitted.

PERMITTED PRINCIPAL USES AND STRUCTURES

MINIMUM OFF-STREET PARKING

1. Single-family dwellings	2 spaces per dwelling unit
2. Public parks and playgrounds	5 spaces per acre
3. Public schools	Elementary } 1 space per classroom and or } office space. Junior high } High schools- 1 space per classroom and office space plus 1 space for each 6 seats in the principal auditorium or stadium, whichever is greater.
4. Private schools with curricula the same as ordinarily provided in public schools	
5. Churches and temples	

PERMITTED ACCESSORY USES AND STRUCTURES

1. Private garages.
2. Private swimming pools, tennis courts, gardens, and greenhouses.
3. Uses and structures similar to the above, which are clearly incidental and necessary to the permitted principal uses or structures of this district, but not involving the conduct of business on the premises, except as a home occupation, and located on the same lot or on a contiguous lot under the same ownership.
4. Temporary buildings used in conjunction with construction work, provided that such buildings are removed promptly upon completion of the construction work.
5. Home occupations.

SPECIAL EXCEPTIONS

1. Golf courses, but not miniature courses or separate driving ranges.
Parking: 5 off-street spaces per green.
2. Railroads and public utilities but not including equipment storage or maintenance yards and buildings or general administrative and sales offices, provided that any substation or building shall meet the front and rear yard requirements for dwellings and shall provide side yards of not less than twenty-five (25) feet, and that two (2) off-street parking spaces per substation or one (1) per employee at the site provided.
3. Communications stations and towers provided that they shall not be closer to a dwelling or place of public assembly than a distance equal to one half ($\frac{1}{2}$) their height, and that the height and location shall not interfere with the operation of any airport or landing strip.
4. Community swimming pools, not closer than 100 feet to the nearest dwelling unit, enclosed by fencing which is at least five (5) feet high.
Parking: 1 off-street space per 150 square feet of water surface.

MINIMUM LOT AREA AND WIDTH	MINIMUM YARDS	MAXIMUM HEIGHT
Area: 20,000 square feet Width: 100 feet	<u>Residential:</u> Front: 35 feet Each side: 12 feet Rear: 50 feet Street side, corner lot: 25 feet <u>Other Uses:</u> Front: 40 feet Each side: 20 feet Rear: 50 feet Street side, corner lot: 30 feet	2½ stories or 35 feet

PERMITTED SIGNS

1. Nameplates attached flat against the wall of the main building not to exceed 1 square foot in area.
2. Church or public bulletin boards not to exceed 16 square feet in area.
3. Temporary signs advertising the lease or sale of the premises, no sign to exceed 6 square feet in area.
4. Home occupation signs not to exceed 3 square feet in area.
5. Illumination of signs, bulletin boards and nameplates shall not exceed 60 watts and shall be lighted only with indirect, nonintermittent lighting.
6. Signs and bulletin boards shall be at least 20 feet from the front lot line or not more than 5 feet in front of the main building.
7. All signs shall be maintained in a neat and presentable condition and in the event their use shall cease, they shall be promptly removed and the surrounding area restored to a condition free from refuse and rubbish.
8. Any sign not conforming to provisions of this ordinance shall be made to conform or be removed within three years after the adoption of this ordinance.
9. Any sign used in conjunction with a non-conforming use shall be regulated in accordance with the provisions of any district in which such use is permitted by this ordinance.
10. No use shall have more than one (1) of each type of permitted sign for that use.

SINGLE FAMILY RESIDENTIAL DISTRICT

STATEMENT OF INTENT

The R-2 Single Family Residential District is designed to provide for residential development of slightly higher density than the R-1 District. These areas are intended to be located where municipal service facilities are available. The intended nature of property use is the same as in the R-1 District.

PERMITTED PRINCIPAL USES AND STRUCTURES

MINIMUM OFF-STREET PARKING

1. Single-family dwellings	2 spaces per dwelling unit
2. Public parks and playgrounds	5 spaces per acre
3. Public schools	Elementary } 1 space per classroom and or } office space
4. Private schools with curricula the same as ordinarily provided in public schools	
	High schools - 1 space per classroom and office space plus 1 space for each 6 seats in the principal auditorium or stadium, whichever is greater.
5. Churches and temples	1 space for each 6 seats in the principal auditorium

PERMITTED ACCESSORY USES AND STRUCTURES

1. Private garages.
2. Private swimming pools, tennis courts, gardens, and greenhouses.
3. Uses and structures similar to the above, which are clearly incidental and necessary to the permitted principal uses or structures of this district, but not involving the conduct of business on the premises, except as a home occupation, and located on the same lot or on a contiguous lot under the same ownership.
4. Temporary buildings used in conjunction with construction work, provided that such buildings are removed promptly upon completion of the construction work.
5. Home occupations.

SPECIAL EXCEPTIONS

1. Golf courses, but not miniature courses or separate driving ranges.
Parking: 5 off-street spaces per green.
2. Railroads and public utilities but not including equipment storage or maintenance yards and buildings or general administrative and sales offices, provided that any substation or building shall meet the front and rear yard requirements for dwellings and shall provide side yards of not less than twenty-five (25) feet, and that two (2) off-street parking spaces per substation or one (1) per employee at the site be provided.
3. Communications stations and towers provided that they shall not be closer to a dwelling or place of public assembly than a distance equal to one half ($\frac{1}{2}$) their height, and that the height and location shall not interfere with the operation of any airport or landing strip.
4. Community swimming pools, not closer than 100 feet to the nearest dwelling unit, enclosed by fencing which is at least five (5) feet high.
Parking: 1 off-street space per 150 square feet of water surface.

MINIMUM LOT AREA AND WIDTH	MINIMUM YARDS	MAXIMUM HEIGHT
Area: 10,000 square feet Width: 80 feet	<u>Residential:</u> Front: 30 feet Each side: 10 feet Rear: 30 feet Street side, corner lot: 20 feet <u>Institutional:</u> Front: 40 feet Each side: 20 feet Rear: 50 feet	2½ stories or 35 feet

PERMITTED SIGNS

1. Nameplates attached flat against the wall of the main building not to exceed 1 square foot in area.
2. Church or public bulletin boards not to exceed 16 square feet in area.
3. Temporary signs advertising the lease or sale of the premises, no sign to exceed 6 square feet in area.
4. Home occupation signs not to exceed 3 square feet in area.
5. Illumination of signs, bulletin boards and nameplates shall not exceed 60 watts and shall be lighted only with indirect, nonintermittent lighting.
6. Signs and bulletin boards shall be at least 20 feet from the front lot line or not more than 5 feet in front of the main building.
7. All signs shall be maintained in a neat and presentable condition and in the event their use shall cease, they shall be promptly removed and the surrounding area restored to a condition free from refuse and rubbish.
8. Any sign not conforming to provisions of this ordinance shall be made to conform or be removed within three years after the adoption of this ordinance.
9. Any sign used in conjunction with a non-conforming use shall be regulated in accordance with the provisions of any district in which such use is permitted by this ordinance.
10. No use shall have more than one (1) of each type of permitted sign for that use.

STATEMENT OF INTENT

The R-3 Single Family Residential District is intended to provide for residential development of slightly higher density than the R-1 and R-2 Districts. The intended locational and use standards are the same as in the R-2 district.

PERMITTED PRINCIPAL USES AND STRUCTURES

MINIMUM OFF-STREET PARKING

1. Single-family dwellings.	2 spaces per dwelling unit
2. Public parks and playgrounds	5 spaces per acre
3. Public schools.	Elementary } 1 space per classroom and or } office space
4. Private schools with curricula the same as ordinarily provided in public schools.	
	High schools - 1 space per classroom and office space plus 1 space for each 6 seats in the principal auditorium or stadium, whichever is greater.
5. Churches and temples	1 space for each 6 seats in the principal auditorium

PERMITTED ACCESSORY USES AND STRUCTURES

1. Private garages.
2. Private swimming pools, tennis courts, gardens, and greenhouses.
3. Uses and structures similar to the above, which are clearly incidental and necessary to the permitted principal uses or structures of this district, but not involving the conduct of business on the premises, except as a home occupation, and located on the same lot or on a contiguous lot under the same ownership.
4. Temporary buildings used in conjunction with construction work, provided that such buildings are removed promptly upon completion of the construction work.
5. Home occupations.

SPECIAL EXCEPTIONS

1. Golf courses, but not miniature courses or separate driving ranges.
Parking: 5 off-street spaces per green.
2. Railroads and public utilities but not including equipment storage or maintenance yards and buildings or general administrative and sales offices, provided that any substation or building shall meet the front and rear yard requirements for dwellings and shall provide side yards of not less than twenty-five (25) feet, and that two (2) off-street parking spaces per substation or one (1) per employee at the site be provided.
3. Communications stations and towers provided that they shall not be closer to a dwelling or place of public assembly than a distance equal to one half ($\frac{1}{2}$) their height, and that the height and location shall not interfere with the operation of any airport or landing strip.
4. Community swimming pools, not closer than 100 feet to the nearest dwelling unit, enclosed by fencing which is at least five (5) feet high.
Parking: 1 off-street space per 150 square feet of water surface.

SINGLE FAMILY RESIDENTIAL DISTRICT

R-3

MINIMUM LOT AREA AND WIDTH	MINIMUM YARDS	MAXIMUM HEIGHT
Area: 7,200 square feet Width: 60 feet	<u>Residential:</u> Front: 25 feet Each side: 6 feet Rear: 30 feet Street side, corner lot: 20 feet <u>Institutional:</u> Front: 40 feet Each side: 20 feet Rear: 50 feet Street side, corner lot: 30 feet	2½ stories or 35 feet

PERMITTED SIGNS

1. Nameplates attached flat against the wall of the main building not to exceed 1 square foot in area.
2. Church or public bulletin boards not to exceed 16 square feet in area.
3. Temporary signs advertising the lease or sale of the premises, no sign to exceed 6 square feet in area.
4. Home occupation signs not to exceed 3 square feet in area.
5. Illumination of signs, bulletin boards and nameplates shall not exceed 60 watts and shall be lighted only with indirect, nonintermittent lighting.
6. Signs and bulletin boards shall be at least 20 feet from the front lot line or not more than 5 feet in front of the main building.
7. All signs shall be maintained in a neat and presentable condition and in the event their use shall cease, they shall be promptly removed and the surrounding area restored to a condition free from refuse and rubbish.
8. Any sign not conforming to provisions of this ordinance shall be made to conform or be removed within three years after the adoption of this ordinance.
9. Any sign used in conjunction with a non-conforming use shall be regulated in accordance with the provisions of any district in which such use is permitted by this ordinance.
10. No use shall have more than one (1) of each type of permitted sign for that use.

STATEMENT OF INTENT

The R-4 Two-Family Residential District is intended to provide for single and two-family residential development. With the addition of two-family dwellings, the intended density is higher than the R-3 District, but not to such a degree as to permit non-residential uses other than those permitted in the R-1, R-2 and R-3 Districts.

PERMITTED PRINCIPAL USES AND STRUCTURES

MINIMUM OFF-STREET PARKING

1. Single-family dwellings	2 spaces per dwelling unit
2. Two-family dwellings	2 spaces per dwelling unit
3. Public parks and playgrounds	5 spaces for each acre developed for active usage
4. Public schools	Elementary } 1 space per classroom and office space or Junior high } High schools - 1 space per classroom and office space plus 1 space for each 6 seats in the principal auditorium or stadium, whichever is greater.
5. Private schools with curricula the same as ordinarily provided in public schools	
6. Churches and temples	

PERMITTED ACCESSORY USES AND STRUCTURES

1. Private garages.
2. Private swimming pools, tennis courts, gardens, and greenhouses.
3. Uses and structures similar to the above, which are clearly incidental and necessary to the permitted principal uses or structures of this district, but not involving the conduct of business on the premises, except as a home occupation, and located on the same lot or on a contiguous lot under the same ownership.
4. Temporary buildings used in conjunction with construction work, provided that such buildings are removed promptly upon completion of the construction work.
5. Home occupations.

SPECIAL EXCEPTIONS

1. Golf courses, but not miniature courses or separate driving ranges.
Parking: 5 off-street spaces per green.
2. Railroads and public utilities but not including equipment storage or maintenance yards and buildings or general administrative and sales offices, provided that any substation or building shall meet the front and rear yard requirements for dwellings and shall provide side yards of not less than twenty-five (25) feet, and that two (2) off-street parking spaces per substation or one (1) per employee at the site be provided.
3. Communications stations and towers provided that they shall not be closer to a dwelling or place of public assembly than a distance equal to one half ($\frac{1}{2}$) their height, and that the height and location shall not interfere with the operation of any airport or landing strip.
4. Community swimming pools, not closer than 100 feet to the nearest dwelling unit, enclosed by fencing which is at least five (5) feet high.
Parking: 1 off-street space per 150 square feet of water surface.

MINIMUM LOT AREA AND WIDTH	MINIMUM YARDS	MAXIMUM HEIGHT
<p><u>Single-Family Dwelling:</u> Area: 7,200 square feet Width: 60 feet</p> <p><u>Two-Family Dwelling:</u> Area: 8,400 square feet Width: 70 feet</p>	<p><u>Dwellings:</u> Front: 25 feet Each side: 8 feet Rear: 30 feet Street side, corner lot: 20 feet</p> <p><u>Other Uses:</u> Front: 40 feet Each side: 20 feet Rear: 50 feet Street side, corner lot: 30 feet</p>	<p>2½ stories or 35 feet</p>

PERMITTED SIGNS

1. Nameplates attached flat against the wall of the main building not to exceed 1 square foot in area.
2. Church or public bulletin boards not to exceed 16 square feet in area.
3. Temporary signs advertising the lease or sale of the premises, no sign to exceed 6 square feet in area.
4. Home occupation signs not to exceed 3 square feet in area.
5. Illumination of signs, bulletin boards and nameplates shall not exceed 60 watts and shall be lighted only with indirect, nonintermittent lighting.
6. Signs and bulletin boards shall be at least 20 feet from the front lot line or not more than 5 feet in front of the main building.
7. All signs shall be maintained in a neat and presentable condition and in the event their use shall cease, they shall be promptly removed and the surrounding area restored to a condition free from refuse and rubbish.
8. Any sign not conforming to provisions of this ordinance shall be made to conform or be removed within three years after the adoption of this ordinance.
9. Any sign used in conjunction with a non-conforming use shall be regulated in accordance with the provisions of any district in which such use is permitted by this ordinance.
10. No use shall have more than one (1) of each type of permitted sign for that use.

STATEMENT OF INTENT

The R-5 Mixed Residential District is a medium density residential district accommodating multiple-family structures of limited size in an acceptable spatial relationship with single and two-family units. Institutional uses, compatible because of type or method of operation, are also permitted on parcels which are of adequate size to accommodate parking and building needs in harmony with adjacent residential parcels.

PERMITTED PRINCIPAL USES AND STRUCTURES

MINIMUM OFF-STREET PARKING

1. Single-family dwellings	2 spaces per dwelling unit	
2. Two-family dwellings	2 spaces per dwelling unit	
3. Multiple-family dwellings, not to exceed 16 units per building . . .	2 spaces per dwelling unit	
4. Public parks and playgrounds	5 spaces per acre	
5. Public schools	Elementary } 1 space per classroom and or Junior high } office space	
6. Private schools with curricula the same as ordinarily provided in public schools		High schools - 1 space per classroom and office space plus 1 space for each 6 seats in the principal auditorium or stadium, whichever is greater.
7. Churches and temples		1 space for each 6 seats in the principal auditorium
8. Lodging and boarding houses	1 space per 2 beds	
9. Hospitals and nursing homes	1 space per 4 beds, plus 1 space per 3 employees	
10. Religious, educational and charitable institutions	1 space per 200 square feet of floor area	
11. Fraternities, sororities, clubs and lodges, except those holding a beer permit or a liquor license, or those serving meals to persons not residing on the premises	1 space per 2 beds, or 1 space per 200 square feet of floor area for non- residential clubs and lodges	

PERMITTED ACCESSORY USES AND STRUCTURES

1. Private garages.
2. Private swimming pools, tennis courts, gardens, and greenhouses.
3. Uses and structures similar to the above, which are clearly incidental and necessary to the permitted principal uses or structures of this district, but not involving the conduct of business on the premises, except as a home occupation, and located on the same lot or on a contiguous lot under the same ownership.
4. Temporary buildings used in conjunction with construction work, provided that such buildings are removed promptly upon completion of the construction work.
5. Home occupations.

SPECIAL EXCEPTIONS

1. Golf courses, but not miniature courses or separate driving ranges.
Parking: 5 off-street spaces per green.
2. Railroads and public utilities but not including equipment storage or maintenance yards and buildings or general administrative and sales offices, provided that any substation or building shall meet the front and rear yard requirements for dwellings and shall provide side yards of not less than twenty-five (25) feet, and that two (2) off-street spaces per substation or one (1) per employee at the site be provided.
3. Communications stations and towers provided that they shall not be closer to a dwelling or place of public assembly than a distance equal to one half ($\frac{1}{2}$) their height, and that the height and location shall not interfere with the operation of any airport or landing strip.
4. Community swimming pools, not closer than 100 feet to the nearest dwelling unit, enclosed by fencing which is at least five (5) feet high.
Parking: 1 off-street space per 150 square feet of water surface.

MINIMUM LOT AREA AND WIDTH	MINIMUM YARDS	MAXIMUM HEIGHT
<p><u>Single-Family Dwellings:</u> Area: 7,200 square feet Width: 60 feet</p> <p><u>Two-Family Dwellings:</u> Area: 8,400 square feet Width: 70 feet</p> <p><u>Multiple-Family Buildings:</u> Area: 6,000 square feet, plus 1,500 square feet per unit in excess of one unit Width: 80 feet</p> <p><u>Institutional Uses:</u> Area: 1 acre Width: 100 feet</p> <p><u>Fraternities, Sororities, Clubs and Lodges</u> Area: 6,000 square feet, plus 1,000 square feet for each 10 members Width: 80 feet</p> <p><u>Other Uses:</u> Area: 9,600 square feet Width: 80 feet</p>	<p><u>Single and Two-Family Dwellings:</u> Front: 25 feet Each side: 8 feet Rear: 30 feet Street side, corner lot: 20 feet</p> <p><u>Multiple-Family Buildings:</u> Front: 25 feet Each side: 15 feet Rear: 30 feet Street side, corner lot: 20 feet</p> <p><u>Other Uses:</u> Front: 35 feet Each side: 15 feet Rear: 35 feet Street side, corner lot: 20 feet</p>	<p>3 stories or 45 feet</p>

PERMITTED SIGNS

1. Nameplates attached flat against the wall of the main building not to exceed 3 square feet in area.
2. Church or public bulletin boards not to exceed 16 square feet in area.
3. Temporary signs advertising the lease or sale of the premises, no sign to exceed 6 square feet in area.
4. Home occupation signs not to exceed 3 square feet in area.
5. Illumination of signs, bulletin boards and nameplates shall not exceed 60 watts and shall be lighted only with indirect, nonintermittent lighting.
6. Signs and bulletin boards shall be at least 20 feet from the front lot line or not more than 5 feet in front of the main building.
7. All signs shall be maintained in a neat and presentable condition and in the event their use shall cease, they shall be promptly removed and the surrounding area restored to a condition free from refuse and rubbish.
8. Any sign not conforming to provisions of this ordinance shall be made to conform or be removed within three years after the adoption of this ordinance.
9. Any sign used in conjunction with a non-conforming use shall be regulated in accordance with the provisions of any district in which such use is permitted by this ordinance.
10. In conjunction with a multiple family residential use there may be one (1) indirectly lighted monument sign or one (1) sign attached flat against the wall of the building, indicating the name of the development and other pertinent information. Such sign shall not exceed 6 feet in height or 24 square feet in area.
11. No use shall have more than one (1) of each type of permitted sign for that use.

STATEMENT OF INTENT

The R-6 Mixed Residential District is a medium-high density residential district accommodating multiple-family structures with any number of units in an acceptable spatial relationship with single and two family units. Institutional uses, compatible because of type or method of operation, are also permitted on parcels which are of adequate size to accommodate parking and building needs in harmony with adjacent residential parcels.

