

Meeting Agenda
City of Atlantic Planning & Zoning Commission
Tuesday, August 12, 2025; 5:30 P.M.
City Hall Council Chambers

1. Call to Order.
2. Approval of Agenda.
3. Approval of June 10, 2025, Minutes.
4. Final Discussion and Vote on Regulations for Non-Traditional Housing.
5. Review, Discussion, and Recommendations on the Proposed Phase I Zoning Ordinance Changes for Articles 1-12.
6. Discussion, Review, and Recommendation on Current Land Use Map, Future Land Use Map, and the Comprehensive Plan.
7. Next Regular Meeting: September 9, 2025.
8. Adjournment.

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Planning & Zoning Commission
July 16, 2025
5:30 p.m.

The Atlantic Planning & Zoning Commission met in regular session at 5:30 p.m. with Martens presiding as Chair. Other members present were Wallingford, Steffens, Brown, Richard, McNees and Ihnen, Zoning Administrator Lund, Vision Atlantic & City Engineer Dave Sturm, Vision Atlantic President Christina Bateman, and Councilwoman At-Large Elaine Otte were also present. Absent: None.

Martens called the meeting to order at 5:32 P.M.

Ihnen moved, Richard seconded, to adopt the agenda as posted. Passed.

McNees moved, Steffens seconded, to adopt the amended June 10 2025, Minutes. Passed.

Martens moved review and discussion of a multiple family residential planned unit development overlay (PUD) site plan for Camblin Hills Development Lots 17, 49, and 60 for Vision Atlantic, Inc., Located in the Camblin Hills Development.

Dave Sturm spoke about the duplex condominiums at the lots that cannot be captured by the storm water detention. Brown asked about the contractors. PC Construction is building the condominiums according to Bateman.

Lot 60 will have 9 units. Lot 17 of the plat will be the 10 tiny homes. Water, sewer, and streets are being installed right now.

Martens asked about a water line issue, Sturm stated this was an accident and that one of the lines should have been deleted.

Sturm also mentioned the trails around the development.

Steffens moved, Wallingford seconded to adopt Multiple Family Residential Planned Unit (PUD) Development Site Plan for Camblin Hills Development Lots 17, 49, and 60 for Vision Atlantic Inc., Located in the Camblin Hills Development. Passed. Ihnen abstained.

Lund stated the next regular meeting will be August 12, 2025.

Richard moved, Wallingford seconded moved to adjourn at 5:52 P.M. Passed.

Chair

Attest: _____
Secretary

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CITY OF ATLANTIC ZONING ORDINANCE

Updated: July 5, 2023

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ARTICLE 1 GENERAL PROVISIONS

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1.220	Lots of Record

1.010 TITLE

This Zoning Ordinance shall be known and may be cited as the Zoning Ordinance for the City of Atlantic, Iowa.

1.020 PURPOSE

By the authority granted to the City of Atlantic by Section 414.1, 1983 State Code of Iowa, and amendments thereto, the City of Atlantic establishes this Ordinance for the promotion of the City as the leader in quality of life and opportunities for work and business. This Ordinance is designed to lessen congestion in the streets, to ensure safety from fire and other danger, to promote health and general welfare, to provide adequate light and air, to prevent the overcrowding of land, to avoid undue concentration of population and to facilitate the provision for transportation, schools, parks and other public requirements, to stabilize and improve property values and to enhance the economic and cultural wellbeing of residents and visitors to the City of Atlantic. These regulations have been made with reasonable consideration, among other things, to the character of each district and its particular suitability for particular uses, with a view to conserving and improving the living quality of buildings and encouraging the most appropriate use of lands throughout the City of Atlantic, in accordance with the Comprehensive Plan.

1.030 INTENT

The intent of the regulations set forth herein shall be to further the purpose of the title and promote the

objectives and characteristics of the respective zones.

1.040 CONFLICTING PROVISIONS

These regulations shall not nullify the more restrictive provisions of other private covenants and agreements, or other laws or general Ordinances of the City, but shall prevail and take precedence over such provisions which are less restrictive.

1.050 LICENSES TO CONFORM

All Departments, Officials, and Employees of Atlantic which are vested with the duty or authority to issue permits or licenses shall conform to the provisions of these regulations and shall issue no permit or license for a use, building, or purpose where the same would be in conflict with the provisions contained herein.

1.060 NOT A LICENSING REGULATION

Nothing contained in these regulations shall be deemed to be a consent, license or permit to use any property or to locate, construct, or maintain any structure or facility or to carry on any trade, industry, occupation, or activity.

1.070 BUILDING PERMITS REQUIRED

No building or structure shall be constructed, altered, or moved, except after issuance of a permit for the same by the Zoning Administrator. It shall be the responsibility of the general contractor and/or owner to obtain and post the building permit. The Zoning Administrator and City police department shall have enforcement powers to include the issuance of citations. Structures, signs and accessory uses not requiring a building permit are stated in Articles 17 and 21 of this Ordinance. Building permits shall expire 12 months after the start of construction or the date the permit is issued, whichever provides the longer duration.

1.080 PERMITS TO COMPLY WITH THE ZONING REGULATIONS

Permits shall not be granted for the construction or alteration of any building or structure, or for the moving of a building onto a lot, or, building, or structure, if such construction, alteration, moving, or change in use would be a violation of any of the provisions of these regulations. No sewer service line, no water line, no electrical, gas, or telephone utilities shall be installed to serve such premises if such use will be in violation of the regulations contained herein.

1.090 PERMITTED USES

No structure shall hereafter be built, moved, or altered and no structure or land shall hereafter be used, occupied, or designed for use or occupancy except for a use that is permitted within the zoning district in which the structure or land is located.

1.100 CONDITIONAL USES

No use of a structure or land that is designed as a conditional use in any zoning district shall hereafter be established and no existing conditional use shall hereafter be changed to another conditional use in such district unless a conditional use permit is secured in accordance with the provisions of Article 25 in this Zoning Regulation.

1.110 DETERMINATION OF USES NOT LISTED

Whenever there is doubt as to the classification of a use not specifically listed or mentioned in these regulations, the determination shall be made by the Planning and Zoning Commission within a reasonable time, but not to exceed sixty (60) days. Such determination shall state the districts in which the proposed use will be permitted and whether it is a permitted use, a special use, or conditional use in keeping with the intent of these regulations. The determination of the proposed use shall be effective immediately and the Zoning Administrator shall use such determination in issuing permits. Application for determination shall be made in writing. No specific form is required.

1.120 LOT REQUIREMENTS

1. No structure, or part thereof, shall hereafter be built, moved, or enlarged and no structure or land shall hereafter be used, occupied, or designed for use of occupancy on a lot which is:
 - A. Smaller in area than the minimum area, or minimum lot area per dwelling unit, required in the zoning district in which the structure or land is located;
 - B. Narrower than the minimum lot width required in the zoning district in which the structure or land is located; or
 - C. Shallower than the minimum lot depth required in the zoning district in which the structure or land is located.
2. No existing structure shall hereafter be altered as to conflict or further conflict, with the lot area per dwelling unit requirements for the zoning district in which the structure is located. Conditional use permits may be granted for the alteration of dimensional requirements in accordance with Article 25 of this Ordinance.

1.130 YARD REQUIREMENTS

No structure, or part thereof, shall hereafter be built, moved, or altered and all structures or land shall be hereafter used, occupied or designed for use of occupancy:

- A. So as to exceed the maximum lot coverage percentage, or the maximum structure height specified for the zoning district in which the structure is located; or
- B. So as to provide any setback or front, side or rear yard that is less than that specified for the zoning district in which such district or use of land is located or maintained.

All yard requirements set forth herein are expressed in terms of maximum structure height, maximum lot coverage, and minimum setbacks. Conditional use permits may be granted for the alteration of dimensional requirements in accordance with Article 25 of this Ordinance.

1.140 USE LIMITATIONS

No permitted or conditional use hereafter established, altered, modified, or enlarged shall be operated or designed so as to conflict with the use limitations for the zoning district in which such use is, or will be, located. No permitted or conditional use already established on the effective date of this Zoning Ordinance shall be altered, modified, or enlarged so as to conflict, or further conflict with, the use limitations for the zoning district in which such use is located.

1.150 ACCESSORY USES

No accessory as defined in Article 17 shall hereafter be built, established, moved, altered, or enlarged

unless such uses are permitted by Article 17 of this Zoning Ordinance.

1.160 HOME OCCUPATIONS

No home occupations as defined in Article 19 shall hereafter be established, altered, or enlarged in any residential district unless such home occupation is permitted, and complies with the conditions set forth in Article 19 of this Zoning Ordinance.

1.170 CONTINUING EXISTING USES

Any building, structure or use lawfully existing at the time of enactment of this ordinance may be continued, except certain non-conforming uses as provided in Article 18. Nothing in the ordinance shall prevent the strengthening or restoring to a safe condition any part of any building or structure.

1.180 PRIVATE AGREEMENTS

This Ordinance is not intended to abrogate any easement, covenant, or any other private agreement provided that where the regulations of this Ordinance are more restrictive (or impose higher standards or requirements) than such easements, covenants, or other private agreements, the requirements of this Ordinance shall govern.

1.190 CITY NOT RESPONSIBLE FOR ENFORCING PRIVATE COVENANTS

The City of Atlantic is not responsible for enforcing private building or subdivision covenants, nor is it responsible for informing any party seeking a building permit of the existence of such covenants. The City will make every effort to inform such parties of existing covenants if they are known to the City.

1.200 CITY NOT RESPONSIBLE FOR DETERMINING PROPERTY LINES

The City of Atlantic is not responsible for determining the location of lot lines and/or property lines for the purpose of issuing building permits or for any other purpose. Building permits will be issued on the basis of where the property owner or builder indicates on building permit application whose lot lines and/or property lines are located. If the permitted structure is built in non-compliance with setback requirements, the City of Atlantic is not responsible.

1.210 DISCLAIMER OF LIABILITY

The F-1 FLOOD PLAIN DISTRICT herein established is intended to provide a reasonable approach to flood control based on present information. As additional information becomes available, the extent of the various boundaries shall be so altered to maintain this reasonableness. This Ordinance does not imply that areas beyond the district limits will be free from flooding or that uses within the district will be free from flooding; nor shall this Ordinance, or districts established herein, create a liability on the part of, or cause action against the City of Atlantic, Iowa or any office or employee thereof, for any flood damage that may result from reliance upon this Ordinance or flood district so established.

1.220 COMPLIANCE WITH STATE AND FEDERAL REGULATIONS

State and federal laws supersede the authority of this Ordinance. It will be the duty of the Zoning Administrator and the City Attorney to recommend to the Planning & Zoning Commission and City Council on amending this Ordinance, when necessary. It is the duty of the Zoning Administrator to follow regulations from higher authorities and reconcile them with this Ordinance.

1.230 SEVERABILITY PROVISION

If any chapter, section, clause, or phrase of this Zoning Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

1.240 CONSISTENCY WITH THE COMPREHENSIVE PLAN

The City of Atlantic intends that this Zoning Ordinance and any amendments to it shall be consistent with the City's Comprehensive Plan. It is the City's intent to amend this chapter whenever such action is deemed necessary to keep regulatory provisions in conformance with the Comprehensive Plan.

1.250 PUBLICATION

This Ordinance shall be published in book or pamphlet form and shall, together with the maps being a part hereof, be filed with the Zoning Administrator of the City of Atlantic, Iowa.

ARTICLE 2
DEFINITIONS

SECTIONS:

- 2.010 Interpretation**
- 2.020 Rules of Interpretation**
- 2.030 Definitions**
- 2.040 Words Not Defined Herein**

2.010 INTERPRETATION

In the interpretation and application of this Zoning Regulation, the provisions of said regulation shall be held to be the minimum requirements for the promotion of the public health, safety, and welfare. Where this Zoning Regulation imposes a greater restriction upon land, buildings, or structures than is imposed or required by existing provisions of law, ordinance, contract, or deed, the provisions of the Zoning Regulation shall take precedence

2.020 RULES OF INTERPRETATIONS

For the purpose of this Zoning Regulation the following rules shall apply:

1. Words used in the present tense shall include the future.
2. Words in singular number include the plural number, and words in the plural number include the singular, unless the context clearly indicates the contrary.
3. The word "person" includes a corporation, a member or members of a partnership or other business organization, a committee, board, trustee, receiver, agent, or other representative and all other legal entities.
4. The word "shall" is mandatory and not discretionary.
5. The word "may" is permissive.
6. The word "use" "used", or "occupied" as applied to any land, building, or structure shall be constructed to include the words "intended", or "arranged", or "designed" to be used or occupied.
7. The word "City" means City of Atlantic, Iowa.
8. The word "County" means County of Cass, Iowa.
9. Unless otherwise specified, all distances shall be measured horizontally.
10. Chapter and Section Headings contained herein, shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of any chapter or section herein.

2.030 DEFINITIONS

For the purpose of this Zoning Regulation, certain terms or words used herein shall be Interpreted or defined as follows, unless the contents clearly indicate otherwise:

2.030 A

Abutting: Having lot lines or district boundaries in common.

Accessory Building or Use: ~~A subordinate building located on the same lot or group of lots with the main building or a subordinate use of land. (See Article 17).~~ An incidental subordinate building located on the same lot as the main building or dwelling. Further information in Article 17.

Accessory Dwelling Unit (ADU): A subordinate residential dwelling unit located on the same lot as a single-family dwelling, which provides complete independent living facilities for one or more persons. An ADU includes permanent provisions for living, sleeping, eating, cooking, and sanitation. ADUs may be attached, detached, or located within the primary residence and must comply with all applicable zoning, building, and housing code requirements.

Accessory Use: A use conducted on the same lot as the primary use of the structure to which it is related; a use that is clearly incidental to, and customarily found in connection with, such primary use.

Addition: Any construction which increases the size of a building or structure in terms of site coverage, height, length, width, or gross floor area.

Adult-Use Business: Also referred to as an “ADULT-USE” means an adult arcade, adult bookstore, adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, escort agency, nude model studio, sexual encounter center, or other commercial business designed to sell, rent or otherwise exhibit sexually orientated entertainment.

Adjacent: Nearby, but not touching. Relatively near and having nothing of the same kind intervening.

Adjoining: Similar to adjacent in meaning and suggestion but has common bounding lines or lines or points of junction.

Agent of owner: ~~means any person acting for, and with the knowledge and consent of, a property owner. Any person showing written verification that he/she is acting for, and with the knowledge and consent of, a property owner.~~

Agriculture: The act of tilling or cultivating the soil for the growing of crops and the rearing of animals to provide food, wool and other products. May include raising row crops, livestock, beekeeping and aquaculture.

Agricultural Uses: Use of land for purposes of sale or lease of or growing the usual farm products, forages and sod crops, grains and seed crops, dairy animals and dairy products, poultry and poultry products, livestock including beef cattle, sheep, swine, horses, mules, goats or any mutation or hybrids thereof and including the breeding and grazing of any or all such animals, being and apiary products, fur animals, trees and forest products, fruits, vegetables and the necessary accessory uses for engaging in activities, provided that the operation of such accessory uses is secondary to that of the regular agricultural activities.

Airports: Area of land or water designed and set aside for the landing and takeoff of aircrafts. Utilized or to be utilized in public for such purposes.

Airport Hazard: Any structure, tree or use of land that would exceed the federal obstruction standards and which

obstruct the air space required for the flight for the purpose of aircraft landing or take-off at an airport or is otherwise hazardous to such landing or taking off of aircrafts.

Airport Zoning: A particular set of controls designed to reduce the safety and noise hazards associated with aircraft flying within the airport control zone. Primarily the controls restrict the height of buildings and trees near the landing corridors and the location of residences, schools, hospitals, and other such uses needing protection from potential aircraft hazards referred to in Chapter 329 of the Code of Iowa.

Airport Hazard Area: Any area of land or water upon which an airport hazard might be established if not prevented as provided by Iowa Code.

Alley: A public narrow thoroughfare which affords only a secondary means of access to property abutting thereon.

Alteration (Structural): Alteration, as applied to a building or structure, is the enlargement of an existing building or structure by extending said building or structure to cover more of the lot area, by increasing the height or by moving said structure from one location or position to another. Addition of steps or handicap ramps are not considered alterations.

Alteration (Substantial) Any change in or enlargement of any building or other improvement covered by this Ordinance that will: (1) upon completion, affect a change in the use thereof, or (2) that has the effect of enlarging the floor area thereof.

Amortization: A method of eliminating nonconforming uses by requiring the termination of the nonconforming use after a specified period of time.

