

CITY OF
CAMANCHE
ZONING
ORDINANCE
CHAPTER 18



TITLE 18 ZONING

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CHAPTER 18.04

PURPOSE AND APPLICATION

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18.04.010 Short Title: This Title shall be known and may be cited as “The City of Camanche, Iowa, Zoning Ordinance.” (Ord. 273 Art. I, 1972).

18.04.020 Interpretation and Application: In their interpretation and application the provisions of this title shall be held to be the minimum requirements adopted for the promotion of the public health, safety and welfare. To protect the public, among other purposes, such provisions are intended to provide for adequate light, pure air, safety from fire and other danger, undue concentration of population and ample parking facilities (Ord. 273 Art. II, 1972).

18.04.030 Application of District Regulations: The Zoning District regulations, subject to the regulations and restrictions of this Ordinance shall apply as follows:

- A. Regulations to be Uniformly Applied. The regulations set by this Ordinance shall apply uniformly to each class or kind of structure or land, and particularly within each district, except as hereinafter provided.
- B. All Uses and Structures to Conform. No building, structure, or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, or structurally altered unless conformity with all of the regulations herein specified for the district in which it is located.
- C. Height, Density, or Yards Shall Not Be Violated. No building or other structure shall hereafter be erected or altered to exceed the height, to accommodate or house a greater number of families, or to have narrower or smaller rear yards, front yards, side yards, or other open spaces, than herein required or in any other manner contrary to the provisions of this Ordinance.
- D. Separate Yards, Open Spaces and Off-Street Parking Required. No part of a yard, other open spaces or off-street parking or loading space required about or in connection with any building for that purpose of complying with this Ordinance shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building.

E. Minimum Yards and Lot Areas May Not Be Reduced. No yard or lot existing at the time of passage of this Ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards of lots created after effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance.

F. Every building hereafter erected or structurally altered in residential districts shall be located on a lot as defined in Chapter 18.08, and in no case shall there be more than one principal building on one lot (Ord. 273 Art. VI, 1972).

18.04.040 Applicability to Existing Provisions: It is not intended by this title to repeal, abrogate, annul, or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically repealed by this title or with private restrictions placed upon property by covenant, deed or other private agreement, or with restrictive covenants running with the land to which the City is a party. Where this title imposes a greater restriction upon land, buildings or structure than is imposed or required by such existing provisions of law, ordinance, contract or deed, the provisions of this title shall control (Ord. 273 Art. III, 1972).

CHAPTER 18.08

DEFINITIONS

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18.08.10 Construction: For the purpose of this title, certain terms and words are hereby defined. Words used in the present tense include the future; words in the singular number include the plural, and the words in the plural number include the singular; and use of any gender shall be applicable to all genders; the word “shall” is mandatory and not directory; the word “building” includes the word “structure”, and the word “lot” includes the word “plot” (Ord. 273 Art. IV (A) (part) 1972).

18.08.020 Accessory Building: “Accessory building” means a subordinate building, the use of which is incidental to and customary in connection with the principal building or use which is located on the same lot with such principal building or use. Within R-1, R-2, B-2, or R-M districts, all accessory buildings and garages shall conform to the style and type of construction of the principal residence and shall be ‘stick-built’ with a permanent foundation and must be constructed of the same or similar material as the adjacent or adjoining principal building. If not ‘stick-built’, the detached accessory building must be designed, manufactured, and originally intended to be used as an accessory structure. The size restrictions for private garages applies to accessory buildings as though fully set forth herein (Ord. 638 §3, 2000).

18.08.030 Accessory Use: “Accessory use” means a subordinate use which is incidental to and customary in connection with the principal building or use, and is located in the same lot with such principal building or use (Ord. 273 Art. IV(A) (part) 1972).

18.08.040 Alley: “Alley” means a public thoroughfare which affords only a secondary means of access to property abutting thereon (Ord. 273 Art IV (part) 1972).

18.08.050 Apartment House: See Dwelling, multiple (Ord. 273 Art. IV(A) (part) 1972).

18.08.060 Basement: “Basement” means a story having part but not less than one-half (1/2) of its height below grade. A basement is counted as a story for the purpose of height regulations.

(Ord. 273 Art. IV(A) (part) 1972).

(Ord. 795AB, Passed 2024)

18.08.063 Bed and Breakfast Home: As established in Chapter 137F and 137C, Code of Iowa, a private residence which provides lodging and meals for guests in which the host or hostess resides and in which no more than four (4) guests families are lodged at the same time and which, while it may be advertised and accepted reservations, does not hold itself out to the public to be a restaurant, hotel or motel, does not require reservations and serves food only to overnight guests.

18.08.065 Bed and Breakfast Inn: As established in Chapter 137F and 137C, Code of Iowa, a hotel with nine (9) or fewer guest rooms.

18.080.070 Boardinghouse: “Boardinghouse” means a building other than a hotel where, for compensation and by prearrangement for definite period, lodging, meals, or lodging and meals are provided for three (3) or more persons, but not exceeding twenty (20) persons (Ord. 273 Art. IV (A) (part) 1972).

18.080.080 Building: “Building” means any structure designed or built for the support, enclosure, shelter, or protection of persons, animals, chattels or property of any kind (Ord. 273 Art. IV(A) (part) 1972).

18.08.085 Building Compound Area: “Building compound area” means that area immediately adjacent to the industrial buildings, installations and facilities used by the industry in its normal course of operation and specifically defined with respect to each industry by an exhibit to be attached to the application for industrial district zoning which shall consist of a diagram, map or aerial photograph showing the area to be included in the building compound area.

18.08.090 Building Heights: “Building heights” means the vertical distance measured from the main entrance grade to:

- A. The highest point of a flat roof; or
- B. The deck line of a mansard roof; or
- C. The average height along the roof peak measured from the main entrance grade to the peak of the gable roof, hip roof, gambrel roof; or
- D. The average height measurement between main grade entrance and the top of the side slopes of a mansard roof, or the average height of the highest point of the mansard roof, whichever is greater (Ord. 638 §4, 2000).

(Drawings)

18.08.095 Carport: “Carport” is a structure constructed from metal, canvas, plastic, wood, or other materials for the parking or storage of motor vehicles and enclosed on not more than three (3) sides.

18.08.100 Cellar: “Cellar” means a story having more than one-half of its height below grade (Ord. 273 Art. IV(A) (part) 1972).

18.08.110 Clinic, Medical: “Clinic, Medical” means an establishment where patients are not lodged overnight, but are admitted for examination or treatment by a group of physicians or dentists practicing medicine together (Ord. 273 Art. IV(A) (part) 1972).

18.08.120 Club: “Club” means a building or a portion thereof or premises owned or operated by a corporation, association, person or person for a social, educational, or recreational organization, but not primarily for profit or to render a service which is customarily carried on as a business (Ord. 273 Art. IV(A) (part) 1972).

18.08.130 District: “District” means any section of the City within which the zoning regulations are uniform (Ord. 273 Art. IV(A) (part) 1972)

18.08.140 Dwelling: means a building or portion thereof designed or used exclusively for residential occupancy, but not including home trailers, recreational vehicles, or motor homes, mobile homes, hotels, motels, boarding and lodging houses, tourist courts or tourist homes (Ord. 273 Art. IV(A) (part) 1972).

18.08.143 Dwelling, Condominium: As established in Chapter 499B, Code of Iowa, a building or group of buildings in which units are owned individually, and the structure, common areas and facilities are owned by all the owners on a proportional, undivided basis. A condominium may be for other than residential use.

18.08.150 Dwelling, Multiple: “Dwelling, multiple” means a building designed for or occupied exclusively by three (3) or more families (Ord, 273 Art. IV(A) (part) 1972).

18.08.160 Dwelling, One-Family: “Dwelling, one-family” means a building designed for or occupied exclusively by one (1) family (Ord. 273 Art. IV(A) (part) 1972).

18.08.170 Dwelling, Two-Family: “Dwelling, two-family” means a building designed for or occupied exclusively by two (2) families (Ord. 273 Art. IV(A) (part) 1972).

18.08.173 Dwelling, Zero-Lot Line Single-Family Attached: A residential dwelling unit other than a mobile home, designed for occupancy for one (1) family only, which physically adjoins to one (1) other matching residential single-family dwelling unit across an abutting side lot line, with each unit occupying its own parcel.

18.08.175 Factory-Built Structures: “Factory-built structures” means any structure which is, wholly or in substantial part, made, fabricated, formed or assembled in manufacturing facilities for installation, or assembly and installation, on a building site. “Factory-built structures” includes the terms “mobile home”, “manufactured home”, and “modular home”. Factory-built structures shall be manufactured and installed according to the provisions of Chapter 103A, Code of Iowa.

18.08.180 Family: “Family means an individual or two (2) or more persons related by blood or marriage, or a group of not more than five (5) persons who need not be related by blood or marriage, living together as a single housekeeping unit in a dwelling (Ord. 273 Art. IV(A) (part) 1972).

18.08.185 Fence: A “fence” is defined as a structure for enclosing, screening, or decorative purposes (Ord. 555 §2 (part) 1972).

18.08.190 Filling Station: “Filling station” means any building, structure, or land used primarily for the dispensing, sale, or offering for sale at retail of any automobile fuels, oils, or accessories including lubrication of automobiles and replacement or installation of minor parts and accessories but not including major repair work such as motor replacement, body and fender repair or spray painting (Ord. 273 Art. IV(A) (part) 1972).

18.08.200 Frontage: “Frontage” means the distance along a street line from an intersecting street to another or from one (1) intersecting street to the end of a dead-end street (Ord. 273 Art. IV(A) (part) 1972).

18.08.210 Garage, Private: “Garage, Private” means a detached accessory building or portion of a residential building housing the automobiles of the occupants of the premises.

(Ord. 638 §3, 2000).

(Ord. 795AB, Passed 2024)

18.08.220 Garage, Public: “Garage, public” means a building or portion thereof, other than a private, storage or parking garage, designed or used for equipping, servicing, repairing, hiring, selling or storing of motor-driven vehicles. The term “repairing” shall not include an automotive body repair shop nor the rebuilding, dismantling or storage of wrecked or junked vehicles (Ord. 273 Art. IV(A) (part) 1972).

18.08.230 Garage, Storage: “Garage, storage” means a building or portion thereof designed or used exclusively for terms storage or motor-driven vehicles as distinguished from daily storage, and such storage shall not include commercial or industrial material (Ord. 622 §3(part) 1996: Ord. 273 Art. IV(A) (part) 1972).

18.08.240 Grade:

A. "Grade" means:

1. For buildings having walls adjoining one (1) street only, the elevations of the sidewalk at the center of the wall adjoining the street;

2. For buildings having walls adjoining more than one (1 plus) street, the average of the elevations of the sidewalk at the centers of the walls adjoining the streets;

3. For buildings having no wall adjoining a street, the average level of the finished surface of the ground adjacent to the exterior walls of the building.

B. Any wall approximately parallel to and not more than five (5) feet from a street line is to be considered as adjoining the street. (Ord. 273 Art. IV(A) (part) 1972).

18.08.250 Home Occupation:

A. "Home occupation means any occupation with or activity within a dwelling which is clearly incidental thereto, carried on by a member of the family residing on the premises;

B. A home occupation shall not be interpreted to include barbershops, beauty shops, boat repair, small engine repair, auto body repairs, auto repairing, antique shops, sign painting or restaurants (Ord. 469, 1981).

18.08.260 Hotel: "Hotel" means a building in which lodging, or boarding and lodging, are provided and offered to the public for compensation and in which ingress and egress to and from all rooms are made through an inside lobby or office supervised by a person in charge at all times. As such is open to the public in contradistinction to a boardinghouse, lodging house, or an apartment which are separately defined in this chapter (Ord. 273 Art. IV(A) (part) 1972).

18.08.270 Institution: "Institution" means a nonprofit establishment for public use (Ord. 273 Art IV(A) (part) 1972).

18.08.274 Land-Leased Community: "Land-leased community" means 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. The term "land-leased community" shall not be construed to include homes, buildings, or other structures temporarily maintained by any individual, educational institution, or company on their own premises and used exclusively to house their own labor or students. A manufactured home located in a land-leased community shall be taxed under section 435.22, Code of Iowa, as if the manufactured homes were located in a mobile home park.

18.08.280 Laundry, Self-Service: "Self-service laundry" means an establishment providing home type washing, drying, or ironing machines for se on the premises (Ord. 273 Art IV(A) (part) 1972).

18.08.290 Lodging House: "Lodging house" means the same as "boardinghouse" (Ord. 273 Art. IV(A) (part) 1972).

18.08.300 Lot: “Lot” means land occupied or intended for occupancy by a use permitted in this title, including one main building, together with its accessory building, and the yards, loading and parking spaces required herein, and having its principal frontage upon a street or upon an officially approved place (Ord. 273 Art. IV(A))(part) 1972).

18.08.310 Lot, Corner: “Corner lot” means a lot abutting upon two or more streets at their intersection (Ord. 273 Art IV(A) (part) 1972).

18.08.320 Lot, Interior: “Interior lot” means a lot other than a corner lot (Ord. 273 Art IV(A) (part) 1972).

18.08.330 Lot of Record: “Lot of Record” means a lot which is part of a subdivision, the map of which has been recorded in the office of the County Recorder of Deeds of Clinton County or a lot described by metes and bounds, the description of which has been recorded in the Office of the County Recorder of Deeds of Clinton County (Ord. 273 Art IV(A) (part) 1972).

18.08.340 Lot Width: “Lot width” means the width of the lot at the front yard line of a rectangular lot and at the building line of an irregular lot (Ord. 273 Art. IV(A) (part) 1972).

18.08.342 Manufactured home: “Manufactured home” means a factory-built structure built under authority of 42 U.S.C. §5403, that is required by federal law to display a seal from the United States Department of Housing and Urban Development, and was constructed on or after June 15, 1976. If a manufactured home is placed in a manufactured home community or a mobile home park, the home must be titled and is subject to the manufactured or mobile home square foot tax. If a manufactured home is placed outside a manufactured home community or a mobile home park, the home must be titled and is to be assessed and taxed as real estate.

18.08.343 Manufactured Home Community: “Manufactured home community” means the same as land-leased community defined in §18.08.274.

18.08.345 Mobile Home: “Mobile home” means any vehicle without motive power used or so manufactured or constructed as to permit its being used as a conveyance upon the public streets and highways and so designed, constructed, or reconstructed as will permit the vehicle to be used as a place for human habitation by on or more persons; but shall also include any such vehicle with motive power not registered as a motor vehicle in Iowa. A “mobile home” is not built to a mandatory building code, contains to state or federal seals, and was built before June 15,1976. If a mobile home is placed outside a mobile home park, the home is to be assessed and taxed as real estate.

18.08.346 Mobile Home Park: “Mobile home park” means a site, lot, field, or tract of land upon which three (3) or more mobile homes or manufactured homes, or a combination of any of these homes, are placed on developed spaces and operated as a for-profit enterprise with water, sewer or septic, and electrical services available.

The Term “manufactured home community” or “mobile home park” shall not be construed to include manufactured or mobile homes, buildings, tents, or other structures

temporarily maintained by any individual, educational institution, or company on their own premises and used exclusively to house their own labor or students.

A manufactured home community or a mobile home park must be classified as to whether it is a residential manufactured home community or a mobile home park or a recreational manufactured home community or a mobile home park or both. The Manufactured Home Communities or Mobile Home Parks Residential Landlord and Tenants Act, Chapter 562B, Code of Iowa, only applies to residential manufactured home communities or mobile home parks.

18.08.348 Modular Home: “Modular home” means a factory-build structure which is manufactured to be used as a place of human habitation, is constructed to comply with the Iowa State Building Code for Modular Factory-Built Structures, as adopted pursuant to Section 103A.7, Code of Iowa, and must display the seal issued by the State Building Code Commissioner. If a modular home is placed in a manufactured home community or mobile home park, the home is subject to the annual tax as required by Section 435.22, Code of Iowa. If a modular home is placed outside a manufactured home community or mobile home park, the home shall be considered real property and is to be assessed and taxed as real estate.

18.08.350 Motor Court or Motel: “Motor court or motel” means a building or group of buildings used primarily for the temporary residence of motorists or travelers (Ord. 273 Art. IV(A) (part) 1972).

18.08.360 Nonconforming Use: “Nonconforming use” means the lawful use of land or a building or a portion thereof which does not conform with the use regulations of the district in which it is situated (Ord. 273 Art. IV(A) (part) 1972).

18.08.370 Nursing, Rest or Convalescent Home: “Nursing, rest or convalescent home” means a home for the aged or infirm in which three (3) or more persons not of the immediate family are received, kept, or provided with food and shelter or care for compensation, but not including hospitals, clinics or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured (Ord. 273 Art. IV(A) (part) 1972).

