

**MITCHELL COUNTY  
PLANNING & ZONING  
ORDINANCE**

# ZONING ORDINANCE

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ZONING ORDINANCE  
MITCHELL COUNTY, IOWA

ARTICLE I  
TITLE

This ordinance shall be known and may be cited and referred to as the "Mitchell County, Iowa, Zoning Ordinance".

ARTICLE II  
PURPOSE & INTENT

The regulations set forth in this ordinance have been developed in accordance with the Comprehensive Plan for the purpose of promoting health, safety and general welfare, and to provide for the orderly and efficient use of land and resources in the unincorporated areas of the county; further providing for prevention of undue overcrowding of land, protection of the natural and man-made environment and to assure adequacy of services to the residents of the county. The economic, physical and social character of the area was given due consideration in the establishment of these regulations to assure all residents of the advantages through the appropriate use of land in the county.

ARTICLE III  
SPECIAL EXCEPTIONS

No regulation or restriction established by this ordinance shall be construed to apply to land, farm houses, farm barns, farm outbuildings or other buildings, structures, or erections which are adopted by reason of nature and area, for use for agricultural purposes, while so used; provided, however, that the regulations which relate to any structure, building, dam, obstruction, deposit or excavation in or on the flood plains of any river or stream shall apply thereto.

ARTICLE IV  
INTERPRETATION OF STANDARDS

The provisions set forth in this ordinance shall be held to be minimum requirements. When restrictions imposed by this ordinance are greater than those required by any other rule, regulation, ordinance or other provision of law, the restrictions of this ordinance shall control.

## ARTICLE V DEFINITIONS

For purposes of this ordinance all words shall carry their customary meaning except for certain terms and words hereby defined. Words used in the present tense shall include the future, and the future, the present; the singular number shall include the plural and the plural, the singular. The word "shall" is mandatory; the word "may" is permissive; the word "person" includes a firm, association, organization, partnership, trust, company or corporation as well as an individual; the words "used" or "occupied" include the words customary meanings, or arranged to be used or occupied.

1. **ACCESSORY USE OR STRUCTURE:** A use or structure of a nature subordinate or customarily incidental to the principle use of land or a building on the same lot.
2. **ADMINISTRATIVE OFFICER:** The individual designated by the County Board of Supervisors to administer this ordinance and enforce the regulations imposed by said ordinance.
3. **ALLEY:** A public or private way affording a secondary means of access to abutting property.
4. **ANIMAL HOSPITAL:** A building or portion thereof designed or used for the care, observation, or treatment of domestic animals.
5. **APARTMENT HOUSE:** See Dwelling, Multiple.
6. **BASEMENT:** A story of a building having part, but not more than one-half ( $\frac{1}{2}$ ) of its height below grade. A basement is counted as a story for the purpose of height regulations.
7. **BILLBOARD:** Any structure or portion of a building that is erected, maintained, or used for public display of posters, painted signs, wall signs, whether the structure be placed on the wall or painted on the wall, pictures or other pictorial reading matter which advertise a business or attraction which is not carried on or manufactured in or upon the premises upon which said billboard is located.
8. **BOARDING HOUSE:** A building other than a hotel, where for compensation, meals or lodging and meals are provided for five (5) or more individuals or families.
9. **BUILDING:** Any structure designed or intended for the support, enclosure, shelter or protection of person, animals or property.

10. **BUILDING, HEIGHT OF:** The vertical distance from the average natural grade to the highest point of the building.
11. **BULK STATIONS:** Distributing stations used for the storage and distribution of flammable liquids or liquified petroleum products where the aggregate capacity of all storage tanks is more than twelve thousand (12,000) gallons.
12. **CARPORT:** A roofed structure providing space for the parking of motor vehicles and enclosed on not more than two sides.
13. **CELLAR:** That portion of a building having more than one-half ( $\frac{1}{2}$ ) of its height below grade. A cellar is not included as a story for purposes of height regulations.
14. **COMMERCIAL FEEDLOT:** A commercial venture involving the assemblage of livestock for the express purpose of preparation for market, purchasing over 75% of its feed.
15. **COURT:** An open, unobstructed and unoccupied space other than a yard which is bounded on two (2) or more sides by a building on the same lot.
16. **DISTRICT:** A delineated area or areas in the unincorporated portions of the county within which certain uniform regulations and requirements govern the use of buildings and premises or the height and areas of buildings and premises.
17. **DWELLING:** Any permanent building or portion thereof which is designed for or used exclusively for residential purposes.
18. **DWELLING, SINGLE FAMILY:** A building designed for or used exclusively by one family only.
19. **DWELLING, TWO FAMILY:** A building designed for or used by two (2) families only, with separate housekeeping and cooking facilities for each.
20. **DWELLING, MULTIPLE:** A building designed for or occupied by three (3) or more families with separate housekeeping and cooking facilities for each.
21. **FAMILY:** One or more persons occupying premises and living as a single housekeeping unit, as distinguished from a group occupying a boarding house, a lodging house, nursing home, rest home, club or hotel as herein defined.

22. **FARM:** An area used for agricultural purposes and the growing and production of all farm products thereon, and their storage on the area.
23. **FARMSTEAD:** The buildings and adjacent service areas of a farm.
24. **FILL:** The placing, storing or dumping of any material such as earth, clay, sand, rubble, concrete or waste of any kind upon the surface of the ground which results in increasing the natural surface elevation.
25. **FLOOD PLAIN:** The area adjoining a river or stream, which has been or may hereafter be covered by flood water.
26. **FLOODWAY:** The channel of a river or stream and those portions of the flood plains adjoining the channel, which are reasonably required to carry and discharge the flood water or flood flow of any river or stream as defined by the Iowa Natural Resources Council.
27. **FRONTAGE:** All the property on one side of a street, road or highway between two (2) intersecting streets (crossing or terminating) measured along the line of the street or if the street is dead-ended, then all of the property abutting on one side between an intersecting street and the dead-end of the street.
28. **GARAGE, PRIVATE:** An enclosed structure intended for the parking of the private motor vehicles of the families in residence upon the premises.
29. **GARAGE, PUBLIC:** Any building or premises, except those, used as private or storage garages, used for equipping, refueling, servicing, repairing, hiring, selling or storing motor-driven vehicles.
30. **GARAGE, STORAGE:** Any building or premises used for housing motor-driven vehicles, and at which automobile fuels are not sold and motor-driven vehicles are not equipped, repaired, hired or sold.
31. **GAS STATION:** A building or premises used for dispensing or offering for sale at retail, any automobile fuels or oils, or having pumps and storage tanks therefore; or battery, tire or any similar service is rendered, and where vehicles are not parked for purposes of inspection and sale.
32. **GRADE:** The average level of the finished surface of the ground adjacent to the exterior walls of the building.
33. **HOME OCCUPATION:** A secondary use carried on within the residence where there shall be allowed not more than one-half ( $\frac{1}{2}$ ) the area of one

(1) floor of dwellings for such purpose, in connection with which there is used no sign other than an announcement or professional sign not over one (1) square foot in area, or no display, excessive noise, odors or traffic generation or other evidence of such occupation being conducted on the premises.

