

CITY OF GRUNDY CENTER, IOWA
ZONING ORDINANCE

ORDINANCE NUMBER 561

AN ORDINANCE REPEALING CHAPTER 165, GRUNDY CENTER ZONING ORDINANCE, ZONING REGULATIONS IN THE CITY CODE OF GRUNDY CENTER, INCLUDING THE OFFICIAL ZONING MAP AND ALL AMENDMENTS THERETO; AND

ENACTING THE FOLLOWING ZONING ORDINANCE IN LIEU THEREOF AS NEW ORDINANCE NUMBER 561, THE CITY OF GRUNDY CENTER, IOWA ZONING ORDINANCE, CHAPTER 165 OF THE CITY CODE. NEW ORDINANCE NUMBER 561 IS AN ORDINANCE CREATING UPDATED ZONING REGULATIONS FOR THE PURPOSE OF PROTECTING HEALTH, WELFARE, AND PUBLIC SAFETY WITHIN THE CITY OF GRUNDY CENTER, IOWA.

Recommended for Adoption by
Grundy Center Planning and Zoning Commission
On: December 20th, 2021

Adopted by
Grundy Center City Council
On: April 4, 2022

Effective Date:
April 15, 2022

Prepared by the
Iowa Northland Regional Council of Governments

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CITY OF GRUNDY CENTER, IOWA

ZONING ORDINANCE

ORDINANCE NUMBER 561

BE IT ORDAINED BY THE CITY COUNCIL, OF THE CITY OF GRUNDY CENTER, GRUNDY COUNTY, IOWA: AN ORDINANCE REPEALING: GRUNDY CENTER ZONING ORDINANCE, OR CHAPTER 165, ZONING REGULATIONS OF THE CITY CODE OF GRUNDY CENTER, INCLUDING THE OFFICIAL ZONING MAP AND ALL OF THE AMENDMENTS THERETO; AND

ENACTING THE FOLLOWING ZONING ORDINANCE IN LIEU THEREOF AS NEW ORDINANCE NUMBER 561, THE CITY OF GRUNDY CENTER, IOWA ZONING ORDINANCE, CHAPTER 165 OF THE CITY CODE. NEW ORDINANCE NUMBER 561 IS AN ORDINANCE CREATING UPDATED ZONING REGULATIONS FOR THE PURPOSE OF PROTECTING HEALTH, WELFARE, AND PUBLIC SAFETY WITHIN THE CITY OF GRUNDY CENTER, IOWA.

ARTICLE I

TITLE, PURPOSE, NATURE, AUTHORITY, IOWA OPEN MEETINGS LAW, AND DEFINITIONS

Section 1.00 **TITLE**

This Ordinance shall be known as and may be referred to and cited as Ordinance Number 561, “The City of Grundy Center, Iowa Zoning Ordinance”. It is adopted in accordance with the Grundy Center Comprehensive Plan.

Section 1.01 **PURPOSE**

The various use districts which are created by this Ordinance and the various articles and sections of this Ordinance are adopted for the purpose, among others, of:

1. Implementing the Comprehensive Plan for the City of Grundy Center, Iowa;
2. Promoting the public health, safety, comfort, general welfare, and preserving the natural, scenic and historically significant areas of the City;
3. Helping to achieve greater efficiency and economy of land development by promoting the grouping of those activities which have similar needs and are compatible;
4. Encouraging such distribution of population, classification of land use, and distribution of land development throughout the city that will tend to facilitate adequate and economic provision of transportation, communication, water supply, drainage, sanitation, education, recreation, and other public requirements;
5. Lessening or avoiding congestion in the public streets and highways;
6. Seeking to protect against fire, explosion, noxious fumes, flood, panic, and other dangers in the interest of public health, safety, comfort, and general welfare;
7. Helping to ensure that all residential, commercial, and manufacturing structures as well as other types of structures will be accessible to fire fighting and other emergency equipment;
8. Prohibit the formation or expansion of nonconforming uses of land, buildings, and structures which are adversely affecting the character and value of desirable development in each district;

9. Promoting the development of residential neighborhoods which are free of noise, dust, fumes and heavy traffic volumes in which each dwelling unit is assured of light, air, and open spaces;
10. Helping to prevent land development activities which lead to roadside blight, and to minimize the effects of nuisance producing activities;
11. To prevent, whenever possible, land boundary disputes or real estate title problems;
12. To provide for a balance between the land use rights of individual landowners and the economic, social, and environmental concerns of the public when a city is developing or enforcing land use regulations;
13. Promoting and guiding the continued growth and expansion of the City while protecting the natural, economic, historic and scenic resources of the City;
14. Conserving the taxable value of land and buildings throughout the City; and
15. Defining the powers and duties of the Zoning Administrator and other bodies, as provided herein.

Section 1.02 NATURE

This Ordinance classifies and regulates the use of land, buildings, and structures within the corporate limits of the City of Grundy Center, Iowa, and hereinafter set forth. The regulations contained herein are necessary to promote the health, safety, convenience, and welfare of the inhabitants, and to preserve the natural, scenic and historically significant areas of the City by dividing the City into zoning districts and regulating therein the use of the land and the use and size of the buildings as to height and number of stories, the coverage of the land by buildings, the size of yards and open spaces, the location of buildings, and the density of population.

Section 1.03 AUTHORITY

The authority for this Ordinance is granted by the Code of the State of Iowa, Chapter 414.

Section 1.04 IOWA OPEN MEETINGS LAW

The Grundy Center Planning and Zoning Commission and Board of Adjustment, which are public bodies, are subject to the terms, regulations, and restrictions of the Iowa Open Meeting Law, Chapter 21 of the Code of Iowa as amended. Wherever in this Ordinance a conflict appears between the Ordinance and the open meeting law, the open meeting law shall control.

Section 1.05 DEFINITIONS

For the purpose of the Ordinance and in order to carry out the provisions contained herein, certain words, terms, phrases, and illustrations are to be interpreted and defined herein.

Words used in the present tense shall include the future tense; the singular number includes the plural, and the plural number includes the singular. The word "lot" includes the word "plot" or "parcel" and the word "building" includes "structure". The word "shall" is mandatory; the word "may" is permissive. The following words, terms, and phrases are hereby defined and shall be interpreted as such throughout these regulations. Terms not herein defined shall have the meaning customarily assigned to them.

1. Accessory Building or Use: A building or use on the same lot with, and of a nature customarily incidental and subordinate to, the principal building or use. An accessory building shall be a minimum of six (6) feet away from other buildings or structures.

2. Alley: A public way, other than a street, twenty (20) feet in width affording secondary means of access to abutting property.
3. Apartment: A room or suite of rooms used as the dwelling of a household, including bath and culinary accommodations, located in a building in which there are three (3) or more such rooms or suites.
4. Appeal: A request for review of the Zoning Administrator's interpretation of any provision of this Ordinance.
5. Auto Body Repair Shop: Any building, structure or land used for automobile body repair, restoration, and painting.
6. Basement/Cellar: A basement shall be a portion of a building having two (2) or more of its sides below grade. A basement or cellar is not included in computing the number of stories for the purpose of height measurement.
7. Bed and Breakfast: An owner-occupied dwelling unit that contains no more than three (3) guest rooms where lodging, with or without meals, is provided for compensation.
8. Block: An area of land within a subdivision that is entirely bounded by streets, railroad rights-of way, rivers, tracts of public and, or the boundary of the subdivision.
9. Billboard: A type of sign having more than one hundred (100) square feet of display surface which is either erected on the ground or attached to or supported by a building or structure.
10. Board of Adjustment: "Board of Adjustment" shall mean the Zoning Board of Adjustment of the City of Grundy Center, Iowa.
11. Boarding, Rooming, and Lodging House: A building other than a hotel where, for compensation and by arrangement, meals, lodging are provided for three (3) or more persons on a weekly basis.
12. Building: Any structure designed or built for supporting, enclosing, or sheltering of any use or occupancy. This definition does not include signs of any type.
13. Building Code: The Uniform Building Code (U.B.C) promulgated by the International Conference of Building Officials.
14. Building Height: The vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the highest point of the building or roof line for gable, hip and gambrel roofs. The only exceptions to the building height requirements set forth in this Ordinance appear in Section 16.01.
15. Building Line: A line on a plat between which line and a street, alley, or private place no building or structure may be erected.
16. Building Official: The officer or other designated authority charged with the administration and enforcement of the Building Code as well as elements of the Zoning Ordinance as designated by the City Council in the City of Grundy Center.

17. Car Wash: A building, or portion thereof, containing facilities for washing two (2) or more 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 a customer.
18. Carport: A roofed structure providing space for the parking of motor vehicles and enclosed on not more than three (3) sides. A carport attached to a principal building shall be considered a part of the principle building and subject to all yard requirements therein.
19. Channel: A natural or human-made open watercourse with definite bed and banks which periodically or continuously contains moving water; or which forms a connecting link between two (2) bodies of water.
20. Child Care Center (Institutional): Any establishment or institution, such as a church or non-profit organization, which receives three (3) or more children under the age of sixteen (16) years for care apart from their natural parents, legal guardian, or custodians, when received for regular periods of time for compensation. An institutional childcare center shall not be conducted in a dwelling unit or private home.
21. Child Care Center (Home): An organization located in a dwelling unit, or private home, which provides care services for children under the age of sixteen (16) years for care apart from their natural parents, legal guardian, or custodians, when received for regular periods of time for compensation. For the purposes of this Ordinance, a childcare center in the home shall be considered a “home occupation” and shall follow the provisions outlined in this Ordinance.
22. City Engineer: “City Engineer” shall mean the professional engineer registered in the State of Iowa designated as City Engineer by the City Council or other hiring authority.
23. Clinic: A building or buildings used by physicians, dentists, veterinarians, osteopaths, chiropractors, and allied professions for out-patient care of persons requiring such professional service.
24. Common Sewer System: A central sewer collecting system, if available, to each platted lot and discharging into a treatment plant, the construction and location of which is approved by the City and County or State Boards of Health.
25. Common Water System: A central water supply system, if available, to each platted lot from one single source approved by the City and County or State Boards of Health.
26. Comprehensive Plan: The general plan for the development of the community, which may be titled master plan, comprehensive plan, or some other title, which has been adopted by the City Council. Said Comprehensive Plan shall include any part of such plan separately adopted, and any amendment to such plan or parts thereof.
27. Consignment and Auction Sales Operations: A business which, on an ongoing basis, stores and sells personal property as well as others to the public either indoors or outdoors.
28. Contiguous: Adjoining or lying next to.
29. Convenience Store: A retail store that is designed and stocked to sell primarily food, beverages, and other household supplies to customers who purchase only a relatively few items. It is designed to attract and depends on a large volume of stop-and-go traffic.

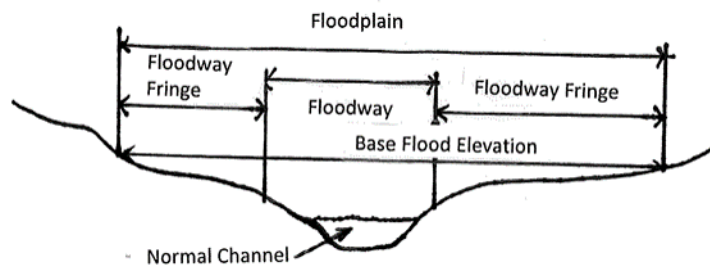
30. Court: An open, unobstructed, and unoccupied space other than a yard which is bounded on two (2) or more sides by a building on the same lot.
31. Cul-de-sac: A street having one end connecting to another street, and the other end terminated by a vehicular turn around with a radius of not less than sixty (60) feet.
32. Curb line: The line at the face of the curb nearest to the street or roadway. In the absence of a curb, the curb line shall be established by the jurisdiction's engineer.
33. Deck: An outdoor structure that is attached to a house or accessory building which is generally constructed of wood and used for recreational or relaxation purposes. A deck is not an accessory building unless it is a minimum of six (6) feet away from other buildings or structures. An attached deck shall be considered part of the principal building for setback measurement purposes.
34. Developer: The legal or beneficial owner or owners of a lot or of any land included in a proposed development including the holder of an option or contract to purchase, or other persons having enforceable proprietary interests in such land.
35. Development: Any human-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations or storage of equipment or materials.
36. Developmentally Disabled: For the purpose of the 'family home' provisions of this Ordinance, a disability of a person which has continued or can be expected to continue indefinitely and which is one of the following.
- (a) Attributable to mental retardation, cerebral palsy, epilepsy, or autism.
 - (b) Attributable to any other condition found to be closely related to mental retardation.
 - (c) Attributable to dyslexia resulting from a disability.
 - (d) Attributable to a mental or nervous disorder.
37. District: A section or sections of the City within which certain uniform regulations and requirements governing the use of buildings and premises or the height and areas of buildings and premises are uniform.
38. Drive-in Restaurant or Refreshment Stand: Any place or premises principally used for the sale, dispensing, or serving of food, refreshment, or beverages in automobiles, including those establishments where customers may serve themselves and may eat or drink the food, refreshments, or beverages on or off the premises.
39. Driveway: A private roadway, providing access for vehicles to a parking space, garage, dwelling or other structure.
40. Dump/Landfill: A premises used for the disposal of "clean" type of fill material or refuse, such as dirt, rocks, bricks, concrete, rubble, tree branches, and similar materials, but not including organic matter of any type, such as garbage or dead animals or portions thereof.

41. Dwelling: Any building or portion thereof which is designed for, or used for, residential purposes and is a minimum of twenty-four (24) feet in width. A dwelling does not include a tent, cabin, trailer, or mobile home. A dwelling is constructed of conventional materials such as brick, block, and wood. A dwelling shall not be constructed with discarded or salvaged materials.
42. Dwelling, Attached: A dwelling that is physically attached by a common roof, wall, or floor to another dwelling or accessory building.
43. Dwelling, Condominium: A multiple-family dwelling as defined herein whereby the title to each dwelling unit is held in separate ownership, and the real estate on which the units are located is held in common ownership solely by the owners of the units with each owner having an undivided interest in the common real estate.
44. Dwelling, Detached: A dwelling which is not attached to any other dwelling or accessory building by any means. The detached dwelling does not have any roof, wall, or floor in common with any other dwelling unit or accessory building and is a minimum of six (6) feet away from other buildings or structures.
45. Dwelling, Multiple-Family: A residential building designed for occupancy by three (3) or more families, with separate housekeeping and cooking facilities for each.
46. Dwelling, Row: Any one of three (3) or more attached dwellings in a continuous row, each dwelling designed and erected as a unit on a separate lot and separated from one another by an approved wall or walls. Also referred to as a "townhouse".
47. Dwelling, Single-Family: A detached residential dwelling unit, other than a mobile home, designed for occupancy by one (1) family only. Single-family dwelling shall include a "manufactured home", as herein defined.
48. Dwelling Two-Family/Duplex: A detached residential building containing two (2) dwelling units, designed for occupancy by not more than two (2) families with separate housekeeping and cooking facilities for each.
49. Dwelling Unit: A dwelling which consists of one (1) or more rooms which are arranged, designed, or used as living quarters for one (1) family only.
50. Earth Home: An earth home is a structure that is built for habitation below the finished or natural grade on two (2) or more sides and is constructed with passive solar energy generation in mind. An earth home is to be considered a single-family dwelling for the purposes of this Ordinance. This definition is not to be confused with the definition of a basement or cellar.
51. Easement: A grant of one (1) or more of the property rights by the property owner to and/or for the use by the public, a corporation, or another person or entity.
52. Economic Base: The production, distribution and consumption of goods and services within a planning area.
53. Egress: An exit.
54. Elder Home: A home for elderly residents that conforms to the definition of 'family home' in this Ordinance.
55. Eminent Domain: The authority of a government to take, or to authorize the taking of, private property for public use for just compensation.

56. Environmental Impact Statement (EIS): A statement on the effect of development proposals and other major activities which significantly affect the environment.
57. Essential Services: The erection, alteration, or maintenance, by public utilities, municipal or other governmental agencies, of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith; reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies for the public health, safety or general welfare of the City of Grundy Center. All buildings or telecommunication towers associated with 'essential services' however, must abide by this Ordinance (see Section 3.08).
58. Exotic Animals: Domesticated animals kept for commercial or personal purposes that are not common domesticated animals including, but not limited to: emus, ostriches, llamas, monkeys, snakes, spiders, chinchillas, and mink.
59. Factory-Built Home/Mobile Home: A structure, transportable in one or more sections, which is at least eight (8) feet in width and thirty-two (32) feet in length, built on a permanent chassis and which is designed to be used as a dwelling unit. A factory-built home or mobile home may be used with or without a permanent foundation when connected to utilities. The term factory-built home or mobile home does not include "recreational vehicle."
60. Factory-Built Home Park or Subdivision / Mobile Home Park: A parcel (or contiguous parcels) of land divided into two (2) or more factory-built home lots for rent or sale.
61. Family: One (1) or more persons occupying a single dwelling unit, provided that all members are related by blood, marriage, or adoption.
62. Family Home: A community-based residential home which is licensed as a residential care facility licensed under Chapter 135C of the Code of Iowa or as a child foster care facility under Chapter 237 of the Code of Iowa to provide room and board, personal care, habilitation services, and supervision in a family environment exclusively for not more than eight (8) developmentally disabled persons and any necessary support personnel. A "family home" does not mean an individual foster care family as licensed under Chapter 237 of the Code of Iowa.
63. Farm or Farmland: A parcel of land used for agricultural purposes and the growing and production of all agricultural products thereon, and their storage on the area, or for the raising thereon of livestock. For the purposes of this Ordinance a "farm" shall consist of thirty-five (35) or more contiguous acres, exclusive of streets and roads.
64. Farm Animal: Animals useful to humans, including but not limited to: dairy animals, poultry, livestock, including beef cattle, sheep, swine, horses, ponies, mules, or goats or any mutations or hybrids thereof, including the breeding and grazing of any or all of such animals; bees, fish, and fur animals but not including rabbits kept as pets.
65. Feasibility Study: An analysis of a specific project or program to determine if it can be successfully carried out.