18.08.380 Parking Area: “Parking area” means an open, unoccupied space used or required for use for parking of vehicles exclusively and in which no gasoline or vehicular accessories are sold or no other business is conducted and no fees are charged (Ord. 273 Art IV (A) (part) 1972).

18.08.390 Parking Lot: “Parking lot” means an open surfaced area used exclusively for the temporary storage of motor vehicles and within which motor fuels and oils may be sold and fees charged, but no vehicles are to be equipped, repaired, rented or sold (Ord. 273 Art. IV(A) (part) 1972).

18.08.400 Parking Space: “Parking space” means an all-weather surfaced area not in a street or alley and having an area of not less than one hundred eighty square feet, exclusive of

driveways, permanently reserved for the temporary storage of one automobile and connected with a street or alley by an all-weather surfaced driveway which affords ingress and egress for an automobile without requiring another automobile to be moved (Ord. 273 Art. IV(A) (part) 1972).

18.08.407 Pole Barn: “Pole barn” is defined as a pre-engineered building which is supported by wood poles drilled into the ground, and which lacks a continuous foundation system.

18.08.410 Place: “Place” means an open, unoccupied space or thoroughfare other than a street or alley permanently reserved as a principal means of access to abutting property (Ord. 273 Art. IV(A) (part) 1972).

18.08.420 Porch, Unenclosed: “Unenclosed porch” means a porch consisting only of a roof and floor and supporting members, together, if desired with a solid or open balustrade not more than three feet in height (Ord. 273 Art. IV(A) (part) 1972).

18.08.422 Principal Building: “Principal building” means a building in which is conducted the principal use of the lot on which it is located.

18.08.423 Principal Use: “Principal use” means the primary or predominant use of any lot.

18.08.425 Recreational Vehicle (motor homes or travel trailers): “Recreational vehicle” means a vehicular type portable structure without permanent foundation, which can be towed, hauled, or driven and is primarily designed as living accommodation for recreational, camping trailers, and self-propelled motor homes.

18.08.426 Self-Storage (mini-storage or mini-warehouse): “self-storage” means a structure containing separate storage spaces of varying sizes leased or rented on an individual basis.

18.08.428 Sign: “Sign” means any object, devise, or structure, or part thereof, situated outdoors or indoors. Which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images.

18.08.430 Story: “Story” means that portion of a building other than a cellar included between the surface of any floor and the surface of the next floor above it, or, if there be no floor above it, then the space between the floor and the ceiling next above it (Ord. 273 Art IV(A) (part) 1972).

18.08.440 Story, Half: “Half Story” means a space under a sloping roof which has the line of intersection of roof decking and wall face not more than three(3) 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 apartment or living quarters shall be counted as a full story (Ord. 273 Art. IV(A) (part) 1972).

18.08.450 Street: “Street” means a public or private thoroughfare which affords the principal means of access to abutting property (Ord. 273 Art. IV(A) (part) 1972).

18.08.460 Street Line: “Street line” means a dividing line between a lot and a continuous street and shall be defined as the property line or as defined by Iowa Code 306.3 (Ord. 273 Art. IV(A) (part) 1972).

18.08.470 Structural alterations: “Structural alterations” means change or modification which would prolong the life of the supporting members of a building, such as bearing walls, columns, beams or girders, not including openings in bearing walls as permitted by other ordinances (Ord. 273 Art. IV(A) (part) 1972).

18.08.480 Structure: “Structure” means anything constructed or erected, the use of which requires a location on the ground, or attached to something having a location.

18.08.490 Tourist Home: “Tourist home” means an establishment used for dwelling purposes in which rooms, with or without meals, are offered to transient guests for compensation (Ord. 273 Art. IV(A) (part) 1972).

18.08.500 Trailer or Mobile Home: See “Mobile Home Park” definition.

18.08.510 Trailer or Mobile Home Court: See “Mobile Home Park” definition.

18.08.515 Warehouse: “Warehouse” means a building where commercial or industrial goods are stored for compensation (Ord. 622 §3 (part) 1996).

18.08.517 Warehouse for Recreational Vehicle Storage and Other Material: “Warehouse for recreational vehicles storage and other material” means a building designed for storage of personal and household goods and recreational vehicles during the off-season and does not include storage of commercial or industrial goods (Ord. 622 §3 (part) 1996).

18.08.520 Yard: “Yard” means an open space, other than a court, on a lot, unoccupied and unobstructed from the ground upward, except as otherwise provided in this title (Ord. 273 Art. IV(A) (part) 1972).

18.08.530 Yard, Front: “Front yard” means a yard across the full width of the lot extending from the front line of the building to the front street line of the lot (Ord. 273 Art. IV(A) (part) 1972).

18.08.540 Yard, Rear: “Rear yard” means a yard extending the full width of the lot between a principal building and the rear lot line (Ord. 273 Art. IV(A) (part) 1972).

18.08.550 Yard, Side: "Side yard" means a yard on the same lot with the building between the main building and the adjacent side of the lot, and extending from the front yard to the rear yard thereof (Ord. 273 Art IV(A) (part) 1972).

Chapter 18.12

OFFICIAL ZONING MAP, DISTRICTS, BOUNDARIES AND ANNEXATIONS

Sections:

- 18.12.010 Districts Designated
- 18.12.015 Official Zoning Map Adopted
- 18.12.020 Boundaries
- 18.12.030 Annexations

18.12.010 Districts Designated: In order to classify, regulate, and restrict the location of trades and industries and the location of buildings designed for specific uses; to regulate and limit the intensity of the use of lot areas, and to regulate and determine the area of yards and other open spaces surrounding such buildings, the City of Camanche is divided into ten classes of "districts". The use and area regulations are uniform in each district, and said districts shall be known as

- AG-1 Agricultural-Rural District
- R-1 Urban Residential District
- R-2 Multifamily District
- R-M Mobile Home and Land Leased Community District
- R-S Suburban Residential District
- B-1 Central Business District
- B-2 Highway-Outlying Commercial District
- B-3 Central Business District Restricted Use Zone
- M-1 Light Industrial District
- M-2 General Manufacturing District
- M-RE Renewable Energy Overlay District
(Ord. 470 (part) 1981)

18.12.015 Official Zoning Map Adopted: The City is hereby divided into districts as shown in the Official Zoning Map, which, together with all explanatory matter thereon, is hereby adopted by references and declared to be a part of this ordinance.

A. Identification and Location of Zoning Map: The Official Zoning Map shall be identified by the signature of the Mayor attested by the City Clerk, and bearing the seal of the City under the following words: “This is to certify that this is the Official Zoning Map referred to in Section 18.12.015 of Ordinance No 273 of the City of Camanche, Iowa”, together with the date of the adoption of this ordinance.

B. Amendment of Official Zoning Map: If changes are made in district boundaries or other matter portrayed on the Official Zoning Map, such changes shall be entered on the Official Zoning Map promptly after the amendment has been approved by City Council. The entry on the Official Zoning Map shall specify the date of such amendment and the reference number of the ordinance thereof and shall be signed by the Mayor and attested by the City Clerk. No amendment to this ordinance which involves matter portrayed on the Official Zoning Map shall become effective when adopted and thereafter the official map shall be changed. Any unauthorized change of whatever kind by any person or persons is a violation of this Ordinance and punishable as provided under Section 18.84.010.

C. Replacement of the Official Zoning Map: In the event that the Official Zoning Map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and additions, the City Council, may, by resolution, adopt a new Official Zoning Map, which shall supersede the prior Official Zoning Map. The new Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no such corrections shall have the effect of amending the original Official Zoning Map or any subsequent amendment thereof. The new Official Zoning Map shall be identified by the signature of the Mayor, attested by the City Clerk, and bearing the seal of the City under the following words: “This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map adopted (date of adoption of map being replaced) as part of Ordinance 273 City of Camanche, Iowa.

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

18.12.020 Boundaries: The boundaries of these districts are established as shown on the map accompanying and made a part of this title, which map is designated as the “Zoning District Map” of the City, and dated the twenty-first day of June, 1988 (or as updated and amended). The zoning district map and all of the notations, references, and other information shown thereon are a part of this title and shall have the same force and effect as if such map and all notations, references and other information shown thereon were fully set forth as described in this section; which zoning district map is properly certified and on file with the City Clerk (Ord. 566, 1988).

M-RE Renewable Energy Overlay District:

Tract 3:

Southwest Quarter of the Southwest Quarter (SW¼ SW¼) of Section 29, Township 81 North, Range 6, East of the 5th P.M., Clinton County, Iowa.

Parcel ID: 10-1977-0000

Tract 4:

East Half of the Southeast Quarter (E½ SE¼) of Section 30, Township 81 North, Range 6, East of the 5th P.M., Clinton County, Iowa.

Parcel ID: 10-1999-0000 (5974); 10-1998-0000

Tract 5:

The West Half of the Southeast Quarter of Section 30, Township 81 North, Range 6 East of the 5th P.M., Clinton County, Iowa.

EXCEPTING THEREFROM: A tract of land situated in the Southwest Quarter of the Southeast Quarter of said Section 30; described as commencing as a point of reference at a railroad tie spike marking the South quarter corner of said Section 30, said point being located 81.65 feet East from the East line of Windy Acres subdivision No. 2 in said Section 30, thence East along the South line of said Section 30, a distance of 539 feet to an iron spike marking the point of beginning of the land here intended to be described; thence North, at right angles to the last named course, a distance of 305 feet to an iron rod stake; thence East, at right angles to the last named course, a distance of 277 feet to an iron rod stake; thence South, at right angles to the last named course, a distance of 305 feet to an iron spike on the said South line of Section 30; thence West, at right angles to the last named course, being along the said South line of Section 30, a distance of 277 feet to the point of beginning. Containing 1.94 acres of land, more or less, subject to the right of way of Public Road over the Southerly 33 feet thereof.

EXCEPTING THEREFROM: Part of the West Half of the Southeast Quarter of Section 30, Township 81 North, Range 6 East of the 5th P.M., City of Camanche, Iowa, Clinton County, Iowa, more particularly described as follows: Commencing at the Southwest corner of the Southeast Quarter of Section 30; thence East 816 feet along the South line of the Southeast Quarter of Section 30 to a P.K. nail in the Asphalt Paving; thence North 33 feet to an iron pin with cap #4705 marking the point of beginning; thence continuing North 272 feet to an iron pin with cap #4705; thence North 03°07'16" West 183.66 feet to an iron pin; thence South 89°37' 00" East 516.98 feet to an iron pin on the East line of the West Half of the Southeast Quarter of Section 30; thence South 00°09'11" East 451.93 feet along the East line of the West Half of the Southeast Quarter of Section 30 to an iron pin on the Northerly right of way line of 9th Street; thence West 508.26 feet along the Northerly right of way line of 9th Street to the point of beginning.

Parcel ID: 10-2001-0000 (5864); 10-2000-0000

Tract 6:

Outlots A and B, Windy Acres Subdivision No. 2, in the City of Camanche, Clinton County, Iowa.



Parcel ID: 10-1810-0000; 10-1811-0000

Tract 7:

Outlot A, Windy Acres Subdivision No. 4, in the City of Camanche, Clinton County, Iowa.

Parcel ID: 10-1811-0265

Tract 8:

A tract of land situated in the Southwest Quarter (SW1/4) of Section 30, Township 81, Range 6, East of the 5th P.M., within the City of Camanche, Clinton County, Iowa, described as:

Commencing as a point of reference at a railroad tie spike marking the Southwest corner of the said Southwest Quarter of said Section 30;

thence North along the West line of the said Southwest Quarter of said Section 30 a distance of 1322.5 feet to a P-K spike at the Southwest corner of the land described in the Deed in Book 139, page 513, Office of the Clinton County, Iowa Recorder, also being the Northwest corner of the land described in Change of Title recorded as Instrument #63-83 in the Office of the Clinton County, Iowa Recorder;

thence N88°14'E, along the line between lands described in said Instrument #63-83 and said Book 139, page 513, also being along the Westerly extension of the South line of Windy Acres Subdivision No. 3 in the said City of Camanche, a distance of 190.09 feet to an iron rod stake marking the point of beginning of the land here intended to be described;

thence continuing N88°14'E, along the last named course and along the said South line of Windy Acres Subdivision No. 3, a distance of 518.91 feet to an iron rod stake at the Southeast corner of said Windy Acres Subdivision No. 3;

thence N00°03'W, along the East line of said Windy Acres Subdivision No. 3, a distance of 1052.81 feet to an iron rod stake at the Northeast corner of said Windy Acres Subdivision No. 3;

thence continuing N00°03'W, along the Northerly extension of the said East line of Windy Acres Subdivision No. 3, a distance of 250.46 feet to an iron rod stake on the North line of the said Southwest Quarter of said Section 30, located S89°51'E, a distance of 707.45 feet from the iron rod stake marking the West Quarter corner of said Section 30;

thence S89°51'E, along the said North line of the Southwest Quarter of Section 30 a distance of 1940.75 feet to an iron rod stake at the Northeast corner of the said Southwest Quarter of Section 30;

thence S00°00'17"E, along the East line of the said Southwest Quarter of Section 30, a distance of 2648.44 feet to a railroad tie spike marking the South Quarter corner of said Section 30;

thence at a deflection angle of $90^{\circ}07'57''$ to the right, along the South line of the said Southwest Quarter of Section 30, a distance of 81.65 feet to a P-K spike marking the Southeast corner of Windy Acres Subdivision No. 2 in the said City of Camanche;

thence North at right angle to the last named course, along the East line of said Windy Acres Subdivision No. 2, a distance of 208.71 feet to an iron rod stake at the Northeast corner of said Windy Acres Subdivision No. 2;

thence West at right angles to the last named course, along the North line of said Windy Acres Subdivision No. 2, a distance of 1874.6 feet to an iron rod stake at the Northwest corner of said Windy Acres Subdivision No. 2, also being a point on the East line of Windy Acres Subdivision No. 4 in the said City of Camanche;

thence at a deflection angle of $90^{\circ}36'40''$ to the right, along the said East line of Windy Acres Subdivision No. 4, a distance of 501.04 feet to an iron rod stake at the Northeast corner of said Windy Acres Subdivision No. 4;

thence at a deflection angle of $91^{\circ}08'50''$ to the left, along the North line of said Windy Acres Subdivision No. 4, a distance of 699 feet to a P-K spike at the Northwest corner of said Windy Acres Subdivision No. 4, also being a point on the said West line of the Southwest Quarter of Section 30;

thence at a deflection angle of $90^{\circ}24'40''$ to the right, along the said West line of the Southwest Quarter of Section 30, a distance of 133.82 feet to a P-K spike;

thence at a deflection angle of $88^{\circ}20'30''$ to the right, a distance of 236.56 feet to an iron rod stake;

thence at a deflection angle of $50^{\circ}34'29''$ to the left, a distance of 61.29 feet to an iron rod stake;

thence at a deflection angle of $37^{\circ}46'01''$ to the left, along a line parallel with and 274 feet normally distant Easterly from the said West line of the Southwest Quarter of Section 30, a distance of 280 feet to an iron rod stake;

thence West at right angles to the last named course, a distance of 84 feet to an iron rod stake;

thence North at right angles to the last named course, along a line parallel with and 190 feet normally distant Easterly from the said West line of the Southwest Quarter of Section 30, a distance of 156 feet to the point of beginning.

Clinton County, Iowa

Parcel ID: 10-1992-0000; 10-1991-0000; 10-1990-0000

Tract 9:

East Half of the Southeast Quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$) of Section 25, Township 81 North, Range 5, East of the 5th P.M., Clinton County, Iowa.

EXCEPTING THEREFROM THE FOLLOWING: a tract of land situated in the Southeast Quarter (SE $\frac{1}{4}$) of said Section 25, described as: commencing as a point of reference at a stake marking the Southeast corner of said Section 25; thence West along the South line of said Section 25 a distance of 898.3 feet to an iron stake marking the point of beginning of the land here intended to be described; thence continuing West along said South line of said 25 a distance of 429.5 feet to an iron stake; thence North at right angles to the last named course and along the average line of an existing ancient fence a distance of 214.5 feet to an iron stake; thence East parallel with said South line of Section 25 a distance of 429.5 feet to an iron stake; thence South at right angles a distance of 214.5 feet to the point of beginning, subject to the right-of-way of the Public Road over the Southerly 33 feet thereof;

FURTHER EXCEPTING THEREFROM THE FOLLOWING: Part of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section 25, more particularly described as follows: Commencing at the Southeast corner, SE $\frac{1}{4}$; Section 25; thence North 771.60 feet along the East line of the SE $\frac{1}{4}$ of Section 25 and the center line of South 54th Street to the point of beginning; thence West 292.00 feet; thence North 206.85 feet; thence West 23.35 feet; thence North 206.15 feet; thence East 315.35 feet to the East line of the SE $\frac{1}{4}$ Section 25 and the center line of South 54th Street; thence South 413.00 feet along the East line of the SE Section 25 and the center line of South 54th Street to the Point of Beginning.

