

ARTICLE 6 SPECIFIC DEVELOPMENT STANDARDS

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Section 1 Introductory Provisions

1. **Purpose.** The purpose of this Article is to provide standards that must be met for specified allowed land uses before issuance of any zoning permit. Table 7.2 in Article 7 of this Ordinance lists permitted, conditional and accessory uses allowed in each zoning district. Table 7.2 also indicates when development standards in this Article apply to listed uses. The Section and paragraph headings in this Article conform to use categories and use types listed in Table 7.2.
2. **Applicability.** The standards in this Article apply to the uses listed below within the zoning districts in which they are allowed, whether the uses are permitted, conditional or accessory. The standards in this Article shall apply in addition to the general criteria for conditional uses in Article 4, Section 9, and all other applicable regulations. Standards shall apply in all districts where the use is allowed.
3. **Exempted agricultural uses.** It is not the intent of this Article to control uses that qualify for the farm exemption contained in Article 5, Section 2, of this Ordinance.



Section 2 Standards for Agricultural Uses

1. Agriculture - Horses and other non-commercial livestock on lots in VR, RR or USR Districts.

On parcels with zoning classifications of VR Village Residential District, RR1, RR2 or RR3 Rural Residential Districts, or USR Urban Services Residential District, the following standards shall apply to the keeping of horses and other non-commercial livestock:

- (a) **Number of animals per lot.** Non-commercial livestock are limited to the maximum animal densities as shown in Table 6.1 below. Density ratios shall not exceed the limits of any single category or any combination thereof. Waste disposal shall comply with State of Iowa waste disposal requirements. Further, no nuisance conditions shall be created for neighboring land uses.
- (b) **Juvenile animals.** The number of juvenile animals less than six (6) months of age is not limited provided they are offspring to the allowed adult animals.

Explanatory notes:

Def. – Agriculture: The art or science of cultivating the ground, including the harvesting of crops and the rearing and management of livestock.

Def. - Livestock. For purposes of applying this ordinance, “livestock” shall include but not be limited to animals or fowl which are being produced primarily for sale or use as food or food products, such as: cattle, pigs, sheep, goats, poultry, birds, fish, horses, donkeys, mules, and farm deer as defined in Iowa Code 481A.1.

(Amended by Ordinance # 3-3-2007, Effective April 01, 2007)

(Amended by Ordinance # 7-6-2006, Effective July 01, 2006)

Table 6-1 Maximum animal densities in VR, RR or USR districts

Size and Type of Animals	VR, RR1/RR2/RR3 District	USR and USR-MF District
Large animals: horses, cattle, llamas, elk, deer, and other similar animals	One per acre	One per acre only on lots of three (3) acres or larger
Intermediate animals: sheep, swine, goats, and other similar animals	Three per acre	Three per acre only on lots of three (3) acres or larger and excluding swine

- 2. Agriculture - Farm stands.** The following standards shall apply to farm stands:
 - (a) **Maximum size.** Farm stand structures shall not exceed a combined total floor area of eight hundred (800) square feet.
 - (b) **Sale of goods produced off-site.** No more than twenty five percent (25%) of the square footage of the farm stand may be used to stock products produced off the farm on which the farm stand is located.
 - (c) **Parking.** Off-street parking shall be provided outside the road right-of-way.
 - (d) **Setbacks.** Farm stand structures and parking areas shall be located at least ten feet (10') from any road right-of-way, and at least fifty feet (50') from adjoining properties.



(Amended by Ordinance # 7-6-2006, Effective July 01, 2006)

- (e) **USR district.** A farm stand conforming to the standards in this section shall be allowed in the USR district only on lots of three (3) acres or larger

Section 3 Standards for Residential Uses

- 1. **Household living - Single-family detached dwelling.** All single-family detached dwellings shall meet the following standards:

- (a) **Narrowest dimension.** The narrowest dimension shall be at least twenty-two feet (22') for the entire length of the main structure.

(Amended by Ordinance # 13-9-2006, Effective October 01, 2006)

- (b) **Foundation and property type.** Have a permanent foundation, assessed as real property and taxed as a site built dwelling.

- (c) **VR District parking location.** In the VR Village Residential District parking shall not be located in the front yard or between the front façade and the street except on a permitted driveway providing access to parking areas beyond the front yard.

Explanatory Note:

Def. – Single-family detached dwelling: A building containing one dwelling unit only, including a manufactured home with one dwelling unit. See also “**Manufactured home.**”

(Amended by Ordinance # 3-3-2007, Effective April 01, 2007)

(Amended by Ordinance # 4-5-2014, Effective May 19, 2014)

- 2. **Household living - Two-family dwelling.** All two-family dwellings, not including accessory dwellings units, shall meet the following standards:

- (a) **Minor site plan required.** A minor site plan shall be submitted and reviewed prior to the approval of a two-family dwelling.

- (b) **Front entrance location.** Access to each dwelling unit shall be through a separate entrance. Each unit shall have an entrance located on the façade fronting a public or private street, private lane, or access easement.

- (c) **VR and USR-MF District parking location.** In the VR Village Residential and USR-MF Urban Services Residential-Multi-family Districts, parking shall not be located in the front yard or between the front façade and the street (including public or private street, private lane, or access easement) except on a permitted driveway providing access to parking areas beyond the front yard.

- (d) **VR District separation distance.** In the VR Village Residential District, new housing types should be introduced in limited quantities to increase diversity and housing choice, not to replace whole blocks of existing housing. Therefore, no two-family dwelling shall be constructed and no single-family dwelling shall be converted to a two-family dwelling within a distance of three hundred feet (300') from any other two-family or multifamily dwelling located within the same block.

- (e) **Minimum levels of service.** Minimum levels of service as specified in Appendix A are required to be provided.

Explanatory Note:

Def. – Two-family dwelling: A building containing two (2) dwelling units. Also a duplex.



(Amended by Ordinance # 3-3-2007, Effective April 01, 2007)

3. Household living - Single-family attached dwelling (including zero lot line, townhouse, row house, or condominium dwellings). All single-family attached dwellings shall meet the following standards:

- (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of a single-family attached dwelling.
- (b) **Maximum number of units.** A maximum of four units are permitted to be attached in a row.
- (c) **Front entrance location.** Access to each dwelling unit shall be through a separate entrance. Each unit shall have an entrance located on the façade fronting a public or private street, private lane, or access easement.
- (d) **Size of garage.** If a garage faces the street, it shall occupy no more than fifty percent (50%) of the façade.
- (e) **Minimum levels of service.** Minimum levels of service as specified in Appendix A are required to be provided, with the following exception:
 - (i) **Village Districts public utilities required.** In the VR Village Residential or VM Village Mixed-Use Districts single-family attached dwellings are allowed only if a public wastewater system is available to serve the units.
 - (f) **Village Districts parking location.** In the VR Village Residential or VM Village Mixed-Use District, parking shall not be located in the front yard or between the front façade and the street (including public or private street, private lane, or access easement) except on a permitted driveway providing access to parking areas beyond the front yard.
 - (g) **VR District maximum per block.** In the VR Village Residential District no more than one-quarter of the lineal frontage of a block may be developed as single-family attached dwellings.

Explanatory Note:

Def. – Single-family attached dwelling: A dwelling which is joined to another dwelling at one or more sides by a common wall or walls.

(Amended by Ordinance # 3-3-2007, Effective April 01, 2007)

4. Household living - Multiple-family and condominium dwellings. All multiple-family and condominium dwellings shall meet the following standards:

- (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of a multiple-family dwelling.
- (b) **Front entrance location.** The primary entrance shall be located on the façade fronting a public street (including public or private street, private lane, or access easement).
- (c) **Parking location.** No parking shall be located in the front yard or between the front façade and the street (including public or private street, private lane, or access easement) except on a permitted driveway providing access to parking areas beyond the front yard.
- (d) **Design of structure.** Multiple-family dwellings within existing neighborhoods shall be designed to reflect the general design of surrounding buildings on the block, including front yard depth, height and roof pitch, primary materials, façade detailing and size and placement of window and door openings. Exact replication of attributes of existing buildings is not expected, but rather sensitivity to neighborhood context.
- (e) **Open space requirements.** A minimum of five hundred (500) square feet of usable open space per unit shall be provided as common space for use by all residents or as private open space adjacent to each unit, or as a combination of public and private open space. Usable open space excludes parking areas, required landscape areas, land within a floodway, water bodies, and land



with greater than fifteen percent (15%) slope. Common open space shall be accessible to all residents of the development and shall measure at least thirty feet (30') across at its narrowest dimension.

- (f) **Minimum levels of service.** Minimum levels of service as specified in Appendix A are required to be provided, with the following exception:
 - (i) In the VM Village Mixed-Use District, multiple-family dwellings are allowed only if a public wastewater system is available to serve the units.

Explanatory Note:

Def. – Multiple-family dwelling: A building consisting of three (3) or more dwelling units.

(Amended by Ordinance # 3-3-2007, Effective April 01, 2007)

(Amended by Ordinance # 4-5-2014, Effective May 19, 2014)

- 5. **Household living - Accessory dwelling unit.** All accessory dwelling units shall meet the following standards:

- (a) **Minor site plan required.** A minor site plan shall be submitted and reviewed prior to the approval of an accessory dwelling unit.

(Amended by Ordinance # 3-3-2010, Effective April, 01, 2010)

- (b) **Where located.** An accessory dwelling unit may be located within a single-family dwelling, or as part of an attached or detached building.
- (c) **Location of entrance.** Any new entrances to the principal building must face the side or rear of the building.
- (d) **Maximum size.** An accessory dwelling unit may not exceed eight hundred (800) square feet in floor area.
- (e) **Addition – design.** If the accessory dwelling unit is an addition to an existing structure, roof pitch, windows, eaves and other architectural features must be the same or visually compatible with those of the original building. Exterior finish materials and trim must be the same or closely match in type, size and location the materials and trim of the original building.
- (f) **One per associated dwelling.** Only one (1) accessory dwelling unit shall be allowed per associated single-family dwelling.
- (g) **Owner must live on site.** The associated dwelling unit on the property shall be owner-occupied.

Explanatory Note:

Def. – Accessory dwelling unit: A residential dwelling unit, but not a mobile home, located on the same lot as a single-family dwelling unit, either within the single-family dwelling unit or as part of an attached or detached building. Accessory building size limitations shall apply as appropriate.

- 6. **Household living - Live-work unit.** All live-work units shall meet the following standards:

- (a) **Minor site plan required.** A minor site plan shall be submitted and reviewed prior to the approval of a live-work unit.
- (b) **Location of work space.** The work space component must be located on the first floor or lower level of the building, with an entrance facing the adjoining street.
- (c) **Location of living space and entrance.** The dwelling unit component must be located above or behind the work space, and maintain a separate entrance located on the front or side facade and accessible from the adjoining street.
- (d) **Work space size limited.** The work space component of the unit shall not exceed thirty percent (30%) of the total floor area of the live-work unit.



- (e) **Parking.** A total of two additional off-street parking spaces for the dwelling unit shall be provided for a live-work unit, located to the rear of the unit, or underground or enclosed.
- (f) **Work space uses limited.** The work space component shall be limited to those uses permitted in the district where the live-work unit is located and that do not require a separation from residentially zoned or occupied property. It may not include a wholesale business, a manufacturing business, a commercial food service requiring a license, or vehicle service or repair for any vehicles other than those registered to residents of the property.

Explanatory Note:

Def. – Live-work unit: A dwelling unit used for both dwelling purposes and any nonresidential use permitted in the zoning district in which the unit is located, provided that not more than two persons who do not reside in the unit are employed on the premises.

- 7. **Household living - Seasonal dwelling (cabins).** The standards in Article 7, Section 12, REC Seasonal Cabin and Recreation Areas Overlay District shall apply.

Explanatory Note:

Def. – Seasonal dwelling (cabin): A dwelling unit not used as a principal residence that may be occupied weekends and for brief periods during the year, including those structures established prior to the effective date of the 1981 Linn County Zoning Ordinance under the provisions of the then-applicable D Rural District or E Summer Home District.

- 8. **Household living - Home occupations.** Home occupations shall meet the standards listed below.