66. Feedlot/Confinement: Any parcel of land or premises on which the principal use is the concentrated feeding and growth of livestock such as: cattle, hogs, sheep, or poultry within a confined area. The term does not include areas which are used for the raising of crops or other vegetation, and upon which livestock are allowed to graze or feed.
67. Fence, Residential: A barrier and/or structure erected in an “R” District intended to provide security, mark a boundary, or as a means of landscaping. Such fence shall be constructed of materials commonly used for landscape fencing such as masonry block, lumber, chain link, but shall not include corrugated sheet metal, barbed wire, or salvage material.
68. Fence, Non-Residential: A barrier and/or structure erected in a district other than an “R” District intended to provide security, mark a boundary or a means of landscaping. No such fence is constructed of salvaged material or uses barbed wire closer than six (6) feet to the ground except a fence used purely for agricultural purposes.
69. Flood or Flooding: A general and temporary condition of partial or complete inundation of normally dry land areas from: (1) The overflow of inland or tidal waters; (2) The unusual and rapid accumulation or runoff of surface waters from any source.
70. Floodplain: Any land area susceptible to being inundated by water from any source (see Figure 1).

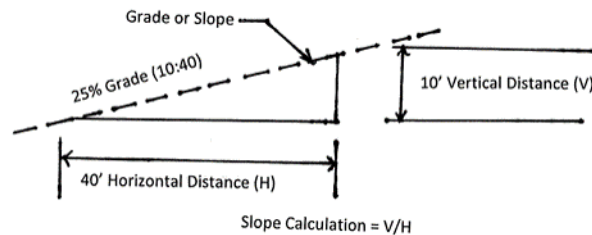
Figure 1: Floodplain Definitions



71. Floor Area: In the case of merchandising or service types of uses, “floor area” shall mean the gross floor area used or intended to be used by tenants, or for service to public or customers, patrons or clients, but shall not include areas used principally for non-public purposes, such as toilet or rest room, utilities, or dressing rooms.
72. Floor Area Ratio: The gross floor area of all buildings on a lot divided by the lot area on which the building or buildings are located.
73. Frontage: That side of a lot abutting on a street; the front lot line. The 'front' of a building shall be considered that portion of the building fronting on the street from which the building's address is derived.
74. Garage, Private: An accessory building designed or used for the storage of motor-driven vehicles owned and used by the occupants of the primary building.

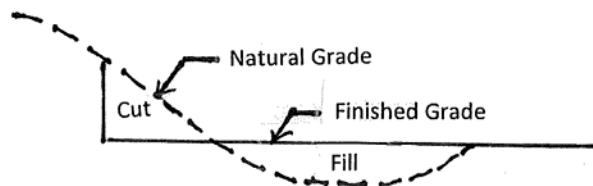
75. Garage Public: A building or portion thereof other than a private or storage garage, designed or used for equipping, servicing, repairing, hiring, selling, or storing motor-driven vehicles.
76. Garage Storage: A building or portion thereof designed or used exclusively for term storage by prearrangement of motor-driven vehicles, as distinguished from daily storage furnished transients, and at which motor fuels and oils are not sold, and motor-driven vehicles are not equipped, repaired, hired, or sold.
77. Gas Station: Any building, structure or land used for the dispensing, sale, or offering for sale at retail of any vehicular fuels, oils, or accessories and in connection with which is performed general vehicular servicing as distinguished from automotive repairs.
78. Governing Body: The City Council of the City of Grundy Center, Iowa.
79. Grade: The degree of rise or descent of a sloping surface (see Figure 2).

Figure 2: Grade or Slope



80. Grade, Finished: The final elevation of the ground surface after development (see Figure 3).
81. Grade, Natural: The elevation of the ground surface in its natural state before human-made alterations (see Figure 3).

Figure 3: Grade or Shape; Cut and Fill Cross Section

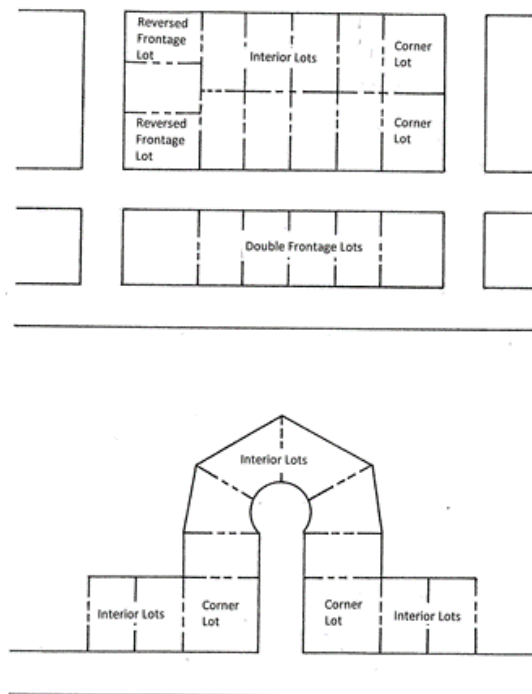


82. Group Care Facility: A facility which provides resident services to nine (9) or more individuals of whom one or more are unrelated. These individuals are aged, disabled, or are undergoing rehabilitation, and are provided services to meet their needs. This category includes any licensed or supervised federal, state or county health/welfare agencies, such as group homes, halfway houses, resident schools, resident facilities, and foster or boarding homes.
83. Historic Preservation: The protection, rehabilitation, and restorations of districts, sites, buildings, structures, and artifacts significant in American history, architecture, archaeology, or culture.
84. Historic Structure: Any structure that is: (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (i) By an approved state program as determined by the Secretary of the Interior or (ii) Directly by the Secretary of the Interior in states without approved programs.
85. Home Occupation: An occupation or profession conducted entirely within an enclosed dwelling unit which is clearly incidental and secondary to residential occupancy and does not change the character thereof.
86. Home Industry: An occupation or profession conducted entirely within an enclosed accessory building(s) and/or dwelling unit which is clearly incidental and secondary to the residential occupancy and does not change the character thereof.
87. Hotel: A building in which lodging is provided and offered to the public for compensation, and which is open to transient guests, in contradistinction to a boarding house or rooming house.
88. Household: A group of persons living together in a single "dwelling unit", with common access to, and common use of, all living and eating areas and all areas and facilities for the preparation and storage of food within the dwelling unit.
89. Improvements: Changes to land necessary to prepare it for building sites including but not limited to grading, filling, street paving, curb paving, sidewalks, walk ways, water mains, sewers, storm sewers, sanitary sewers, drainage ways, and other public works and appurtenances.
90. Ingress: Access or entry.
91. Institution: A nonprofit or quasi-public use or institution such as church, library, public or private school, hospital, or municipally owned or operated building, structure or land used for public purposes.
92. Junk or Salvage: Scrap copper, brass, rope, rags, batteries, paper trash, tires and rubber debris, waste, appliances, furniture, equipment, building demolitions materials, structural steel materials, or similar materials. This definition shall also include junked, dismantled, or wrecked motor vehicles, or parts of motor vehicles, and iron, steel, or other scrap ferrous or nonferrous material.

93. Junk or Salvage Yard: Any area where junk or salvage is bought, sold, exchanged, baled or packed, disassembled, kept, stored, or handled. This definition shall also include auto or other vehicle or machinery wrecking or the processing of used, discarded, or salvaged materials as part of a manufacturing operation located on the same property, and contractor's storage yards. The presence on any lot, parcel, or tract of land of two (2) or more unlicensed, wrecked, scrapped, ruined, dismantled, or inoperative vehicles, including implements of husbandry, shall constitute prima facie evidence of a junk or salvage yard. This shall not include motor vehicles licensed for the current year as provided by law, or motor vehicles legally placed in storage, if kept completely enclosed within a building.
94. Kennel, Dog (Commercial): Any parcel of land on which three (3) or more dogs, six (6) months old or older are kept for the purposes of breeding, grooming, boarding or other activities associated with the care of dogs for commercial purposes.
95. Kennel, Dog (Private): Any parcel of land on which three (3) or more dogs are kept, however, this shall not include breeding, grooming, boarding or other activities associated with the care of dogs other than the owner's dogs.
96. Laundromat: An establishment providing washing, drying and/or dry-cleaning machines on the premises for rental use to the general public for family laundering and/or dry-cleaning purposes.
97. Loading Space: An off-street space or berth used for the loading or unloading of vehicles.
98. Lot: A lot is a parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage, and area to provide such yards and other open space as are herein required. Such lot shall have frontage on a public street or private street and may consist of: (a) A single lot of record; (b) A portion of a lot of record; (c) A combination of complete lots of record; of complete lots of record and portions of lots of record; or of portions of lots of record; and (d) A parcel of land described by metes and bounds; provided that in no case of division or combination shall any residual lot or parcel be created which does not meet the requirements of this Ordinance.
99. Lot Area: The total area within the lot lines of a lot, excluding any street rights-of-way.
100. Lot, Corner: A lot abutting upon two (2) or more streets at their intersections (See Figure 4).
101. Lot Depth: The mean horizontal distance between the front and rear lot lines.
102. Lot, Double Frontage: A lot having a frontage on two (2) nonintersecting streets, as distinguished from a corner lot (See Figure 4).
103. Lot, Flag: A lot not fronting on or abutting a public road and where access to the public road is by a narrow, private or public right-of-way.
104. Lot Frontage: The length of the front line measured at the street right-of-way line.
105. Lot, Interior: "Interior lot" means a lot other than a corner lot (See Figure 4).
106. Lot Line: A line of record bounding a lot which divides one lot from another lot or from a public or private street or any other public space.

107. Lot Line, Rear: The lot line opposite and most distant from the front lot line; or in the case of triangular or otherwise irregularly shaped lots, a line ten (10) feet in length entirely within the lot, parallel to and at a maximum distance from the front lot line.
108. Lot Line, Side: Any lot line other than a front or rear lot line.
109. Lot line, Zero: A zero-lot-line property is a building that comes to the very edge of the property line on at least one side. In a zero-lot-line housing development, units may be attached to one another, leaving no room for a yard. Most townhouse developments are built on zero-lot lines. In some cases, there may be a yard between the units, but the exterior wall of one home sits on the lot line of the neighbor's property or yard.
109. Lot, Minimum Area of: The smallest lot area established by the Zoning Ordinance on which a use or structure may be located in a particular district.
110. Lot of Record: A lot, which is a part of a subdivision, the plat of which has been recorded in the office of the County Recorder of the County in which it is located.
111. Lot Width: Lot width is measured at the building line at right angles to its depth.

Figure 4: Examples of Lot Definitions



112. Lumber Yard: A premises on which primarily new lumber and related building materials are sold.
113. Massage Establishment: Any place of business wherein massage (as the practice of a profession, scientifically applied to the patient by massage therapist's hands) is administered or used.
114. Manufactured Home: A single-family structure which is manufactured or constructed under the authority of 42 U.S.C. Section 5403, National Manufactured Home Construction and Safety Standards Act of 1974, and is to be used as a place for human habitation, but which is not constructed with a permanent hitch or other device allowing it to be moved other than for the purpose of moving it to a permanent site, and which does not have permanently attached to its body or frame any wheels or axles. For the purpose of these regulations, a manufactured home built after June 15, 1976, shall bear the seal certifying that it is in compliance with the National Manufactured Home Construction and Safety Standards Act of 1974. For the purpose of these regulations, a manufactured home shall be subject to the same standards as a site-built dwelling.
115. Manufacturing: Establishments engaged in the mechanical or chemical transformation of materials or substances into new products including the assembling of component parts, the manufacturing of products, and the blending of materials such as lubricating oils, plastics, resins or liquors.
116. Mobile Home: See "Factory-Built/Mobile Home," (Section 1.05.59).
117. Motor Court or Motel: A building or groups of buildings used primarily for the temporary residence of motorists or travelers with parking facilities conveniently located to each unit, and may include a swimming pool, restaurant, meeting rooms, and other related accessory facilities.
118. Nonconforming, Use: A use or activity which was lawful prior to the adoption, revision or amendment of the Zoning Ordinance, but which fails, by reason of such adoption, revision or amendment, to conform to the present requirements of the zoning district in which it is situated.
119. Nursing, Rest, or Convalescent Home: A home for the aged, chronically ill or incurable persons in which three (3) or more persons not of the immediate family are received, kept, or provided with food, shelter and care, for compensation; but not including hospitals, clinics, or similar institutions devoted primarily to the diagnosis, treatment, or care of the sick or injured.
120. Overhang: The part of a roof or wall which extends beyond the facade of a lower wall.
121. Overlay District: A district in which additional requirements act in conjunction with the underlying zoning district(s). The original zoning district designation does not change.
122. Owner: The legal entity holding title to the property being subdivided, or such representative or agent as is fully empowered to act on its behalf.
123. Parcel: A part of a tract of land.
124. Parking Lot: A parcel of land devoted to unenclosed parking spaces.

125. Parking Space: A surfaced area, enclosed in the principal building, an accessory building, or an unenclosed area of not less than one hundred eighty (180) square feet exclusive of driveways, permanently reserved for the temporary storage of one (1) automobile and connected with a street or alley by a surfaced driveway which affords satisfactory ingress and egress for automobiles.
126. Planning and Zoning Commission: “Planning and Zoning Commission” shall mean the Planning and Zoning Commission of the City of Grundy Center, Iowa.
127. Place: An open unoccupied space, or a public or private thoroughfare other than a street or alley, permanently reserved as the principal means of access to abutting property.
128. Principal Use: The main use of land or structures as distinguished from an accessory use.
129. Recreational Vehicle: A vehicle which is: (a) built on a single chassis; (b) four hundred (400) square feet or less when measured at the largest horizontal projection; (c) designed to be self-propelled or permanently towable by a light duty truck, and (d) designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational, camping and travel use and including but not limited to travel trailers, truck campers, camping trailers and self-propelled motor homes.
130. Restaurant: An establishment that prepares and retails food for consumption on the premises or for carry-out.
131. Rights-of-Way: The land area, which is secured or reserved by the contracting authority, that is to be used for road, rail, or other transportation purposes.
132. Satellite Dish Antenna: A satellite receiver, a satellite around dish antenna, or a satellite rooftop antenna which may or may not be able to rotate to enable the “dish” to aim at different satellites for the purpose of television reception.
133. Screening: Either: (a) a strip of land at least ten (10) feet wide, densely planted (or having equivalent natural growth) with shrubs or trees at least four (4) feet high at the time of planting of a type that will form a year-round dense screen at least six (6) feet high; or (b) an opaque wall or barrier or uniformly painted fence at least six (6) feet high. Either (a) or (b) shall be maintained in good condition at all times and may have no signs affixed to or hung in relation, unless in accordance with this Ordinance.
134. Shipping Container: A large, strong container, or portable compartment in which freight is placed (as on a truck, train, or ship), which is usually constructed of metal and is used to store goods during movement, transport, or shipment. A shipping container may also be known as an “intermodal freight container”.
135. Sidewalk: A paved, or surfaced area, paralleling and usually separated from the street, used as a pedestrian walkway.
136. Sign: An identification, description, illustration, or device that is affixed to, or represented on a building, structure, or parcel of land and that directs attention to a product, place, activity, person, profession, service, institution, or business.
137. Site Plan: A plan (to scale) showing uses and structures proposed for a parcel of land as required by the regulations involved.
138. Stable, Private: A building, incidental to an existing residential, principal use, that shelters horses for the exclusive use of the occupants of the premises.

139. Stable, Public: An accessory building in which horses are kept for commercial use including boarding, hire, and sale.
140. Storage, including Mini-Storage: An area or building where property is stored for a fee.
141. Story: That portion of a building, other than a cellar, included between the surface of any floor and the surface of the floor next above it, or, if there be no floor above it, then the space between the floor and the ceiling next above it.
142. Story, First: The lowest story in a building, excluding the basement, which qualifies as a story, as defined herein, except that a floor level in a building having only one (1) floor level shall be classified as a first story, provided such floor level is not more than four (4) feet below grade for more than fifty (50) percent of the total perimeter, or not more than eight (8) feet below grade at any point.
143. Story, Half: A space under a sloping roof which has the line of intersection of roof decking and exterior wall face not more than four (4) feet above the top floor level.
144. Street or Road: Any thoroughway having a public right-of-way which is designed to channel or circulate vehicular and pedestrian traffic. The term “street” may refer to any right-of-way bounded by adjacent property lines or to the paving installed within such right-of-way.
145. Street, Arterial: A major street in the City's street system that serves as an avenue for the circulation of traffic into, out of, or around the city and carries high volumes of traffic.
146. Street, Collector: A street whose principal function is to carry traffic between minor, local, and subcollector streets and arterial streets but that may also provide direct access to abutting properties. It serves or is designed to serve, directly or indirectly, more than one hundred (100) dwelling units and is designed to be used or is used to carry more than eight hundred (800) trips per day.
147. Street, County: Any road or street owned, operated, and maintained by Grundy County.
148. Street, Local: A street whose sole function is to provide access to abutting properties. It serves or is designed to serve at least ten (10) but not more than twenty-five (25) dwelling units and is expected to or does handle between seventy-five (75) and two hundred (200) trips per day.
149. Street, Private: Any privately-owned road, street, or driveway.
150. Street Width: Street width is defined as the horizontal distance, paved or unpaved, that is located within rights-of-way.
151. Structure: A structure shall be anything constructed or built with a fixed location on the ground or attached to something having a fixed location on the ground. Among other things, structures include buildings (principal and accessory) and signs.
152. Structural Alteration: Any change in the supporting members of a building such as bearing walls, columns, beams, or girders.
153. Structural Member: A component part of a structural system required to carry the primary supportive stresses of the building to the ground, as opposed to members carrying little or

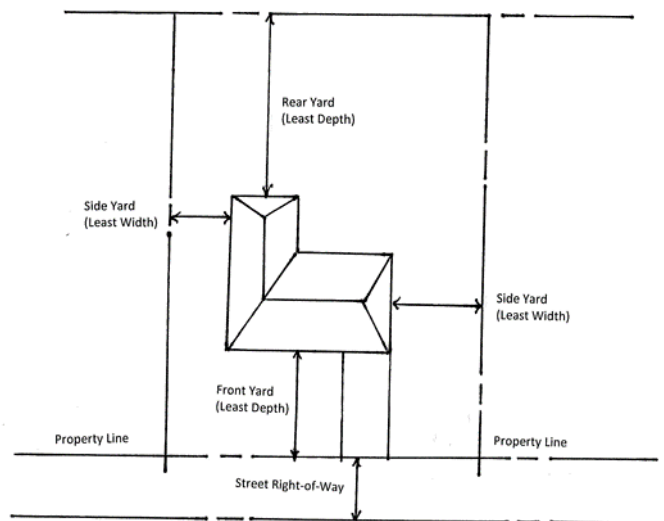
no supportive stress other than their own weight, and functioning as an in-fill or nonstructural enclosure.