Amusement center: An establishment offering five or more amusement devices, including but not limited to, coin-operated electronic games, shooting galleries, table games and similar recreational diversions within an enclosed building.

Animal Hospital or Clinic: Any building or structure designed for examination, observation, treatment, board, or care of domestic animals by a doctor of veterinary medicine.

Apartment: A housing unit within a building designed for and suitable for occupancy by only one family. Apartments are generally located within multi-family residential buildings.

Attached: ~~means~~ Having one or more walls in common with a principal building or connected to a principal building by an integral architectural element, such as a covered passageway; facade wall extension; breezeway; or archway.

Automotive and Equipment Services: Establishments or places of business primarily engaged in sales and/or services of automobiles, trucks, or heavy equipment. The following are considered automotive, and equipment use types:

- (1) Automobile Auction Lots: Sale of motor vehicles through a process of periodic auctions or bid procedures. Automobile auction lots usually include large on-site storage areas of motor vehicles and lack showrooms, auto repair facilities and other structures and facilities that are typical of new car dealerships.
- (2) Automotive Rental and Sales: Sale or rental of automobiles, noncommercial trucks, motorcycles, motor homes, recreational vehicles or boats, including incidental storage, maintenance and servicing. Typical uses include new and used car dealerships; motorcycles dealerships; and boat, trailer and recreational vehicle dealerships.
- (3) Auto Service: Provision of fuel, lubricants, parts and accessories and incidental services to motor vehicles; and washing and cleaning and/or repair of automobiles, noncommercial trucks, motorcycles,

motor homes, recreational vehicles or boats, including the sale, installation and servicing of equipment parts. Typical uses include service stations, car washes, muffler shops, auto repair garages, tire sales and installation, wheel and brake shops and similar repair and service activities but exclude dismantling, salvage or body and fender repair services.

(4) Body Repair: Repair, painting or refinishing of the body, fender or frame of automobiles, trucks, motorcycles, motor homes, recreational vehicles, boats, tractors, construction equipment, agricultural implements and similar vehicles or equipment. Typical uses include body and fender shops, painting shops and other similar repair or refinishing garages.

(5) Equipment Rental and Sales: Sale or rental of trucks, tractors, construction equipment, agricultural implements, mobile homes and similar heavy equipment, including incidental storage, maintenance and servicing. Typical uses include truck dealerships, construction equipment dealerships and mobile home sales establishments.

(6) Equipment Repair Services: Repair of trucks, tractors, construction equipment, agricultural implements and similar heavy equipment. Typical uses include truck repair garages, tractor and farm implement repair services and machine shops, but exclude dismantling, salvage or body and fender repair services.

Automobile and Trailer Sales Area: An open area, other than a street, alley, or other public way or open space, used for the display and/or sales of new or used automobiles or trailers, and where no repair work is done except for minor repair of automobiles or trailers to be displayed and/or sold on the premises.

Automobile Repair, Major: General repair, rebuilding or reconditioning of engines, motor vehicles, or trailers; collision services including body, frame or fender straightening or repair; overall painting or paint shop and vehicle steam cleaning.

Automobile Repair, Minor—Incidental body or fender work, or other minor repairs, painting and upholstering, replacement of parts and motor service to passenger cars and trucks not exceeding one and one-half (1-1/2) ton capacity, but not including any operation named under Automobile Repair, Major, or any other similar use, thereto.

Automobile Wrecking and Salvage Yards: A lot, plot, or parcel of land where three or more motor vehicles, not in operating condition, are collected and/or stored for the purpose of processing parts for sale.

Awning: A shelter supported entirely from the exterior wall of a building.

2.030 B

Barndominium: Nontraditional home that is typically a steel structure originally intended for agriculture, commercial or industrial use that is placed upon a lot or parcel and has living quarters constructed within it to serve as a single-family dwelling.

Base Zoning District: A district established by these regulations that prescribe basic regulations governing land use and site development standards. No more than one Base Zoning District shall apply to any individually platted lot or parcel unless the lot or parcel is part of a Planned Unit Development.

Basement: A story having part but not more than one-half (1/2) of its height below grade. A basement is counted as a story.

Basin: An area drained by the mainstream and tributaries of a large river.

Bed & Breakfast Home: A single-family dwelling which provides overnight lodging for guests on a rental basis, in which the host or hostess resides and in which paying overnight guests may be served food. Also, if applicable, the premises must be licensed by the State of Iowa.

~~Bed and Breakfast Home (Expanded Services):~~ ~~A single family dwelling which provides lodging and meals for guests; and may provide facilities for group meetings, special occasion receptions or parties (either indoors or out of doors); and restaurant services for the general public as approved with or without conditions by the Board of Adjustment.~~

Berm: A mound of earth or the act of pushing earth into a mound.

Boarding House: A building other than a hotel or motel, where for compensation and by pre-arrangement for definite periods, lodging is provided and with or without meals, for no more than ten (10) persons.

Board of Adjustment: A body established by the City Council expressly for the purpose of considering granting relief from situations of hardships and ~~to hear appeals~~ exemptions to the uses allowed as provided by these Ordinances.

Buildings: Any structure designed or intended for the supports, enclosure, shelter, or protection of persons, animals, or property.

Building (temporary): Means a building used temporarily for the storage of construction of utilities or other community facilities or used temporarily in conjunction with the sale of property within a subdivision under construction.

Building code: The *International Building Code* promulgated by the International Code Council, or as otherwise adopted by the jurisdiction.

Building Height: The vertical distance from the average ground elevation or finished grade at the building line, whichever is the highest, to the highest point of the building.

Building Line: Means the perimeter of that portion of a building or structure nearest a property line, but excluding open steps, terraces, cornices and other ornamental features projecting from the walls of the building or structure.

Building Main: A building or structure in which is conducted the principal use of the lot or group of lots on which it is located.

Building Official: The designee of the City Administrator who is responsible for the enforcement of the applicable land use and development sections of this Code.

Building permit application: A document that must be issued by the Building Official prior to erecting, constructing, enlarging, altering, repairing or improving any building or structure regulated by this Ordinance or by the applicable building codes of the City of Atlantic. The affirming signature of the Zoning Administrator and issuance of a permit number follows review of plans by the Building Official to determine that the proposed use of building or land complies with the provisions of the Zoning Ordinance. The permit number acts as the permit and is held on record at City Hall

Bufferyard: A landscaped area around the perimeter of a tract of land, usually intended to separate and partially obstruct the view of two adjacent land uses or properties from one another.

Business: Activities that include the exchange of manufacture of goods or services on a site.

Business Center: A building containing more than one commercial business, or any group of non-residential buildings within a common development, characterized by shared parking and access.

Business or Financial Services: An establishment intended for the conduct or service or administration by a commercial enterprise, or offices for the conduct of professional or business service.

2.030 C

Campground: Facilities providing camping or parking areas and incidental services for travelers in recreational vehicles or tents. The following are considered campground facilities types:

- a. Standard Campground: Facilities providing camping or parking areas and incidental services for travelers in recreational vehicles or tents, which accommodate each guest or visitor for no more than fourteen (14) consecutive days during any one (1) month period.
- b. Extended Stay Campground: These facilities are set up to provide camping or parking sites or spaces for recreational vehicles, recreational trailers and tents of those individuals using the recreational area for the services intended. The recreational vehicles, recreational trailers and tents which accommodate each of the users shall not be allowed to stay for more than 180 consecutive days within one (1) year period. This is not intended to provide any type of temporary or transit housing for any individual use and no manufactured or modular housing unit will be allowed.

Canopy or Marquee: A roof-like structure, which may project or be separate from a building for the purpose of protection to pedestrians from the weather and in which no retail sales or business operation is performed, without special permit from the City of Atlantic.

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

Cargo Container Conversion: A nontraditional housing option that consists of one or more cargo containers designed to ship cargo by land, sea and air that is converted into a single-family dwelling. Such cargo containers must be certified by the seller to have never been used to carry hazardous material.

Carport: An off-street parking unit for which is protected from the outside weather elements by a canopy or roof. Carports connected to the main structure by a breezeway or similar connection shall be considered as part of the main structure for building setback purposes.

Cemetery: Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbarium, crematoria, mausoleums and mortuaries when operated in conjunction with and within the boundary of such use.

Certificate of Occupancy (CO): A certificate, issued to the intended occupant of a structure, prior to occupancy, which indicates that the structure complies with local zoning regulations.

Change of Use: The replacement of an existing use type by a new use type.

Channel: Shall mean the geographical area within the natural or artificial banks of a watercourse required to convey continuously or intermittently flowing water.

City Council: The elected body of government for the City of Atlantic, Iowa.

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.

Clinic, Dental, or Medical: A building in which a group of physicians, dentists, or allied professional assistants are associated for the purpose of carrying on their profession. The clinic may include a dental or medical laboratory. It shall not include in-patient care or operating rooms for major surgery.

Clubs: Uses providing meeting, recreational or social facilities for a private, nonprofit or noncommercial association, primarily for use by members and guests.

- a. Recreational Club: Provides indoor and/or outdoor athletic facilities, with or without social or meeting facilities. Typical uses include country clubs, private or nonprofit community or recreation centers, and private golf courses and driving ranges.
- b. Social Club: Clubs that provide primarily social or meeting facilities. Typical uses include private social clubs and fraternal organizations.

Cocktail Lounge: A use engaged in the preparation and retail sale of alcoholic beverages for consumption on the premises, including taverns, bars, cocktail lounges and similar uses other than a restaurant as that term is defined in this Section.

College and University Facilities: An educational institution of higher learning that offers a course of study designed to culminate in the issuance of a degree certified by a generally recognized accrediting organization.

Commercial, Heavy: An establishment or business that generally uses open sales yards, outside equipment storage or outside activities that generate noise or other impacts considered incompatible with less-intense uses. Typical businesses in this definition are lumberyards, construction specialty services, heavy equipment suppliers or building contractors.

Commercial, Light: An establishment or business that generally has retail or wholesale sales, office uses, or services, which do not generate noise or other impacts considered incompatible with less-intense uses. Typical businesses in this definition are retail stores, offices, catering services or restaurants.

Commercial Center, Community: A completely planned and designed commercial development providing for the sale of general merchandise and/or convenience goods and services. A community commercial center shall provide for the sale of general merchandise, and may include a variety store, discount store or supermarket.

Commercial Center, Convenience: A completely planned and designed commercial development providing for the sale of general merchandise and/or convenience goods and services. A convenience commercial center shall provide a small cluster of convenience shops or services.

Commercial Center, Neighborhood: A completely planned and designed commercial development providing for the sale of general merchandise and/or convenience goods and services. A neighborhood commercial center shall provide for the sales of convenience goods and services, with a supermarket as the principal tenant.

Commercial Center, Regional: A completely planned and designed commercial development providing for the sale of general merchandise and/or convenience goods and services. A regional center shall provide for the sale of general merchandise, apparel, furniture, home furnishings, and other retail sales and services, in full depth and variety.

Commercial Retail Sales And Services: Establishments that engage in the sale of general retail goods and accessory services. Businesses within this definition include those that conduct sales and storage entirely within an enclosed structure (with the exception of occasional outdoor “sidewalk” promotions); businesses specializing in the sale of either general merchandise or convenience goods.

Commission: The Planning Commission of the City of Atlantic, Iowa.

Common Area: An area held, designed and designated for common or cooperative use within a development.

Common Development: A development proposed and planned as one unified project not separated by a public street or alley.

Common Open Space: Land within or related to a development that is not individually owned or dedicated for public use, designed and generally intended for the common use of the residents of the development.

Communication Tower: ~~means~~ A tower, pole or similar structure which supports a telecommunications antenna above ground in a fixed location, freestanding, guyed or on a building.

****Communication Tower (height):** The distance from the base of the tower to the top of the structure, including the antenna.

Compatibility: The degree to which two or more different land use types are able to exist together in close proximity, with no one use having significant negative effects on any other use.

Comprehensive Plan: ~~The duly adopted Comprehensive Development Plan of the City of Atlantic.~~ A plan created with community input that provides guidance on how land should be utilized and developed. It is designed with the intent for a jurisdiction to grow and prosper in the future, not only physically, but also in needs, values, and philosophies. It also presents a vision for the future with long-range goals and objectives for all activities that affect the local government.

Conditional Use: A use with operating and/or physical characteristics different from uses permitted by right in a given zoning district which may, nonetheless, be compatible with those uses under special conditions and with adequate public review. Conditional uses are allowed in a zoning district only at the discretion of and with the explicit permission of the Board of Adjustment. Conditional uses are considered identical to special use permits/special exception uses.

Conditional Use Permit: An application permitted use that is presumed to be allowed in that zoned district, but only upon the fulfillment of such performance standards as set forth by the City of Atlantic Planning and Zoning Commission, and subject to the review and approval of the Zoning Board of Adjustment.

Condominium: ~~Means a building containing two or more dwelling units, which dwelling units are separated by a party wall and which dwelling units are designed and intended to be separately owned in fee.~~ A building containing two or more dwelling units, which dwelling units are separated by a party wall or floor which dwelling units are designed and intended to be separately owned in fee.

Conservation (or Cluster) Subdivision: Wholly or in majority, a residential subdivision that permits a reduction in lot area, setback or other site development regulations provided:

- (1) There is no increase in the overall density permitted for a conventional subdivision in a given

zoning district and;

(2) The remaining land use is used for common space.

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.

Construction Sales/Service: Establishments or places of business primarily engaged in the retail or wholesale sales, from the premises, of materials used in the construction of buildings, or other structures other than retail sale of print, fixtures and hardware. This use typical uses include building material sales, or tool and equipment rental or sales.

Consumer Service: Establishments that provide services, primarily to individuals and households, but excluding Automotive Use Types. Typical uses include automated banking machines, appliance repair shops, watch or jewelry repair shops, gunsmith shops, or musical instrument repair shops.

Contiguous: Adjoining or lying next to.

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.

Court: An area enclosed or partially enclosed on not more than three sides by exterior walls, building, or group of buildings and lot lines on which walls are allowable, with one side or end open to a street, driveway, alley or yard.

Cul-de-sac: A street having one end connecting to another street, and the other end terminated by a vehicular turn around.

Cultural Services: A library, museum or similar registered nonprofit organizational use displaying, preserving and exhibiting objects of community and cultural interest in one or more of the arts and sciences.

Curb-Level: The officially established grade of the curb in front of the mid-point of the lot.

2.030 D

Day Care Center: ~~A facility providing child day care for seven or more children and operated in accordance with chapter 237A, Code of Iowa.~~ **Daycare, Licensed Center:** These are businesses that typically care for dozens of children. Centers are required to be licensed and follow requirements set by the State of Iowa. Such requirements may include:

1. Approved reports by State of Iowa fire marshal;
2. Developmentally appropriate curriculum;
3. Personnel/Employees with staff to child ratios;
4. Health and Safety policies;
5. Food Services.

Daycare, Child Development Home: Any person providing childcare in their home registered with the State of Iowa and serving more than the following number of children:

1. Five or fewer children;
2. Six or fewer children, if at least one is school-aged

Said daycare will also follow health and safety standards set by the State of Iowa, including meals and required staff to child ratios.

Daycare, Childcare: People who provide childcare in their own homes are not required by Iowa Code 237A.3 to be registered if they provide care to:

1. Five or fewer children
2. Six or fewer children, if at least one of the children is school-aged.

Requirements set by the State of Iowa must be met and followed.

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 freestanding 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. A deck shall not include a roof that is attached to the principal building or use.

Dedication: Required under some subdivision regulations to transfer part of the developer's private land for public use. As a condition for the approval of a development by a planning and zoning commission, the developer is typically required to build streets and utility lines to specifications and then to "dedicate" them, including the land, to the public.

Deed Restriction (Covenant): A private legal restriction on the use of the land, attached in the deed to the property. Most commonly used in the establishment of a subdivision to restrict the use of all individual lots in the development to a certain type of use, for example single-family dwellings.

Density: The number of dwelling units that are allowed on an area of land, which area of land shall be permitted to include dedicated streets contained within the development.

Design Standards: Standards that set forth specific improvement requirements.

Detached: Fully separated from any other building or not joined to another building in such a manner as to constitute an enclosed or covered connection.

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.

Development: The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, excavation, landfill, or land disturbance; and any use or extension of the use of land.

Development: A planning or construction project involving substantial improvement or change in the character and/or land use of a property.