- (a) **Conditional home occupations.**

- (i) A conditional use permit shall be obtained for a home occupation that meets any of the following conditions:
 - (1) One or more nonresident employee is on the premises at any one time. The number of nonresident employees working at locations other than at the premises of the home occupation is not limited; or
 - (2) The home occupation generates more than five (5) customer/client visits in any one day or more than three (3) customers/clients are present at any one time; or
 - (3) More than one commercial vehicle is parked/stored outside, or any business-related equipment or materials are stored outside; or
 - (4) Any portion of an accessory building is used as part of the home occupation.

(Amended by Ordinance # 1-2-2008, Effective April 01, 2008)

- (5) Home occupations must take place at the primary residence of the home occupation owner.

Explanatory Note:

Def. – Home occupation: Any occupation, profession, activity or use carried out by a resident with the intention for economic gain in the resident's own dwelling unit and/or accessory structure on the property. The home occupation must be clearly subordinate to the residential or agricultural use of the property.

- (ii) **Minor site plan required.** A minor site plan shall be submitted and reviewed prior to the approval of a home occupation requiring a conditional use permit.

(Amended by Ordinance # 3-3-2006, Effective April 01, 2006)

- (iii) **CUP time limited.** A conditional use permit issued for a home occupation shall be subject to administrative renewal every five (5) years.



- (iv) **Discontinuance of CUP.** The conditional home occupation permit shall automatically be discontinued upon the sale, lease, rental or transfer of the property.
- (b) **Permitted home occupations.** Home occupations that do not require a conditional use permit as required in subsection (a), above, shall be permitted if they meet all the provisions of subsection (c), below.
- (i) **Change in intensity.** If an established permitted home occupation changes in intensity to such an extent that it meets any of the threshold requirements in subsection (a), above, for a conditional home occupation, the landowner shall apply for a conditional use permit or reduce the intensity of the use.
- (c) **Requirements for both permitted and conditional home occupations.**
- (i) **Maximum floor area, nonresident employees, parking and maximum size of sign.** Conditional and permitted home occupations shall comply with the floor area limits, limits on the number of nonresident employees on the premises at any one time, parking requirements, and requirements for maximum size of allowed sign in Table 6.2.

(Amended by Ordinance # 1-2-2008, Effective April 01, 2008)

(Amended by Ordinance # 7-6-2006, Effective July 01, 2006)

Table 6-2 Home Occupation requirements summary

Lot or Parcel size	Total floor area of home occupation		Maximum number of nonresident employees on premises at any one time		Minimum number of off-street parking spaces	Maximum size for allowed sign ³	
	Permitted ¹	Conditional ²	Permitted	Conditional		Permitted	Conditional
Up to 1.99 acres	Limited to residence	750 sq. ft.	Not Allowed	1	2	Not Allowed	8 sq. ft.
2.00-4.99 acres	Limited to residence	1,000 sq. ft.	Not Allowed	2	3	Not Allowed	12 sq ft
5.00 - 9.99 acres	Limited to residence	1,500 sq. ft.	Not Allowed	3	4	Not Allowed	16 sq. ft.
10 acres or more	Limited to residence	2,500 sq. ft.	Not Allowed	5	6	Not Allowed	32 sq. ft.

¹Floor area of the home occupation must be subordinate to the floor area of the residence.

²Total floor area includes the sum of the area used for a home occupation in an accessory structure and residence.

³Maximum sign height shall not exceed five feet (5') in height. No illumination shall be permitted

(Amended by Ordinance # 1-2-2008, Effective April 01, 2008)

- (ii) **Parking / Outdoor storage design.** No outside storage shall be allowed. The Board of adjustment may waive this requirement upon showing of a practical difficulty meeting this standard. Any permitted outside storage shall be included when determining the total floor area of the home occupation that is allowed.



(1) Parking / Outside storage areas must be located at least ten feet (10') from adjacent property lines and be appropriately signed and screened. Location of parking in side or rear yards may be required depending upon the character of the area.

(2) All parking areas shall have a dustless surface.

(iii) **Number of home occupations.** More than one conditional home occupation may be permitted per lot or parcel, however, the sum of the total area, nonresident employees on the premises at any one time, and parking limitations on the property shall not exceed those prescribed in this subsection.

(iv) **Screening.** Outside parking/storage areas meeting the standards of subsection 8. (c) (ii), above, shall be appropriately screened to maintain the character of the property.

(Amended by Ordinance # 1-2-2008, April 01, 2008)

(v) **Prohibited activities.**

(1) The following uses shall be prohibited as a home occupation in any zoning district:

(A) Any use listed as a principal permitted use or as a conditional use in the zoning district for which the use is proposed.

(B) The home occupation shall not involve maintenance, repair, body work or painting of motor vehicles, recreational equipment or boats, although such vehicles or equipment owned and utilized for the home occupation may be maintained on the premises.

(C) Restaurants, clubs, drinking establishments

(D) Adult entertainment uses

(E) Undertaking and funeral parlors

(F) Daycare center, preschool or adult.

(2) In addition to those uses listed in (1), immediately above, kennels, stables, and veterinarian clinics/hospitals shall be prohibited as a home occupation in the RR1, RR2, RR3, USR, USR-MF, VR, VM or CNR or MH districts.

9. **Group living - Group home, congregate living, assisted living, nursing home for more than eight persons.** Group homes, congregate living facilities, assisted living facilities and nursing homes, any of which is designed for more than eight persons, shall meet the following standards:

(a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of a congregate living facility, assisted living facility or nursing home designed for more than eight persons.

(b) **License required.** The owner of the facility shall have obtained all required licensing from the State of Iowa.

(c) **Planned services.** The site shall be in an area planned for municipal or centralized utilities, including water supply and sewage treatment. The design and construction of the facility shall enable connection to future municipal or centralized utilities with minimal cost to the municipality.

(d) **Open space.** The site shall contain a minimum of one hundred fifty (150) square feet of open space per resident, consisting of outdoor seating areas, gardens and/or recreational facilities. Public parks or plazas within three hundred feet (300') of the site may be used to meet this requirement.

(e) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.



10. Group living - Family group home for eight persons or fewer. Family group homes designed for eight persons or fewer shall meet the following standards:

- (a) **Minor site plan required.** A minor site plan shall be submitted and reviewed prior to the approval of a family group home for eight persons or fewer.
- (b) **Licensing.** The facility shall meet all state and federal license requirements.
- (c) **Capacity.** License capacity shall not exceed eight (8) persons for a supervised residential program.
- (d) **In a dwelling.** The facility must be located within a single-family detached dwelling.
- (e) **Separation requirements.** New facilities shall not be located within contiguous areas equivalent in size to city block areas, consistent with Iowa Code Chapter 335.25.3.
- (f) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.

Explanatory Note:

Def. – Family group home for eight persons or fewer: A community-based residential home that is licensed as a residential care facility under Iowa Code Chapter 135C or as a child foster care facility under Iowa Code Chapter 237 to provide room and board, personal care, habilitation services, and supervision in a family environment exclusively for not more than eight persons with a developmental disability or brain injury and any necessary support personnel. A family home does not mean an individual foster family home licensed under Iowa Code Chapter 237.

11. Group living - Dormitory, student housing. Dormitories and student housing shall meet the following standards:

- (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of a dormitory or student housing facility.
- (b) **Street access.** The site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.
- (c) **Planned services.** The site shall be in an area planned for municipal or centralized utilities, including water supply and sewage treatment. The design and construction of the facility shall enable connection to future municipal or centralized utilities with minimal cost to the municipality.
- (d) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.

Explanatory Note:

Def. – Dormitory, student housing: A building intended or used principally for sleeping accommodations where such building is related to an educational or public institution, including religious institutions.

12. Group Living – Chemical substance abuse treatment facilities. Chemical substance abuse treatment facilities in a residential setting shall meet the following standards:

- (a) **Minor site plan required.** A minor site plan shall be submitted and reviewed prior to the approval of a chemical substance abuse treatment facility in a residential setting.
- (b) **Licensing.** The facility shall meet all state and federal license requirements.
- (c) **Capacity.** License capacity shall not exceed eight (8) persons for a supervised residential program.
- (d) **In a dwelling.** The facility must be located within a single-family detached dwelling.



- (e) **Separation requirements.** New facilities shall not be located within contiguous areas equivalent in size to city block areas, consistent with Iowa Code Chapter 335.25.3.
- (f) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.

Section 4 Standards for Institutional and Civic Uses

1. **Community services - Library, museum.** Libraries and museums shall meet the following standards:
 - (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of a library or museum.
 - (b) **Street access.** The site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.
 - (c) **Planned services.** Other than a conversion of an existing building, the site shall be in an area planned for municipal or centralized utilities, including water supply and sewage treatment. For any site, the design and construction of the facility shall enable connection to future municipal or centralized utilities with minimal cost to the municipality.
 - (d) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.

Explanatory Notes:

Def. – Library: A public facility for the use, but not sale, of literary, musical, artistic, or reference materials.

Def. - Museum: An institution devoted to the procurement, care, study, and display of objects of lasting interest or value.

2. **Community services - Religious assembly.** Religious assembly uses shall meet the following standards:
 - (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of a structure for religious assembly.
 - (b) **Street access.** The site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.
 - (c) **Accessory single-family use allowed.** An accessory single-family residential use on the same lot as the religious assembly principal use shall be allowed. Other residential uses shall not be considered accessory and shall meet the standards for a principal use of its type.
 - (d) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.

Explanatory Note:

Def. – Religious assembly: A site used by a religious group primarily or exclusively for religious worship and related religious services. A religious assembly includes churches, chapels, temples, mosques, or other buildings whose primary purpose is religious assembly. A religious assembly does not include living quarters except for an accessory single-family residential use on the same lot as the religious assembly principal use. A religious assembly does not include an educational facility.

3. **Community services - Cemetery.** Cemeteries shall meet the following standards:
 - (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of a cemetery.
 - (b) **Setback from boundaries.** Burial plots and headstones shall be located a minimum of fifteen feet (15') from all lot boundaries.



- (c) **Minimum area.** Any lot with a cemetery as the principal use shall be at least three (3) acres in size with at least one hundred feet (100') of frontage on a hard-surfaced road.
- (d) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.

Explanatory Note:

Def. – Cemetery: Land used or intended to be used for the burial of human dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums, and mortuaries if operated in connection with, and within the boundaries of such cemetery.

- 4. **Day care - Day care center, preschool or adult.** Day care centers shall meet the following standards:
 - (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of a day care center.
 - (b) **Licensing.** The facility shall meet all state and federal license requirements.
 - (c) **Play area.** Any outdoor play area shall be completely fenced.
 - (d) **Drop-off area.** An off-street or signed on-street drop-off and pick-up area shall be provided.
 - (e) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.
 - (f) **Accessory use.** When a day care center is proposed as an accessory use to a religious assembly or an educational institution, the use shall be treated as a permitted accessory use, in compliance with the standards in subsections (a) through (d) above.
- 5. **Educational institutions - College, university.** Colleges and universities shall meet the following standards:
 - (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of a college or university. The major site plan shall include a master plan indicating plans for the use of land and buildings, projected enrollment and anticipated additional construction for the next ten (10) years.
 - (b) **Street access.** The site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.
 - (c) **Planned services.** The site shall be in an area planned for municipal or centralized utilities, including water supply and sewage treatment. The design and construction of the facility shall enable connection to future municipal or centralized utilities with minimal cost to the municipality.
 - (d) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.

Explanatory Note:

Def. – College, university: An educational institution authorized by the state to award baccalaureate or higher degrees.

- 6. **Educational institutions - Secondary school (K-12), public or private.** Secondary schools shall meet the following standards:
 - (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of a secondary school.
 - (b) **Street access.** The site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.
 - (c) **Planned services.** The site shall be in an area planned for municipal or centralized utilities, including water supply and sewage treatment. The design and construction of the facility shall



enable connection to future municipal or centralized utilities with minimal cost to the municipality.

(d) Parking. Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.

7. **Educational institutions - Vocational school, trade school.** Vocational and trade schools shall meet the following standards:

(a) Major site plan required. A major site plan shall be submitted and reviewed prior to the approval of a vocational or trade school.

(b) Street access. The site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.

(c) Planned services. The site shall be in an area planned for municipal or centralized utilities, including water supply and sewage treatment. The design and construction of the facility shall enable connection to future municipal or centralized utilities with minimal cost to the municipality.

(d) Parking. Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.

(e) Vehicle storage. All inoperable, unlicensed vehicles used as part of an educational program shall be kept within enclosed buildings or screened areas.