154. Subdivision: Any land, vacant or improved, which is divided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots, or interests for the purpose of sale, including a sale on contract or the making of a gift, or lease, or development, including resubdivision. "Subdivision" includes the division or development of residential or non-residential zoned land, whether by deed, sale on contract, devise, intestate succession, lease, map, plat, or other recorded instrument.
155. Surveyor: A licensed land surveyor who engages in the practice of land surveying pursuant to the Code of Iowa.
156. Swimming Pool: A tank of water either above or below grade level that is designed and constructed for human occupancy.
157. Towers: Any radio, television, telephone, short-wave, cellular telephone, or microwave antenna or tower.
158. Trailer Camp or Tourist Camp: An area providing spaces for two (2) or more recreational vehicles, or tent sites for temporary occupancy, with necessary incidental services, sanitation, and recreation facilities to serve the traveling public.
159. Utilities: Systems for the distribution or collection of water, gas, electricity, wastewater, stormwater, telephone, and cablevision. See "Essential Services," (1.05.57).
160. Variance: A grant of relief to a person from the terms of this Ordinance which permits construction in a manner otherwise prohibited by this Ordinance where specific enforcement would result in unnecessary hardship.
161. Violation: The failure of a structure or other development to be fully compliant with the provisions of this Ordinance.
162. Wetlands: That classification of land subject to protection measures as indicated by the U.S. Army Corps of Engineers and/or the Iowa Department of Natural Resources.
163. Yard: An open space between a building and the adjoining lot lines unoccupied and unobstructed by any portion of a structure from thirty (30) inches above the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard, or the depth of the rear yard, the minimum horizontal distance between the lot lines and the main building shall be used (see Figure 5).
164. Yard, Front: A yard extending across the full width of the lot and measured between the front lot line and the building (see Figure 5). This area is to be considered clear area and is not to be used for storage or obstruction.
165. Yard, Rear: A yard extending across the rear of a lot and being the required minimum horizontal distance between the rear lot line and rear of the main building or any projections thereof other than the projections of uncovered steps, unenclosed balconies or unenclosed porches. On all lots the rear yard shall be in the rear of the front yard (see Figure 5).
166. Yard, Side: A yard between the main building and the side line of the lot, and extending from the required front yard to the required rear yard, and being the minimum horizontal

distance between a side lot line and the side of the main building or any projections thereto (see Figure 5).

167. **Zoning Administrator:** The administrative officer designated or appointed by the City Council to administer and enforce the regulations contained in this Ordinance.

Figure 5: Yard Definitions



ARTICLE II

ESTABLISHMENT OF DISTRICTS, ZONING MAP, BOUNDARY INTERPRETATIONS, ANNEXED TERRITORY

Section 2.00 ESTABLISHMENT OF DISTRICTS

For the purposes of this Ordinance, the City of Grundy Center is hereby organized into the following zoning districts:

Agricultural District

- “A-1” Suburban Agricultural District
- “U-1” Unclassified District

Residence Districts

- “R-1” Single Family Residential District
- “R-2” Low Density Residential District
- “R-4” Mobile Home Park District

Commercial Districts

- “C-1” Central Commercial District
- “C-2” Highway Commercial District

Manufacturing Districts

- “M-1” Light Industrial and/or Manufacturing District
- “M-2” Heavy Industrial and/or Manufacturing District

Section 2.01 ZONING MAP

The location and boundaries of the zoning districts established by this Ordinance are set forth on the map entitled “Official Zoning Map” which is located in the Grundy Center City Hall and hereby made a part of this Ordinance. Said map, together with everything shown thereon and all amendments thereto, shall be as much a part of this Ordinance as though fully set forth and described herein.

1. Official Zoning Map: The Official Zoning Map shall be identified by the signature of the Mayor, attested by the City Clerk, under the following words: “This is to certify that this is the Official Zoning Map referred to in Section 2.01 of the City of Grundy Center, Iowa Zoning Ordinance,” together with the date of adoption.
2. Changes to Official Zoning Map: If, in accordance with the provisions of this Ordinance and Chapter 414, Code of Iowa, changes are made in district boundaries or other matter portrayed on the Official Zoning Map, such changes shall be entered on the Official Zoning Map promptly after the amendment has been approved by the City Council, with an entry on the Official Zoning Map as follows: “By official action of the City Council, the following changes were made to the Official Zoning Map.” (Indicating the changes by ordinance numbers and date of publication.)
 - a. No amendment of these zoning regulations which involves matter portrayed on the Official Zoning Map shall become effective until after such change and entry has been made on said map.
3. Replacement of the Official Zoning Map: In the event that the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the City Council may by ordinance adopt a new

Official Zoning Map which shall supersede the prior Official Zoning Map. The new Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no such correction shall have the effect of amending the original Official Zoning Map or any subsequent amendment thereof.

The new Official Zoning Map shall be identified by the signature of the Mayor, attested by the City Clerk, and bearing the Seal of the City under the following words: "This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map adopted as part of Ordinance No. 561 of the City of Grundy Center, Iowa."

Unless the prior Official Zoning Map has been lost, or has been totally destroyed, the prior map or any significant parts thereof remaining shall be preserved, together with all available records pertaining to its adoption or amendment.

Section 2.02 RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES

Where uncertainty exists with respect to the precise location of any of the aforesaid districts shown on the Zoning Map, the following rules shall apply:

1. Boundaries shown as following or approximately following streets, highways, or alleys shall be construed to follow the center lines of such streets, highways, or alleys;
2. Boundaries shown as following or approximately following platted lot lines or other property lines shall be construed to follow said boundary lines;
3. Boundaries shown as following or approximately following railroad lines shall be construed to lie midway between the main tracks of such railroad lines;
4. Boundaries shown as following or approximately following the courses of streams, rivers, or other continuously flowing waters shall be construed as following either the channel center line or the mean high-water mark of such water courses;
5. Boundaries shown as following or closely following the City limits of Grundy Center shall be construed as following such city limit lines;
6. Boundaries indicated as parallel to or extensions of features indicated in subsections 2.02.01 through 2.02.06 shall be so construed. Distances not specifically indicated on the official zoning map shall be determined by the scale of the map;
7. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, the Board of Adjustment shall interpret the district boundaries;
8. Whenever any street, alley, or other public easement is vacated, the district classification of the property to which the vacated portions of land accrue shall become the classifications of the vacated land.

Section 2.03 ANNEXED TERRITORY

All territory which may hereafter be annexed to the City of Grundy Center shall be classed automatically as being in an "A-1" Suburban Agricultural District until such classification shall have been changed by amendment of this Ordinance as provided hereafter.

ARTICLE III
GENERAL PROVISIONS

Section 3.00 ZONING AFFECTS EVERY STRUCTURE

Except as hereinafter provided, no building, structure or land shall be erected, constructed, reconstructed, occupied, moved, altered, or repaired, except in conformity with the regulations herein specified for the class of District in which it is located.

Section 3.01 MINIMUM STREET FRONTAGE, LOT OF RECORD, NUMBER OF BUILDINGS ON LOT, AND LOTS UNSERVED BY SEWER OR WATER

1. Minimum Street Frontage: No lot shall be created after the adoption of this Ordinance unless it abuts at least thirty (30) feet on a public street right-of-way, or is accessible to a public street by an easement.
2. Lot of Record: In any Residence District on a lot of record at the time of enactment of this Ordinance, a single-family dwelling may be established regardless of the size of the lot, provided all other requirements of this Ordinance are complied with. However, where two (2) or more vacant and contiguous substandard recorded lots are held in common ownership, they shall be combined into zoning lots and shall thereafter be maintained in common ownership and shall be so joined and developed for implementing this section. The razing of a building on a substandard lot shall constitute the formation of a vacant lot.
3. Lots Unserved by Sewer and Water: In any residential district where neither public water supply nor public sanitary sewer are reasonably available, one (1) single-dwelling may be constructed provided the otherwise specified lot area and width requirements are met. In no case, shall the lot area be less than one (1) acre.

Section 3.02 ACCESSORY BUILDINGS, STRUCTURES, USES, AND SWIMMING POOLS

1. Time of Construction: No accessory building, or structure shall be constructed on any lot prior to the completion of the foundation of the principal building to which it is accessory.
2. Shipping Containers as Accessory Buildings: No shipping container shall be used as an accessory building.
3. Percentage of Rear Yard Occupied Within an "R" District: No detached accessory building or buildings shall occupy more than thirty (30) percent of the area of a rear yard; nor shall any accessory building exceed nine hundred (900) square feet. However, this regulation shall not be interpreted in any instance to prohibit the construction of a four hundred forty (440) square foot garage on a minimum rear yard.
4. Height of Accessory Buildings Within an "R" District: No detached accessory building or structure shall exceed eighteen (18) feet in height, and the side walls shall not exceed twelve (12) feet in height in any residential district.
5. Location on Lot: No accessory building or structure shall be erected in any front yard. Accessory buildings or structures shall be no closer than six (6) feet from any principal buildings.

6. Accessory buildings: Accessory buildings shall not be connected by a breezeway to the principal building, or if connected, shall be considered part of the principal building.
7. Swimming Pools Requiring a Permit: Permanent swimming pools shall be considered an accessory structure for the purposes of this ordinance and shall require a city-issued permit. Fencing of a permanent swimming pool shall be the responsibility of the owner.
8. Swimming Pools Not Requiring a Permit: Temporary swimming pools that are removed seasonally (between the months of September thru May) shall not be considered an accessory building or structure for the purposes of this ordinance and are not regulated by the city. Fencing of a temporary swimming pool shall be the responsibility of the owner.
9. Materials Used for Accessory Buildings Within an “R” District: Accessory building walls or roofs shall not be constructed of any type of fabric, plastic/vinyl sheeting, or fibrous materials, nor shall the structure be constructed or supported primarily of PVC or similar plastic tubing. Further, an accessory building shall not be constructed of any salvaged materials.

Section 3.03 ONE PRINCIPAL STRUCTURE ON LOT

In any District, one principal structure, housing a principal permitted use, may be erected on a single lot provided that the area, yard and other requirements are met.

Section 3.04 REQUIRED YARD CANNOT BE REDUCED OR USED BY ANOTHER BUILDING

No lot, yard, court, parking area or other open space shall be so reduced in area or dimension as to make any such area or dimension less than the minimum required by this Ordinance, and if already less than the minimum required it shall not be further reduced. No required open space provided around any building or structure shall be included as part of any open space required for another building or structure.

Section 3.05 CONVERSION OF DWELLINGS

The conversion of any principal building or structure into a dwelling, or the conversion of any dwelling so as to accommodate an increased number of dwelling units or families, shall be permitted only within a district in which a new building for similar occupancy would be permitted under the Ordinance, and only when the resulting occupancy will comply with the requirements governing new construction in such district with respect to minimum lot size, lot area per dwelling unit, dimensions of yards and other open spaces, and off-street parking. Each conversion shall be subject also to such further requirements as may be specified hereinafter within the article applying to such district.

Section 3.06 YARD AND PARKING SPACE RESTRICTION

No part of yard, or other open space, or off-street parking or loading space required by this title, shall be included as part of yard, open space, off-street parking, or loading space similarly required for any other building.

Section 3.07 TRAFFIC VISIBILITY ACROSS CORNER LOTS

In a Residential or Agricultural District on any corner lot, no fence, wall, hedge, or other planting will be allowed to obstruct vision between a height of two and one-half (2½) feet and ten (10) feet above the centerline grades of the intersecting streets. Nor shall the above be erected, placed, or maintained within the triangular area formed by the right-of-way lines at such corner and a straight

line joining the right-of-way lines at points which are twenty-five (25) feet distant from the intersection of the right-of-way lines, and measured along the right-of-way line.

Section 3.08 ESSENTIAL SERVICES

Essential services shall be permitted as authorized and regulated by law and other ordinances of the community. With the exception of buildings and telecommunication towers, it is the intent to exempt such essential services from the application of this Ordinance. Said buildings and telecommunication towers must be located in the appropriate Zoning District and must abide by the corresponding requirements thereof.

Section 3.09 VALIDITY OF EXISTING PERMITS

Nothing herein contained shall require any change in the overall layout, plans, construction, size or designated uses of any development, structure or part thereof, for which the official approvals and required building permits have been granted before the enactment of this Ordinance, the construction of which, conforming with such plans, shall have been started prior to the effective date of the Ordinance and the completion thereof carried on in a normal manner within the subsequent one (1) year period, and not discontinued until completion, except for reasons beyond the builder's control.

Section 3.10 BUILDING PERMIT REQUIRED

No building, wall, structure, or fence shall be erected, enlarged, reconstructed, structurally altered, or remodeled, and no building, wall, structure, or fence shall be moved from outside to within the City or from one part of the City to another, until a detailed written application for a building permit, in duplicate, has been filed with the City Clerk and a written permit is issued authorizing the proposed work. No fence shall be constructed until a detailed written application for building permit has been filed with the City Clerk and a written permit is issued authorizing the proposed work. No Permit shall be issued except in conformity with the provisions of this Ordinance, except after written order from the Board of Adjustment. Permits shall be applied for at the office of the City Clerk and shall expire one (1) year after the date of issue. Extensions of time may be granted in writing by the Zoning Administrator for good cause.

Section 3.11 RESIDENTIAL DWELLING STANDARDS

All single-family dwelling units shall meet the following minimum standards

1. The minimum width of a dwelling unit or principal structure shall be twenty (20) feet at the exterior dimension of three or more exterior walls, exclusive of attached garages, porches, pergolas, or other accessory structures.
2. All dwelling units including attached garages shall be placed on a frost-free perimeter foundation which shall be subject to inspection and approval by the Grundy Center Building Official.

Section 3.12 HEIGHT EXCEPTIONS

The height limitations contained in Articles IV through XIII do not apply to spires, belfries, cupolas, chimneys, antennas, water tanks, ventilators, elevator housing, or other structures placed above roof level and not intended for human occupancy.

Section 3.13 PUBLIC RIGHT-OF-WAY USE

No portion of the public street or alley right-of-way shall be used or occupied by an abutting use of land or structures for storage or display purposes, or to provide any parking or loading space required by this Title, or for any other purpose that would obstruct the use or maintenance of the public right-of-way.

Section 3.14 FENCES

1. Fences in an “R” District: Residential fences or landscape features such as sculpture or walls may be erected or constructed. No portion of the fence shall extend onto adjacent property or right-of-way, however it may be built on a property line provided the location of which is known. No such fence in any front, side, or rear yard having street frontage shall exceed four (4) feet in height and eight (8) feet in height in the case of side and rear yards not having street frontage. Fences in any front or side yard of a corner lot shall not exceed four (4) feet in height. Fences shall not be constructed of used or salvaged materials, nor shall they have barbed or razor wire. Fences shall have the finished side facing out, or away from the owner’s property, with the support poles on the inside, or facing the owner’s property.
2. Fences in Other Districts: Nonresidential fences located in a district other than an “R” District shall not be less than four (4) feet nor exceed eight (8) feet in height. No portion of the fence shall extend onto adjacent property or right-of-way, however it may be built on a property line provided the location of which is known. Fences in any front or side yard of a corner lot shall not exceed four (4) feet in height. Fences shall not be constructed of used or salvaged materials, nor shall they have barbed or razor wire. Fences shall have the finished side facing out, or away from the owner’s property, with the support poles on the inside, or facing the owner’s property.
3. Fences Requiring Permit: Every fence hereinafter erected shall require a city issued permit.
4. Fence Maintenance: Maintenance of every fence herinafter erected shall be the responsibility of the property owner or subsequent property owners’ for which the construction of the fence was permitted.

Section 3.15 TERRACES/DECKS/PATIOS

Terraces, decks, or patios which do not extend four (4) inches above finished grade may project into required side or rear yards only. Any terrace, deck, or patio which measures above four (4) inches above finished grade shall be permitted in the rear yard only, provided it is no closer than two (2) feet to any lot line.

Section 3.16 PROPOSED USE NOT COVERED BY TITLE

Any proposed use not covered in this title as a permitted use or special exception shall be referred to the Planning and Zoning Commission for a recommendation as to the proper District in which such use should be permitted and the title amended as provided in Article XVII, Section 17.07, before a permit is issued for such proposed use.

Section 3.17 ACCESS REQUIRED

Every building hereinafter erected or structurally altered shall be accessible from a public right-of-way. All structures shall be located on lots as to provide safe and convenient access for servicing, fire protection, and required off-street parking.

Section 3.18 APPLICATION OF REGULATIONS

The regulations set by this title within each district shall apply uniformly to each class or kind of structure or land, except as hereinafter provided.

Section 3.19 PERMITTED USES

Use is permitted in all zoning districts for the purposes of the distribution of essential services. However, the design and placement of said equipment and devices shall be reviewed by the Planning and Zoning Commission and approved by the City Council.

All other uses are permitted only as listed under each specific Zoning District.

Section 3.20 TEMPORARY SPECIAL EXCEPTIONS

The following uses may be permitted by a Temporary Special Exception Permit valid for ten (10) days or less after review and approval of the application by the Board of Adjustment.

1. Carnival, circus.
2. Festivals.
3. In determining whether a Temporary Special Exception Permit shall be granted the Board of Adjustment shall give consideration to the health, safety, and comfort of area residents any adverse impact on land uses, possibility of traffic congestion, harm to public roads, erosion of adjacent property and threat to any source of water supply. Conditions and restrictions as determined necessary to protect the public health, safety, and comfort may be attached to the permit.

Section 3.21 BULK REQUIREMENTS

All new buildings shall conform to the building regulations established herein for the district in which each building shall be located. Further, no existing building shall be enlarged, reconstructed, structurally altered, converted or relocated in such a manner as to conflict or to further conflict with the bulk regulations of this Ordinance for the district in which such buildings shall be located.