Approximately 71 acres.

Parcel ID: 10-1813-0000 (5867); 10-1812-0000

Tract 10:

North Half of the Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$) of Section 36, Township 81 North, Range 5, East of the 5th P.M., Clinton County, Iowa.

EXCEPTING THEREFROM THE FOLLOWING: A tract of land situated in the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 36, Township 81 North, Range 5, East of the 5th P.M., described as: commencing at an iron stake marking the Northeast corner of said Section 36; thence West along the North line of said Section 36 a distance of 233 feet to an iron stake in the line of an existing fence; thence South 00°49' West along the line of the said existing fence a distance of 209.7 feet to an iron stake; thence South 89°47' East a distance of 236.05 feet to an iron stake on the East line of the Northeast Quarter of said Section 36, said stake being located South 00°02' East a distance of 210.45 feet from the Northeast corner of said Section 36; thence North 00°02' West along the East line of the said Northeast Quarter (NE $\frac{1}{4}$) of said Section 36 a distance of 210.45 feet to the point of beginning, subject to the right-of-way of Public roads over the Northerly and Easterly 33 feet thereof.

Approximately 76 acres.

Parcel ID: 10-1820-0000; 10-1819-0000

The City Clerk, Building Inspector, and City Engineer are hereby directed to amend their maps accordingly and that the official “zoning district map” shall include said rezoned district in the next reprinting of said official map.
(Ord. 797, Passed 2024)

18.12.030 Annexations: All territory which may hereafter be annexed to the City of Camanche, unless provided otherwise in the course of annexation, shall be AG-1.

Chapter 18.20

AG-1 AGRICULTURAL RURAL DISTRICT

Sections:

18.20.010	Chapter Purpose
18.20.020	Permitted Uses
18.20.025	Special Uses
18.20.030	Minimum Yard Requirements

18.20.010 Chapter Purposes: The regulations set forth in this chapter, or set forth elsewhere in this title, when referred to in this chapter, are the district regulations in the AG-1 agricultural rural districts (Ord. 273 Art. VIII(A) 1972).

18.20.020 Permitted Uses: Premises in the AG-1 District (agricultural rural) shall be confined to the uses listed below:

- A. Farms, truck gardens, nurseries, grain storage facilities and other agricultural uses, including the sale and distribution of agricultural products and produce other than farm machinery;
- B. Single-family dwelling conforming to all requirements of the RS District;
- C. Churches and other places of worship, Sunday school buildings, and parish house;
- D. Cemeteries, provided that the approval of the zoning commission, which may establish reasonable criteria with respect to location and landscaping, is received.

18.20.03 Minimum Yard Requirements:

- A. Front Yard: There shall be a front yard of not less than thirty (30) feet from the front lot line.
 - B. Rear Yard: There shall be a rear yard of not less that forty (40) feet from the rear lot line.
 - C. Side Yard: There shall be a side yard, if provided, of not less than fifteen (15) feet from the side lot line.
 - D. Corner Lot-Street Side: On corner lots, the street side shall have a setback of not less that thirty (30) feet from the side street line.
- (Ord. 471, 1981)

Chapter 18.24

R-1 URBAN RESIDENTIAL DISTRICT

Sections:

18.24.010	Chapter Purpose
18.24.020	Permitted Uses
18.24.030	Special Uses
18.24.040	Lot Width and Area
18.24.050	Front Yard Requirements
18.24.060	Rear Yard Requirements
18.24.070	Side Yard Requirements
18.24.080	Off-Street Parking
18.24.090	Pole Barns Prohibited

18.24.010 Chapter Purposes: This district is composed of all types of living unit development, except mobile home dwelling units, where residential development is likely to occur and as so planned in the current comprehensive plan and served by a municipal sanitary water pollution control plant (Ord. 273 Art. VIII(part) 1982).

18.24.020 Permitted Uses: The following uses are permitted in this district:

- A. One-family and two-family dwellings and condominiums, and zero-lot single-family attached dwellings unless density changes are requested by developer.
- B. Churches and other places of worship including parish houses;
- C. Agriculture, horticulture and gardening
- D. Announcement signs and bulletin boards, provided such signs or boards do not exceed twenty-four (24) square feet in area and are erected upon the premises of a charitable, religious, educational or public institution for its own use, and are not erected within twenty-five (25) feet of any street line;
- E. Accessory uses and structures incidental to any permitted use such as private garages, woodsheds, or children’s playhouses:
 1. On a corner lot when the rear side yard of a principal building abuts on the front yard of an adjoining lot, a detached garage or accessory building on such corner lot shall be no less

than six (6) feet from the adjoining lot line and shall have a setback required front yard setback of the adjoining lot.

2. Garages and accessory buildings within a rear yard may not occupy more than one-third of such area.

3. (reserved)

4. No detached garages or accessory building may be placed in any rear yard, side yard or front yard so that any part of such building is closer to the street line than any part of the principal building or the established set back line, whichever is greater.

5. No garage or accessory building shall contain living quarters;

6. Attached private garages shall abide by the same size regulations as defined in 18.60.015 for detached private garages. New construction gross living area shall be determined using the drawings submitted to the City.

F. Off-street parking lots for churches and public buildings;

G. Parks and playgrounds both public and private.

(Ord. 504, 1982).

18.24.030 Special Use: Special uses in this district are as follows:

A. Hospitals and convalescent nursing home;

B. Libraries;

C. Nursery school, day care centers;

D. Utility Service, not including storage yards, with site landscaping plans submitted to the planning and zoning commission for approval of design and buffer screening for adjoining property;

E. (reserved)

F. Funeral homes;

G. Home occupations; and

H. Multi-family residential condominiums.

18.24.040 Lot Width and Area:

A. Lot Area: the minimum area of a lot upon which a dwelling may be erected or enlarged in this district is as follows:

1. One Family Dwelling: seventy-five hundred (7,500) square feet.

2. Two Family Dwelling: seventy-five hundred (7,500) square feet.

B. Lot Width: each rectangular lot shall have a minimum width of seventy-five (75) feet at the front line and an irregular lot shall have a minimum width at the building line of seventy-five (75) feet, except that substandard lots accepted by the City and previously platted will be governed by ordinances then in effect (Ord. 472 (part) 1981).

18.24.050 Front Yard Requirements:

A. Dwellings: The minimum setback from the front lot line shall be twenty-five (25) feet. Any property where the rear of the lot abuts the Mississippi River and maintains 100' of Right of Way (ROW) from the front property line to the adjacent property line across the ROW, is permitted zero setback to the property line. Any building to the property line must be contiguous to the main structure and must share a solid foundation connection. Detached structures are not permitted to be considered as part of the zero setback.

(Ord. 800, Passed 2024).

B. Churches, schools, colleges and public buildings: The minimum setback from the front lot line shall be forty-five (45) feet.

c. Where the rear lot line of any corner lot forms the front part of the side lot line of any adjoining lot, a dwelling on such adjoining lot shall have a minimum width at the building line of twenty-five (25) feet, and churches, schools, and public and semipublic buildings on such lots shall have a minimum front yard setback of thirty-five (35) feet (Ord 273 Art VIII (D) 1972).

18.24.060 Rear Yard Requirements:

A. On all lots, a minimum setback of ten feet from the rear lot line is required.

B. Where a rear yard abuts on a rear alley, one-half the width of such alley, not to exceed eight (8) feet, shall be assumed to be a portion of the rear yard provided the access for vehicles to the garage is parallel to the alley (Ord. 472 (part) 1981).

18.24.070 Side Yard Requirements:

A. Dwellings, accessory buildings and garages:

1. There shall be a side yard on each side of a principal building, accessory building, or garage. The side yard setback for a principal building, accessory building or garage shall be not less than eight (8) percent or five (5) feet, whichever is greater, of the lot width.

2. On corner lots the street wall of the principal building shall have a setback not less than twenty-five (25) feet from the side street line.

B. Churches, schools, colleges and public buildings:

1. On interior lots the setback for the principal building shall not be less than twenty (20) feet.

2. On corner lots the street wall of the principal building shall have a setback not less than thirty-five (35) feet from the side street line (Ord 273 Art. VIII(F) 1972).

18.24.080 Off-Street Parking: Off-street parking shall be provided as specified for all principal buildings hereinafter erected or converted in this district. Each off-street parking place shall consist of not less than one hundred sixty (160) square feet in area, on a surface open space on the lot.

A. Single dwelling shall have not less than one parking space.

B. Two-family dwellings shall have not less than three off-street parking spaces.

C. Places of public assembly shall provide one off-street parking space for each four (4) seats of the audience seating capacity provided in the main auditorium either on the lot or on an adjacent lot within two hundred (200) feet therefrom. Off-street parking space shall be provided for any increase in seating capacity in existing buildings (Ord. 472 (part) 1981).

18.24.090 Pole Barns Prohibited: No “pole barn” buildings shall be constructed in the R-1, R-2, B-2 on residential lots, or R-M districts within the City. All garages and accessory buildings in the aforementioned residential districts shall conform in style and construction with the principal residence on such lot. A pole barn is defined as a pre-engineered building which is supported by wood poles drilled into the ground, and which lacks a continuous foundation system (Ord. 638 §4, 2000).

Chapter 18.26

R-2 MULTI-FAMILY DISTRICT

Sections:

18.26.010	Chapter Purpose
18.26.020	Permitted Uses
18.26.030	Special Uses
18.26.040	Lot Width and Area
18.26.050	Front Yard Requirements
18.26.060	Rear Yard Requirements
18.26.070	Side Yard Requirements
18.26.080	Height Requirements
18.26.090	Off-Street Parking
18.26.100	Pole Barns Prohibited

18.26.010 Chapter Purpose: This district is composed of all types of living units development, except mobile home dwelling units, where residential development is likely to occur and as planned in the current comprehensive plan and served by a municipal sanitary water pollution control plant (Ord. 473 (part) 1981).

18.26.020 Permitted Uses: The following uses are permitted in this district:

- A. Multi-family residences, condominiums, and apartments; and
- B. Any use permitted in the R-1 urban residential district (Ord. 505, 1982).

18.26.030 Special Uses: Special uses in this district are as follows:

- A. Hospitals and convalescent nursing homes;
- B. Libraries;
- C. Nursery schools, day care centers;
- D. Utility services, not including storage yards, with site landscaping plans submitted to the

commission for approval of design and buffer screening of adjoining properties;

E. Clubs (private), lodges and community buildings;

F. Funeral homes;

G. Planned developments under a single ownership or control and containing not less than two (2) acres in area;

H. Home occupations (Ord. 473 (part) 1981).

18.26.040 Lot Width and Area:

A. Lot area: the minimum area of a lot upon which a dwelling may be erected or enlarged in this district shall be eighty-seven hundred (8,700) square feet plus an additional twelve hundred (1,200) square feet for each additional multi-family unit in excess of three (3).

B. Lot width: each rectangular lot shall have a minimum width of seventy-five (75) feet at the front line, and an irregular lot shall have a minimum width at the building line of seventy-five (75) feet except that substandard lots previously platted and accepted by the City will be governed by ordinances then in effect (Ord. 473 (part) 1981).

18.26.050 Front Yard Requirements:

A. Dwellings: The minimum setback from the front lot line shall be forty-five (45) feet.

B. Churches, schools, colleges, and public buildings: the minimum setback from the front lot line shall be forty-five (45) feet.

C. Where the rear lot line of any corner lot forms the front part of the side lot line of an adjoining lot, a dwelling on such adjoining lot shall have a minimum front yard setback of twenty-five (25) feet, and churches, schools, public and semipublic buildings on such lots shall have a minimum front yard setback of thirty-five (35) feet (Ord. 473 (part) 1981).

18.26.070 Side Yard Requirements:

A. Dwellings, accessory buildings and garages:

1. There shall be a side yard on each side of a principal building, accessory building or garage. The side yard setback for a principal building, accessory building, or garage shall be not less than eight (8) percent or five (5) feet, whichever is greater, of the lot width.

2. On corner lots, the street wall of the principal building shall have a setback not less than thirty-five (35) feet from the side street line.

B. Churches, schools, colleges and public buildings:

1. On interior lots, the setback for the principal building shall be not less than twenty (20) feet.

2. On corner lots, the street wall of the principal building shall have a setback not less than thirty-five (35) feet from the side street line (Ord 473 (part) 1981).

18.26.090 Off-Street Parking: Off-street parking shall be provided as specified for all principal buildings hereinafter erected or converted in this district. Each off-street parking place shall consist of not less than one hundred sixty (160) square feet in area, which shall be provided either within a building on the lot or on a surfaced open space on the lot.

A. For multi-family dwelling units, one and one-half (1.5) parking spaces for each family shall be provided.

B. Places of public assembly: Churches, schools, auditoriums or other similar places of public assembly hereafter erected shall provide one (1) off-street parking space for each four (4) seats of the audience seating capacity provided in the main auditorium either on the lot or on an adjacent lot within two hundred (200) feet therefrom. Off-street parking spaces shall be provided for any increase in seating capacity in existing buildings (Ord 473 (part) 1981).

18.26.100 Pole Barns Prohibited: No “pole barn” building shall be constructed in the R-1, R-2, B-2 districts on residential lots, or R-M districts within the City. All garages and accessory buildings in the aforementioned residential districts shall conform in style and construction with the principal residence on such lot. A pole barn is defined as a pre-engineered building which is supported by wood poles drilled in to the ground, and which lacks a continuous foundation system (Ord. 638 §4, 2000).

Chapter 18.28

R-M MOBILE HOME AND LAND LEAST COMMUNITIES DISTRICT

Sections:

18.28.010	Chapter Purpose
18.28.020	Permitted Uses
18.28.030	Permitted Accessory Uses
18.28.040	Lot Area
18.28.050	Ground Area Per Dwelling
18.28.060	Outdoor Recreational Space
18.28.070	Off-Street Parking
18.28.080	Plan Required
18.28.090	Pole Barns Prohibited

18.28.010 Chapter Purpose: New districts are to be zoned when petitioned and as needed. This specialized district is, therefore, not pre-located, and is to be considered as a specialty located district dependent on the developing surrounding land use patterns. It is to be treated as a residential development of greater density (Ord. 273 Art. IX (part) 1972).

18.28.20 Permitted Uses: Only the uses of structures or land listed in this section shall be permitted in the R-M District:

Mobile home park, manufactured home community, or land-leased community, in accordance with the regulations as established (or taxed) by Chapter 4-35, Code of Iowa.

18.28.030 Permitted Accessory Uses: Permitted accessory uses are all the uses permitted in any residential district subject to all the provisions specified for such residential district (Ord. 538 (part) 1985: Ord.273 Art. IX(B)).

18.28.040 Lot Area:

- A. The minimum total area shall be three (3) acres.
- B. Each yard abutting on a public street shall be considered a front yard and shall be a minimum of fifty (50) feet of frontage when adjacent to any other R, C, or M district (Ord. 273 Art. IX(C) 1972).

18.28.050 Ground Area Per Dwelling: The minimum space shall be three thousand six hundred (3,600) square feet and shall measure at least forty (40) by ninety (90) feet. Dwelling shall be located on each space so that there will be at least a twenty (20) foot clearance between each dwelling including any permanently enclosed appendage, and any driveway, walkway or dwelling at the rear of the dwelling (Ord. 273 Art. IX(D) 1972).

18.28.060 Outdoor Recreational Space: Community recreational space shall be aggregated at one hundred (100) square feet per dwelling (Ord. 273 Art. IX(E) 1972).

18.28.070 Off-Street Parking: One (1) paved, off-street parking space per dwelling unit shall be provided at ten (10) feet by twenty (20) feet minimum size (Ord. 474, 1981).

18.28.080 Plan Required:

- A. Each Petition for a change to the R-M zoning classification submitted to the City Council shall be accompanied by a mobile home park or land leased community plan. Said plan shall show each dwelling space, the water, electrical and sewer lines or septic tank location serving each trailer space, the location of garbage cans, water hydrants, service buildings, driveways, walkways, recreation areas, required yards, the parking facilities, lighting and landscaping.
- B. The plan shall be considered by the planning and zoning commission who may approve said plan or require such changes thereto, as are deemed necessary to bring to bear the intent and purpose of this title and good land planning principles in healthful, safe, aesthetically enriched neighborhoods (Ord. 273 Art. IX(G) 1972).

18.28.090 Pole Barns Prohibited: No "pole barn" building shall be constructed in the R-1, R-2, B-2 districts on residential lots, or R-M districts within the City. All garages and accessory buildings in the aforementioned residential districts shall conform in style and construction with the principal residence on such lot. A pole barn is defined as a pre-engineered building which is supported by wood poles drilled into the ground, and which lacks a continuous foundation system (Ord. 638 §4, 2000).