- 34. **HOTEL:** A building in which lodging is provided and offered to the public for compensation, and which is open to transient guests and in which no provision is made for cooking in any individual room or apartment.
- 35. **INSTITUTION:** A building occupied by a non-profit corporation or a non-profit establishment for public use.
- 36. **JUNK OR SALVAGE YARD:** Any area where waste, used or second hand materials are bought, sold, exchanged, baled or packed, disassembled, kept, stored or handled, including house wrecking yards, auto wrecking activities, used lumber yards and places or yards for storage of salvaged building materials; but not including uses carried on entirely within enclosed buildings.
- 37. **KENNEL:** Any lot where four or more dogs, cats or other similar animals or pets, over six months of age, are boarded, bred and/or offered for sale.
- 38. **LODGING HOUSE:** A building or place where lodging is provided for compensation for five (5) or more persons, not members of the family where residing, nor transient guests.
- 39. **LOT:** A parcel of land occupied or intended for occupancy by a use permitted in this ordinance, including one (1) principal building together with its accessory buildings officially approved and having frontage on a public or private street.
- 40. **LOT AREA:** Total horizontal area between lot lines.
- 41. **LOT CORNER:** A lot upon which at least two adjacent sides abut upon a street.
- 42. **LOT, DEPTH OF:** The mean horizontal distance between the front and rear lot lines.
- 43. **LOT, DOUBLE FRONTAGE:** A lot having a frontage on two (2) non-intersecting streets.
- 44. **LOT LINES:** The property line bounding a lot.

45. **LOT OF RECORD:** A lot which is a part of a subdivision recorded in the office of the county recorder of Mitchell County, or a lot or parcel described by metes and bounds, the description of which has been so recorded.
46. **LOT WIDTH:** The width of a lot measured at the building line and at right angles to its depth.
47. **LUMBER YARD:** A premises on which primarily new lumber and related building materials are sold.
48. **MOBILE HOME:** Any vehicle which at any time was used as a conveyance upon highways or public streets; so designed and constructed as to permit occupancy thereof for dwelling or sleeping purposes for one or more persons whether attached or unattached to a permanent foundation.
49. **MOBILE HOME PARK:** Any lot, site, field or tract of land upon which one or more mobile homes or trailer occupied for dwelling or sleeping purposes are located regardless of whether a charge is made for such accommodations.
50. **MOTEL:** A building or group of attached or detached buildings containing individual sleeping and living units designed for transients and having not more than fifty (50) percent of the living and sleeping accommodations occupied by, or designed for occupancy by persons other than transient automobile tourists, but may include such accessory facilities such as swimming pool, restaurant, meeting rooms, etc.
51. **MOTOR FREIGHT TERMINAL:** A building or premises in which freight by motor truck is assembled and sorted, for routing in intrastate or interstate shipment.
52. **NON-CONFORMING USE:** Any building or land lawfully occupied by a use prior to the passage of this ordinance or amendments hereto, which does not conform with the use of regulations in its district as set forth in the ordinance or amendments hereto.
53. **NOXIOUS MATERIALS:** Material which is capable of causing injury to living organisms by chemical reaction or is capable of causing detrimental effects upon the psychological, social or economic well-being of human beings.
54. **NURSING HOME:** A building where for compensation, accommodations



and care for invalid, infirm, aged, convalescent or physically disabled or injured persons is provided.

- 55. **OBSTRUCTION:** Any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel rectification, bridge, conduit, culvert, building, wire, fence, rock, gravel, junk, solid waste, refuse, fill or other similar structure or matter in, along, across or projecting into any floodway which may impede, retard or change the direction of the flow of water, 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.
- 56. **PARKING LOT:** A parcel of land devoted to unenclosed parking spaces or to a partially enclosed building, when such building's primary purpose is to provide off-street parking.
- 57. **PARKING SPACE:** An area of not less than one hundred eighty (180) square feet plus necessary maneuvering space for the parking of a motor vehicle with access to a street or alley, but where the parking and maneuvering of a motor vehicle shall not encroach on a public right-of-way.
- 58. **PERMITTED USES:** Uses which are listed as permissive within each particular district and which must apply for and receive a zoning certificate from the administrative officer before establishing a new use, or starting the construction of, or altering an existing structure.
- 59. **PORCH, UNENCLOSED:** A roofed projection which has no more than fifty (50) percent of each outside wall area enclosed by a building or siding material other than meshed screens.
- 60. **PRIMARY TREE COVER:** Any contiguous area of land at least two (2) acres in size containing two hundred (200) living trees or more per acre of land.
- 61. **REGULATORY FLOOD:** A flood which is representative of a large flood known to have occurred generally in the area and reasonably characteristic of what can be expected to occur in a particular stream.
- 62. **REGULATORY FLOOD PROTECTION ELEVATION:** The elevation to which uses regulated by this ordinance are required to be elevated or flood proofed.
- 63. **RIGHT - OF - WAY:** The land area the right to possession of which is

secured or reserved by the contracting authority for road purposes.

- 64. **ROAD STAND:** A temporary structure, unenclosed, and so designed and constructed that the structure is easily portable and can be readily removed.
- 65. **ROOMING HOUSE:** A building where for compensation, a room or rooms are provided for five (5) or more persons not related to family.
- 66. **SANITARY LAND FILL:** A premises used for dumping organic materials such as garbage in an excavation and covered daily with dirt in accordance with State Board of Health requirements.
- 67. **STABLE, PRIVATE:** A building or structure used or intended to be used for housing horses belonging to the owner of the property only for non-commercial purposes.
- 68. **STABLE, PUBLIC:** A building or structure used or intended to be used for the keeping of horses for remuneration, hire or sale.
- 69. **STORY:** That portion of a building, other than a cellar, included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between the floor and the ceiling or roof next above it.
- 70. **STORY, HALF:** A space under a sloping roof which has the line of intersection of roof decking and the wall face not more than four (4) feet above the top floor level.
- 71. **STREET LINE:** A dividing line between a lot, tract or parcel of land and an adjacent street right-of-way.
- 72. **STREET OR ROAD, PRIVATE:** Any private way twenty (20) feet or more in width affording a means of access to abutting property.
- 73. **STREET OR ROAD, PUBLIC:** Any thoroughfare or public right-of-way not less than sixty (60) feet in width, which has been dedicated to the public or deeded to the county for street purposes, providing the principal means of access to abutting property.
- 74. **STRUCTURAL ALTERATIONS:** Any replacement or changes in the type of construction or in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders beyond ordinary repairs and maintenance.

- 75. **STRUCTURE:** Anything constructed or erected requiring a fixed location on the ground or anything attached to something having a fixed location on the ground.
- 76. **SUMMER COTTAGE:** A single-family dwelling for seasonal or temporary occupancy only, and not permanently occupied as a family residence during any entire year.
- 77. **SUSTAINED YIELD FORESTRY:** The lumbering of forest so that total harvest is equal to new growth.
- 78. **TRAILER:** See "Mobile Home".
- 79. **TRAILER PARK:** See "Mobile Home Park".
- 80. **YARD:** An open space on the same lot with a building or structure unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. The measurements of a yard shall be construed as a minimum horizontal distance between the lot line and the exterior wall of a building or structure.
- 81. **YARD FRONT:** A yard extending the full width of the lot and measured between the front lot line and the nearest point of the building.
- 82. **YARD REAR:** A yard extending the full width of the lot and measured between the rear lot line and the nearest point of the primary building.
- 83. **YARD SIDE:** A yard extending from the front yard to the rear yard and measured between the side lot lines and the nearest building.
- 84. **ZONING ADMINISTRATOR:** Same as "Administrative Officer".