Minimum bulk requirements are listed in Table 1 on the following pages.

Table 1: Bulk Requirements.

District Use	Maximum Building Height ⁴	Minimum Lot Area	Minimum Lot Width	Minimum Front Yard	Minimum Side Yard	Minimum Rear Yard
A-1						
SINGLE FAMILY	40 Ft. or 3 Stories	3 Acres	180 Ft.	40 Ft.	50 Ft.	50 Ft.
OTHER PERMITTED USES	--	3 Acres	180 Ft.	40 Ft.	50 Ft.	50 Ft.
U-1						
	40 Ft. or 3 Stories	---	---	---	15 ft.	20 Ft.
R-1						
SINGLE FAMILY	40 Ft. or 3 Stories	10,000 Sq. Ft.	80 Ft.	25 Ft.	8 Ft.	30 Ft.
OTHER PERMITTED USES	---	10,000 Sq. Ft.	80 Ft.	25 Ft.	8 Ft.	30 Ft.
R-2						
"2 R-2"	45 Ft. or 3 Stories	6,000 Sq. Ft. ⁶	60 Ft.	25 Ft.	8 Ft.	30 Ft.
"3 R-2"	45 Ft. or 3 Stories	6,000 Sq. Ft. ⁷	60 Ft.	25 Ft.	8 Ft.	30 Ft.
"4 R-2"	45 Ft. or 3 Stories	6,000 Sq. Ft. ⁸	60 Ft.	25 Ft.	8 Ft.	30 Ft.
R-4						
MOBILE HOME PARK	25 Ft.	5 Acres	360 Ft.	40 Ft.	40 Ft.	40 Ft.
MOBILE HOME SITE	25 Ft.	4,000 Sq. Ft.	40 Ft.	20 Ft.	7 Ft.	10 Ft.
C-1	60 Ft. or 3 Stories	---	---	---	¹	¹
C-2	60 Ft. or 3 Stories	10,000 Sq. Ft.	60 Ft.	25 Ft.	¹	¹
M-1	40 Ft. or 4 Stories	---	---	40 Ft.	20 Ft. ⁵	15 Ft.
M-2	40 Ft. or 4 Stories	---	---	40 Ft.	20 Ft. ⁵	30 Ft. ⁵
ACCESSORY BUILDINGS FOR R-1, R-2 ³	18 Ft. or 1 story, which ever is lower	---	---	---	²	²

NOTES:

¹None required except adjoining any "R" District, in which case not less than (10) feet.

²Accessory building to be placed in the rear or side yards may reduce minimum side and rear yard requirements to four (4) feet.

³Maximum Coverage of Lot for Accessory Buildings shall be thirty (30) percent of rear yard.

⁴Maximum Height shall be measured by either the designated footage or by stories, whichever is lower.

⁵Except adjoining "R" District, in which case not less than (100) feet.

⁶Minimum lot area per dwelling unit shall be 2,000 square feet with a maximum of 12 units per building.

⁷Minimum lot area per dwelling unit shall be 3,000 square feet with a maximum of 8 units per building.

⁸Minimum lot area per dwelling unit shall be 4,000 square feet with a maximum of 4 units per building.

SIGN REGULATIONS

The provisions of this section shall govern the construction, repair, erection, alteration, location, and maintenance of privately owned outdoor signs and outdoor advertising and identification devices of every kind, together with their appurtenant and auxiliary devices from the date of adoption of this chapter forward.

1. Purpose: The sign regulations are found and declared to be necessary and proper to the following purposes:
 - A. To protect the general public from damage and injury which may be caused by the faulty and unregulated use of signs.
 - B. To prevent any unreasonable appropriation of the public domain, its open spaces, streets, and ways to private use.
 - C. To restore, preserve, and promote aesthetic character in the City of Grundy Center.
2. Measurement Standards: Only one side of a double-faced sign shall be included in the computation of sign area, as long as two sign faces are placed back to back, and are at no point more than 30 inches from one another, the area of the sign shall be taken as the area of one face if the two faces are of equal area, or as the area of the larger face if the two faces are of unequal area. The maximum sign size shall be 32 square feet in areas classified as Residential. The maximum sign size in all zoning classifications other than Residential shall be 72 square feet in area.
3. Construction: All signs shall be constructed in such a manner and installed with such materials so as to be considered safe and substantial by the Building Official of the City of Grundy Center. The City may require a copy of stress sheets and calculations showing the structures as designed for dead load and wind velocity in the amount required by the uniform building code adopted by the City of Grundy Center.
4. Maintenance Provisions: Signs shall be maintained so as to be structurally sound and in a safe condition, and shall be kept in a state of undeteriorated appearance by means of painting, sealing or coating and repair or replacement of damaged parts, panels or lights.
5. Removal of Certain Signs: Any sign now or hereafter existing, which no longer advertises a bona fide business conducted, or a product sold, or a service offered, shall be taken down and removed by the owner or owners of the building or premises upon which it is located within 30 days of written notice from the building official. If there is a failure to remove or alter the sign within the required 30 days of such notice, the City Remedies clause as set forth in Section 19.02, Grundy Center Zoning Ordinance shall be imposed.
6. Sign Support and Anchorage: All signs shall be of such a design that all framework of the sign shall be contained within the sign's body or within the structure of building to which it is attached. Exposed guy wires, chains, angle irons or other framework shall not be used as a permanent support of the sign.
7. Nonconforming Signs: Signs in existence when these sign regulations became effective may continue in existence subject to the other provisions provided herein, and also subject to the following:
 - A. A sign shall not be altered structurally or moved unless it be made to comply with the provisions of this section, except that the changing of the movable parts of an existing sign that is designed for such changes, or the

repainting or reposting of display matter shall not be deemed a structural alteration.

B. The lawful use of a sign existing on the effective date of these regulations, although such sign does not conform to the provisions hereof, may continue; but if such nonconforming use is discontinued for a period of one year, any future use of such sign shall be in conformity with the provisions of this section.

C. No sign which has been damaged by fire, wind, explosion, or other act of God to the extent that 50 percent or more of the sign is destroyed, shall be restored except in conformity with the regulations of this section. Any sign which has been damaged to an extent less than 50 percent may be restored to its condition which existed as a nonconforming use prior to its damage.

8. Board of Adjustment: It is recognized that the regulations provided in this section cannot sensitively handle all of the sign situations in an area as diverse as that covered by the City of Grundy Center. Therefore, the Board of Adjustment and appeal procedures established in the Grundy Center Zoning Ordinance shall pertain.

TABLE 2. SIGN TABLE

Sign Type									
	A-1	U-1	R-1	R-2	R-4	C-1	C-2	M-1	M-2
Address	A	A	A	A	A	A	A	A	A
Awning*	N	N	N	N	N	A	A	A	A
Banner	A	A	A	A	A	A	A	A	A
Billboard	N	N	N	N	N	N	A	A	A
Canopy*	N	N	N	N	N	A	A	A	A
Combination*	N	N	N	N	N	A	A	A	A
Directional	N	N	N	N	N	A	A	A	A
Electric (Flashing)	N	N	N	N	N	N	A	N	N
Flag	A	A	A	A	A	A	A	A	A
Freestanding	N	N	N	N	N	A	A	A	A
Home Occupation # (See Section 3.25)	A	A	A	A	A	N	N	N	N
Home Industry # (See Section 3.25)	A	A	A	A	A	N	N	N	N
Marquee*	N	N	N	N	N	A	A	A	A
Memorial	A	A	A	A	A	A	A	A	A
Monument	A	A	A	A	A	A	A	A	A
Mural	A	A	A	A	A	A	A	A	A
Off-Premises	N	N	N	N	N	N	A	A	A
Pennant	A	A	A	A	A	A	A	A	A
Political	A	A	A	A	A	A	A	A	A
Portable	A	N	N	N	N	N	A	A	A
Projecting*	N	N	N	N	N	A	A	A	A
Regulatory	A	A	A	A	A	A	A	A	A
Roof	N	N	N	N	N	N	N	N	N
Temporary	A	A	A	A	A	A	A	A	A
Wall	N	N	N	N	N	A	A	A	A

*C-1 District is subject to provisions in Article X CENTRAL COMMERCIAL OVERLAY ZONING DISTRICT

Table Key:

A Sign is allowed.

N Sign is not allowed.

* Minimum height of eight feet, measured from grade to the lowest part of the sign.

Freestanding sign allowed.

Section 3.23 HOME OCCUPATION STANDARDS

The following standards and criteria shall apply to home occupations.

1. Clearly incidental and secondary to the use of the dwelling unit as a residence.
2. Conducted entirely within an existing dwelling unit.
3. Conducted by a member(s) of the family residing within the dwelling unit and no more than one (1) non-resident employee.
 - a. No persons other than members of the family residing on the premises shall be engaged on the premises in such occupation, except by Special Use Permit issued by the Board of Adjustment.
4. Not more than fifty (50) percent of the gross floor area of the dwelling unit, calculated from the outside perimeter, and excluding basements and attics in said calculation, shall be used in the conduct of the home occupation.
 - a. This area restriction shall not apply to the care of children if the property otherwise qualifies as a home occupation.
4. There shall be no evidence of such occupation being conducted within the dwelling unit, which is perceivable at or beyond the lot lines, by virtue of: outside storage, displays, noise, odors, smoke, vibration, heat, dust, electrical disturbances or excessive traffic generation.
5. Water, sewer, and waste disposal systems shall be subject to approval of the Public Works Director.
6. Customer parking shall be provided and be as inconspicuous as possible on the premises.
7. There shall be no change in the fire rating of the structure as a result of the home occupation.

Section 3.24 HOME INDUSTRY STANDARDS

The following standards and criteria shall apply to home industries.

1. Clearly incidental and secondary to the residential occupancy of a dwelling unit located up on the property.
2. Conducted entirely and confined within an accessory building(s) located upon the property.
3. Conducted by a member(s) of the family residing within the dwelling unit located on the property and no more than one (1) non-resident employees.
4. There shall be no evidence of such industry being conducted within the accessory building(s) which is perceivable at or beyond the lot lines, by virtue of: outside storage, displays, noise, odors, smoke, vibration, heat, dust, electrical disturbances or excessive traffic generation.
5. Water, sewer, and waste disposal systems shall be subject to approval of the Public Works Director.

6. Customer parking shall be provided and be as inconspicuous as possible on the premises.

Section 3.25

HOME OCCUPATION AND HOME INDUSTRY SIGN REGULATIONS

Only one (1) identification sign may be displayed upon the lot, subject to the following requirements.

1. Contains only the name of the occupant and the nature of the occupation.
2. Shall not contain more than three (3) square feet and shall be attached to the principal building.
3. Shall not be illuminated.
4. If located along a state or federal highway, an Iowa Department of Transportation permit must be obtained.

ARTICLE IV

“A-1” SUBURBAN AGRICULTURAL DISTRICT

Section 4.00 GENERAL DESCRIPTION

The “A-1” Suburban Agricultural District is intended to provide for areas in which agriculture and related uses are encouraged as the principal use of land. However, uses which may be offensive to the surrounding area or to the community as a whole by reasons of noise, dust, smoke, odor, traffic or physical appearance or other similar factors are not permitted. The district prohibits urban density residential use until these areas may be served by utilities and services of the City. This district is also intended to preserve land suited for eventual development into other uses, pending proper timing, for economical and practical provisions of streets, utilities, schools, and other facilities so that reasonably compact development will occur and the fiscal integrity of the City is preserved. All newly annexed areas to the City will automatically be placed into this district classification unless otherwise suitably classified.

Section 4.01 PRINCIPAL PERMITTED USES

Property and buildings in an “A-1” Suburban Agricultural District shall be used only for the following purposes:

1. Agricultural uses involving row crop activity only.
2. Single family dwellings.
3. Manufactured housing.
4. Churches, synagogues, temples, and places of worship.
5. Public schools, elementary, junior high, and high schools.
6. Parochial or private schools having similar curricula as public schools and having no rooms used regularly for housing or sleeping purposes.
7. Public buildings and facilities, including essential service buildings.
8. Public and semi-public parks and playgrounds.
9. Golf courses and country clubs, except miniature courses or driving ranges operated for a profit.
10. Home occupations and home industries, provided Sections 3.23-3.25 are met.
11. Accessory uses and buildings which are customarily incidental to any of the above stated uses.

Section 4.02 PROHIBITED USES

The following uses are prohibited in the “A-1” District:

1. Animal feeding operations.

Section 4.03

PERMITTED ACCESSORY USES

1. Living quarters of persons employed on the premises and not rented or used as a separate dwelling.
2. Private garages, barns, and other farm buildings
3. Roadside stands offering for sale only agricultural products or other products produced on the premises.
4. Temporary buildings for uses incidental to construction work. Such buildings shall be removed upon the completion or abandonment of the construction work.
5. Any telecommunications receiving structure so designed to prevent direct attachment, mounting, or installation to the principal building or structure in any residential district shall be considered an accessory structure or use. Such telecommunication receiver shall be installed within the rear yard, on a concrete pad and permanently affixed mounting structure. No mobile or portable structures shall be permitted.
6. Solar arrays
7. Radio and television receiving antennas.

Section 4.04

SPECIAL EXCEPTIONS

The following special exceptions deemed appropriate on review by the Board of Adjustment in accordance with provisions contained herein:

1. Agricultural services.
2. Hospitals; rest, nursing, convalescent, and family homes; homes for children and aged; off-street parking and yards comparable for other institutional uses to be provided under its Article.
3. Cemeteries, crematories, or mausoleum.
4. Churches, synagogues, chapels, places of worship, or accessory facilities.
5. Recreational development for seasonal or temporary use, excluding racetracks.
6. Roadside stand for sale of produce raised on the premises.
7. Extraction of sand, gravel, topsoil, or other natural resources provided the land is restored to a condition suitable for the permitted uses of this district.
8. Commercial dog kennels.
9. Public riding stables, at least one hundred (100) feet from all property lines of the lot on which it is located.
10. Greenhouses and plant nurseries operated for commercial purposes.

11. Dairy farming, livestock farming, poultry farming, private stables and other agriculture activities provided that said activity occurs on a farm and is at least one thousand three hundred twenty (1,320) feet from any existing dwelling, not including the dwelling owned by the applicant.
12. Publicly operated sanitary landfills.
13. Private recreational camps, golf courses, and recreational facilities.
14. Public or private utility substations or relay stations.
15. Publicly owner and operated buildings and facilities.
16. Railroad tracks but no other facility.
17. Parochial and private schools with curriculum similar to public schools.

Section 4.05 HEIGHT REGULATIONS, LOT AREA, FRONTAGE, AND YARD REQUIREMENTS

Shall be those regulations as specified in Section 3.21 and Table 1

Section 4.06 OFF STREET PARKING AND LOADING REQUIREMENTS

Shall be those regulations as specified in Section 14.00. and Table 3

Section 4.07 SIGN REGULATIONS

Shall be those regulations as specified in Section 3.22 and Table 2

ARTICLE V

“U-1” UNCLASSIFIED DISTRICT

Section 5.00 GENERAL DESCRIPTION

The “U-1” District is intended to prevent, in those areas which are subject to potential or periodic flooding, such development as would result in a hazard to health or safety or be otherwise incompatible with the public welfare. Flood plain areas that overlap are also governed by the Grundy Center Flood Plain Ordinance. This district is also intended to provide for water conservation, erosion control, protection of wildlife habitat, protect natural erosion control, protect natural drainage ways and to generally provide for ecologically sound land use of environmentally sensitive areas.

Section 5.01 SPECIAL EXCEPTIONS

Any development in the “U-1” Unclassified District shall be deemed a Special Exception and shall only be considered on review by the Board of Adjustment in accordance with provisions contained herein.

Section 5.02 SIGN REGULATIONS

Shall be those regulations as specified in Section 3.22 and Table 2.

ARTICLE VI

“R-1” SINGLE- AND TWO-FAMILY RESIDENTIAL DISTRICT

Section 6.00 GENERAL DESCRIPTION

The “R-1” is the most restrictive Residential District. The principal use of land is for single- and two-family residential uses and related recreational, religious, and educational facilities normally required to provide an orderly and attractive residential area. These residential areas are intended to be defined and protected from encroachment of uses which are not appropriate to a residential environment. Internal stability, attractiveness, order, and efficiency are encouraged by providing for adequate light, air, and open space for dwellings and related facilities and through consideration of the proper functional relationship of the different uses.

Section 6.01 PRINCIPAL PERMITTED USES

Property and buildings in an “R-1” Single Family Residential District shall be used only for the following purposes:

1. Single family dwellings.
2. Duplexes or two-family dwellings.
2. Manufactured housing.
3. Religious Institutions.
4. Public schools, elementary, junior high and high schools.
5. Parochial or private schools having similar curricula as public schools and having no rooms used regularly for housing or sleeping purposes.
6. Public, semi-public parks, and playgrounds.
7. Family Homes (no such home shall be within one quarter (1/4) mile of any other family home).
8. Elder homes (no such home shall be within one quarter (1/4) mile of any other elder home).
9. Home occupations and home industries, provided Sections 3.23-3.25 are met.
10. Accessory uses which are customarily incidental to any of the above stated uses.

Section 6.02 SPECIAL EXCEPTIONS

The following special exceptions deemed appropriate on review by the Board of Adjustment in accordance with the provisions contained herein:

1. Hospitals, nursing homes, convalescent homes, public buildings, and/or community buildings with the same off-street parking and yards as those required for other institutional uses under this ordinance.
2. Public buildings and facilities, including essential service buildings.

3. Public or private utility substations, relay stations, etc.
4. Churches, synagogues, chapels, places of worship, or accessory facilities.
5. Private schools that are accredited by the State of Iowa with a curriculum similar to public schools.
6. Railroad tracks but no other facility.
7. Parking lots serving commercial or industrial districts.
8. Swimming pools, golf courses, cemeteries, and country clubs, except miniature golf courses or driving ranges operated for a profit.
9. The taking of boarders or the leasing of rooms by a resident family providing total number does not exceed two (2) per unit.
10. Preschools/Childcare centers, institutional.

Section 6.03 HEIGHT REGULATIONS, LOT AREA, FRONTAGE, AND YARD REQUIREMENTS

Shall be those regulations as specified in Section 3.21 and Table 1.