Dimensional Variation: The deviation beyond the minimum or maximum regulations outlined in this Ordinance, allowed by conditional use. These include lot size, lot coverage, yard requirements, setbacks, height regulations and all other regulations concerning a quantitative measurement of an otherwise permitted use.

District: See definition of “Zoning District.”

Dock (Loading): A structure of which its height and primary purpose is to facilitate the loading and unloading of cargo and transportation vehicles.

Drainage: The removal of surface or ground water from land by drains, grading or other means.

Drainage Course (Water Course): Any natural depression, draw, or ravine which directs and facilitates the flow of water.

Drainage System: The system through which water flows from the land.

Driveway: The driveway area that is inclusive of a drive on private property and the driveway approach.

Driveway approach: That part of any approach for motor vehicles to private property that lies between the property line and roadway of the public street or private street.

Duplex: A building that is divided horizontally into two separate dwelling units, each which has an independent entrance either directly from the outside or through a common vestibule. The building is owned by one entity. One or both dwelling(s) is rented or leased to a third party.

Dwelling: Any building, or portion thereof, but not a mobile home, designed or used for residential purposes.

Dwelling, Single-Family: A building designed for or occupied exclusively by one family.

Dwelling, Two-Family: A building designed for or occupied exclusively by two families, with separate housekeeping and cooking facilities only.

Dwelling, Multiple-Family: A building, or portion thereof designed for or occupied by three or more families, but which may have joint services or facilities for more than one family.

Dwelling Unit: One or more rooms designed, occupied or intended for occupancy as a separate place of residence with cooking, sleeping and sanitary facilities provided within the said unit for the exclusive use of one family, as defined in this section, maintaining a household, a primary residence.

2.030 E

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.

Easement: A portion or strip of land which is part of a lot, parcel tract which has been reserved or dedicated for specific use for access of person, utilities, or services.

Educational Retreat Center: A facility for educational activities, training activities, conferences, meetings, seminars, contemplative activities and other similar functions that strives to preserve the natural features and the open-space character of its setting.

- a. Specific Standards for Retreat Center Ownership and Management—At least the owner of One full-time

staff member must reside in a residence on the retreat facility premises. The residence may include family quarters and up to eight guest room units. The retreat facility premise may also include housing amenities for additional staff members. Property shall be situated upon a parcel or group of contiguous parcels containing owned by the same entity or individual.

Egress: An exit.

Elevation: Either a vertical distance above or below a fixed reference level; or a flat scale drawing of the front, rear, or side of a building.

Eminent Domain: The authority of a government to take, or to authorize the taking of, private property for public use for just compensation.

Enclosed: A roofed or covered space fully surrounded by walls.

Encroachment: The advancement of a structure or improvements beyond established limits, lot lines, easements or service areas.

Environmental Impact Statement (EIS): A statement on the effect of development proposals and other major activities which significantly affect the environment.

Essential Services: The erection, alteration, or maintenance, by public utilities, or the city 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, lift stations, 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 Atlantic.

Existing Use: The use of a lot or structure at the time of the effective date of these regulations.

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.

2.030 F

Fabrication: That part of manufacturing which relates to stamping, cutting, or otherwise shaping processed materials into objects and may include the assembly of standard component parts, but does not include extracting, refining, or other initial processing of basic raw materials.

Face of building, primary: The wall of a building fronting on a street or right-of-way, excluding any appurtenances such as projecting fins, columns, pilasters, canopies, marquees, showcases or decorations.

Factory-built Home: Dwelling unit primarily built inside of a factory, then assembled on site. Typically, structures are composed of standardized units that are suitable to mass production processes. Unlike HUD Code manufacture homes, factory-built homes must comply with local building codes. Factory-built homes include precut, panelized and modular homes.

Family: One (1) or more persons who are related by blood or marriage, living together and occupying a single housekeeping unit with single kitchen facilities, including no more than two additional unrelated persons; or a group of not more than four (4) unrelated persons living together by joint agreement and occupying a single housekeeping unit with single kitchen facilities on a nonprofit, cost-sharing basis. The following persons shall be considered related for

the purpose of these regulations:

- (1) Persons related by blood, marriage or adoption.
- (2) Persons residing with a family for the purpose of adoption.
- (3) Not more than eight (8) persons under nineteen (19) years of age, residing in a foster house licensed or approved by the State of Iowa.
- (4) Not more than eight (8) persons nineteen (19) years of age or older residing with a family for the purpose of receiving foster care licensed or approved by the State of Iowa.
- (5) Person(s) living with a family at the direction of a court.

Family Home: A community-based residential home which is licensed as a residential care facility under Iowa code 135C or as a child foster care facility under chapter 237 to provide room and board, personal care, habilitation services, and supervision in a family environment exclusively for not more than eight (8) persons with a developmental disability or brain injury and any necessary support personnel. However, family home does not mean an individual foster care family home licensed under chapter 237.

Family: One or more persons living together and sharing common living, sleeping, cooking and eating facilities within an individual housing unit, no more than six (6) of whom may be unrelated. The following persons are considered related for the purpose of this ordinance:

- a. ~~Persons related by blood, marriage, or adoption;~~
- b. ~~Persons residing with a family for the purpose of adoption;~~
- c. ~~Not more than eight (8) persons under 19 years of age, residing in a foster house licensed or approved by the State of Iowa.~~
- d. ~~Persons living with a family at the direction of a court.~~

Fascia: A parapet-type wall used as part of the façade of a flat-roofed building and projecting no more than six (6) feet from the immediately adjacent building face. Such a wall shall enclose at least three (3) sides of the projecting flat roof and return to the parapet wall or the building.

Fence: A free-standing structure of metal, masonry, glass, or wood or any combination thereof resting on or partially buried in the ground and rising above ground level, and used for confinement, screening, or partition purposes.

Financial Services: Provision of financial and banking services to consumers or clients. Walk-in and drive-in services to consumers are provided on site. Typical uses include banks, savings and loan associations, credit unions, savings banks and loan companies, An ATM (Automatic Teller Machine) that is not accompanied on-site by an office of its primary financial institution is considered within the Personal Services Use Type. The Financial Services use type is divided into two categories:

- a. Financial Services A includes less than 4,000 square feet of floor area and has no more than two (2) drive-up lanes (including ATM lanes)
- b. Financial Services B includes 4,001 square feet or more of floor area and/or has more than two (2) drive-up lanes.

Flood: A temporary rise in stream flow or stage that results in inundation of the areas adjacent to the channel.— 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.

Flood Frequency: The average frequency, statistically determined, for which it is expected that a specific flood stage or discharge may be equaled or exceeded.

Flood Fringe: That portion of the flood plain outside the floodway.

Flood Plain: That continuous area adjacent to a water course, whose elevation is equal to or below the elevation of the highest flood level or record; and any land of higher elevation having an area less than two (2) acres, which is completely surrounded by land having an elevation equal to or lower than the elevation of the highest flood level of record.

Flood Proofing: Means a combination of structural provisions, changes or adjustments to properties and structures subject to flooding primarily for the reduction and elimination of flood damages to properties, water and sanitary facilities, structures, and contents of buildings in a flood hazard area.

Flood, Regional: A flood which is representative of large floods known to have occurred generally in Iowa and reasonably characteristic of what can be expected to occur on an average frequency in the magnitude of the one hundred (100) year recurrence interval.

Floor Area, Net: The actual occupied area, not including unoccupied accessory areas such as corridors, stairways, ramps, toilet rooms, mechanical rooms and closets.

Food Sales: Establishments or places of business primarily engaged in the retail sale of food or household products for home consumption. Food Sales establishments may include the sale of non-food items. Typical uses include groceries, delicatessens, meat markets, retail bakeries and candy shops.

- a. Convenience Food Sales: Establishments occupying facilities of less than 10,000 square feet; and characterized by sales of specialty foods or a limited variety of general items and the sales of fuel for motor vehicles.
- b. Limited Food Sales: Establishments occupying facilities of less than 10,000 square feet; and characterized by sales of specialty foods or a limited variety of general items, but excluding the accessory sale of fuel for motor vehicles. Typical uses include delicatessens, meat markets, retail bakeries, candy shops and small grocery stores.
- c. General Food Sales: Establishments selling a wide variety of food commodities and related items, using facilities larger than 10,000 but less than 40,000 square feet. Typical uses include grocery stores and locker plants.
- d. Supermarket: Establishments selling a wide variety of food commodities, related items and often providing a variety of non-food good and services, using facilities larger than 40,000 square feet. Typical uses include large grocery store.

Food Trucks: Food establishment inside a truck or trailer that is self-contained, with the exception of a grill or smoker (located outside the unit and used for cooking), and readily movable, which either operates up to three consecutive days at one location or returns to a home base of operation at the end of each day.

Frontage: All the property on one side of a street between two intersecting streets (crossing or terminating) measured along the line of the street. Where a street is dead ended, the frontage shall be considered as all that property abutting on one side between an intersecting street and the dead end of the street.

Funeral Services: Establishments engaged in undertaking services such as preparing the human dead for burial, arranging and managing funerals. Typical uses include funeral homes or mortuaries.

2.030 G

Garage, Private: An accessory building designed or used for the storage of motor-driven vehicles owned and used by the occupant of the building to which it is an accessory.

Garage, Repair: A building or portion thereof, other than a private or storage garage, designed or used for equipping, repairing, hiring, servicing, selling, or storing motor-driven vehicles to include painting of motor vehicles. When attached to the main building, the garage shall become part of the main building by definition. When the garage is not attached to the main building, it shall be considered an accessory building by definition.

Garage, Storage: A building or portion thereof designed or used exclusively for housing four or more motor-driven vehicles, other than truck or commercial vehicles, pursuant to previous arrangements and not to transients, and at which no auto fuels are sold and no motor vehicles are equipped, repaired, hired, or sold.

Gas Station: Any building, structure or land used for the dispensing, sale, or offering for sale at K of any vehicular fuels, oils, or accessories and in connection with which is performed general vehicular servicing as distinguished from automotive repairs.

General Offices: Use of a site for business, professional or administrative offices who may invite clients from both local and regional areas. Typical uses include real estate, insurance, management, travel or other business offices; organization and association offices or professional offices.

Grade: As specified in the conditions that follow:

- a. For buildings having walls adjoining on street only, the elevation of the curb at the wall adjoining the street.
- b. For buildings having walls, adjoining more than one street, the average of the elevation of the curb at the center of all walls, adjoining the streets.
- c. For buildings having no wall adjoining the street, the average level of the finished surface of the ground adjacent to the exterior walls of the building.
- d. Any wall approximately parallel to and not more than five feet from the street line to be considered as adjoining the street. Where no sidewalk exists the grade shall be established by the City.

Green Space: Land shown on a development plan, master plan or official map dedicated for preservation, recreation, landscaping or park.

Gross Floor Area (GFA): The floor area within the inside perimeter of the exterior walls of the building under consideration exclusive of vent shafts and courts, without deduction for corridors, stairways, ramps, closets, and the thickness of interior walls, columns, or other features. The floor area of a building, or portion thereof, not provided with surrounding exterior walls, shall be the useable area under the horizontal projection of the roof or floor above. The gross floor area shall not include shafts with no openings or interior courts.

Group Care Facility: A facility, required to be licensed by the state, which provides training, care, supervision, treatment and/or rehabilitation to the aged, disabled, those convicted of crimes, or those suffering the effects of drugs or alcohol; this does not include day care centers, family day care homes, Family Homes as defined by Chapters 135C or 237 of the Code of Iowa, foster homes, schools, hospitals, jails or prisons.

Group Home: A facility licenses by the State of Iowa in which at least three but no more than eight persons, not including resident managers or house parents, who are unrelated by blood, marriage, or adoption, reside while receiving therapy, training, living assistance, or counseling for the purpose of adaption to living with or rehabilitation from a physical or mental disability as defined by the relevant provisions of the Code of Iowa or by the Fair Housing Amendments Act of 1988.

Guidance Facility: A use providing counseling, guidance, recuperative, or similar services to persons requiring rehabilitation assistance as a result of mental illness, alcoholism, detention, drug addiction, or similar condition on a daytime care basis.

2.030 H

Habitable Space (Room): Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas are not considered habitable space.

Health/Sports Club: A non-medical service establishment intended to maintain or improve the physical condition of persons. Contains exercise facilities, game equipment, steam baths, saunas, tanning equipment and/or similar facilities.

Health Care: A facility providing medical, psychiatric, or surgical service for sick or injured persons exclusively on an outpatient basis including emergency treatment, diagnostic services, training, administration and services to outpatients, employees or visitors.

Height: The vertical distance measured from the established grade to (1) The highest point of the coping on a flat roof; (2) The deck line of a mansard roof; or (3) The average height between the eaves and the ridge of a gable, hip, shed or gambrel roof. For new construction, height shall be measured from the approved grade as indicated on the sit plan submitted with the permit application. In all other cases, height shall be measured from the established grade to the highest point of the structure as defined herein. Where a building or structure is situated on a slope, height shall be measured from the average grade level calculated five (5) feet outward from the exterior face of the building or structure.

High Water Mark: Means a mark delineating the highest water level which has been maintained for a sufficient period of time to leave evidence upon the landscape. The normal high water mark is commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial.

Highway: An officially designated Federal or State numbered highway.

Historic Preservation: The protection, rehabilitation, and restorations of districts, sites, buildings, structures, and artifacts significant in American history, architecture, archaeology, or culture.

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.

Home Occupation: See Article 19.

Home Based Business/Home Occupation: An accessory occupational secondary use conducted entirely within an existing residential site by its inhabitants, which is clearly incidental to the residential use of the dwelling unit or residential accessory structure(s) and does not change the residential character of its site.

Hospital: An institution designed for the diagnosis, treatment and care of human illness or infirmity and providing health services, primarily for inpatients, and including as related facilities, laboratories, outpatient departments, training facilities and staff offices.

Hotel: A building used as an abiding place on a daily or weekly basis for transient persons who, for compensation, are lodged with or without meals, whether such establishments are designated as a hotel, inn, automobile court, motel, motor inn, motor lodge, tourist cabin, tourist unit, or otherwise.

Household pets: Dogs, cats, rabbits, fish, birds, and similar mammals, small reptiles and amphibians, for family use only (noncommercial), with cages, pens, etc.

2.30 I

Impervious Coverage: The total horizontal area of all buildings roofed or covered spaces, paved surface areas, and any other site improvements that decrease the ability of the surface of the site to absorb water, expressed as a percent of site area. The surface water area of swimming pools is excluded from this definition.

Industrial Or Research Park: A tract of land developed according to a master site plan for the use of a family of industries and their related commercial uses, and that is of sufficient size and physical improvement to protect surrounding areas and the general community and to ensure a harmonious integration into the neighborhood.

Ingress: Access or entry.

Institutional Home: A place where the specialized care of people is provided for drug or alcohol abuse. An Institutional Home shall in no way be interpreted to mean a Day Care Center.

~~**Intimate:** A relationship between two humans that are not genetically related as is commonly understood; and is acknowledged by both parties as emotionally significant. This relationship can also be defined through marriage, cohabitation or companionship. Polygamous or Polyamorous relationships are not recognized by the City of Atlantic as intimate.~~

2.030 J

~~**Junk Yard:** A parcel of land used for the storage, keeping for sale or abandonment of junk, including used metal, wood, building materials, household appliances, vehicles, machinery, or part thereof.~~

Junk or Salvage: Scrap or used copper, brass, rope, rags, batteries, paper trash, tires, and rubber debris, waste, appliances, furniture, equipment, building demolition materials, structural steel materials, or similar materials. This definition shall also include junked, dismantled or wrecked used motor vehicles or parts of motor vehicles, and iron, steel or other scrap ferrous or on-ferrous material.

Junk or Salvage Yard: Any area where junk or salvage is bought, sold, exchanged, bailed 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 the 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 structure or fenced area.

Jurisdiction: Area of land that is subject to zoning laws, which are laws that limit how land can be used. As used in this code, the jurisdiction is the City of Atlantic, Iowa.

2.030 K

Kennel: Any structures or premises on which five (5) or more domestic animals over four (4) months of age are kept.

Kennel, Boarding: A place or establishment other than a pound or animal shelter where dogs or cats not owned by the proprietor or sheltered, fed and watered in return for consideration.

Kennel, Commercial: Facility or establishment which performs grooming services for dogs or cats in return for consideration.

Kennel, Animal Shelter: A facility which is used to house or contain dogs or cats, or both, and which is owned, operated, or maintained by an incorporated humane society, animal welfare society, society for the prevention of cruelty to animals, or other nonprofit organization devoted to the welfare, protection, and humane treatment of such animals.