## ARTICLE VI

### ESTABLISHMENT OF DISTRICTS AND MAPS

- 1. **DISTRICTS:** For the purpose of regulating and restricting the location of specified uses and determining limits of height, bulk and lot coverage for buildings and set standards for open spaces, Mitchell County, Iowa, is hereby divided into the following eight (8) districts:

- "A" Agricultural District.
- "F" Flood Plain District.
- "R-1" Single Family Residence District.
- "R-2" Two Family and Multi-Family Residence District.
- "C" Commercial District.
- "I-1" Light Industry District.
- "I-2" Heavy Industry District.
- "P" Planned Development District.

2. **BOUNDARIES:** The boundaries of the above districts are indicated upon the Official Zoning Maps of Mitchell County, Iowa, which are made a part of this ordinance by reference, and said maps which are properly attested shall be on file with the Zoning Administrator of Mitchell County, Iowa. The said Official Zoning Maps and all notations, references, and other matters shown thereon, shall be as much a part of this ordinance as if the notations, references, and other matters set forth by said maps were all fully described herein.

Boundaries shown to approximately follow lot lines, section lines, quarter section lines, quarter-quarter section lines, or corporate limits, shall be construed as such if they are not more than twenty (20) feet distant therefrom as determined from the scale of the map.

Boundaries shown to approximately follow streets or alleys, railroad lines, rivers, streams, creeks or other waterways, shall be construed as following the center lines of each.

Where district boundaries are indicated by a dimension, such dimension shall control the boundary of the district.

Where a district boundary divides a lot held in single ownership at the time the district line was established, the least restrictive district shall regulate that portion in the more restrictive district a distance of not more than thirty (30) feet beyond the district boundary line.

Where no other indication of district boundary is made or dimensions shown, the location of the boundary shall be determined by the use of the scale appearing on the Official Zoning Maps.

**ARTICLE VII  
GENERAL PROVISIONS**

1. **CONFORMANCE REQUIRED:** Except as hereinafter specified, no building or structure shall be erected, converted, enlarged, reconstructed, moved or structurally altered, nor shall any building or land be used which does not comply with all district regulations established by this ordinance for the district in which the building or land is located.
2. **PERMITS AND CERTIFICATES REQUIRED:** Hereafter an application accompanied by any necessary fees shall be filed with, and a written permit or certificate shall be obtained from, the Zoning Administrator as required by this ordinance.
3. **NON-CONFORMING USES:** The lawful use of a building or land existing on the effective date of this ordinance may be continued, although such does not conform to the provisions hereof. If no structural alterations are made, the non-conforming use of a building may be changed to another non-conforming use of the same, or of a more restrictive classification. Whenever a non-conforming use has been changed to a less restrictive use, or to a conforming use, such use shall not thereafter be changed to a more restrictive use. The non-conforming use of a building may be hereafter extended throughout those parts of a building which were manifestly arranged or designed for such use at the time of the enactment of this ordinance.

The classifications of the districts and the uses found therein are as follows in the order of restrictiveness:

**Least Restrictive:**

- "A" Agricultural District.
- "F" Flood Plain District.
- "R-1" Single Family Residence District.
- "R-2" Two Family and Multi-Family Residence District.
- "C" Commercial District.
- "I-1" Light Industry District.
- "I-2" Heavy Industry District.

**Most Restrictive:**

- "P" Planned Unit Development District.

4. **DISCONTINUANCE OF NON-CONFORMING USE:** No premises, building, or portion thereof, used in whole or part for non-conforming purposes according to the provisions of this ordinance, which hereafter become and remain vacant for a continued period of one (1) calendar year shall again be used except in conformity with the regulations of the district in which such building or premises is situated.

5. **CORNER LOTS:** For corner lots platted after the effective date of this ordinance, the street side yard shall be equivalent to the front yard requirement of the lots to the rear of the corner lot, which front on the intersecting street.

On corner lots platted and of record at the time of the effective date of this ordinance, the same regulations shall apply, except that this regulation shall not be so interpreted as to reduce the buildable width of the corner lot facing an intersecting street to less than twenty-eight (28) feet, not to prohibit the erection of an accessory building.

6. **FRONT YARD:** In any "R" District there shall be a minimum front yard requirement as stated in the yard requirements for that particular district; provided that in no case shall the front yard depth be less than the smallest front yard depth of an existing building within two hundred (200) feet of frontage from either side lot line if existing building comprise thirty (30) percent or more of said frontage.
7. **MINIMUM YARD MAINTAINED:** No lot shall be reduced in size so as to make the width or total area of the lot, or any yard, or any other open space, less than the minimum required by this ordinance. No part of a yard or open space provided about a building or structure for the purpose of complying with the provisions of this ordinance, shall be included as a part of a yard or other open space required under this ordinance for another building or structure. Off-street parking and loading areas may occupy all or part of any required yard or open space, except as otherwise specified in this ordinance.
8. **STREET FRONTAGE REQUIRED:** No lot used shall contain a building used for residential purposes unless said lot abuts for at least fifty (50) feet on at least one (1) street, or unless it has an exclusive unobstructed easement of access or right-of-way of at least twenty (20) feet wide to a street for a single family dwelling or a common easement of twenty-four (24) feet for two (2) or more single family dwellings or one (1) or more family or multi-family dwellings.
9. **BUILDING LINES ON APPROVED PLATS:** Whenever the plat of land subdivision on record in the office of the County Recorder shows a setback building line, the building line thus shown shall apply in place of any other yard line required in this ordinance.
10. **MOBILE HOMES AND TRAILERS:** No mobile home or trailer, whether on wheels, foundation or other support, shall be kept and used for human

habitation within the unincorporated area of the county other than in licensed mobile home parks except that one (1) mobile home may be permitted for dwelling use on a farm or in addition to an existing permanent dwelling if in each case said mobile home is occupied by the owner or an employee thereof active in the agricultural operation of said farm.

11. **PETITION REQUIREMENTS:** All petitions for rezoning, special permits, variances, etc., must be in writing stating the exact legal description of land involved and said petitions must be received by the Zoning Administrator ten (10) days prior to a stated or special meeting of the Planning and Zoning Commission or Board of Adjustment. A preliminary plat plan shall be submitted with a petition for rezoning for subdivisions.
12. **MUNICIPAL DISCONNECTIONS:** Any addition to the unincorporated area of the county resulting from disconnections by municipalities or otherwise shall be automatically classified as in the "A" District until otherwise classified by amendment.
13. **SEVERING FARMSTEADS:** Within an agricultural district, a farmstead in existence at the time of adoption of this ordinance may be severed from the farm. A minimum of one (1) acre per each dwelling unit of the farmstead is required with front yard, side yard and rear yard requirements applicable to the zoning district in which it is located.
14. **NEW CONSTRUCTION OF DWELLING UNIT:** Within an agricultural district, a dwelling unit may be constructed on a previously severed farmstead provided that no more than one occupied unit be permanently located on the site.
15. **ANTICIPATED NON-CONFORMING USES:** Any person who shall have valid interest in any property at the time of enactment of this ordinance for which development is planned, which may be deemed as a non-conforming use by this ordinance and the Zoning Administrator, may file application with the Zoning Administrator for a special zoning certificate within six months of the enactment of this ordinance. Application for such special zoning certificate shall include all information required for any other zoning certificate application. A special zoning certificate issued under this section shall be valid for five years, but will not be transferable via sale of said property to any person other than the applicant.