Explanatory Note:

Def. – Vocational school, trade school: A secondary or higher education facility primarily teaching usable skills that prepare students for jobs in a trade and meeting the state requirements as a vocational facility.

8. **Health care and social services - Hospital.** Hospitals shall meet the following standards:

(a) Major site plan required. A major site plan shall be submitted and reviewed prior to the approval of a hospital.

(b) Street access. The site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.

(c) Planned services. The site shall be in an area planned for municipal or centralized utilities, including water supply and sewage treatment. The design and construction of the facility shall enable connection to future municipal or centralized utilities with minimal cost to the municipality.

(d) Parking. Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.

(e) Boundary expansion. The boundaries of the institution shall be as defined in the permit, and may not be expanded without prior approval of the Planning and Zoning Commission, as evidenced by an amended conditional use permit. The campus that is defined by the boundaries shall be a minimum of three (3) acres, and all property within the campus boundaries must be contiguous.

Explanatory Note:

Def. – Hospital: An establishment providing health services and medical or surgical care, primarily for temporary inpatients, to person suffering from mental or physical illness, disease, injury, or disability, and including any related facilities such as laboratories, outpatient care, obstetrical, central service, staff offices, or training facilities. "Hospital" does not include establishments that are intended primarily for permanent or long-term care or custodial care.

9. **Public parks and open space - Park or playground, aquatic center, swimming pool, playing field(s).** Parks, playgrounds, aquatic centers, swimming pools, and playing fields shall meet the following standards:



- (a) **Major site plan required – aquatic center, swimming pools, playing fields.** A major site plan shall be submitted and reviewed prior to the approval of aquatic centers, swimming pools, and playing fields.
- (b) **Street access – aquatic center, swimming pools, playing fields.** Sites proposed for an aquatic center, swimming pool, or playing field shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.
- (c) **Vehicular entries - aquatic center, swimming pools, playing fields.** A minimum of two entry points to such facilities shall be provided.
- (d) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.
- (e) **Planned services – aquatic center, swimming pools.** Sites proposed for an aquatic center, or swimming pool shall be in an area planned for municipal or centralized utilities, including water supply and sewage treatment. The design and construction of the facility shall enable connection to future municipal or centralized utilities with minimal cost to the municipality.

Explanatory Note:

Def. – Park or playground, aquatic center, swimming pool, playing field: A noncommercial, not-for-profit facility designed to serve the recreation needs of the residents of the community. Such facilities include subdivision recreation facilities (neighborhood parks), community parks, regional parks, and special use facilities, all as described in the recreation and open space element of the comprehensive plan. Such facilities may also include but shall not be limited to school and religious institution ball fields, football fields, and soccer fields, if they meet the above definition. Commercial amusement facilities, such as water slides, go-cart tracks, and miniature golf courses shall not be considered parks.

10. Public parks and open space - Other public recreational facilities. Other public recreational facilities shall meet the following standards:

- (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of other public recreational facilities.
- (b) **Street access.** Sites proposed for other public recreational facilities shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.
- (c) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.

Explanatory Note:

(Amended by Ordinance # 4-5-2014, Effective May 19, 2014)

Def. – Other public recreational facilities: Publicly owned or operated recreation facilities except for dog parks, parks, playgrounds, aquatic centers, swimming pools, and playing fields.

11. Public parks and open space - Fairground. Fairgrounds shall meet the following standards:

- (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of a fairground. Information shall be provided with the site plan indicating proposed recreation areas, sanitary facilities, storage areas, parking, circulation and other information needed to assess the impacts of the proposed operation on surrounding properties and the road network.
- (b) **Street access.** Sites proposed for fairgrounds shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.
- (c) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.



Explanatory Note:

Def. – Fairground: A public facility that can include buildings, barns, parking areas, outdoor amphitheater, and related facilities that can be used for local and regional fairs, flea markets, or public gatherings.

(Amended by Ordinance # 2-5-2009, Effective May 20, 2009)

- 12. School transportation center, public or private – free-standing.** School transportation centers must meet the following standards:
- (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of a school transportation center.
 - (b) **Street access.** The site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.
 - (c) **Vehicular access points.** Vehicular access points shall create a minimum of conflict with through traffic movement and be designed to minimize traffic congestion. Separate access points shall be provided in order to separate bus traffic from personal or light-duty vehicular traffic.
 - (d) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.
 - (e) **Setbacks.** Any canopy, weather protection, pump island or building shall meet the minimum required principal building setback specified for the district.
 - (f) **Buffers.** Buffers shall be installed meeting the standards in Article 5, Section 3, Subsection 4, of this Ordinance. In addition, lot frontage on a public street shall be separated from the edge of the sidewalk or pavement by a landscaped yard at least twenty feet (20') in depth, except where driveway accesses occur.
 - (g) **Vehicle Storage.** All vehicles awaiting repair shall be stored on the site within enclosed building or in defined parking spaces. All vehicles parked or stored on the site shall display a current license plate with current license tag. Outdoor storage of vehicle parts or of junk vehicles is prohibited.
 - (h) **Wash Facilities.** A truck/bus wash facility, either attached or detached from the principal structure, may be permitted as an accessory use.
 - (i) **Repair shop.** All repairs shall be performed within a completely enclosed building. Paint or body repair are not allowed as part of a school transportation center repair shop.
 - (j) **Hazardous materials.** Storage of hazardous or flammable materials shall comply with federal and state standards. Venting of odors, gas and fumes shall be directed away from residential uses. All storage tanks shall be equipped with vapor-tight fittings to preclude the escape of gas/diesel vapors.
 - (k) **Lighting.** A lighting plan shall be submitted providing detail of the light spread and intensity diagrams, fixture specifications and mounting height details. Any lighting used for outdoor illumination on the property shall be “full-cutoff” fixtures so that light does not shine upward nor adversely impact adjoining property.
- 13. School building and grounds maintenance facility – free-standing.** School building and grounds maintenance facilities must meet the following standards:
- (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of a school building and grounds maintenance facility.
 - (b) **Street access.** The site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.



- (c) **Vehicular access points.** Vehicular access points shall create a minimum of conflict with through traffic movement and be designed to minimize traffic congestion. A minimum of two entry points to such facilities shall be provided.
- (d) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.
- (e) **Setbacks.** Any canopy, weather protection, pump island or building shall meet the minimum required principal building setback specified for the district.
- (f) **Buffers.** Buffers shall be installed meeting the standards in Article 5, Section 3, Subsection 4, of this Ordinance. In addition, lot frontage on a public street shall be separated from the edge of the sidewalk or pavement by a landscaped yard at least twenty feet (20') in depth, except where driveway accesses occur.
- (g) **Equipment Storage.** All equipment awaiting repair shall be stored on the site within enclosed buildings. Outdoor storage of equipment, parts or vehicles awaiting repair is prohibited.
- (h) **Wash Facilities.** A vehicle or equipment wash facility, either attached or detached from the principal structure, may be permitted as an accessory use.
- (i) **Repair shop.** All repairs shall be performed within a completely enclosed building. Paint or body repair are not allowed as part of a school building and grounds maintenance facility repair shop.
- (j) **Hazardous materials.** Storage of hazardous or flammable materials shall comply with federal and state standards. Venting of odors, gas and fumes shall be directed away from residential uses. All storage tanks shall be equipped with vapor-tight fittings to preclude the escape of gas/diesel vapors.
- (k) **Lighting.** A Lighting plan shall be submitted providing the detail of the light spread and intensity diagrams, fixture specifications and mounting height details. Any lighting used for outdoor illumination on the property shall be "full-cutoff" fixtures so that light does not shine upward nor adversely impact adjoining property.

14. School sports complex – free-standing. School sports complexes must meet the following standards:

- (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of a school sports complex.
- (b) **Street access.** The site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.
- (c) **Vehicular access points.** Vehicular access points shall create a minimum of conflict with through traffic movement and be designed to minimize traffic congestion. A minimum of two entry points to such facilities shall be provided.
- (d) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5. A parking plan shall be submitted that analyzes existing conditions and potential expansion areas; the plan will also provide recommended parking improvements (including number of spaces) and shared parking opportunities.
- (e) **Buffers.** Buffers shall be installed meeting the standards in Article 5, Section 3, Subsection 4, of this Ordinance. In addition, lot frontage on a public street shall be separated from the edge of the sidewalk or pavement by a landscaped yard at least twenty feet (20') in depth, except where driveway accesses occur.
- (f) **Hazardous materials.** Storage of hazardous or flammable materials shall comply with federal and state standards. Venting of odors, gas and fumes shall be directed away from residential



uses. All storage tanks shall be equipped with vapor-tight fittings to preclude the escape of gas/diesel vapors.

- (g) **Noise.** A noise impact study may be required to demonstrate the potential noise impact on surrounding properties from the sports complex. Based on the results of the study, additional controls or changes in facility design or site layout may be required to control noise during the operation of the facility.
- (h) **Lighting.** A Lighting plan shall be submitted providing detail of the light spread and intensity diagrams, fixture specifications and mounting height details. Any lighting used for outdoor illumination on the property shall be “full-cutoff” fixtures so that light does not shine upward nor adversely impact adjoining property.

(Amended by Ordinance #13-8-2015, Effective August 17, 2015)

15. Community Services – Private Burial Site

- (a) **Maintenance agreement required.** A private burial site maintenance agreement between the property owner and Linn County shall be executed and recorded that delegates the preservation and protection of the burial site to the property owner. The recorded private burial site maintenance agreement shall serve as notice that the designated area of the property shall hereafter be designated as a private burial site. As part of the agreement, reasonable access shall be provided for visitors to the site and to allow continued maintenance. The agreement shall be approved by resolution of the board of Supervisors.
- (b) **Minor site plan required.** A minor site plan shall be prepared and incorporated into the private burial site maintenance agreement describing the location and extent of the burial site on the property.
- (c) **Setback from boundaries.** Burial plots headstones or other grave markers shall be located a minimum of fifteen feet (15') from all lot boundaries.

Section 5 Standards for Retail, Service and Commercial Uses

- 1. **Adult entertainment.** Adult entertainment uses shall meet the following standards:
 - (a) **Major site plan and CUP required.** A major site plan shall be submitted and reviewed prior to the approval of an adult entertainment use. An adult entertainment use shall require a conditional use permit.
 - (b) **CUP time limited.** A conditional use permit issued for an adult entertainment use shall be subject to renewal every five (5) years.
 - (c) **Street access.** Sites proposed for adult entertainment uses shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.
 - (d) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.
 - (e) **Separation requirements.** Adult entertainment uses shall be located the following minimum distances from the listed uses that are present at the point in time the adult entertainment use is permitted:
 - (i) One thousand feet (1000') from residences, day care, public parks or playgrounds, religious institutions or educational institutions and public libraries as measured in a straight line from the entrance to the structure where the adult entertainment use occurs to the nearest property boundary of the listed use.
 - (ii) Five-hundred feet (500') from another adult entertainment use as measured in a straight line between the entrances to the structures where the adult entertainment uses occur.



- (f) **Maximum building size.** The maximum size of a structure where an adult entertainment use occurs shall be no larger than ten-thousand (10,000) square feet.
- (g) **Signs and window displays**
 - (i) Sexually explicit matter shall not be displayed on signs, window displays, or the exterior of any structure.
 - (ii) Signs shall conform to the sign regulations in Article 5, Section 4, subsection 10 of this Ordinance.
- (h) **Hours of operation.** The hours of operation shall be limited so as to prevent an adverse impact on adjacent property owners.
- (i) **Exterior colors.** The colors of the exterior of structures where adult entertainment uses occur shall be muted and blend with surrounding structures, and shall not be neon, bright or multi-colored.

Explanatory Note:

Def. – Adult entertainment: Any adult bookstore, strip club, adult hotel or motel, adult motion picture arcade, adult motion picture theater, cabaret, sexual encounter center, or any other business or establishment that offers its patrons services or entertainment characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas, but not including those uses or activities, the regulation of which is preempted by state law. Any establishment in which adult videos comprise more than 50 percent of the video products in stock shall be considered an adult entertainment use.