PERMITTED PRINCIPAL USES AND STRUCTURES

MINIMUM OFF-STREET PARKING

1. Single-family dwellings.	2 spaces per dwelling unit
2. Two-family dwellings	2 spaces per dwelling unit
3. Multiple-family dwellings.	2 spaces per dwelling unit to 16 units; 1 1/2 spaces per dwelling unit in excess of 16 units
4. Public parks and playgrounds	5 spaces per acre
5. Public schools	Elementary } 1 space per classroom and or } office space Junior high } High schools - 1 space per classroom and office space plus 1 space for each 6 seats in the principal auditorium or stadium, whichever is greater.
6. Private schools with curricula the same as ordinarily provided in public schools	
7. Churches and temples	
8. Lodging and boarding houses	1 space per 2 beds
9. Hospitals and nursing homes	1 space per 4 beds, plus 1 space per 3 employees
10. Religious, educational and charitable institutions	1 space per 200 square feet of floor area
11. Fraternities, sororities, clubs and lodges, except those holding a beer permit or a liquor license, or those serving meals to persons not residing on the premises	1 space per 2 beds, or 1 space per 200 square feet of floor area for non- residential clubs and lodges
12. Private day nurseries and kindergartens. A fenced play area of 4,000 square feet shall be provided for the first 20 or less children, with 200 square feet additional for each additional child.	1 space per employee

PERMITTED ACCESSORY USES AND STRUCTURES

1. Private garages.
2. Private swimming pools, tennis courts, gardens, and greenhouses.
3. Uses and structures similar to the above, which are clearly incidental and necessary to the permitted principal uses or structures of this district, but not involving the conduct of business on the premises, except as a home occupation, and located on the same lot or on a contiguous lot under the same ownership.
4. Temporary buildings used in conjunction with construction work, provided that such buildings are removed promptly upon completion of the construction work.
5. Home occupations.

SPECIAL EXCEPTIONS

1. Golf courses, but not miniature courses or separate driving ranges.
Parking: 5 off-street spaces per green.
2. Railroads and public utilities but not including equipment storage or maintenance yards and buildings or general administrative and sales offices, provided that any substation or building shall meet the front and rear yard requirements for dwellings and shall provide side yards of not less than twenty-five (25) feet, and that two (2) off-street parking spaces per substation or one (1) per employee at the site be provided.
3. Communications stations and towers provided that they shall not be closer to a dwelling or place of public assembly than a distance equal to one half (1/2) their height, and that the height and location shall not interfere with the operation of any airport or landing strip.
4. Community swimming pools, not closer than 100 feet to the nearest dwelling unit, enclosed by fencing which is at least five (5) feet high.
Parking: 1 off-street space per 150 square feet of water surface.

MINIMUM LOT AREA AND WIDTH	MINIMUM YARDS	MAXIMUM HEIGHT
<p><u>Single-Family Dwellings:</u> Area: 6,000 square feet Width: 60 feet</p> <p><u>Two-Family Dwellings:</u> Area: 8,400 square feet Width: 70 feet</p> <p><u>Multiple-Family Buildings:</u> Area: 6,000 square feet, plus 1,200 square feet per unit in excess of one unit, up to 16 units. 900 square feet for each unit in excess of 16 units Width: Up to 16 units -- 80 feet Over 16 units -- 100 feet</p> <p><u>Institutional Uses:</u> Area: 1 acre Width: 100 feet</p> <p><u>Fraternities, Sororities, Clubs and Lodges:</u> Area: 6,000 square feet, plus 1,000 square feet for each 10 members Width: 80 feet</p> <p><u>Other Uses:</u> Area: 9,600 square feet Width: 80 feet</p>	<p><u>Single and Two-Family Dwellings:</u> Front: 25 feet Each side: 8 feet Rear: 30 feet Street side, corner lot: 20 feet</p> <p><u>Multiple-Family Buildings:</u> Front: up to 16 units -- 25 feet over 16 units -- 30 feet Each side: up to 16 units -- 15 feet over 16 units -- 20 feet Rear: up to 16 units -- 30 feet over 16 units -- 35 feet Street side, corner lot: 20 feet</p> <p><u>Other Uses:</u> Front: 35 feet Each side: 15 feet Rear: 35 feet Street side, corner lot: 20 feet</p>	<p>3 stories or 45 feet</p> <p>Multiple-Family buildings containing more than 16 units:</p> <p>4 stories or 50 feet</p>

PERMITTED SIGNS

1. Nameplates attached flat against the wall of the main building not to exceed 3 square feet in area.
2. Church or public bulletin boards not to exceed 16 square feet in area.
3. Temporary signs advertising the lease or sale of the premises, no sign to exceed 6 square feet in area.
4. Home occupation signs not to exceed 3 square feet in area.
5. In conjunction with a multiple family residential use there may be one (1) indirectly lighted monument sign or one (1) sign attached flat against the wall of the building, indicating the name of the development and other pertinent information. Such sign shall not exceed 6 feet in height or 24 square feet in area.
6. Illumination of signs, bulletin boards and nameplates shall not exceed 60 watts and shall be lighted only with indirect, nonintermittent lighting.
7. Signs and bulletin boards shall be at least 20 feet from the front lot line or not more than 5 feet in front of the main building.
8. All signs shall be maintained in a neat and presentable condition and in the event their use shall cease, they shall be promptly removed and the surrounding area restored to a condition free from refuse and rubbish.
9. Any sign not conforming to provisions of this ordinance shall be made to conform or be removed within three years after the adoption of this ordinance.
10. Any sign used in conjunction with a non-conforming use shall be regulated in accordance with the provisions of any district in which such use is permitted by this ordinance.
11. No use shall have more than one (1) of each type of permitted sign for that use.

STATEMENT OF INTENT

The R-7 Mixed Residential District is a medium-high density residential district accommodating multiple-family structures with any number of units in an acceptable spatial relationship with single and two-family units. Institutional and professional uses, compatible because of type or method of operation, are also permitted on parcels which are of adequate size to accommodate parking and building needs in harmony with adjacent residential parcels.

PERMITTED PRINCIPAL USES AND STRUCTURES

MINIMUM OFF-STREET PARKING

1. Single-family dwellings	2 spaces per dwelling unit
2. Two-family dwellings	2 spaces per dwelling unit
3. Multiple-family dwellings	2 spaces per dwelling unit to 16 units; 1 1/2 spaces per dwelling unit in excess of 16 units
4. Public parks and playgrounds	5 spaces per acre
5. Public schools	Elementary } 1 space per classroom and or office space Junior high } High schools - 1 space per classroom and office space plus 1 space for each 6 seats in the principal auditorium or stadium, whichever is greater.
6. Private schools with curricula the same as ordinarily provided in public schools	
7. Churches and temples	
8. Lodging and boarding houses	1 space per 2 beds
9. Hospitals and nursing homes	1 space per 4 beds, plus 1 space per 3 employees
10. Religious, educational and charitable institutions	1 space per 200 square feet of floor area
11. Fraternities, sororities, clubs and lodges, except those holding a beer permit or a liquor license, or those serving meals to persons not residing on the premises	1 space per 2 beds, or 1 space per 200 square feet of floor area for non- residential clubs and lodges
12. Private day nurseries and kindergartens. A fenced play area of 4,000 square feet shall be provided for the first 20 or less children, with 200 square feet additional for each additional child . .	1 space per employee
13. Funeral homes	1 space for each 3 seats in the chapel
14. Medical and dental clinics	1 space per doctor and employee, plus 1 space per 100 square feet of floor area

PERMITTED ACCESSORY USES AND STRUCTURES

1. Private garages.
2. Private swimming pools, tennis courts, gardens, and greenhouses.
3. Uses and structures similar to the above, which are clearly incidental and necessary to the permitted principal uses or structures of this district, but not involving the conduct of business on the premises, except as a home occupation, and located on the same lot or on a contiguous lot under the same ownership.
4. Temporary buildings used in conjunction with construction work, provided that such buildings are removed promptly upon completion of the construction work.
5. Home occupations.

SPECIAL EXCEPTIONS

1. Golf courses, but not miniature courses or separate driving ranges.
Parking: 5 off-street spaces per green.
2. Railroads and public utilities but not including equipment storage or maintenance yards and buildings or general administrative and sales offices, provided that any substation or building shall meet the front and rear yard requirements for dwellings and shall provide side yards of not less than twenty-five (25) feet, and that two (2) off-street parking spaces per substation or one (1) per employee at the site be provided.
3. Communications stations and towers provided that they shall not be closer to a dwelling or place of public assembly than a distance equal to one half (1/2) their height, and that the height and location shall not interfere with the operation of any airport or landing strip.
4. Community swimming pools, not closer than 100 feet to the nearest dwelling unit, enclosed by fencing which is at least five (5) feet high.
Parking: 1 off-street space per 150 square feet of water surface.

MINIMUM LOT AREA AND WIDTH	MINIMUM YARDS	MAXIMUM HEIGHT
<p><u>Single-Family Dwellings:</u> Area: 6,000 square feet Width: 60 feet</p> <p><u>Two-Family Dwellings:</u> Area: 8,400 square feet Width: 70 feet</p> <p><u>Multiple-Family Buildings:</u> Area: 6,000 square feet, plus 1,000 square feet per unit in excess of one unit, up to 16 units, 750 square feet for each unit in excess of 16 units Width: Up to 16 units -- 80 feet Over 16 units -- 100 feet</p> <p><u>Institutional Uses:</u> Area: 1 acre Width: 100 feet</p> <p><u>Fraternities, Sororities, Clubs and Lodges:</u> Area: 6,000 square feet, plus 1,000 square feet for each 10 members Width: 80 feet</p> <p><u>Other Uses:</u> Area: 9,600 square feet Width: 80 feet</p>	<p><u>Single and Two-Family Dwellings:</u> Front: 25 feet Each side: 8 feet Rear: 30 feet Street side, corner lot: 20 feet</p> <p><u>Multiple-Family Buildings:</u> Front: up to 16 units -- 25 feet over 16 units -- 30 feet Each side: up to 16 units -- 15 feet over 16 units -- 20 feet Rear: up to 16 units -- 30 feet over 16 units -- 35 feet Street side, corner lot: 20 feet</p> <p><u>Other Uses:</u> Front: 35 feet Each side: 15 feet Rear: 35 feet Street side, corner lot: 20 feet</p>	<p>3 stories or 45 feet</p> <p>Multiple-Family buildings containing more than 16 units: 6 stories or 75 feet</p>

PERMITTED SIGNS

1. Nameplates attached flat against the wall of the main building not to exceed 3 square feet in area.
2. Church or public bulletin boards not to exceed 16 square feet in area.
3. Temporary signs advertising the lease or sale of the premises, no sign to exceed 6 square feet in area.
4. Home occupation signs not to exceed 3 square feet in area.
5. In conjunction with a multiple family residential use there may be one (1) indirectly lighted monument sign or one (1) sign attached flat against the wall of the building, indicating the name of the developer and other pertinent information. Such sign shall not exceed 6 feet in height or 24 square feet in area.
6. Illumination of signs, bulletin boards and nameplates shall not exceed 60 watts and shall be lighted only with indirect, nonintermittent lighting.
7. Signs and bulletin boards shall be at least 20 feet from the front lot line or not more than 5 feet in front of the main building.
8. All signs shall be maintained in a neat and presentable condition and in the event their use shall cease, they shall be promptly removed and the surrounding area restored to a condition free from refuse and rubbish.
9. Any sign not conforming to provisions of this ordinance shall be made to conform or be removed within three years after the adoption of this ordinance.
10. Any sign used in conjunction with a non-conforming use shall be regulated in accordance with the provisions of any district in which such use is permitted by this ordinance.
11. No use shall have more than one (1) of each type of permitted sign for that use.

STATEMENT OF INTENT

The Mobile Home District is intended to provide areas and standards for the development of mobile home parks in locations where they will be compatible with surrounding uses and where adequate services can be provided for mobile home park residents.

PERMITTED PRINCIPAL USES AND STRUCTURES

MINIMUM REQUIRED OFF-STREET PARKING

- | | |
|---|---------------------------|
| 1. Mobile home parks of at least 35 spaces, located on 7 acres or more, but not including the sale or display of mobile homes on a commercial basis | 1½ spaces per mobile home |
|---|---------------------------|

PERMITTED ACCESSORY USES AND STRUCTURES

1. Uses and structures clearly incidental and necessary to the permitted principal uses and structures in this district.
2. Temporary structures used in conjunction with construction work, provided that such structures are removed promptly upon completion of the construction work.
3. Coin-operated laundries.
4. Swimming pools, recreation buildings, and playgrounds for use of park residents.

SPECIAL EXCEPTIONS

None

MINIMUM SPACE AREA, WIDTH AND DEPTH	MINIMUM YARDS	MAXIMUM HEIGHT
Area: 3,600 square feet Width: 40 feet Depth: 90 feet	There shall be a 25-foot yard maintained around the perimeter of the mobile home park.	25 feet

PERMITTED SIGNS

1. Nameplates attached flat against the wall of mobile homes, not to exceed 1 square foot in area.
2. Temporary signs advertising the sale or lease of the premises, no sign to exceed 6 square feet in area.
3. One indirectly lighted sign facing each street on which the mobile home park fronts, indicating the name of the park and other pertinent information, provided that such sign shall not exceed 24 square feet in area.
4. All signs shall be maintained in a neat and presentable condition and in the event their use shall cease, they shall be promptly removed and the surrounding area restored to a condition free from refuse and rubbish.
5. Any sign not conforming to provisions of this ordinance shall be made to conform or be removed within three years after the adoption of this ordinance.
6. No use shall have more than one (1) of each type of permitted sign for that use.

ADDITIONAL REQUIREMENTS

1. Open Spaces. Mobile homes shall be so located on each space so that there will be at least a 20-foot end to end clearance and a 25-foot side to side clearance between each mobile home, and a 5-foot yard between the mobile home and any driveway, walkway or space boundary. In addition, the following open spaces shall be maintained:
 - a. between the mobile home rear and the rear space line -- 10 feet
 - b. between the mobile home front and the front space line -- 15 feet
 - c. between one side of the mobile home and the side lot line -- 5 feet
 - d. between the other side of the mobile home and the other side lot line -- 20 feet

All open areas not used for off-street parking or driveways shall be planted with grass, properly maintained, and kept free from refuse and debris.

2. Driveways and Walkways. All mobile homes shall abut upon a driveway of not less than 25 feet in width, which shall have unobstructed access to a public street or highway. Walkways not less than 3 feet wide shall be provided from the mobile home spaces to any service buildings. All driveways and walkways shall have a permanent all-weather hard surface and shall be lighted at night with electric lamps of not less than 250 watts each, spaced at intervals of not more than 100 feet.
3. Utility Lines. All utility lines shall be located underground.
4. Sewer and Water.
 - a. All mobile home spaces must be served by a water and sewer collection and treatment system which meets the approval of appropriate local officials.
 - b. No mobile home shall be located more than 400 feet from an approved fire hydrant.
5. Buffer Strip. There shall be an open landscaped buffer strip around the perimeter of the mobile home park. Said buffer strip shall not be encroached upon by any mobile home site, drive or accessory building.
6. Spaces to be Completed. A minimum number of 35 spaces shall be developed and ready for occupancy before the first occupancy will be permitted.
7. Request for Rezoning. Each application for a change to the R-8 zoning classification submitted to the Board of Supervisors shall be accompanied by a mobile home park plan. Said plan shall show each mobile home space, the water, electrical and sewer lines or septic tank location serving each trailer space, the location of garbage cans, water hydrants, service buildings, driveways, walkways, recreation areas, required yards, parking facilities, lighting and landscaping. The plan shall be considered by the Planning and Zoning Commission and the Board of Supervisors in accordance with Section 3.03 of this ordinance.

STATEMENT OF INTENT

The Neighborhood Service Commercial District is intended to provide and recognize areas within walking distance, which include personal services and convenience goods for the daily living needs of a neighborhood.

PERMITTED PRINCIPAL USES AND STRUCTURES

MINIMUM OFF-STREET PARKING

<ol style="list-style-type: none"> 1. Apartments above a store or shop. 2. Bakery goods shops, employing 10 people or less. 3. Banks 4. Drug stores 5. Dry cleaners, laundries and laundromats, employing 5 people or less on the maximum shift 6. Grocery stores or meat markets 7. Photography studios 8. Real estate or insurance offices 9. Small appliance repair shops 10. Barber and beauty shops 11. Medical and dental offices 	<p>1½ spaces per dwelling unit</p> <p>1 space for each 300 square feet of sales, service or office floor area</p> <p>1 space for each 200 square feet of floor area</p>
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PERMITTED ACCESSORY USES AND STRUCTURES

1. Uses and structures clearly incidental and necessary to the permitted principal uses or structures of this district.
2. Storage warehouses in conjunction with the permitted principal uses or structures of this district.
3. Temporary buildings used in conjunction with construction work, provided that such buildings are removed promptly upon completion of the construction work.

SPECIAL EXCEPTIONS

1. Railroads and public utilities but not including equipment storage or maintenance yards and buildings or general administrative and sales offices, provided that any substation or building shall meet the front and rear yard requirements for dwellings and shall provide side yards of not less than twenty-five (25) feet, and that two (2) off-street parking spaces per substation or one (1) per employee at the site be provided.
2. Communications stations and towers provided that they shall not be closer to a dwelling or place of public assembly than a distance equal to one-half (½) their height and that the height and location shall not interfere with the operation of any airport or landing strip.

MINIMUM LOT AREA AND WIDTH	MINIMUM YARDS	MAXIMUM HEIGHT
<p><u>Commercial Uses:</u> No minimum</p>	<p>Front: 25 feet No side or rear yards required except where adjacent to an "A" or "R" district, a side yard of 25 feet and a rear yard of 20 feet shall be provided. Where apartments are above a store or shop, a rear yard of 20 feet shall be provided.</p>	<p>2½ stories or 35 feet</p>

PERMITTED SIGNS

1. **Business identification signs**, provided that:
 - a. **Free standing signs** do not exceed 25 feet in height.
 - b. **Signs attached to a building** shall not project above the height of the building or more than 1 foot from the wall of the building, or into the public right of way.
 - c. **No sign shall exceed 50 square feet in area** nor shall any sign cover more than 10 percent of the building face which it covers.
2. **Temporary signs**, advertising the sale or lease of the premises, no sign to exceed 12 square feet in area.
3. No sign shall be located in, overhang or project into a required yard.
4. All signs shall be maintained in a neat and presentable condition and in the event their use shall cease, they shall be promptly removed and the surrounding area restored to a condition free from refuse and rubbish.
5. Any sign not conforming to the provisions of this ordinance shall be made to conform or shall be removed within three years after the adoption of this ordinance.
6. Any sign used in conjunction with a non-conforming use shall be regulated in accordance with the provisions of any district in which such use is permitted by this ordinance.
7. No use shall have more than one (1) of each type of permitted sign for that use.

STATEMENT OF INTENT

The Central Business District forms the center for commercial, financial, professional, governmental and cultural activities. It is intended that those uses be discouraged which do not require a central location and which would create friction in the efficient performance of the centralizing function of this district. Residential uses above the ground floor are permitted in recognition of the convenience of living in or near the commercial and cultural center of the community.