Kitchen: Any room or portion of a room within a building designed and intended to be used for the cooking or preparation of food.

2.030 L

Land Leased Community: Any site, lot, field, or tract of land under common ownership upon which ten or more occupied manufactured homes are harbored, either free of charge or for revenue purposes, and shall include any building, structure, or enclosure used or intended for use as part of the equipment of the land leased community.

Landscaping: The improvement of a lot, parcel, or tract of land with grass, shrubs, and/or trees. Landscaping may include pedestrian walks, flowerbeds, ornamental objects such as fountain, statuary, and other similar, natural, and artificial objects, designed and arranged to produce an aesthetically pleasing effect. This treatment may include logs, rocks, fountains, water features and contouring of the Earth.

Lane: An approved private right-of-way that provides access to residential properties and meets at least three (3) of the following conditions:

- (1) Serves twelve (12) or fewer housing units or platted lots.
- (2) Does not function as a local street because of its alignment, design or location.
- (3) Is completely internal to a development.
- (4) Does not exceed 600 feet in length.

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.

Legislative Body: The City Council of the City of Atlantic, Iowa.

Livestock: An animal belonging to the bovine, caprine, equine, ovine or porcine species; far deer as defined in Section 481A.1 of the Code of Iowa; ostriches, rheas, emus, poultry and rabbits. Refer to Chapter 55—“Animal Protection and Control”, Code of Ordinances, Atlantic, Iowa.

Loading Space: An off-street space or berth used for the loading or unloading of vehicles

Lodging House: A building or place where lodging is provided or which is equipped regularly to provide lodging, prearrangement for definite periods, for compensation, for three or more persons.

Lot: A parcel of platted land occupied or intended for occupancy by one main building, together with its accessory buildings, including the open spaces required by this Zoning Regulation. Such lot shall have frontage on a dedicated public street.

Lot, Corner: A lot abutting upon two or more streets at their intersection.

Lot, Depth Of: The mean horizontal distance between the front and rear lot lines.

Lot, Double Frontage: A lot having a frontage on two non-intersecting streets as distinguished from a corner lot.

Lot Line: Any line bounding a lot or separating one lot from another.

Lot Line, Front: The Boundary of a lot abutting a street. On a corner lot, the shortest street lot line shall be the front lot line.

Lot Line, Rear: The lot line opposite and most distant from the front lot line.

Lot Line, Side: Any lot line other than a front or rear lot line. A side lot line separating a lot from a street is called a side street lot line. A side lot line separating a lot from another lot or lots is called an interior side lot line.

Lot of Record: A lot which is a part of a subdivision recorded in the office of the county recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

Lot Width: The width of a lot measured at the building line and at right angles to its depth.

Lumber Yard: A premises on which primarily new lumber and related building materials are sold.

2.030 M

Main: The principal artery of a system of continuous piping which conveys fluids and to which branches may be connected.

Main Body: The area included within the surrounding exterior walls of the dwelling. Used for living, sleeping, eating, cooking, recreation or a combination thereof.

Maintenance Facility: A public facility supporting maintenance, repair, vehicular or equipment servicing, material storage, and similar activities including street or sewer yards, equipment service centers, and similar uses having

characteristics of commercial services or contracting or industrial activities.

Manufacturing, Heavy: All other types of manufacturing not included in the definitions of light manufacturing and medium manufacturing.

Manufactured Home: A factory-built single-family structure, which is manufactured or constructed under the authority of 42 U.S.C. Sec. 5403, Federal Manufactured Home Construction and Safety Standards, 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 to a permanent site, and which does not have permanently attached to its body or frame any wheels or axles. A mobile home is not a manufactured home unless it has been converted to real property and is taxed as a site built dwelling. For the purposes of these regulations, manufactured home shall be considered the same as any site built single-family detached dwelling.

Manufacturing, light: The manufacturing, compounding, processing, assembling, packaging or testing of goods or equipment, including research activities, conducted entirely within an enclosed structure, with no outside storage, serviced by a modest volume of trucks or vans and imposing a negligible impact on the surrounding environment by noise, vibration, smoke, dust or pollutants.

Manufacturing, Medium: The manufacturing, compounding, processing, assembling, packaging or testing of goods or equipment within an enclosed structure or an open yard that is capable of being screened from neighboring properties, serviced by a modest volume of trucks or other vehicles.

Medical Office: Use of a site for facilities which provide diagnoses and outpatient care on a routine basis, but which does not provide prolonged, in-house medical or surgical care. Medical offices are operated by doctors, dentists or similar medical practitioners licensed for practice in the State of Iowa. The medical offices use type is divided into two (2) categories:

- a. Medical Offices A includes less than 3,000 square feet of floor area.
- b. Medical Offices B includes 3,000 square feet or more of office area.

Mixed Use Building: A building or structure that incorporates two (2) or more use types within a single building or structure, provided that each use type is permitted within the individual Base Zoning District in which the building or structure is to be located.

Mixed Use Development: A single development that incorporates complementary land use types into a single development.

Mixed Use Development: A single development that incorporates complementary land use types into a single development.

Mobile Home: Any vehicle without motive power or so manufactured or constructed as to permit its being used as a conveyance upon the public streets or highways and so designed, constructed, or reconstructed as will permit the vehicle to be used as a place of human habitation by one or more persons; taut shall also include any such vehicle with motive power not registered as a motor vehicle in Iowa. A mobile home is factory-built housing built on chassis. A mobile home shall not be construed to be a travel trailer or other form of recreational vehicle. A mobile home shall be construed to remain a mobile home, subject to all regulations applying thereto, whether or not wheels, axles, hitch, or other appurtenances of mobility are removed and regardless of the nature of the foundation provided. However, certain mobile homes may be classified as "manufactured homes". Nothing in this ordinance shall be construed as permitting a mobile home in other than an approved mobile home park, unless such mobile home is classified as a manufactured home and meets minimum dwelling structures dimensions. (See Article 22).

Mobile Home Park: a tract of land containing suitable drives, utilities, and other supporting elements, and

devoted to the sole purpose of accommodating, on a lease or rental basis, mobile homes located therein permanently or semi-permanently.

Mobile Home Space: That area or land within a mobile home park set aside for use as a site for one mobile home, including the open spaces around said mobile home, as are required in this Zoning Regulation.

Mortuary, Funeral Home: An establishment in which the dead are prepared for burial or cremation. The facility shall be permitted to include a chapel for the conduct of funeral services and spaces for funeral services and informal gatherings, and/or display of funeral equipment.

Motel, Hotel: Any building containing six or more guest rooms intended or designed to be used, or which are used, rented or hired out to be occupied, or which are occupied for sleeping purposes by guests.

2.030 N

Natural Obstructions: Shall mean any rock, tree, gravel, or related natural matter that is an obstruction and has been located within the floodway by a non-human cause.

Nonconforming lot: A lot whose width, area or other dimension did not conform to the regulations when this code became effective.

Nonconforming sign: A sign or sign structure or portion thereof lawfully existing at the time this code became effective, which does not now conform.

Nonconforming structure: A building or structure or portion thereof, lawfully existing at the time this code became effective, which was designed, erected or structurally altered for a use that does not conform to the zoning regulations of the zone in which it is located.

Non-Conforming Use: Any building or land lawfully occupied by a use, at the time of the passage of this Zoning Regulation or amendment hereto, which does not conform to the regulations of the district in which it is situated.

Nontraditional home: Modern day housing options that deviates from the standard, conventionally built, single-family dwelling. Commonly takes the form of tiny houses, shouse, barndamonium, cargo containers, abandoned factories and hospitals and even up-cycled vans or buses.

Nuisance: An unreasonable and continuous invasion of the use and enjoyment of a property right which a reasonable person would find annoying, unpleasant, obnoxious or offensive. Can be classified as public, private or mixed.

- a. Public: Affects community, neighborhood, or a large number of people.
- a. Private: Affects one or more people's enjoyment of their property.
- b. Mixed: Constitutes both private and public individuals.

Examples include, but are not limited to dangerous buildings, junk vehicles that are disabled, tall grass/weeds, snow not shoveled off of public sidewalks, graffiti, dead trees on private property, and vacant buildings.

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.

2.030 O

Obstruction: Shall mean artificial obstructions, such as any dam, wall, wharf, embankment, levee, dike, pile, abutment, excavation channel rectification, bridge, conduit, culvert, building, structure, wire, fence, rock, gravel, refuse, fill, or other related structures or matter in, along, across, or projecting into any floodway which may impede, retard, or change the direction of the flow of water, or increase the flood height, either in itself or by catching or collecting debris carried by such water, or that is placed where the natural flow of the water would carry the same downstream to the damage or detriment of either life or property.

Off-Site: Located outside the boundaries of the parcel that is the subject of an application.

Open space: Land areas that are not occupied by buildings, structures, parking areas, streets, alleys or required yards. Open space shall be permitted to be devoted to landscaping, preservation of natural features, patios, and recreational areas and facilities.

Outdoor Sales: means sales activities that occur located on a public sidewalk, street or other public space open to the sky. The display and sales activities are characterized by their short term or seasonal nature, that no permanent improvements are made to the site, and that all activities must meet the requirements of existing zoning codes.

Outdoor Storage: The outdoor storage or display of materials on private property, parts, or products that are related to the primary use of a site for a period exceeding forty-eight (48) hours.

Overhang: The part of a roof or wall which extends beyond the façade of a lower wall.

Overlay District: A district established by this Ordinance to prescribe special regulations to be applied to a site only in combination with a base district.

Owner: The individual, firm, association, syndicate, partnership, corporation or legal entity holding title to the property being subdivided, or such representative or agent as is fully empowered to act on its behalf.

2.030 P

Parcel: A tract of land.

Park and or Recreation area: A public or private area of land, with or without buildings, intended for outdoor active or passive recreational uses.

Parking Facility: An area on a lot and/or within a building, including one or more parking spaces, along with provision for access circulation, maneuvering, and landscaping, meeting the requirements of this Zoning Ordinance. Parking facilities include parking lots, private garages, and parking structures. Vehicle storage is distinct from parking and is regulated in the Zoning Ordinances.

Parking Lot: Open, off-street areas for the parking of vehicles, including areas below or above the surface of streets.

Parking space, automobile: A space within a building or private or public parking lot, exclusive of driveways, ramps, columns, office and work areas, for the parking of an automobile.

Patio: A patio is a structure or surface built at ground level from bricks, concrete, or tile.

Paving: A surface of concrete, asphalt or brick which will be maintained with materials or equipment sufficient to prevent mud, dust or loose material.

Permitted Use: A land use type allowed as a matter of right in a zoning district; subject only to special requirements of this Zoning Ordinance.

Person: A natural person, heirs, executors, administrators or assigns, and includes a firm, partnership or corporation, its or their successors or assigns, or the agent of any of the aforesaid.

Personal Services: Establishments or places of business primarily engaged in the provision of services of a personal nature. Typical uses include beauty and barber shops; seamstress, tailor or shoe repair shops; photography studios; television or electronics repair; or dry-cleaning stations serving individuals and households. Personal services include establishments providing for the administration of massage or massage therapy carried out by persons licensed by the State of Iowa under the provisions of chapters 148, 148A, 148B, 150, 150A, 151, 152, 157, or 158 of the Code of Iowa when performing massage services as a part of the profession or trade for which licensed or persons performing massage services under the directions of a person so licensed; or persons performing massage services or therapy pursuant to the written directions of a licensed physician.

Planned unit development (PUD): A residential or commercial development guided by a total design plan in which one or more of the zoning or subdivision regulations, other than use regulations, shall be permitted to be waived or varied to allow flexibility and creativity in site and building design and location, in accordance with general guidelines.

Planning and Zoning Commission: An appointed body by the City Council that primarily acts in an advisory capacity to the elected body, City Council. The commission studies issues, oversees the preparation of plans and ordinances and reviews and advises on development proposals. ~~The Planning and Zoning Commission of the City of Atlantic~~, as authorized pursuant to Chapter 414, Code of Iowa.

Plot plan: A plot of a lot, drawn to scale, showing the actual measurements, the size and location of any existing buildings or buildings to be erected, the location of the lot in relation to abutting streets, and other such information.

Plot Plan/Plat of Survey: The graphical representation of a survey of one or more parcels of land, including a complete and accurate description of each parcel within the plat, prepared by a licensed professional land surveyor.

Pools: As specified ~~in the conditions that follow:~~

- a. Private swimming pool: A “swimming pool” is any artificial basin of water which has a capacity of five hundred (500) gallons or more or has a depth of three (3) feet or more. A “permanent swimming pool” is any artificial basin of water which remains in place or otherwise not removed throughout the year. Additionally, any swimming pool located on a property before May 1 and/or after October 1 of any year shall be considered a permanent swimming pool. All other swimming pools shall be considered a “temporary swimming pool”. A private swimming pool shall include in-ground, above-ground, and on-ground swimming pools.
- b. Private swimming pool, indoor: Any private swimming pool that is totally contained

Within a private structure and surrounded on all four sides by walls of said structure.

Indoor swimming pools shall be considered part of the main building by definition.

- c. Private swimming pool, outdoor: Any private swimming pool that is not an indoor pool. Outdoor swimming pools shall be considered an accessory building by definition.
- d. Public swimming pool: Any swimming pool other than a private swimming pool.

Above Ground/on Ground Pool: See “Private swimming pool”.

Barrier: A fence, a wall, a building wall, the wall of an above-ground pool or a combination thereof, which completely surrounds the swimming pool and obstructs access to the swimming pool.

Hot Tub: See “Private swimming pool”.

In-ground Pool: See “Private swimming pool”

Power Safety Cover: A pool cover that is placed over the water area, and is opened and closed with a motorized mechanism activated by a control switch.

Private swimming pool: Any structure that contains water over 24 inches In depth and which is used, or intended to be used for swimming or recreational bathing and which is available only to the family and guests of the householder. This includes in ground, above ground, and on-ground swimming pools, hot tubs and spas.

Private Swimming Pool: indoor: Any private swimming pool that is totally contained within a private structure and surrounded on all four sides by walls of said structure.

Private Swimming Pool: outdoor: Any private swimming pool that is not an indoor pool.

Public Swimming Pool: Any swimming pool other than a private swimming pool.

Spa: See “Private swimming pool”.

Porch, Unenclosed: A roofed or unroofed open structure projecting from an exterior wall of a building and having no enclosed features more than thirty inches above its floor other than wire screening and a roof with supporting structure.

Postal Facilities: Including post offices, bulk mail processing or sorting centers operated by the United States Postal Service.

Power safety cover: A pool cover that is placed over the water area and is opened and closed with a motorized mechanism activated by a control switch.

Public: Government controlled entities, activities and resources.

Public Utility: Any business the purpose of which is to furnish to the general public:

1. Telephone service
2. Wastewater treatment plant
3. Telegraph service
4. Electricity
5. Natural gas
6. Water
7. Transportation of persons and property

8. Solid waste disposal
9. Community closed circuit telecast
10. Public internet services
11. Any other business so affecting the public interest as to be subject to the supervision or regulation by any agency of the State.

Premises: A lot, parcel, tract or plot of land, contiguous and under common ownership or control, together with the buildings and structure thereon.

Prepared Surface: A surface of gravel, pervious paving surfaces, or other paved surfaces as defined by this Land Development Ordinance.

Primary Education: A public, private or parochial school offering instruction at the elementary school level in the branches of learning study required to be taught in schools within the State of Iowa.

Principal use: The main use of land or structures as distinguished from an accessory use.

Private Garage: A building for the storage of motor vehicles where no repair service facilities are maintained and where no motor vehicles are kept for rental or sale.

Public Assembly: Facilities owned and operated by a public agency or a charitable non-profit organization accommodating major public assembly for recreation, sports, amusement, or entertainment purposes.

Public Improvement: Any drainage ditch, storm sewer or drainage facility, sanitary sewer, water main, roadway, parkway, sidewalk, pedestrian way, tree, lawn, off-street parking area, lot improvement, or other facility for which the local government may ultimately assume the responsibility for maintenance and operation, or for which the local government responsibility is established.

Public Services: Uses operated by a unit of government to serve public needs, such as police (with or without jail), fire service, ambulance, judicial court or government offices, but not including public utility stations or maintenance facilities.

Public Utility Station: A structure or facility used by a public or quasi-public utility agency to store, distribute, generate electricity, gas, telecommunications, and related equipment, or to pump or chemically treat water. This does not include storage or treatment of sewage, solid waste or hazardous waste.

Public Way: Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for public use.