- 2. **Animal care - Animal boarding, animal shelter, kennel.** Animal boarding facility, animal shelters, and kennels shall meet the following standards:
 - (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of an animal boarding facility, animal shelter or kennel.
 - (b) **Facility design.** All animal kennels shall provide indoor facilities having adequate heating, ventilation, and lighting and outdoor facilities having shelter from the elements. Facilities shall have proper drainage.
 - (c) **Facility design – VM Village Mixed-Use.** Within the VM Village Mixed-Use District, all activities shall take place within a completely enclosed building with soundproofing and odor control.
 - (d) **Exercise areas.** All animal runs or exercise areas shall be located at least one hundred feet (100') from any adjoining property line. Outdoor animal runs or exercise areas are prohibited within the VM Village Mixed-Use District.
 - (e) **Licenses.** Facilities must obtain all required state and federal licenses or operational permits.
 - (f) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.
- 3. **Animal care - Veterinary clinic or veterinary hospital.** Veterinary clinics or hospitals shall meet the following standards:
 - (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of a veterinary clinic or hospital.
 - (b) **Facility design.** All veterinary clinics or hospitals shall provide indoor facilities having adequate heating, ventilation, and lighting and outdoor facilities having shelter from the elements. Facilities shall have proper drainage.



- (c) **Facility design - VM Village Mixed-Use.** Within the VM Village Mixed-Use District, all activities shall take place within a completely enclosed building with soundproofing and odor control.
 - (d) **Exercise areas.** All animal runs or exercise areas shall be located at least one hundred feet (100') from any adjoining property line. Outdoor animal runs or exercise areas are prohibited within the VM Village Mixed-Use District
 - (e) **Licenses.** Facilities must obtain all required state and federal licenses or operational permits.
 - (f) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.
4. **Animal care - Pet cemetery.** Pet cemeteries shall meet the following standards:
- (a) **Major site plan and CUP required.** A major site plan shall be submitted and reviewed prior to the approval of a pet cemetery. A pet cemetery shall require a conditional use permit.
 - (b) **CUP length.** The maximum length of a conditional use permit for a pet cemetery shall be twenty (20) years. An application to renew a conditional use permit may be made within three (3) years prior to the termination date.
 - (c) **Non-permanent nature.** A pet cemetery shall not be a perpetual care facility, but rather shall be convertible to another use after an appropriate time period. A deed shall not be issued for an animal burial plot.
 - (d) **Burial containers.** A container used to bury an animal shall be biodegradable.
 - (e) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.
5. **Animal care - Pet crematorium.** Pet crematoriums shall meet the following standards:
- (a) **Major site plan and CUP required.** A major site plan shall be submitted and reviewed prior to the approval of a pet crematorium. A pet crematorium shall require a conditional use permit.
 - (b) **Licenses.** Facilities must obtain all required state and federal licenses or operational permits.

Explanatory Note:

Def. – Pet crematorium: A facility for the cremation and disposal of the remains of domesticated animals.

(Amended by Ordinance # 1-2-2008, Effective April 01, 2008)

6. **Agricultural sales and service – agriculture feed mixing and blending, seed sales and grain handling operations; grain elevators.** Uses involving agriculture feed mixing and blending, seed sales and grain handling; and grain elevators, shall meet the following standards:
- (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of a use as described in this subsection.
 - (b) **Street access.** The site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.
 - (c) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.
 - (d) **Outdoor storage.** Outdoor storage shall be screened from adjacent residences.
 - (e) **Setbacks.** The minimum required setback for feed or grain storage structures shall be the greater of the required setback for the district or the height of the feed or grain storage structure.
 - (f) **Lighting.** Any lighting used for outdoor illumination shall be installed to deflect light away from adjoining property and public streets. The sources of light shall be hooded or controlled so light does not shine upward nor light adjoining property.

(Amended by Ordinance # 6-8-2014, Effective August 25, 2014)



7. **Agricultural sales and service - Agricultural chemicals, fertilizer, liquid propane and other related fuels, anhydrous ammonia storage and distribution.** Uses involving the storage and distribution of agricultural chemicals, agricultural fertilizer, liquid propane and other related fuels, or anhydrous ammonia shall meet the following standards:
- (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of a use involving the storage and distribution of agricultural chemicals, agricultural fertilizer, liquid propane and other related fuels, or anhydrous ammonia.
 - (b) **Location.** Storage of agricultural chemicals, agricultural fertilizers or anhydrous ammonia shall be located outside of densely populated areas.
 - (c) **Storage and handling of materials.** The storage and handling of agricultural chemicals, fertilizer, liquid propane and other related fuels, and anhydrous ammonia shall comply with all federal and state regulations.
 - (d) **Street access.** The site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.
 - (e) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.
 - (f) **Outdoor storage.** Outdoor storage areas shall be screened from adjacent residences.
 - (g) **Setbacks.** Anhydrous ammonia containers shall be located outside of buildings other than those especially constructed for this purpose. In addition to the setback distances required for structures to property lines set forth in the UDC, containers shall meet the minimum separation distances required by federal and state regulations.

Explanatory Note:

Def. – Agricultural chemicals, fertilizer, liquid propane and other related fuels, or anhydrous ammonia storage and distribution: An establishment engaged in retail sale of supplies directly related to the day-to-day activities of agricultural production.

(Amended by Ordinance # 4-5-2014, Effective May 19, 2014)

8. **Agricultural sales and service - Agricultural implement sales and service, auction house.** These uses shall meet the following standards:

- (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of a use involving the sales and servicing of agricultural implements and vehicles.
- (b) **Street access.** The site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.
- (c) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.

Explanatory Note:

Def. – Agricultural implement sales and service: Establishments selling, renting, or repairing agricultural machinery, equipment, and supplies for use in soil preparation and maintenance, the planting and harvesting of crops, and other operations and processes pertaining to farming and ranching.

(Amended by Ordinance # 4-5-2014, Effective May 19, 2014)

Def. – Action house: Establishments where the property of others is sold by a broker or auctioneer to persons attending scheduled sales periods or events.

(Amended by Ordinance # 3-3-2007, Effective April 01, 2007)

9. **Reserved**



(Amended by Ordinance # 10-8-2011, Effective September 01, 2011)

10. Agricultural sales and service – Farm winery and cider mill.

- (a) **Sale of wine, cider and beer.** Retail sale of wine, cider or beer manufactured onsite for offsite and/or onsite consumption is permitted pursuant to meeting the necessary local, State of Iowa and Federal requirements.
- (b) **Onsite consumption of alcoholic beverages.** Onsite consumption of alcoholic beverages that are compliant with the State of Iowa Licenses held by the operator is permitted. Alcoholic beverage consumption shall be incidental to the farm winery or cider mill manufacturing operation.
- (c) **Retail sales of supplemental items.** Retail sales of items other than wine, cider or beer are permitted if the items are directly related to the wine or cider operation and are incidental to wine, cider or beer manufacturing. Such items may include but are not limited to wine glasses, corkscrews and monogrammed items.
- (d) **Food sales.** Food sales or consumption that is incidental to wine or cider sales may be served or sold onsite. Any food product prepared onsite or offsite must comply with all State of Iowa and Linn County Public Health Department requirements.
- (e) **Event permit - temporary use.** Events held by the winery or facility rentals for events that exceed the maximum number of attendees set by the Conditional Use Permit will require a Temporary Use Permit. The Temporary Use Permit shall be permitted in accordance with Article 5, Section 3, § 3 of the Unified Development Code and must be in accordance with State of Iowa alcohol license requirements.
- (f) **Onsite brewery or distillery.** Operation of a brewery and/or distillery accessory to a farm winery or cider mill is permitted pursuant to obtaining the necessary State of Iowa permits.
 - (i) All beer and distilled spirit sales and consumption must comply with all local, State of Iowa and Federal requirements.
 - (ii) Brewery and/or distillery production shall be ancillary to farm winery or cider mill manufacturing operation.

Explanatory Note:

Def. – ‘Alcoholic beverage’, ‘alcoholic liquor’ or ‘intoxicating liquor’, ‘beer’, ‘spirits’ or ‘wine’. As defined by the Code of Iowa Chapter 123.3 Definitions, or, as subsequently amended.

Def. – Cider. The fermentation of apple or pear juice yielding an alcoholic or non-alcoholic beverage.

Def. – Distillery or Brewery. Facilities where liquor or spirits are distilled, beer is brewed or similar alcoholic beverage is manufactured, blended, bottled, or handled.

Def. – Farm winery or cider mill. A facility in which less than 50,000 gallons per year of wine or cider is manufactured and the farm winery or cider mill must have onsite or contiguous propagated (growth stage) vineyard or orchards of at least two (2) acres. See also **“Winery”**

Def. – Manufacture. For the purposes of this section, manufacture means to distill, rectify, ferment, brew, make, mix, concoct, produce, or process any substance capable of producing a beverage containing more than one-half of one percent of alcohol by volume and includes blending, bottling, or the preparation for sale.

Def. – Tasting room. A room or portion of room at a brewery, cider mill, distillery, farm winery or winery in which alcoholic beverage is consumed by either sample or sale. Samples and sales shall comply with Iowa Code.

Def. – Winery. A facility where commercial production of wine is not associated with agriculture/viticulture on the same tract or adjoining tracts, or where commercial production is 50,000 gallons or more per year. See also **“Farm Winery”**.



- 11. Business and household services - Building maintenance, cleaning services.** Building maintenance and cleaning services shall meet the following standards:
- (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of a building maintenance or cleaning services use.
 - (b) **Street access.** The site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.
 - (c) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.
 - (d) **VM Village Mixed-Use District.** Within the VM Village Mixed-Use District, outdoor storage area shall not exceed five thousand (5,000) square feet in size and shall be screened from adjacent residences and public roads by a solid fence six feet (6') in height.

Explanatory Note:

Def. – Building maintenance, cleaning services: An establishment providing routine maintenance of buildings. This term includes but is not limited to a window washing, building cleaning, carpet cleaning, pest extermination, or disinfecting service.

12. Reserved

- 13. Business and household services - Lawn, garden and yard maintenance services.** Lawn, garden and yard maintenance services shall meet the following standards:

(Amended by Ordinance # 1-3-2011)

- (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of lawn, garden and yard maintenance service.
- (b) **Street access.** The site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.
- (c) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.
- (d) **VM Village Mixed-Use District.** Within the VM Village Mixed-Use District, outdoor storage area shall not exceed five thousand (5,000) square feet in size and shall be screened from adjacent residences and public roads by a solid fence six feet (6') in height.

- 14. Business and household services - Well-drilling, septic tank cleaning services.** Well-drilling and septic tank cleaning services shall meet the following standards:

(Amended by Ordinance # 1-3-2011)

- (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of well-drilling or septic tank cleaning service.
- (b) **Street access.** The site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.
- (c) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.
- (d) **VM Village Mixed-Use District.** Within the VM Village Mixed-Use District, outdoor storage area shall not exceed five thousand (5,000) square feet in size and shall be screened from adjacent residences and public roads by a solid fence six feet (6') in height.

Explanatory Note:

Def. – Septic tank cleaning services: A business providing services to remove and dispose of accumulated materials from and clean the interior of a septic tank.



15. Recreation and entertainment, outdoor – Amusement park. An amusement park shall meet the following standards:

- (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of an amusement park. Site plans shall indicate all proposed recreation areas, sanitary facilities, storage areas, parking, circulation, signs, landscaping and other information needed to assess the impacts of the operation on surrounding properties and the road network.
- (b) **Street access.** The site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.
- (c) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.
- (d) **Days and hours of operation.** Approval for an amusement park shall specify the days and hours of operation.

Explanatory Note:

Def. – Amusement park: A facility, primarily outdoors, that may include structures and buildings, where there are various devices for entertainment, including rides, booths for the conduct of games or sale of items, buildings for shows and entertainment, and restaurants and souvenir sales.

(Amended by Ordinance # 3-3-2006, Effective April 01, 2006)

16. Recreation and entertainment, outdoor – Campground, travel trailer park. Campgrounds and travel trailer parks shall meet the following standards:

- (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of a campground or travel trailer park. Site plans shall indicate all proposed recreation areas, sanitary facilities, storage areas, parking, circulation, signs, landscaping and other information needed to assess the impacts of the operation on surrounding properties and the road network.
- (b) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.
- (c) **Caretaker or attendant required.** A responsible attendant or caretaker shall be in charge of every recreational camping area at all times and the duties of said attendant or caretaker shall be to maintain records of the park, and keep the facilities and the equipment in a clean, orderly and sanitary condition.
- (d) **Mobile homes prohibited.** No mobile homes shall be allowed in campgrounds.
- (e) **Vehicles.** No unlicensed or inoperable vehicles or vehicle parts shall be stored on the site.
- (f) **Year-round residential use prohibited.** Residential use of camping vehicles, except as permitted for a campground owner or caretaker, shall be prohibited from November 1 to April 1.
- (g) **Setbacks.** Campgrounds and travel trailer parks shall meet the following setbacks:
 - (i) Recreational camping vehicles and accessory structures shall be separated from each other and from other structures by at least ten feet (10’).
 - (ii) Recreational camping vehicles shall be set back at least twenty-five feet (25’) from any road right-of-way and at least ten feet (10’) from other park boundary lines.