PERMITTED PRINCIPAL USES AND STRUCTURES

MINIMUM OFF-STREET PARKING

- | | |
|--|-------------|
| <ol style="list-style-type: none"> 1. Sale of any goods at retail, including hardware, food, apparel, home furnishings, books, jewelry, and other merchandise of a similar nature. 2. Apartments above a store or shop 3. Apparel repair and tailoring 4. Beauty and barber shops 5. Bowling alleys and billiard parlors 6. Bus terminals 7. Business and professional offices 8. Clubs and Lodges. 9. Commercial parking lots 10. Communications facilities. 11. Finance, insurance and real estate services. 12. Hotels and motels 13. Laundry and dry cleaning establishments 14. Libraries, museums, art galleries. 15. Parks. 16. Photography studios 17. Printing, publishing and engraving 18. Railroads, public buildings and utilities, but not including storage and maintenance yards or buildings 19. Religious and charitable institutions 20. Restaurants, tea rooms and similar eating establishments, where meals are prepared to be served exclusively inside the building 21. Rooming and boarding houses 22. Schools, excluding public or private nursery, primary or secondary schools 23. Shops for repair and servicing of bicycles, electrical, radio and television appliances, keys and similar articles 24. Taverns, cocktail lounges. 25. Theaters, auditoriums and arenas 26. Wholesale display and salesrooms | <p>None</p> |
|--|-------------|

PERMITTED ACCESSORY USES AND STRUCTURES

1. Production of baked goods for sale on premises.
2. Uses and structures clearly incidental and necessary to the permitted principal uses or structures of this district.
3. Temporary buildings used in conjunction with construction work, provided that such buildings are removed promptly upon completion of the construction work.

SPECIAL EXCEPTIONS

1. Communications stations and towers provided that they shall not be closer to a dwelling or place of public assembly than a distance equal to one-half ($\frac{1}{2}$) their height and that the height and location shall not interfere with the operation of any airport or landing strip.

MINIMUM LOT AREA AND WIDTH	MINIMUM YARDS	MAXIMUM HEIGHT
No minimum	No minimum, except where apartments are above a store or shop, a rear yard of 20 feet shall be provided; and where any use is adjacent to an "R" district, a front or side yard of 10 feet and a rear yard of 20 feet shall be provided.	6 stories or 100 feet

PERMITTED SIGNS

1. Advertising signs, billboard and trade, business or industry identification signs provided that:
 - a. Free standing signs do not exceed 25 feet in height.
 - b. Signs attached to a building shall not project above the height of the building or more than 4 feet from the wall of the building, or into the public right of way.
 - c. No sign shall exceed 75 square feet in area nor shall any sign cover more than 10 percent of the building face which it covers.
2. Temporary signs, advertising the sale or lease of the premises, no sign to exceed 12 square feet in area
3. No sign or billboard shall be located in, overhang or project into a required yard.
4. All signs and billboards shall be maintained in a neat and presentable condition and in the event their use shall cease, they shall be promptly removed and the surrounding area restored to a condition free from refuse and rubbish.
5. Any sign not conforming to the provisions of this ordinance shall be made to conform or shall be removed within three years after the adoption of this ordinance.
6. Any sign used in conjunction with a non-conforming use shall be regulated in accordance with the provisions of any district in which such use is permitted by this ordinance.
7. No use shall have more than one (1) of each type of permitted sign for that use, and only one (1) of any permitted sign shall have the maximum area of 75 square feet. The total sign area for any use shall not exceed 110 square feet.

STATEMENT OF INTENT

The General Commercial District provides areas for a wide variety of commercial and institutional activities. The district includes areas along streets where commercial development has displaced or is displacing residential development, or is developing on vacant lands.

PERMITTED PRINCIPAL USES AND STRUCTURES

MINIMUM OFF-STREET PARKING

<ol style="list-style-type: none"> 1. Sale of any goods at retail, including hardware, food, apparel, home furnishings, books, jewelry, and other merchandise or a similar nature. 2. Apartments above a store or shop 3. Apparel repair and tailoring. 4. Automobile service stations 5. Bakeries 6. Beauty and barber shops 7. Bottling plants 8. Bowling alleys and billiard parlors. 9. Bus terminals 10. Business and professional offices 11. Clubs and lodges 12. Commercial parking lots 13. Communications facilities. 14. Creameries 15. Electrical service 16. Finance, insurance and real estate services. 17. Funeral homes. 18. Hotels and motels 19. Laundry and dry cleaning establishments 20. Libraries, museums, art galleries. 21. Painting and paperhanging services. 22. Parks. 23. Photography studios 24. Plant nurseries 25. Plumbing, heating and air conditioning services 26. Printing, publishing and engraving 27. Railroads, public buildings and utilities, but not including storage and maintenance yards or buildings 28. Religious and charitable institutions 29. Restaurants, tea rooms and similar eating establishments, where meals are prepared to be served exclusively inside the building 30. Rooming and boarding houses 31. Schools, excluding public or private nursery, primary or secondary schools 32. Taverns, cocktail lounges. 33. Theaters, auditoriums and arenas 34. Warehousing. 35. Wholesale display and salesrooms 36. Wholesale sales and storage. 	<table border="0"> <tr> <td style="padding-right: 10px;">Apartments</td> <td style="padding-right: 10px;">-</td> <td>1 space per apartment</td> </tr> <tr> <td>Hotels and Motels</td> <td>-</td> <td>1 space per rental unit</td> </tr> <tr> <td>Theaters, Auditoriums and Churches</td> <td>-</td> <td>1 space for each 6 seats in the auditorium</td> </tr> <tr> <td>All Others</td> <td>-</td> <td>1 space for each 300 square feet of sales, service or floor area, <u>excluding</u> area used for storage.</td> </tr> <tr> <td colspan="3" style="padding-top: 10px;"><u>Loading Space</u> - 1 for each 10,000 square feet of floor area</td> </tr> </table>	Apartments	-	1 space per apartment	Hotels and Motels	-	1 space per rental unit	Theaters, Auditoriums and Churches	-	1 space for each 6 seats in the auditorium	All Others	-	1 space for each 300 square feet of sales, service or floor area, <u>excluding</u> area used for storage.	<u>Loading Space</u> - 1 for each 10,000 square feet of floor area		
Apartments	-	1 space per apartment														
Hotels and Motels	-	1 space per rental unit														
Theaters, Auditoriums and Churches	-	1 space for each 6 seats in the auditorium														
All Others	-	1 space for each 300 square feet of sales, service or floor area, <u>excluding</u> area used for storage.														
<u>Loading Space</u> - 1 for each 10,000 square feet of floor area																

PERMITTED ACCESSORY USES AND STRUCTURES

1. Uses and structures clearly incidental and necessary to the permitted principal uses or structures of this district.
2. Storage warehouses in conjunction with the permitted principal uses or structures of this district.
3. Temporary buildings used in conjunction with construction work, provided that such buildings are removed promptly upon completion of the construction work.

SPECIAL EXCEPTIONS

1. Communications stations and towers provided that they shall not be closer to a dwelling or place of public assembly than a distance equal to one-half ($\frac{1}{2}$) their height and that the height and location shall not interfere with the operation of any airport or landing strip.

MINIMUM LOT AREA AND WIDTH	MINIMUM YARDS	MAXIMUM HEIGHT
None	Front: 15 feet No side or rear yard, except: (1) where there are apartments above a store or shop, a rear yard of 20 feet shall be provided (2) where a use is adjacent to an A or R district: Each side: 25 feet Rear: 20 feet	4 stories or 50 feet

PERMITTED SIGNS

1. Advertising signs, billboard and trade, business or industry identification signs provided that:
 - a. Free standing signs do not exceed 25 feet in height.
 - b. Signs attached to a building shall not project above the height of the building or more than 4 feet from the wall of the building, or into the public right of way.
 - c. No sign shall exceed 75 square feet in area nor shall any sign cover more than 10 percent of the building face which it covers.
2. Temporary signs, advertising the sale or lease of the premises, no sign to exceed 12 square feet in area.
3. No sign or billboard shall be located in, overhang or project into a required yard.
4. All signs and billboards shall be maintained in a neat and presentable condition and in the event their use shall cease, they shall be promptly removed and the surrounding area restored to a condition free from refuse and rubbish.
5. Any sign not conforming to the provisions of this ordinance shall be made to conform or shall be removed within three years after the adoption of this ordinance.
6. Any sign used in conjunction with a non-conforming use shall be regulated in accordance with the provisions of any district in which such use is permitted by this ordinance.
7. No use shall have more than one (1) of each type of permitted sign for that use, and only one (1) of any permitted sign shall have the maximum area of 75 square feet. The total sign area for any use shall not exceed 110 square feet.

STATEMENT OF INTENT

The Highway Commercial District provides areas for uses which ordinarily serve the traveling public, and for other uses which ordinarily require access to a major traffic artery.

PERMITTED PRINCIPAL USES AND STRUCTURES

MINIMUM OFF-STREET PARKING

1. Automotive or farm implement sales, service or repair.	1 space per 300 square feet of floor area
2. Express, cartage and trucking facilities.	1 space per 800 square feet of floor area, plus 1 loading space per 5,000 square feet of floor area
3. Hotels and motels.	1 space per rental unit
4. Laundromats and self-service dry cleaning	1 space per 200 square feet of floor area
5. Plant nurseries and garden centers	1 space per 200 square feet of floor area
6. Radio and television stations	1 space per employee
7. Restaurants, where meals are prepared to be served exclusively inside a building	1 space per 100 square feet of floor area
8. Drive-in restaurants and refreshment stands.	5 spaces per 100 square feet of floor area
9. Drive-in theaters	Storage lanes outside ticket booth must accommodate 10% theater capacity
10. Recreational and amusement activities, such as bowling alleys and miniature golf courses.	Bowling: 5 spaces per lane Miniature golf: 3 spaces per green Others: 1 space per 200 square feet of floor area

PERMITTED ACCESSORY USES AND STRUCTURES

1. Uses and structures clearly incidental and necessary to the permitted principal uses or structures of this district.
2. Storage warehouses in conjunction with the permitted principal uses or structures of this district.
3. Temporary buildings used in conjunction with construction work, provided that such buildings are removed promptly upon completion of the construction work.

SPECIAL EXCEPTIONS

1. Railroads and public utilities but not including equipment storage or maintenance yards, provided that any substation or building shall meet the front and rear yard requirements for dwellings and shall provide side yards of not less than twenty-five (25) feet, and that two (2) off-street parking spaces per substation or one (1) per employee at the site be provided.
2. Communications stations and towers provided that they shall not be closer to a dwelling or place of public assembly than a distance equal to one-half ($\frac{1}{2}$) their height and that the height and location shall not interfere with the operation of any airport or landing strip.

MINIMUM LOT AREA AND WIDTH	MINIMUM YARDS	MAXIMUM HEIGHT
None	<p>Front: 25 feet Side: 5 feet Rear: 10 feet</p> <p>Where adjacent to an R district, a side or rear yard shall be not less than 20 feet.</p> <p>All yards shall be open lawn or landscaped areas except for signs and lighting fixtures as may be permitted elsewhere.</p>	<p>2½ stories or 35 feet</p>

PERMITTED SIGNS

1. Advertising signs, billboard and trade, business or industry identification signs provided that:
 - a. Free standing signs do not exceed 25 feet in height.
 - b. Signs attached to a building shall not project above the height of the building or more than 4 feet from the wall of the building, or into the public right of way.
 - c. No sign shall exceed 75 square feet in area nor shall any sign cover more than 10 percent of the building face which it covers.
2. Temporary signs, advertising the sale or lease of the premises, no sign to exceed 12 square feet in area.
3. No sign or billboard shall be located in, overhang or project into a required yard.
4. All signs and billboards shall be maintained in a neat and presentable condition and in the event their use shall cease, they shall be promptly removed and the surrounding area restored to a condition free from refuse and rubbish.
5. Any sign not conforming to the provisions of this ordinance shall be made to conform or shall be removed within three years after the adoption of this ordinance.
6. Any sign used in conjunction with a non-conforming use shall be regulated in accordance with the provisions of any district in which such use is permitted by this ordinance.
7. No use shall have more than one (1) of each type of permitted sign for that use, and only one (1) of any permitted sign shall have the maximum area of 75 square feet. The total sign area for any use shall not exceed 110 square feet.

STATEMENT OF INTENT

The Planned Commercial District is intended to provide areas and establish procedures for the ordered development of shopping centers in locations where they are economically feasible and not incompatible with surrounding uses. Planned commercial developments are intended to be under simple ownership, management or control, and to be characterized by a concentrated grouping of stores and compatible uses, with various facilities designed to be used in common such as ingress and egress drives and extensive parking accommodations.

PERMITTED PRINCIPAL USES AND STRUCTURES

MINIMUM OFF-STREET PARKING

- 1. Automobile service stations
- 2. Bakery goods shops
- 3. Banks
- 4. Barber or beauty shops
- 5. Book or stationary stores
- 6. Confectionary stores
- 7. Custom dressmaking or millinery stores
- 8. Department stores
- 9. Drug stores
- 10. Dry goods or notions stores
- 11. Florists or gift shops
- 12. Grocery stores
- 13. Hardware or electrical appliance stores
- 14. Jewelry stores
- 15. Laundromats and self-service dry cleaning
- 16. Meat markets and delicatessens
- 17. Photography studios
- 18. Restaurants, where meals are prepared to be served exclusively inside a building
- 19. Shoe stores
- 20. Theaters

For all uses when located in the C-5 district, one parking space for each 300 square feet of floor area to 100,000 square feet, plus one space for each 100 square feet of floor area in excess of 100,000 square feet.

PERMITTED ACCESSORY USES AND STRUCTURES

- 1. Uses and structures clearly incidental and necessary to the permitted principal uses or structures of this district.
- 2. Storage warehouses in conjunction with the permitted principal uses or structures of this district.
- 3. Temporary buildings used in conjunction with construction work, provided that such buildings are removed promptly upon completion of the construction work.

SPECIAL EXCEPTIONS

None

MINIMUM LOT AREA AND WIDTH	MINIMUM YARDS	MAXIMUM HEIGHT
None	Front: 30 feet Each side: 20 feet Rear: 20 feet All yards shall be open lawn or landscaped areas except for signs and lighting fixtures as may be permitted elsewhere.	3 stories or 45 feet

PERMITTED SIGNS

1. Business identification signs, provided that:
 - a. Free standing signs do not exceed 25 feet in height.
 - b. Signs attached to a building shall not project above the height of the building or more than 4 feet from the wall of the building, or into the public right of way.
 - c. No sign shall exceed 75 square feet in area nor shall any sign cover more than 10 percent of the building face which it covers.
2. Temporary signs, advertising the sale or lease of the premises, no sign to exceed 12 square feet in area.
3. No sign shall be located in, overhang or project into a required yard.
4. All signs shall be maintained in a neat and presentable condition and in the event their use shall cease, they shall be promptly removed and the surrounding area restored to a condition free from refuse and rubbish.
5. Any sign not conforming to the provisions of this ordinance shall be made to conform or shall be removed within three years after the adoption of this ordinance.
6. Any sign used in conjunction with a non-conforming use shall be regulated in accordance with the provisions of any district in which such use is permitted by this ordinance.
7. No use shall have more than one (1) of each type of permitted sign for that use, and only one (1) of any permitted sign shall have the maximum area of 75 square feet. The total sign area for any use shall not exceed 110 square feet.

ADDITIONAL REQUIREMENTS

1. Procedures. The owner or owners of any tract of land comprising an area of not less than five (5) acres may submit to the Council a plan for the commercial use and development of such tract for the purposes of meeting the requirements of this section. Said plan shall be accompanied by evidence concerning the feasibility of the project and its effects on surrounding property and shall include each of the following:
 - a. A site plan defining the areas to be developed for buildings, the areas to be developed for parking, the location of sidewalks and driveways and the points of ingress and egress, including access streets where required, the location and height of walls, the location and type of landscaping and the location, size and number of signs.
 - b. An analysis of market conditions in the area to be served, including the types and amount of service needed and general economic justification.
 - c. A traffic analysis of the vicinity indicating the effect of the proposed shopping center on the adjacent streets.
 - d. A statement of financial responsibility to assure construction of the shopping center, including landscaping, in accordance with the plan and the requirements of this section.

Said development plan shall be referred to the Planning and Zoning Commission for study and for report after public hearing. The Commission shall review the conformity of the proposed development with the standards of the Comprehensive Plan, and with recognized principles of civic design, land use planning and landscaping architecture. The Commission may approve the plan as submitted or, before approval, may require that the applicant modify, alter, adjust, or amend the plan as the Commission deems necessary to the end that it preserve the intent and purpose of this ordinance to promote public health, safety, morals, and general welfare. The development plan as approved by the Commission shall then be reported to the Council, whereupon the Council may, after notice and public hearing, approve or disapprove said plan as reported or may require such changes thereto as it deems necessary to effectuate the intent and purpose of this ordinance. Upon approval of the plan, the Council shall then initiate a change in zoning of the subject tract of land in accordance with the provisions of Section 3.02 of this ordinance to the Planned Commercial District classification.

2. Completion. The Council may make the approval of the shopping center plan contingent upon the completion of construction and improvements within a reasonable period of time, provided, however, that in the determination of such period, the Council shall consider the scope and magnitude of the project and any schedule or timetable submitted by the developer. Failure to complete the construction and improvements within said period of time shall be deemed sufficient cause for the Council, in accordance with the provisions of Section 3.02, to rezone the subject property to the classification effective at the time of original submission of the shopping center plan, unless an extension is recommended by the Commission and approved by the Council for due cause shown. Any proposed change in the shopping center plan, after approval by the Council, shall be resubmitted and considered in the same manner as the original proposal.

STATEMENT OF INTENT

The Limited Industrial District is intended primarily for manufacturing, processing, storage, wholesaling and distribution, but also permits some commercial uses. Regulations are intended to prevent frictions between uses within the district and also to protect nearby districts.

PERMITTED PRINCIPAL USES AND STRUCTURES

MINIMUM OFF-STREET PARKING

- | | | |
|--|---|---|
| <ol style="list-style-type: none"> 1. Manufacturing and processing uses, except those that are allowed only as special exceptions in the M-2 District. 2. Lumber yards and building material sales and storage. 3. Contract construction services, including plumbing, electrical, masonry, carpentry, roofing, well-drilling and building construction services 4. Farm implement sales, service and repair. 5. Truck sales, service and repair. 6. Repair service 7. Wholesaling and warehousing, but not including the bulk storage of petroleum products or liquid fertilizer under pressure. | } | <p>1 parking space per 2 employees on the maximum shift plus one space per company vehicle</p> <p>1 parking space per 300 square feet of sales, service or office floor area</p> <p>1 parking space per 200 square feet of floor area</p> |
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Loading Space (all uses):
 1 loading space per 10,000 square feet of floor area, or fraction thereof

PERMITTED ACCESSORY USES AND STRUCTURES

1. Outdoor and off-street parking and loading of motor vehicles.
2. Uses and structures clearly incidental and necessary to the permitted principal uses or structures of this district.
3. Temporary buildings used in conjunction with construction work, provided that such buildings are removed promptly upon completion of the construction work.
4. Dwelling units for watchmen or caretakers employed on the premises, provided that an open yard of at least 2,400 square feet is reserved and maintained for use by the occupants.

SPECIAL EXCEPTIONS

1. Communications stations and towers provided that they shall not be closer to a dwelling or place of public assembly than a distance equal to one half ($\frac{1}{2}$) their height and that the height and location shall not interfere with the operation of any airport or landing strip.
2. Railroads, public and private utilities and contractors equipment and material storage, maintenance yards and buildings provided that any stored material or equipment shall be in a building or enclosed with a six (6) foot high fence or a suitable landscape planting that will screen the stored materials or equipment from the view of adjacent public streets and places of public assembly, parks, recreation areas and residential properties. Off-street parking and loading shall be provided, as required for manufacturing and processing uses in this district.

MINIMUM LOT AREA AND WIDTH	MINIMUM YARDS	MAXIMUM HEIGHT
None	Front: 35 feet Rear: 20 feet Each Side: 30 feet	3 stories or 45 feet

PERMITTED SIGNS

1. Temporary signs advertising the sale or lease of the premises, no sign to exceed 12 square feet in area.
2. Billboards and advertising signs, provided:
 - a. That they are not within 150 feet of a highway intersection, highway structure, residence, park, school, cemetery, public or semi-public building.
 - b. That they are not within 150 feet of another billboard or advertising sign.
3. Trade, business or industry identification signs for the firms located on the site provided that:
 - a. Free standing signs shall not exceed 75 square feet in area or 25 feet in height.
 - b. Signs mounted flush on the wall of a building shall not exceed 10 percent of the area of the wall of the building on which they are located or 100 square feet, whichever is smaller.
 - c. Overhanging signs, attached to a building shall not project above the height of the building, or more than 4 feet from the wall of the building or into the public right of way, and shall not have more than 25 square feet of area.
 - d. Not more than one sign of each category above may be provided for any single use, although each sign may be a double-faced or back to back sign.
4. All signs shall be maintained in a neat and presentable condition and in the event that they shall become illegible or their use shall cease, they shall be removed promptly and the area occupied restored to a condition free from refuse or rubbish.
5. Any sign not conforming to the provisions of this ordinance shall be made to conform or moved to a conforming location, or be removed within three years after the adoption of this ordinance.
6. Any sign used in conjunction with a non-conforming use shall be regulated in accordance with the provisions of any district in which such use is permitted by this ordinance.