2.030 Q

Quasi-Public: Essentially a public use, although under private ownership or control.

Quorum: A majority of the authorized members of a board or a commission.

2.030 R

Ramp/Accessibility: A structure for accessing a residential or commercial location.

Recreation, Indoor: An establishment providing completely enclosed recreation activities. Accessory uses shall be permitted to include the preparation and serving of food and/or the sale of equipment related to the enclosed uses. Included in this definition shall be bowling, roller-skating or ice-skating, billiards, pool, motion picture theatres, and related amusements.

Recreation, Outdoor: An area free of buildings except for restrooms, dressing rooms, equipment storage, maintenance buildings, open-air pavilions and similar structures used primarily for recreational activities.

Recreational Facility: A public or private, commercial or non-commercial building, structure, place, venue, field or defined area, indoor or outdoor, used for a specific purpose or function usually related to a competitive or sporting activity, exercise, relation, or athletic sport or recreation-based entertainment.

Recreational Vehicle: A vehicle towed or self-propelled on its own chassis or attached to the chassis of another vehicle and designed or used for temporary dwelling, recreational, or sporting purposes. Recreational vehicles include, but are not limited to, travel trailers; campers; motor coach homes; converted buses and trucks, boats, and boat trailers. 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 for seasonal use purposes only Recreational vehicles will not have permanent connections to utility services.

Recycling Facility: Any location whose primary use is where waste or scrap materials are stored, bought, sold, accumulated, exchanged, packaged, disassembled or handled, including, but not limited to, scrap metals, paper, rags, tires and bottles, and other such materials.

Recycle yard: Any location whose primary use is where waste or scrap materials are stored, bought, sold, accumulated, exchanged, packaged, disassembled or handled, including, but not limited to, materials such as scrap metals, paper, rags, tires and bottles.

Registered Design Professional: An architect or engineer registered or licensed to practice professional architecture or engineering as defined by statutory requirements of the professional registration laws of the state in which the project is to be constructed.

Regulation: A specific requirement set forth by this Zoning Ordinance which must be followed.

Rehabilitation Center (Halfway House): An establishment whose primary purpose is the rehabilitation of persons. Such services include drug and alcohol rehabilitation, assistance to emotionally and mentally disturbed persons, and halfway houses for prison parolees and juveniles.

Religious Assembly: A use located in a permanent building and providing regular organized religious worship and religious education incidental thereto (excluding private primary or private secondary educational facilities, day care facilities, and incidental parking facilities). A property tax exemption pursuant to Property Tax Code of the State of Iowa shall constitute prima facie evidence of religious assembly use.

Religious, Cultural and Fraternal Activity: A use or building owned or maintained by organized religious organizations or nonprofit associations for social, civic or philanthropic purposes, or the purpose for which persons regularly assemble for worship.

Remote Parking: A supply of off-street parking at a location not on the site of a given development.

Renewable Energy: Energy from a source that is not depleted when used, such as wind and solar.

Renovation: Interior or exterior remodeling of a structure, other than ordinary repair.

Restaurant: ~~A public eating establishment in which the primary function is the preparation and serving of food on the premises.~~

Restaurant: A use within an establishment engaged in the preparation of retail sale of food and beverages; including the sale of alcoholic beverages when conducted as a secondary feature of the use.

- a. Restaurant (Drive-In or Fast Food): An establishment that principally supplies food and beverages in disposable containers and is characterized by high automobile accessibility and on-site accommodation, self-service and short stays by customers.
- b. Restaurant (General): An establishment characterized by table service to customers and/or accommodations to walk-in clientele, as opposed to Drive-In or Fast Food Restaurants. Typical uses include cafes, coffee shops and dinners.

Retail Services: Sale or rental with incidental service of commonly used goods and merchandise for personal or household use but excludes those classified more specifically by these use type classifications. Typical uses include department stores, apparel stores, furniture stores or establishments providing the following products or services.

1. General Retail Services include household cleaning and maintenance products; drugs, cards, stationary, notions, books, tobacco products, cosmetics and specialty items; flowers, plants, hobby materials, toys and handcrafted items; apparel jewelry, fabrics and like items; cameras, photograph services, household electronic equipment, records, sporting equipment, kitchen utensils, home furnishing and appliances, art supplies and framing, arts and antiques, paint and wallpaper, hardware, carpeting and floor covering; interior decorating services; office supplies; mail order or catalog sales; bicycles; and automotive parts and accessories (excluding service and installation).
 - a. Limited Retail Services: Establishments providing retail services, occupying facilities of 3,000 square feet or less. Typical establishments provide for specialty retailing or retailing oriented to City of Atlantic.
 - b. Medium Retail Services: Establishments providing retail services, occupying facilities between 3,001 and 10,000 square feet in single establishment or multi-tenant facility. Typical establishments provide for specialty retailing or general-purpose retailing oriented to City of Atlantic.
 - c. Large Retail Services: Establishments providing retail services, occupying facilities between 10,001 and 40,000 square feet in a single establishment or multi-tenant facility. Typical establishments provide for specialty retailing or general retailing oriented to City of Atlantic.
 - d. Mass Retail Services: Establishments providing retail services, occupying facilities over 40,000 square feet in a single establishment or multi-tenant facility. Typical establishments provide for general retailing oriented to City of Atlantic.

Retaining Wall: A structure that prevents soil or rocks from falling or collapsing on a slope. A wall that is not laterally supported at the top and is designed to resist lateral soil load often used in areas with steep slopes or that are prone to flooding. When water levels rise, the retaining wall prevents the water from flowing onto the property or causing erosion.

Retirement Home: Any dwelling in which three or more unrelated elderly persons are housed or lodged for hire, with meals.

Right-of-Way: A strip of land between property lines, dedicated to the public or private interests, which is intended for use as an alley, crosswalk, court, place, road, street, thoroughfare, or utility easement.

Rooming House: Any dwelling in which more than three persons either individually or as families are housed or lodged for hire, with or without meals.

2.030 S

Safety Services: Facilities for conduct of public safety and emergency services including police and fire protection services and emergency medical and ambulance services.

Screening: The method by which a view of one site from another adjacent site is shielded, concealed or hidden. Screening techniques include fences, walls, hedges, berms or other features as may be permitted by the landscape provisions of this chapter.

Secondary Education: A public, private, or parochial school offering instruction at the junior high or high school level in the branches of learning and study required to be taught in the schools of the State of Iowa.

Service Station: Any building or premises used for the purpose of dispensing, sale, or offering for sale at retail of any automobile fuels or oils, when the dispensing, sale, or offering for sale is incidental to the conduct of a garage, the premises are classified as a garage.

Setback: The minimum horizontal distance between the property line and the building line. *Front Yard* - is determined from the face of the building excluding steps and eave overhang. *Rear Yard* - is determined from the face of the building excluding steps, and eave overhang. *Side Yard* - is determined from the face of the building excluding steps and eave overhang.

Shipping Container: Large boxes designed for shipping or storing materials, and can include intermodal freight containers, site boxes, pods, and truck trailers.

Shouse: A combining the terms 'shop' and 'house' is a structure that is a combination of a single-family dwelling unit within an oversized personalized garage, storage space or personal workspace under a connecting roof. Generally constructed of seam metal, with residential-style doors and windows to the dwelling unit and oversized exterior doors to the garage space.

Sidewalk: A paved path provided for pedestrian use, usually located at the side of and detached from a road, but within the right-of-way.

Sign: Any object or device, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct, or attract attention to any object, person, institution, organization, business product, service, event, or location by any means including words, letters, figures, designs, symbols, fixtures, color, motion, illumination, or projected images. A sign includes any billboard but does not include the following: flags of nations, states, and cities, or merchandise, picture or models of products or services incorporated with an inside window display; or works of art, which in no way identify a product or a device or provide information regarding hours of operation, directions on similar information.

Sign, Display: An advertising device.

Sign, Flashing: Any illuminated sign on which such illumination is not kept stationary or constant in intensity and color at all times where such sign is in use.

Sign, Illuminated: Any sign which has characters, letters, figures, designs or outlines illuminated by electric lights or luminous tubes as a part of the sign,

Sign, Marquee: Any sign affixed to any hood, marquee or canopy over the entrance to a building.

Sign, Nameplate: Any sign which states the name or address or both of the business or occupant of the lot where the sign is placed.

Signs, Off-Premises: An advertising device including the supporting structure which directs the attention of the general public to a business, service, or activity not usually conducted on a product not usually sold on the premises.

Sign, Rotating: A sign which revolves or rotates on its axis by mechanical means.

Sign, Surface Area of: The entire area within a single continuous perimeter enclosing the extreme limits of the actual sign surface, not including any structural elements outside the limits of such sign and not forming an integral part of the display. Only one side of a double-face or V-type sign structure shall be used in computing total surface area.

Site: The parcel of land to be developed or built upon. A site may encompass a single lot or a group of lots developed as a common development under the special and overlay districts provisions of this chapter.

Site Plan: means a plan, showing accurately and with complete dimensioning, the boundaries of a site and the location of all buildings, structures, uses and principal site development features proposed for a specific parcel of land; and any other information that is required by this Ordinance.

Site Plan Amendment: A change in the site plan of any “planned” or site plan specific zoning district after the City Administration and/or Council has approved the Site Plan.

Spot Zoning: Rezoning of a lot or parcel of land to benefit an owner for a use incompatible with surrounding uses and not for the purpose or effect of furthering the comprehensive zoning plan.

Stable, Private: A building, incidental to an existing residential, principal use, that shelters horses for the exclusive use of the occupants of the premises.

Stable, Public: An accessory building in which horses are kept for commercial use including boarding, hire, and Sale.

Start of Construction: Includes substantial improvements, and means the date the development permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement, occurs within one hundred-eighty (180) days of the permit date. The actual start means either the first placement or permanent construction of a structure on a site, such as pouring a slab or footings, the installation of pil, the construction of columns, or any work beyond the stage of excavation; or the placement of a factory-built home on a foundation. Permanent construction does not include land preparation, such as clearing grading or filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundation or the erection of temporary forms; nor does it include the installation on the property of

accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural parts of the building whether or not that alteration affects the external dimensions of the building.

State: The State of Iowa.

Storage, Including Mini-Storage: An area or building where property is stored for a fee.

Storm Sewer: A conduit that conducts storm drainage from a subdivision of development, ultimately to a drainage way or stream.

Story: That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it and including the basements used for the principal use.

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.

Story, Half: A space under a sloping roof which has the line intersection of roof decking and wall face not more than four feet above the top floor level, and in which space not more than two-thirds of the floor area is finished off for use. A half-story containing independent living quarters shall be counted as a full story.

Street: Any thoroughfare or public way which has been dedicated to the public or deeded to the City for street purposes; and also any such public way which may be created after enactment of the provisions codified in this title.

Street, Arterial: Roadways intended to provide for through traffic movement between areas of the city or across the city. Major arterials usually imply relatively high speeds and traffic volumes and are often subject to control of access to individual properties. Minor arterials are generally intended to provide trips of moderate lengths and imply lower operating speeds and more frequent points of local access than major arterial streets.

Street/Road: A right of way, dedicated to public use, which affords a primary means of access to the abutting property. This definition is intended to be inclusive of the term as defined in Iowa State Statutes.

Street, Collector: A street connecting neighborhoods within the same communities, designed to carry traffic from local to arterial streets.

Street, County: Any road or street owned, operated, and maintained by any County.

Street, Intersecting and Principal: In regard to a site, the principal street shall be the street to which the majority of lots on a block face are oriented; the intersecting street shall be a street other than a principal street.

Street Line: The right-of-way line of a street.

Street, Local: A street which is used primarily for access to the abutting properties.

Street, Major: A street carrying traffic between neighborhoods, connecting neighborhoods with major activity centers, or accommodating major through traffic. Major streets are designated as collectors, arterials, or expressways by the Comprehensive Development Plan.

Street, Private: A right-of-way or easement in private ownership, not dedicated or maintained as a public street, which affords the principal means of access to two or more sites.

Street Public: Any thoroughfare or public way which has been dedicated to the public or deeded to the city for street purposes and which has been approved by Treynor City Council.

Strip Development: Commercial or retail development, usually one-store deep, that fronts on a major street.

Structural Alterations: Any replacement or changes in the types of construction or in the supporting members of a building such as load bearing walls or partitions, columns, beams or girders, beyond ordinary repairs and maintenance.

Structure - Anything constructed or erected, more than the four inches above the ground, the use of which requires permanent location on the ground. When a structure is divided into separate parts by an unpierced wall, each part shall be deemed a separate structure. Anything connecting the separate structures together in a consistent manner will combine as a single structure. Where there is doubt about whether a structure is a fence or not, the Zoning Administrator will have the discretion to determine the difference. Satellite dishes are not considered structures. Steps and handicap access are not considered separate structures. ~~Patios are structures.~~

Structural Alterations: See Alteration.

Subdivision: The division of land into two (2) or more lots, parcels, or other divisions of land for the purpose, whether immediate or future, of transfer of ownership, building development or lease. The term subdivision includes re-subdivision, property split or lot line adjustment.

Substantial Damage: Impairment of any origin sustained by a structure whereby the cost of restoring the structure to its before damage condition would equate to or exceed 50% of the market value of the structure before the damage occurred.

Substantial Improvements: Any improvement to a structure which satisfies either of the following criteria:

- a. Any repair, reconstruction, rehabilitation, addition or improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure either before the start of construction of the improvement or if the structure has been substantially damaged and is being restored before the damage occurred. The term does not, however, include any project for improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions or any alteration will not preclude the structure's continued designation as a "historical structure."
- b. Any addition that increases the original floor area of a building by twenty-five percent (25%) or more.

Substation: An electrical construction designed to collect and modify electrical energy produced by the Industrial Renewable Energy.

Surveyor: A licensed land surveyor who engages in the practice of land surveying pursuant to the Code of Iowa.

2.030 T

Tavern: Any establishment in which is performed the public sale and serving of malt beverages.

Telecommunications: The transmission, between or among points specified by the user, of information of the user's choosing, without change in the form or content of the information as sent and received.

Tent: A shelter made of flexible material erected directly on the ground providing temporary facilities for sleeping, recreation or the display of goods or services.

Terrace: A terrace is a relatively level paved or planted area adjoining a building that may be serving as an outdoor living area. A terrace may also be raised, nearly level, area created by wood, masonry, or turf.

Terrace (Agricultural): An agricultural terrace is a flat, man-made step or platform constructed on a slope to enable farming on hilly or mountainous terrain. These terraces are typically built successively down a hillside, resembling a series of steps.

Tiny Home: A nontraditional housing option that is not less than 200 square feet and not to exceed 799 square feet in floor area, excluding lofts, and meets all other requirements of a residence.

Total Height: The height from grade to the highest vertical point.

Towers: Any guyed, monopole or self-supporting tower, constructed as a freestanding structure or in association with a building or other permanent structure containing one or more antennas, Most commonly used in the capacity for radio, television, telephone, short-wave, cellular telephone, microwave antenna or tower.

Tower foundation: The base of the tower usually constructed or reinforced concrete which provides enough mass to hold the tower in a stable position.

Townhouse: Means one single-family residential unit which may be joined together with at least one additional single-family townhouse residence by a common wall or walls, and/or roof, and/or foundation; provided, and zero lot line, however, that in any event, the term "townhouse" shall not mean a condominium. Each unit is independently owned.

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.

Tract: A part of a section, a lot within an official plat or a governmental lot.

2.030 U

Use: The activity occurring on a lot or parcel for which land or a building is arranged, designed or intended or for which land or building is or may be occupied, including all accessory uses.

Use, Change Of: The change within the classified use of a structure or premise.

Use, Principal: A use that fulfils the primary function of a household, establishment, institution or other entity. The principal use of any property shall be that which is contained in the main building on said property.

Use, Temporary: A use that is authorized by this code to be conducted for a fixed period of time. Temporary uses are characterized by such activities as the sale of agricultural products, storage pods, contractors' offices and equipment sheds, fireworks, carnivals, flea markets, and garage sales.

Utilities: Installations, either above or below ground, necessary for the production, generation, transmission, delivery, collection, treatments, or storage of water, solid or fluid wastes, storm water, energy media, gas, electronic or electromagnetic signals, or other services which are precedent to development and use of land.

2.030 V

Vacation: The official abandonment of public right-of-way or easement by the city in accordance with State Law.

Vacant Building: A building or structure that has not been occupied or used for its intended purpose without active utilities for one-hundred eighty (180) days.