Chapter 18.32

R-S SUBURBAN RESIDENCE DISTRICT

Sections:

18.32.010	Chapter Purpose
18.32.020	Permitted Uses
18.32.030	Special Uses
18.32.040	Lot Area
18.32.050	Lot Width
18.32.060	Front Yard
18.32.070	Side Yard
18.32.080	Rear Yard
18.32.090	Off-Street Parking
18.32.100	Accessory Buildings, Garages, and Pole Barns

18.32.010 Chapter Purpose: The R-S suburban residence district includes residence districts that are out of current or permanent reach of any sanitary sewer system and subdivided pursuant to the Iowa Code (Ord. 273 Art. X (part) 1972).

18.32.020 Permitted Uses: The following uses are permitted in this district:

- A. Single-family residence platted lots of forty thousand (40,000) square feet or more; provided, that soil percolation test results be provided by developer to determine sanitary effluent absorption. The commission may require additional lot sizes based on an engineering study of soil absorption and drainage course proximity for healthful leaching while also considering future potential adjacent development. The County Sanitarian is designated as the authorized representative to determine proximity of septic tanks to wells;
- B. Accessory uses (same restrictions as R-1 district);
- C. Church or other place of worship, including parish houses, and Sunday school buildings;
- D. Publicly owned and operated buildings and facilities such as community centers, auditoriums, libraries, museums (Ord. 475 (part) 1981).

18.32.030 Special Uses: Special uses in this district are as follows:

- A. Private stables, provided they are on lots not less than five (5) acres and more than one hundred fifty (150) feet from an abutting street and one hundred fifty (150) feet from a property line, and three hundred (300) feet from any residential structure;
- B. Residential condominiums;
- C. Public parks, public golf courses, playgrounds and community centers, private non-commercial recreational area and centers, including country clubs, swimming pools, and golf courses, public and private forests and wildlife preserves and similar conservation areas;
- D. Boarding homes (Ord. 475 (part) 1981).

18.32.040 Lot Area: Lot area is not less than forty thousand (40,000) square feet per dwelling unit.

18.32.050 Lot Width: Lot width is not less than ninety (90) feet as the building line (Ord. 475 (part) 1981).

18.32.060 Front Yard: Front yard is not less than thirty (30) feet in depth nor less than sixty (60) feet from the center line of the street, whichever is greater (Ord. 273 Art. X (E) 1972).

18.32.070 Side Yard: Side yard is:

- A. Two (2) side yards, each not less than ten (10) feet wide;
- B. A side yard abutting a street is not to be less than thirty (30) feet in width and not less than sixty (60) feet from the centerline of the street, whichever is greater;
- C. If a corner lot, subdivided and duly recorded prior to the effective date of these regulations has insufficient width to enable compliance with the side yard requirements, then the side yard abutting the street may be reduced in width as necessary to construct an appropriate building thereon (Ord. 273 Art X(F) 1972).

18.32.080 Rear Yard: Rear yard is not less than forty (40) feet in depth (Ord. 273 Art. X(G) 1972).

18.32.090 Off-Street Parking: Off-street parking shall be provided as specified for all principal buildings hereinafter erected or converted in this district:

- A. Dwelling or rooming units: One and one-half (1.5) off-street parking spaces of not less than one hundred sixty (160) square feet in area shall be provided either within a building on the lot or on a surfaced open space on the lot per unit.
- B. Places of public assembly: Churches, schools, auditoriums, or other similar places of public assembly hereafter erected shall provide one (1) off-street parking space for each four (4) seats of the auditorium either on the lot or on an adjacent lot within two hundred (200) feet therefrom. Off-street parking space shall be provided for any increase in seating capacity in existing buildings (Ord. 475 (part) 1981).

18.32.100 Accessory Buildings, Garages, and Pole Barns: The provisions of Ordinance No. 638 in relation to the height restrictions to accessory buildings and garages and prohibiting pole barn buildings and requiring accessory buildings and garages to conform in general appearance with the principal residence shall apply in the R-S Suburban Residence District of the City as follows:

- A. When a property is located within a subdivision of the City Located within the R-S Suburban residence district.
- B. To any parcel of ground sold off for residential development within the R-S Suburban Residence District.
- C. For the construction of pole barns in the R-S Suburban Residence District when building

permits are sought for such structures within one hundred (100) feet of a residence on the adjoining property of fifty (50) feet of the property line of there is no residence on the adjoining property, the provisions of Ordinance N. 638 apply, and the R-S setback provisions also apply (Ord. 656 §3, 2002).

Chapter 18.33

PLANNED UNIT DEVELOPMENT

Sections:

18.33.010	Purpose
18.33.020	Standards
18.33.030	Procedure
18.33.031	Planned Unit Development Site Plan Discussion
18.33.032	Preliminary Planned Unit Development Application Procedure
18.33.033	Approval of the Preliminary Planned Unit Development
18.33.034	Action by the City Council
18.33.035	Approval of the Final Planned Unit Development
18.33.036	Recording the Final Planned Unit Development
18.33.037	Release, Expiration or Extension of Bond
18.33.038	Changes in the Planned Unit Development
18.33.040	Specific Content
18.33.041	Site Plan Discussion Stage
18.33.042	Preliminary PUD Stage
18.33.043	Final Planned Unit Development Stage

18.33.010 Purpose: The purpose of the planned unit development (PUD) is to:

- A. Promote a maximum choice in the types of environment available to the public by allowing a development that would not be possible under the strict application of the other sections of this chapter.
- B. Promote permanent preservation of common open space and recreation areas and facilities.
- C. Encourage patterns of development that preserve natural vegetation, topographic and geologic features.
- D. Promote a creative approach to the use of land and related physical facilities that results in better development, design and the construction of aesthetic amenities.
- E. Provide for efficient use of the land resulting in more economic networks or utilities, streets, and other facilities.
- F. Allow for land use which promotes the public health, safety, comfort, morals, and welfare.
- G. Act as a substitute procedure for review of subdivisions and zoning amendments, but in no way as a substitute to the general purpose of this title or Title 16 (Ord. 476 (part) 1981).

18.33.020 Standards: The PUD must meet the following standards:

A. A PUD will produce a total average density and average use compatible with that resulting from development of a project under the underlying zoning district regulations. The minimum lot areas for a dwelling unit, the overall floor area ratio and the overall height requirements shall not exceed by more than the percent as shown on the below table as the maximum requirements outlined in the underlying zoning district. The maximum number of dwelling units per acre for residential development under a PUD is shown in the following table:

<u>Underlying Zoning District</u>	<u>Underlying Zoning District</u>	<u>Maximum Number of Dwelling Units Per acer Under PUD</u>
AG-1	1.09 Units/Acre	1.53
R-1 (single-family)	6.60 Units/Acre	9.24
(two family)	11.60 Units/Acre	16.24
R-2	15.00 Units/Acre	21.00
RS	1.09 Units/Acre	1.53

- B. The PUD must be compatible with existing development in the community.
- C. The site of the total PUD must be under single ownership and/or unified control and be not less than five (5) acres in the area; and not more than twenty (20) percent of the ground area of such PUD shall be devoted to the principal uses permitted.
- D. The required yards along the periphery of the PUD project shall be at least equal in width or depth to that of the underlying zoning district.
- E. Space between buildings and yards shall be subject to approval during review process.
- F. Adequate, adjacent parking shall be provided under Section 18.24.080.
- G. Adequate provision shall be made to provide ingress and egress so designed as to minimize traffic congestion in the public streets. The developer may be required to submit a traffic study prepared by a professional traffic engineer. Such engineering studies will be the financial responsibility of the developer.
- H. Permanent open space or land, in an amount at lease equivalent to that by which each residential lot or building site has been diminished under subsection A of this section, shall be provided in common recreation area within the development.
- I. The PUD may depart from strict conformance with required density, dimension, area, height, bulk, use and other regulations for the standard zoning district, subdividing regulations and other provisions of this title so long as the PUD project will not be detrimental to or endanger public health, safety, morals, comfort, or general welfare; and upon authorization of the planning and zoning commission and the City Council (Ord. 506, 1982; Ord 476 (part) 1981).

18.33.030 Procedure: The City Council, Planning and Zoning Commission, owner, unified controllers, or bona fide buyer of any tract of land may petition for a PUD and related zoning amendment (Ord. 476 (part) 1981).

18.33.031 Planned Unit Development Site Plan Discussion: Prior to the filing of an application for a preliminary PUD, it is recommended that the applicant submit to the Planning and Zoning Commission material relating to the preliminary PUD in order to avail himself of the advice and assistance of the Planning and Zoning Commission. It is suggested that for the maximum benefit, materials outlined in Section 18.33.040 should be available. The site plan discussion does not require formal application, fee or filing of the plat. The Planning and Zoning Commission will, within sixty (60) days from the date received, make known its comments regarding the proposed PUD to the applicant (Ord. 476 (part) 1981).

18.33.032 Preliminary Planned Unit Development Application Procedure:

- A. Application: An application for a preliminary PUD shall be filed with the Planning and Zoning Commission in such form and accompanied by such information as required by the Planning and Zoning Commission (Section 18.33.040). Such applications shall be forwarded to the Planning and Zoning Commission with request to hold a public hearing on such application. The application shall be accompanied by a certified check or money order payable to the City for PUD fees as established by resolution of the City Council, which are separate from any reimbursement by the developer for City Engineering expenses and Attorney expenses, to cover the cost of check and verifying the proposed PUD, plus the cost of a notice of public hearing. If the preliminary PUD required an amendment to the zoning ordinance, a separate application shall be filed in accordance with Chapter 18.70-D.
- B. Hearing on Application: The Planning and Zoning Commission shall hold a public hearing on each application within sixty (60) days of the filing of the application. The public hearing shall be held concurrently with the public hearing for the amendment in accordance with Chapter 18.70-D if in application for amendment was filed with the preliminary PUD.
- C. Notice of Hearing: Notice of time and place of such hearing shall be published at least in one or more newspapers of general circulation in the City of Camanche not less than fifteen (15), or more than thirty (30) days before such hearing. Supplemental or additional notices may be published or distributed as the Planning and Zoning Commission may, by rule, prescribed from time to time (Ord. 476 (part) 1981).

18.33.033 Approval of the Preliminary Planned Unit Development: Within thirty (30) days after the close of the hearing on a preliminary PUD the Planning and Zoning Commission shall make written findings of fact and shall submit same together with its recommendations to the City Council; and the recommendations shall set forth how the proposal would be in the public interest, including but not limited to findings of fact on the following:

- A. In what respects the proposed plan is consistent with the stated purposes of the PUD requirements;
- B. The extent to which the proposed plan departs from regulations otherwise applicable to the subject property, including but not limited to the density, dimensions, area, bulk and use, and the reasons why such departures are deemed to be in the public interest;
- C. The physical design of the proposed land and the manner in which design makes adequate

provisions for public services, provides adequate control over vehicular traffic, provides for and protects designated open spaces and further amenities of light, air, recreation and visual enjoyment;

D. The relationship and compatibility of the proposed plan to the adjacent properties in the neighborhood;

E. The desirability of the proposed land to physical land to physical development, tax base and economic wellbeing of the entire community;

F. Specific points noted on the plan that have earned impact on its design function and visibility in the community (Ord. 476 (part) 1981).

18.33.034 Action by the City Council:

A. Following receipt of the recommendation by the Planning and Zoning Commission, the City Council shall within sixty (60) days recommend approval, modification within limits, or disapproval of the preliminary PUD.

B. Amendment applications filed separately but heard concurrently with the preliminary PUD before Planning and Zoning Commission shall be acted upon in accordance with Chapter 18.70-D.

C. As a condition to the approval of the preliminary PUD, the City Council shall set forth findings of fact in accord with Section 18.33.033 on which they base their approval and describing how the proposal meets the standards of Section 18.33.020.

D. All conditions, documents and plans required by the City Council must be delineated on the plat or agree to in writing prior to the council's approval.

E. The City Council may require such special conditions as the deem necessary to ensure community compatibility and conformance with the stated purpose of the PUD and established City policies.

F. Approval of a preliminary PUD shall not constitute approval of the final PUD. Rather it shall be deemed an expression of approval to the layout submitted on the preliminary plan as a guide to the preparation of the final plan which will be submitted for approval to the City and subsequent recording upon the fulfillment of the requirements of these regulations (Ord. 476 (part) 1981).

18.33.035 Approval of Final Planned Unit Development: The final PUD plan shall be submitted to the City Clerk who shall refer same to the Planning and Zoning Commission. The final PUD plan shall conform to the preliminary PUD plan as approved or subject to minor changes. The required procedures for approval of the final PUD shall be:

A. A final PUD and other supporting data required for approval shall be in accord with the provisions of Section 18.33.040. Final plans must be submitted in accordance with agreed to scheduling, but not later than two (2) years from the approval of the preliminary plan by the City Council. The City Council may grant an extension in time, or the developer may resubmit an application for a preliminary PUD. In the event that same is not done, the plan becomes subject to revocation. If construction falls more than two (2) years behind the schedule filed

with the final plan, the plan becomes subject to revocation. The Planning and Zoning Commission, or its delegated representative, shall monitor all pending PUD projects and inform the council of those six (6) months or more behind schedule.

B. After review of the final plan, the Planning and Zoning Commission shall submit within thirty (30) days the final PUD plan to the City Council with a recommendation for approval, disapproval, or approval with minor modifications. Any changes or modifications which arise subsequent to the public hearing shall determine whether the change constitutes a major or minor change and whether another public hearing is required.

C. The City Council shall, within thirty (30) days of the review, approve, disapprove, or extend the time period for another thirty (30) days for taking-action on the final plan. If the Planning and Zoning Commission does not approve final plan, the City Council may approve the plan, thereon only by a three-fourths (3/4) foot of the City Council.

D. All conditions, documents, and plans required by the council must be delineated on the plan or agreed to in writing prior to council approval.

E. Final PUD plans which require an amendment to the zoning ordinance shall be approved or disapproved prior to final City Council action of the amendment under Chapter 18.76 (Ord 476 (part) 1981).

18.33.036 Recording the Final Planned Unit Development: The construction of any public improvement in the planned unit development shall be initiated only after recording of the final PUD plan with the Clinton County Recorder. The final PUD plan shall be filed with the recorder within six (6) months of date of approval by the City Council, and if not filed within such time shall have no validity and shall not be recorded without recertification by the City Clerk and reapproval by the City Council. Immediately after recording, a duly certified copy shall be filed with the City Clerk. Amendments to the zoning ordinance shall be recorded at the same time if the amendments are part of the final PUD plan. The recording of the final plan shall inform all who deal with the planned unit development of the restrictions placed upon the land (Ord. 476 (part) 1981).

18.33.037 Release, Expiration, or Extension of Bond: Prior to the release or expiration of the bond secured under Section 18.33.43E, the City Council will request the Planning and Zoning Commission to certify that he was notified by the developer to witness the installation of agreed-upon improvements at key times so as to be able to certify that all agreed-upon improvements were properly made and that the PUD as built does not deviate from the approved final plan. Should the agreed-upon improvements not be completed within the duration of the bond, the developer may request the City Council for an extension of time for the installation of the balance of improvements. Should such request be granted, the developer shall deposit with the City a surety bond for the length of extension granted. The surety bond shall be approved as to form and type by the City Attorney, and as to adequacy of amount by the City Engineer (Ord. 476 (part) 1981).

18.33.038 Changes in the Planned Unit Development: The PUD shall be recorded according to the approved and recorded plan, except when authorized changes are permitted. The recorded plan and supporting data together with all recorded changes shall be binding on the applicants their successors, grantees, and assigns, and shall limit and control the use of premises and location of structures in the planned unit development project as set forth herein.

A. Major Changes: A change in the approved PUD which alters the concept or intent, including a change in usage, the figuration, increased floor area ratio or the height of buildings, and increase in intensity, a reduction of proposed open space, a change in road location or standards, a change in a final governing agreement, provisions or covenants, or other major changes shall be approved only by submission of a new preliminary plan in accordance with the procedures as previously set forth.

B. Minor Changes: The Planning and Zoning Commission may approve minor changes in the PUD which should not change the concept or intent of the development without going through preliminary steps. Minor changes shall be any change not defined as a major change (Ord. 476 (part) 1981).

18.33.040 Specific Content: The planned unit development plan and supporting data shall include at least the stages as set forth in Sections 18.33.041 through 18.33.043 (Ord. 476 (part) 1981).

18.33.041 Site Plan Discussion Stage:

A. Location Map: Location map should show relationship of the PUD to the community facilities serving it.

B. Site Plan: The site plan should show in simple sketch form the proposed layout of the PUD including streets, lots, structures, existing conditions, parking spaces and open spaces, as well as existing topographical data (Ord. 476 (part) 1981).