Section 6.04 OFF STREET PARKING AND LOADING REQUIREMENTS

Shall be those regulations as specified in Section 14.00 and Table 3.

Section 6.05 SIGN REGULATIONS

Shall be those regulations as specified in Section 3.22 and Table 2.

ARTICLE VII

“R-2” MIXED RESIDENTIAL DISTRICT

Section 7.00 GENERAL DESCRIPTION

The “R-2” Mixed Residential District is intended to provide for a variety of multi-family residential development. The principle use of land may range from single to high density multiple-family dwelling units, which may permit up to a maximum of twelve (12) dwelling units, to rowhouses and condominiums. Medium and high population density neighborhoods are recognized and provide for by varying the minimum bulk regulations. These standards can be found in Section 3.21 Table 1. Certain uses are permitted which are more compatible functionally with intensive residential uses than with commercial uses. The recreational, religious, and educational facilities normally required to provide an orderly and attractive residential area are included. Internal stability, attractiveness, order, and efficiency are encouraged by providing for adequate light, air, and open space for dwellings and related facilities and through consideration of the proper functional relationship of each use permitted in the district.

Section 7.01 PRINCIPAL PERMITTED USES

Property and buildings in an “R-2” Mixed Residential District shall be used only for the following purposes:

1. Any use permitted in the “R-1” Single Family Residential District.
2. Two-family dwellings.
3. Rowhouses and condominiums.
4. Multiple-family dwellings up to twelve (12) units.
5. Family homes (no two (2) such homes shall be within one quarter (¼) mile of any other family home).
6. Elder homes (no two (2) such homes shall be within one quarter (¼) mile of any other elder home).
7. Home occupations and home industries, provided Sections 3.23-3.25 are met.
8. Accessory uses and buildings which are customarily incidental to any of the above stated uses.

Section 7.02 SPECIAL EXCEPTIONS

The following special exceptions deemed appropriate on review by the Board of Adjustment in accordance with the provisions contained herein:

1. Any special exception allowed in a more restrictive Residential District, unless said use is specifically listed as a principally permitted use in this District.
2. Hospitals, nursing homes, convalescent homes, public buildings and/or community buildings with the same off-street parking and yards as those required for other institutional uses under this Ordinance.

3. Preschool/Childcare centers, institutional.
- 4 Medical and dental clinics.
5. Mortuary or funeral homes.
6. Public buildings and facilities, including essential service buildings.
7. Health care facilities.
8. Hospitals.
9. Bed and Breakfast Houses
10. Lodging houses, dormitories, fraternities, sororities.

Section 7.03 HEIGHT REGULATIONS, LOT AREA, FRONTAGE, AND YARD REQUIREMENTS

Shall be those regulations as specified in Section 3.21 and Table 1.

Section 7.04 OFF STREET PARKING AND LOADING REQUIREMENTS

Shall be those regulations as specified in Section 14.00 and Table 3.

Section 7.05 SIGN REGULATIONS

Shall be those regulations as specified in Section 3.22 and Table 2.

ARTICLE VIII

“R-4” MANUFACTURED HOUSING DISTRICT

Section 8.00 GENERAL DESCRIPTION

The “R-4” Manufactured Housing District is intended to provide for certain medium density residential areas in the City now designed for manufactured/mobile home development. Internal stability, attractiveness, order, and efficiency are encouraged by providing for adequate light, air, and open space for dwellings and related facilities and through consideration of the proper functional relationship of each use permitted in the district.

No commercial business shall be carried on in a manufactured/mobile home or trailer constructed as a mobile home except when used as a temporary office upon obtaining a permit from the Zoning Administrator.

Section 8.01 PRINCIPAL PERMITTED USES

Property and buildings in an “R-4” Mobile Home District shall be used only for the following purposes:

1. Manufactured/Mobile home parks.
2. Buildings or structures under park management supervision shall be used only as office space, storage, laundry facilities, recreation facilities, garage storage or other necessary service for park residents’ use only.
3. Storm shelters serving district residents.
4. Accessory uses and buildings which are customarily incidental to the above stated uses but not involving the conduct of business.

Section 8.02 SPECIAL EXCEPTIONS

The following special exceptions deemed appropriate on review by the Board of Adjustment in accordance with the provisions contained herein:

1. Public or private utility substations, relay stations, etc.
2. Preschools/childcare centers.
3. Churches, synagogues, chapels, places of worship, or accessory facilities.
4. Railroad tracks but no other facility.
5. Recreational uses which are temporary in nature.

Section 8.03 APPLICATION PROCEDURES

The following information shall be provided in the development plan and submitted in writing to the Zoning Administrator prior to any hearing by the Planning and Zoning Commission. All applications shall be approved, denied, or amended and approved by the City Council after recommendation by the Planning and Zoning Commission.

1. The name of the proposed manufactured/mobile home park.
2. Names, addresses and telephone numbers of the developer or their representative
3. Location of the manufactured/mobile home park, including subdivision and lot numbers.
4. A map of the entire area scheduled for development, if the proposed development is the portion of a larger holding intended for subsequent development.
5. Allocation map showing the relationship of the proposed development and the adjacent tracts.
6. The present land use and existing zoning of the proposed development and the adjacent tracts.
7. Interior streets, street, street names, right-of-way and roadway widths.
8. All lot lines and open spaces with dimensions shown.
9. Delineation of all improvements required in this section.

Section 8.04 STAGING OF DEVELOPMENT

The following requirements shall apply to the “R-4” District:

1. Any “R-4” District plan proposed to be constructed in stages shall include full details relating thereto and the City Council may approve or modify any proposals when deemed necessary.
2. The staging shall include the time frame for beginning and completion of each stage.
3. The landowner or developer shall make such easements, covenants, or other arrangements and shall furnish such performance bond for other security as may be determined by the City Council to be reasonably required to assume performance in accordance with the plan and to protect the public interest in the event of abandonment of the plan before completion.

Section 8.05 ADMINISTRATIVE PROCEDURE

The following administrative procedures shall apply to the “R-4” District:

1. The general procedure for application review and action on an “R-4” District shall be according to the following outline:
 - i. A concept plan at the option of the applicant may be submitted to the Planning and Zoning Commission for their review which indicates the general concept of the developer.
 - ii. An application, filing fee, and two (2) copies of the full plan shall be submitted to the Zoning Administrator
 - iii. The City Staff, including the Zoning Administrator or any others necessary, shall review and provide recommendations at the Planning and Zoning public hearing.
 - iv. The Planning and Zoning Commission shall conduct a public hearing in which notice is provided to adjacent property owners within two hundred (200) feet, by ordinary mail, as a courtesy, at least seven (7) days before said hearing and shall provide public notice in a newspaper of general circulation at least seven (7) but not more than twenty (20) days prior to said hearing.
 - v. The Planning and Zoning Commission shall forward their recommendation to the City Council.
 - vi. The City Council shall hold a hearing as required and take action.

Section 8.06

MINIMUM PLAN REQUIREMENTS

The following plan requirements shall apply to the “R-4” District:

1. The minimum site for a manufactured/mobile home development shall be five (5) acres with a minimum of twenty-five (25) lots.
2. Not less than eight (8) percent of the gross site area shall be devoted to recreation facilities, generally provided in a central location. Recreation area may include space for community buildings and community use facilities, such as indoor recreation area, swimming pool, hobby and repair shops, and service buildings. The site of centralized recreation areas shall be calculated on a basis of at least one hundred (100) square feet per lot, provided that no recreation area shall contain less than five thousand (5,000) square feet.
3. All manufactured/mobile homes shall be located at least twenty-five (25) feet from any park property boundary line abutting upon a public street or highway and at least ten (10) feet from other park property boundary lines.
4. There shall be a minimum distance of ten (10) feet between the manufactured/mobile home stand and the abutting park street. All manufactured/mobile home developments located adjacent to industrial or commercial land uses shall be provided with screening such as fences or natural growth along the property boundary line separating the park and such adjacent non-residential area.
5. Each manufactured/mobile home lot shall be provided with water, sanitary sewer, electric line, and telephone lines and gas lines if needed, in compliance with applicable codes.
6. Adequate street lighting shall be provided along the private streets for the safety of pedestrians.
7. A minimum of two (2) vehicular entrances shall be provided for all manufactured/mobile home developments. One access can be kept closed to the general public if provision is made for emergency access.
8. All abutting public streets and alleys and all interior easements for utilities and public service vehicles shall be dedicated where required on the final plan and all public improvements shall be installed in accordance with plans approved by City standards.
9. One permanent identification sign shall be permitted at any main entrance to manufactured/mobile home development. Such sign shall be of ornamental, stone, masonry, or other permanent material and shall indicate only the of such manufactured/mobile home development. Such sign shall not exceed twenty (20) square feet in surface area.

Section 8.07

STREETS

The following street regulations shall apply to the “R-4” District:

1. All manufactured/mobile home developments shall be provided with safe and convenient vehicular access from abutting public streets or roads to each mobile lot. Such access shall be provided by streets, driveways, or other means.
2. Entrances to manufactured/mobile home developments shall have direct connections to a public street and shall be designed to allow free movement of traffic on such on such adjacent public streets.

3. Pavements should be of adequate widths to accommodate the contemplated parking and traffic load in accordance with the type of street with ten (10) feet minimum.

Section 8.08 HEIGHT REGULATIONS, LOT AREA, FRONTAGE AND YARD REQUIREMENTS

Such regulations as specified in Section 3.21 and Table 1.

Section 8.09 OFF STREET PARKING AND LOADING REQUIREMENTS

Shall be those regulations as specified in Section 14.00 and Table 3.

Section 8.10 SIGN REGULATIONS

Shall be those regulations as specified in Section 3.22 and Table 2.

ARTICLE IX

“C-1” CENTRAL COMMERCIAL DISTRICT

Section 9.00 GENERAL DESCRIPTION

The “C-1” Central Commercial District is intended and designed for business professions and occupations which are located in the Central Business District. This district is intended to be the single central business district of Grundy Center and is also characterized by certain mixed-use structures and limited single-family residential. Bulk regulations further reflect a more in time use and development pattern.

Section 9.01 PRINCIPAL PERMITTED USES

Property and buildings in a “C-1” Central Commercial District shall be used only for the following purposes:

1. Antique shops.
2. Apartments above first story level of a store or shop with off-street/on site parking
3. Apparel shops.
4. Art shops.
5. Automobile accessory and parts stores.
6. Bakeries, bakery outlets, or catering businesses,
7. Banks, savings and loan associations, and similar financial institutions.
8. Barbershops and beauty parlors.
9. Bicycle shops sales and repair.
10. Bowling alleys.
11. Business offices, professional offices, and studios.
12. Camera stores.
13. Carpenter and cabinet making shops.
14. Churches, synagogues, chapels, temples, and places of worship.
15. Clothes cleaning and laundry pick-up stations, excluding dry-cleaning establishments.
16. Clothing stores.
17. Collection office of public utility.
18. Confectionery stores, including ice cream or snack bars.

19. Dairy stores retail only.
20. Dance studio.
21. Delicatessens.
22. Dental and medical clinics.
23. Department stores.
24. Drive-in restaurants.
25. Drug stores, including pharmacies.
26. Dry-cleaning establishments.
27. Dry goods stores, including pharmacies.
28. Florist shops.
29. Furniture stores.
30. Funeral homes and mortuaries.
31. Gift shops.
32. Grocery stores, including supermarkets.
33. Hardware stores.
34. Hobby shops.
35. Hotels and motels.
36. Household appliances, sale and repair.
37. Jewelry stores and watch repair shops.
38. Launderette or coin-operated laundry establishments.
39. Lawn mower repair shops.
40. Locker plant for storage and retail sales only.
41. Leather goods store.
42. Music stores and music studios.
43. Office supply store or shop.
44. Paint and wallpaper stores.
45. Pet shops, including kennels.
46. Photographic studios, printing and developing establishments.

47. Plumbing and heating shops.
48. Post offices.
49. Printing and lithographing shops.
50. Playgrounds and public parks.
51. Publishing and engraving establishments.
52. Radio and television sales and repair shops.
53. Restaurants, taverns, and cafes.
54. Shoe and hat repair shops.
55. Sorting goods stores, excluding external boat storage or display.
56. Tailor and dressmaking shops.
57. Theaters.
58. Toy stores.
59. Upholstering shops.
60. Variety stores.
61. Accessory uses and buildings which are customarily incidental to the above stated uses.
62. Other uses similar to the foregoing designated uses after review and approval per Section 17.09(l).
63. Business, sales, and services conducted entirely within the building, including those with incidental manufacturing or processing of goods or products. Outdoor sales may utilize public sidewalks but shall be temporary in nature.

Section 9.02 SPECIAL EXCEPTIONS

The following special exceptions deemed appropriate on review by the Board of Adjustment in accordance with the provisions stated herein:

1. Animal hospitals, veterinary clinics, pet shops, and commercial kennels.
2. Apartments on the second story level of a store or shop with off-street/on site parking.
3. Billiard parlors and pool halls.
4. Book stores.
5. Dance halls.
6. Liquor stores and lounges.

7. Private clubs and lodges.
8. Public buildings and facilities, including essential service buildings.
9. Roadside stands for the sale of fresh fruits, vegetables, nursery stock, and plant food.
10. Gas or service stations, including convenience stores.
11. Nightclubs.
12. Video equipment rental and sales.
13. Wholesale display and sales rooms and offices.
14. Any other special exceptions deemed appropriate on review by the Board of Adjustment to be of the same general character as the foregoing special exceptions.

Section 9.03 HEIGHT REGULATIONS, LOT AREA, FRONTAGE, AND YARD REQUIREMENTS

Shall be those regulations as specified in Section 3.21 Table 1.

Section 9.04 OFF STREET PARKING AREAS AND LOADING REQUIREMENTS

Shall be those regulations as specified in Section 14.00 and Table 3.

Section 9.05 SIGN REGULATIONS

Shall be those regulations as specified in Section 3.22 and Table 2.

Article X

CENTRAL COMMERCIAL OVERLAY ZONING DISTRICT

Section 10.00 PURPOSE AND INTENT

The purpose of the Central Commercial District Overlay Zoning District (hereinafter the “overlay district”) is to provide guidance for future development in the specific area and to encourage continued successful business development in the downtown Grundy Center area, particularly the Main Street Grundy Center retail and service business area. The overlay district is intended to encourage appropriate building design standards in a manner that complements and strengthens the downtown retail and service business sector. The provisions of this section shall apply in addition to any other zoning district regulations and requirements in which the land may be classified. In case of conflict, the more specific standard shall apply.

Section 10.01 BOUNDARIES

The boundaries of this overlay district shall be the same as the boundaries of the C-1 Central Commercial District. The legal description of the overlay district and official zoning map of the overlay are on file in the office of the City Clerk.

Section 10.02 APPLICABILITY

The provisions of this Ordinance shall apply to a specific property only in the event the property owner is utilizing local, state, or federal funds to partially or fully fund the substantial improvement or construction of a building; however, the owner of any property lying within the overlay district, regardless of whether the owner is requesting local, state, or federal funds, shall consult with the Grundy Center Chamber-Main Street Design Committee before substantially improving or constructing a building within the overlay district and shall obtain a certificate confirming the completion of such consultation from the Design Committee before commencing work.

Section 10.03 USES

Allowable uses of land lying within the overlay district shall be the same as the uses allowed in the C-1 Central Commercial District.

Section 10.04 SITE PLAN REVIEW

Anyone proposing to substantially improve a building or construct a new building structure or development, including proposed residential facilities, shall submit a detailed site plan and building plans to the City Clerk. The City Clerk shall forward a copy of the submitted documents to the Grundy Center Chamber-Main Street Design Committee for review. The Design Committee shall recommend either approval or denial to the City Council within thirty days of the Committee receiving the plans. The City Council shall review the recommendation of the Design Committee and either approve or deny the site plan and building plans. Elements to be considered in this review process are proposed use, proposed building improvements or new structural elements, with particular attention to exterior building

design elements, parking provision (if any), and how the proposed improvement or development will complement existing nearby uses and building design elements. In the case of emergency repairs needed as the result of unanticipated building or façade damages due to events such as fire, vandalism, or weather related damages, site plan review will not be required, provided that the needed repairs do not alter the appearance of the structure prior to the event causing the unanticipated damages.

“Substantial improvement” includes any new building construction within the overlay district or any renovation of an existing structure that involves any modification of the exterior appearance of the structure by virtue of adding or removing exterior windows or doors or altering the color or exterior materials of existing walls. All façade improvements, changes, alterations, modifications or replacement of existing façade materials will be considered a substantial improvement. Included in this definition are any new, modified or replacement awning structures or similar material extensions over the public sidewalk area. A substantial improvement also includes any increase or decrease in existing building height and/or alteration of the existing roof pitch or appearance. Any new freestanding sign, projecting wall sign, or monumental sign, or an increase in size or height of any existing freestanding sign, projecting wall sign, or monumental sign, shall be considered a substantial improvement. Routine repair or replacement of existing roof materials that do not materially change the appearance, shape or configuration of the exiting roof will not be considered a “substantial improvement”. Owner-occupied detached single family residences shall not be subject to these regulations.

Section 10.05 BUILDING DESIGN REVIEW

All plans to substantially improve or construct new building structures within the overlay district shall be reviewed by the Grundy Center Chamber-Main Street Design Committee, and the Committee shall submit its recommendations regarding building design to the City Council at the time it submits its recommendations regarding the site plan. The City Council shall then approve or deny the proposed building design plans. The building design shall comply with Grundy Center Chamber-Main Street’s Design Guidelines. Paramount in this review will include consideration of building materials, exterior building materials on all sides, coloration of materials, building height, roof line, size and location of windows and doors, roof mounted appurtenances, and facades. In addition to consideration of typical physical structural improvements to structures, review is also required of any wall painting, mural wall signs or painted artwork or other similar applications to exterior walls. The purpose of review of said exterior wall paintings or drawings is to ensure that said applications are consistent with the prevailing standards and character of the downtown area. “Substantial improvement” shall have the same definition as set forth in subsection 5 of this section.