Variance: The means by which an adjustment is made in the application of the specific regulations of a zoning ordinance to a particular piece of property, which property, because of special circumstances applicable to it, is deprived of privileges commonly enjoyed by other properties in the same vicinity and zone, and which adjustment remedies disparity in privileges.

Vehicle, motor: Any passenger vehicle, motorcycle, recreational vehicle, or truck that is propelled or drawn by mechanical power.

Vehicle Storage: A permitted and designated location, other than a driveway, intended, designed, and/or used for the storage of vehicle(s).

Violation: The Failure of a structure or other development to be fully compliant with the provisions of this Ordinance.

Vision Clearance Area: An unoccupied triangular space at the corner of a corner lot which is bounded by the street lines and setback line connecting points determined by measurement from the corner of each street line. (See Section 23.050).

2.030 W

Walkability: The condition when an area is highly interconnected to other areas and appeals to pedestrians for recreational walking or for walking to work, transit, schools, shopping or restaurants.

Walkable Neighborhood: Areas that are pedestrian-oriented in nature and safety with a highly interconnected network of streets, where bicycling and walking are a viable daily option because services, shopping, food uses and schools are within a short walking distance of most dwellings.

Warehouse. A structure used for stockpiling, product mixing, production logistics, consolidation, distribution, and customer service. Included in this definition are mini-warehouse storage units.

Warehouse, Enclosed: Enclosed space or structure with walls and doors to contain items out of the outside elements. Uses including storage, distribution and handling of goods within enclosed structures. Typical uses include wholesale distributors, storage warehouses, van and storage companies.

Warehouse, Open: Open area designed and intended for outdoor storage of items. Uses including open air storage, distribution, and handling of goods and materials. Typical uses include monument yards, grain elevators, large machines and equipment.

Watercourse: Shall mean any stream, arroyo, or drain way having a channel that serves to give direction to a flow of water.

Wrecking salvage yard: Any place where damaged, inoperable or obsolete machinery such as cars, trucks and trailers or parts thereof are stored, bought, sold, accumulated, exchanged, disassembled or handled.

2.030 Y

Yard: A space on the same lot with a main building; open, unoccupied, and unobstructed by buildings or structures from the ground to the sky, except as otherwise provided in this Zoning Regulation.

Yard, Front: A yard extending across the full width of the lot, the depth of which is the least distance between the street right-of-way line and the building setback line.

Yard, Rear: A yard extending across the full width of the lot between the rear of the main building and the rear lot line, the depth of which is the least distance between the rear lot line and the rear line of such main building. For corner lots, the rear-yard may be designated as best advantages the owner or builder.

Yard, Side: A yard between the main building and the side lot line extending from the front yard lot line to the rear lot line. The width of the required side yard shall be measured horizontally, at ninety degrees with the side lot line from the nearest part of the main building.

2.030 Z

Zero Lot Line: The location of a building on a lot in such a manner that one or more of the building's sides rest directly on a lot line.

Zone: A specifically delineated area or district in a municipality within which regulations and requirements uniformly govern the use, placement, spacing and size of land and buildings.

Zoning: The dividing of a municipality into districts and the establishment of regulations governing the use, placement, spacing and size of land and buildings.

Zoning Administrator - The designated Zoning Administrator of the City of Atlantic, Iowa or his authorized representative.

Zoning District: An area or areas within the limits of the Community for which the regulations and requirements governing use are uniform.

Zoning Lot - A plot of ground, made up of one (1) or more parcels of land, which is or may be occupied by a use, building, or buildings, including the open spaces required by this Ordinance.

Zoning Map - The map or maps incorporated into this Ordinance as a part hereof, designating the zoning districts.

2.040 WORDS NOT DEFINED HEREIN

Words or terms not herein defined shall have their ordinary meaning in relation to the context used.

ARTICLE 3

ESTABLISHMENT OF DISTRICT AND BOUNDARIES

SECTIONS:

3.010	Declaration of Purpose
3.020	Location at Map
3.030	Boundaries
3.040	District Requirements

3.010 DECLARATION OF PURPOSE

In order to accomplish the purposes of this Zoning Regulation, the City of Atlantic is hereby divided into districts (zones) in accordance with a Comprehensive Plan of the City as hereinafter set forth. The eleven zoning districts of the City of Atlantic shall be known as (REF: Establishment of City Districts and Zones authorized by the Iowa Code, Chapter 414).

R-1	Residential/Agriculture/Open Space
R-2	Low Density Single Family
R-3	High Density Single Family
R-4	Multiple Family
R-5	High Density Affordable Family Residential
R-6	Mobile Home Park
C-1	Highway Commercial
C-2	Administrative-Professional
C-3	Central Business
I-1	Light Industrial
I-2	Heavy Industrial
F	Flood Plain Overlay
PUD	Planned Unit Development Overlay

3.020 LOCATION OF MAP

The location and boundaries of districts contained herein are shown on the zoning map entitled the "Zoning Map of the City of Atlantic, Iowa." All boundaries, notations, and other data shown thereon, are hereby adopted as part of this Zoning Regulation and is as much a part of these Zoning Regulations as if such notions, references, and other matters were specifically set forth herein. Said "Zoning Map" is properly attested and is on file with the Clerk of the City of Atlantic, Iowa.

3.030 BOUNDARIES

The Boundaries of these districts are hereby established as shown on a map entitled "Zoning Map", which accompanies and is hereby made a part of this ordinance. The district boundary lines on said map are intended to follow lot lines, the centerlines of streets or alleys, the centerlines of streets or alleys projected, railroad rights-of-way, or the corporate limit lines, all as they existed at the time of enactment of the ordinance; but where a district boundary line does not clearly coincide with lot lines, it shall be determined by scaling.

1. Where a district boundary line divides a lot which was in single ownership of record at the time of enactment of the ordinance, the rules applying to the less restricted portion of such lot

shall be considered as extending to the entire lot. If the more restricted portion of such lot is more than 50 feet beyond said dividing district boundary line, such less restricted use shall be limited to the portion of the lot lying within 50 feet of said boundary line.

2. Questions concerning the interpretation of exact location of district boundary lines shall be determined by the Board of Adjustment according to rules and regulations which it may adopt, as hereinafter provided under Article 3.030.)
3. All territory which may hereafter be annexed to the community shall be classed automatically the same as it is under the Cass County Zoning Ordinance until such classification shall have been changed by amendment of the ordinance as provided hereinafter.

3.040 DISTRICT REQUIREMENTS

The following rules apply to all districts contained herein:

1. No building shall be erected, converted, enlarged, reconstructed, nor shall any building or land be used except for a purpose permitted in the district in which the building or land is located.
2. No building shall be erected, converted, enlarged, or reconstructed to exceed the height limit herein established for the district in which the building is located, except as provided in Article 23.
3. No building shall be erected, converted, enlarged, or reconstructed except in conformity with the area regulations of the district in which the building is located, except as provided in Article 23.
4. The minimum yards and other open spaces, including lot area per family, required by this Zoning regulation for each and every building existing at the time of passage of this Zoning Regulation or for any building hereafter erected shall not be encroached upon or considered as yard or open space requirements for any other principal building, nor shall any lot area be reduced beyond the district requirements of this Zoning District.
5. Every building hereafter erected or structurally altered shall be located on a lot as herein defined and in no case shall there be more than one main building on one lot unless otherwise provided.

ARTICLE 4

“R-I” RESIDENTIAL/AGRICULTURE/OPEN SPACE DISTRICT

SECTIONS:

4.010	Purpose and Intent
4.020	Permitted Uses
4.030	Conditional Uses
4.040	Accessory Uses
4.050	Lot Size
4.060	Yard Requirements
4.070	Height Regulations
4.080	Off-Street Parking
4.090	Signs
4.100	Supplemental Development Standards
4.110	Exceptions and Modifications

4.010 PURPOSE AND INTENT

This 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.

4.020 PERMITTED USES

The following uses and structures, and no others, are permitted in the "R-I" District.

1. Single family detached dwellings.
2. All agricultural uses including farm dwelling and accessory buildings, ~~but not including confinement feeding or other concentrated feedlot activities within 1320 feet of an "R" or "C" District.~~
3. Townhouse and Duplex dwellings.
4. Public parks, playgrounds, and recreation areas, and related buildings operated by a public agency.
5. Schools, public and private.
6. Churches or similar places of worship.
7. Daycares.
8. Community Gardens.

9. Independent Senior Housing, Assisted Living Facility and Senior Housing Community.

4.030 CONDITIONAL USES

The following uses and structures shall be permitted when authorized by the Board of Adjustment.

1. ~~Commercial feedlots when located within 1320 feet of an "R" or "C" District.~~
 - A. ~~Location. Any new commercial feedlot shall be subject to approval of a special use permit, as set forth by the Board of Adjustment. No new commercial feedlot use shall be located within 500 feet of the property lines of the parcel on which it is located; or within one quarter mile of an existing residential structure other than that of the owner or operator of the facility.~~
 - B. ~~Operation. Livestock wastes within a confinement area shall be removed or disposed of by spraying or spreading on land promptly followed by discing or plowing; grinding or dehydrating in properly designed dehydrators; or stockpiling in a compost plant located at least two miles from a residential zoning district. Insect and rodent control measures must be instituted for confined areas by removal or disposal of manure; or by other accepted insect or rodent control measures.~~
 - C. ~~Drainage. All ground surfaces within confinement areas shall be graded and compacted to insure proper drainage. All ground surfaces within confinement areas shall be controlled so that no appreciable amount of soil and livestock waste is carried into any roadway ditch, drainage area, or other low lying area. Water shall not be discharged or directed from a commercial feedlot site onto adjacent properties with the exception of a 100 year flood or greater flood event.~~
 - D. ~~Pollution Control. A confined area shall not produce a measurable increase in pollution in any public water based recreational facility, public water supply or in any waterway that is part of a public or private water supply.~~
 - E. ~~General Standards. All aspects of the operation of a commercial feedlot facility shall comply with the regulations and standards of the Iowa Department of Natural Resources or its successor agencies for feedlots. In addition to other requirements, all applications for special use permits for the establishment of a commercial feedlot use shall include certifications of plan review and approval by the Iowa Department of Natural Resources or its successor agencies; a site plan showing the location and maximum area of the confinement area; and a detailed description of operations, including maximum number and type of livestock to be confined, livestock waste removal or disposal plans, drainage plans and pollution control measures.~~
2. ~~Sanitary landfills, in accordance with county and state regulations, except that no sanitary landfill shall be operated within 1320 feet of any "R" District.~~
3. Privately operated country clubs, golf courses, swimming clubs, ~~riding stables~~, and similar recreation uses provided that any principal accessory building in connection therein shall be located not less than 200 feet from any lot in an "R" District.

4. ~~Airports and commercial heliports.~~
5. ~~Campgrounds and trailer parks.~~
6. ~~Mobile home parks.~~
7. Public utility and service uses, including but not limited to electric sub-stations, gas regulator stations, radio and television transmitting towers.
8. Sewage treatment plants and lagoons.
9. Telephone transmission equipment buildings.
10. Commercial greenhouses or nurseries.
11. Philanthropic and charitable institutions.
12. Filtration plants.
13. Railroad rights-of-way.
14. Water reservoirs.
15. Sand, gravel and rock quarries.
16. Veterinarian Services
17. Skilled Nursing Facility / Nursing Home.
18. Memory Care Units.
19. Pet Grooming/kenneling.
20. Recreational/Social clubs.
21. Public assembly facilities.
22. Retail.
23. Restaurants.
24. Funeral Services.
25. Personal Services that are not considered "low impact" by the State of Iowa.
26. Renewable Energy (personal solar).
27. Vehicle Storage Long and Short Term.
28. Warehouse (open and enclosed).

29. Auto Repair.
30. Plants processing agricultural products produced on the premises provided that no principal or accessory building is located within 1320 feet of an "R" or "C" District.
31. ~~All other uses of similar character as may be determined by the Board of Adjustment.~~
32. ~~All dimensional regulations required in this chapter.~~

4.040 ACCESSORY USES

Accessory uses incidental to and on the same zoning lot as the principal use.

1. Buildings, structures, and uses accessory to agricultural uses including roadside stands, selling produce grown on the premises, provided such roadside stands are located not less than 20 feet from a street or highway right-of-way line.
2. Private garages or parking areas.
3. Living quarters of persons employed on the premises.
4. Private stables.
5. Temporary structures incidental to construction work, only for the period of such work as permitted in Article 25.

4.050 LOT SIZE

Except as otherwise provided in Article 23 of this Ordinance, no building shall be erected or altered on a lot which makes provisions for less than the following:

1. Lot Area: None
2. Lot Width: None
3. Lot Depth: None

4.060 YARD REQUIREMENTS

1. Front Yard
 - A. None
2. Side Yard
 - A. None
3. Rear Yard
 - A. None

4.070 HEIGHT REGULATIONS

Except as otherwise provided in Article 23 of this Ordinance, the following maximum height shall apply:

1. 35 Feet

4.080 OFF-STREET PARKING

See Article 20 4.090

4.090 SIGNS

See Article 21

4.100 SUPPLEMENTAL DEVELOPMENT STANDARDS

See Article 22

4.110 EXCEPTIONS AND MODIFICATIONS

See Article 23

ARTICLE 5

"R-2" LOW DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT

SECTIONS:

5.010	Purpose and Intent
5.020	Permitted Uses
5.030	Conditional Uses
5.040	Accessory Uses
5.050	Lot Size
5.060	Lot Coverage
5.070	Yard Requirements
5.080	Height Regulations
5.090	Off-Street Parking
5.100	Sign Regulations
5.110	Supplemental Development Standards
5.120	Exceptions and Modifications

5.010 PURPOSE AND INTENT

The "R-2" District is established for the purpose of low and medium density single-family dwelling control and to allow home occupations, certain public facilities, and certain special uses. This district takes into account areas which were platted into smaller lots during early years of City growth. It is intended that no uses be permitted in this district which will devalue property for residential purposes or to interfere with the health, safety, and order, or general welfare of persons residing in the district.

Regulations are intended to control population density and to provide adequate open space around buildings and structures.

5.020 PERMITTED USES

The following uses and structures, and no others, are permitted in the "R-2" District.

1. Single family detached dwelling.
2. Public parks, playgrounds and recreation areas, and related buildings operated by a public agency.
3. Schools, public and private.
4. Church or similar place of worship.
5. Public libraries, museums or similar public buildings.

5.030 CONDITIONAL USES

The following uses and structures shall be permitted when authorized by the Board of Adjustment.

1. Two Family Attached Dwellings.
2. Cemeteries.
3. Health and medical institutions, including convalescent, hospitals and nursing, retirement or rest homes

4. Privately operated country clubs, golf courses, swimming clubs, ~~riding stables~~, and similar recreation uses provided that any principal accessory building in connection therein shall be located not less than 200 feet from any lot in an "R" District.
5. Public or private utility and service uses, including but not limited to electric sub-stations, gas regulator stations, radio and television transmitting towers.
6. Sewage treatment plants and lagoons.
7. Telephone transmission equipment buildings.
8. Filtration plants.
9. Railroad right-of-way.
10. Water reservoirs.
11. Philanthropic and charitable institutions.
12. Day care centers and nursery schools.
13. ~~Bed and Breakfast Homes and Bed & Breakfast (Expanded Services).~~
14. Communications tower.
15. ~~Solar energy system.~~ Allow personal solar
16. ~~Farming and similar agricultural uses provided~~

14. ~~All other uses of a similar character as may be determined by the Board of Adjustment.~~

5.040 ACCESSORY USES

Accessory uses incidental to and on the same zoning lot as the principal use.

1. Accessory uses - See Article 17.
2. Home occupations - See Article 19.

Except as otherwise provided in Article 23 of this Ordinance, no building shall be erected or altered on a lot which makes provisions for less than the following:

1. Lot Area: 8000 Square Feet
2. Lot Width: 80 Feet
3. Lot Depth: 100 Feet

5.050 Reserved

5.060 LOT COVERAGE

The maximum lot coverage by all buildings, principal and accessory, shall not exceed fifty (50) percent.

5.070 YARD REQUIREMENTS

Except as otherwise provided in Article 23 of this Ordinance, the following minimums shall apply:

1. Front Yard:
 - A. Twenty-five (25) Feet
 - B. The street side yard of a corner lot shall be fourteen (14) feet.

2. Side Yard: A six foot side yard setback is required on only one side of the property for residential uses. A 12 foot minimum distance is required between buildings on abutting lots, unless otherwise stated in Article 22 of this Ordinance
3. Rear Yard: Not less than twenty (20) percent of the depth of the lot

5.080 HEIGHT REGULATIONS

Except as otherwise provided in Article 23 of this Ordinance, the following maximum heights shall apply:

1. Principal Structure: 30 Feet
2. [Reserved]

5.090 OFF-STREET PARKING

See Article 20.