ADDITIONAL REQUIREMENTS

1. All uses must be wholly contained within a building, except for parked motor vehicles, off-street loading, and other stored material or equipment. Said material or equipment shall be enclosed with a six (6) foot high fence or a suitable landscape planting that will screen the stored material or equipment from the view of adjacent public streets and places of public assembly, parks, recreation areas and residential properties.
2. No use shall produce offensive noise, odor or vibration or electrical interference beyond its own property line.

STATEMENT OF INTENT

The General Industrial District is intended primarily for heavy manufacturing and closely related uses. Also permitted in the district are some commercial uses. To avoid burdensome regulations on heavy manufacturing, regulations for this district are intended to provide protection principally against effects harmful to other districts.

PERMITTED PRINCIPAL USES AND STRUCTURES

MINIMUM OFF-STREET PARKING

- | | | |
|--|---|--|
| <ol style="list-style-type: none"> 1. Manufacturing and processing, except that certain uses shall be permitted only as special exceptions. 2. Lumber yards and building material sales and storage. 3. Contract construction services 4. Railroads and public utilities 5. Farm implement sales, service and repair. 6. Truck sales, service and repair 7. Repair service 8. Wholesaling and warehousing, except that the bulk storage of certain products shall be permitted only as special exceptions. | } | <p>1 parking space per two employees on the maximum shift, plus one space per company vehicle</p> <p>1 parking space per 300 square feet of sales service or office floor area</p> <p>1 parking space per 200 square feet of floor area</p> <p><u>Loading Space (all uses):</u>
1 loading space per 10,000 square feet of floor area, or fraction thereof.</p> |
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PERMITTED ACCESSORY USES AND STRUCTURES

1. Uses and structures clearly incidental and necessary to the permitted principal uses or structures of this district.
2. Temporary buildings used in conjunction with construction work, provided that such buildings are removed promptly upon completion of the construction work.
3. Dwelling units for watchmen or caretakers employed on the premises provided that an open yard of at least 2,400 square feet is reserved and maintained for use by the occupants.

SPECIAL EXCEPTIONS

1. The following uses provided that they are not closer than one-fourth ($\frac{1}{4}$) mile to any dwelling unit other than that of the owner or operator, or any park, school, church or place of public assembly; that the provisions for drainage, sanitation, waste disposal, and fly control are approved by the local health officer; that they are located so that prevailing winds will not cause dust or odors to create a nuisance for developed properties in the vicinity; that one (1) off-street parking space for each two employees and one (1) off-street space for each vehicle used by the industry be provided:
 - a. Acid manufacture.
 - b. Cement, lime, gypsum, or plaster of paris manufacture.
 - c. Chemical plants.
 - d. Distillation of bones.
 - e. Explosives manufacture or storage.
 - f. Fat rendering.
 - g. Fertilizer manufacturing.
 - h. Garbage, offal, or dead animals, reduction or dumping.
 - i. Gas manufacture.
 - j. Glue manufacture.
 - k. Refining of petroleum and natural gas and their products.
 - l. Smelting of tin, copper, zinc, iron, and other metallic ores.
 - m. Storage of radio active material.
 - n. Stockyards or slaughter of animals.
2. Sanitary landfill or waste disposal area, provided it is not used for the disposal of dead animals; that refuse shall be covered with dirt daily if it contains raw garbage; that a nuisance due to smoke, odor or blowing of trash and debris shall not be created; and that the site shall be restored to a condition compatible with the adjacent area upon conclusion of the dump operation. An access road having at least a gravelled surface and five (5) off-street parking spaces shall be provided. No landfill or waste disposal area shall be located closer than one-fourth ($\frac{1}{4}$) mile to any dwelling, park, school or place of public assembly.
3. Auto wrecking and junkyards on sites of two (2) acres or more provided that the front yard be maintained as an open space free of weeds and debris; that the site be enclosed with a six (6) foot high fence or a suitable landscape planting that will screen the operation from the view of adjacent public streets and places of public assembly, parks, recreation areas and residential properties; and that a minimum of one (1) off-street parking space for each employee and one (1) off-street space for each vehicle used by the facility be provided.
4. The bulk storage of oils, petroleum and similar inflammable liquids and chemicals when stored underground in tanks located no closer to any property line than the greatest depth to the bottom of such tanks or above ground in tanks located at least 150 feet from any property line.
5. Communications stations and towers provided that they shall not be closer to a dwelling or place of public assembly than a distance equal to one-half ($\frac{1}{2}$) their height, that the height and location shall not interfere with the operation of any airport or landing strip, and that one (1) off-street parking space per employee and one (1) off-street space for each vehicle used by the facility be provided.

MINIMUM LOT AREA AND WIDTH	MINIMUM YARDS	MAXIMUM HEIGHT
None	Front: 45 feet Each side: 25 feet Rear: 30 feet	4 stories or 55 feet

PERMITTED SIGNS

1. Temporary signs advertising the sale or lease of the premises, no sign to exceed 12 square feet in area.
2. Billboards and advertising signs, provided:
 - a. That they are not within 150 feet of a highway intersection, highway structure, residence, park, school, cemetery, public or semi-public building.
 - b. That they are not within 150 feet of another billboard or advertising sign.
3. Trade, business or industry identification signs for the firms located on the site provided that:
 - a. Free standing signs shall not exceed 75 square feet in area or 25 feet in height.
 - b. Signs mounted flush on the wall of a building shall not exceed 10 percent of the area of the wall of the building on which they are located or 100 square feet, whichever is smaller.
 - c. Overhanging signs, attached to a building shall not project above the height of the building, or more than 4 feet from the wall of the building or into the public right of way, and shall not have more than 25 square feet of area.
 - d. Not more than one sign of each category above may be provided for any single use, although each sign may be a double-faced or back to back sign.
4. All signs shall be maintained in a neat and presentable condition and in the event that they shall become illegible or their use shall cease, they shall be removed promptly and the area occupied restored to a condition free from refuse or rubbish.
5. Any sign not conforming to the provisions of this ordinance shall be made to conform or moved to a conforming location, or be removed within three years after the adoption of this ordinance.
6. Any sign used in conjunction with a non-conforming use shall be regulated in accordance with the provisions of any district in which such use is permitted by this ordinance.

ADDITIONAL REQUIREMENTS

1. Any stored material or equipment shall be in a building or enclosed with a six (6) foot high fence or a suitable landscape planting that will screen the stored materials or equipment from the view of adjacent public streets and places of public assembly, parks, recreation areas and residential properties.
2. No use shall produce offensive noise, odor, vibration or electrical interference beyond the boundaries of the district in which it is contained.

STATEMENT OF INTENT

The Industrial Park District is intended to provide for industries of a non-nuisance character, and for research facilities and office buildings. This district is characterized by landscaped grounds and fully enclosed uses, with ample provision for off-street parking and loading.

PERMITTED PRINCIPAL USES AND STRUCTURES

MINIMUM OFF-STREET PARKING

1. Manufacturing and processing, but not including the uses specifically confined, as special exceptions, to the M-2 General Industrial District
2. Laboratories
3. Research industries
4. Printing, publishing and film processing
5. Office buildings

1 space for every 2 employees on the maximum shift, plus 1 space for each vehicle used by the industry

Loading Space: 1 space per 10,000 square feet of floor area, or fraction thereof

PERMITTED ACCESSORY USES AND STRUCTURES

1. Uses and structures clearly incidental and necessary to the permitted principal uses or structures of this district.
2. Temporary buildings used in conjunction with construction work, provided that such buildings are removed promptly upon completion of the construction work.
3. Dwelling units for watchmen or caretakers employed on the premises provided that an open yard of at least 2,400 square feet is reserved and maintained for use by the occupants.
4. Warehouses for storage of merchandise or material in connection with the uses permitted in this district.

SPECIAL EXCEPTIONS

1. Communications stations and towers, provided that they shall not be closer to a dwelling or place of public assembly than a distance equal to one-half ($\frac{1}{2}$) their height, and that the height and location shall not interfere with the operation of any airport or landing strip.
2. Railroads and public and private utilities, but not including equipment storage or maintenance yards and buildings, provided that any substation or building shall meet all the requirements of this district.

MINIMUM LOT AREA AND WIDTH	MINIMUM YARDS	MAXIMUM HEIGHT
None	Front: 50 feet Each Side: 25 feet Rear: 40 feet No building may be closer than 100 feet to a residential district	3 stories or 45 feet

PERMITTED SIGNS

1. Temporary signs advertising the sale or lease of the premises, no sign to exceed 12 square feet in area.
2. Trade, business or industry identification signs for the firms located on the site provided that:
 - a. Free standing signs shall not exceed 75 square feet in area or 25 feet in height.
 - b. Signs mounted flush on the wall of a building shall not exceed 10 percent of the area of the wall of the building on which they are located or 100 square feet, whichever is smaller.
 - c. Overhanging signs, attached to a building shall not project above the height of the building, or more than 4 feet from the wall of the building or into the public right of way, and shall not have more than 25 square feet of area.
 - d. Not more than one sign of each category above may be provided for any single use, although each sign may be a double-faced or back to back sign.
3. All signs shall be maintained in a neat and presentable condition and in the event that they shall become illegible or their use shall cease, they shall be removed promptly and the area occupied restored to a condition free from refuse or rubbish.
4. Any sign not conforming to the provisions of this ordinance shall be made to conform or moved to a conforming location, or be removed within three years after the adoption of this ordinance.
5. Any sign used in conjunction with a non-conforming use shall be regulated in accordance with the provisions of any district in which such use is permitted by this ordinance.

ADDITIONAL REQUIREMENTS

1. All uses must be wholly contained within a building, except for parked motor vehicles and off-street loading.
2. All open areas not used for off-street parking or loading shall be planted with grass, properly maintained and kept free from refuse and debris.
3. Uses shall create no offensive noise, odor, vibration or electrical interference beyond property lines.
4. No portion of a front yard shall be developed or used for the off-street parking or loading of motor vehicles.

*1.08 Supplementary District Regulations. Subject to Section 1.07, the following provisions, regulations, or exceptions shall apply equally to all districts except as hereinafter provided:

1. Visibility at Intersection. On a corner lot in any district, no fence, wall, hedge, or other planting or structure that will obstruct vision between a height of two (2) feet and ten (10) feet above the centerline grades of the intersecting streets shall be erected, placed or maintained within the triangular area formed by connecting the right-of-way lines at points which are twenty-five (25) feet from the intersection of the right-of-way lines, and measured along the right-of-way lines.
2. Accessory Buildings. No accessory building shall be erected in any required front or side yard and no separate accessory buildings shall be erected within five (5) feet of any main buildings or within five (5) feet of any lot line.
3. More than One Principal Structure on a Lot. In any district, more than one (1) principal structure housing a permitted principal use may be erected on a single lot, provided that the area, yard, and other requirements of this ordinance shall be met for each structure as though it were on an individual lot.
4. Height Regulation Exceptions. a) The height limitations contained in the Schedules of District Regulations do not apply to grain storage bins, grain elevators, feed mills, or to spires, belfries, cupolas, chimneys, antennas, water tanks, ventilators, elevator housing or other structures placed above the roof level and not intended for human occupancy. b) A public building, church, temple, hospital, institution, or school may be increased in height over limitations imposed by district regulations up to a limit of seventy (70) feet if all required yards are increased an additional foot for each two feet over the height limit otherwise required.

5. Use of Public Right-of-Way. No portion of the public road, street or alley right-of-way shall be used or occupied by an abutting use of land or structures for storage or display purposes, or to provide any parking or loading space required by this ordinance, or for any other purposes that would obstruct the use or maintenance of the public right-of-way.
6. Proposed Use Not Covered in Ordinance. Any proposed use not covered in this ordinance as a permitted use or special exception shall be referred to the Zoning Commission for a recommendation as to the proper district in which such use should be permitted and the ordinance amended as provided in Section 3.02 before a permit is issued for such proposed use.
7. 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 so located on lots as to provide safe and convenient access for servicing, fire protection and required off-street parking.
8. Mobile Homes or Trailers. Mobile homes occupied as permanent or temporary places of residence shall be located only in an approved mobile home park or mobile home subdivision unless otherwise provided in this ordinance, and occupied travel trailers and camping trailers shall be located only in an approved tourist or trailer campground. Nonconforming mobile homes shall be moved to an approved mobile home court, mobile home subdivision or converted to real estate within a period of three (3) years after the passage of this ordinance.
9. Hedges and Fences. Fences or hedges in any district shall not exceed four (4) feet in height in any required front yard and fences shall not exceed six (6) feet in height in any required side or rear yard, subject to the further restriction of subsection 1 above.

Fences shall not be closer than one (1) foot to any property line and hedges shall not be planted closer than two and one-half ($2\frac{1}{2}$) feet to any property line.

10. Side Yard Provided but Not Required. If a side yard is provided where not required, it shall be at least five (5) feet in width.

11. Off-Street Parking. a) Automotive vehicles or trailers of any kind or type without current license plates shall not be parked or stored on any residentially zoned property other than in completely enclosed buildings. b) Required parking spaces may be provided on a separate lot only in C and M districts, and only if they are within three hundred (300) feet of the use for which they are provided. c) No more than one parking space required by this ordinance shall be provided in any required front yard in a residential district and no required parking space, driveway nor any merchandise, display or exterior storage shall be provided in any required front yard or in the first five (5) feet inside the property line of any required side or rear yard in a C or M district. d) Required off-street parking areas for three or more automobiles shall have individual spaces marked, and shall be so designed, maintained and regulated that no parking or maneuvering incidental to parking shall be on any street, walk, or alley, so that any automobile may be parked and unparked without moving another. e) In C and M districts, where an off-street parking area abuts upon a residential district, there shall be a landscaped buffer strip, not less than ten (10) feet wide, between the parking area and the residential district. Said buffer strip shall contain planting of sufficient density to obscure the view of the parking area and to prevent glare from headlights. Any lighting used to illuminate the parking area shall be so arranged as to reflect the light away from the abutting residential district. f) For purposes of rough computation, an off-street parking space and necessary access and maneuvering room may be estimated at 300 square feet, but off-street parking requirements will be considered to be met only when actual spaces meeting the requirements above are provided and maintained, improved in a manner appropriate to the circumstances of the case, and in accordance with all ordinances and regulations of the County.

12. Potential Flood Hazard. In areas that are not in the Valley Channel or Valley Plain districts, but where past experience and topography indicate that a parcel of land may be subject to flooding, the Administrative Officer shall request the Iowa State Natural Resources Council to make a determination of the flood hazard potential before any Construction or Occupancy Compliance Certificate is issued. If a flood hazard potential exists, compliance certificates shall be issued subject to providing such safeguards as the Iowa State Natural Resources Council may prescribe, in addition to meeting the requirements of the district in which the parcel is located.

*1.09 Application of District Regulations. Subject to Section 1.07 the regulations and restrictions of this ordinance shall apply as follows:

1. Regulations to be Uniformly Applied. The regulations set by this ordinance shall apply uniformly to each class or kind of structure or land, and particularly within each district, except as hereinafter provided.
2. All Uses and Structures to Conform. 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 unless in conformity with all of the regulations herein specified for the district in which it is located.
3. Height, Density of Yards Shall Not be Violated. No building or other structure shall hereafter be erected or altered to exceed the height, to accommodate or house a greater number of families, or to have narrower or smaller rear yards, front yards, side yards, or other open spaces, than herein required or in any other manner contrary to the provisions of this ordinance.
4. Separate Yards, Open Space and Off-Street Parking Required. No part of a yard or other open space or off-street parking, or loading space required about or in conjunction 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.

5. Minimum Yards and Lot Areas May Not be Reduced. 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.
6. New Areas. All territory which may hereafter become a part of the unincorporated areas of Johnson County shall be classified in the A-1 Agricultural District until otherwise classified, provided, however, that the Zoning Commission may recommend the appropriate district classification prior to such territory becoming a part of the county, and upon the holding of a public hearing and approval by the Board of Supervisors, the territory, upon becoming a part of the County, may be immediately so classified.

*1. 10 Nonconformities. Within the districts established by this ordinance or amendments that may later be adopted, there exist lots, structures and uses of land and structures which were lawful before this ordinance was passed or amended, but which would be prohibited, regulated or restricted under the terms of this ordinance or future amendment.

Subject to Section 1.07, it is the intent of this ordinance to permit these nonconformities to continue until they are removed, but not to encourage their survival. Such uses are declared by this ordinance to be incompatible with permitted uses in the districts involved. It is further the intent of this ordinance that 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.

A nonconforming use of a structure, a nonconforming use of land, or a nonconforming use of a structure and land in combination shall not be extended or enlarged after passage of this ordinance by attachment on a building or premises of additional signs intended to be seen from off the premises, or by the addition of other uses of a nature which would be prohibited generally in the district involved.

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 diligently carried on. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner, except that where demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such demolition or removal shall be deemed to be actual construction, provided that work shall be diligently carried on until completion of the building involved.

1. 11 Nonconforming Lots of Record. In any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of this ordinance, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this ordinance. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district, provided that yard dimensions and other requirements, not involving area or width or both, of the lot shall conform to the regulations for the district in which such lot is located. Variance of area, width and yard requirements shall be obtained only through action of the Board of Adjustment.

If two or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this ordinance and if all or part of the lots do not meet the requirements for lot width and area as established by this ordinance, the land involved shall be considered to be an undivided parcel for the purpose of this ordinance, and no portion of said parcel shall be used or sold which does not meet lot width and area requirements established by this ordinance, nor shall any division of the parcel be made which leaves remaining any lot with width or area below the requirements stated in this ordinance.

1. 12 Nonconforming Uses of Land. Where, at the effective date of adoption or amendment of this ordinance, lawful use of land exists that is made no longer permissible under the regulations imposed by this ordinance as enacted or amended, such use may be continued, so long as it remains otherwise lawful, subject to the following provisions:

1. No such nonconforming use shall be enlarged or increased nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this ordinance.
2. No such nonconforming use shall be removed in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of adoption or amendment of this ordinance.
3. If any such nonconforming use of land ceases for any reason for a period of more than six (6) months, any subsequent use of such land shall conform to the regulations specified by this ordinance for the district in which such land is located.
4. Nonconforming uses of land shall be made to conform, or relocate to an appropriate district within five years after the passage of this ordinance.

1. 13 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, or other characteristics of the structure or its location on the lot, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No such structure may be enlarged or altered in a way which increases its nonconformity.
2. Should such structure be destroyed by any means to an extent of more than 50 percent of its replacement cost at time of destruction, it shall not be reconstructed except in conformity with the provisions of this ordinance.

1. 14 Nonconforming Uses of Structures. If a lawful use of a structure, or of structure and premises in combination exists at the effective date of adoption or amendment of this ordinance, that would not be allowed in the district under the terms of this ordinance, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No existing structure devoted to a use not permitted by this ordinance in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.
2. Any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this ordinance, but no such use shall be extended to occupy any land outside such building.
3. If no structural alterations are made, any nonconforming use of a structure, or structure and premises, may be changed to another nonconforming use, provided that the Board of Adjustment, either by general rule or by making findings in the specific case, shall find that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. In permitting such change, the Board of Adjustment may require appropriate conditions and safeguards in accordance with the provisions of this ordinance.
4. Any structure or structure and land in combination, in or on which a nonconforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district in which such structure is located, and the nonconforming use may not thereafter be resumed.
5. When a nonconforming use of a structure, or structure and premises in combination is discontinued or abandoned for six (6) consecutive months or for eighteen (18) months during any three-year period, the structure thereafter shall not be used except in conformity with the regulations of the district in which it is located.
6. Where nonconforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land.