1. Proportion: The relationship of width and height of the front elevations of adjacent buildings shall be considered in the construction or alteration of a building. The relationship of width and height of windows and doors of adjacent buildings shall be considered in the construction or alteration of a building. Particular attention must be given to the scale of street level doors, walls and windows. Large expanses of blank wall spaces at street level are to be discouraged.
2. Roof shape, pitch and direction: The similarity or compatibility of the shape,

pitch and direction of roofs in the immediate area shall be considered in the construction or alteration of a building. Routine repair and maintenance or replacement of existing roof materials will not be subject to review provided that the existing roof line and configuration is not altered during the course of said repairs or maintenance.

3. Pattern: Alternating solid surfaces and openings (wall surface versus doors and windows) in the front façade, sides and rear of a building create a rhythm observable to viewers. This pattern of solid surfaces and openings shall be considered in the construction or alteration of a building.
4. Materials and texture: The similarity or compatibility of existing materials and texture on the exterior walls and roofs of the buildings in the immediate area shall be considered in the construction or alteration of a building. A building or alteration will be considered compatible if the materials and texture used are appropriate in the context of other buildings in the immediate area.
5. Color: The similarity or compatibility of existing colors of exterior walls and roofs of buildings in the area shall be considered in the construction or alteration of a building.
6. Architectural features: Architectural features including but not limited to cornices, entablatures, doors, windows, shutters, fanlights and other elements prevailing in the area shall be considered in the construction or alteration of a building. It is not intended that the details of existing buildings be duplicated precisely, but those features should be suggestive of the extent, nature and scale of details that would be appropriate on new buildings or associated with building alterations.
7. Exterior Mural wall drawings, painted artwork, exterior painting: These elements shall be reviewed to consider the scale, context, coloration and appropriateness of the proposal in relation to nearby facades and also in relation to the prevailing character of the downtown area. Exterior painting of detached single family and two-family residential structures within the district shall be exempt from this provision. Other multi-family dwelling structures will be subject to this review.

Section 10.06 SIGNAGE

Typical business signage shall be subject to a mandatory site plan review by the Grundy Center Chamber-Main Street Design Committee. All signage shall conform to the requirements of the Zoning Regulations of the City of Grundy Center.

Section 10.07 REMOVAL OR DEMOLITION OF BUILDING STRUCTURES

Removal or demolition of structures within the overlay district is allowable, subject to securing a demolition permit from the City Clerk. If no immediate building reconstruction plans are proposed within 30 days following building removal or demolition, the site shall be filled and graded to a topographic elevation equal to or level with surrounding adjacent property natural grade levels. Within 30 days of final grading of the site or at the earliest opportunity during the growing season conducive to plant germination, the site shall be seeded with grass. Reasonable efforts shall be taken by the property owner to ensure proper germination of the vegetation and the property owner must maintain the property in accordance with city ordinances.

Section 10.08 SEPARABILITY OF PROVISIONS

It is the intention of the City Council that each section, paragraph, sentence, clause, and provision of this Section is sepearable, and if any such provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance or any part thereof other than that affected by such decision.

ARTICLE XI

“C-2” HIGHWAY COMMERCIAL DISTRICT

Section 11.00 GENERAL DESCRIPTION

The “C-2” Highway Commercial District is intended to provide for certain areas of the City for the development of service, retail, and limited non-residential uses which because of certain locational requirements and operational characteristics are appropriately located in close proximity to arterial and other main thoroughfares. The district is further characterized by a typical need for larger lot sizes, off-street parking, adequate setbacks, clear vision, safe ingress and egress, and access to other adjacent thoroughfares.

Section 11.01 PRINCIPAL PERMITTED USES

Property and buildings in a “C-2” Highway Commercial District shall be used only for the following purposes:

1. Any use permitted in the “C-1” District, however, the Bulk Requirements for that district must be met.
2. Any other retail or service sales business, including food preparation for sale off premises.
3. Agricultural feed and seed sales, but excluding grinding, mixing, and blending.
4. Automobiles, trailer, motorcycle, boat, and farm implement establishments for display, hire, rental, and sales (including new and used sales lots). This paragraph shall not be construed to include automobile, tractor or machinery wrecking and rebuilding and used parts yards.
5. Business and vocational schools.
6. Educational institutions accredited by the State of Iowa.
7. Car wash, including truck bays.
8. Churches, synagogues, chapels, places of worship, or accessory facilities.
9. Commercial parking lots and garages.
10. Lumber yards.
11. Offices and clinics.
12. Publicly owned and operated buildings and facilities
13. Service stations.
14. Sales and display rooms and lots, including yards for the storage or display of new or used building materials but not for any scrap or salvage operation storage or sales.

15. Accessory uses and buildings which are customarily incidental to the above stated uses and including temporary buildings used in conjunction with construction work provided such buildings are removed promptly upon completion of the construction work.
16. Other uses similar to the foregoing designated uses after review and approval per Section 17.09(1).

Section 11.02 SPECIAL EXCEPTIONS

The following special exceptions deemed appropriate on review by the Board of Adjustment in accordance with the provisions stated herein:

1. Any special exception allowed in a more restrictive Commercial District, unless said use is specifically listed as a principally permitted use in this District.
2. Commercial amusements.
3. Multi-family dwelling with off-street/on-site parking.
4. Public buildings and facilities, including essential service buildings.
5. Public or private utility substations, relay stations, etc.
6. Private clubs and lodges.
7. Video/movie film and equipment rental.
8. Warehousing
9. Any other uses deemed appropriate on review by the Board of Adjustment to be of the same general character as the foregoing special exceptions, but not including any use that may become obnoxious or offensive in a "C-2" District.

Section 11.03 HEIGHT REGULATIONS, LOT AREA, FRONTAGE, AND YARD REQUIREMENTS

Shall be those regulations as specified in Section 3.21 and Table 1.

Section 11.04 OFF STREET PARKING AREAS AND LOADING REQUIREMENTS

Shall be those regulations as specified in Section 14.00 and Table 3.

Section 11.05 SIGN REGULATIONS

Shall be those regulations as specified in Section 3.22 and Table 2.

ARTICLE XII

“M-1” LIGHT INDUSTRIAL AND/OR MANUFACTURING DISTRICT

Section 12.00 GENERAL DESCRIPTION

The “M-1” Light Industrial and/or Manufacturing District is intended to provide for areas of development by industrial firms that have high standards of performance and that can locate in close proximity to residential and business uses. The district regulations are designed to permit the development of any manufacturing or industrial operations which on the basis of actual physical and operational characteristics, would not be detrimental to the surrounding area or to the community as a whole by reasons of noise, dust, smoke, odor, traffic, physical appearance or other similar factors. No residential uses, hotels or motels, schools, colleges, hospitals, or clinics are permitted in this district.

Section 12.01 PRINCIPAL PERMITTED USES

Property and buildings in an “M-1” Light Industrial and/or Manufacturing District shall be used only for the following purposes:

1. Any nonresidential building or use which would not be hazardous, obnoxious, offensive, or unsightly by reason of odor, sound, vibrations, radioactivity, electrical interference, glares, liquid, or solid waste, smoke, or other air pollutants.
2. Assembly of appliances and equipment, including manufacture of small parts.
3. Automobile body repair and paint shop.
4. Automobile restoration and rebuilding shops.
5. Automobile, trailer, motorcycle, boat, and farm implement service or repair establishments.
6. Bottling works.
7. Building material sales and storage.
8. Clothing manufacture.
9. Consignment and auction sales operations having no more than four (4) public sales per month, but excluding the sale of livestock, fish, fowl, or animals of any kind.
10. Construction businesses, contractor's shops, and storage yards enclosed by a solid, opaque fence eight (8) feet high.
11. Creamery and/or dairy processing plant.
12. Farm implement sales, service, repair and assembly.
13. Freight terminal and grain elevator.
14. Light manufacturing and assembly plants.

15. Manufacture, compounding, assembly and/or treatment of articles or merchandise derived from previously prepared materials.
16. Public buildings and facilities, including essential service buildings.
17. Public or private utility substations, relay stations, etc.
18. Rental storage buildings.
19. Storage, manufacture, compounding, processing, packing, and/or treatment of products, exclusive of the rendering or refining of fats and/or oils.
20. Truck or bus garage and repair shop.
21. Welding and machine shops.
22. Wholesaling and warehousing, but not including the bulk storage of hazardous chemicals.
23. Uses and buildings which are accessories and customarily incidental to the above stated permitted uses and including temporary buildings used in conjunction with construction work provided such buildings are removed promptly upon completion of the construction work and living quarters for watchmen or custodians of industrial properties.
24. Other uses similar to the foregoing designated uses after review and approval per Section 17.09(1).

Section 12.02 SPECIAL EXCEPTIONS

The following special exceptions deemed appropriate on review by the Board of Adjustment in accordance with provisions contained herein:

1. Carnivals, circuses, fairs, and road shows.
2. Junk yards, including automobile wrecking and/or salvage enclosed by a solid, opaque fence that is a minimum of eight (8) feet in height.
3. Telecommunication towers, stations, or associated buildings.
4. Sheet metal products manufacture.

Section 12.03 HEIGHT REGULATIONS, LOT AREA, FRONTAGE, AND YARD REQUIREMENTS

Shall be those regulations as specified in Section 3.21 and Table 1.

Section 12.04 OFF STREET PARKING AREAS AND LOADING REQUIREMENTS

Shall be those regulations as specified in Section 14.00.

Section 12.05 SIGN REGULATIONS

Shall be those regulations as specified in Section 3.22 and Table 2

ARTICLE XIII

“M-2” HEAVY INDUSTRIAL AND/OR MANUFACTURING DISTRICT

Section 13.00 GENERAL DESCRIPTION

The “M-2” Heavy Industrial and/or Manufacturing District is intended to provide areas for activities and uses of a heavy industrial character and is the least restrictive of any district. In the best interest of the City, certain uses in the “M-2” District shall be subject to final City Council approval, conditional approval, or denial to ensure that proper safeguards are taken. No residential uses, schools, colleges, hospitals, or clinics are permitted.

Section 13.01 PRINCIPAL PERMITTED USES

Property and buildings in an “M-2” Heavy Industrial and/or Manufacturing District shall be used only for the following purposes:

1. Any use permitted in an “M-1” District.
2. Brick and clay products and central mixing and proportioning plant.
3. Cleaning and dyeing plants.
4. Concrete products and central mixing and proportioning plant.
5. Flour, feed, and grain milling and storage.
6. Machinery manufacture.
7. Mini-steel plants.
8. Plastic products manufacturing.
9. Sheet metal products manufacture.
10. Structural iron and steel fabrication.
11. Tool and die shops and machine shops.
12. Wholesaling and warehousing.
13. Uses and buildings which are accessories and customarily incidental to the above stated permitted uses and including temporary buildings used in conjunction with construction work provided such buildings are removed promptly upon completion of the construction work.
14. Other uses similar to the foregoing designated uses after review and approval per Section 17.09(1).

Section 13.02 SPECIAL EXCEPTIONS

The following special exceptions deemed appropriate on review by the Board of Adjustment in accordance with provisions contained herein:

1. Any special exception allowed in a more restrictive Industrial and/or Manufacturing District, unless said use is specifically listed as a principally permitted use in this District.
2. Acid manufacture.
3. Animal pound.
4. Bulk storage of petroleum products and liquid fertilizers.
5. Explosive manufacture or storage.
6. Fertilizer manufacture.
7. Telecommunication towers, stations, or associated buildings.
8. Paint and varnish manufacture.
9. Stock yards, livestock transfer stations, slaughterhouses, and/or sale barns and yards.
10. Wholesaling and warehousing of hazardous chemicals.

Section 13.03 PROHIBITED USES

The following uses are prohibited in the “M-2” District:

1. Residential uses.
2. Schools and colleges.
3. Hospitals and clinics.

Section 13.04 HEIGHT REGULATIONS. LOT AREA. FRONTAGE, AND YARD REQUIREMENTS

Shall be those regulations as specified in Section 3.21 and Table 1.

Section 13.05 OFF STREET PARKING AREAS AND LOADING REGULATIONS

Shall be those regulations as specified in Section 14.00 and Table 3.

Section 13.06 SIGN REGULATIONS

Shall be those regulations as specified in Section 3.22 and Table 2

ARTICLE XIV

SPECIAL PROVISIONS

Section 14.00 OFF-STREET PARKING AREAS AND LOADING SPACES

1. Off-Street Loading Spaces: In all Districts in connection with every building or part thereof hereafter erected which is to be occupied by uses requiring receipt or distribution by vehicles of materials or merchandise there shall be provided and maintained on the same premises with such building the following off-street loading spaces:

<u>Gross Floor Areas (Square Feet)</u>	<u>Spaces Required</u>
0 to 19,999	1
20,000 to 29,999	2
30,000 to 39,999	3
40,000 to 49,999	4

For each additional ten thousand (10,000) square feet in excess of fifty thousand (50,000) square feet one additional off-street loading space shall be required.

Such spaces may occupy all or any part of a required rear yard or with authorization of the Board of Adjustment part of any other yard or court space on the same premises.

2. Provisions of Off-Street Parking: In all Districts, off-street accessory parking areas in the open or in a garage shall be provided in connection with the uses set forth hereinafter, and to the extent indicated therewith, in addition to the above required loading and unloading spaces.
 - (a) In “A” and “R” Districts, parking areas may be on the premises intended to be served or on adjoining property within one hundred (100) feet of any part of said premises. Off premise parking shall be in the same or less restricted district, as per Table 2.
 - (b) In “C-2” and “M” Districts, parking areas shall be on the premises intended to be served, as per Table 3.
 - (c) In the “C-1” District, there shall be no off-street parking requirements.
3. Number of Parking Spaces Required: Table 3 indicates the required number of spaces by use. In “C-2” District employee parking shall be provided at the rate of one (1) space per employee plus the customer spaces as listed in Table 3 on the following page.

Table 3: Parking Requirements.

USE	PARKING REQUIREMENT
Animal Hospital and Veterinary Clinic	1 for each 500 sq. ft. of floor area.
Automobile or Farm Implement Sales and Service Garages	1 for each 2 employees.
Barber Shops and Beauty Parlors	1 for each chair plus one.
Bowling Alleys	3 for each lane.
Clothing Stores, Grocery Stores, Hardware Stores, Jewelry Stores, Pharmacies	1 for each 300 sq. ft. of floor area.
Church or Temple	1 for each 6 seats.
Community Center, Library, and Museum	11 plus 1 for each 500 sq. ft. in excess of 2,000 sq. ft. of floor area.
Dental and Medical Clinics	1 for each 500 sq. ft. of floor area.
Drive-In Restaurant	3 for each employee on maximum shift.
Dwelling (including multiple family and mobile homes)	2 for each dwelling unit.
Financial Institutions, Business Offices, Professional Offices, and Studios	1 for each 500 sq. ft. of floor area.
Frozen Food Lockers, Laundries, and Dry-Cleaning	1 for each 500 sq. ft. of floor area.
Furniture and Household Appliance Sale and Service Establishments	1 for each 500 sq. ft. of floor area.
Hospitals	1 for each 4 beds.
Indoor Theaters	1 for each 4 seats.
Mortuary or Funeral Home	1 for each 5 seats.
Motel and Hotel	1 for each unit or suite plus 1 for each 100 sq. ft. of commercial floor area.
Printing, Publishing, and Engraving Establishments	1 for each 500 sq. ft. of floor area.
Private Club or Lodge	1 for each 200 sq. ft. of floor area.
Restaurants, Cafes, Nightclubs	1 for each 100 sq. ft. of floor area.
Sanitarium, Nursing, Rest, or Convalescent Home	1 for each 6 beds.
Schools and Public Buildings	1 for each classroom or office room plus 1 for each 6 seats in main auditorium, stadium, or place of public assembly.
Sports Arena or Auditorium, other than in a School	1 for each 3 seats.
Warehouse, Storage, and Manufacturing Operations	1 for each 2 employees plus 1 for each vehicle used by the industry
Wholesale Display and Sales Rooms and Offices	1 for each 300 sq. ft. of floor area
In the case of any use which is not specifically mentioned herein, the provisions for a similar use mentioned shall apply or see SECTION 14.00.06	

4. Definition and Interpretation.
- (a) Parking Space: Each parking space rectangular in shape shall be not less than nine (9) feet wide and twenty (20) feet long or not less than one hundred and eighty (180) square feet in area exclusive of access drives or aisles.
 - (b) Loading Space: Each loading space shall not be less than ten (10) feet wide, sixty-five (65) feet in length and fourteen (14) feet in height, exclusive of access and turning areas.
 - (c) Floor Area: In the case of merchandising or service types of uses, “floor area” shall mean the gross floor area used or intended to be used by tenants, or for service to public or customers, patrons or clients, but shall not include areas used principally for non-public purposes, such as toilet or rest room, utilities, or dressing rooms.
5. Development Standards: Off-street accessory parking areas shall be of usable shape and shall be improved with a durable and dustless surface and so graded and drained as to dispose of all surface water accumulation within the area.
- (a) Where a parking lot does not abut on a public or private alley or easement of access, there shall be provide an access drive not less than eight (8) feet in width in the case of a one (1) or two (2) family dwelling, and not less than sixteen (16) feet in width in all other cases leading to the loading or unloading spaces and parking or storage areas required herein.
 - (b) No part of any parking space shall be closer than five (5) feet to any established street right-of-way or alley line. In case the parking lot adjoins an “R” District, it shall be set back at least five (5) feet from the “R” District boundary and shall be effectively screen-planted.
 - (c) Any off-street parking area, including any commercial parking lot, for more than five (5) vehicles shall be surfaced with an asphaltic or portland cement binder pavement or such other surfaces so as to provide a durable and dustless surface. The parking area shall be so graded and drained to dispose of surface water accumulation within the area, and shall be so arranged and marked as to provide for orderly and safe loading, unloading, parking, and storage of self propelled vehicles.
 - (d) Any lighting used to illuminate such parking areas shall be arranged as to reflect light away from adjoining premises in any “R” District.
6. Exceptions: The Board of Adjustment may authorize on appeal a modification, reduction or waiver of the foregoing requirements, if it should find that in the particular case the peculiar nature of the use, or other exceptional situation or condition would justify such modification, reduction, time extension, or waiver.