## ARTICLE VIII

### "A" AGRICULTURAL DISTRICT

#### A. PRINCIPAL PERMITTED USES:

1. Commercial feedlots, provided that such feedlot be located no closer than one-quarter mile to any residence, residence district boundary, corporate limits of any city or town or to any of the principal permitted uses as established under Section 2, 4, 5, 6, 7 and 9 of this article.
2. Single family dwellings or mobile home parks provided that 75% or more of the site has soils listed below, and that the site is of at least thirty-five (35) acres in size.

27	163C2	377	714B
27B	171	377B	725
83	171B	394	726
83B	171C	394B	761
83C	171C2	399	771
83C2	175	399B	771B
98	177	471	778
98B	177B	471B	804
119	178	482	804B
120	178B	482B	805B
120B	184	482C	813
120C2	225	491B	813B
162B	226	536	904
162C2	291	575	904B
162D2	302B	575B	913
163B	303B	714	913B

Single family dwellings or mobile home parks provided that 75% or more of the site contains one or more of the soils listed below. All Soil definitions and locations are as determined in the official "Soil Survey of Mitchell County, Iowa".

110	205B	285	714D
110B	205C	285C	777
110C	265	610B	777B
175B	265B	714C	777C

Single family dwellings or mobile home parks permitted under this section shall be subject to the provision that no commercial feedlot is within one-quarter mile of the proposed location of the dwelling or mobile home park. This setback limit will not apply to residences owned or occupied by the feedlot operator.



3. Commercial ventures such as: Truck gardening, nurseries, orchards and sustained yield forestry, providing that there are no odor or dust producing substances generated.
4. Public utility structures and the equipment necessary for operation thereof or any other use erected or maintained by a public agency.
5. Recreation including both public and private parks, golf courses, playgrounds, trails and similar open space uses.
6. Churches or other similar places of worship, including parish house and school.
7. Cemeteries, including mausoleums and crematories provided that any mausoleum and crematory is located at the minimum distance of at least two hundred (200) feet from all property lines and provided further that any new cemetery shall contain a minimum of twenty (20) acres.
8. Billboards, provided they conform to the State Code of Iowa, and the Iowa Department of Transportation, shall be set back from any proposed or existing right-of-way line of any county road, street or highway at least as far as the required front yard depth for a principal building, further provided that such sign or billboard does not face the front or side lot line of any lot in any "R" District used for residential purposes within one hundred (100) feet of such lot lines, or three hundred (300) feet from the boundary line of any public parkway, public square or entrance to any public park, public or parochial school, church or cemetery or similar institution.
9. Commercial ventures such as: Specialized poultry, pigeon, rabbit, mink or other animal raising facilities, including veterinary establishments, stables, academies and clubs.

**B. CONDITIONAL USES:**

The following uses may be permitted in the "A" Agricultural District subject to approval of the County Board of Adjustment after notice and public hearing.

1. Mining and extraction of minerals or raw materials; provided that a suitable plan for reclamation is submitted as provided in Section XIX.
2. Sanitary Landfill.
3. Airports and landing fields.

4. Transmitting stations and towers.
5. Temporary facilities for music events, sports events, entertainment, religious meetings and other similar uses. Such uses shall not require a public notice and hearing, but shall require the approval of the County Board of Adjustment and issuance of a permit for such use.

Revisions made in minutes of November 5, 1987:

6. Livestock buying stations.

6A. Required Conditions as follows:

The proposed location, design, construction and operation of a livestock buying station shall adequately safeguard the health, safety and general welfare of persons residing or working in adjoining or surrounding properties. The best practical means of the disposal of refuse matter or water-carried waste, the abatement of obnoxious or offensive odor, dust, smoke, gas, noise, or similar nuisance shall be employed. All facilities required for discharge, collection and treatment of liquid, solid, or gaseous wastes shall be designed, constructed, and operated in accordance with all applicable statutes and regulations of the State of Iowa.

C. ACCESSORY USES: (No application or permit required.)

1. Accessory buildings, equipment and uses customary to any of the permitted uses unless otherwise excluded.
2. Temporary buildings for use incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work.
3. Roadside stands used for the sale only of agricultural products or other products produced on the premises provided that retail sales are of a seasonal nature and that parking is adequate to keep all public right-of-ways clear, further provided that such stands shall be removed during any season they are not in use.
4. Signs pertaining to the sale or lease of a building site, or signs pertaining to any material grown or treated on the premises, provided that such sign shall be located upon or immediately adjacent to the building or in the area where such materials are grown, processed or stored.
5. Mobile homes as a temporary residence while construction of a principal residence is ongoing. Such use shall require a permit from the County Board of Adjustment and shall not be for a duration longer than one (1) year.
6. Home occupations and local in nature businesses that have the implied consent of residents in the immediate area.
7. Church Bulletin Boards.

D. HEIGHT REGULATIONS:

Any building hereafter erected or structurally altered may be erected to any height not in conflict with any airport height zone or any other future ordinances of Mitchell County, Iowa, hereafter adopted.

E. MINIMUM LOT REQUIREMENTS:

Each individual permitted use shall have the following minimum lot areas, lot frontage and yard requirements for "A" Agricultural District.

Use	Lot Area	Lot Width	Front Yard	Side Yard	Rear Yard
Single Family Prime Agriculture	35 acres	330'	50'	30'	50'
Single Family Dwelling	1 acre	170'	50'	25'	50'
Other Permitted Uses	1 acre	170'	50'	25'	50'

## ARTICLE IX "F" FLOOD PLAIN DISTRICT

### A. PRINCIPAL PERMITTED USES:

1. Commercial ventures such as: Truck gardening, nurseries, orchards, and sustained yield forestry; providing that no odor or dust producing substances are generated.
2. Industrial and commercial uses such as loading areas and parking areas.
3. Public and private recreational uses such as parks, picnic grounds, golf courses, boat launching ramps, swimming areas, hunting and fishing areas, trails, camping areas and wildlife preserves.

### B. CONDITIONAL USES:

The following uses may be permitted in the "F" Flood Plain District subject to approval of the County Board of Adjustment after notice and public hearing. The following uses or any structure proposed to be erected which may be construed to be within the limits of the flood plain shall be submitted to the Iowa Natural Resources Council for their review and approval before final decision is made.

1. Mining and extraction of minerals or raw materials provided however, that a suitable plan for reclamation is submitted as outlined in Article XIX.
2. Non-commercial aircraft landing fields.
3. Temporary facilities for music events, sports events, entertainment, religious meetings and other similar uses. Such uses shall not require a public notice or hearing, but shall require the approval of the County Board of Adjustment and issuance of a permit for such use.
4. Marinas, boat rentals, docks and piers.
5. Railroads, streets and roads, bridges, power transmission lines, and public utilities.

**C. ACCESSORY USES: (No application or permit required.)**

1. Any use of land or structures customarily incidental and subordinate to one of the permitted principal uses; provided that structures receive the proper approval of the Iowa Natural Resources Council.

**D. HEIGHT REGULATIONS:**

Any building hereafter erected or structurally altered may be erected to any height not in conflict with any airport height zone or any other future ordinances of Mitchell County, Iowa, hereafter adopted.