Explanatory Note:

Def. – Campground, travel trailer park: A campground with two or more camping unit sites, accessible by vehicular traffic and provided with one or more service buildings. These sites may have individual water, sewer, and electrical connections.



17. Recreation and entertainment, outdoor – Gun clubs, rifle, archery ranges. Gun clubs, rifle ranges and archery ranges shall meet the following standards:

- (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of a gun club, rifle range or archery range.
- (b) **Street access.** The site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.
- (c) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.
- (d) **Design standards.** National Rifle Association design standards for such facilities shall be complied with and shall include the following as a minimum:
 - (i) No facility shall be allowed within five hundred feet (500') of an existing residence, measured from the property line of the range site, without the permission of the existing residents.
 - (ii) A backstop having a minimum height of twenty feet (20') with a top width of at least four feet (4') and side berms having a minimum height of eight feet (8') shall be required unless significant terrain features exist that would take their place.
 - (iii) For skeet and trap shooting, a three hundred (300) yard shot fall zone to the front and sides of the range as measured from the center of the firing stations, shall be provided. This area shall be contained wholly within the property on which the range is located, or on property leased by the facility or covered by signed agreement of adjacent property owners.
 - (iv) Gates shall be placed at all road entrances to the property and shall be locked when the facility is not in use.
 - (v) Landscaping including the planting of trees shall be provided to screen the range from roads and adjacent residences.

Explanatory Note:

Def. – Gun club, rifle, archery range: Any organization whether operated for profit or not, and whether public or private, which caters to or allows the use of firearms.

18. Recreation and entertainment, outdoor – Outdoor amphitheater, stadium. Outdoor amphitheaters and outdoor stadiums shall meet the following standards:

- (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of an outdoor amphitheater or outdoor stadium.
- (b) **Street access.** The site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.
- (c) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.
- (d) **Days and hours of operation.** Approval for an outdoor amphitheater or outdoor stadium shall specify the days and hours of operation.
- (e) **Separation requirements.** These facilities shall be located a minimum of five hundred feet (500') from the boundary of any residentially zoned property.
- (f) **Noise impacts.** Noise impacts shall be considered and mitigated as part of the approval process.

Explanatory Note:

Def. – Outdoor amphitheater, stadium: A permanent, freestanding structure, open or partially enclosed, including a stage and tiered and/or sloped seating, and which may include outdoor lights for night time performances.



19. **Recreation and entertainment, outdoor – Race tracks, go-cart tracks, drag strips.** Race tracks, go-cart tracks, drag strips shall meet the following standards:

- (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of a race track, go-cart track or drag strip.
- (b) **Street access.** The site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.
- (c) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.
- (d) **Days and hours of operation.** Approval for a race track, go-cart track or drag strip shall specify the days and hours of operation.
- (e) **Separation requirements.** These facilities shall be located a minimum of five hundred feet (500') from the boundary of any residentially zoned property.
- (f) **Noise impacts.** Noise impacts shall be considered and mitigated as part of the approval process.

Explanatory Note:

Def. – Race track, go-cart track, drag strip: A measured course where animals or machines are entered in competition against one another or against time, including tracks used only in the training of animals.

20. **Food services – All use types.** All food service use types listed in Table 7.2 of this Ordinance shall meet the following standards:

- (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of any food service use.
- (b) **Street access.** The site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.
- (c) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.
- (d) **Size limited – VM Village Mixed-Use District.** In the VM Village Mixed-Use District, food service uses shall be limited to a maximum floor area of five thousand (5,000) square feet. Larger floor areas may be approved as a conditional use permit.
- (e) **Buffers.** Buffers shall be installed meeting the standards in Article 5, Section 3, subsection 4, of this Ordinance.

Explanatory Note:

Def. – Food Service, limited: An informal restaurant primarily offering coffee, tea, and other beverages, and where light refreshments and limited menu meals may also be sold.

21. **Food services - Drive-through accessory to food service.** In addition to the standards in subsection 20., above, a drive-through accessory to a principal food service use shall meet the following standards:

- (a) **Materials.** Drive-through structures and canopies shall be constructed from the same materials as the principal building, with a similar level of architectural quality and detailing.
- (b) **Circulation.** Site design shall accommodate a logical and safe vehicle and pedestrian circulation pattern. Adequate stacking space shall be provided.
- (c) **Noise.** The public address system, if provided, shall not be audible from any residential parcel.



- (d) **Location –VM District.** In the VM Village Mixed-Use District, drive-through facilities shall be placed to the rear of the principal building to the extent feasible, or recessed behind the primary street-facing façade.

Explanatory Note:

Def. – Drive-through accessory to food service: An establishment where some or all of the meals or food are prepared for customers to take off the premises.

22. **Food services - Entertainment accessory to food service.** In addition to the standards in subsection 20, above, entertainment that is accessory to a principal food service use shall meet the following standards:

- (a) **Noise.** Noise impacts on nearby properties shall be considered and mitigated as part of the site plan review process.

Explanatory Note:

Def. – Entertainment accessory to food service: Music, theater, dancing, or other entertainment offered for a fee or free of additional charge in bars, taverns, or restaurants, where entertainment is not the primary revenue producing activity.

23. **Lodging - Bed and breakfast.** Bed and breakfast facilities shall meet the following standards:

- (a) **Location.** The facility shall be located in a single-family detached dwelling.
- (b) **Number of bedrooms.** A maximum of four (4) bedrooms may be rented to guests.
- (c) **Guest register.** The facility shall maintain a guest register open to inspection by the County.
- (d) **Other regulations.** The facility shall meet all applicable state and federal regulations.
- (e) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.
- (Amended by Ordinance # 1-3-2011)
- (f) **Minor site plan required.** A minor site plan shall be submitted and reviewed prior to the approval of any Bed and Breakfast.

Explanatory Note:

Def. – Bed and breakfast: A private residence that offers sleeping accommodations to lodgers in 4 or fewer rooms for rent, in the innkeeper's (owner or operator) principal residence, and serves breakfasts at no extra cost to its lodgers.

24. **Lodging - Extended-stay hotel; hotel; motel; inn.** Extended-stay hotels, other hotels and motels shall meet the following standards:

- (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of an extended-stay hotel, other hotel or motel.
- (b) **Street access.** The site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.
- (c) **Access.** Vehicular access points shall create a minimum of conflict with through traffic movement.
- (d) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.
- (e) **Guest register.** The facility shall maintain a guest register open to inspection by the County.
- (f) **Location.** The site shall be in an area planned for municipal or centralized utilities, including water supply and sewage treatment. The design and construction of the facility shall enable connection to future municipal or centralized utilities with minimal cost to the municipality.



- (g) **Buffers.** Buffers shall be installed meeting the standards in Article 5, Section 3, subsection 4, of this Ordinance.
- (h) **Other regulations.** The facility shall meet all applicable state and federal regulations.

Explanatory Notes:

Def. – Extended-stay hotel: A building or structure intended as, used as, maintained as, or advertised as a place where sleeping accommodations are furnished to the public as regular roomers, primarily for periods of up to thirty (30) days.

Def. – Hotel: An establishment which is open to transient guests in contra-distinction to a boarding, rooming or lodging house; and which provides customary hotel services such as maid service, the furnishing and laundering of linen, telephone and desk service, the use and upkeep of furniture, and bellboy service.

Def. – Motel: A building or group of attached or detached buildings containing individual sleeping or living units primarily for transient occupancy. A "motel" furnishes customary services such as maid service and linen laundering and desk service, and with parking facilities conveniently located to each unit.

25. Services - Dry cleaning establishment. Dry cleaning establishments shall meet the following standards:

- (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of a dry cleaning establishment.
- (b) **Street access.** The site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.
- (c) **Access.** Vehicular access points shall create a minimum of conflict with through traffic movement.
- (d) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.
- (e) **Processing sites limited.** Within the VM, and HC Districts, the use shall provide pick-up, drop-off and alteration services only, with processing to be done elsewhere.
- (f) **Dry cleaning plants.** Within the I District, dry cleaning plants shall employ best management practices regarding the venting of odors, gas and fumes.
- (g) **Buffers.** Buffers shall be installed meeting the standards in Article 5, Section 3, subsection 4 of this Ordinance.

Explanatory Note:

Def. – Dry cleaning establishment: An establishment or business maintained for the pickup and delivery of dry cleaning and/or laundry without the maintenance or operation of any laundry or dry-cleaning equipment or machinery on the premises.

26. Services - Funeral home, mortuary. Funeral homes and mortuaries shall meet the following standards:

- (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of a funeral home or mortuary.
- (b) **Street access.** The site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.
- (c) **Access.** Vehicular access points shall create a minimum of conflict with through traffic movement.
- (d) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.



- (e) **Buffers.** Buffers shall be installed meeting the standards in Article 5, Section 3, subsection 4, of this Ordinance.

Explanatory Note:

Def. – Funeral home, mortuary: A building used for the preparation of the deceased for burial and display of the deceased and rituals connected therewith before burial or cremation. A funeral home, as defined for purposes of this code, includes a funeral chapel.

27. **Services - Mini-warehouse, self-service storage.** Mini-warehouses and self-service storage uses shall meet the following standards:

- (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of a mini-warehouse or self-service storage use.
- (b) **Street access.** The site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.
- (c) **Access.** Vehicular access points shall create a minimum of conflict with through traffic movement.
- (d) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.
- (e) **Indoor storage.** All storage shall be within completely enclosed buildings, with the exception of recreational vehicles or boats if screened from view from adjacent streets and residential properties.
- (f) **Outdoor vehicle storage.** There shall be no overnight parking or outdoor storage of trucks, trailers or moving vans except for purposes of loading and unloading and with the exception for recreational vehicles and boats in (e), immediately above.
- (g) **Loading docks prohibited.** Loading docks shall not be permitted as part of the storage building.
- (h) **Hazardous materials.** Storage of hazardous or flammable materials is prohibited.
- (i) **Building length.** The maximum length of any storage building shall be two hundred feet (200').
- (j) **Buffers.** Buffers shall be installed meeting the standards in Article 5, Section 3, subsection 4, of this Ordinance.

Explanatory Note:

Def. – Mini-warehouse, self-service storage: An area used or intended for the storage of materials, refuse, or vehicles and equipment not in service. Storage areas shall not incorporate any other areas of project development such as parking areas, landscaping, and yard areas unless specifically authorized by the applicable land use regulations.

28. **Commercial uses – All use types.** All commercial uses listed in Table 7.2 of this Ordinance shall meet the following standards:

- (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of any commercial use.
- (b) **Street access.** The site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.
- (c) **Access.** Vehicular access points shall create a minimum of conflict with through traffic movement.
- (d) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.



- (e) **Size limited – VM Village Mixed-Use District.** In the VM Village Mixed-Use District, commercial uses shall be limited to a maximum floor area of ten thousand (10,000) square feet, unless otherwise specified below.
 - (f) **Buffers.** Buffers shall be installed meeting the standards in Article 5, Section 3, subsection 4, of this Ordinance.
 - (g) **Lighting.** Any lighting used for outdoor illumination on a commercial property shall be installed to deflect light away from adjoining property and public streets. The sources of light shall be hooded or controlled so light does not shine upward nor light adjoining property.
29. **Commercial uses – General retail.** In addition to the standards in subsection 28., above, general retail uses shall meet the following standards:
- (a) **Size limited – VM Village Mixed-Use District.** Within the VM Village Mixed-Use District, general retail operations shall be limited to a maximum floor area of five thousand (5,000) square feet. Larger floor areas may be approved as a conditional use permit.
 - (b) **Outdoor displays – VM District.** Within the VM Village Mixed-Use District, no outdoor sales or display shall be allowed, except for temporary “sidewalk sales” events and seasonal displays of greenhouse and garden products.