Section 14.01 FACTORY-BUILT/MOBILE HOMES, AND RECREATIONAL VEHICLES

Mobile homes shall not be parked or stored on any lot occupied by a dwelling or any lot in any Residential District except in accordance with the following provisions:

1. Factory-built/Mobile Home: A “factory-built/mobile home” shall be parked or stored only in a mobile home park or mobile home sales area. A factory-built/mobile home shall not be occupied, whether temporarily or permanently, unless it is parked or stored in a mobile home park, as authorized under the ordinances of the City of Grundy Center.

2. Recreational Vehicle: A “recreational vehicle” shall only be used as living quarters for a maximum of two (2) weeks in a calendar year.

ARTICLE XV

NONCONFORMING BUILDINGS, STRUCTURES, AND USES OF LAND

Section 15.00 NONCONFORMING BUILDINGS AND STRUCTURES

1. General: A lawful, or authorized, nonconforming building or structure existing at the time of adoption of this Ordinance may be continued, maintained, and repaired, except as otherwise provided in this Section even though said building or structure may not conform with the regulations of this Ordinance for the District in which it is located. A nonconforming building or structure in existence at the adoption hereof that was not a lawful, or authorized, building or structure under previous zoning ordinances shall not be authorized to continue as a nonconforming building or structure pursuant to this Ordinance, or amendments thereto. Nothing in this Ordinance shall prevent the strengthening or restoring to a safe condition any part of any building or structure declared unsafe.
2. Alteration or Enlargement of Building and Structures: A nonconforming building or structure shall not be added to or enlarged in any manner unless said building or structure including additions and enlargements, is made to conform to all the regulations of the District in which it is located; provided, however, that if a building or structure is conforming as to its use, but nonconforming as to yards or height or off-street parking space, said building or structure may be enlarged or added to provided that the enlargement or addition complies with the yard and height and off-street parking requirements of the District in which said building or structure is located. No nonconforming building or structure shall be moved in whole or in part to another location on the lot unless every portion of said building or structure is made to conform to all of the regulations of the District in which it is located.
3. Building Vacancy: A building or structure or portion thereof, that is nonconforming which is or hereafter becomes vacant and remains unoccupied for a continuous period of six (6) months shall not thereafter be occupied except by a use which conforms to the use regulations of the District in which it is located.
4. Destruction of Nonconforming Building or Structure: If any nonconforming building or structure is destroyed by any means, it shall not be reconstructed if the cost is more than fifty (50) percent of the market value of the structure before the damage occurred, in which case reconstruction shall be in accordance with the provisions of this Ordinance. If the damage is less than stated above, it may be restored, reconstructed or used as before provided that it be completed within one (1) year of such happening, and be built of like or similar material.
5. Change of Uses: A nonconforming use of a conforming building or structure may be expanded or extended into any other portion of the structure provided the structure was manifestly arranged or designed for such use at the time of adoption or amendment of the Ordinance, but no such use shall be extended to occupy any land outside such building. If such a nonconforming use, or a portion thereof, is changed to a conforming use, any future use of such building, structure or portion thereof shall be in conformity with the regulations of the district in which such building or structure is located. A vacant or partially vacant conforming building or structure may be occupied by a nonconforming use for which the building or structure was designed or intended if occupied within a period of one (1) year after the effective date of this Ordinance, but otherwise it shall be used in conformity with the regulations of the district in which it is located.

The use of a nonconforming building or structure may be changed to a use of the same or a more restricted district classification; but where the use of nonconforming building or structure is changed to a use of a more restricted district classification it thereafter shall not be changed to a use of a less restricted district classification; provided, however, that a building or structure that is nonconforming at the time of adoption of this Ordinance is not in violation. For the purpose of this subsection only, the “R-1” District shall be considered the most restrictive and the “M-2” District the least restrictive District.

Section 15.01 NONCONFORMING USES OF LAND

1. General: A lawful, or authorized, nonconforming use existing at the time of adoption of this Ordinance may be continued, maintained, and repaired, except as otherwise provided in this Section even though said use may not conform with the regulations of this Ordinance for the District in which it is located. Any nonconforming use in existence at the adoption hereof that was not a lawful, or authorized, use under previous zoning ordinances shall not be authorized to continue as a nonconforming use pursuant to this Ordinance, or amendments thereto.
2. Extension or Expansion of Use: Said nonconforming use may not be extended or expanded, nor shall it occupy more lot area than was in use on the effective date of this Ordinance.
3. Discontinuance of Use: If said nonconforming use or any portion thereof is discontinued for a period of six (6) months, or changed, any future use of such land, or change in use, shall be in conformity with the provisions of the District in which said land is located.

Section 15.02 NONCONFORMING LOTS OF RECORD

In any district in which single-family dwellings are permitted, a single-family dwelling and customary accessory buildings may be erected on any single lot of record existing at the effective date of adoption or amendment of this ordinance. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, if the lot shall conform to the regulations for the district in which such lot is located. Variance of yard requirements shall be obtained only through the action of the Board of Adjustment.

Section 15.03 REPAIRS AND MAINTENANCE

On any building devoted in whole or in part to any nonconforming use, work may be done on ordinary repairs, provided that the cubic content of the building as it existed at the time of adoption or amendment of this Ordinance shall not be increased.

ARTICLE XVI

ADDITIONAL REQUIREMENTS, EXCEPTIONS, MODIFICATIONS, AND INTERPRETATIONS

Section 16.00 GENERAL

The requirements and regulations specified elsewhere in this Ordinance shall be subject to Additional Requirements, Exceptions, Modifications, and Interpretations contained in this Section.

Section 16.01 HEIGHT AND SIZE LIMITS

Height limitations stipulated elsewhere in this Ordinance shall not apply in the following situations:

1. Barns, silos, or other farm buildings or structures on farms provided these are not less than fifty (50) feet from every lot line; to church spires, belfries, cupolas and domes, monuments, water towers, fire and hose towers, masts, and aerials; to parapet walls extending not more than four (4) feet above the limiting height of the building. However, if in the opinion of the Zoning Administrator, such structure would adversely effect adjoining or adjacent properties, such greater height shall not be authorized except by the Board of Adjustment.
2. Bulkheads, conveyors, derricks, elevator penthouses, water tanks, monitors and scenery lofts; to monuments, grain elevators, gas holders or other structures, where the manufacturing process requires a greater height than specified, such may be authorized by the Board of Adjustment.
3. Telecommunication towers, the base of which shall be at least the height of the tower from all adjoining property lines, including public right-of-way.

Section 16.02 FRONT YARD EXCEPTIONS AND MODIFICATIONS

1. Front yard requirements do not apply to bay windows or balconies that do not project more than two (2) feet into the front yard.
2. In any District where the average depth of two (2) or more existing front yards on lots within one hundred (100) feet of the lot in question and within the same block front is less or greater than the least front yard depth prescribed, front yards may be varied. The depth of the front yard on such lot shall not be less than the average depth of said existing front yards or the average depth of the two (2) lots immediately adjoining or, in the case of a corner lot, the depth of the front yard on the lot immediately adjoining; provided, however, that the depth of the front yard on a lot in any "R" District shall be at least ten (10) feet and need not exceed sixty (60) feet.
3. For the purpose of determining lot width, that portion of a flag lot used for ingress and egress shall not be included as a part of the required front yard.

Section 16.03 SIDE YARD EXCEPTIONS AND MODIFICATIONS

1. Along any district boundary line, any abutting side yard on a lot in the less restricted District shall have a least width equal to that required in the more restricted district. Where a lot in an "M" District abuts a lot in an "R" District, the side yard shall be increased by three (3) feet for each foot that the building proposed on such lot exceeds the height limit of the said "R" District.

2. On a corner lot the least width of a side yard along the side street lot line shall be equal to the required front yard along the side street. No part of any accessory building shall be nearer a side street lot line than the least depth on any front yard required along such side street.
3. The following projections or structures may be permitted in side yards:
 - (a) Accessory buildings or structures subject to the provisions contained elsewhere in this Ordinance.
 - (b) Fences or walls not over eight (8) feet above the average natural grade except as noted in Section 3.14.
 - (c) Fire escapes, three (3) feet from side lot line. Bays and balconies not more than three (3) feet from the building, provided these projections are entirely within planes drawn from either main corner of the side wall. The sum of the lengths of such projection shall not exceed one-third ($\frac{1}{3}$) of the length of the wall of the main building
 - (d) Chimneys, flues, sills, overhangs, pilasters, and lintels, ornamental features, cornices, gutters and the like into or over a required side yard not more than one and one-half ($1\frac{1}{2}$) feet.
 - (e) Terraces, steps, uncovered porches (not including decks), stoops or similar features, not higher than the elevation of the ground story of the building and distant three (3) feet from the side lot line.

Section 16.04 REAR YARD EXCEPTIONS AND MODIFICATIONS

The following projections or structures may be permitted in rear yards:

1. In any “C” or “R” District, a building which is non-conforming as to rear yard setbacks may be expanded or enlarged, provided the enlargement or expansion does not encroach closer to the rear property line than the already existing building, All other Bulk Requirements must be met.
2. Accessory buildings or structures subject to the provisions contained elsewhere in this Ordinance.
3. Fences or walls, not over eight (8) feet in height.
4. Chimneys, flues, sills, pilasters, lintels, ornamental features, cornices, eaves, and the like, into or over a required rear yard not more than one and one-half ($1\frac{1}{2}$) feet.
5. Terraces, steps, decks, uncovered porches, or similar features not more than ten (10) feet into a required rear yard, nor closer than six (6) feet of an alley or within ten (10) feet of a rear lot line.
6. Swimming pools.

ARTICLE XVII

ADMINISTRATION AND ENFORCEMENT

Section 17.00 ORGANIZATION

The administration of this Ordinance is vested in the following four (4) offices of the government of the City of Grundy Center: City Council, Planning and Zoning Commission, Board of Adjustment, and Zoning Administrator.

Section 17.01 BASIS OF REGULATIONS

Regulations are made in accordance with the Comprehensive Plan and designed to preserve the availability of agricultural land; to consider the protection of soil from wind and water erosion; to encourage efficient urban development patterns; to lessen congestion in the street; to secure safety from fire, flood, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the over-crowding of land; to avoid undue concentration of population; to promote the conservation of energy resources; to promote reasonable access to solar energy; and to facilitate the adequate provision of transportation, water sewerage, schools, parks, and other public requirements.

Section 17.02 MAYOR AND CITY COUNCIL

1. Jurisdiction: The Mayor and City Council of the City of Grundy Center, Iowa, shall discharge the following duties under this Ordinance:
 - (a) Appoint a Zoning Administrator whose responsibilities it will be to enforce the provisions of this Ordinance.
 - (b) Appoint members of the Board of Adjustment as provided for in this Ordinance.
 - (c) Appoint members to the Planning and Zoning Commission as provided for in this Ordinance.
 - (d) Receive and decide upon all recommendations concerning amendments, supplements, and changes presented by the Planning and Zoning Commission.
 - (e) Receive from the Planning and Zoning Commission all recommendations on the effectiveness of this Ordinance.
 - (f) To decide all matters upon which it is required to pass under this Ordinance.

Section 17.03 BOARD OF ADJUSTMENT

1. Creation: The Board of Adjustment, as established under applicable provisions of the Code of Iowa, is the Board referred to in this Ordinance.
2. Appointment-Terms-Removal: The Board shall consist of five (5) members, who are residents, to be appointed by the City Council for a term of five (5) years excepting that when the Board shall first be created one (1) member shall be appointed for a term of five (5) years, one (1) for a term of four (4) years, one (1) for a term of three (3) years, one (1) for a term of two (2) years, and one (1) for a term of one (1) year. A majority of the members of the Board shall be persons representing the public at large. The Board of Adjustment shall not be the Planning and Zoning Commission, and members shall not hold an elective office in municipal government, nor shall a majority of the members be

involved in the business of purchasing or selling real estate. Members of the Board may be removed from office by the City Council for cause upon written charges and after public hearing. Vacancies shall be filled by the City Council for the unexpired term of the member affected.

3. Powers and Duties: The Board of Adjustment is hereby vested with the following powers and duties:
 - (a) To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by the Zoning Administrator in the enforcement of this Ordinance.
 - (b) To hear and decide all applications for special exceptions in the manner prescribed in this Ordinance.
 - (c) To hear and decide all applications for variances from the terms provided in the Ordinance in the manner prescribed and subject to the standards herein.
4. Meetings and Rules: The Board of Adjustment shall adopt rules necessary to the conduct of its affairs, and in keeping with the provisions of this article. Meetings shall be held at the call of the chairperson and at such other times as the board may determine. The chairperson, or in their absence, the acting chairperson, may administer oaths and compel attendance of witnesses. All meetings shall be open to the public.

The Board of Adjustment shall keep minutes of its proceedings showing the vote of each member upon each agenda item requiring action, or if absent or failing to vote indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be public record and be immediately filed in the office of the Zoning Administrator and City Clerk.

The concurring vote of three (3) members of the Board shall be necessary to reverse any order, requirement, decision, or determination of the Zoning Administrator, or to decide in favor of the applicant on any matter upon which it is required to pass under this title, or to effect any variation in application of this title.

5. Finality of Decisions of the Board of Adjustment: All decisions and findings of the Board of Adjustment on appeals applications for a variance, or application for a special exception, after a hearing, shall, in all instances, be final administrative decisions and shall be subject to judicial review as is stated in the Code of Iowa.

Section 17.04 VARIANCES

1. Purpose and Findings of Fact: The Board of Adjustment, after a public hearing, may determine and vary the regulations of this Ordinance in harmony with their general purpose and intent, only in the specific instances hereinafter set forth, where the Board of Adjustment makes written findings of fact in accordance with the standards hereinafter prescribed and further, finds that there are no practical difficulties or particular hardships in the way of carrying out the strict letter of the regulations of this Ordinance.
2. Application for Variance: An application for a variance shall be filed in writing with the Zoning Administrator. Said application shall contain such information as the Board of Adjustment may, by rules, require.
3. Standards for Variance: The Board of Adjustment shall not vary the regulations of this Ordinance, as authorized in this Section, unless there is evidence presented to it in each specific case that:

- (a) Special conditions and circumstances exist which are unique to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.
- (b) Literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance. In other words, an unnecessary hardship would result from literal enforcement of this Ordinance.
- (c) Special conditions and circumstances do not result from the actions of the applicant.
- (d) Granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district.

4. Further Requirements:

- (a) The Board of Adjustment shall make a finding that the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.
- (b) The Board of Adjustment shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this Ordinance and the Grundy Center Comprehensive Plan, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.
- (c) In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this Ordinance. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this title and punishable under Article XIX.
- (d) Under no circumstances shall the Board of Adjustment grant a variance to allow for use not permissible under the terms of this Ordinance in the District involved, or any use expressly or by implication prohibited by the terms of this Ordinance in the District.
- (e) If property lines cannot be determined through existing surveys or property markers, the request must be accompanied by a certified survey.

Section 17.05 SPECIAL EXCEPTION AND OTHER POWERS OF THE BOARD OF ADJUSTMENT

1. Special Exception

- (a) Purpose: The development and administration of this Ordinance is based upon the division of the City into Zoning Districts, within which Districts the use of land and buildings and the bulk and location of buildings and structures in relation to the land are substantially uniform. It is recognized, however, that there are certain uses which, because of their unique characteristics, cannot be properly classified in any particular District or Districts, without consideration in each case, of the impact of those uses upon neighboring land and of the public need for the particular use at the particular locations. Such special exceptions fall into two categories:

- (1) Uses publicly operated or traditionally affected with a public interest, and
 - (2) Uses entirely private in character, but of such an unusual nature that their operation may give rise to unique problems with respect to their impact upon neighboring property or public facilities.
- (b) Initiation of Special Exceptions: Any person having a freehold interest in land, a possessory interest entitled to exclusive possession, or a contractual interest which may become a freehold interest of an exclusive possessory interest, either of which is specifically enforceable, may file an application to use such land for one (1) or more of the special exceptions provided for in this Ordinance in the zoning district in which the land is located.
- (c) Application for Special Exception: An application for a special exception shall be filed with the Zoning Administrator on a form as the Zoning Administrator shall prescribe. The application shall be accompanied by such plans and/or date prescribed by the Board of Adjustment and shall include a statement indicating the Section of this Ordinance under which the special exception is sought and stating the grounds on which it is requested.
- (d) Hearing on Application: Upon receipt in proper form of the application and statement referred to in Section 17.05.1 (c), the Board of Adjustment shall hold at least one (1) public hearing on the proposed special exception. Notice of time and place of such hearing shall be published not less than seven (7) days nor more than twenty (20) days in advance of the public hearing in a newspaper of general circulation in the City of Grundy Center. As a courtesy and to the best ability of the City, property owners within three hundred (300) feet of the property for which the change is being requested shall be notified by regular mail about the proposed actions. Before an appeal is filed with the Board of Adjustment, the appellant shall pay the City of Grundy Center to cover the publishing and administration costs of said appeal, per the adopted fee schedule.
- (e) Authorization: For each application for a special exception the Zoning Administrator shall prepare and file with the Board of Adjustment finding and recommendations, including the recommended stipulations of additional conditions and guarantees that are deemed necessary for the protection of the public interest.
- (f) Standards: No special exception shall be granted by the Board of Adjustment unless such Board shall find:
 - (1) That the establishment, maintenance, or operation of the special exception will not be detrimental to or endanger the public health, safety, comfort, or general welfare;
 - (2) That the special exception will not be injurious to the use and enjoyment of other property already permitted, nor substantially diminish and impair property values within the neighborhood;
 - (3) That the establishment of special exceptions will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;

- (4) That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided;
 - (5) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
 - (6) That the special exception shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Adjustment;
 - (7) That the special exception shall conform to the Grundy Center Comprehensive Plan and the Code of Ordinances.
- (g) Conditions and Guarantees: Prior to the granting of any special use, the Board of Adjustment shall stipulate such conditions and restrictions upon the establishment, location, construction, maintenance, and operation of the special exception as is deemed necessary for the protection of the public interest and to secure compliance with the Standards and requirements specified in Subsection (f) above. In all cases in which special exceptions are granted, the Board of Adjustment shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with.
- (h) Denial and Revocation of Special Exception:
- (1) Denial: No application for a special exception that has been denied wholly or in part by the Board of Adjustment shall be resubmitted for a period of one (1) year from the date of denial, except on the grounds of new evidence or proof of change of conditions found to be valid by the Board of Adjustment.
 - (2) Revocation: In any case where special exception has not been established within one (1) year after the date of granting thereof, then, without further action by the Board of Adjustment the use on review or authorization shall be null and void.