18.33.042 Site Plan Discussion Stage: The preliminary stage includes the following:

A. Design Plan: A drawing of the PUD shall be prepared at a scale that may be recommended by City Officials. The developer shall cause to be prepared a design plan and shall file twelve (12) copies with the Planning and Zoning Commission as outlined in the application stage (Chapter 18.33.032A). All plans shall show the general location of proposed streets, all buildings and their use, common open space, recreation facilities, parking areas, service areas and other facilities to indicate the character of the proposed development. The plan shall include:

1. Boundary lines, indicated by a solid heavy line,
2. PUD name,
3. Easements,
4. Location of the proposed PUD by township, section, town and range, or by other legal descriptions,

5. Public and private streets on or adjacent to the tract: Street names, rights-of-way widths, existing or proposed centerline elevations, pavement type, walks, curbs, gutters, culverts, distance to nearest intersection, etc.,

6. Utilities on and adjacent to the tract: Location, size and invert elevations of sanitary, storm and combined sewers; location and size of water mains, location of gas lines, for hydrants, electric and telephone lines and street lights on the tract. The direction and distance to the nearest useable water mains and sewers anticipated to be utilized by the development and elevation of sewers. Drainage district boundaries and approximate design criteria necessary for storm drainage plans,

7. Existing ground elevations on the tract: For land that slopes less than one-half (1/2) of one (1) percent, show grades along all drainage channels or swales and at selected points of not more than one hundred (100) feet apart in all directions; for land that slopes more than one half (1/2) one (1) percent two (2) foot contours,

8. Subsurface conditions on the tract, if required by the Planning and Zoning Commission, the City Engineer, of the Council,

9. Other conditions on the tract: Watercourses, marshes, rock, outcrops wooded areas, isolated reservable trees one foot or more in diameter, houses, barns, accessory buildings and other significant features,

10. Other conditions on adjacent land: Approximate direction and grading of ground slopes, including any embankments or retaining walls; character and general location of buildings, including a notation on the front setback, railroads, power lines, towers, and other nearby nonresidential land uses for adverse influences; owning of adjacent unplatted land, for adjacent land refer to subdivision plat by name, and show approximate percent build-up, typical lot size and dwelling type,

11. Zoning on and adjacent to the tract,

12. Proposed public improvements: Highway or other major improvements planned by public authorities for future construction on or near the tract.

13. Open space: All parcels of land intended to be dedicated for public use of all property owners with a purpose indicated,

14. General location, purpose and height, in feet or stories of each building other than single-family residences on individually platted lots,

15. All front setback lines and side yard lines on intersecting street sides of corner lots,

16. Map data: Name of development, north-point and scale, date of preparation, acreage of site and name and address of developer, designer and engineer,

17. A statement to read: "Preliminary Plan, Not To Be Recorded",

18. A table of the following information: Total acreage of the PUD, total number of lots, and acreage of public lands to be dedicated other than streets,

19. Miscellaneous: Such additional information as may be required;

B. Ownership: Statement of present and proposed ownership of all land within the project, including present tract designation according to official records and offices of the County

Recorder;

C. Development Schedule:

1. Stages in which project will be built with emphasis on area, density, use and public facilities such as open space to be developed with each stage shall be shown in the plan and through supporting graphic material,
2. Completion date of dates of new construction for above ground and below ground facilities, utilities, and buffer planting;

D. Covenants: Proposed agreements, provisions of covenants which will govern the use, maintenance and continued protection of the PUD and any of its common open space;

E. Density: Provide information on the density of residential uses and the number of dwelling units per type;

F. Use: Provide a list of uses planned for the ancillary and nonresidential areas;

G. Service Facilities: Provide information on all service facilities and off-street parking facilities;

H. Architectural Plans: Preliminary architectural plans for all primary buildings shall be permitted in sufficient detail to permit an understanding of the style of the development, the design of the building and the number, size and type of dwelling units per type;

I. Facilities Plans: Preliminary plans for:

1. Roads, including classification, width of right-of-way, width of pavement, typical construction details and plan and profile drawings,
2. Sanitary Sewers,
3. Storm drainage and erosion,
4. Water supply system, if required by commission,
5. Lighting program, if required by commission,
6. Grading (Ord. 476 (part) 1981).

18.33.043 Final Planned Unit Development Stage:

A. Final Detail Plan: A final plan suitable for recording with the County Recorder shall be prepared. Application for final approval shall consist of filing with the Planning and Zoning Commission the reproducible final plan and twelve (12) copies. The purpose of the plan is to designate the land subdivided into conventional lots as well as the division of other land not so treated, into common open areas and building areas. The final plan shall include, but not be limited to:

1. An accurate legal description of the entire area under immediate development;
2. A subdivision plan of all subdivided lands in the same for and meeting all requirements of the final subdivision plat per City and State code.
3. Designation of the exact location of all buildings to be constructed in unsubsidized areas;
4. Tabulations of separate unsubsidized use area, including land area, number of

buildings, number of dwelling units, and dwelling units per acre;

5. Architectural plans unless waived by City Council.

B. Common Open Space Documents: All common open space shall be either conveyed to a municipal or public corporation or entity established for the purpose of benefiting the owners and residents of the planned unit development or retained by the developer with legally binding guarantees, in a form approved by the City Attorney, that the common open space will be permanently preserved and maintained as open space. All land conveyed to a nonprofit organization or like entity shall be subject to the right of the corporation to impose a legally enforceable lien for maintenance and improvement of the common open space.

C. Engineering Data: All public utilities or improvements required by the City and the development of a planned unit development shall be constructed only after the approval of the final plan. Supporting data to be submitted with the final plans shall include final engineering drawings as required by the City Engineer.

D. Inspection: All plans and specifications for the improvements set forth above, shall be prepared and verified by an Iowa Registered Professional.

E. Guarantee Deposit: The final plan submitted to the Planning and Zoning Commission for approval shall be accompanied by a notice from the City Clerk, stating there has been filed and approved by the City Attorney and City Council either a posted bond or certified check, which is available to the City and in sufficient amount to assure completion and guaranteeing the improvement for a period of two (2) years against defective materials and workmanship of all agreed upon improvements.

F. Certificates, Seals, and Signatures: Required for the dedication of lands and recording documents, as set forth in the subdivision regulations.

G. Covenants: Final agreements, provisions, or covenants which will govern the use, maintenance and continued protection of the planned unit development (Ord. 476 (part) 1981).

Chapter 18.44

B-1 CENTRAL BUSINESS DISTRICT

Sections:

18.44.010	Chapter Purpose
18.44.020	Permitted Uses
18.44.030	Special Uses
18.44.040	Front Yard Requirements
18.44.050	Rear Yard Requirements
18.44.060	Side Yard Requirements

18.44.010 Chapter Purposes: This district is composed of land and structures used primarily to provide retail trade, personal and business services of all kinds that contribute to

the construction of concentrated regional shopping and business center. The regulations are designed to permit a highly concentrated development of the permitted uses within the district. Residences within this district are permitted (Ord. 273 Art. XII (part) 1972).

18.44.020 Permitted Uses: The following uses are permitted in this district:

1. Clothing stores;
2. Food stores, grocery stores, meat markets, bakeries and delicatessens;
3. Banks and other financial institutions;
4. Barber shops or beauty parlors;
5. Business or commercial schools;
6. Dancing or music studio for private instruction;
7. Electrical and shoe repair shops with retail sales;
8. Interior decorating shops;
9. Copy center parcel pickup;
10. Photographic studios;
11. Offices or business office functions;
12. Sporting goods;
13. Restaurants--Not drive-in;
14. Sales show room;
15. Laundry, dry cleaning, and dyeing shops or Laundromats;
16. Video stores;
17. Taverns;
18. On-premises identification or name play sign pertaining only to a use conducted on the premises which sign shall not exceed twenty (20) square feet in sign area unless attached flat against the wall;
- 19.
- 20.
- 21.
- 22.
23. Variety stores;
24. Conduct of any retail business or commercial enterprise similar to the above listed uses;
25. Off-premises billboard signs;
26. Undertaking establishments and funeral homes.

18.44.030 Special Uses: Special uses are:

- A. Automobile Service Stations with related businesses;
- B. Automotive sales rooms with garages or used car lots (Ord 273 Art. XII(B)(3) 1972).

18.44.040 Front Yard Requirements: No setback from the front lot line is required for principal buildings in this district (Ord. 273 Art XII(B)(3) 1972).

18.44.050 Rear Yard Requirements: No rear yard is required for a business building when the lot abuts on a rear alley or public place. When the lot upon which such building is located does not abut upon a rear alley or public place, a rear yard setback of not less than ten (10) feet is required for buildings two (2) stories or less in height, setbacks will be increased to two (2) feet for each additional story in height (Ord 477 (part) 1981).

18.44.060 Side Yard Requirements: No side yards are required for buildings in this district (Ord. 273 Art XII(B)(5) 1972).

Chapter 18.48

B-2 HIGHWAY-OUTLYING COMMERCIAL DISTRICT

Sections:

18.48.010	Chapter Purposes
18.48.020	Permitted Uses
18.48.030	Yards
18.48.040	Off-Street Parking
18.48.050	Off-Street Loading
18.48.060	Pole Barn Prohibited

18.48.010 Chapter Purposes: This district is composed of land and structures primarily used as commercial and limited fabricating, wholesaling warehousing. The main purpose of this district is to provide for commercial uses that require larger land area than generally needed in a built-up downtown area; also to provide more space for the maneuvering of vehicles either within the business or in carrying out the transactions within the business. These regulations are designed to permit lightly concentrated development of the used permitted within the district. Residences are permitted. This district may be more commonly referred to as an outlying commercial district (Ord. 273 Art. XII (C)(part) 1972).

18.48.020 Permitted Uses: The following uses are permitted in this district:

1. Private clubs and lodges;
2. Farm supply sales;
3. Automobile salesrooms and/or garages
- 4.
5. Drive-in restaurants or theaters;
6. Farm implement sales and service, and outdoor storage when screened by fence or landscaping as approved by the commission.
7. Petroleum automobile service stations and convenience stores;
- 8.
- 9.

10. Undertaking establishments and funeral homes;
11. Used car sales or storage lots when located at least fifty (50) feet away from any residential district;
12. Veterinarian or animal hospitals or clinics, provided that any treatment rooms, cages, pens, or kennels be located within a completely enclosed, soundproof building and so operated as not to produce any objectionable odors outside the walls;
13. Lodging house;
14. Any use permitted in the B-1 Central Business District;
- 15.
16. Accessory building and uses;
17. Grocery stores;
18. Any other business or commercial use similar to the above involving primary sales or service;
19. Off-premises billboard signs;
- 20.
21. Storage garages and warehouses for recreational vehicle storage and other material excluding commercial and industrial material for compensation (Ord. 622 §3(part), 1996; Ord. 538 (part) 1985; Ord. 273 Art XII(C)(1) 1972).

18.48.030 Yards:

- A. There shall be provided a front yard of not less than twenty-five (25) feet in depth.
- B. When a business district abuts a residence or a residential district, yards shall be provided in accordance with the residential regulations set forth in the adjacent residence district, or the R-1 district setback requirements apply if no other, less restrictive, residential setback applies.
- C. Where a rear lot line coincides with a lot line in an adjacent residence district, a thirty (30) foot yard shall be provided along such rear line (Ord. 273 Art. XII(C)(2) 1972).

18.48.040 Off-Street Parking: Adequate parking shall be provided in relation to a need determined after submitting a development plan for approval by the commission (Ord. 273 Art. XII(C)(3) 1972).

18.48.050 Off-Street Loading: Every principal building or part thereof hereinafter erected, enlarged, or converted, which is to be occupied by uses involving the frequent receipt or distribution by vehicles of materials or merchandise, there shall be provided and maintained on the same lot with such building, not less than one (1) off-street loading space for the first ten thousand (10,000) square feet, or fraction thereof of gross floor space of the building plus one (1) additional off-street loading space for each thirty thousand (30,000) square feet of major fraction thereof, of gross floor area in excess of ten thousand (10,000) square feet. Each such space shall not be less than ten (10) feet in width and twenty-five (25) feet in length and shall be surfaced (Ord. 273 Art. XII(C)(4) 1972).

18.48.060 Pole Barn Prohibited: No “pole barn” building shall be constructed in the R-1, R-2, B-2 on residential lots, or R-M districts within the City. All garages and accessory buildings in the aforementioned residential districts shall conform in style and construction with the principal residence on such lot. A pole barn is defined as a pre-engineered building which is supported by wood poles drilled into the ground, and which lacks a continuous foundation system (Ord. 638 §4, 2000).

Chapter 18.50

B-3 CENTRAL BUSINESS DISTRICT RESTRICTED USE ZONE

Sections:

18.50.010	Purpose
18.50.020	Permitted Uses
18.50.030	Special Uses
18.50.040	Front Yard Requirements
18.50.050	Rear Yard Requirements
18.50.060	Side Yard Requirements

18.50.010 Purpose: The purpose of this chapter is to establish a central business district restricted use B-3 zone, which shall remain the central business district core and shall be used solely for establishing and maintaining said core district, and pyramiding shall not be allowed within said district. This district is composed of land and structures used primarily to provide retail trade, personal and business services of all kinds that contribute to the construction of concentrated regional shopping and a business center. The regulations are designed to permit a highly concentrated development of the permitted uses within the district. Residences within the district are not permitted (Ord. 548 §2, 1986).

18.50.020 Permitted Uses: The following used are permitted in this district:

1. Clothing stores;
2. Food stores, grocery stores, meat markets, bakeries, and delicatessens;
3. Bank and other financial institutions;
4. Barbershops or beauty parlors;
5. Business or commercial schools;
6. Electrical and shoe repair shops with retail sales;
7. Interior decorating shops;
8. Photographic studios;
9. Offices or business office functions;
10. Sporting goods;

11. Restaurants;
12. Sales showroom;
13. Laundry, dry cleaning and dyeing shops or Laundromats;
14. Theaters, except open-air drive-in theaters;
15. Taverns;
16. Signs permitted only to a use conducted on the premises which sign shall not exceed twenty (20) square feet in sign area unless attached flat against the wall;
17. Hotels or motels;
18. Printing shops and newspaper printing shop;
19. Petroleum vehicular service stations;
20. Bowling alleys;
21. Variety stores;
22. Conduct of any retail business or commercial enterprise similar to the above listed uses;
23. Off-premises billboard signs;
24. Undertaking establishments and funeral homes (Ord. 548 §2, 1986).

18.50.030 Special Uses: None

18.50.040 Front Yard Requirements: No setback from the front lot line is required for principal buildings in this district (Ord. 548 §4,1986).

18.50.050 Rear Yard Requirements: No rear yard is required for a hotel, motel or business building when the lot abuts on the rear alley or public place. When the lot upon which such building is located does not abut upon a rear alley or public place, a rear yard setback of not less than ten (10) feet is required for buildings two (2) stories or less in height, setbacks shall be increased two (2) feet for each additional story in height (Ord. 548 §5, 1986).

18.50.060 Side Yard Requirements: No side yards are required for buildings in this district (Ord. 548 §6, 1986).

Chapter 18.52

M-1 LIGHT INDUSTRIAL DISTRICT

Sections:

- | | |
|-----------|-----------------------------------|
| 18.52.010 | Chapter Purpose |
| 18.52.020 | Permitted Uses |
| 18.52.030 | Height, Area and Bulk Regulations |
| 18.52.040 | Parking and Loading Regulations |

18.52.010 Chapter Purposes: The regulations set forth in this chapter (or set forth elsewhere in this title when referred to in this chapter) are the regulations in the M-1 Light Industrial District (Ord. 273 Art XIII(A) 1972).

18.52.020 Permitted Uses: A building or premises shall be used only for the following purposes:

A. Any use permitted in the B-1 Central Business District, except that no dwelling other than for a resident watchman or caretaker employed on the premises shall be permitted;

B. The following uses are permitted, such permitted uses being generally wholesale and retail trade, service industries and light industries that manufacture, process, store and distribute goods and materials and are in general dependent on raw materials refined elsewhere, and manufacture, compounding, processing, packaging or treatment as specified of the following products or similar products:

1. Chemical and Allied Products:

- Cosmetics and toiletries (compounding only)
- Ice manufacture, including dry ice
- Ink manufacture, (mixing only)
- Perfumes and perfumed soaps (compounding only)
- Pharmaceutical products
- Soap, washing or cleaning, powder or soda (compounding only)

2. Food and Beverage Products:

- Chewing gum manufacture
- Chocolate, cocoa and cocoa products (processing and packaging only)
- Coffee, tea and spices (processing and packaging only)
- Condensed and evaporated milk (processing and canning only)
- Fruit and vegetable processing (including canning, preserving, drying and freezing)
- Gelatin products
- Glucose and dextrin products
- Macaroni and noodle manufacture
- Meat products, packaging and processing (no slaughtering)
- Oleo/margarine (compounding and packaging only)
- Poultry packing

3. Metals and Metal Products:

- Container (metal)
- Fasteners (metal manufacture)
- Iron (ornamental) fabrication
- Sheet metal products manufacture
- Tool, die, gauge, and machine shops

4. Textiles, Bedding and Fibers

Knitting, weaving, printing, finishing of textiles and fibers into fabric goods
Clothing manufacture

5. Wood and Paper Products:

Basket and hamper (wood, reed, rattan et cetera)
Pencil manufacture
Shipping container (corrugated board, fiber or wire bound)
Veneer manufacture

6. Unclassified Uses:

Animal pound
Contractor's shop and storage yard
Exposition building
Fairgrounds
Industrial vocational training school, including internal combustion engines
Motion picture production
Outdoor advertising signs
Tire retreading and vulcanizing

C.