- 1.15 Repairs and Maintenance. On any building devoted in whole or in part to any nonconforming use, work may be done in any period of twelve (12) consecutive months on ordinary repairs, or on repair or replacement of nonbearing walls, fixtures, wiring or plumbing, to an extent not exceeding ten (10) percent of the current replacement cost of the building, provided that the cubic content of the building as it existed at the time of passage or amendment of this ordinance shall not be increased.

Nothing in this ordinance shall be deemed to prevent the strengthening of or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

- 1.16 Uses Under Exception Provisions Not Nonconforming Uses. Any use for which a special exception is permitted as provided in this ordinance shall not be deemed a nonconforming use, but shall, without further action, be deemed a conforming use in such district.

CHAPTER 2

ADMINISTRATION

- * 2.01 Administration and Enforcement. An Administrative Officer designated by the Board of Supervisors shall administer and enforce this ordinance. He may be provided with the assistance of such other persons as the Board of Supervisors may direct.

If the Administrative Officer shall find that any of the provisions of this ordinance are being violated, he shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures or of illegal additions, alterations or structural changes; discontinuance of any illegal work being done; or shall take any other action authorized by this ordinance to ensure compliance with or to prevent violation of its provisions.

- 2.02 Appeals from Decision of Administrative Officer. Appeals from any decision of the Administrative Officer may be taken to the Board of Adjustment as provided in Section 2.13.
- 2.03 Interpretation of Provisions. In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements, adopted for the promotion and protection of the public health, safety, morals and general welfare. Wherever 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.
- 2.04 Violation and Penalties. Any person, firm or corporation who shall violate or fail to comply with the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction shall be fined not more than one hundred dollars (\$100.00) or imprisoned for not more than thirty days (30)

and shall pay all costs and expenses involved in the prosecution of the violation. Each day such violation continues shall constitute a separate offense.

- 2.05 Separate Offenses May Be Charged. The owners or tenant of any building, structure, land or part thereof, and any architect, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains a violation may each be charged with a separate offense and upon conviction suffer the penalties herein provided.
- *2.06 Other Remedies. Nothing herein contained shall prevent the County from taking other lawful action as is necessary to prevent or remedy any violation.
- 2.07 Construction Compliance Certificate. Subsequent to the adoption of this ordinance, a Construction Compliance Certificate shall be obtained from the Administrative Officer before any building or structure shall be erected, reconstructed, or structurally altered to increase the exterior dimensions, height, or floor area, or remodeled to increase the exterior dimensions, height, or floor area, or remodeled to increase the number of dwelling units or to accommodate a change in use of the building and/or premises or part thereof. The Construction Compliance Certificate shall state that the proposed construction complies with all provisions of this ordinance, and no subsequent modifications shall be made to plans or to actual construction that would be in violation of this ordinance.
- 2.08 Occupancy Compliance Certificate. Subsequent to the effective date of this ordinance, no change in the use or occupancy of land nor any change in use or occupancy of an existing building, other than for single-family dwelling purposes, shall be made, nor shall any new building be occupied for any purpose other than a single-family dwelling until an Occupancy Compliance Certificate has been issued by the Administrative Officer. Every Occupancy Compliance Certificate shall state that the new occupancy complies with all provisions of this ordinance and no subsequent modifications shall be made to the occupancy, use or method of operation that would be in violation of this ordinance.

2.09 Application for Compliance Certificates. Applications for Compliance Certificates shall be made prior to beginning construction or assuming occupancy on fully completed application forms obtained from the Administrative Officer, accompanied by such plans and information necessary to determine that the proposed construction or occupancy complies with all applicable provisions of this ordinance.

*2.10 Fees. The Administrative Officer is directed to issue a Construction Compliance Certificate and/or Occupancy Compliance Certificate as required by this ordinance for proposed construction, reconstruction or alteration which complies with all provisions contained herein and to charge a fee of five dollars (\$5.00) for each Construction Compliance Certificate or Occupancy Compliance Certificate issued separately. Only one (1) five dollar (\$5.00) fee shall be charged for a Construction Compliance Certificate and Occupancy Compliance Certificate issued jointly.

There shall be no fees charged to the United States Government, the State of Iowa, or any political subdivision thereof.

All fees are required and shall be paid to the Administrative Officer, who shall keep a complete and accurate record of fees received and shall forthwith deposit them to the credit of the general revenue fund of Johnson County.

*2.11 Board of Adjustment Created. A Board of Adjustment is hereby established. The Board shall consist of five (5) members to be appointed by the Board of Supervisors for a term of five (5) years, except that when the Board shall first be created one member shall be appointed for a term of five (5) years, one for a term of four (4) years, one for a term of three (3) years, one for a term of two (2) years, and one for a term of one (1) year. Members of the Board of Adjustment may be removed from office by the Board of Supervisors for cause upon written charges and after public hearing. Vacancies shall be filled by the Board of Supervisors for the unexpired term of the member.

- 2.12 Proceedings of the Board of Adjustment. The Board of Adjustment shall adopt rules necessary to the conduct of its affairs, and in keeping with the provisions of this ordinance. Meetings shall be held at the call of the chairman and at such other times as the Board may determine. The chairman, or in his absence the acting chairman, may administer oaths and compel attendance of witnesses. All meetings shall be open to the public.

The Board of Adjustment 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 a public record and be immediately filed in the office of the Board.

- * 2.13 Hearings, Appeals, Notice. Appeals to the Board of Adjustment concerning interpretation of administration of this ordinance may be taken by any person aggrieved or by any officer or bureau of the governing body of the County affected by any decision of the Administrative Officer. Such appeals shall be taken within a reasonable time, not to exceed sixty (60) days or such lesser period as may be provided by the rules of the Board, by filing with the Administrative Officer and with the Board of Adjustment a notice of appeal specifying the grounds thereof. The Administrative Officer shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken.

The Board of Adjustment shall fix a reasonable time for the hearing of appeal, give public notice thereof as well as due notice to the parties in interest, and decide the same within a reasonable time. At the hearing any party may appear in person or by agent or attorney.

A fee of Fifteen Dollars (\$15.00) shall be paid to the Administrative Officer at the time the notice of appeal is filed, which the Administrative Officer shall forthwith pay over to the credit of the general revenue fund of Johnson County.

2.14 Stay of Proceedings. An appeal stays all proceedings in furtherance of the action appealed from, unless the Administrative Officer from whom the appeal is taken certifies to the Board of Adjustment after the notice of appeal is filed with him, that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed other than by a restraining order which may be granted by the Board of Adjustment or by a court of record on application, on notice to the Administrative Officer from whom the appeal is taken and on due cause shown.

* 2.15 The Board of Adjustment: Powers and Duties. The Board of Adjustment shall have the following powers and duties:

1. Administrative Review. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Administrative Officer in the enforcement of this ordinance.
2. Special Exceptions: Conditions Governing Applications; Procedures. To hear and decide only such special exceptions as the Board of Adjustment is specifically authorized to pass on 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. A special exception shall not be granted by the Board of Adjustment unless and until:
 - a. A written application for a special exception is submitted indicating the section of this ordinance under which the special exception is sought and stating the grounds on which it is requested.

- b. Notice shall be given at least fifteen (15) days in advance of the public hearing by publication in a newspaper of general circulation in Johnson County, Iowa.
- c. The public hearing shall be held. Any party may appear in person, or by agent or attorney.
- d. The Board of Adjustment shall make a finding 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.

In granting any special exception, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the special exception is granted, shall be deemed a violation of this ordinance and punishable under Section 2.04 of this ordinance. The Board of Adjustment shall prescribe a time limit within which the action for which the special exception is required shall be begun or completed, or both. Failure to begin or complete, or both, such action within the time limit set shall void the special exception.

- 3. Variances: Conditions Governing Application, Procedures. 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 the special conditions, a literal enforcement of the provisions of this ordinance would result in unnecessary hardship. A variance from the terms of this ordinance shall not be granted by the Board of Adjustment unless and until:

- a. A written application for a variance is submitted demonstrating:
- (1) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.
 - (2) That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance.
 - (3) That the special conditions and circumstances do not result from the actions of the applicant.
 - (4) That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district. No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of land, structures or buildings in other districts shall be considered grounds for the issuance of a variance.
- b. Notice of public hearing shall be given as in Section 2.15.2(b) above.
- c. The public hearing shall be held. Any party may appear in person, or by agent or by attorney.
- d. The Board of Adjustment shall make findings that the requirements of Section 2.15.3(a) have been met by the applicant for a variance.
- e. The Board of Adjustment shall further make a finding that the 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.

- f. The Board of Adjustment shall further make a finding 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 any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this ordinance. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this ordinance and punishable under Section 2.04 of this ordinance. Under no circumstances shall the Board of Adjustment grant a variance to allow a use not permissible under the terms of this ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this ordinance in said district.

2.16 Decisions of the Board of Adjustment. In exercising the above mentioned powers, the Board of Adjustment may, so long as such action is in conformity with the terms of this ordinance, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination as ought to be made, and to that end shall have powers of the Administrative Officer from whom the appeal is taken. The concurring vote of three (3) members of the Board shall be necessary to reverse any order, requirement, decision or determination of the Administrative Officer, or to decide in favor of the applicant on any matter upon which it is required to pass under this ordinance, or to effect any variation in application of this ordinance.

*2.17 Appeals from the Board of Adjustment. Any person or persons, or any board, taxpayer, department, board or bureau of the County aggrieved by any decision of the Board of Adjustment may seek review by a court or record of such decision, in the manner provided by the laws of the State and particularly by Chapter 358A, Code of Iowa.

CHAPTER 3

GENERAL PROVISIONS

- *3.01 Definitions. For the purpose of this Ordinance, certain 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 the singular. The word "shall" is mandatory and not directory.
1. Accessory Use or Structure: A use or structure subordinate to the principal use of a structure or land on the same lot or parcel of ground and serving a purpose customarily incidental to the use of the principal structure or use of land.
 - *2. Agriculture: The use of land for agricultural purposes, including farming, dairying, pasturage, horticulture, floriculture, viticulture, and animal and poultry husbandry, and the necessary accessory uses for treating or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of normal agricultural activities. Agriculture shall not include commercial animal or poultry feeding in confined lots or buildings as defined herein.
 3. Alley: A public thoroughfare which affords only a secondary means of access to abutting property.
 4. Alteration, Structural: Any change in the supporting members of a building such as bearing walls, columns, beams or girders.
 5. Apartment: A room or suite of rooms used as the dwelling of a family, including bath and culinary accommodations, located in a building in which there are three (3) or more such rooms or suites.
 6. Basement: A story having part but not more than one-half ($\frac{1}{2}$) its height below grade. A basement is counted as a story for the purpose of height regulation.

- *7. Board: The Johnson County Board of Adjustment.
8. Building: Any structure having a roof, including but not limited to tents, carports and such devices.
9. Charitable Institution: An institution related to or supported by charity.
- *10. Commercial Animal or Poultry Feeding. The feeding of livestock, poultry, or other animals in confined feed lots, dry lots, pens, cages, or buildings as a commercial enterprise: a) when not in conjunction with a farming operation, or b) by other than a farm operator on the site, or c) when feeding over 1,000 head of livestock or 5,000 birds in confined lots or structures as stipulated above.
- *11. Commission: The Zoning Commission of Johnson County, Iowa.
- *12. County: The unincorporated portions of Johnson County, Iowa.
13. Cellar: A story having more than one-half ($\frac{1}{2}$) its height below grade. A cellar is not included in computing the number of stories for the purpose of height measurement.
14. Drive-In Restaurant or Refreshment Stand: Any place or premises used for the sale, dispensing, or serving of food, refreshments, or beverages in automobiles, including those establishments where customers may serve themselves and may eat or drink the food, refreshments, or beverages on the premises.
15. Dwelling: Any building or portion thereof which is designed for or used exclusively for residential purposes.
16. Dwelling, Single Family: A building designed for or occupied by one (1) family.

17. Dwelling, Two Family: A building designed for or occupied exclusively by two (2) families.
18. Dwelling, Multiple Family: A building designed for or occupied exclusively by more than two (2) families.
19. Dwelling Unit: One room, or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy, or rental or lease on a weekly, monthly, or longer basis, and physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent cooking and sleeping facilities.
20. Family: One or more persons occupying a premises and living as a single housekeeping unit, whether or not related to each other by birth or marriage, as distinguished from a group occupying a boarding house, lodging house or hotel.
21. Farm: An area which is used for the growing of the usual farm products such as vegetables, fruits and grains and their storage on the area, as well as for the raising thereon of the usual farm poultry and farm animals. The term "farming" includes the operation of such area for one or more of the above uses with the necessary accessory uses for treating or storing the produce, provided, however, that the operation of any such accessory uses shall be secondary to that of the normal farming activities.
22. Farmstead Dwelling: A dwelling located on a farm and occupied by a person or family employed fully or partially in the agricultural pursuits of the farm on which it is located.
23. Floor Area: The square feet of floor space within the outside line of walls, including the total of all space on all floors of a building. Floor area shall not include porches, garages or space in a basement or cellar which is used for storage or incidental use.

24. Frontage: All the property on one side of a street between two intersecting streets (crossing or terminating) measured along the line of the street, or if the street is deadended, then all of the property abutting one one side between an intersecting street and the deadend of the street.
25. Grade: The average level of the finished surface of the ground adjacent to the exterior walls of the building except when any wall approximately parallels and is not more than five (5) feet from a street line, then the elevation of the street at the center of the wall adjoining the street shall be grade.
26. Gauging Station: An instrument station for gauging and determining in cubic feet per second (c. f. s.), the flow of water in a particular river or stream.
27. Height of a Building: The vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the mean height level between eaves and ridge for gable, hip and gambrel roofs.
28. Home Occupation: An occupation or a profession which:
- a. Is customarily carried on in a dwelling unit, and
 - b. Is carried on by a member of the family residing in the dwelling unit, and
 - c. Is clearly incidental and secondary to the use of the dwelling unit for residential purposes, and
 - d. Does not employ more than one person outside the immediate family, and
 - e. Has no exterior display, no exterior storage of materials and no other exterior indication of the home occupation or variation from the residential character of the principal building, other than such signs as may be permitted in the district in which it is located, and

- f. Does not occupy more than 30 percent of the area of one floor of the dwelling unit.
29. Home Occupation, Farmstead: An occupation customarily engaged in on a farm, as a supplementary source of income, which:
- a. Is clearly incidental and secondary to the operation of the farm, and
 - b. Is carried on by a member of the family residing in the farmstead dwelling, and
 - c. Does not employ more than one person outside the resident family, and
 - d. Is conducted within or adjacent to the farmstead dwelling or the customary farm outbuildings, and
 - e. Has no exterior display or storage of materials visible from the public road, or other exterior indication or variation from the agricultural character of the farm, other than such sign as may be permitted in the district in which it is located.
30. Institution: A building occupied by a non-profit corporation, or a non-profit establishment for public use.
31. Junk Yard: Any area where waste, discarded, or salvaged materials are bought, sold, exchanged, baled or packed, disassembled, stored, abandoned, or handled, including the dismantling or "wrecking" of automobiles or other machinery, housewrecking yards, used lumber yards and places or yards for storage of salvage, housewrecking and structural steel materials and equipment; but not including areas where such uses are conducted entirely within a completely enclosed building.

32. Loading Space: A space within the main building or on the same lot providing for the standing, loading or unloading of trucks, having a minimum dimension of twelve (12) by thirty-five (35) feet and vertical clearance of at least fourteen (14) feet.
33. Lot: A parcel of land occupied or intended for occupancy by one or more main buildings together with accessory buildings, officially approved and having its principal frontage upon a dedicated street or an approved private street. The boundaries of the lot shall be determined by its lot lines.
34. Lot, Corner: A lot abutting upon two (2) or more streets at their intersections.
35. Lot, Depth of: The mean horizontal distance between the front and rear lot lines.
36. Lot of Record: A lot which is a part of a subdivision, the plat of which has been recorded in the office of the County Recorder of Johnson County, Iowa.
37. Lot Width: The width of a lot measured at the building line and at right angles to its depth.
38. Mobile Home: A vehicle used, or so originally constructed as to permit being used as a conveyance upon the public streets or highways and duly licensed as such, and constructed in such a manner as will permit occupancy for human habitation, dwellings, or sleeping places for one or more persons, provided further that this definition shall refer to and include all portable contrivances used generally for living and sleeping quarters and which are capable of being moved by their own power, towed, or transported by another vehicle. This definition shall also include and apply to such vehicles or structures that are located on a permanent or temporary foundation, but shall not include mobile homes converted to real estate as defined herein.

39. Mobile Home Converted to Real Estate: - An unencumbered mobile home which has been attached to a permanent foundation on real estate owned by the mobile home owner, which has had the vehicular frame modified or destroyed, rendering it impossible to revert to a mobile home, and which has been inspected by the assessor, the mobile home title, registration, and license plates collected from the owner and the property entered on the tax rolls of Johnson County.
40. Mobile Home Park: Any site, lot, field, or tract of land upon which two (2) or more occupied mobile homes are harbored either free of charge or for revenue purposes, including any building, structure, vehicle or enclosure intended for use as part of the equipment of such mobile home park.
41. Mobile Home Space: A plot of ground within a mobile home park designed for the accommodation of one mobile home.
- * 42. Mobile Home Subdivision: A subdivision created for the purpose of, and restricted to the sale or lease of individual lots for occupancy by independent mobile homes or mobile homes converted to real estate, and having public streets, utilities, and other public facilities installations approved by the Board of Supervisors, in accordance with the Subdivision Policies of the County.
43. Nursing Home: A home for aged or chronically ill persons in which three (3) or more persons not of the immediate family are received, kept and provided with food, or shelter and care for compensation. The term "nursing home" does not include a hospital, clinic, or similar institution devoted primarily to the diagnosis, treatment or care of the sick or injured.

44. Owner: The person or persons who hold the fee simple title to the property, and the person or persons who have acquired any interest in the property by contract of purchase or otherwise.
45. Parking Space, Off-Street: For the purposes of this ordinance, an off-street parking space shall consist of a hard-surfaced space, such as concrete or bituminous asphalt, adequate for parking an automobile, with room for opening doors on both sides together with maneuvering room and properly related access to a public street, alley, or approved private street.
46. Place: An open unoccupied space or a public or private thoroughfare, other than a street or alley, permanently reserved as the principal means of access to abutting property.
47. Premises: The land together with any buildings or structures located thereon.
48. Sign: Any device designed to inform or attract the attention of persons not on the premises on which the sign is located, provided, however, that the following shall not be included in the application of the regulations herein:
- a. Signs not exceeding one square foot in area and bearing only property numbers, post box numbers, names of occupants of premises, or other identification of premises not having commercial connotations.
 - b. Flags and insignia of any government except when displayed in connection with commercial promotion.
 - c. Legal notices; identification, informational, or directional signs erected or required by governmental bodies.

- d. Integral decorative or architectural features of buildings, except letters, trademarks, moving parts, or moving lights.
 - e. Signs directing and guiding traffic and parking on private property, but bearing no advertising matter.
49. Special Exception: A special exception is a use that would not be appropriate generally or without restriction throughout the zoning division or district but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare. Such uses may be permitted in such zoning division or district as special exceptions, if specific provision for such special exceptions is made in this zoning ordinance.
50. Story: That portion of a building, other than a cellar, 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 next above it.
51. Story, Half: A partial story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls are not more than three (3) feet above the floor of such story, except that any partial story used for residence purposes, other than for a janitor or caretaker or his family, or by a family occupying the floor immediately below it, shall be deemed a full story.
52. Street: A public or approved private thoroughfare which affords the principal means of access to abutting property.
53. Street Line: The right-of-way line of a street.