Explanatory Note:

Def. – General retail: The selling of goods, wares, or merchandise directly to the ultimate consumer or persons without a resale license.

30. **Commercial uses – Building supplies sales.** In addition to the standards in subsection 28., above, building supplies sales shall meet the following standards:
- (a) **Size limited – VM District.** Within the VM Village Mixed-Use District, building supplies sales shall be limited to a maximum floor area of twenty thousand (20,000) square feet. Larger floor areas may be approved as a conditional use permit.

Explanatory Note:

Def. – Building supplies sales: A commercial premises on which new lumber and related new building materials are sold.

31. **Commercial uses – Furniture and appliance sales, rental, and showrooms.** In addition to the standards in subsection 28., above, furniture and appliance sales, rental, and showrooms shall meet the following standards:

- (a) **Size limited – VM District.** Within the VM Village Mixed-Use District, furniture and appliance sales, rental, and showrooms shall be limited to a maximum floor area of twenty thousand (20,000) square feet. Larger floor areas may be approved as a conditional use permit.

32. **Commercial uses – Grocery, supermarket.** In addition to the standards in subsection 28., above, groceries and supermarkets shall meet the following standards:

- (a) **Size limited – VM District.** VM Village Mixed-Use District, groceries and supermarkets shall be limited to a maximum floor area of twenty thousand (20,000) square feet. Larger floor areas may be approved as a conditional use permit.

33. **Commercial uses – Motor vehicle sales, rental.** In addition to the standards in subsection 28., above, the sale and rental of motor vehicles shall meet the following standards:

- (a) **Open sales lots.** The sale or rent of motor vehicles, trailers, campers, boats and other items that are not kept entirely within a building shall require an approved open sales lot that meets the following design standards:



- (i) Open sales lots adjacent to a public street shall be separated from the edge of sidewalk or pavement by a landscaped yard at least twenty feet (20') in width, except where driveway accesses occur.
- (b) **Repairs.** Repairs may be conducted as an accessory use, if performed within a completely enclosed building.
- (c) **Noise.** Noise impacts from outdoor speakers shall not be audible beyond the property boundary.

Explanatory Note:

Def. – Motor vehicle sales, rental: A retail business primarily housed in a structure and characterized by a mixture of related uses upon a commercial site; however, the principal use of the site shall be the marketing of new or used automobiles, whether by sale, rent, lease, or other commercial or financial means. Secondary supporting uses may also exist upon the same site, such as maintenance, repair and service areas, parts storage areas, and financial service areas.

34. Vehicle services – Automobile service station and/or convenience store. Automobile service stations, convenience stores or a combination of these two uses shall meet the following standards:

- (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of an automobile service station, convenience store or a combination of these two uses.
- (b) **Street access.** The site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.
- (c) **Access.** Vehicular access points shall create a minimum of conflict with through traffic movement.
- (d) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.
- (e) **Setbacks.** Any canopy, weather protection, pump island or building shall meet the minimum required building setback specified for the district.
- (f) **Buffers.** Buffers shall be installed meeting the standards in Article 5, Section 3, subsection 4, of this Ordinance. In addition, lot frontage on a public street shall be separated from the edge of sidewalk or pavement by a landscaped yard at least twenty feet (20') in width, except where driveway accesses occur.
- (g) **Sales area.** All goods offered for sale, other than those generally required for the operation and maintenance of motor vehicles, shall be stored, sold and displayed within a building, with the exception of beverage and snack food vending machines.
- (h) **Vehicle storage.** All vehicles awaiting repair or pickup shall be stored on the site within enclosed buildings or in defined parking spaces. All vehicles parked or stored on the site shall display a current license plate with a current license tab. Outdoor storage of automotive parts or junk vehicles is prohibited.
- (i) **Car wash.** A car wash facility, either attached or detached from the principal structure, may be permitted as an accessory use, meeting the standards for car wash in Section 34., below.
- (j) **Repair shop.** All repairs shall be performed within a completely enclosed building.
- (k) **Hazardous materials.** Storage of hazardous or flammable materials shall comply with federal and state standards. Venting of odors, gas and fumes shall be directed away from residential uses. All storage tanks shall be equipped with vapor-tight fittings to preclude the escape of gas vapors.
- (l) **Noise.** Additional controls may be established to control noise during the operation of the facility, including controls on hours of operation.



Explanatory Notes:

Def. – Automobile service station: A commercial establishment for the retail sale of fuel, lubricants, tires, and other similar products and supplies for vehicles, including minor accessory parts. It may also include minor parts installation, towing, servicing, and minor repairs of vehicles; and vehicle washing facilities and trailer rental when accessory to the above activities. Major repairs and sale of vehicles are expressly excluded.

Def. – Convenience store: A place where gasoline, motor oil, lubricants, or other minor accessories are retailed directly to the public on the premises in combination with the retailing of items typically found in a convenience market or supermarket.

35. Vehicle services – Car wash, free-standing or accessory. Free-standing or accessory car washes shall meet the following standards:

- (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of a free-standing or accessory car wash.
- (b) **Street access.** The site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.
- (c) **Access.** Vehicular access points shall create a minimum of conflict with through traffic movement.
- (d) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.
- (e) **Vehicular stacking.** Adequate stacking space for vehicles shall be provided.
- (f) **Buffers.** Buffers shall be installed meeting the standards in Article 5, Section 3, subsection 4, of this Ordinance. In addition, lot frontage on a public street shall be separated from the edge of sidewalk or pavement by a landscaped yard at least twenty feet (20') in width, except where driveway accesses occur.
- (g) **Water.** Water from the car wash shall not drain across any sidewalk or into a public right-of-way.
- (h) **Noise.** Vacuum and drying facilities shall be located in an enclosed structure or at a sufficient distance from any residential use to minimize the impact of noise. Additional controls may be established to control noise during the operation of the facility, including controls of hours of operation.

Explanatory Note:

Def. – Car wash, free-standing or accessory: A building, or portion thereof, containing facilities for the primary purpose of washing automobiles, using production line methods with a chain conveyor, blower, steam cleaning device, or other mechanical devices; or providing space, water, equipment, or soap for the complete or partial hand-washing of such automobiles, whether by operator or by customer.

36. Vehicle services – Major/minor automotive repair/body work. Major or minor automotive repair and body work uses shall comply with all of the standards listed for automobile service stations and convenience stores in Section 5. 34., above.

Explanatory Notes:

Def. – Major automotive repair/body work: General repair, rebuilding, or reconditioning of engines, motor vehicles, or trailers, including body work, framework, welding, and major painting service.

Def. – Minor automotive repair: The replacement of any part or repair of any part that does not require removal of the engine head or pan, engine transmission or differential; incidental body and fender work, minor painting and upholstering service. Above stated is applied to passenger automobiles and trucks not in excess of 7,000 pounds gross weight.



37. Accessory commercial uses - Surface parking in connection with a principal use. Accessory surface parking uses shall meet the following standards:

- (a) **Buffers – HC and GC Districts.** In the HC Highway Commercial District and GC General Commercial District, lot frontage between a surface parking area and an adjoining public street shall be separated from the edge of sidewalk or pavement by a landscaped yard at least twenty feet (20') in width, except where driveway accesses occur.
- (b) **Buffers – VM District.** In the VM Village Mixed-Use District, lot frontage between a surface parking area and an adjoining public street shall be separated from the edge of sidewalk or pavement by a landscaped yard at least ten feet (10') in width, except where driveway accesses occur.

38. Accessory commercial uses - Outdoor storage in connection with a permitted use. Accessory outdoor storage uses shall meet the following standards:

- (a) **Prohibited in setback.** Outdoor storage of materials within any structure setback area shall be prohibited.
- (b) **Screening.** Outdoor storage shall be located or screened so as not to be visible from any residential district or public road.

Explanatory Note:

Def. – Outdoor storage in connection with a permitted use: Land use used for storage of goods, materials, vehicles, or other items needed and directly associated with the permitted primary use of the site.

(Amended by Ordinance # 6-2-2008, Effective 4-1-08)

39. Recreation and Entertainment, outdoor- Baseball fields, soccer fields, tennis courts, basketball courts and skateboard parks shall meet the following standards:

- a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of baseball fields, soccer fields, tennis courts, basketball courts or skateboard parks.
- b) **Street access.** The site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.
- c) **Parking.** Parking and loading shall meet the standards in Article 5. Section 3, subsection 5.
- d) **Days and hours of operation.** Approval of baseball fields, soccer fields, tennis courts, basketball courts or skateboard parks shall specify the days and hours of operation.
- e) **Noise impacts.** Noise impacts shall be considered and mitigated as part of the approval process.
- f) **Lighting.** Any lighting used for outdoor illumination shall be installed to deflect light away from adjoining property and public streets. The sources of light shall be hooded or controlled so light does not shine upward nor illuminate adjoining property.

(Amended by Ordinance # 6-8-2014, Effective August 25, 2014)

40. Recreation and Entertainment, outdoor- paintball courses or similar facilities shall meet the following standards:

- (a) **Minor site plan required.** A minor site plan shall be submitted and reviewed prior to the approval of a proposed paintball course or similar facility.
- (b) **Street access.** The site shall have access to a road of sufficient capacity to accommodate the traffic that the use will generate.
- (c) **Parking.** Adequate parking and loading shall be provided to accommodate the projected use of the site.



- (d) **Days and hours of operation.** Approval of a paintball course or facility shall specify the days and hours of operation.
- (e) **Noise impacts.** Noise impacts shall be considered and mitigated as part of the approval process.

Section 6 Standards for Industrial Uses

1. **Manufacturing and production – All use types.** All manufacturing and production uses listed in Table 7.2 of this Ordinance shall meet the following standards:
 - (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of a manufacturing or production use.
 - (b) **Street access.** The site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.
 - (c) **Access.** Vehicular access points shall create a minimum of conflict with through traffic movement.
 - (d) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.
 - (e) **Buffers.** Buffers shall be installed meeting the standards in Article 5, Section 3, subsection 4, of this Ordinance. In addition, lot frontage on a public street shall be separated from the edge of sidewalk or pavement by a landscaped yard at least twenty feet (20') in width, except where driveway accesses occur.
 - (f) **Noise.** Additional controls may be established to control noise during the operation of the facility, including controls on hours of operation.
 - (g) **Outdoor storage prohibited.** Equipment or materials shall be completely enclosed in a permanent structure, with no outdoor storage.
 - (h) **Hours of operation.** The hours of operation shall not have an adverse impact on adjacent property owners and may be limited.
 - (i) **Winery.** A winery shall conform to the requirements in Section 5, subsection 10, of this Article.

Explanatory Note:

Def. – Manufacturing: To bring something into being by forming, shaping, combining, or altering materials.

2. **Salvage yards - Auto salvage yard, scrap yard.** A new conditional use permit shall be required for the establishment or expansion of auto salvage and scrap yards.
 - (a) **Screening.** Outdoor storage shall be located or screened so as not to be visible from any residential district or public road. A solid fence a minimum of six feet (6') in height shall be used for screening purposes.
 - (b) **Use of front yard.** No part of the front yard is to be used for the conduct of business in any manner except for parking of customer or employee vehicles.

Explanatory Note:

Def. – Auto salvage yard, scrap yard: A lot or portion thereof where waste, discarded or salvaged materials are bought, sold, exchanged, baled, stored, packed, disassembled or handled, including auto wrecking activities, building wrecking activities, used lumber places and places for storage of salvaged building materials and equipment; but not including such places where such uses are conducted entirely within a completely enclosed building.