D. Agricultural, horticultural and gardening whether commercial or noncommercial;

E. Storage garages and warehouses for recreational vehicle storage and other material, including commercial or industrial material (Ord. 622 §3 (part) 1996; Ord. 507, 1982; Ord 273 Art. XIII(B) 1972).

18.52.030 Height, Area and Bulk Regulations: The maximum height shall not be more than three (3) stories and not more than forty-five (45) feet. Rear and side yards are not required and front yards shall be twenty-five (25) feet, except when the M-1 district shall be set back a minimum of one hundred (100) feet from the lot line (Ord. 479, 1981).

18.52.040 Parking and Loading Regulations: Adequate parking shall be provided in relation to a need determined after submitting a development plan for approval by the commission (Ord. 273 Art. XIII(D) 1972).

Chapter 18.56

M-2 GENERAL MANUFACTURING DISTRICT

Sections:

18.56.010	Chapter Purpose
18.56.020	Permitted Uses
18.56.025	Special Uses

18.56.030 Height, Area and Bulk Regulations

18.56.040 Parking and Loading Regulations

18.56.010 Chapter Purposes: The regulations set forth in this chapter (or set forth elsewhere in this title when referred to in this chapter) are the regulations in the M-2 Heavy Industrial District (Ord. 273 Art. XIV(A) 1972).

18.56.020 Permitted Uses: A building or premises shall be used only for the following purposes:

A. Any use permitted in the M-1 Light Industrial District except that no dwelling other than that for a resident watchman or caretaker employed on the premises shall be permitted.

B. The following uses are permitted when not in conflict with any Iowa statute or ordinance of the City of Camanche nuisance regulations, including the manufacture, compounding, processing, packaging or treatment of the following products:

1. Chemical, Petroleum, Coal and Allied Products:

Adhesives

Alcohol, industrial

Bleaching

Bluing

Calcimine

Candles

Cleaning, and polishing preparation (non-stop) dressing and blackings

Dye stuff

Essential oils

Exterminating agents and poisons

Fertilizer (nonorganic)

Fuel briquettes

Glue and size (vegetables)

Ink manufacture from primary raw materials (including colors and pigments)

Soap and soap products

2. Clay, Stone and Glass Products:

Abrasive wheels, stones, paper, cloth and related products

Asbestos products

Brick, fire brick, and clay products

Concrete products or central mixing and proportioning plant

Glass and glass products

Graphite and graphite products

Monument and architectural stone

Pottery and porcelain products (coal fired)

Refractories (other than coal fired)

Sand-line products

Stone products (Not including quarrying)

Wallboard and plaster, building, insulation and composition flooring

3. Food and Beverage:

Casein

Chocolate and Cocoa

Cider and vinegar

Distilleries (alcoholic) breweries and alcoholic spirits

Floor, feed and grain milling or storage

Gelatin

Glucose or dextrin

Malt extracts

Meat packing

Molasses

Oil, shortenings, and fats (including oleo/margarine)

Pickles, vegetable relish and sauces

Poultry (including slaughter)

Sauerkraut

Sugar refining

Yeast manufacturing

4. Metal and Metal Products

Agricultural or farm implement manufacture

Aircraft and aircraft parts manufacture

Aluminum extrusion, rolling fabrication and farming

Boiler manufacture (other than welding)

Culvert manufacture

Firearms manufacture

Forge plant, pneumatic, drop and forgoing hammering

Foundries

Galvanizing or plating (hot dip)

Heating, ventilating, cooking and refrigeration supplies and appliances

Lead oxide

Locomotive and railroad care building and repair

Machinery manufacture

Motor testing (internal combustion motors)

Nails, brads, tacks, spikes and staples manufacture

Needles and pins manufacture

Ore dumps and elevators

Plumbing supplies

Safe and vault manufacture

Structural iron and steel fabrication and manufacture

Tool, die, gauge and machine shops

Tools and hardware products

Trailers

Wire rope and cable

5. Textiles, Fibers and Bedding

Bedding (mattress, pillow and quilt) manufacture

Bleachery

Carpet, rug and mat manufacture

Cordage and rope

Hair and felt products washing, curling and dyeing

Hosiery Mill

Jute, hemp and sisal products

Linoleum and other hard-surface floor covering

Nylon

Oilcloth, oil treated products and artificial leather

Rayon

Shoddy

Wool pulling or scouring

6. Wood and Paper Product

Barrels

Box and crate manufacture

Carriages and wagons

Charcoal and pulverizing

Cooperage works

Excelsior

Furniture

Paper and paperboard products

Planing and millwork

Pulp goods, pressed or molded (including papier-mâché products)

Sawmill (including cooperage stock mill)

Wallboard

Wood preserving treatment

7. Miscellaneous Industries:

Carbon paper and ribbons

Chewing tobacco

Leather tanning and curing

Rubber (natural and synthetic) gutta percha, chicle and balata processing

Rubber tire and tube

Shell grinding

Storage battery (wet cell)

8. Other Uses:

Bag cleaning

Coal pocket
Railroad yard, roundhouse, repair and overhaul shops
Oils, vegetable and animal (nonedible) storage
Paint, lacquer, shellac and varnish (including asphalt and composition)
Salt tanning materials and allied products
Tar products (except distillation)

18.56.025 Special Uses: Any of the following special uses when the location of such use has been approved by the board of adjustment:

Acid manufacture
Automobile parts, storage and sales located indoors
Cement, lime, gypsum, or plaster of paris manufacture coal or tar asphalt
Explosives, manufacture or storage
Fat, grease lard or tallow rendering or refining
Fertilizer manufacture (from organic matter)
Glue or size manufacture
Garbage, offal or dead animal reduction or dumping
Junk or salvage (metal, paper, rags, waste or glass storage, treatment, baling)
Paper manufacture
Petroleum or asphalt refining
Petroleum product terminal
Quarrying operations
Smelting of tin, copper, zinc or iron ores
Storage or processing raw hides or fur

- A. Other uses similar to the above when approved by the board of adjustment;
- B. Mini-warehouse/self-storage, storage garages, warehouses for recreational vehicle storage and other material, including commercial or industrial goods, stored for compensation (Ord. 622 §3(part) 1996; Ord. 538 (part) 1985; Ord. 273 Art. XIV(B) 1972).

18.56.030 Height, Area and Bulk Regulations: The maximum height shall not be more than eight stories and one hundred feet in height. The yard height and area regulations in the M-2 District shall be determined by the bulk control plan method, unless specific regulations are stated to the contrary shall be as follows:

- A. No building or multiple unit shall intersect any bulk control plane. These planes shall begin at all lot line (front, side, rear) and extend upward forming an angle of sixty degrees with the horizontal and tilting inward toward the interior of the lot or tract. Ground elevation of the bulk control plane shall be the average elevation of the lot line.
- B. In any instance where a M-2 District abuts and adjoins a B-1, B-2 or M-1 District, any building or multiple unit, whichever is greater.
- C. In any instances where a M-2 District abuts and adjoins a residential or agricultural district, any building in the M-2 District shall be set back a minimum of one hundred (100) feet or one

(1) foot from the district line for each foot of height of the building or multiple unit, whichever is greater (Ord. 480, 1981).

18.56.040 Parking and Loading Regulations: Adequate parking shall be provided in relation to a need determined after submitting a development plan for approval by the Commission (Ord. 273 Art. XIV(D) 1972).

Chapter 18.57 RENEWABLE ENERGY OVERLAY DISTRICT

Renewable Energy Overlay District

A. Purpose. The M-RE Renewable Energy Overlay District is intended to allow for the orderly development of utility scale solar and wind farm energy projects. This section establishes an overlay district that serves the following purposes:

1. To encourage and support the development and use of alternative and renewable energy resources.
2. To encourage development that conforms to the goals, objectives and City of Camanche Strategic Plan and future land use map that pertains to the area in which the development is proposed.
3. To encourage sustainable and energy efficient development which aims to strengthen the global response to the threat of climate change.

B. Geographic Location. The renewable energy overlay district shall be geographically located in the areas currently zoned AG-1 (Agricultural Rural District), M-1 (Light Industrial District), or M-2 (General Manufacturing District).

C. Permitted Uses. Uses allowed in the renewable energy overlay district shall include utility scale solar installations.

D. Rezoning Application. A utility scale solar installation requires an application to rezone the area to be used to renewable energy overlay district pursuant to Title XVIII Chapter 18.060G of the ordinance.

E. Additional Requirements. Additional requirements within this chapter and other city ordinances shall apply to the development in the renewable energy overlay district, including but not limited to, the supplementary conditions listed in chapter 18.60 of this ordinance.

F. Additional information: The following information shall be submitted on the site plan or in narrative form, supplied by the utility scale solar installation owner, operator or contractor installing the structure(s), and reviewed as part of the approval of a utility scale solar installation:

1. Number, location and spacing of solar panels/arrays.
2. Planned location of underground or overhead electric lines.
3. Project development timeline.
4. Operation and maintenance plan.
5. Decommissioning plan.

G. Avoidance and Mitigation of Damages to Public Infrastructure.

1. Roads. Applicants shall identify all roads to be used for the purpose of transporting Solar panels, substation parts, Construction Material, and/or equipment for construction, operation or maintenance of the Utility scale solar installation and obtain applicable weight and size permits from the impacted Road Authority(ies) prior to construction.
2. Existing Road Conditions. Applicant shall conduct a pre-construction survey, in coordination with the impacted local Road Authority(ies) to determine existing road conditions. The survey shall include photographs and a written agreement to document the condition of the public facility. The applicant is responsible for on-going road maintenance and dust control measures identified by the City of Camanche during all phases of construction. Applicant shall enter into a Road Use and Repair Agreement with the Road Authority prior to construction.
3. Drainage System. The Applicant shall be responsible for reasonably prompt repair of damage to public drainage systems stemming from construction, operation or maintenance of the Utility Scale Solar Installation.
4. Required Financial Security. The applicant shall be responsible for restoring or paying damages as agreed to by the applicable Road Authority(ies) sufficient to restore the road(s) and bridges to preconstruction conditions. Financial security in a manner approved by the City of Camanche shall be submitted covering up to 100% of estimated cost for repairs as agreed to by the applicant and such Road Authority(ies). This requirement may be waived by the Camanche City Council by recommendation from the Camanche City Administrator.

Definitions

ACTIVE SOLAR ENERGY SYSTEM. A solar energy system whose primary purpose is to harvest energy by transforming solar energy into another form of energy or transferring heat from a collector to another medium using mechanical, electrical, or chemical means.

CONCENTRATING SOLAR POWER SYSTEM (CSP). Systems that use lenses/mirrors and tracking systems to focus or reflect a large area of sunlight onto a small area. The concentrated energy is

absorbed by a thermal medium, such as water, salt, or a permanently gaseous fluid, and used as a heat source for a conventional power plant, such as a steam power plant, or for a power conversion unit, such as a sterling engine. Although several concentrating solar technologies exist, the most common types are the solar trough, parabolic dish and solar power tower. Energy storage technologies used by concentrating solar thermal devices (e.g. molten salt storage) are also included within this definition.

GROUND-MOUNT. A solar energy system mounted on a rack or pole that rests or is attached to the ground. Ground-mount systems can be either accessory or principal uses.

NON-UTILITY SCALE SOLAR INSTALLATION (ACCESSORY USE). A solar panel or array mounted on a building, pole or rack that is accessory to the primary use of the parcel on which it is located and which is directly connected to or designed to serve the energy needs of the primary use.

NON-UTILITY SCALE SOLAR INSTALLATION (ACCESSORY USE). A solar panel or array mounted on a building, pole or rack that is accessory to the primary use of the parcel on which it is located and which is directly connected to or designed to serve the energy needs of the primary use.

PHOTOVOLTAIC. The technology that uses a semiconductor to convert light directly into electricity.

POWER PURCHASE AGREEMENT. A power purchase agreement refers to a contract entered into by an independent power producer and an electric utility. The power purchase agreement specifies the terms and conditions under which electric power will be generated and purchased. Power purchase agreements require the independent power producer to supply power at a specified price for the life of the agreement.

ROOF-MOUNT. A solar energy system mounted on a rack that is fastened to or ballasted on a building roof. Roof-mount systems are accessory to the principal use.

SOLAR ARRAY. A group of solar panels connected together.

SOLAR COLLECTOR. A device or structural feature of a building that collects solar energy and that is part of a system for the collection, storage and distribution of solar energy.

SOLAR FARM. A commercial facility that converts sunlight into electricity, whether by photovoltaics (PV), or other conversion technology, for the primary purpose of wholesale sales of generated electricity.

SOLAR GLARE. The effect produced by light reflecting from a solar panel with intensity sufficient to cause annoyance, discomfort or loss in visual performance and visibility.

SOLAR MOUNTING DEVICES. Racking, frames, or other devices that allow the mounting of a solar collector onto a roof surface or the ground.

SOLAR PANEL. A device composed of groups of individual solar cells used to convert solar energy into electrical current.

Chapter 18.60

SUPPLEMENTARY DISTRICT REGULATIONS

Subject to the individual zoning district regulation chapters of this ordinance, the following regulations, provisions, or exceptions shall apply equally to all zoning districts except as hereinafter provided.

Regulations:

18.60-A	General Supplementary Regulations
18.60-B	Fence Supplementary Regulations
18.60-C	Sign Supplementary Regulations
18.60-D	Business Districts Supplementary Regulations
18.60-E	Communication Towers and Antennas
18.60-F	Nonconforming Uses
18.60-G	Special Ordinances: Non-Utility Scale / Utility Scale Ordinances (Solar)

18.60-A General Supplementary Regulations:

Sections:

18.60.010	Visibility at Intersection
18.60.015	Accessory Buildings and Structure Location
18.60.020	Home Occupation
18.60.025	Grade Change
18.60.030	More Than One Principal Structure On A Lot
18.60.040	Use of Public Right-of-Way
18.60.045	Proposed Use Not Covered in Ordinance
18.60.050	Buildings to Have Access
18.60.055	Location of Mobile Homes or House Trailers
18.60.060	Agricultural Uses
18.60.065	Flood Plain Management
18.60.070	Subdivision Required
18.60.075	Zero Lot Line Single-Family Attached Dwelling

18.60.010 Visibility at Intersection: On a corner lot in any district except the C-2 General Retail District, no fence, wall, hedge or other planting or structure that will obstruct

vision between a height of four (4) feet and ten (10) feet above the centerline grades of the intersecting streets shall be erected, placed or maintained within the triangular areas formed, by connecting the right-of-way lines or at points which formed, by connecting the right-of-way lines at points which are twenty-five (25) feet distant from the intersection of the right-of-way lines as defined by Iowa Code §306.3(7), and measured along the right-of-way lines. See visibility diagram in 18.60.230 (Fences-Location, height and material).

18.60.015 Accessory Building and Structure Location: No accessory building or structure shall be constructed or located on or across a municipal sanitary sewer, water or other utility easement. Any existing accessory building or structure located on any municipal utility easement shall be removed or relocated in conformance with these regulations at the owner's expense.

“Garage, Private” means a detached accessory building or portion of a residential building housing the automobiles of the occupants of the premises. No private garage within R-1, R-2, B-2 or R-M districts shall exceed ten (10) feet in height for side wall construction, and shall not have an overall height exceeding twenty (20) feet. Properties with a principal dwelling under 1440 square feet of gross living area as defined by the Clinton County Assessor's office shall not have a detached private garage exceeding 1080 square feet. Properties with more than 1440 square feet of gross living area as defined by the Clinton County Assessor's office shall not have an overall detached private garage exceeding 1500 square feet total area or seventy five (75%) percent of the gross living area as defined by the Clinton County Assessor's office of the related principal residence, and whichever number is lesser establishes the total area maximum for such detached garage or accessory building. The largest dimension of any detached accessory building or detached garage in R-1, R-2, B-2, or R-M districts shall not exceed forty (40) feet in length. In the case of an attached garage, the twenty (20) foot height limitation does not apply, however the height of the garage shall not exceed the height of the principal residence adjacent to the point of attachment to such principal residence. The number of detached accessory buildings or detached private garages shall be no more than two buildings and the combined square footage of these buildings may not exceed the amount of square footage for a private garage allowed for that property.

The location and size of any accessory building shall also comply with the requirements set forth at 18.24.020 regarding set back requirements and percentage of rear yard space which an accessory building may occupy.