54. Structure: Anything constructed or erected, the use of which requires more or less permanent location on the ground, and which is designed for the support, enclosure, shelter or protection of persons, animals, or property of any kind, including but not limited to buildings, mobile homes, walls, fences and billboards.
55. Summer Home or Cottage: A single-family dwelling or mobile home, including house boats, intended for seasonal or temporary occupancy only, and not permanently occupied as a family residence for more than 180 days during any calendar year.
- *56. Supervisors: The Board of Supervisors of Johnson County, Iowa.
57. Variance: A variance is a relaxation of the terms of the zoning ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship. As used in this ordinance, a variance is authorized only for height area, and size of structure or size of yards and open spaces. Establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of non-conformities in the zoning district or uses in an adjoining zoning district.
58. Yard: An open space between a building and the adjoining lot lines unoccupied and unobstructed by any portion of a structure from thirty (30) inches above the ground upward except as otherwise provided herein.

In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard, or the depth of a rear yard, the minimum horizontal distance between the lot lines and the main building shall be used.

59. Yard, Front: A yard extending across the front of a lot and being the minimum horizontal distance between the street or place line and the main building or any projection thereof, other than the projection of the usual uncovered steps, uncovered balconies, or uncovered porch. On corner lots, the front yard shall be considered as parallel to the street upon which the lot has its least dimension, except where the owner shall elect to front his building on the street parallel to the lot line having the greater dimension.
60. Yard, Rear: A yard extending across the rear of a lot and being the required minimum horizontal distance between the rear lot line and the rear of the main building or any projections thereof other than the projections of uncovered steps, unenclosed balconies or unenclosed porches. On all lots, the rear yard shall be in the rear of the front yard.
61. Yard, Side: A yard between the main building and the side line of the lot and extending from the required front yard to the required rear yard, and being the minimum horizontal distance between a side lot line and the side of the main building or any projection thereto.

* 3.02 Changes and Amendments. The regulations imposed and the districts created by this ordinance may be amended from time to time by the Board of Supervisors but no such amendment shall be made without public hearing before the Board of Supervisors and after a report has been made upon the amendment by the Zoning Commission. At least fifteen (15) days' notice of the time and place of such hearing shall be published in a newspaper having general circulation in the County. In case the Commission does not approve the change or, in the case of a protest filed with the Board of Supervisors against a change in district boundaries signed by the owners of twenty (20) percent of more either of the area of the lots included in such proposed change, or of those immediately adjacent thereto and within five hundred (500) feet of the boundaries thereof, such amendment shall not be passed except by the favorable vote of sixty (60) percent of all the members of the Board of Supervisors.

*3.03 Change of Zoning District Boundaries, Application and Procedures. Any person may submit to the Board of Supervisors an application requesting a change in the zoning district boundaries as shown on the Official Zoning Map.

1. Such application shall be filed with the Administrative Officer accompanied by a fee of \$15.00 and shall contain the following information:
 - a. The legal description and local address of the property.
 - b. The present zoning classification and the zoning classification requested for the property.
 - c. The existing use and proposed use of the property.
 - d. The names and addresses of the owners of all property within five hundred (500) feet of the property for which the change is requested.
 - e. A statement of the reasons why the applicant feels the present zoning classification is no longer valid.
 - f. A plat showing the locations, dimensions and use of the applicant's property and all property within five hundred (500) feet thereof, including streets, alleys, railroads, and other physical features.

All fees shall be deposited to the general revenue fund of Johnson County, Iowa. Failure to approve the requested change shall not be deemed cause to refund the fee to the applicant.

2. Upon receipt of the application by the Administrative Officer, a copy shall be forwarded immediately to the Zoning Commission for study and recommendation. The Commission shall, prior to making a recommendation, determine the following:

- a. Whether or not the current district classification of the property to be rezoned is valid.
 - b. Whether there is a need for additional land zoned for the purpose requested.
 - c. Whether the proposed change is consistent with the current land use plan, considering such factors as:
 - (1) Whether the rezoning would result in a population density or development which would in turn cause a demand for services and utilities in excess of the capacity of planned streets in the vicinity.
 - (2) Whether the rezoning would result in the generating of traffic in excess of the capacity of existing or planned streets in the vicinity.
 - d. Whether there is an intent on the part of the applicant to develop the property to be rezoned diligently and within a reasonable time.
3. The Zoning Commission shall report its determinations and recommendations to the Supervisors within forty-five (45) days from receipt of the application, except that when no report issues within that time, the application will be deemed approved by the Commission. The Supervisors shall then call a public hearing as provided in Section 3.02 of this ordinance.
- 3.04 Separability Clause. Should any section or provision of this ordinance be declared by any court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid or unconstitutional.

3.05 Repeal of Conflicting Ordinances. All ordinances or parts of ordinances in conflict with this zoning ordinance or inconsistent with the provisions of this ordinance, are hereby repealed to the extent necessary to give this ordinance full force and effect.

*3.06 Effective Date. THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT AFTER ITS PASSAGE AND PUBLICATION AS PROVIDED BY LAW

PASSED THIS _____ DAY OF _____ 19__ A. D.

(Signed) _____
(Chairman of the Board of Supervisors)

(Attest) _____
(County Auditor)

FOR TOWNS AND CITIES

The following sections should be changed in order to convert the proposed Johnson County Ordinance to a town or city ordinance:

Short Title	"JOHNSON COUNTY, IOWA" to " _____, IOWA" "County" to "Town (City)" "Chapter 358A" to "Chapter 414" "Board of Supervisors" to "Town (City) Council"
Section 1.01	"unincorporated areas of Johnson County" to "Town (City)" "Johnson County" to " _____, Iowa" Insert applicable districts
Section 1.02	"Johnson County" to " _____, Iowa"
Section 1.03	"Chairman of the Board of Supervisors" to "Mayor" "County Auditor" to "Town (City) Clerk" "Johnson County, Iowa" to " _____, Iowa" "County" to "Town (City)"
Section 1.04	"Chairman of the Board of Supervisors" to "Mayor"
Section 1.06	Omit this section and renumber Sections 1.07-1.16 as Sections 1.06-1.15. The following changes apply to <u>new</u> section numbers.
Section 1.06	Insert applicable districts
Section 1.07	First sentence: "1.07" to "1.06" Subsection 1: Insert "except the C-2 Central Business District" before "no fence." Subsection 6: "Zoning Commission" to "Planning and Zoning Commission"

Subsection 11-e: "County" to "Town (City)"

Section 1.08 First sentence: "1.07" to "1.06"

Subsection 6: "Unincorporated area of
Johnson County" to "Town
(City)"

"A-1" to "A-2"

"Zoning Commission" to
"Planning and Zoning
Commission"

"County" to "Town (City)"

"Board of Supervisors" to
"Town (City) Council"

Section 1.09 "1.07" to "1.06"

Section 2.01 "Board of Supervisors" to "Town (City) Council"

Section 2.06 "County" to "Town (City)"

Section 2.10 "Johnson County" to "_____, Iowa"

Section 2.11 "Board of Supervisors" to "Town (City) Council"

Section 2.13 "County" to "Town (City)"
"Johnson County" to "_____, Iowa"

Section 2.15.2(b) "Johnson County" to "_____, Iowa"

Section 2.17 "County" to "Town (City)"
"Chapter 358A" to "Chapter 414"

Section 3.01 The following definitions should be added:

Council: The Town (City) Council of _____,
Iowa.

Boarding House: A building, other than a hotel or fraternity house, where for compensation and by arrangement, meals or lodging and meals are provided for three (3) or more persons.

Fraternity (or Sorority) House: A building used for residence purposes by a club, fraternity, sorority or society of students at the University of Iowa.

Lodging House: See "Boarding House"

Town (City): The incorporated portions of _____, Iowa.

The following definitions should be deleted:

Agriculture

Commercial Animal or Poultry Feeding

County

Supervisors

The following definitions should be changed:

Board: "Johnson County" to "_____, Iowa"

Commission: "Zoning Commission of Johnson County, Iowa" to "Planning and Zoning Commission of _____, Iowa"

Mobile Home Converted to Real Estate: "Johnson County" to "_____, Iowa"

Mobile Home Subdivision: "Board of Supervisors" to "Town (City) Council"
"Policies" to "Regulations"
"County" to "Town (City)"

Section 3. 02

"Board of Supervisors" to "Town (City) Council"

"Zoning Commission" to "Planning and Zoning Commission"

"County" to "Town (City)"

"Sixty (60) percent of all the members of the Board of Supervisors" to "three-fourths (3/4) of all the members of the Town (City) Council"

"five hundred (500)" to "two hundred (200)"

Section 3.03

"Board of Supervisors" to "Town (City) Council"

"five hundred (500)" to "two hundred (200)"

"Johnson County, Iowa" to "_____, Iowa"

"Zoning Commission" to "Planning and Zoning Commission"

"Supervisors" to "Council"

Section 3.06

"Chairman of the Board of Supervisors" to "Mayor"

"County Auditor" to "Town (City) Clerk"

RECOMMENDED ZONING DISTRICTS FOR
JOHNSON COUNTY: UNINCORPORATED AREAS

<u>Existing</u>	<u>Recommended</u>
A-1 Agricultural	A-1 Agricultural
A-2 Resort	A-2 Resort
A-3 Flood Plain	VC & VP Valley Channel and Plain
RS Suburban Residential	R-1 Single-Family Residential
R-1A Urban Residential	No comparable district
R-1B Urban Residential	No comparable district
R-2 Two-Family Residential	No comparable district
R-3A Multi-Family Residential	No comparable district
C-1 Local Commercial	C-1 Neighborhood Service Commercial
C-2 Commercial	C-3 General Commercial
CH Highway Commercial	C-4 Highway Commercial
M-1 Light Industrial	M-1 Limited Industrial
M-2 Heavy Industrial	M-2 General Industrial
	<u>Add</u> M-3 Industrial Park
	R-8 Mobile Home

General Remarks

The above table indicates which districts in the existing Johnson County Ordinance have been converted to districts in the Master Text. It should be emphasized that this is not merely a process of redrafting and renaming districts and then using existing boundaries. In many cases the new district will assume a character quite different from the old, necessitating the redrawing of district boundaries. For example, the C-4 Highway Commercial District in the Master Text is intended for uses "which ordinarily require access to a major traffic artery," i. e., which would tend to serve the traveling public; in contrast, the comparable existing district (CH) permits several uses (custom dressmaking, for instance) which are not necessarily suited for highway locations.

The following sections call attention to the more significant differences between the existing zoning districts and those recommended in the Master Text.

Agricultural Districts

The A-1 Master Text district is generally a redrafting of the existing A-1 provisions, maintaining the spirit and intent of the original. Mining and quarrying operations are permitted as special exceptions, in order to ensure compliance with certain developmental and operational standards. Commercial animal and poultry feeding does not seem to be permitted anywhere in the existing ordinance, and has, therefore, been included in the Master Text as a special exception. Minimum yards have been reduced to allow flexibility in the location of non-agricultural uses.

In the A-2 Master Text district, minimum yard requirements are more stringent than in the existing A-2 district. A few uses have been added as special exceptions, and proper standards have been included for their development.

Because sufficient flooding and topographical data are not presently available for areas above the Coralville Dam, south of Iowa City and along other streams in the county, flood plain boundaries are relatively the same as in the existing ordinance. However, two districts are provided for use when this data is obtained. It is recommended that most of the area presently zoned A-3 be converted to VC or Valley Channel, imposing the same developmental limitations as in the existing ordinance. When the data is available, Valley Plain boundaries can be drawn which will indicate elevations above which construction will be permitted.

Residential Districts

Only two residential districts are recommended for use in the unincorporated areas of the county. The first is a low density residential district, R-1, which excludes some of the institutional uses permitted in the existing ordinance. These uses are more compatible in commercial districts or in municipalities.

The second recommended district is the R-8, Mobile Home District, which would be new to Johnson County. This district is suggested for the county partially in recognition of existing mobile home parks--to make certain that additions to these parks are made according to approved standards. A second reason for their inclusion is that many municipalities either place mobile home parks in

highway commercial districts or discourage mobile home development altogether. They should be allowed to develop under the same conditions as other residential uses.

It is suggested that medium and high density residential development be eliminated from unincorporated areas, where adequate services cannot be provided. Consequently, four existing districts are not provided for.

Commercial Districts

There are three commercial districts in the existing ordinance-- "local", "general" and "highway". The suggested districts are also three in number, but are different in character. The Neighborhood Service Commercial District would include goods and services to meet only the frequent demands of adjacent residential development; the General Commercial District would accommodate a wide variety of uses which may wish to locate in the unincorporated areas, including some institutional uses excluded from the Master Text R-1 district; the Highway Commercial District is discussed above. Residential uses, other than apartments above a store or shop, are excluded from suggested commercial districts. Although thousands of potential commercial developments are not in fact listed, it is felt that these three districts are structured in such a way that any commercial use may find a location in one or more of them.

Height requirements have been liberalized in the local and general commercial districts to allow more flexibility in development and to accommodate existing uses which exceed story limitations but are conforming in other respects (such as a corner grocery store that has been converted from a dwelling). Yard requirements have been somewhat altered; the most significant change is the requiring of front yards in the general commercial district, where none are required in the present ordinance.

Industrial Districts

Suggested industrial districts differ from those now being used. The Master Text M-1 district is not an accumulation of previously mentioned uses, and thus does not include many presently permitted commercial uses. Residential uses are excluded, as in the existing ordinance.

The Master Text M-2 district permits roughly the same uses permitted in the existing ordinance. Those uses which presently require special approval from the Supervisors are included as special exceptions, to be granted by the Board of Adjustment if certain standards are met. The basic difference between the suggested M-1 and M-2 districts is the standard that "nuisance emissions" must not cross property lines in M-1, while they must not cross district boundaries in M-2. This performance standard should be less difficult and less expensive to enforce than existing standards. Screening and locational requirements for potentially obtrusive uses are included in the district regulations, rather than in a separate section.

It is suggested that the M-3 industrial park district be adopted, in addition to the other two industrial districts. This district provides for light industry, on spacious lots, with landscaped grounds, and would be especially useful near those municipal areas where park-like industry has located or may locate in the future.

Parking and Signs

Off-street parking requirements in the Master Text do not significantly alter similar provisions in the existing ordinance. The most notable change is the requirement of two spaces per dwelling unit, rather than one. In commercial districts, parking requirements have been computed mostly on the basis of floor area, and are approximately the same as in the present ordinance. Loading space requirements have been added for industrial districts and for the general commercial district.

Sign regulations have been altered to require setbacks from public roads and that they be maintained in a neat condition. In the A-1 and A-2 districts, billboards would no longer be permitted unless they refer to uses in the vicinity. For nonconforming signs in each district, an amortization provision has been included.

UTILIZATION OF THE MASTER TEXT
BY INCORPORATED AREAS: SOME RECOMMENDATIONS

General Remarks

Part of the process of drafting a Master Zoning Text for Johnson County included cognizance of existing district regulations for cities and towns that already have zoning. These regulations reflect the development standards endorsed by these communities through their governing bodies, and it would have been inappropriate to disregard the standards altogether and simply begin anew. On the other hand, it was decided that the drafting of a Master Text from a "common denominator" approach would result in a mere compilation of existing standards and a Master Text which would be too large to be useful. We have attempted to balance these considerations with a variety of districts, from which can be chosen, by any town or city in the county, workable districts that approximate existing standards.

Where some nonconforming lots of record would be created through adoption of a particular district, affected lot owners may utilize Section 1.11 of the Master Text. This provision permits the building of a single-family structure on a nonconforming lot of record, provided that yard and other requirements not involving area or width are met. In this way, the legal mandate--that an owner must be permitted to do something with his property--is satisfied.

Some problems are more difficult to solve: The "Coralville Strip," for instance, includes, within a relatively small area, a few uses which would become nonconforming, no matter which districts were adopted by that city; in other existing ordinances, residential uses are permitted in commercial and industrial districts. This accumulation of uses has been significantly reduced in the Master Text, creating the possibility of some nonconformities which cannot be avoided unless "spot zoning"--a questionable technique--is employed. Finally, there are some regulations for which no effort to find an "average regulation" could be made--signs and industrial screening, for example. These particular regulations, if adopted, will result in quite different standards for some of the communities involved.

On the following pages suggestions are made whereby existing zoning districts in various municipalities might be changed to districts

found in the Master Text. Some of the significant differences are listed to provide a general idea of the types of changes which would occur.

Iowa City

<u>Existing</u>	<u>Master Text</u>	<u>Significant Changes</u>
VC	VC	None.
VP	VP	None.
R-1A	R-2	(a) Elimination of some public uses and private day nurseries. (b) Side yard increased 2 feet.
R-1B	R-3	(a) Same use changes as above. (b) Minimum lot area increased from 6,000 to 7,200 sq. ft. (c) Side yard increased one foot.
R-2	R-4	(a) Same use changes as above. (b) Minimum lot area increased, for S-F dwellings,* from 5,000 to 7,200 sq. ft.; for 2-F dwelling, from 6,000 to 8,400 sq. ft. (c) Minimum lot width increased from 50 to 60 or 70 feet. (d) Side yard increased 3 feet; rear yard increased 5 feet.
R-3	R-5	(a) Minimum lot reduced for structures of over 3 units; except for 12 units-- from 33,000 to 22,500 sq. ft. (b) Yards increased for S-F, 2-F and M-F dwellings. (c) Minimum lot increased for S-F and 2-F dwellings.
R-3A	R-6	(a) Slight increase in minimum lot area for all dwellings. (b) Height increase (4 stories per - mitted in some cases). (c) Separate requirements for institutional uses.

*S-F: Single-family; 2-F; two-family; M-F: multi-family.

Iowa City (continued)

<u>Existing</u>	<u>Master Text</u>	<u>Significant Changes</u>
R-3B	R-7	(a) Slight increase in minimum lot area for all dwellings. (b) Height increase (6 stories permitted in some cases). (c) Separate requirements for institutional uses.
Mobile homes in C districts	R-8	Provides separate district for mobile home parks.
C-1	C-1	(a) Dwellings not permitted. (b) Only those uses permitted which satisfy relatively frequent consumer needs. (c) Front yard increased 5 feet, side and rear yards not required unless property is adjacent to an R district.
C-1	C-4	(a) Uses are more of a true highway commercial nature. District is not cumulative.
C-2	C-3	(a) Dwellings permitted but only apartments above stores; some highway commercial uses not permitted. (b) Front yard (15 feet) required; side and rear yards required where property is adjacent to an R district. (c) Height increased one story.
CB	C-2	(a) Certain automobile-oriented uses eliminated. (b) No required parking.
PC	C-5	(a) Yards reduced slightly. (b) Required landscaped or open lawn yards.

Iowa City (continued)

<u>Existing</u>	<u>Master Text</u>	<u>Significant Changes</u>
M-1	M-1	(a) Confined to light industry; no dwellings and few commercial enterprises permitted. (b) Required yards. (c) Single performance standard.
M-2	M-2	(a) Required yards. (b) Most commercial uses not permitted. (c) Performance standard provides principal difference between M-1 and M-2.
IP	M-3	(a) Any manufacturing use permitted, except those confined to M-2; rigid use requirements protect "park" character. (b) Office buildings and research industries permitted.

University Heights

<u>Existing</u>	<u>Master Text</u>	<u>Significant Changes</u>
R-1	R-3	(a) Minimum lot area increased from 6,000 to 7,200 sq. ft.; minimum lot width from 50 to 60 feet. (b) Yards changed: Front--from 30 to 25 feet; each side--from 5 to 6 feet; rear--from 25 to 30 feet.

Coralville

<u>Existing</u>	<u>Master Text</u>	<u>Significant Changes</u>
Ag	A-2	(a) 2-F dwellings not permitted. (b) Minimum lot area reduced from 1 acre to 20,000 sq. ft. (c) Height increased from 2 stories to 2½ stories.