5.100 SIGN REGULATIONS

See Article 21.

5.110 SUPPLEMENTAL DEVELOPMENT STANDARDS

See Article 22.

5.120 EXCEPTIONS AND MODIFICATIONS

See Article 23.

ARTICLE 6

"R-3" HIGH DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT SECTIONS:

- 6.010 Purpose and Intent
- 6.020 Permitted Uses
- 6.030 Conditional Uses
- 6.040 Accessory Uses
- 6.050 Lot Size
- 6.060 Lot Coverage
- 6.070 Yard Requirements
- 6.080 Height Regulations
- 6.090 Off-Street Parking
- 6.100 Sign Regulations
- 6.110 Supplemental Development Standards
- 6.120 Exceptions and Modifications

6.010 PURPOSE AND INTENT

The "R-3", One and Two Family Residential District is established for the purpose of allowing a slightly higher density than in the "R-2" District and yet retain the residential character. This District allows single family homes, two family structures (duplexes), home occupations, certain community facilities and certain conditional uses.

6.020 PERMITTED USES

The following uses and structures, and no others, are permitted in the "R-3" District.

1. Single family dwelling.
2. Two-family dwelling. (Duplex and Townhouse)
3. Public parks, playgrounds and recreation areas, and related buildings operated by a public agency.
4. Schools, public and private.
5. Church or similar place of worship.
6. Public libraries, museums, or similar public buildings.

6.030 CONDITIONAL USES

~~All uses listed as conditional uses listed under "R-2" low density single family — See Article 5~~

1. ~~Cemeteries.~~
2. Health and medical institutions, including convalescent, hospitals and nursing, retirement or rest homes.
3. Privately operated country clubs, golf courses, swimming clubs, ~~riding stables~~, and similar recreation uses provided that any principal accessory building in connection therein shall be

located not less than 200 feet from any lot in an "R" District.

4. Public or private utility and service uses, including but not limited to electric sub-stations, gas regulator stations, radio and television transmitting towers.
5. Sewage treatment plants and lagoons.
6. Telephone transmission equipment buildings.
7. Filtration plants.
8. Railroad right-of-way.
9. Water reservoirs.
10. Philanthropic and charitable institutions.
11. Day care centers and nursery schools.
12. ~~Communications tower.~~

6.040 ACCESSORY USES

Accessory uses incidental to and on the same zoning lot as the principal use.

1. Accessory uses - See Article 17.
2. Home occupations - See Article 19.

6.050 LOT SIZE

Due to the historic nature of this district and the City's desire to preserve property value and rights for older lots, the City does not have a minimal lot size or dimensions for this zone.

6.060 LOT COVERAGE

The maximum lot coverage by all buildings, principal and accessory, shall not exceed fifty (50) percent.

6.070 YARD REQUIREMENTS

Except as otherwise provided in Article 23 of this Ordinance, the following minimum shall apply:

1. Front Yard:
 - A. Twenty five (25) feet
 - B. The street side yard of a corner lot shall be fourteen (14) feet.
2. Side Yard: A six foot side yard setback is required on only one side of the property for residential uses. A 12 foot minimum distance is required between buildings on abutting lots, unless otherwise stated in Article 22 of this Ordinance.
3. Rear Yard: Not less than twenty (20) percent of the depth of the lot.

6.080 HEIGHT REGULATIONS

Except as otherwise provided in Article 23 of this Ordinance, the following maximum heights shall apply:

1. Principal Structure: 30 Feet

6.090 OFF-STREET PARKING

See Article 20.

6.100 SIGN REGULATIONS

See Article 21.

6.110 SUPPLEMENTAL DEVELOPMENT STANDARDS

See Article 22.

6.120 EXCEPTIONS AND MODIFICATIONS

See Article 23 .

ARTICLE 7

"R-4" MULTIPLE FAMILY RESIDENTIAL DISTRICT

SECTIONS:

7.010	Purpose and Intent
7.020	Permitted Uses
7.030	Conditional Uses
7.040	Accessory Uses
7.050	Lot Size
7.060	Lot Coverage
7.070	Yard Requirements
7.080	Height Regulations
7.090	Off-Street Parking
7.100	Sign Regulations
7.110	Supplemental Development Standards
7.120	Exceptions and Modifications

7.010 PURPOSE AND INTENT

The "R-4", Multiple-Family Dwelling District is established to provide a district suitable for family living in an area characterized by medium to high residential uses. This District allows all the uses permitted in "R-1" and "R-2" Districts. Said District should only be established in areas where street and utility systems are adequate to accommodate high density development.

7.020 PERMITTED USES

The following uses and structures, and no others, are permitted in the "R-4" District.

1. Single family dwelling.
2. Two family dwelling.
3. Three family dwelling.
4. Four family dwelling.
5. Apartment buildings,
6. Condominiums.
7. Townhouses.
8. Church or similar place of worship.
9. Schools, public and private.
10. Public libraries, museums, or similar public buildings.
11. Lodging homes.
12. Public parks, playgrounds and recreation areas, and related buildings operated by a public agency.
13. Health and medical institutions
14. Convalescent, nursing and retirement home.

7.030 CONDITIONAL USES

The following uses and structures shall be permitted when authorized by the Board of Adjustment.

1. Cemeteries
- ~~2. Health and medical institutions, including convalescent, nursing and rest homes and hospitals.~~
3. Privately operated country clubs, golf courses, swimming clubs, ~~riding stables~~, and similar recreation uses provided that any principal accessory building in connection therewith shall be located not less than 200 feet from any lot in an "R" District.
4. Public utility and service uses, including but not limited to electric sub-stations, gas regulator stations, radio and television transmitting towers.
5. Sewage treatment plants and lagoons.
6. Telephone transmission equipment buildings.
7. Filtration plants.
8. Railroad right-of-way.
9. Water reservoirs.
10. Philanthropic and charitable institutions.
11. Day care centers and nursery schools.
- ~~12. Bed and Breakfast Homes and Bed and Breakfast (Expanded Services.)~~
- ~~13. All other uses of similar character as may be determined by the Board of Adjustment.~~

7.040 ACCESSORY USES

Accessory uses incidental to and on the same zoning lot as the principal use.

1. Accessory uses - See Article 17.
2. Home occupations - See Article 19.

7.050 LOT SIZE

Except as otherwise provided in Article 23 of this Ordinance, no building shall be erected or altered on a lot which makes provisions for less than the following:

1. Lot Area:
 - A. Single family dwelling - 5000 square feet
 - B. Two family dwelling - 6000 square feet
 - C. Multiple family dwelling - 6000 square feet for the first two units and an additional 1,500 square feet for each dwelling unit thereafter.

2. Lot Width:

AS Singlefamily dwelling	-	50 feet
B. Two family dwelling	-	60 feet
C. Multiple family dwelling	-	100 feet
D. Row dwellings		
- 3 units	-	85 feet
- Each additional unit	-	Add 25 feet
3. Lot Depth - 100 feet

7.060 LOT COVERAGE

The maximum lot coverage by all buildings, principal and accessory, shall not exceed sixty (60) percent.

7.070 YARD REQUIREMENTS

Except as otherwise provided in Article 23 of this Ordinance, the following minimum shall apply:

1. Front Yard
 - A. Thirty (30) Feet
 - B. Where platted lots have a double frontage or located at the intersection of two streets, the required front yard shall be provided on both streets.
2. Side Yard: A six foot side yard setback is required on only one side of the property for residential uses. A 12 foot minimum distance is required between buildings on abutting lots, unless otherwise stated in Article 22 of this Ordinance.
3. Rear Yard:
 - A. Not less than twenty (20) percent of the depth of the lot..

7.080 HEIGHT REGULATION

Except as otherwise provided in Article 23 of this Ordinance, the following maximum height shall apply:

1. Principal Structure: 45 Feet
2. [reserved}

7.090 OFF-STREET PARKING

See Article 20.

7.100 SIGN REGULATIONS

See Article 21.

7.110 SUPPLEMENTAL DEVELOPMENT STANDARDS

See Article 22.

7.120 EXCEPTIONS AND MODIFICATIONS

See Article 23.

ARTICLE 8

“R-5” HIGH DENSITY AFFORDABLE FAMILY RESIDENTIAL DISTRICT

SECTIONS:

- 8.010 Purpose and Intent**
- 8.020 Permitted Uses**
- 8.030 Street Construction Standards (New Subdivisions)**
- 8.040 Accessory Uses**
- 8.050 Lot Size**
- 8.060 Lot Coverage**
- 8.070 Yard Requirements**
- 8.080 Height Regulations**
- 8.090 Off-Street Parking**
- 8.100 Sign Regulations**
- 8.110 Supplemental Development Standards**
- 8.120 Exceptions and Modifications**

8.010 PURPOSE AND INTENT

The “R-5”, Affordable One and Two Family Residential District is established for the purpose of allowing a slightly higher density than in the “R-2” District and yet retain the residential character. This District allows single family homes, two family structures (duplexes), home occupations, certain community facilities and certain conditional uses. Because the R-5 District is meant to accommodate affordable housing, requiring less expensive lots, some of the subdivision requirements are waived regarding street construction standards.

8.020 PERMITTED USES

The following uses and structures, and no others, are permitted in the “R-5” District.

1. Single family dwelling.
2. Two family dwelling.
3. Public parks, playgrounds and recreation areas, and related buildings operated by a public agency.

8.030 STREET CONSTRUCTION STANDARDS (NEW SUBDIVISIONS)

Streets constructed under new subdivisions located in an R-5 District are not necessarily held to subdivision standards regarding some aspects of street construction.

See Code of Ordinances of the City of Atlantic, Iowa, 2003, Subdivision Regulations, Chapter 166.20 (Street Improvements), Subsection 2 (Street surfacing) and Subsection 7 (Curb and Gutter).

8.040 ACCESSORY USES

Accessory uses incidental to and on the same zoning lot as the principal use.

1. Accessory uses - See Article 17.
2. Home occupations - See Article 19.

8.050 LOT SIZE

Except as otherwise provided in Article 23 of this Ordinance, no building shall be erected or altered on a lot which makes provisions for less than the following:

1. Lot Area:
 - A. Single family dwelling - 6,000 square feet
 - B. Two family dwelling- 8,500 square feet
2. Lot Width: - 50 feet
3. Lot Depth - 100 feet

8.060 LOT COVERAGE

The maximum lot coverage by all buildings, principal and accessory, shall not exceed fifty (50) percent.

8.070 YARD REQUIREMENTS

Except as otherwise provided in Article 23 of this Ordinance, the following minimum shall apply:

1. Front Yard
 - A. Twenty (20) feet
 - B. The street side yard of a corner lot shall be fourteen (14) feet.
2. Side Yard:
 - A. A six foot side yard setback is required on only one side of the property for residential uses. A 12 foot minimum distance is required between buildings on abutting lots, unless otherwise stated in Article 22 of this Ordinance
3. Rear Yard:
 - A. Not less than twenty (20) percent of the depth of the lot.

8.080 HEIGHT REGULATION

Except as otherwise provided in Article 23 of this Ordinance, the following maximum height shall apply:

1. Principal Structure: 30 feet
2. [Reserved]

8.090 OFF-STREET PARKING

See Article 20.

8.100 SIGN REGULATIONS

See Article 21.

8.110 SUPPLEMENTAL DEVELOPMENT STANDARDS

See Article 22.

8.120 EXCEPTIONS AND MODIFICATIONS

See Article 23.

ARTICLE 9

"R-6" - MOBILE HOME PARK DISTRICT

SECTIONS:

- 9.010 Purpose and Intent**
- 9.020 Permitted Uses in MHP District**
- 9.030 Mobile Home Park Permits**
- 9.040 Application for a Mobile Home Park Permit**
- 9.050 Permit Requirements**
- 9.060 Approval of Application**
- 9.070 Mobile Home Park Permit Fee**
- 9.080 Suspension of a Mobile Home Park Permit**
- 9.090 Inspection**
- 9.100 Revocation of Permit**
- 9.110 Development Standards for Mobile Home Parks**

9.010 PURPOSE AND INTENT

The R-6 Mobile Home Park District is established for the purpose of providing residential environments within the City for the accommodation of Mobile Homes and Modular Housing Units (as defined in Chapter 135 D Code of Iowa) within a Mobile Home Park under one ownership. It is the intent of this Zoning Regulation that the Mobile Home Park districts be located only in areas that would not adversely affect the established residential subdivisions and residential densities in the City.

9.020 PERMITTED USES IN THE MHP DISTRICT

The following uses and structures and no others are permitted in the Mobile Home Park District:

1. Mobile Home Parks (as defined in Chapter 71, Code of Iowa)
2. Recreation and service facilities (e.g. club house, swimming pool, laundromat, etc.) for the occupants of a park.
3. Day care centers.
4. Accessory structures such as garages, carports, greenhouses, and similar structures which are customarily used in conjunction with, and incidental to a principle use of structure.

9.030 MOBILE HOME PARK PERMITS

It shall be unlawful for any person, firm or corporation to begin the construction and/or operation of a mobile home park within the City of Carroll without the owner or lessee first having obtained a permit therefore as provided in this chapter and a license to operate and maintain a mobile home park from the Iowa State Department of Health.

No person, firm, or corporation shall construct, expand, remodel, or make alterations to the sanitary facilities in a mobile home park within the State of Iowa without first obtaining a permit therefore from

the State Department of Health.

9.040 APPLICATION FOR A MOBILE HOME PARK PERMIT

The application for a permit to operate a mobile home park shall be filed on a form furnished by the City with the City Public Works Administrator who shall present the application to the City Council for consideration at the first regular meeting following the filing of said application. The application shall state the name or names of the attendant or attendants to be in active charge of the mobile home park and his or their hours of duty, and be accompanied by a plat and other documents showing the following information:

- A. A legal description of the mobile home park area.
- B. The area dimensions and boundaries of the mobile home park site, including elevations and all details of the water and sewage systems, locations, including the site of water and sewer lines, etc.
- C. Location, size, and horizontal separation and type of materials used for the proposed water and sewer lines is required. A detailed typical sectional drawing is required of a water and sewer connection.
- D. The location and termination of storm sewer and/or catch-basins.
- E. The number, location, size, and designated use of all unit spaces.
- F. The location, width, and type of surface material for roadways and walkways.
- G. Information relating to recreational facilities.
- H. Information relating to fire protection facilities.
- I. Outside lighting plan.
- J. The location of service buildings, if provide, and any other proposed structures, including storage buildings and garbage or trash collection stations.
- K. Owner has to have a permit to construct from the Iowa State Department of Health prior to construction for public water supply, sewage, or solid waste system.

9.050 PERMIT REQUIREMENTS

- A. All mobile home parks shall be well drained. A storm sewer drainage plan shall be submitted to and approved by the City Engineer. Any storm sewers to be constructed shall be constructed in accordance with City specifications.
- B. All roads within the park shall be hard surfaced, and easily accessible to all mobile homes, and adequately lighted.
- C. No greater number of mobile homes shall be allowed than there are unit spaces available.

- D. Each water and sewer service shall be installed in compliance with all applicable codes, the City of Atlantic, and Iowa State Department of Health.
- E. All gas piping and plumbing shall meet the requirements of the most recent issue of the Uniform Plumbing Code as adopted by the State of Iowa.
- F. For all dependent mobile home parks, facilities must be provided for bathing, washing, laundry, restroom, and garbage disposal areas.

9.060 APPROVAL OF APPLICATION

The City Council shall consider said application and if found satisfactory shall instruct the City Clerk, upon payment of the permit fee, to issue a mobile home park license and retain a record thereof in his office.

9.070 MOBILE HOME PARK PERMIT FEE

The permit fee for a mobile home park shall be \$5,000.00.

9.080 SUSPENSION OF A MOBILE HOME PARK PERMIT

Any mobile home park permit issued under this chapter shall be suspended by the City Council if the operator thereof fails within 24 hours after notification to maintain the park in accordance with the requirements necessary to obtain a permit.

9.090 INSPECTION

Any officer of the City of Atlantic shall have authority to enter and inspect, at any reasonable time, any facility permitted hereunder.

9.100 REVOCATION OF PERMIT

The conviction of any person, firm, or corporation for violation of this chapter or any other chapter of the City of Atlantic or statutes of the State of Iowa involving moral turpitude shall automatically revoke any permit issued under the terms hereof.