For regulations concerning attached private garages, refer to 18.24.020 (E) 6

(Ord. 638 §3,2000).

(Ord. 795AB, Passed 2024)

18.60.020 Home Occupation:

A. "Home occupation" means any occupation with or actively within a dwelling which is clearly incidental thereto, carried on by a member of the family residing on the premises; provided, that no person not a resident on the premises is employed, no stock in trade is kept or commodities sold, no mechanical equipment is used except such that is normally used for purely domestic or household purposes, no internal alterations or special construction of the premises are involved. No advertising sign is displayed other than a name plate not exceeding one (1) square foot in area and there is not other exterior indication that the building is being used for any purpose other than a dwelling. When within the requirements designated in this section, a home occupation includes, but it not limited to the following:

1. Art studio;
2. Nurseries, day care centers, pre-kindergartens and other private or special schools where at least one hundred (100) square feet of open play space is provided for each child enrolled;
3. Dressmaking;
4. Millinery;
5. Office of a physician or dentist for consultation or emergency treatment, but not general professional practices;
6. Professional office of real estate agent, insurance agent or similar occupations;
7. Teaching limited to not more than six (6) pupils at one time.

B. A home occupation shall not be interpreted to include barbershops, beauty shops, auto repairing, antique shops, sign painting or restaurants (Ord. 469, 1981).

18.60.025 Grade Change: Any change in grade that will result in an increase to the height of a lot or parcel of land in excess of two (2) feet above the street line or adjacent lots required in a variance.

18.60.030 More Than One Principal Structure On A Lot: In any residential district, more than one (1) principal structure housing a permitted principal use may be erected on a single lot provided that area, yard or other requirements of this Ordinance shall be met for each structure as though it were on an individual lot.

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

18.60.045 Proposed Use Not Covered in Ordinance: Any proposed use not covered in this Ordinance as a Permitted Use or Special Use shall be referred to the Planning and Zoning Commission for a recommendation as to the proper district in which such use should be

permitted and the Ordinance amended as provided in Chapter 18.70-D before a permit is issued for such proposed use.

18.60.050 Buildings to Have Access: Every building hereafter erected or structurally altered, shall be on a lot or parcel having a frontage on a public street or alley.

18.60.055 Location of Mobile House or House Trailers: Mobile home occupied as a permanent or temporary place of residence shall be located only on a single lot in the R-M Mobile House and Land Leased Communities District. However, if a mobile home is converted to real estate under the provisions of Section 135D.26 of the Iowa Code, the mobile house may be located in other district allowing single family dwellings as a permitted use. Only mobile homes complying with the standards of safety and construction required since 1976, with a medallion and certificate of compliance may be placed outside a mobile home park after 12/02/1985.

Occupied travel trailers and camping trailers shall be located only in an approved tourist campground.

18.60.060 Agricultural Uses: Any vacant parcel of land regardless of size in any district may be used for agricultural purposes, the raising of feed and grain crops, fruit or vegetables, provided, however, that no livestock, poultry or other animals other than customary household pets shall be kept on land or in confinement within 300 feet of any dwelling unit other than that of the owner.

18.60.065 Flood Plain Management: It is the intent of the Flood Plain Management Code (Title 15, Chapter 15.16, City Code of the City of Camanche, Iowa) to limit development on the flood plain in order to minimize the danger to life and property which results from development undertaken without full realization of such danger. It is further the intent of this regulation to protect the flood plain from encroachments or developments which would obstruct, contain, or divert the passage of flood waters. The Zoning Administration shall administer and enforce the Flood Plain Management Ordinance.

18.60.070 Subdivision Required: Every owner of any lot or tract of land who shall subdivide the same into three (3) or more parts on or after the effective date of adoption of the original Division of Land ordinance shall have the plat of such subdivision approved by the City Council as provided in the Division of Land Ordinance (Title 16, Chapter 16.40, City Code of the City of Camanche, Iowa). All replats of existing lots in subdivisions shall comply with the procedures and standard of the Division of Land Ordinance.

18.60.075 Zero-Lot Line Single-Family Attached Dwellings: The platting of a zero-lot line subdivision shall include the filing in the Clinton County Recorder's Office Restrictive and Protective Covenants providing that the owners thereof are jointing and severally liable and responsible for the maintenance and repair of the common wall as well as other common aspects, including but not limited to, utilities, water, sanitary sewer, storm sewer, easements,

driveways, roof and siding, all to the point of division. Also, any zero-lot line dwelling must meet the following requirements:

- A. A one-inch air space shall be maintained between the common walls continuous to the zero-lot line, and each side must be constructed with a component to create a one-hour UL fire related assembly at each side. Fire rating shall extend from foundation to bottom of roof sheathing.
- B. Such dwelling shall be constructed side-by-side across the zero-lot line and not constructed parallel to the zero-lot line.
- C. The front wall of such dwelling shall be of the same material, same type and same color on each side of the zero-lot line.
- D. Each dwelling unit shall be provided with a separate building access and with separately metered utility service.

18.60-B Fence Supplementary Regulations

Sections:

18.60.210	Purpose
18.60.220	Definition
18.60.230	Visibility at Intersections, Location, Height and Material Requirements
18.60.240	Required Fencing of Swimming Pools
18.60.250	Building Permit-Required
18.60.260	Uniform Appearance Required
18.60.270	Exception-Variance

18.60.210 Purpose: The purpose of this chapter is to define a fence and to protect and promote the public health, safety, and welfare by establishing fence setback requirements and height requirements for fences so as to protect the public, and among other purposes, to provide for adequate vision, air movement and traffic safety in all zoning classifications (Ord. 555 §1, 1987).

18.60.220 Definition: A fence is defined as a structure for enclosing, screening or decorative purposes (Ord. 555 §2 (part) 1987).

18.60.230 Visibility at Intersections, Location, Height and Material Requirements:

A. Visibility at Intersections: On a corner lot in any district except the B-3 General Retail District, no fence, wall, hedge, or other planting or structure that will obstruct vision between a height of four (4) feet and ten (10) feet above the centerline grades of the intersecting streets shall be erected, placed or maintained within the triangular area formed, by connecting the right-of-way lines at points which are twenty-five (25) feet distant from the intersection of the right-of-way lines, and measure along the right-of-way lines.

(DIAGRAM)

B. Rear Lot Line: Fences may be located on any rear lot line and shall not exceed eight feet in height.

C. Front Street Line: Fences may be located on any front street line and shall not exceed four (4) feet in height within twenty-five (25) feet of any street line corner or alley corner and four (4) feet in height in all other front lot areas. Fences made within twenty-five (25) feet of any street line, street line corner or alley on a corner lot shall be made of wired see-through material, railed two board fences, commonly known as split rail fences, or other decorative material that does not obstruct drivers' vision.

D. Side Lot Line: Fences may be located on any street line for a corner lot and on any side lot line for an interior lot or an interior lot line. Side lot line fences shall not exceed eight (8) feet in height from the rear lot line on a corner lot and then four (4) feet in height from the street to the twenty-five (25) foot setback line. All fences on a rear lot line or side lot line on an alley shall be made of wire see-through material or such other materials as to not restrict visibility within twenty-five (25) feet of the intersection of the street lot line and the alley lot line and said fences shall not exceed eight (8) feet in height. The fence may not exceed four (4) feet from any street line corner and shall be made of wire see-through material, rail two board fence, commonly known as split rail fence, or a see-through decorative fence so as not to obstruct the vision of traffic. Along a side yard street line from the building line to the rear of the lot, and along any alley lot line, the fence may not exceed eight (8) feet in height within twenty-five (25) feet from any street line corner or alley corner and shall be made of wire see-through material, railed two board fence, commonly known as split rail, or a see-through decorative fence so as not to obstruct the vision of traffic (Ord. 632 §3, 1999, Ord 555 §2 (part) 1987).

18.60.240 Required Fencing of Swimming Pools: No building permit shall be issued for construction of a pool or related structure including deck or aboveground pool unless said structure is fully enclosed by a fence not less than four (4) feet in height with adequate child-proof lock and must meet all other requirements of 15.04.075 (Ord 555 §3, 1987).

18.60.250 Building Permit Required:

A. A building permit is required for all new construction and reconstruction which changes the size, outline, location on lot, height or yard requirements of any fence or structure for enclosing or screening. Section 15.04.010, 15.04.030, 15.04.040, 15.04.242, 15.04.244, 15.04.246, 15.04.250 apply in respect to building permits for fences and enclosed structures (Ord 255 §4 (part) 1987).

18.60.260 Uniform Appearance Required: Fences must be of same finish and construction so as to have similar appearance to both the landowner and neighbor. If the appearance is not uniform to both landowner and neighbor, then the inspector shall designate which direction the finished fence shall face to best benefit the adjoining landowners (Ord. 555 §4(part) 1987).

18.60.270 Exception – Variance. In a business, commercial or industrial zoning district, fences may be up to eight feet in height around the property provided that it be see-through material only. A variance from the Board of Adjustment must be obtained on any fence over eight feet in height. Junk yards and auto storage yards must have a solid six foot fence.

(Ord. 785 June 7, 2022)

(Ord. 785, Passed 2024)

18.60-C Sign Supplementary Regulations

Sections:

18.60.310	Purpose
18.60.320	Sign Definitions
18.60.330	Signs Considered Accessory Use
18.60.340	Building Permit Required
18.60.350	Temporary Signs Permitted
18.60.360	Prohibited Signs
18.60.370	Maintenance and Removal

18.60.310 Purpose: The purpose of this chapter is to define a sign and related terms, and to protect and promote the public health, safety and welfare by establishing sign use, location, height and size requirements for signs so as to protect the public, and among other purposes, to provide for adequate vision air movement and traffic safety in all zoning classifications.

18.60.320: Sign Definitions:

- A. Bulletin Board or Director Board: A sign which identifies an institution or organization on the premises of which it is located and which contains the name of the institution or organization, the names individuals connected with it, and general announcements of events or activities occurring at the institution or similar messages. Such signs shall comply with the sign regulations of the zoning district in which it is located.
- B. Commemorative Sign: A commemorative sign, cornerstone, or similar architectural feature memorializing a person, event, structure, or site is permitted in all zoning districts and shall be considered a part of the building or premises.
- C. Home Occupation Sign: A sign containing only the name and occupation. Such sign shall comply with home occupation regulations.
- D. Identification Sign: A sign whose copy is limited to the name and address of the building,

business, trade, industry, institution, or person and/or to the activity or occupation being identified. Such sign shall comply with the sign regulations of the zoning district in which it is located.

E. Nameplate: Nameplates shall be permitted in any zoning district, provided that only one nameplate may be used for each separate occupant of any premises and not more than twelve (12) nameplates may be displayed on any building or zoning lot. Nameplates containing only the name of the family members residing on the premises, and not connected to any commercial activity or home occupation, may be placed on the premises and no building permit shall be required.

F. Nonconforming Sign: A sign which was erected legally, but which does not comply with subsequently enacted sign restrictions and regulations.

G. Off-Premises Sign (Billboard): A sign structure advertising an establishment, merchandise, service, or entertainment which is not sold, produced, manufactured, or furnished at the property on which said sign is located (e.g., billboard or advertising sign). Such sign shall comply with the sign regulations of the zoning district in which it is located.

H. On-Premises Sign: A sign which pertains to the use of the premises on which the sign is located. Such sign shall comply with the sign regulations of the zoning district in which it is located.

I. Projecting Sign: A sign that is wholly or partly dependent upon a building for support and which projects more than 12 inches from such building.

J. Sign: Any object, device, display, or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images.

K. Sign Area: Sign area shall be the face area of the sign, including any framing, trim or molding, but not including the supporting structures.

L. Temporary Sign: A sign or advertising display constructed of cloth, canvas, fabric, plywood, or other light material and design or intended to be displayed for a short period of time.

Digital Advertising Sign: means an electronic message sign which is installed in lieu of a non-illuminating advertising type sign.

Directional Sign: means a sign erected upon private property to provide pedestrian or traffic directions and which may bear a company logo or color scheme in addition to the directional arrow or word message and may contain no additional information.

Electronic Message Sign: A sign that displays a changing message or copy through the use of an electronically controlled and illuminated medium. Message or copy includes words, logos, or symbols that can change to provide different information. Electronic message signs include, but are not limited to computer signs, electronic reader boards, time and temperature signs, and other electronic signs. May include, but not limited to illuminated signs.

Flashing Sign: means any illuminated sign on which the artificial light is not maintained both stationary and constant in intensity and color at all times when a sign is in use excluding electronic reader board signs and electronic video signs

Illuminated Sign: means any sign which has characters, letters, figures, design or outline illuminated by electric lights or luminous tubes as part of the sign proper

Menu Board: means a sign listing drive-up items in conjunction with a business serving customers in a car

Multi-Occupancy Building: means a building designed to be occupied by two or more separate businesses

Reader Board Sign: means a sign with separate inset electronic panels, letters, and/or symbols or changeable copy which can be easily removed and which are or is periodically changed.

Electronic message boards are considered reader board signs if a single message is displayed for not less than seven (7) seconds and the text messages are in amber or a similar color with equal or lesser intensity colored lights.

Setback for a Sign: means the shortest distance between a property or public right of way line and the surface or main supporting structure of a sign, whichever is closest

18.60.330 Signs Considered Accessory Use: All signs shall be considered accessory use structures by definition and shall be subject to the sign regulations of the zoning district in which the sign is located, except that billboard signs may be considered as a permitted use in the B-1, B-2, and B-3 business districts subject to the provisions of this ordinance.

18.60.340 Building Permit Required: A building permit shall be required for all signs erected or reconstructed within the City of Camanche unless otherwise exempted by this Ordinance.

18.60.350 Temporary Signs Permitted: The following signs are permitted temporarily in any zoning district:

- A. Signs advertising the name, time, and place of a show, carnival, festival, bazaar, or similar event conducted by a public agency or for the benefit of a recognized civic, fraternal, religious, or charitable organization; and provided further, that all such signs shall be removed within five (5) days of the last day of the event to which they pertain.
- B. Signs of any political party, or announcing the candidacy of any individual for political nomination or public office, provided that such signs shall conform to all sign requirements for the district in which they are located, and provided further that all signs shall be removed no later than seven (7) days after the date of the election to which they pertain.
- C. Signs pertaining to the construction, lease, or sale of a building or premises, provided that the sign does not exceed six (6) square feet in area; and provided further that there is only one such sign on premises for each frontage on a public street.
- D. All temporary signs shall not interfere with the visibility at intersections as established in Section 18.60.230 of this Ordinance.

18.60.360 Prohibited Signs: The following signs are prohibited:

- A. Any sign that uses the words “Stop” or “Danger” or otherwise presents or implies the need for requirement of stopping or caution, or which is an imitation of or likely to be confused with any sign customarily displayed by the State of Iowa or political subdivision thereof.
- B. Any sign within the required visibility triangle of a corner lot.
- C. Any sign that obstructs any window, door, fire escape, stairway, ladder, or opening intended to provide light, air, or egress from any building.
- D. Any sign or illumination that causes direct glare into or upon any building other than the building to which the sign may be related.

E. Any signs or components which feature revolving beacons, sequential flashers, flashing signs and all other similar devices.

F. Any sign that obstructs reasonable visibility of a sign displayed by public authority, or which otherwise unreasonably distracts attention from a sign displayed by public authority, for the purpose of traffic direction or other public information.

G. Open House, For Sale, Garage Sale Signs. Open house, for sale and garage sale signs, and the like may not be placed within the street rights-of-way, easements, roadway surface, sidewalks, medians, and decorative surfaces, or within 300 feet of major arterial street intersections. Any sign so placed is a nuisance and traffic hazard and is hereby determined to be in violation of the sign regulations. Signs for any sale under this section may not be placed more than six blocks from the location of the sale. Signs under this section may be placed no earlier than the day before the event and must be removed the day after the event.

H. Any signage on the rear or side of a building. Signage shall be permitted on the side of a building when the structure is on a corner lot.

18.60.365 PERFORMANCE STANDARDS.

1. Lighting Regulations.

A. All illuminated signs shall have an indirect or diffused light source and be designed so as not to direct rays of light onto public streets or adjacent property, thereby creating a nuisance or safety hazard.

B. Electronic message boards used as changeable copy signs or reader boards shall be required to adjust in intensity related to ambient light levels.

C. There shall be no flashing signs or use of flashing messages or pictures of any type including electronic message signs and video signs permitted in any district. For the purpose of this section, electronic message signs with smooth transitions such as fading or slow scrolling would not be considered flashing. For the purpose of this section video signs which display consistent images without dramatic changes in either image or intensity intended specifically to draw attention to the sign would not be considered flashing.

2. Changeable Copy and/or Reader Boards. A maximum of one-half of the total copy area allowed for a freestanding sign may be used for changeable copy or reader board.

3. Placement of Signs on Driveway Island or Entrance. No permanent or temporary sign shall be located upon a driveway median for a distance of a minimum of ten feet from a public street right-of-way.