Coralville (continued)

<u>Existing</u>	<u>Master Text</u>	<u>Significant Changes</u>
FP	VC & VP	Two-fold district classification.
R-1	R-3	(a) Minimum lot area reduced from 8,000 to 7,200 sq. ft.; minimum lot width reduced. (b) Minimum front yard reduced from 35 to 25 feet. (c) Day nurseries, clubs, hospitals and rest homes not permitted.
R-2	R-4	(a) Minimum lot area for S-F and 2-F dwellings increased. (b) Minimum front yard reduced 10 feet; side yard increased 2 feet; rear yard increased 5 feet. (c) Uses not permitted as above.
R-3	R-6	(a) Changes in development standards, depending upon character and height of dwellings.
C & some CH	C-3	(a) Front yard reduced from 20 to 15 feet. (b) Height increased one story. (c) Only apartments permitted as residential uses.
Some CH & all CH-x	C-4	(a) Certain trades, heavy processing facilities and dwellings eliminated. (b) Yards reduced.
I-1	M-1	Dwellings not permitted.
I-2	M-2	Special exceptions granted by Board of Adjustment, rather than City Council.
<u>Add</u>	R-8	Mobile Home District
	M-3	Industrial Park
	C-5	Planned Commercial
	C-1	Neighborhood Commercial

Lone Tree

<u>Existing</u>	<u>Master Text</u>	<u>Significant Changes</u>
A-1	A-2	(a) Front yard increased from 25 to 35 feet; side yard from 10 to 15 feet.
R-1	R-6	None.
C-1	C-3	No dwellings permitted.
M-1	M-2	(a) Front yard increased from 25 to 45 feet; side yard from 20 to 25 feet. (b) Height reduced from 60 to 55 feet, with 4-story limitation.

Add C-2

Solon

<u>Existing</u>	<u>Master Text</u>	<u>Significant Changes</u>
A-1	A-2	Minimum lot area from 10,000 to 20,000 sq. ft.
R-2	R-3	Community buildings not permitted.
R-2	R-6	None.
C-1	C-3	Maximum height increased one story.
M-1	M-2	Yards increased.

Add C-2

North Liberty

<u>Existing</u>	<u>Master Text</u>	<u>Significant Changes</u>
A-1	A-2	(a) Minimum lot area reduced from 20 acres to 20,000 sq. ft. (b) Yards increased: front--25 to 35 feet; side--10 to 15 feet.

North Liberty (continued)

<u>Existing</u>	<u>Master Text</u>	<u>Significant Changes</u>
R-1	R-2	(a) Minimum lot width increased from 65 feet to 80 feet.
R-2	R-4	(a) Minimum lots increased from 6,000 to 7,200 sq. ft. for S-F dwellings; from 6,000 to 8,400 sq. ft. for 2-F dwellings. (b) Side yards increased from 6 to 8 feet.
R-3	R-6	(a) Minimum lots reduced from 8,000 to 7,200 sq. ft. for S-F dwellings; increased from 8,000 to 8,400 sq. ft. for 2-F dwellings, M-F buildings relatively the same. (b) Lot area reduced for S-F and 2-F dwellings. (c) Height increased from 35 to 45 feet.
C-1	C-3	(a) Only apartments permitted as residential use; generally more commercial uses permitted. (b) Height increased one story. (c) Front yard increased from 25 to 15 feet; no side or rear yard required, unless adjacent to A or R district.
C-2	C-4	(a) Certain trades and heavy processing facilities eliminated. (b) Height reduced to 2½ stories. (c) Front yard reduced from 60 to 25 feet.
M-1	M-2	(a) Only industrial uses and some commercial uses permitted. (b) Loading space required doubled. (c) Maximum height reduced from 6 stories to 4 stories. (d) Yards increased: front--25 to 45 feet; side--0 to 25 feet; rear-- to 30 feet.

Add C-2

Summary of Significant Changes

Principal Uses

1. Flood Plain Districts--Coralville would utilize the two-fold flood plain classification presently used by Iowa City. Data which can be used to incorporate this change can be found in "Flood Plain Regulation Study No. FR-1" prepared by the Iowa Natural Resources Council in 1960.
2. Agricultural Districts--All municipalities now using an A-1 district would convert to Master Text A-2, allowing the development of single-family dwellings.
3. Residential Districts--All R-1 districts would convert to Master Text R-2 (Iowa City) or R-3 (other municipalities). Hospitals, day nurseries, and some community buildings would no longer be permitted in single-family districts, but would be permitted in multi-family districts, as would clinics and funeral homes. In addition, any community that wishes to provide development standards for mobile home parks would use the R-8 district.
4. Commercial Districts--Iowa City would exclude certain traffic-generating uses from the CBD, use its neighborhood commercial district (C-1) for essential services only, and permit generally only automobile-oriented uses in the highway commercial district. The planned commercial district includes procedures and safeguards not presently included.

Coralville would use a general commercial category for much of its strip development (which is presently zoned highway commercial); would use a highway commercial category for some of the strip development and for what is presently zoned CH-X; would adopt a planned commercial district and, if needed, a neighborhood commercial district.

Smaller communities would add Master Text C-2, a central business district, drawing boundaries around those uses which cannot provide off-street parking or front yards. In addition, some towns may wish to use a general commercial district to house certain "heavy" commercial uses which

would inhibit the functions of a CBD. A highway commercial district is recommended for automobile-oriented uses.

Dwellings, other than apartments, would be excluded from all commercial districts.

5. Industrial Districts--No industrial district would include residential uses. Iowa City and Coralville would use both a "light" and a "heavy" industrial district, both of which would allow similar uses, but which would be separated by a simple performance standard. Iowa City and Coralville would use the industrial park district (M-3) which actually encompasses more than manufacturing alone.

Smaller communities would utilize M-2, which permits certain potential nuisance emissions to cross property lines but not district boundaries. (If a community feels it has enough variety of industry to use two industrial classifications, or even an industrial park, then these categories should, by all means, be used. This is especially true in North Liberty's case, because a significant population increase and possible industrial development has been projected for the area.)

Parking

The principal change in parking regulations for most communities would be the requirement that single and two-family dwellings provide two off-street spaces instead of one. In addition, the R-6 multiple family district, recommended for most communities, requires two spaces for each unit.

In commercial districts parking requirements are slightly more stringent in some cases, but business districts would not be affected.

Industrial district parking is computed on the basis of the number of employees. Loading space requirements have been strengthened and are required in a general commercial district.

Special Exceptions

Special exceptions would be handled only by a board of adjustment, as required by law. In most cases, requirements are stipulated giving a board of adjustment decisional guidelines.

Minimum Lot Area and Width

Some existing ordinances allow single-family dwellings to be built on lots of 5,000 square feet. The minimum requirement in the Master Text is 6,000 square feet, and exists only in multiple dwelling districts. This would affect newly platted lots only.

Two-family dwellings would be permitted only on lots of 8,400 square feet or more. This would be an increase for most communities.

Minimum lots for multi-family dwellings are computed according to the number of units. This would not result in a significant change for most communities.

Minimum lot widths would change at about the same ratio as minimum lot areas.

Minimum Yards

In general, minimum yards would be increased, especially front and side yards (although front yard requirements would be reduced in some cases). Separate requirements for non-residential uses and a "street side, corner lot" requirement are both, for some communities, innovations.

Maximum Height

Height regulations are so varied in existing ordinances that 30 districts would not accommodate them. Consequently, the drafters of the Master Text made no attempt to do so, but used widely accepted standards instead. In some cases, maximum heights would be increased (for general commercial districts--one story; for some multiple dwelling districts--one story).

Cases where maximum height would be decreased are few and there are probably few existing buildings outside of Iowa City which would become nonconforming structures if the Master Text is adopted. (Iowa City may wish to include a "high rise" provision in the supplementary district regulations, in order to perpetuate the existing provision and to accommodate structures such as the Mayflower Apartments.)

Permitted Signs

In the above tables dealing with specific municipalities, signs were not mentioned. This is because the sign regulations in existing ordinances are quite varied and, in some cases, not enforced. A summary of significant changes would be too large for the scope of this report except to say that virtually all existing ordinances would be affected. It should be noted that Iowa City is presently drafting a new sign ordinance that will be more comprehensive than provisions in the Master Text. Other communities might take note of the Iowa City Ordinance when it is finished.

Additional Requirements

Additional requirements have been placed in a separate section in certain districts, to provide for performance standards in industrial districts and for development procedures in the mobile home and planned commercial districts. In some cases, the concept of performance standards will be innovations.

PROPOSED ZONING DISTRICT MAP

Map 18 illustrates recommended zoning districts for the unincorporated portions of Johnson County. (The Official Zoning Map would actually be a series of township maps, drawn to a scale that would facilitate the precise determination of district boundaries.) The proposed boundaries accommodate compatible existing development and provide areas where future development should occur, according to the Future Land Use Plan.

Residential Districts

The existing residential districts, created a decade ago, would provide for a far greater population increase than is projected for the rural areas during the planning period. Consequently, the proposed districts encompass much less area for dwellings than is presently zoned for that purpose. The boundaries were generally drawn around clusters of existing development and adjacent parcels, although some vacant land in areas projected for population growth has been included. Most isolated dwellings have not been recognized.

Three mobile home parks have been designated R-8, thus additions to these developments, as well as any future mobile home parks, would be required to develop according to R-8 district regulations.

Commercial Districts

While three commercial districts are recommended for the unincorporated areas, only two are represented on the map. These are C-1, Neighborhood Service District and the C-4 Highway Commercial District. The C-2, General Commercial District might be used at a later date to accommodate areas near municipalities where a variety of commercial development may occur.

Industrial Districts

Most of the industrial development in the unincorporated areas consists of petroleum storage, junkyards, or "heavy" agriculture-oriented industries. These have been designated as M-2. Lighter industrial uses, which are either near municipalities or which can be expected to conform to the M-1 performance standard are

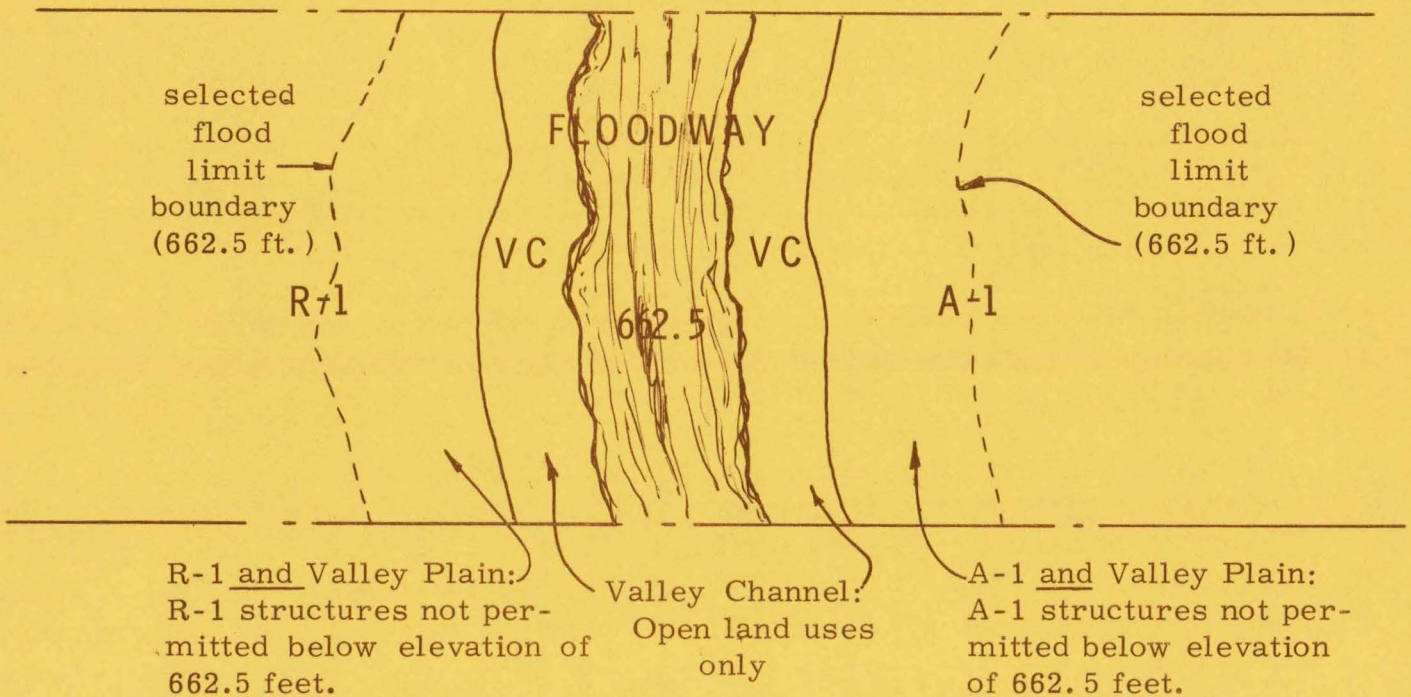
designated as M-1. An area southeast of Iowa City, on Highway 6, is designated as M-3, or Industrial Park.

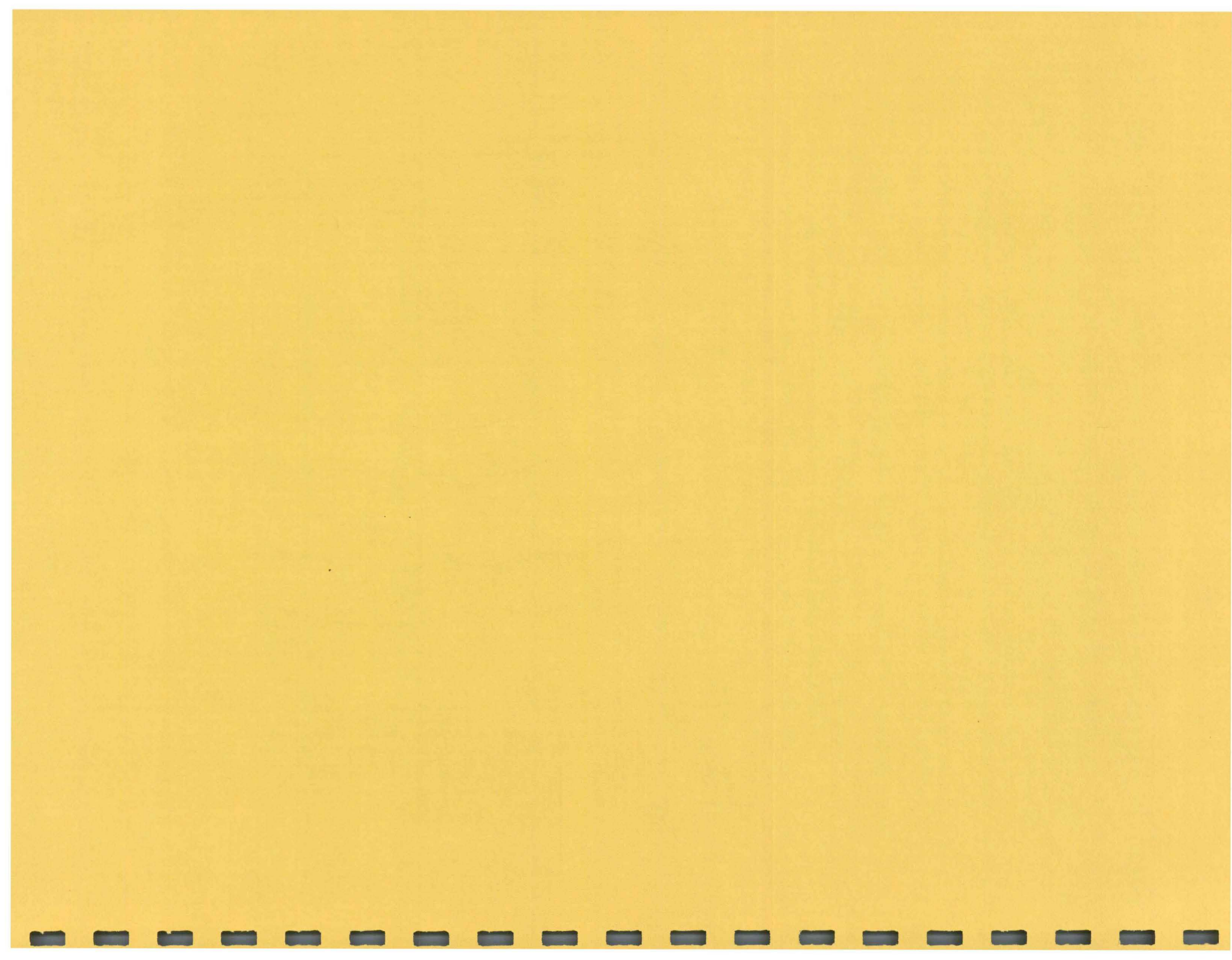
Agricultural Districts

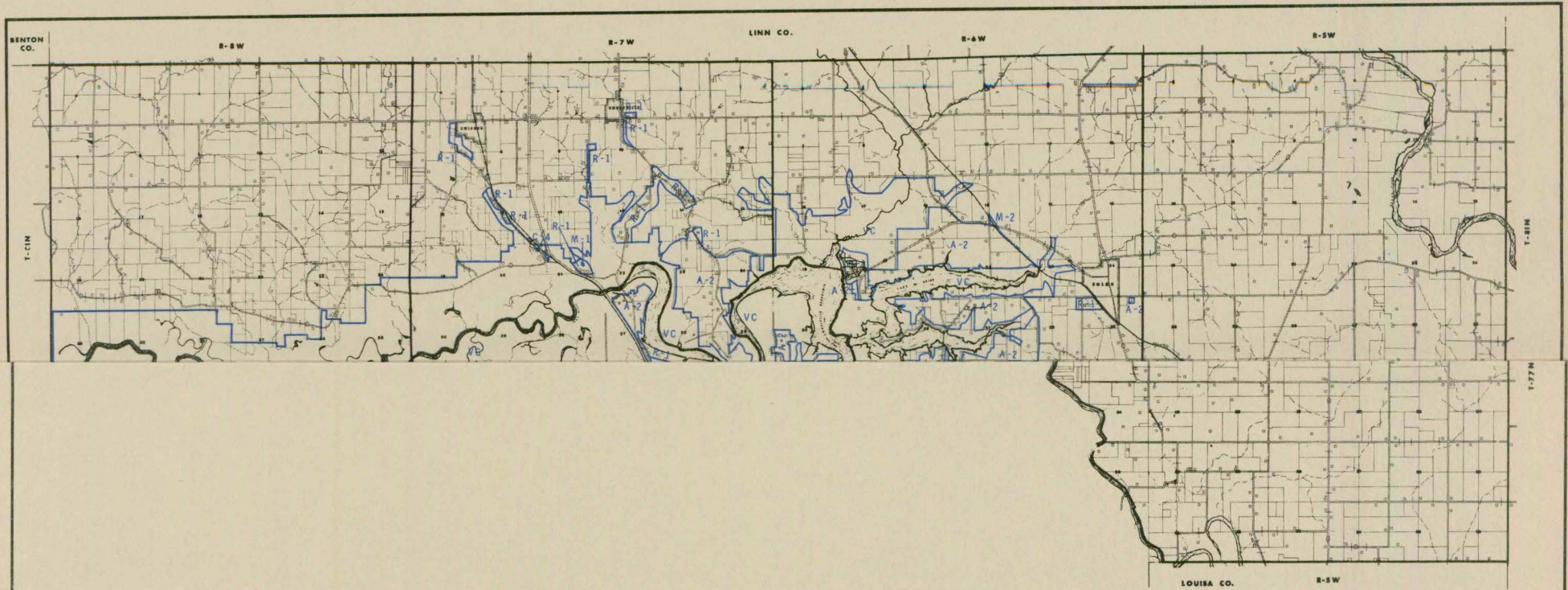
The A-1 Agricultural District is not represented on the map, but it includes all unincorporated areas that are not designated as other than A-1. The A-2 Resort District includes most of the area originally zoned as such, plus golf courses, shooting ranges, riding stables and other recreational uses. The Valley Channel boundaries are the same as the existing flood plain boundaries, with one exception: the areas along the Iowa River between the Coralville Dam and Iowa City have been represented according to the suggested two-fold flood plain classification. The broken line represents the limits of the VP Valley Plain District and the numbers on the map are elevation requirements which must be met before structures are built. When flood profiles and topographical data are obtained for other areas along major streams in the County, it is suggested that this technique be used.