**E. MINIMUM LOT REQUIREMENTS:**

Lot area, width and yard requirements shall be the same as specified in, and as regulated by, the "A" Agricultural District.

**ARTICLE X**

**"R-1" RESIDENCE DISTRICT**

In the "R-1" Single Family Residence District, the following regulations and restrictions shall apply:

**A. PRINCIPAL PERMITTED USES:**

1. Single family dwellings.
2. Public and private schools and other educational institutions having a curriculum the same as given in public schools.
3. Churches or other similar places of worship including sunday school building.
4. Non-commercial recreation areas and facilities including public or private parks, playgrounds, swimming pools, institutional or community recreation centers including country clubs and golf courses.

**B. CONDITIONAL USES:**

The following uses may be permitted in the "R-1" Single Family Residence District subject to approval of the County Board of Adjustment after notice and public hearing.

1. Municipal, County, State or Federal Government Buildings.
2. Public utility buildings, structures and equipment, providing however, that all equipment thereon shall be housed in a building comparable in size and appearance to the surrounding buildings and houses.

**C. ACCESSORY USES:** (No application or permit required.)

1. Accessory buildings, equipment and uses customary to any of the permitted uses unless otherwise excluded.
2. Temporary buildings for use incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work.
3. Signs pertaining to the construction, sale, lease or hire of a building or premises which shall be removed as soon as the premises are leased, hired, sold or construction completed.
4. Home occupations.
5. Church bulletin boards.
6. Private stables where there exists an area for such purpose of 20,000 square feet with an additional 10,000 square feet per animal exceeding two in number; provided that such area is located at least two hundred (200) feet from all adjacent dwellings and there shall be no storage of animal wastes upon the property.

**D. HEIGHT REGULATIONS:**

No principal building shall exceed two and one-half (2½) stories or thirty-five (35) feet in height, whichever is lower, and no accessory structure shall exceed one (1) story or twelve (12) feet in height to the plate.

**E. MINIMUM LOT REQUIREMENTS:**

Each individual permitted use shall have the following minimum lot areas, lot frontage and yard requirements for "R-1" Single Family Residence District.

Use	Lot Area	Lot Width	Front Yard	Side Yard	Rear Yard
Single Family Dwelling (with public water or sewer)	10,000 sq.ft.	80'	30'	10% of lot width	35'
Single Family Dwelling (without public water or sewer)	20,000 sq.ft.	100'	30'	10% of lot width	35'
Other Permitted Uses	No Minimum		35'	10% of lot width	35'

## ARTICLE XI

### "R-2" RESIDENCE DISTRICT

In the "R-2" Two Family and Multi-Family Residence District, the following provisions, regulations and restrictions shall apply:

#### A. PRINCIPAL PERMITTED USES:

1. Any use permitted in the "R-1" Residence District.
2. Two family and mutiple family dwellings.
3. Boarding and lodging houses.
4. Private clubs, social and recreational centers, lodges, fraternities and sororities.
5. Hospitals, nursing or convalescent homes, day care centers, and clinics excluding animal hospitals.

#### B. CONDITIONAL USES:

The following uses may be permitted in the "R-2" Two Family and Multiple Family Residence District subject to approval of the County Board of Adjustment after notice and public hearing.

1. Conditional uses permitted in and as regulated by the "R-1" District regulations.
2. Mobile Home Parks.
3. Funeral Homes and Mortuaries.
4. Professional offices or studios.

#### C. ACCESSORY USES: (No application or permit required.)

1. Accessory uses permitted in and as regulated by the "R-1" District regulations.
2. Other accessory uses and structures, not otherwise prohibited, incidental to any use permitted in the district.
3. Indirectly lighted signs not to exceed one (1) square foot for each twenty (20) feet of frontage of the property occupied by the use in question.

#### D. HEIGHT REGULATIONS:

No principal building shall exceed three (3) stories or forty five (45) feet in height, whichever is lower, and no accessory structure shall exceed one (1) story or twelve (12) feet in height to the plate.

#### **E. MINIMUM LOT REQUIREMENTS:**

Each individual permitted use shall have the following minimum lot areas, lot frontage and yard requirements for "R-2" Two Family and Multiple Family Residence District.

Use	Lot Area	Lot Width	Front Yard	Side Yard	Rear Yard
Single Family Dwelling	8,000 sq. ft.	60'	25'	10% of lot width	30'
Two Family Dwelling	10,000 sq. ft.	80'	25'	10% of lot width	30'
Multi-Family - 1 & 1½ stories	12,000 sq. ft.	100'	30'	10% of lot width	35'
2 & 2½ stories	12,000 sq. ft.	100'	30'	10% of lot width	35'
3 stories	12,000 sq. ft.	100'	30'	10% of lot width	35'
Mobile Home Parks	2 acres	100'	30'	10% of lot width	35'
Other Permitted Uses	10,000 sq. ft.	80'	30'	10% of lot width	35'

#### **ARTICLE XII**

##### **"C" COMMERCIAL DISTRICT**

In the "C" Commercial District, the following provisions, regulations and restrictions shall apply:

#### **A. PRINCIPAL PERMITTED USES:**

1. Any uses permitted in the "R-2" District.
2. Retail business or service establishments such as the following;

Antique shop.  
 Apparel shop.  
 Appliance store, sales and repair.  
 Automobile accessory store and auto sales including repair work incidental to this use.  
 Bakery whose products are sold only at retail.  
 Bank or savings and loan.  
 Barber shop.  
 Bicycle shop, sales and repair.  
 Bookstore.  
 Bus depot.  
 Camera shop for retail sales only.  
 Car wash.  
 Commercial parking lot.  
 Dairy store.  
 Dance studio.  
 Department store.  
 Drapery shop.  
 Drug store.  
 Dry cleaning and laundry pick-up stations.  
 Farm store.  
 Flower shop.  
 Food stores and lockers.  
 Furniture store.  
 Garden shop.  
 Gas stations and garages for general repair, but not including wrecking or used parts yards.  
 Gift shop.  
 Greenhouse for retail sales.  
 Hardware Store.  
 Hobby shop.  
 Hotel.  
 Implement sales and services.  
 Interior decorating shop.  
 Jewelry store.  
 Key shop.  
 Landscape center.  
 Laundromat.  
 Loan office.  
 Lumber yard.  
 Monument sales yard.  
 Motel.  
 Music store.



- Newspaper office.
  - Office supply store.
  - Paint store.
  - Pet shop.
  - Photographer studio.
  - Radio and television station and studios.
  - Recreation centers such as swimming pools, bowling alleys, skating rinks, miniature golf courses, etc.
  - Restaurants, including drive-in restaurants, taverns, bars and night clubs.
  - Shoe repair shop.
  - Tailor shop.
  - Theatre.
  - Undertaking establishment.
  - Variety store.
  - Any other commercial activity similar to the above uses.
3. Business or professional office, supplying commodities or services primarily for residents of the neighborhood.

#### B. CONDITIONAL USES:

The following uses are subject to the approval of the County Board of Adjustment:

1. Billboards, providing however that no billboard shall be permitted where the majority of buildings in a block are residences on both sides of the street.
2. Mobile Home Parks.

#### C. ACCESSORY USES: (No application or permit required.)

The following accessory uses shall be permitted in the "C" Commercial District.