3. **Extractive uses - Quarries, mining and other extractive uses.** This use as defined in this Ordinance includes all excavation, extraction of materials and minerals, open pits and impounding of waters. The establishment or enlargement of such a use shall require a conditional use permit.
- (a) **Application requirements.** A map of the proposed pit, excavation or impounding area shall be prepared by a professional engineer or land surveyor and filed with the application showing the confines or limits thereof, together with a plan indicating the topography and overall condition of the site after extraction is completed.
- (b) **Major site plan and CUP required.** A major site plan shall be submitted and reviewed prior to the approval of an extractive use. A conditional use permit is required for all extractive uses except the following:
- (i) Construction of ponds of less than two acres in size;
 - (ii) Stormwater detention ponds required for permitted development under this Ordinance; and
 - (iii) Extraction of materials that results in an excavation less than one (1) acre in size as measured by surface disturbance and the extracted materials are used on the lot or parcel from which they area extracted; and
 - (iv) Extraction of materials by a public agency for road construction purposes.
- (c) **Required conditions.** No conditional use permit shall be issued unless, at a minimum, the following conditions are included:
- (i) A review of the site by the Zoning Administrator once every five (5) years.
 - (ii) A fee shall be paid by the applicant at the time the application is submitted in an amount to cover the costs of the number of reviews required by the permit; the number to be determined by the length of the permit.
 - (iii) Provide a plan for phasing excavation so that no greater area than a ten (10) acre cell is open at any time.
 - (iv) Provide a plan for reclaiming areas as new phased cells are opened.
 - (v) Provide a plan specifying the amount and location of excavated materials to be stockpiled on site for any length of time.
 - (vi) Fencing of any stone quarry.
 - (vii) During operation, fence, properly guard, and keep any pit or excavation in such condition as not to be dangerous from caving or sliding banks.
 - (viii) Properly drain, fill or level any excavation, after created, so as to make the same safe and healthful.
 - (ix) Keep any pit, excavation or impounded waters within the limits for which the particular permit is granted.
 - (x) Surface water runoff from the site shall be restricted to pre-development levels. This provision does not include dewatering activities.
 - (xi) Remove excavated material from any pit or excavation, away from the premises, upon and along designated haul routes. Excavated material that is incorporated into on-site landscaping or site design may be kept on site.
 - (xii) Provide a plan for dust and noise control during operations.
 - (xiii) Provide adequate signage for public safety, such as “Trucks Hauling” signs.



- (xiv) For the purpose of retaining impounded waters, provide impoundment structures of sufficient strength and durability and maintain such structures in safe and proper condition.
 - (xv) Any stockpiling of topsoil shall be maintained to minimize erosion.
 - (xvi) Structures, storage of excavated materials or topsoil, and the excavation edge shall be setback at least one hundred feet (100') from any DNR regulated streams.
- (d) **Reclamation standards.** The following reclamation standards shall be a condition of permitting:
- (i) Grade site after extraction is completed so as to render it usable, replace topsoil, and seed where required to prevent erosion.
 - (ii) At the time of site closure, banks shall be sloped at a minimum grade of 4:1 above the water line and at least ten feet (10') below the water line.
- (e) **Financial assurance required.** As a condition of granting the permit the owner, user or applicant shall post a bond, in such form and sum as the County shall determine, with sufficient surety running to the County, conditioned to pay the County the cost and expense of repairing, from time to time, any highways, streets, or other public ways where such repair work is made necessary by the special burden resulting from hauling and travel, in removing materials from any pit, excavation or impounded waters, the amount of such cost and expense to be determined by the County Engineer; and conditioned further to comply with all the requirements of this Ordinance and the particular permit, and to pay any expense the County may incur by reason of doing anything required to be done by any applicant to whom a permit is issued.
- (f) **Renewal.** As a condition of renewal of a conditional use permit for excavation or extraction, the applicant must provide evidence of an active operation during the prior permit period.

Explanatory Note:

Def. – Quarries, mining and other extractive uses: A place where sand, soil, rock, ore, stone, and similar materials are excavated for sale or for off-tract use.

4. **Waste disposal - Recycling facility, solid waste hauling and transfer stations.** Recycling facilities and solid waste hauling and transfer stations shall meet the following standards:
- (a) **Major site plan and CUP required.** A major site plan shall be submitted and reviewed prior to the approval of a recycling facility or solid waste hauling and transfer station. A recycling facility or solid waste hauling and transfer station shall require a conditional use permit.
 - (b) **CUP length.** The conditional use permit for the facility shall be reviewed every five (5) years to determine whether the facility continues to comply with all conditions..
 - (c) **Operational plan.** An operational plan shall be developed for the facility, and subsequent activities shall be conducted in accordance with the plan.
 - (d) **Street access.** The site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.
 - (e) **Access.** Vehicular access points shall create a minimum of conflict with through traffic movement.
 - (f) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.
 - (g) **Buffers.** Buffers shall be installed meeting the standards in Article 5, Section 3, subsection 4, of this Ordinance.



- (h) **Noise.** Additional controls may be established to control noise during the operation of the facility, including controls of hours of operation.

Explanatory Notes:

Def. – Recycling facility: A site in which waste or materials which otherwise become waste are collected, separated, or processed and reused or returned to use in the form of raw materials or projects. Recycling includes, but is not limited to, the composting of yard waste which has been previously separated from other waste and collected by a sanitary facility, but does not include any form of energy recovery.

Def. – Solid waste hauling: The movement of solid waste from one location to another.

Def. – Solid waste transfer station: A fixed facility where solid waste from collection vehicles is consolidated and temporarily stored for subsequent transport to a permanent disposal site. This does not include an infectious waste incineration facility.

Section 7 Standards for Transportation and Utility Uses

1. **Transportation - Airport, heliport or private landing strip.** An airport, heliport or private landing strip shall meet the following standards:
 - (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of an airport, heliport, or private landing strip.
 - (b) **Operational plan.** An operational plan shall be developed for the facility, and subsequent activities shall be conducted in accordance with the plan.
 - (c) **Aviation standards.** An airport, heliport or private landing strip shall meet applicable state and federal aviation standards.
 - (d) **Buffers.** Buffers shall be installed meeting the standards in Article 5, Section 3, subsection 4, of this Ordinance.
 - (e) **Noise.** Additional controls may be established to control noise during the operation of the facility, including controls on hours of operation.

Explanatory Note:

Def. – Airport: Any area of land or water used or intended for use for the landing and taking off of aircraft, and any appurtenant areas used or intended for use for airport buildings or other airport facilities or right-of-ways, including all necessary taxi ways, aircraft storage and tie-down areas, hangars, and other necessary buildings and open spaces.

2. **Transportation - Motor freight terminal.** A motor freight terminal shall meet the following standards:
 - (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of a motor freight terminal.
 - (b) **Street access.** The site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.
 - (c) **Access.** Vehicular access points shall create a minimum of conflict with through traffic movement.
 - (d) **Parking.** Parking and loading shall meet the standards in Article 5, Section 3, subsection 5.
 - (e) **Buffers.** Buffers shall be installed meeting the standards in Article 5, Section 3, subsection 4, of this Ordinance.
 - (f) **Accessory uses.** Repairs and washing of vehicles may be conducted as an accessory use, if adequately screened from adjacent properties.



- (g) **Noise.** Noise impacts from outdoor speakers shall not be audible beyond the property boundary.

Explanatory Note:

Def. – Motor freight terminal: Terminals with the capability of handling a large variety of goods involving various forms of transportation and providing multimodal shipping capabilities, such as rail to truck and truck to air.

3. **Utilities - Communication towers.** Communication towers shall comply with the standards in Article 5, Section 4, subsection 11.

Explanatory Note:

Def. – Communication tower: A structure that is used primarily as a communication antenna or as a communications antenna support structure.

(Amended by Ordinance # 4-3-2012, Effective May 01, 2012)

(Amended by Ordinance # 3-3-2007, Effective April 01, 2007)

4. **Utilities – SWECS, accessory to a principal use.** Small wind energy conversion systems or meteorological towers that are accessory to a principal use shall meet the following standards:

(a) **Maximum height.**

- (i) For property sizes less than one acre the tower height shall be limited to the lesser of 80 feet or as limited by the setback requirements..
- (ii) For property sizes of one acre or more the tower height shall be limited to the lesser of 120 feet or as limited by the setback requirements.

Explanatory Notes: See §(f) below for administrative exception.

- (b) **Noise.** Wind turbines shall not exceed 60 dBA, as measured at the closest neighboring inhabited dwelling. The level, however, may be exceeded during short-term events such as utility outages and/or severe wind storms.

(Amended by Ordinance # 3-3-2010, Effective April 01, 2010)

- (c) **Compliance with FAA regulations.** Wind turbines must comply with applicable Federal Aviation Administration regulations.

- (d) **Utility notification.** No small wind energy conversion system shall be installed until evidence has been given from the utility company of the customer's intent to install an interconnected customer-owned generator to its electric distribution or transmission, under an agreement approved by and subject to regulation adopted by the Iowa Utilities Board. Off-grid systems shall be exempt from this requirement.

- (e) **Tower setback required.** An accessory wind turbine, small wind energy conversion system, or meteorological tower shall meet the following setback requirements:

- (i) **Tower setback – free standing and attached towers.** Free standing towers, or towers attached to a building, shall be located on the lot so that the distance from the base of the tower to any adjoining property line, public right-of-way, or above ground public utility lines is a minimum of one hundred percent (100%) of the tower height.
- (ii) **Tower setback – guyed towers.** Guy supported towers shall be located so that the distance from the base of the tower to any adjoining property line, public right-of-way, or above ground public utility lines is a minimum of seventy percent (70%) of the tower height. Guy wire anchors may be located anywhere within the boundaries of the parcel on which the tower is located.

- (f) **Administrative exception.** An administrative exception may be granted by the zoning administrator from subsections (a)(i), (a)(ii), (e)(i) or (e)(ii) above to increase the tower height by



up to 25% of the maximum tower height listed in subsection (a)(i) and (a)(ii), if all of the following conditions are met:

- (i) The exception is necessary to increase the height of the tower so that the bottom of the turbine rotor will clear the highest wind obstacle (i.e. rooftop, mature tree, etc.) within a 500 foot radius of the tower by 30 feet.
 - (ii) The owners and applicants shall record setback easements that conform to the setback standards in subsection (e) above on adjacent property, when required setbacks cross property lines, which restrict new development within the easements.
- (g) Application.** All required building permits shall be obtained prior to construction of an accessory wind turbine, small wind energy conversion system, or meteorological tower. Each application for a permit shall include the following information, supplied by the tower owner, operator, or contractor installing the tower:
- (i) Plans and specifications from a registered professional engineer experienced in the design and/or analysis of small wind energy conversion systems. The plans and specifications shall include:
 - (1) Tower height;
 - (2) Type of structure;
 - (3) Specification for materials used for structural elements of the tower(s);
 - (4) Name of tower manufacturer;
 - (5) Soils investigation (where required for footing design);
 - (6) A line drawing of the electrical components, as supplied by the manufacturer, in sufficient detail to allow for a determination that the design and manner of installation conforms to the National Electric Code adopted by Linn County.
 - (7) The plans and specifications shall include an engineer's stamp and signature and a statement that to the best of the engineer's knowledge, information, and belief, the proposed structure has been designed in accordance with the current Linn County Building Code and applicable ordinances as adopted by Linn County.
 - (ii) A manufacturer may submit standard plans & specifications, including soils study and foundation plans, for accessory wind turbines, small wind energy systems, or meteorological towers on a free-standing tower equal to or less than 20kW for a one-time review and stamped approval by an Iowa registered engineer as suitable for construction in any soil condition that exists in Linn County. Subsequent applications for small wind energy conversion systems equal to or less than 20kW constructed by that particular manufacturer may utilize this stamped approval in lieu of one specific to the current application.
- (h) Insurance.** Applicants shall provide evidence, in the form of a certificate of insurance satisfactory to the County, showing general liability insurance coverage for the installation and operation of the system under a standard homeowner's or standard business owner's insurance policy, separate and distinct from any insurance requirements of a public utility.
- (i) Structurally unsafe or unused towers.**
- (i) Any accessory wind turbine, small wind energy conversion system, or meteorological tower found, through inspection by the owner or by inspection of the Building Division, to be structurally unsafe and cannot be brought into compliance within sixty (60) days must be removed at the owner's expense.



- (ii) Any accessory wind turbine, small wind energy conversion system, or meteorological tower that is no longer used and maintained as a small wind energy conversion system for a period of three-hundred and sixty-five days (365) shall be removed at the owner's expense.

(j) Screening and Safety

- (i) On site vegetation shall be preserved to the maximum extent practical.
- (ii) Any climbing foot pegs or rungs below 12 feet of a freestanding tower shall be removed to prevent unauthorized climbing.
- (iii) For lattice or guyed towers, sheets of metal or wood may be fastened to the bottom tower section such that it cannot be readily climbed;
- (iv) The color of the accessory wind turbine, small wind energy system, or meteorological tower shall either be the stock color from the manufacturer or painted with a non-reflective, unobtrusive color that blends in with the surrounding environment. Approved colors include but are not limited to white, off-white, or gray.