FIGURE 3

An illustration of the two-fold flood plain zoning technique:

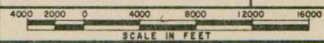






A-1	AGRICULTURAL	R-1	SINGLE FAMILY RESIDENTIAL	C-4	HIGHWAY COMMERCIAL
A-2	RESORT	R-8	MOBILE HOME	M-1	LIMITED INDUSTRIAL
VC	VALLEY CHANNEL	C-1	NEIGHBORHOOD SERVICE COMMERCIAL	M-2	GENERAL INDUSTRIAL
---	VALLEY PLAIN (VP) BOUNDARY	C-3	GENERAL COMMERCIAL	M-3	INDUSTRIAL PARK

THE PREPARATION OF THIS MAP WAS FINANCIALLY AIDED THROUGH A FEDERAL GRANT FROM THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT UNDER THE URBAN PLANNING ASSISTANCE PROGRAM AUTHORIZED BY SEC. 701 OF THE HOUSING ACT OF 1954, AS AMENDED.



PROPOSED ZONING DISTRICTS JOHNSON COUNTY, IOWA

JOHNSON COUNTY REGIONAL PLANNING COMMISSION

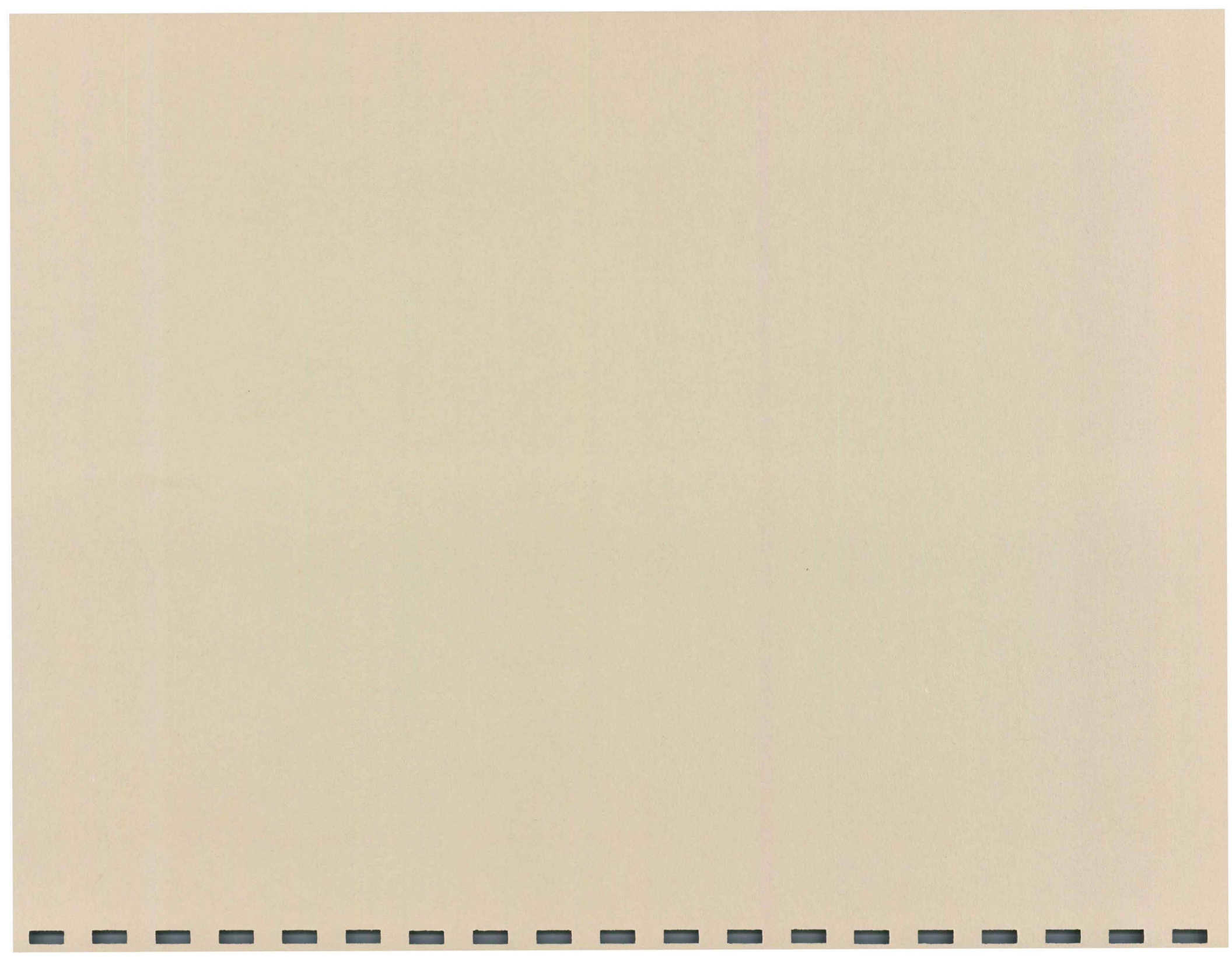
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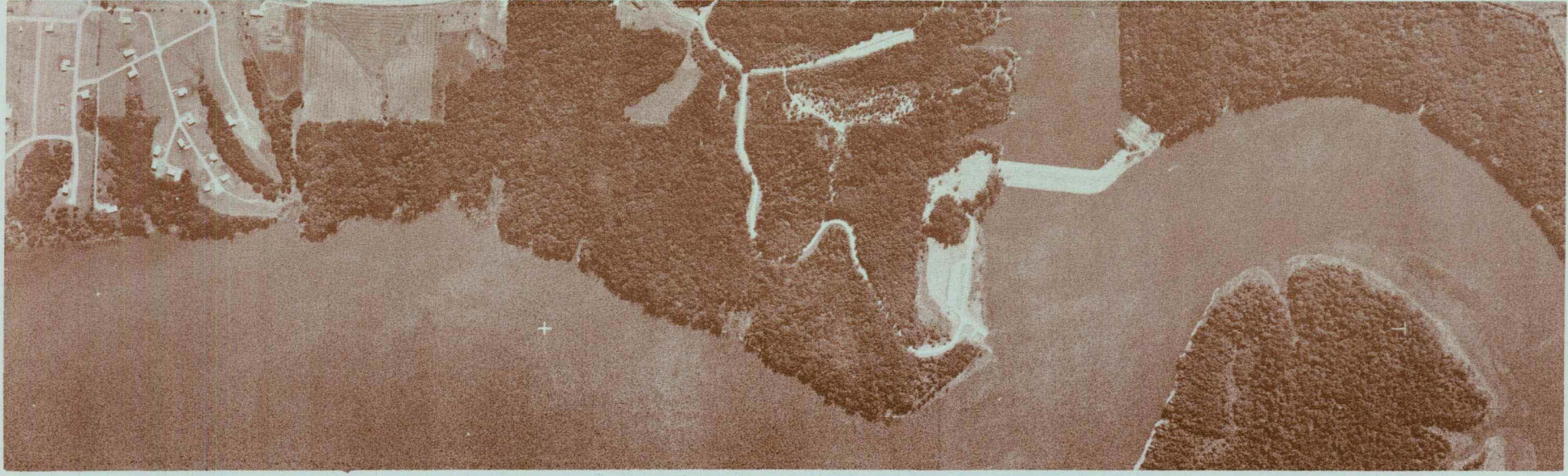


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UNDER THE PROVISIONS OF CHAPTER 28, LAWS
OF THE 56TH GENERAL ASSEMBLY OF IOWA, AS
AMENDED, BY:

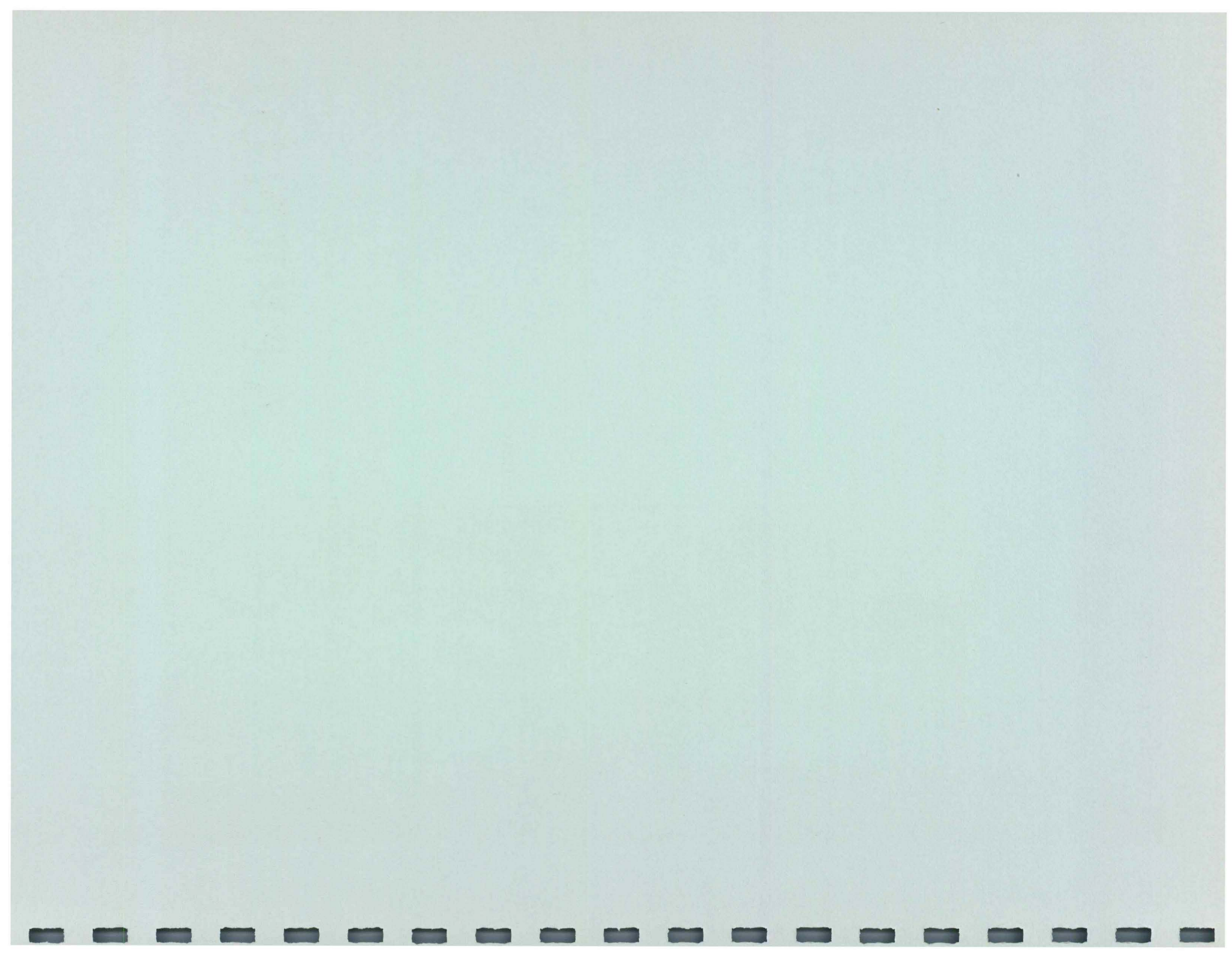
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DATE OF BASE MAP PREPARATION: NOVEMBER 1967





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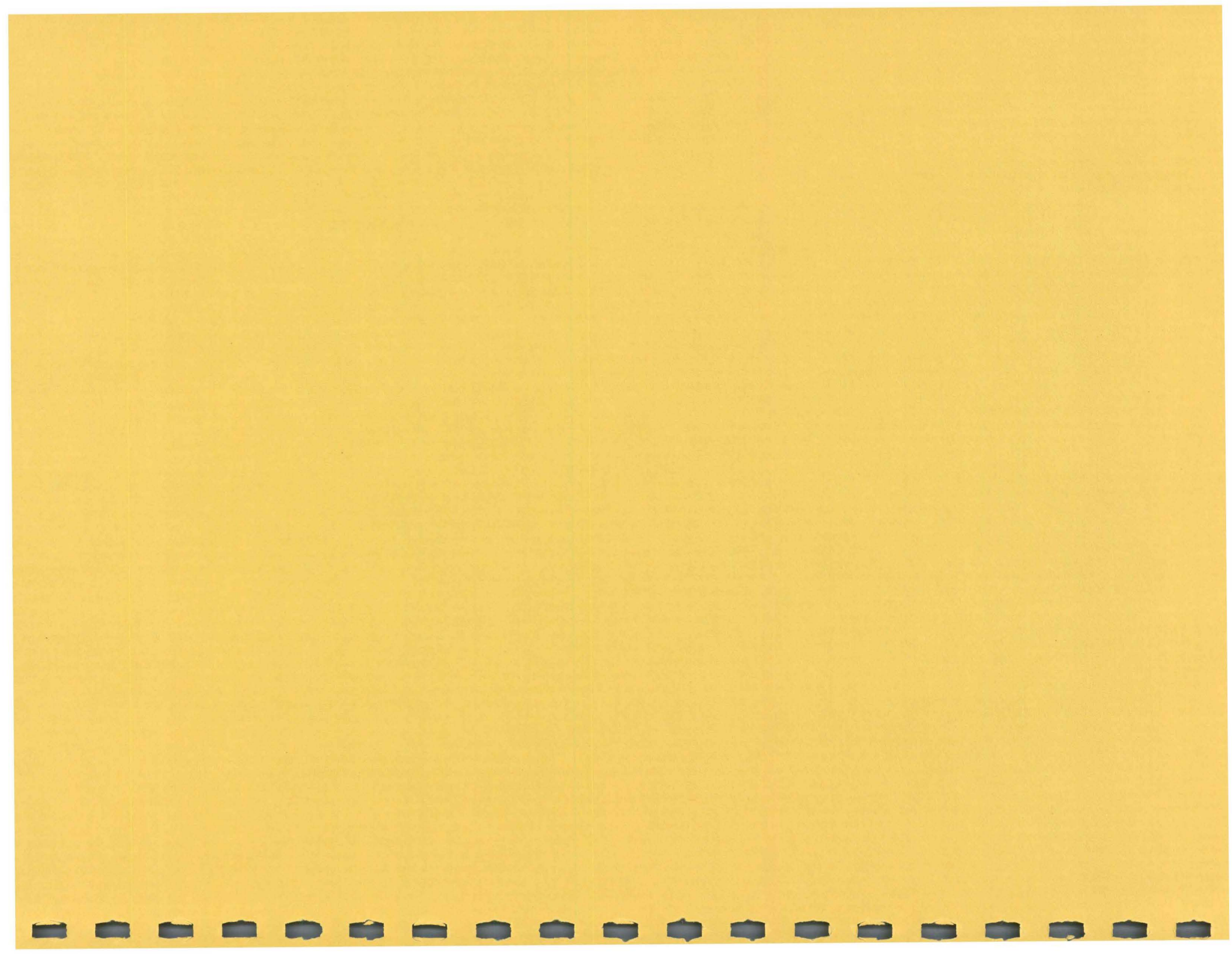
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ACKNOWLEDGEMENTS

The cooperation and assistance of the following persons and organizations during the preparation of Phase I of the Johnson County Regional Planning Program is gratefully acknowledged.

Delores A. Rogers County Auditor
Raymond H. Justen County Engineer
S. Lysle Duncan Chairman, Board of Adjustment
Don Davis. U. S. Army Corps of Engineers, Rock Island

Iowa-Illinois Gas and Electric Company
Iowa Electric Light and Power Company
Union Electric Power Company
Mid-America Pipeline Company
Northwestern Bell Telephone Company

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PHASE I - REGIONAL LAND USE AND ZONING PLAN

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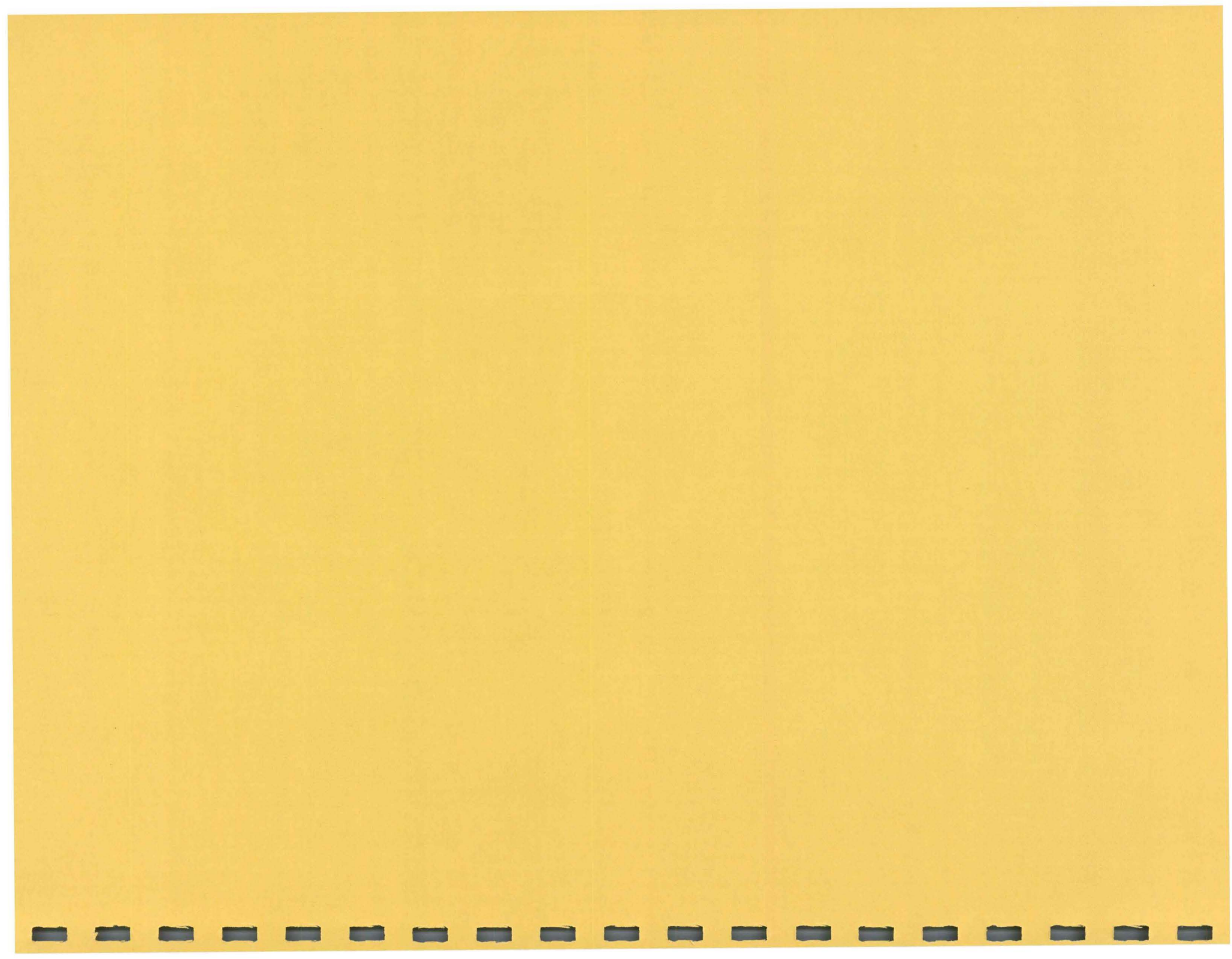
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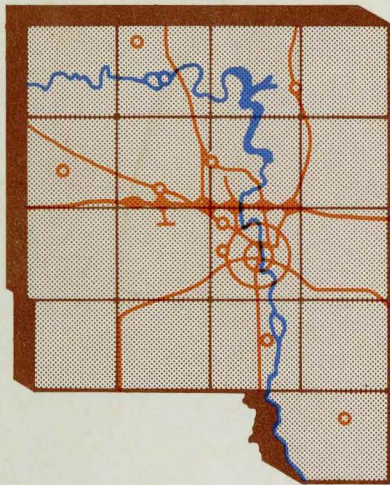
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JOHNSON COUNTY REGIONAL PLAN

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REGIONAL LAND USE AND ZONING PLAN

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