1. Accessory uses permitted in the "R-2" District.
2. Exterior signs; provided that such sign shall pertain only to the use conducted within the building and be attached thereto. Where the lot adjoins an "R" District, the exterior sign shall be attached flat against the building and shall not face the side of the adjacent lot located in the "R" District.
3. Storage of merchandise incidental to the principal use, but not to exceed forty (40) percent of the floor area for such use.

#### D. HEIGHT REGULATIONS:

No principal building shall exceed three (3) stories or forty-five (45) feet in height, whichever is lower, and no accessory structure shall exceed one (1) story or twelve (12) feet in height to the plate.

#### E. MINIMUM LOT REQUIREMENTS:

Each individual permitted use shall have the following minimum lot areas, lot frontage and yard requirements for "C" Commercial District.

Use	Lot Area	Lot Width	Front Yard	Side Yard	Rear Yard
Dwellings	(Same as specified in "R-2" District)				
Motel	1 acre	100'	25'	20'	40'
Mobile Home Parks	(Same as specified in "R-2" District)				
Other Permitted Uses	No minimum		25'	( )*	25'

\* Any building containing dwelling units shall conform to the side yard requirements of the "R-2" District. For other permitted uses there shall be no side yard requirement, except where such use adjoins a Residence District, in such case the said adjacent side yard shall be a minimum of ten (10) feet.

### ARTICLE XIII

#### "I-1" LIGHT INDUSTRY DISTRICT

In the "I-1" Light Industry District, the following regulations and restrictions shall apply:

##### A. PRINCIPAL PERMITTED USES:

1. Any use permitted in the "C" District.
2. Any of the following light manufacturing, machinery or service industries:
  - Bakery, wholesale.
  - Blacksmith shop.
  - Bookbinding.
  - Bottling plant.
  - Carpenter and cabinet shop.
  - Cheese factory.
  - Contractors storage yard.

Distribution warehouse,  
Dry cleaning establishment.  
Dyeing works.  
Extermination sales.  
Feed store.  
Food processing excluding slaughterhouse.  
Grain elevator.  
Greenhouse, wholesale.  
Laundry.  
Machine shop.  
Metal finishing.  
Milk distributing station.  
Open sales lot.  
Outdoor amusement park.  
Plumbing and heating shop.  
Printing shop.  
Railroad terminals.  
Seed processing.  
Sheet metal shop.  
Sign painting shop.  
Storage warehouse.  
Tire shop.  
Truck terminal.  
Wholesale establishment.  
Any other light manufacturing or commercial enterprise similar to the above listed uses.

**B. CONDITIONAL USES:**

The following uses may be permitted in the "I-1" Light Industry District subject to approval of the County Board of Adjustment.

1. All conditional uses in and as regulated by the "C" District.

**C. ACCESSORY USES: (No application or permit required.)**

1. Accessory uses permitted in and as regulated by the "C" District regulations.
2. Other accessory uses and structure, not otherwise prohibited, incidental to any use permitted in the district.

**D. HEIGHT REGULATIONS:**

No building hereafter erected shall exceed three (3) stories or forty-five (45) feet in height, whichever is lower; provided that such limits may be exceeded by authorization of the County Board of Adjustment.

#### E. MINIMUM LOT REQUIREMENTS:

Use	Lot Area	Lot Width	Front Yard	Side Yard	Rear Yard
Dwellings	(Same as specified in "R-2" District)				
Motels	(Same as specified in "R-2" District)				
Mobile Home Parks	(Same as specified in "R-2" District)				
Other Permitted Uses	No minimum		25'	()*	25'

\*Any building containing dwelling units shall conform to the side yard requirements of the "R-2" District. For other permitted uses there shall be no side yard requirements, except where such use adjoins a Residence District, in such case the said adjacent side yard shall be a minimum of twenty (20) feet.

#### ARTICLE XIV

##### "I-2" HEAVY INDUSTRY DISTRICT

In the "I-2" Heavy Industry District, the following provisions, regulations and restrictions shall apply:

#### A. PRINCIPAL PERMITTED USES:

1. Any use permitted in the "I-1" District except that no lot or part thereof shall be used for any dwelling, school, hospital, clinic or other institution for human care or habitation, except where incidental to a permitted use.
2. Any uses involving the storage, manufacture, assembly and distribution of goods such as the following:
  - Coal, coke or wood yard.
  - Concrete mixing, concrete products manufacture.
  - Contractors' equipment storage yard.
  - Creamery.
  - Food product manufacture, excluding fish and meat products.
  - Foundry.
  - Laboratory, experimental or testing.
  - Lumbering by sustained yield forestry.
  - Manufacture and assembly from previously prepared materials such as bone, cloth, cork, leather, plastics, metals or stones, tobacco, wax, yarns or wood.

Manufacture and assembly of motorized or electrical products.

Pharmaceutical manufacture.

Sawmill including the manufacture of wood products.

Any other heavy industrial or manufacturing use similar to the above uses that would not be objectionable by reason of dust, smoke, gas, noise, fumes, odor, vibration, soot, fire or explosion.

#### B. CONDITIONAL USES:

The following uses may be permitted in the "I-2" District provided the location and suitable enclosure shall have been authorized by the County Board of Adjustment.

1. Those industrial activities which may prove objectionable by reason of odor, noise, dust, smoke or hazard such as the following:

Abattoirs and slaughter houses or stock yards.

Acid manufacture or storage.

Cement, lime, gypsum and similar material manufacture.

Distillation of ethanol.

Explosive manufacture or storage.

Fat rendering.

Fertilizer manufacture or storage.

Garbage, offal or dead animal reduction.

Glue manufacture.

Petroleum refining or storage.

Rubber goods manufacture.

Sand or gravel pits.

Smelting of tin, copper, zinc or iron ores.

Salvage yard and/or junk yard provided that the premises on which such activity is conducted shall be wholly enclosed within a building wall or fence not less than six (6) feet in height, completely obscuring the activity.

#### C. REQUIRED CONDITIONS:

The proposed location, design, construction and operation of a particular use shall adequately safeguard the health, safety and general welfare of persons residing or working in adjoining or surrounding properties. The best practical means of the disposal of refuse matter or water-carried waste, the abatement of obnoxious or offensive odor, dust, smoke, gas, noise or similar nuisance shall be employed. All facilities required for the discharge, collection and treatment of liquid, solid or gaseous wastes shall be designed, constructed and operated in accordance with all applicable statutes and regulations of the State of Iowa.

#### D. HEIGHT REGULATIONS:

Any building hereafter erected or structurally altered may be erected to any height provided it does not extend into airport height zone or other restricted air space required for the protection of any public airport.

#### E. MINIMUM LOT REQUIREMENTS:

Minimum yard requirements for the "I-2" Heavy Industry District shall be as follows:

Use	Lot Area	Lot Width	Front Yard	Side Yard	Rear Yard
All Permitted Uses	No Minimum		25'	( )*	25'

\* There shall be no side yard requirement, except where such use adjoins a Residence District, in such case the said adjacent side yard shall be a minimum of twenty-five (25) feet.

### ARTICLE XV

#### "P" PLANNED DEVELOPMENT DISTRICT

In the "P" Planned Development District, the following provisions, regulations and restrictions shall apply:

##### A. PURPOSE:

The purpose of the "P" Planned Development District is to allow for an alternative living environment in which different uses are integrated in an orderly planned single development. The district shall be intended for large scale developments on tracts of land not less than ten (10) acres in size and incorporate principles of civic design, land use planning and landscape architecture. It is also intended that such districts be developed in accordance with standards set forth in the Mitchell County Comprehensive Plan.