- (k) **Signage.** No signs, other than appropriate warning signs, or standard manufacturer's or installer's identification signage, shall be displayed on a wind generator, tower, building, or other structure associated with an accessory wind turbine, small wind energy conversion system, or meteorological tower.

- (l) **Lighting.** No illumination of the accessory wind turbine, small wind energy conversion system, or meteorological tower shall be allowed unless required by the FAA.

5. Utilities – Wind farms. Wind farms shall meet the following standards:

- (a) **Major site plan and CUP required.** A major site plan shall be submitted and reviewed prior to the approval of a wind farm. A wind farm shall require a conditional use permit.

- (b) **Additional information.** In addition to all submittal requirements of a major site plan, the application for a wind farm shall include the following information, supplied by the wind farm owner, operator, or contractor installing the structure(s):

- (i) Plans and specifications from a registered professional engineer experienced in the design and/or analysis of wind towers. The plans and specifications shall include:
 - (1) Number and location of towers
 - (2) Tower height(s), and height from base to the highest point of the rotor;
 - (3) Type(s) of tower structure;
 - (4) Type(s) of materials;
 - (5) Specification for materials used for structural elements of the tower(s);
 - (6) Name of tower manufacturer;
 - (7) Soils investigation (where required for footing design);

(c) Site and Structure Requirements

- (i) **Location relative to property lines and adjoining residences.** All structures in a wind farm, including guy wire anchors shall meet the most restrictive of the following provisions:
 - (1) **Setback.** All structures in a wind farm, including guy wire anchors, shall be setback at least one-hundred feet (100') from the property lines.
 - (2) **Separation distances.** All structures in a wind farm shall be separated from a residential structure on adjoining property by at least one thousand feet (1000').



- (3) **Fall zone – free standing towers.** Free standing towers shall be located on the lot so that the distance from the base of the tower to any adjoining property line is a minimum of one hundred percent (100%) of the proposed tower height.
- (4) **Fall zone – guyed towers.** Guy supported towers shall be located so that the distance from the base of the tower to any adjoining property line is a minimum of seventy percent (70%) of the effective tower height from its base.
- (5) **Multiple towers.** Multiple towers shall be spaced apart by at least 100% of the tower height.

(Amended by Ordinance # 3-3-2010, Effective April 01, 2010)

- (d) **Compliance with FAA regulations.** Wind towers must comply with applicable Federal Aviation Administration regulations.
- (e) **Noise.** As part of the conditional use permit, additional controls may be established to control noise of the wind turbines, including establishment of appropriate setback from residential or commercial land uses.
- (f) **Lighting.** No permanent lighting is allowed on towers except as required by the FCC or the FAA.
- (g) **Interference.** Any signal interference complaints associated with wind farm towers or related equipment shall be addressed in accordance with FCC rules and procedures.
- (h) **Other permits and approvals.** All necessary permits and approvals from the Iowa Utilities Board and the Federal Energy Regulatory Commission shall be obtained.

Explanatory Note:

Def. - Wind farm: One or more wind turbines on a single parcel of land, under a contiguous easement, or interconnected upstream of a busbar and that are intended to produce power for sale to an off-site energy user other than the owner of the turbines or for sale to a regulated electric utility, municipal utility, or electric cooperative

(Amended by Ordinance # 1-2-2008, Effective April 01, 2008)

- 6. **Transportation and utilities – Water distribution facility (water tower).** Uses involving water distribution facilities (water towers) shall meet the following standards:
 - (a) **Major site plan required.** A major site plan shall be submitted and reviewed prior to the approval of a use as described in this subsection.
 - (b) **Setbacks.** The minimum required setback for water tower structures shall be the greater of the required setback for the district or the height of the water tower structure.
 - (c) **Lighting.** Any lighting used for outdoor illumination shall be installed to deflect light away from adjoining property and public streets. The sources of light shall be hooded or controlled so light does not shine upward nor light adjoining property.

(Amended by Ordinance # 1-3-2014, Effective March 17, 2014)

(Amended by Ordinance # 1-3-2016, Effective April 1, 2016)

- 7. **Utilities – Consumer scale solar installations.** Consumer scale solar installations that are accessory to a principal use shall meet the following standards:
 - (a) **Minor site plan and permits.** A minor site plan shall be submitted and reviewed prior to the approval of any ground mounted consumer scale solar installation. All required permits shall be obtained prior to construction of a consumer scale solar installation.
 - (b) **Site and structure requirements.**



- (i) **Solar access easements allowed.** Solar access easements may be filed consistent with Iowa Code section 564A.7.
- (ii) **Setback.** Ground mounted consumer scale solar installations must adhere to the minimum setback standards for accessory structures for the zoning district where the project is located. Roof mounted consumer scale solar installations must adhere to the minimum setback standards for the applicable structure type and zoning district where the project is located.
- (c) **Restrictions on solar installations limited.** Restrictive covenants for new subdivisions shall not include unreasonable restrictions on the use of solar collectors per Iowa Code section 564A.8.

Explanatory Note:

Def. – Consumer scale solar installation (accessory use). A solar panel or array mounted on a building, pole or rack that is accessory to the primary use of the parcel on which it is located and which is directly connected to or designed to serve the energy needs of the primary use.

Def. – Solar access easement. A recorded easement which provides continued access to incident sunlight necessary to operate a solar collector.

(Amended by Ordinance # 1-3-2014, Effective March 17, 2014)

8. Utilities – Utility scale solar installations.

- (a) **Purpose:** To encourage utility scale photovoltaic solar installations. Concentrating solar power (CSP) systems shall be prohibited.
- (b) **Major site plan and Conditional Use Permit required.** A major site plan shall be submitted and reviewed prior to the approval of a utility scale solar installation. A utility scale solar installation shall require a Conditional Use Permit.
- (c) **Additional information.** In addition to all submittal requirements of a major site plan and Conditional Use Permit application, the application for a utility scale solar installation shall include the following information on the site plan or in narrative form, supplied by the utility scale solar installation owner, operator or contractor installing the structure(s):
 - (i) Number, location and spacing of solar panels/arrays.
 - (ii) Planned location of underground or overhead electric lines.
 - (iii) Project development timeline which indicates how the applicant will inform adjacent property owners and interested stakeholders in the community.
 - (iv) Interconnection agreement.
 - (v) Operation and maintenance plan.
 - (vi) Decommissioning plan.
- (d) **Site and Structure Requirements**
 - (i) **Setback.** Setbacks for all structures (including solar arrays) must adhere to the minimum principal setback standards for the zoning district where the project is located; greater setbacks may be recommended absent a solar access easement agreement.



- (ii) **Screening.** A landscape buffer may be required to be installed and maintained during the life of the operation. Determination of screening requirements will be made by the Board of Adjustment as part of the review and approval process and will be based on adjacent or nearby surrounding land uses and topography.
 - (iii) **Utility Connections.** Reasonable efforts shall be made to place all utility connections from the solar installation underground, depending on appropriate soil conditions, shape and topography of the site, distance to the connection, or other conditions or requirements.
 - (iv) **Grading plan.** A grading plan shall be submitted and shall include all proposed changes to the landscape of the site (e.g., clearing, grading, topographic changes, tree removal, etc.).
 - (v) **Glare minimization.** All solar panels must be constructed to minimize glare or reflection onto adjacent properties and adjacent roadways and must not interfere with traffic, including air traffic, or create a safety hazard.
 - (vi) **Compliance with local, state and federal regulations.** Utility scale solar installations shall comply with applicable local, state and federal regulations.
 - (vii) **Appurtenant structures.** All appurtenant structures shall be subject to bulk and height regulations of structures in the underlying zoning district.
 - (viii) **Floodplain considerations.** Utility scale solar installations are considered to be maximum damage potential structures and facilities for purposes of the floodplain district regulations.
 - (ix) **Signage.** No signs other than appropriate warning signs, or standard manufacturer's, operator's or installer's identification signage, shall be displayed.
 - (x) **Fencing/security.** A security fence must be installed along all exterior sides of the utility scale solar installation and be equipped with a minimum of one gate and locking mechanism on the primary access side. Security fences, gates and warning signs must be maintained in good condition until the utility scale solar installation is dismantled and removed from the site.
- (e) **Operation and maintenance plan.** The applicant shall submit a plan for the operation and maintenance of the solar installation, which shall include measures for maintaining safe access to the installation, stormwater and erosion controls, as well as general procedures for operation and maintenance of the installation.
- (i) **Soil erosion and sediment control considerations.** The applicant agrees to conduct all roadwork and other site development work in compliance with a National Pollutant Discharge Elimination System (NPDES) permit as required by the Iowa Department of Natural Resources and comply with requirements as detailed by local jurisdictional authorities during the plan submittal. If subject to NPDES requirements, the applicant must submit the permit for review and comment, and an erosion and sediment control plan before beginning construction. The plan must include both general "best management practices" for temporary erosion and sediment control both during and after construction and permanent drainage and erosion control measures to prevent damage to local roads or adjacent areas and to prevent sediment laden runoff into waterways.
 - (ii) **Stormwater management considerations.** For the purposes of pollutant removal, stormwater rate and runoff management, flood reduction and associated impacts, the applicant shall provide a detailed analysis of pre- and post-development stormwater runoff rates for review by local jurisdictional authorities. Such review may incorporate stormwater management criteria as set



forth in the Cedar Rapids Metropolitan Area Engineering Design Standards Manual for detention of specified rainfall events, and infiltration components consistent with practices as detailed in the Iowa Stormwater Management Manual.

(Amended by Ordinance # 1-3-2016, Effective April 1, 2016)

- (iii) Ground cover and buffer areas.** Ground around and under solar arrays and in project site buffer areas shall be planted and maintained in perennial vegetated ground cover, and meet the following standards:
- (1)** Top soils shall not be removed during development, unless part of a remediation effort.
 - (2)** Soils shall be planted and maintained in perennial vegetation to prevent erosion, manage run off and build soil. Seeds should include a mix of grasses and wildflowers, ideally native to the region of the project site that will result in a short stature prairie with a diversity of forbs or flowering plants that bloom throughout the growing season. Blooming shrubs may be used in buffer areas as appropriate for visual screening.
 - (3)** Seed mixes and maintenance practices should be consistent with recommendations made by qualified natural resource professionals such as those from the Department of Natural Resources, County Soil and Water Conservation Service, or Natural Resource Conservation Service.
 - (4)** Plant material must not have been treated with systemic insecticides, particularly neonicotinoids.
- (iv) Cleaning chemicals and solvents.** During operation of the proposed installation, all chemicals or solvents used to clean photovoltaic panels should be low in volatile organic compounds and the operator should use recyclable or biodegradable products to the extent possible. Any onsite storage of chemicals or solvents shall be referenced.
- (v) Maintenance, repair or replacement of facility.** Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to emergency response officials. Any retrofit, replacement or refurbishment of equipment shall adhere to all applicable local, state and federal requirements.
- (f) Decommissioning and site reclamation plan.**
- (i)** The application must include a decommissioning plan that describes: the anticipated life of the utility scale solar installation; the anticipated manner in which the project will be decommissioned; the anticipated site restoration actions; the estimated decommissioning costs in current dollars; and the method for ensuring that funds will be available for decommissioning and restoration.
 - (ii)** The applicant shall provide the basis for estimates of net costs for decommissioning the site (decommissioning costs less salvage value). The cost basis shall include a mechanism for calculating adjusted costs over the life of the project.
 - (iii)** Restoration or reclamation activities shall include but not be limited to the following:
 - (1)** Restoration of the pre-construction surface grade and soil profile after removal of structures, equipment, graveled areas and access roads.



- (2) Re-vegetation of restored soil areas with crops, native seed mixes, plant species suitable to the area, consistent with the county's weed control plan.
- (3) For any part of the energy project on leased property, the plan may incorporate agreements with the landowner regarding leaving access roads, fences, gates or repurposed buildings in place or regarding restoration of agricultural crops or forest resource land. Any use of remaining structures must be in conformance with the regulations in effect at that time.
- (iv) Following a continuous 1 year period in which no electricity is generated, or if substantial action on the project is discontinued for a period of 1 year, the permit holder will have 1 year to complete decommissioning of the utility scale solar installation. Decommissioning shall be completed in accordance with the approved decommissioning plan. The land owner or tenant must notify the County when the project is discontinued.