2. Other Powers of the Board of Adjustment

The Board of Adjustment is hereby vested with the following additional authority and jurisdiction:

- (a) Interpretation of District Map: Where the application of the rules for interpretation of district boundaries contained in Section 2.02 leaves a reasonable doubt to the boundary between two (2) Zoning Districts the Board of Adjustment after notice to the owners of the property and after public hearing, shall interpret the Map in such a way as to carry out the intent and purposes of this Ordinance.
- (b) Temporary Uses and Permits: The Board of Adjustment may issue a permit for the temporary use of a building or premises in any district for a purpose or use that does not conform to the regulations prescribed by this Ordinance, provided that such use be of a true temporary nature and does not involve the erection of substantial buildings. Such permit shall be granted in the form of a temporary and revocable permit for not more than a twelve (12) month period, subject to

such conditions as will safeguard the public health, safety, convenience, and general welfare.

Section 17.06 APPEALS

Any person or persons, or any board, taxpayer, department, board or bureau of the City aggrieved by any decision of the Board of Adjustment may seek review by a court of record of said decision, in the manner provided by the laws of the state and particularly by the Code of Iowa.

Section 17.07 PLANNING AND ZONING COMMISSION

1. Creation: The Planning and Zoning Commission of the City of Grundy Center, as established under the applicable provisions of the Code of Iowa, is the Planning and Zoning Commission referred to in this Ordinance.
2. Membership: The Planning and Zoning Commission shall consist of five (5) members, who are residents, to be appointed for a term of five (5) years excepting that when the Commission shall first be created one (1) member shall be appointed for a term of five (5) years, one (1) for a term of four (4) years, one (1) for a term of three (3) years, one (1) for a term of two (2) years, and one (1) for a term of one (1) year. Said Planning and Zoning Commission shall consist of persons who are qualified by knowledge or experience to act in matters pertaining to the development of a city plan and who shall not hold any elective office in the municipal government, shall be appointed by the Mayor, subject to the approval of the City Council.

Vacancies shall be filled by appointments for unexpired terms only. All members of the Commission shall serve without compensation except for actual expenses, which shall be subject to the approval of the City Council.

Immediately following their appointment, the members of the Planning and Zoning Commission shall meet, organize, elect such officers as it may deem necessary, and adopt and later change or alter, rules and regulations of organization and procedure consistent with City Ordinances and state laws. The Commission shall keep written records of its proceedings which shall be filed with the Zoning Administrator and City Clerk and open at all times to public inspection.

3. Powers and Duties: The Planning and Zoning Commission shall hold the following powers, discharge the following duties, and make recommendations to the City Council under this Ordinance. Included are the following responsibilities:
 - (a) Review and make recommendations regarding the adoption, or amendment of, the Grundy Center Comprehensive Plan;
 - (b) Review and make recommendations regarding the adoption, or amendment of, this Ordinance. This includes all amendments to the written, map, and application components of the Ordinance, as well as any other duties or responsibilities assigned to the Commission within the Ordinance;
 - (c) Review and make recommendations regarding all subdivision plats, including those for re-subdivision, proposed within the city, as well as those proposed within two (2) miles of the city limits, which was established within the Grundy Center Subdivision Ordinance. All plats shall be reviewed in accordance with the provisions of this Ordinance;

- (d) Review and make recommendations regarding the vacation of subdivisions and public rights-of-way, according to the Grundy Center Subdivision Ordinance;
- (e) Conduct the necessary public hearings, as prescribed under the Grundy Center Comprehensive Plan, this Ordinance, or the Iowa Code;
- (f) Review, adopt, and amend Administrative Rules or Rules of Procedure, which govern the actions of the Commission;
- (g) Rely on the City Council to provide sufficient staffing in order to ensure that the business of the Commission is addressed in a timely fashion; and
- (h) Review any other land use change or issue, which at the direction of the City Council, are sent to the Commission for consideration and recommendation.

Amendments made to the Grundy Center Comprehensive Plan and to this Ordinance shall, when directed by the City Council or an applicant, be considered by the Planning and Zoning Commission within thirty (30) days of their receipt. In the event that the Commission's recommendation and City Council's motion do not concur, the Council shall be required to adopt the motion by a super-majority of three-fourths ($\frac{3}{4}$) of the Council members.

Section 17.08 ZONING ADMINISTRATOR/BUILDING OFFICIAL

1. Designation of Zoning Administrator/Building Official: The Zoning Administrator/Building Official shall be designated by the City Council. Said designation and duties may be shared by more than one (1) employee, as the Council may allow and deem necessary.
2. Powers and Duties of the Zoning Administrator/Building Official: The Zoning Administrator/Building Official shall enforce this Ordinance and in addition shall:
 - (a) Issue all zoning permits and collect any fees.
 - (b) Process all applications for variances, special exceptions, and interpretation for referral to the Board of Adjustment.
 - (c) Respond to complaints of alleged violations to the Ordinance.
 - (d) Serve as the enforcement officer to ensure compliance with this ordinance.
 - (e) Perform other duties as necessary and appropriate to uphold the provisions of the ordinance.
 - (f) Provide and maintain a public information service relative to all matters arising out of this Ordinance.
 - (g) Provide proper forms to the public for the zoning process.
 - (h) Review site plans for conformance with this Ordinance.
 - (i) Carry out the administrative duties for both the Planning and Zoning Commission and the Board of Adjustment.

- (j) Be the Secretary of the Planning and Zoning Commission and the Secretary of the Board of Adjustment.
 - (1) The Secretary of the Planning and Zoning Commission shall attend all meetings of the Commission, take full and accurate minutes of the proceedings, prepare all necessary reports and documents for and on behalf of the Commission, and perform such duties and functions as may be necessary for the orderly recording of the business of the Commission.
 - (2) The Secretary of the Board of Adjustment shall attend all meetings of the Board, take full and necessary reports and documents for and on behalf of the Board, and perform such other duties and functions as may be necessary for the orderly recording of the business of the Board.

Section 17.09 AMENDMENTS TO THIS ORDINANCE

1. Procedure: The regulations, restrictions, and boundaries may from time to time, be amended, supplemented, changed, modified, or repealed by the City Council, but no such amendments shall be made without public hearings before the Planning and Zoning Commission and City Council and after a report has been made upon the amendment by the Planning and Zoning Commission. However, the regulation, restriction, or boundary shall not become effective until after public hearings at which parties in interest and citizens shall have an opportunity to be heard. The notice of the time and place of the hearings shall be published in a newspaper with general circulation in the City not less than seven (7) days nor more than twenty (20) days before either of the public hearings. In no case shall the City Council hearing be held earlier than the next regularly scheduled City Council meeting after the Planning and Zoning Commission hearing

In case the Planning and Zoning Commission does not approve the change, or, in the case of a protest filed with the City Council against such change signed by the owners of twenty (20) percent or more, either of the area of the lots included in such proposed change or of those immediately adjacent in the rear thereof extending the depth of one (1) lot or not to exceed three hundred (300) feet therefrom, or of those directly opposite thereto, extending the depth of one (1) lot or not to exceed three hundred (300) feet from the street frontage of such opposite lots, such amendment shall not be passed except by the favorable vote of three-fourths ($\frac{3}{4}$) of all members of the City Council. As part of an amendment to this Ordinance changing land from one zoning district to another zoning district, or as part of approving a site development plan, the City Council may impose conditions on a property owner which are in addition to existing regulations if the additional conditions have been agreed to in writing by the property owner before the public hearing required under this Section or any adjournment of that hearing. The conditions must be reasonable and imposed to satisfy public needs which are directly caused by the requested change in zoning district.

2. Rezoning Applications: An application for rezoning shall contain the following items:
 - (a) The legal description and local address, if applicable, of the property to be rezoned.
 - (b) The present zoning classification and the zoning classification requested for the property.
 - (c) The existing use and proposed use of the property.

- (d) The names and addresses of the owners of all property within three hundred (300) feet of the property for which the change is requested.
- (e) A statement of the reasons why the applicant feels the present zoning classification is no longer valid.
- (f) A plat showing the locations, dimensions, and use of the applicant's property and all property within three hundred (300) feet thereof, including streets, alleys, railroads, and other physical features.
- (g) The property owner's signature.

3. Fee: Before any action is taken upon an application as provided in this section, the applicant shall pay the Zoning Administrator a non-refundable sum, as established by resolution of the City Council, to cover the approximate cost of the procedure and the applicant shall forthwith pay over this fee to the credit of the general revenue fund of the City. The failure to approve the change will not be construed as any reason for refunding the fee to the applicant.

ARTICLE XVIII

BUILDING CONSTRUCTION, CERTIFICATES, FEES

Section 18.00 BUILDING CONSTRUCTION

No building or structure shall hereafter be erected, constructed, reconstructed, enlarged, altered, repaired, moved, improved, removed, converted, or demolished unless a separate permit for each building or structure has first been obtained from the Zoning Administrator/Building Official. Said permit and the application for the permit shall contain a plot plan showing the actual dimensions of the lot to be built upon, the size, shape, and location of the building or structure to be erected or affected, the name and address of the owner or owners of the involved lot, and such other information as may be necessary to provide for the enforcement of this Ordinance. The application and permit shall be on forms prepared by the Zoning Administrator and approved by the Council. No permit shall be issued for any construction not in compliance with this Chapter. Any construction started without a permit shall be stopped immediately and shall be subject to the remedies of Section 19.02. No permit shall be issued on construction that has begun without a permit until the applicant pays a fine of twenty-five (25) dollars and double the cost of the assessed permit fee.

Section 18.01 COMMENCEMENT AND COMPLETION OF CONSTRUCTION

An applicant who is issued a building permit under the provisions of this chapter is bound, by acceptance of the permit, to commence the construction for which the permit is issued within six (6) months from and after the date of issue of said permit and is bound to finish said construction within twelve (12) months from and after said date of issue. Failure to commence construction within six (6) months shall cause the permit to expire. A building permit issued under the provisions of this chapter shall be valid for a period of twelve (12) months from and after the date of issue of said permit. Upon expiration of a permit, the holder shall make a new application for a new permit under the provisions of this chapter and shall otherwise go through the same procedure as required for issuance of the original building permit. The fee for the second permit, as in the case of the original permit fee, shall be set by resolution by the City Council. Issuance of a second permit shall be determined on a case-by-case basis and is subject to Board of Adjustment issuance of a Special Exception. If the Board of Adjustment determines that reasonable progress has not been made over the course of the issuance of the original permit, the property may be determined a nuisance and the provisions of Section 19.02 may be enforced. Nothing in this section shall limit the remedies and enforcement powers of the City, which shall include injunctive relief.

Section 18.02 STRUCTURES IN STREET, ALLEY, AND EASEMENT PROHIBITED

No structure except a box for the receipt of the United States Mail with a post to support same shall be erected in a "street" as that word is defined in Section 384.37(4) of the Code of Iowa. No structure shall be erected in any City alley or on any easement in favor of the City.

Section 18.03 STRUCTURE STANDARDS

The following standards shall apply to all structures and all construction for which building permits are issued on or after the effective date of the ordinance codified by this chapter:

1. All dwellings shall be affixed to a permanent foundation system in accordance with the Building Code standards.
2. All structures shall comply with all requirements of this Chapter, including all requirements contained in the definitions of Section 1.05 including, without limitation the definitions of Dwelling, Fence, and Screening; all bulk requirements; and all other provisions of this Chapter.

Section 18.04 BUILDING INSPECTION SCHEDULE

It shall be the responsibility of the applicant to request that all standard inspections be made according to the following schedule. All inspections shall be scheduled no less than twenty-four (24) hours prior to requested appointment and are subject to availability of the Building Official.

1. Initial: This inspection is to be made when the building dimensions have been staked out on the property BEFORE any digging or grading has commenced. Proper setbacks, distance to property lines, location of buried utilities and general compliance will be determined during this inspection. All underground utilities SHALL be marked prior to this inspection.
2. Trench/Footings: This inspection is to be made when the trench, footings, or basement has been excavated and all forms and reinforcement members are in place and BEFORE any concrete has been poured. Water, sewer, and electrical stubs shall be in place or marked out as well as location of tile lines and their point of discharge or collection.
3. Foundation: This inspection is to be made after the foundation has been poured and waterproofed BEFORE any backfilling has been completed. All tile lines and connections shall remain exposed for this inspection.
4. Framing: This inspection is to be made after all framing, fire blocking, bracing, roof trusses or rafters are roughed in, and all heat runs are cut into the floor and walls. This inspection shall be required BEFORE any sheetrock, paneling, or insulation has been applied.
5. Mechanical/Plumbing: This inspection is to be made when all electrical, plumbing, and mechanical applications are in place. This includes furnaces, fireplaces, water heaters, freshwater lines, wastewater lines, duct work, ventilation systems and any other elements of the construction process that will lose ready accessibility or exposure after insulation, sheetrock, or paneling has been installed.
6. Insulation: This inspection is to be made BEFORE any sheetrock, paneling, sheathing, or other means that may prohibit ready accessibility to ANY insulation.
7. Flatwork (may take place in multiple stages): This inspection is to be made when all forms, reinforcement, heating elements, under slab plumbing, etc. are in place but BEFORE any concrete has been poured.
8. Curb Cut: A consultation shall be scheduled when the proposed area of curb to be extracted has been established but BEFORE the cut has been made. Approval of finished curb cut shall be determined during temporary or final inspection.
9. Final: No structure intended for living quarters shall be occupied or otherwise used prior to a final inspection and subsequent Certificate of Occupancy. In certain cases, subject to the interpretation of the Building Official, temporary approval may be considered as necessary.

Section 18.05 CERTIFICATE OF OCCUPANCY

No change in the use or occupancy of land, nor any change in use or occupancy in an existing building shall be made, nor shall any new building be occupied for any purpose or use until a certificate of occupancy has been issued by the Zoning Administrator/Building Official. Every certificate of occupancy shall state that the new occupancy complies with the provisions of this Ordinance. No Certificate of Occupancy shall be issued prior to the completion and inspection of all required structural and aesthetic elements in accordance with the Building Inspection Standards. No certificate of occupancy shall be issued without the completion of any required sidewalk.

Section 18.06 APPLICATIONS AND FEES

The Zoning Administrator is instructed to issue permits upon proper applications under this Ordinance, and charge a fee as determined by the City Council and adopted by resolution. Applicable fees include, but are not limited to, the following.

1. Rezoning.
2. Variance.
3. Use/Special Exception.
4. Home Occupation and Home Industry (Initial and renewal fees).
5. Building Permits.

ARTICLE XIX

VIOLATIONS AND LEGAL STATUS PROVISIONS

Section 19.00 NOTICE TO VIOLATORS

If the Zoning Administrator finds that any provision of this Ordinance is being violated, they shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. The Zoning Administrator shall order discontinuance of illegal buildings or structures or of additions, alterations, or structural changes thereto; discontinuance of any illegal work being done; or shall take any other action authorized by this Ordinance or by the City Code to ensure compliance with or to prevent violation of its provisions.

Section 19.01 RESPONSIBILITY

The owners, or tenant, of any building, structure, land or part thereof and any architect, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains a violation of this chapter may each be charged with a separate offense and upon conviction suffer the penalties herein provided.

Section 19.02 CITY REMEDIES

If any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure, or land is used in violation of this Ordinance, the City may, in addition to other remedies, institute injunction, mandamus, or other appropriate lawful action necessary to prevent, correct, or abate such violation. A violation of this Ordinance shall be deemed a municipal infraction under Chapter 4 of the Municipal Code and a violation of the City of Grundy Center's Code of Ordinances. Any construction started without a permit, or which does not comply with the requirements of the Code of Ordinances shall be removed immediately. The City Council may, without limitation, provide for abatement of such nuisance, pursue civil action in court, or prosecute such violation, such action to be prosecuted in the name of the City, or may pursue any combination of remedies. The violation of this chapter shall be a simple misdemeanor, punishable by a fine not to exceed seven hundred fifty (\$750) dollars for the initial infraction, or if the infraction is a repeat offense a civil penalty not to exceed one thousand (\$1,000) dollars or imprisonment not to exceed thirty (30) days. Each day that said violation is continued shall constitute a separate violation. Nothing in this section shall limit the remedies and enforcement powers of the City, which shall include injunctive relief.

Section 19.03 REPEALER

All ordinances and resolutions or any part thereof in conflict with all or any part of this Ordinance are hereby repealed.

Section 19.04 SEVERABILITY

If any section or part thereof of this Ordinance shall be held to be unconstitutional by a court of competent jurisdiction, the remainder of the provisions herein shall be deemed to continue in full force and effect.

Section 19.05 EFFECTIVE DATE

This Ordinance repeals Grundy Center Zoning Ordinance Chapter 165, Zoning Regulations of the City Code of Grundy Center, the Official Zoning Map, and all of the amendments thereto; and

This Zoning Ordinance is enacted in lieu thereof as new Ordinance Number 561, the City of Grundy Center, Iowa Zoning Ordinance, including Official Zoning Map, Chapter 165 of the City Code. Ordinance number 561 is an Ordinance creating updated zoning regulations for the purpose of protecting health, welfare, and public safety within the City of Grundy Center, Iowa, and it shall be integrated into the Grundy Center Code of Ordinances.

This Ordinance was passed and approved by Grundy Center City Council on the following dates:

A City Council Public Hearing was held, and the First Reading was approved on: January 3, 2022

The Second Reading was approved on: January 17, 2022.

The Third and Final Reading was approved on: April 4, 2022.

Ordinance Number 561, "The Grundy Center, Iowa Zoning Ordinance", as adopted, shall be in full force and effect from and after this 15th day of April, 2022

City of Grundy Center, Iowa City Council


Dr. Paul Eberline, Mayor

4-4-2022
Date

Attest:

Kristy Sawyer, City Clerk

4-4-2022
Date

Published in:

The Grundy Register