##### B. PERMITTED USES:

1. Any use permitted in the "R-2" Residence District.
2. Any use permitted in the "C" Commercial District, provided that such use provides goods and services primarily to the planned development area.

### C. STANDARDS AND REQUIREMENTS:

The requirements set forth hereafter shall prevail in the "P" Planned Development District over conflicting requirements of this ordinance.

1. The County Planning and Zoning Commission may require that uses of least intensity or a buffer of open space or screening be placed along the borders of the project which adjoin a more restrictive district.
2. After final approval of a project by the County Board of Supervisors a plan of the Planned Development showing building lines, building location, common land, streets, easements, utilities, landscaping and other applicable items shall be filed with the Zoning Administrator and maintained as a permanent part of the county records.
3. In the review of the plan, the County Planning and Zoning Commission and the County Board of Supervisors may consider any deed restrictions or covenants entered into or contracted for by the developer concerning the use of common land or permanent open space.
4. Suitable provision for maintenance of open space shall be provided through Homeowner's Association, Deed Covenants or other similar provisions as approved by the County Board of Supervisors.
5. No permit for any commercial building shall be issued until occupancy permits for residential dwellings have been issued for at least sixty (60) percent of the planned development in question.

### D. LAND USE AND DENSITY REQUIREMENTS:

1. No more than fifteen (15) percent of the total area of the Planned Development District shall be used for commercial uses.
2. A minimum of fifteen (15) percent of the total area of the Planned Development District shall be dedicated or reserved as usable open space and shall not include streets, alleys, vehicular drives, parking, loading or storage areas.

### E. HEIGHT REGULATIONS:

There shall be no height regulations in the "P" Planned Development District except that no building or structure may be erected or altered so that it would extend into an airport height zone or other restricted air space required for the protection of any public airport.

### F. MINIMUM LOT REQUIREMENTS:

1. The lot area requirements shall be the same as in the "C" Commercial District.

2. There shall be no minimum yard requirements in the "P" Planned Residence District except that minimum yards as specified in the "C" Commercial District shall be provided around the boundaries of the Planned Development District.

#### G. CHANGES AND MODIFICATIONS:

Changes or modifications of the plan of a Planned Development District such as location of buildings, parking lots, common areas except streets, etc. may be made upon application to and approval of the County Planning and Zoning Commission or under the provisions for exceptions and variations as set forth in this ordinance.

### ARTICLE XVI

#### PARKING AND LOADING REQUIREMENTS

##### A. OFF-STREET PARKING REQUIREMENTS:

Off-street parking spaces shall be provided in accordance with the following specifications, for all buildings hereafter erected, enlarged or structurally altered which are related to industrial, commercial, business, trade, institutional, recreational or dwelling use, or other similar uses.

1. Automobile sales and service garages... fifty (50) percent of gross floor area.
2. Bowling alleys... five (5) spaces for each lane.
3. Churches and schools... one (1) space for each five (5) seats in the principal auditorium.
4. Dance halls and assembly halls... two hundred (200) percent of floor area used for dancing or assembly.
5. Dwelling... two (2) parking spaces for each family or dwelling unit.
6. Funeral homes and mortuaries... one (1) parking space for each five (5) seats in the principal auditorium.
7. Furniture appliance or household equipment stores... fifty (50) percent of floor area.
8. Hospitals... one (1) parking space for each five (5) beds plus one (1) space for each three (3) employees.
9. Hotels, motels, boarding and lodging houses... one (1) parking space for each individual sleeping or living unit.
10. Manufacturing plants... one (1) parking space for each three (3) employees on the maximum working shift.



11. Mobile home park... two (2) parking spaces for each mobile home lot.
12. Nursing, convalescent and retirement homes... one (1) parking space for each eight (8) beds plus one (1) space for each three (3) employees.
13. Restaurants or other eating or drinking establishments... two hundred (200) percent of gross floor area.
14. Retail stores, shops, etc. ... one (1) parking space for each two hundred (200) square feet of floor area.
15. Theatres, auditoriums and assembly halls with fixed seats... one (1) parking space for each five (5) seats.
16. Wholesale establishments or warehouses... one (1) space for each two (2) employees.

**B. ADDITIONAL PARKING REQUIREMENTS:**

1. Any building, structure or premises with a use not specifically mentioned herein shall follow the requirements for a mentioned use most similar to the use in question.
2. All parking spaces required by this ordinance shall be on the same tract as the building, except that with the approval of the Board of Adjustment the parking may be located on another tract within five hundred (500) feet of said building.
3. A parking lot that does not abut a public or private street, road, alley or other easement of access shall provide an access drive of not less than twenty (20) feet wide for a dwelling or less than twenty-four (24) feet wide for any other use provided however, that no access or access drive shall be allowed in any agricultural or residential district, except where serving a use permitted in said districts.
4. No part of any parking space shall be closer than five (5) feet from the right-of-way of any street, highway or road, or the boundary of any "R" District, with parking spaces for four (4) or more self-propelled vehicles, shall be completely screened from any said parking spaces adjoining "R" District through the use of a planting screen, wall, fence, berm or other comparable means.
5. All parking spaces required by this ordinance shall be at least nine (9) feet by twenty (20) feet and shall be arranged in order to provide safe and orderly ingress and egress from said parking spaces; further provided that all parking spaces shall provide a hard, durable and dustless surface and graded and drained to dispose of all surface water accumulation within the parking area.

### C. OFF-STREET LOADING REQUIREMENTS:

Any building or premise with a use requiring the receipt or distribution by vehicle of material or merchandise, shall provide and maintain at least one (1) off-street loading space on the same lot for each twenty thousand (20,000) square feet of gross floor area or major portion thereof.

1. Each loading space shall have direct access to a street, road or alley.
2. Any loading space shall be at least twelve (12) feet in width and forty (40) feet in length with at least fourteen (14) feet of vertical clearance.
3. All loading space shall be hard surfaced with proper drainage being provided for any accumulated surface water.
4. Such space may occupy all or any part of any required yard or open space; provided however, that said space shall be located at least ten (10) feet from any "R" District boundary and be completely obscured from view from said "R" District by a plant screen, fence, wall, berm or other comparable means.

## ARTICLE XVII

### MOBILE HOMES AND MOBILE HOME PARKS

#### A. LOCATION:

1. Mobile homes to be used for dwelling purposes shall be located or placed only in lawfully operated mobile home parks, except as may be herewith set forth.
2. A mobile home park may be located in only designated districts provided the proper permit is obtained as set forth herein.
3. A mobile home may be placed on a farm as a principal dwelling or in addition to an existing permanent dwelling, provided the occupant of said mobile home is active in the conduct of the agricultural operation of said farm.

#### B. PERMIT:

It shall be unlawful for any person to operate or maintain a mobile home park within the unincorporated areas of Mitchell County unless such person shall have first obtained a permit therefore as set forth in the Ordinance.

Mobile Homes and Mobile Home Parks in existence prior to the passage of the Act, December 17, 1981, are exempt from this requirement.