9.110 DEVELOPMENT STANDARDS FOR MOBILE HOME PARKS

1. Size of park. Shall not be less than 217,800 square feet with a minimum frontage of three hundred (300) feet.
2. Access. A mobile home park shall have access to public street.
3. Gross density. Gross density of a mobile home park shall not exceed eight (8) mobile home spaces per acre, including streets, sidewalks, recreation area, boat and trailer storage areas, etc.
4. Mobile home spaces. Each mobile home park shall clearly define the spaces and such spaces shall not have an area less than thirty-six hundred (3600) square feet. Spaces shall have a minimum of forty-five (45) foot frontage and eighty (80) foot depth.

5. Setbacks. Mobile homes shall be so located on each space that there shall be clearance between mobile homes; provided, however, that with respect of mobile homes parked end-to-end, the end-to-end clearance may not be less than twenty (20) feet. No mobile home shall be located closer than twenty (20) feet to any building or mobile home shall be located closer to any property line of the park abutting upon a public street or highway than twenty-five (25) feet or such other distance as may be established by ordinance or regulation as a front yard or setback requirement with respect to conventional buildings in the district in which the mobile home park is located.
6. Circulation. The interior circulation and access driveways to public streets shall be so designed as to promote the public safety.
7. Recreation space. There shall be provided one or more recreational areas that are equipped with suitable play equipment and other recreational facilities. There shall be provided at least four hundred (400) square feet of developed area per mobile home space.
8. Supervision. There shall be provided an area near the main entrance of the park as an area with suitable off-street parking for office and management use only. The licensee or permittee, or a duly authorized attendant or caretaker, shall be in charge at all times to keep the mobile home park, its facilities, and equipment in a clean, orderly, and sanitary condition. The attendant or caretaker shall be answerable, with the licensee and permittee, for the violation of any provision of this ordinance (chapter) to which the licensee or permittee is subject. Moreover, mobile home park operators shall submit to the county assessor each January 1, a list of all mobile homes on their land, including make, model, year, length and width.
9. Boat and trailer storage. Each mobile home park shall provide a screened area for the storage of boats and travel, horse, or utility trailers, with an aggregate size of at least three hundred fifty (350) square feet per trailer space.
10. Electrical supply. An underground electrical service supplying at least 120/240 volts – 100 amperes electrical service from a centrally located power supply shall be provided each mobile home space by the mobile home park operator.
11. Adequate provisions shall be made for public water supply, sanitary sewers, fire protection, and other necessary facilities to satisfy and comply with state and local codes, ordinances, specifications, and statutes. Each mobile home drain inlet shall be provided with an effective trap not less than three (3) inches in diameter for inlets designed to receive the discharge of mobile home drainage and each mobile home drain line shall be equipped with a clean out which shall be outside of the perimeter covered by the mobile home and which shall clean toward the main sewer.
12. Waste Disposal. All mobile home parks shall be provided waste disposal on the basis of one dumpster per each twenty developed lots. All dumpsters shall be screened from view with a 100% opacity fence or wall.
13. Facilities. Adequate provision shall be made for public water supply, sanitary sewers, fire protection, and other necessary facilities to satisfy state and local codes, ordinances, and specifications.
14. Drainage. The park shall be properly drained to insure rapid run-off and free from stagnant pools of water.
15. Natural features. The design of the park shall preserve natural features such as large trees, outcroppings, etc., when feasible.

16. Nonconforming mobile home parks. Existing mobile home parks and/or trailer home parks that do not conform with these regulations and special conditions shall be considered as nonconforming and shall be allowed to continue operation. However, no nonconforming mobile home park shall be expanded, enlarged, or extended in any way. If a nonconforming mobile home park is discontinued or its normal operation stopped for more than twelve (12) months, the use of the land shall thereafter conform to a use permitted in the zone in which it is located.
17. Management. Each mobile home park shall be operated in a sanitary, orderly, and efficient manner, and shall maintain a neat appearance at all times. No damaged or deteriorated mobile homes shall be permitted to remain, and suitable and effective rules for regulating the outside storage of equipment, the removal of wheels and installation of skirting, the collection of trash and garbage, and the attachment of appurtenances to the mobile homes shall be continually enforced.
All drives, playground areas and equipment, lawn and trees, and any recreation or accessory buildings shall be maintained at a level at least equal to the average residential neighborhood in the City. All portions of the mobile home park shall be open and accessible to fire, police, and other emergency and protective vehicles and personnel, including city, county and state inspectors.
18. Tornado Shelters. Tornado shelters shall be provided in the mobile home park. Such shelter or shelters shall be built according to the recommendations of the Civil Defense authority and be large enough to meet the specific needs of the park and its residents.
19. Skirting. All mobile homes shall maintain continuous skirting all around the bottom of the structure to the top of the ground. Skirting shall consist of a durable non-weathering material made for that purpose.
20. Parking.
 - A. There shall be provided at least two (2) off-street parking spaces to be located on the mobile home space or within two hundred (200) feet of the mobile home space.

There shall be provided one-and-one-half (1-1/2) visitors off-street parking spaces for every five (5) mobile homes. Visitor parking spaces shall be located within convenient walking distances to home spaces

6

What is a comp plan

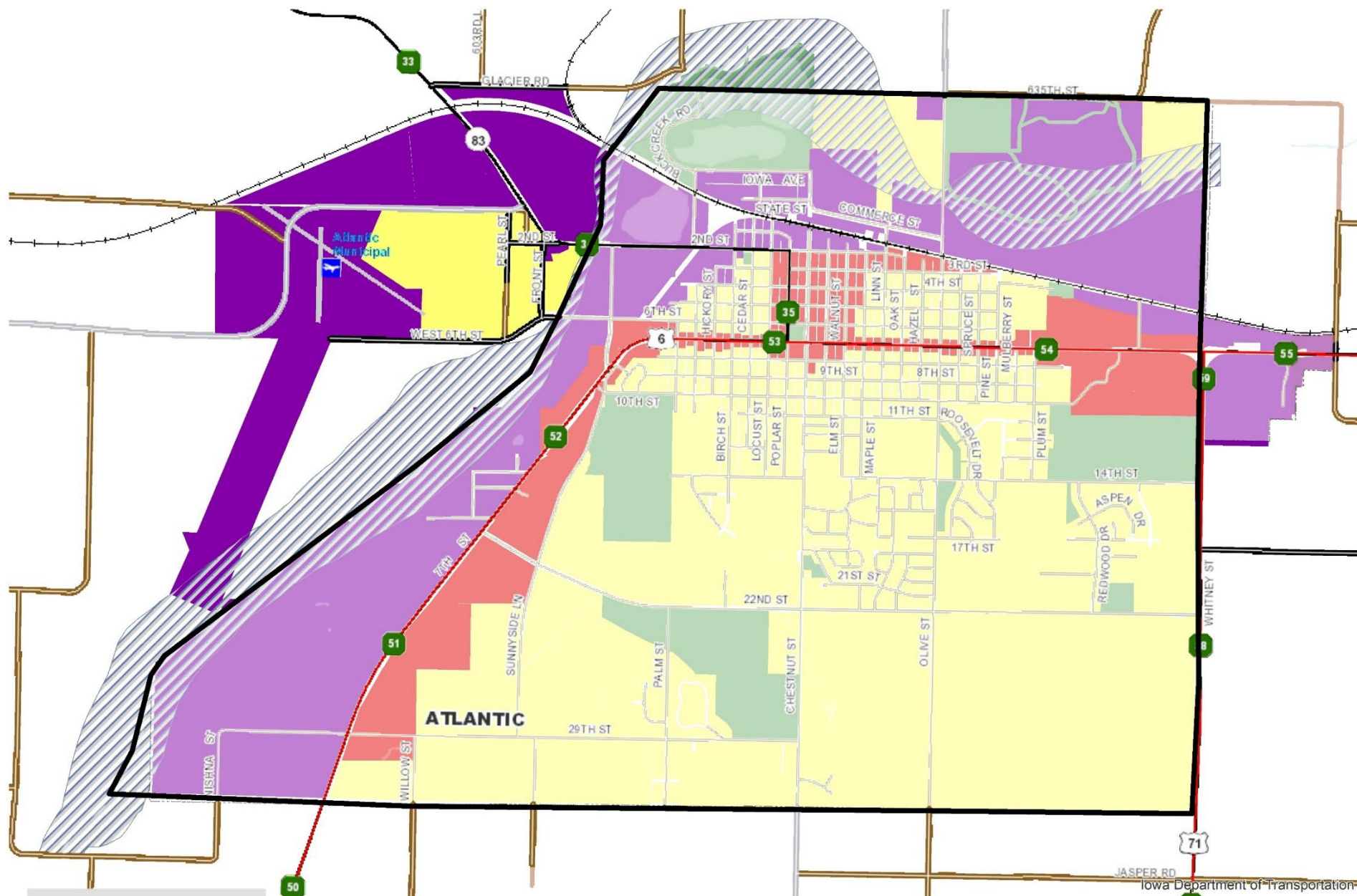
A legal document that sets the basis for zoning. It covers a variety of topics, but above all it is a land use plan. Decisions and changes made to the zoning ordinances should be derived from the comprehensive plan. For example, a developer wants to request a zoning change for a parcel for a housing development. P&Z is able to look at the comprehensive plan to see if development like that fits into the goals or future land use map for the city.

How we got here

- Meetings
 - Public meeting December 18, 2024
 - Public meeting February 26, 2025
- Survey
 - Launched in October 2024 open for 4 months
 - 428 responses
- Numerous meetings with steering committee

Future Land Use

The future land use map serves as a vital tool for the planning and zoning commission, along with city officials, to guide future development in Atlantic. This map should be used as a guide by officials when examining future development opportunities and is not meant to replace the officially adopted zoning map of the county. For example, if a large industrial company is looking to locate to Atlantic and would require land to be re-zoned to accommodate it, city officials can look at the future land use map and determine where a good location might be. Additionally, if the city were to annex land, that land must be identified in the comprehensive plan. That not only shows city officials which direction growth may occur so proper infrastructure decisions can be made, but allows transparency to residents as well.



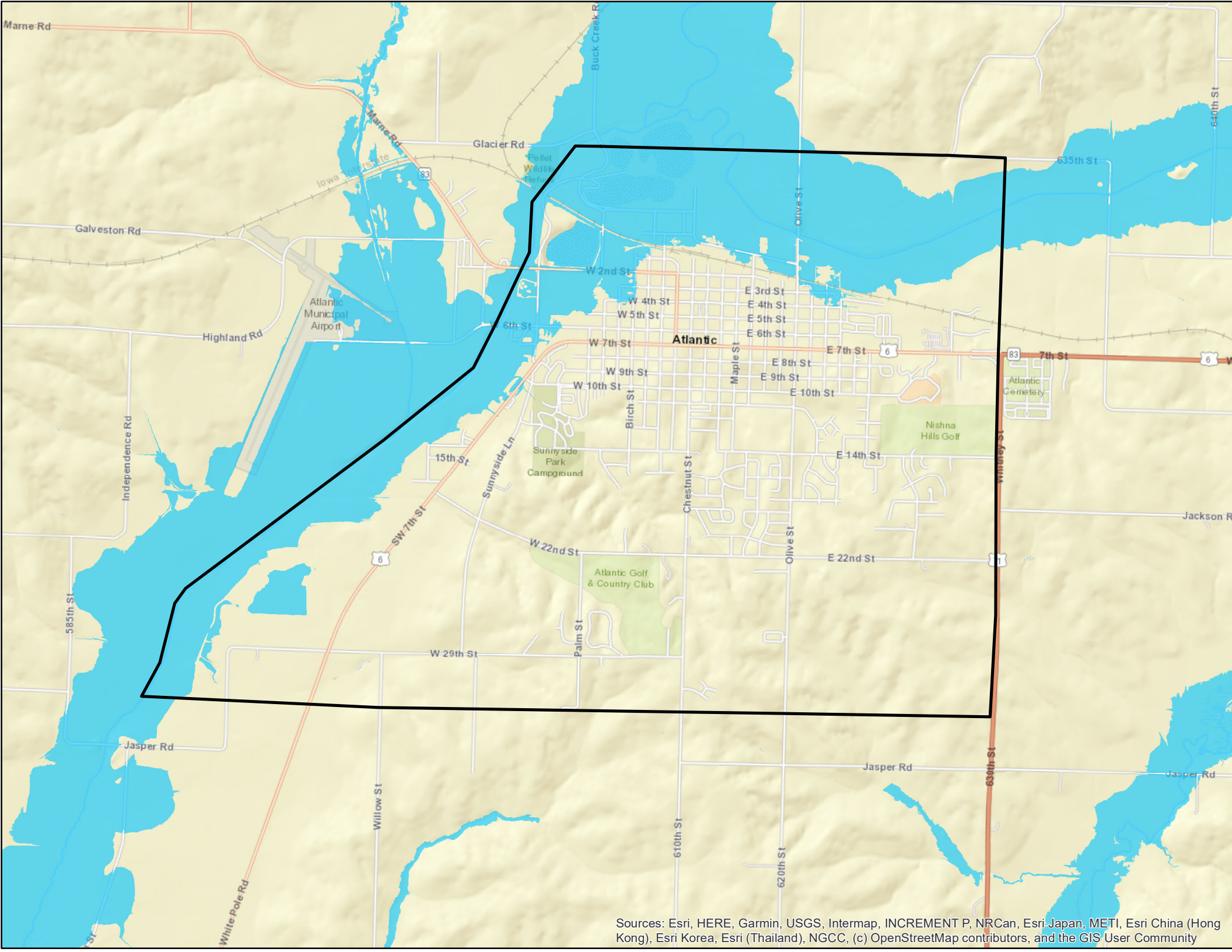
Legend

- Recreational Land Use
- Commercial Land Use
- Industrial Land Use
- Residential Land Use

Future Land Use Map

Conceptual in nature, this map is intended to be used to appropriately determine the location of future development by use.





Goal 1: Encourage growth, quality development, and redevelopment within the existing City limits of Atlantic in order to utilize existing infrastructure				
Objective	Responsible Party	Funding Sources	Priority	Timeframe
Identify vacant lots within town suitable for development				
Prioritize development of areas where there are vacant lots serviceable by existing sewer and water utilities.				
In accordance with the anticipated land uses designated in the Comprehensive Plan, prioritize and schedule infrastructure/utility extensions (water, sewer, internet/fiber, electricity, etc.)				
Develop a comprehensive annexation strategy that identifies and prioritizes areas for future City expansion based upon established criteria; an example of such criteria would be land that is located along major roadways.				
Goal 2: Protect the integrity of existing and future properties by ensuring they are maintained to a high standard and by ensuring that new properties are initially developed to a high standard.				
Objective	Responsible Party	Funding Sources	Priority	Timeframe
Establish rental inspection program				
For construction requiring a building permit, inspect the sites during after completion to ensure zoning code was followed				
Wherever possible, retrofit existing neighborhoods with pedestrian connections and require new residential areas to have pedestrian access through them and to existing neighborhoods				
Goal 3: Maintain a comprehensive system of parks, trails, open spaces, and other recreational opportunities that allow for safe and easy access for all ages and abilities.				
Objective	Responsible Party	Funding Sources	Priority	Timeframe
Work in conjunction with Cass County to complete T-Bone trail connection				
Complete improvements to the Sunnyside Bandshell to allow for concerts				
Seek funding to upgrade and maintain Sunnyside Pool				
Christmas lighting program for Sunnyside				
Enhanced fishing at Schildberg (urban fishing)				
Goal 4: Provide an efficient, safe and connected transportation system for all users that is coordinated with existing needs and future growth plans.				
Objective	Responsible Party	Funding Sources	Priority	Timeframe
Investigate ways that alternative transportation facilities throughout the city can be added or improved				
Ensure neighborhoods, new and existing, have sidewalks that follow current city ordinances				
Designate high traffic pick up spots for public transportation and provide a covered shelter				
Goal 5: Enhance safety in public places for residents and visitors of all ages and abilities.				
Objective	Responsible Party	Funding Sources	Priority	Timeframe
Improve the safety of on-street bike lanes				

potentially at the deep pond not in the park

Construct a storm shelter/recreational facility at Schildberg campground				
Mitigate flooding issues and protect properties along Bull Creek by improving storm water retention and bank stabalization along the creek				
Connect the parks via sidewalks or trails to make them more accessible and safe				
Imrpove wayfinding around town (trails, parks, restrooms, emergency services, etc.)				