Revision made in minutes Jan. 18, 1982

### C. APPLICATION FOR PERMIT:

Any person desiring to operate a Mobile Home Park shall first have proper zoning for the tract of intended development and then shall file application for approval of site location with the Planning and Zoning Commission. Applications shall be in writing and signed by the applicant and shall contain the name and address of the applicant, the location and legal description of the site, the site plan, and shall have attached thereto the written consent of seventy-five (75) percent of the property owners other than the owners of property any part of which is used or to be used for Mobile Home Park services, within two hundred (200) feet of any part of the premises to be occupied for such use.

After consideration of the application by the Planning and Zoning Commission, said Commission shall submit its recommendations to the Board of Supervisors and said Board shall then grant or deny the application.

After approval of the site has been obtained, a permit for construction shall not be issued until the applicant files with the Zoning Administration proof of compliance with all requirements of the Department of Health of the State of Iowa and the standards set forth in this ordinance.

### D. STANDARDS OF MOBILE HOME PARKS:

Any Mobile Home Park shall conform to the following requirements;

1. Sewer and water facilities shall be provided for each mobile home site in accordance with all applicable State regulations. No mobile home shall be occupied unless it is served by a common sanitary sewage facility and water supply.
2. All streets for multiple units shall be at least twenty-four (24) feet in width providing a hard, durable, and dustless surface; further providing there shall be adequate drainage to dispose of all surface water accumulation.  
Revision made in minutes January 18, 1982
3. Mobile Home spaces shall consist of a minimum of three thousand (3000) square feet with a minimum width of forty-five (45) feet; further provided that mobile homes shall be located so that there is at least fifteen (15) feet of lateral clearance between mobile homes.
4. For each lot in a Mobile Home Park there shall be at least two hundred fifty (250) square feet provided specifically for recreational areas and such areas shall be accessible to all park residents.
5. A mobile home stand requiring adequate foundation and anchoring facilities shall be provided on each mobile home lot and shall be constructed to serve as a fixed support securing the mobile home against accidental movement.
6. Skirtings of permanent type material shall be installed within sixty (60) days of installation of the mobile home to enclose the open space between the bottom of the mobile home floor and the grade level.

7. A common storm safety facility capable of providing adequate shelter from severe weather for all mobile home park residents shall be provided.
8. Lighting of no less than 25-watt lamps at intervals of no more than one hundred (100) feet shall be provided along all streets and common walkways leading to parks, recreation building, laundries, storm facilities, etc.

#### E. ADDITIONS TO MOBILE HOMES:

No additions shall be built onto any mobile homes other than porch or entryway, which shall leave a clearance of not less than fifteen (15) clear feet between said appurtenance or porch and the next mobile home.

### ARTICLE XVIII OUTDOOR ADVERTISING SIGNS

The following regulations shall apply to permitted signs in the various zoning districts of Mitchell County.

#### ZONING DISTRICTS

##### A. PERMITTED SIGNS:

- |                    |  |
|--------------------|--|
| All                | 1. One board or sign not to exceed fifty (50) square feet in area referring to the construction, lease, hire or sale of a building, premises or lots; which sign shall refer to property upon which the sign is located and shall be removed as soon as the premises are sold or leased or construction completed.                       |
| A,C,F,<br>I-1, I-2 | 2. Signs, not to exceed a combined total of twenty (20) square feet in area, identifying the premises or indicating the product or material or equipment used on the premises; provided that such sign is located upon or immediately adjacent to the building or in the area where such materials are grown, processed, stored or used. |
| R-2                | 3. One indirectly lighted sign, not to exceed one (1) square foot for each twenty (20) feet of the frontage of the property occupied by the use.   |
| All                | 4. Temporary signs with political advertisements not to exceed an aggregate surface area of twenty (20) square feet. Such signs may be erected for a period not to exceed forty (40) days and shall be removed within ten (10) days following the subject election.  |

- A. 5. Billboard, provided that the total display area shall not be greater than three hundred (300) square feet per side and that no such sign or billboard shall face the front or side lot line of any lot in any "R" District within one hundred (100) feet of such lot lines or three hundred (300) feet from the boundary line of any public parkways, public square or entrance to any public park, public or parochial school, church or cemetery or similar institution.

## ARTICLE XIX

### MINERAL EXTRACTION

#### A. APPLICATION FOR PERMIT:

Any persons desiring to engage in the commercial extraction of minerals must first have proper zoning on the tract for the intended activity and then shall file application for approval of site location with the Planning and Zoning Commission. Applications shall be in writing and signed by the applicant and shall contain the name and address of the applicant, the location and legal description of the site, and a site plan and reclamation plan.

After consideration of the application by the Planning and Zoning Commission, said Commission shall submit its recommendations to the Board of Supervisors and said Board shall then grant or deny the application.

After approval of the site has been obtained, a permit for the mineral extraction shall not be issued until the applicant files with the Zoning Administrator the appropriate proof of compliance with all required conditions set forth herein.

#### B. REQUIRED CONDITIONS:

1. Any hazard created by the extraction of minerals or any other activity on the premises shall be appropriately contained by use of fencing, walls, berms or other effective means to limit such hazard.
2. Written statement from Iowa Department of Water, Air, and Waste Management stating whether all or any part of the proposed project is located within the floodplain.
3. The best practical means available for the disposal or reuse matter or water-carried wastes, the abatement of obnoxious or offensive odor, dust, smoke, gas, noise or similar nuisances, shall be employed. Revision made in minutes Oct. 14. 1985
4. The developer shall post a bond with the Board of Supervisors which bond will ensure to the county that the reclamation for reuse as stated in the overall master plan be completed by the developer within one (1) year from the date of discontinuance of extraction activities. The

amount of the bond shall not be less than the estimated cost of the restoration, and the amount of the estimate shall be approved by the County Engineer. If the restoration is not completed within the specified time, the county may use the bond or any portion thereof to complete the restoration. Bond requirements may be waived if applicant has complied with Code 83A Mining Act, State Code of Iowa.

## ARTICLE XX

### EXCEPTIONS AND MODIFICATIONS

The district regulations as set forth in this section shall qualify or supplement, as the case may be, the district regulations appearing elsewhere in this ordinance.

1. The owner of a farm may set aside a plot of ground on the farm and construct on said plot a single-family dwelling to be occupied by a member of the immediate family only. While such a plot of ground need not conform with the minimum lot sizes herein stipulated, the front, side and rear yards must comply with the minimum requirements for the district in which the dwelling is proposed.
2. Public, semi-public or public service buildings, hospitals, institutions or schools, when permitted in a district, may be erected to height not exceeding sixty (60) feet and churches and temples may be erected to a height not exceeding seventy-five (75) feet if the building is set back from side and rear yard lines heretofore established an additional foot for each two (2) feet of building height above the height limit otherwise imposed in the district in which the building is located.
3. Chimneys, cooling towers, elevators, bulkheads, fire towers, monuments, stacks, stage towers or scenery lofts, tanks, water towers, ornamental towers and spires, church steeples, radio towers or necessary mechanical apparatus, may be erected to any safe height not in conflict with existing or hereafter adopted regulations of Mitchell County, Iowa.
4. Accessory buildings may be built in a required rear yard but shall not occupy more than thirty (30) percent of the rear yard.
5. Every part of a required yard shall be open to the sky, unobstructed except for accessory buildings in the rear yard and except for the ordinary projection of sills, belt course, cornices and ornamental features.
6. For the purpose of side yard regulations, a two-family group house or a multiple dwelling shall be considered as one building occupying the lot.