4. Change of Sign Message. Upon any change or replacement of more than a sign face within an existing cabinet, the sign will constitute a new sign, requiring a new initial fee, and issuance of a new permit. If the sign does not exceed the size requirement as provided in this chapter and the change is in content only, an application and drawings must be submitted, but the fee will not be required.

5. Nonconforming Signs; Continuation of Previously Permitted Signs. Existing signs, other than temporary signs, which were permitted under sign regulations in effect prior to enactment of the ordinance from which this chapter is derived may be kept as and where they were then located, even though they may not conform to these regulations. Upon replacement of any elements of the sign other than the sign faces within an existing cabinet, there must be compliance with these regulations, unless the replacement is for the purpose of repair and is 100% identical to the original.

A. New off premises advertising signs (billboards) are not permitted. Existing non-conforming billboards are allowed to be converted to digital advertising signs subject to the following criteria:

(1) For every one existing sign face converted from non-electronic to an electronic digital message sign, two other existing non-electronic billboard sign faces must be removed. Sign faces shall be removed so that in no instance shall a sign face be left on a structure without another sign face backing up to it and consequently exposing the back side of the sign structure.

(2) The digital advertising sign may not exceed the height or size (sign area) of the existing sign being replaced.

(3) The digital advertising sign shall be supported by a monopole structure, unless otherwise approved by City staff.

(4) The maximum brightness of the digital advertising sign shall not exceed a luminance of 5,000 NITS during daylight hours. The maximum brightness of the sign shall not exceed a luminance of 500 NITS during the period from dusk to dawn.

(5) The digital advertising sign shall have an automatic dimmer control or ambient light monitors to produce an illumination change from a higher illumination level to a lower one for the period of time from dusk to dawn.

(6) Any image or message displayed on the digital advertising sign must have a minimum duration time of eight seconds.

(7) The transition from one image to another shall appear instantaneous. The use of special effects or specialized transitions is prohibited.

(8) Each image must be static and not contain any type of motion, animation, scrolling of text, or sequential displays.

(9) Digital advertising signs shall not be within 1000' of each other when facing the same way.

(10) All approved digital advertising signs shall be made available for usage for Amber Alerts and other Emergency Community Notifications as deemed necessary by appropriate Emergency and Law Enforcement Agencies and community information approved by the City Council and City staff.

(11) All digital advertising signs will be permitted only after obtaining all applicable permits from the City and payment of all permit fees, provided the standards and restrictions in this section, as well as all applicable requirements of all other adopted ordinances and regulations of the City, are met.

6. Illegal Signs. When an illegal sign exists upon a parcel of land or business property, the City may refuse to issue a permit for any other sign on that property until the illegal sign is removed.

7. Exposed Structural Components. Exposed backs of all signs and the sign structure must be painted a neutral color and otherwise be maintained so as not to have an adverse effect upon the adjacent property.

8. Signs Which Interfere with Traffic Signs, Signals or Devices. No sign shall be installed or allowed to exist, which, by reason of position, shape, color, or wording, would interfere with the proper functioning of any official traffic sign, signal, or device.

9. Minimum setback for a Sign from the right-of-way line shall be 5 feet. Minimum Setback for a major anchor / shopping center shall be 10 feet. Minimum setback for Menu Boards shall be 20 feet.

10. On site directional signs, not exceeding a maximum of two square feet per sign, shall be permitted in any multi-family, commercial, industrial, or institutional zoning district for the purpose of directing vehicular or pedestrian traffic in a safe and convenient manner and shall not require a permit.

18.60.370 Maintenance and Removal: All signs and sign structures shall be maintained in a neat appearance and proper state of repair. Signs not properly maintained or which advertise a use which has been discontinued shall be removed by the owner within thirty (30) days after discontinuance of the use advertised, or may thereafter be removed by the authorized official of the City and such removal expense shall be charged to the sign owner.

(Ord. 793, Passed 2024)

18.60-D Business Districts' Supplementary Regulations

Sections:

- 18.60.410 Enclosed Building Required-Exceptions
- 18.60.420 Process and Equipment Limits
- 18.60.430 Yard Requirements

18.60.410 Enclosed Building Required-Exceptions: All business, service storage, merchandise display except outdoor restaurants and where permitted, repair and processing, shall be conducted wholly within an enclosed building, except for off-street automobile parking, off-street loading, and open sales lots in districts where they are permitted (Ord. 273 Art. XII (A)(1) 1972).

18.60.420 Process and Equipment Limits: Processing and equipment employed and good processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas noise, vibration, refuse matter, or water carried waste (Ord. 273 Art. XII(A)(2) 1972).

18.60.430 Yard Requirements: When a business district abuts a residence or residential district, yards shall be provided in accordance with the residential regulations set forth in the adjacent district, or the R-1 District setback requirements apply if no less restrictive residential setbacks apply.

18.60-E COMMUNICATION TOWERS AND ANTENNAS

Sections:

- 18.60.510 Purpose and General Policy
- 18.60.515 Use Not Covered by this Chapter
- 18.60.520 Interpretation and Definitions
- 18.60.525 Designation and Applicability
- 18.60.530 Allowable Uses-Development Criteria

- 18.60.535 Review Process
- 18.60.540 Approval Process
- 18.60.545 Shared Facilities and Co-location Policy
- 18.60.550 Removal of Abandoned Towers and Attached Wireless Communication

Facilities

- 18.60.555 Non-Conforming Tower-Wireless Communication Facilities
- 18.60.560 Revocation of Tower Use Permits
- 18.60.565 Penalty
- 18.60.570 Permitted Use Sites

18.60.510 Purpose and General Policy:

- A. The City of Camanche desires to encourage the orderly development of wireless communication technologies for the benefit of the community and its citizens.
- B. In order to ensure public safety and provide efficient delivery of services by the City of Camanche and others wishing to utilize wireless communications technologies, in order to protect public and private investments, ensure the health, safety and welfare of the population, to provide for the regulation and administration of the orderly location of antenna arrays and towers and to secure the rights of the City of Camanche to a return on its investment of public property, it is necessary for the City of Camanche to establish uniform rules and polices.
- C. The chapter is to be interpreted in light of these findings for the benefit of the citizens of the City of Camanche.
- D. Specifically, this chapter is designed to achieve the following:
 - 1. Provide a range of locations for wireless communication facilities in various zoning districts;
 - 2. Entourage the location of wireless communication facilities onto existing structures to reduce the number of new communication towers needed within the City;
 - 3. Encourage co-location and site sharing of new and existing wireless communication facilities;
 - 4. Control the type of tower facility constructed when towers are permitted:
 - 5. Establish adequate development and design criteria to enhance the ability of providers of telecommunications services to provide service to the community quickly, effectively, and efficiently.
 - 6. Protect residential, historic preservation areas, and scenic corridors from the uncontrolled development of wireless communications facilities by requiring reasonable siting conditions:
 - 7. Promote the use of suitable sites (public and private) for the location of wireless antennas, towers, and/or wireless communication facilities;
 - 8. Ensure the harmonious, orderly and efficient growth and development of the City of Camanche;
 - 9. Stabilize the economy of the City of Camanche through the continued use of the City's suitable public resources;

10. Provide overlay districts in which the zoning regulations permit the development of wireless communication facilities that are consistent with the requirements of the Telecommunications Act of 1996 and in the best interest of the future of the City of Camanche;

11. Provide clear performance standards addressing the siting of wireless communication facilities;

12. Streamline and expedite the permitting procedures to effect compliance with the Federal Telecommunications Act of 1996;

13. Local regulations and compliance with the Telecommunications Act of 1996 prohibits the City from establishing policies that discriminate against one, or a group of providers, in favor of another, or another group of providers, or potential providers. The following objectives shall be applied consistently to all telecommunication providers that request a location within the City for a TUP, or request a location on City property for their communication towers and antennas.

a. To minimize the overall number of towers located in the City, providers may be required to participate in co-location agreements.

b. To ensure that new towers will be safe and blend into their environment, providers will propose designs consistent with site characteristics.

c. To minimize placement of wireless equipment in highly populated areas, residential locations will be considered as a last resort.

d. To ensure revenues from site leases of City owned and controlled land and structures reflects fair compensation for use of City property and administration of this chapter. Where feasible, City sites shall first be utilized for location of TUP and tower location.

e. The fees for placing the facilities on a city owned property shall be determined from time to time by the Council and may vary based on the relative value of the subject property. The City Council may elect to retain a consultant to assist in determining a reasonable and competitively neutral fee for the use of such City property. Furthermore, the City may also include in such fee a charge to monitor any work performed by the applicant on City owned property (Ord. 652(part)2001).

18.60.515 Uses Not Covered by this Chapter: Nothing in this chapter shall reduce any of the permitted uses of any zoned property within the City of Camanche. Nothing in this chapter shall affect the right of a property owner to use or develop their property consistent with existing zoning regulations. Nothing in the chapter shall affect the right of a property owner to continue any legal non-conforming use of the property (Ord. 652(part) 2001).

18.60.520 Interpretation and Definitions:

A. Construction of Other Chapters: To the extent this chapter conflicts with the zoning ordinance or any other ordinance of the City of Camanche, this chapter shall control.

B. Rules and Phrases: For the purpose of this chapter, words used in the present tense include the future tense; words in the singular number include words in the plural number; the word "shall" is mandatory; the word "may" is permissive; the word "used" includes "designed" and

“intended” or arranged to be used or occupied; the word “person” includes a firm, association, organization, partnership, trust, foundation, company or corporation as well as an individual.

C. Definitions: For the purpose of this chapter certain words, phrases and terms used herein shall be interpreted as stated in this subsection unless otherwise defined, other words shall have the meaning normally ascribed to them. The Board of Adjustments shall resolve questions as to interpretation of words or phrases herein.

For the purpose of this chapter, all definitions defined herein are in addition to all definitions in the City of Camanche Zoning Ordinance.

“Antenna Array” means one or more rods, panels, discs or similar devices used for the transmission or reception of radio frequency signals, which may include omnidirectional antenna (rod), directional antenna (panel) and parabolic antenna (disc). The antenna array does not include the support structure.

“Attached Wireless Communication Facility” means an antenna array that is attached to an existing building or structure (attachment structure), structures shall include, but not be limited to, utility poles, signs, water towers, rooftops, towers with any accompanying pole devise (attachment device) which attaches the antenna array to the existing building or structure and associated connection cables, and equipment facility which may be located either inside or outside of the attachment structure.

“Co-location/ Site Sharing” means use of a common wireless communication facility or common site by more than one wireless communication license holder or by one wireless license holder for more than one type of communications technology and/or placement of a wireless communication facility on a structure owned or operated by a utility or other public entity.

“Equipment Facility” means any structure used to contain ancillary equipment for a wireless communication facility which includes cabinet, shelters, a build out of an existing structure, pedestals, and other similar structures.

“FTA” means Federal Telecommunications Act of 1996.

“FAA” means Federal Aviation Administration.

“FCC” means Federal Communication Commission.

“Height” means when referring to a wireless communication facility, the distance measured from ground level to the highest point on the wireless communication facility, excluding the antenna array.

“Setback” means the required distance from the property line of the parcel on which the tower of wireless communication facility is located to the base of the support structure and equipment shelter or cabinet where applicable, or, in case of guy-wire supports, the guy anchors.

“Support Structure” means a structure designed and constructed specifically to support an antenna array, and may include a monopole, self-supporting (lattice) tower, guy-wire support tower and other similar structures. Any device (attachment device) which is used to attach an attached wireless communication facility to an existing building or structure (attachment structure) shall be excluded from the definition of and regulation applicable to support structures.

“Temporary Tower or Wireless Communication Facility” means a wireless communication facility to be placed in use for ninety days or fewer.

“Tower Use Permit (TUP)” means a permit issued by the City of Camanche specifically for the location, construction and use of a tower or wireless communication facility subject to an approved site plan and any special conditions determined by the Planning and Zoning Commission to be appropriate under the provisions of this Chapter.

“Wireless Communications” means any personal wireless services as defined in the Telecommunications Act of 1996, which includes FCC licensed commercial wireless telecommunications services including cellular, personal communication services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), paging, and similar devices that currently exist.

“Wireless communication facility” means any un-staffed facility for the transmission and/or reception of wireless telecommunications services, usually consisting of an antenna array, connecting cables, and equipment facility, and a support structure to achieve the necessary elevation (Ord 652(part) 2001).

18.60.525 Designation and Applicability:

- A. Tower/Communication Facilities Overlay Districts: The City of Camanche shall be divided into two tower/wireless communication facilities overlay districts. Said district shall include all lands situated within the jurisdiction of the City of Camanche.
- B. Tower/Communication Facilities Overlay District One shall include only those areas described in Appendix A and any areas subsequently added thereto less any areas subsequently deleted there from. Towers and attached wireless communication facilities with support structures shall be permitted as provided herein in tower/communication facilities overlay district one.
- C. Tower/Communication Facilities Overlay District Two shall consist of all land not included in District One, which are located within the City of Camanche. Towers and attached wireless communication facilities with support structures shall not be permitted under this chapter in tower/communication facilities overlay district two.
- D. Permit Required: No person, firm, or corporation shall install or construct any tower or wireless communication facilities unless and until a tower use permit (TUP) has been issued pursuant to the requirements of this chapter.
- E. Preexisting Towers and Wireless Communication Facilities: Towers and wireless

communication facilities for which a permit has been issued prior to this effective date of this chapter shall be considered a non-conforming one and shall not be required to meet the requirements of this chapter.

F. Amateur Radio Exclusion: This chapter shall not govern any tower, or the installation of any antenna that is less than seventy-five in height and is exclusively for receive-only, private or other noncommercial antennas.

G. Relationship to Other Chapters: This chapter shall supersede all conflicting requirements of other chapters regarding the locating and permitting of towers and wireless communication facilities.

H. Airport Zoning: Any tower or wireless communication facility located or proposed to be located in or around airport areas governed by the FAA, shall also comply with the provisions of the City of Clinton Airport Zoning Ordinance No. _____ (Appendix D) and all applicable local, state and federal airport regulations.

I. Building Codes: Construction of all towers and wireless communication facilities shall comply with the requirements of the City of Camanche building codes and permitting process in addition to the requirements of this chapter (Ord. 652(part) 2001).

18.60.530 Allowable Uses/Development Criteria: Allowable uses, subject to the limitations within each overlay district, will include the underlying zoning district plus tower/ attached wireless communications facilities in compliance with the following development criteria:

A. Height Standards: The following height standards shall apply to all towers and wireless communications facility installations:

1. Tower/Attached Wireless Communications Facilities: Tower/attached wireless communications facilities shall not add more than twenty feet to the height of the existing building for structure to which is attached (attachment structure). However, antenna attachments to existing communication towers shall not increase the height of the tower above the maximum permitted height of that tower.

2. Maximum Height: Tower/wireless communications facilities with support structures shall have a maximum height as set forth in Appendix A (tower/communication facilities overlay district one).

B. Setback Standards: The following setback standards shall apply to all tower/wireless communication facility installations:

1. Tower/Attached Wireless Communication Facilities: Tower/attached wireless communications facilities shall meet the setback provisions of the zoning district in which they are located. However, a tower/attached wireless communications facilities antenna array may extend up to thirty inches horizontally beyond the edge of the attachment structure so long as the antenna array does not encroach upon an adjoining parcel.

2. Tower/Attached Wireless Communications Facilities: Tower/attached wireless communications facilities with support structures shall meet the setback requirements for principal structures of the underlying zoning district in which they are located.

3. Placement of Support Structures: Placement of a support structure for tower/attached wireless communications facilities may be within the setback when adjoining property owner's consent thereto and when an Iowa registered engineer certifies that the structure, in the event of failure, will collapse onto itself rather than fall toward other properties.

C. Landscaping: The following landscaping requirements shall apply to all tower/attached wireless communications facilities installations:

1. New Construction: New tower/attached wireless communications facilities with support structures and attached wireless communications facilities with new building construction shall be landscaped in accordance with the applicable provisions of the landscape chapter that may now or hereafter be adopted. Pending adoption of landscape ordinances, a sight plan/landscape plan shall be submitted to be approved by the zoning commission and City Council with building permit.

2. Landform Preservation: Existing mature tree growth and natural landform on the site shall be preserved to the extent feasible; provided however, that vegetation that causes interference with the antennas or inhibits access to the equipment facility may be trimmed or removed.

3. Existing Vegetation: Existing vegetation on a tower/attached wireless communications facility site may be used in lieu of required landscaping where approved by the zoning commission.

D. Aesthetics, Placement, Materials and Colors: Tower/attached wireless communications facilities shall be designed so as to be compatible with the existing structures and surroundings to the extent feasible, including placement in a location which is consistent with proper functioning of the tower/attached wireless communications facility, the use of compatible or neutral colors, or camouflage technology. Such designs shall comply with the appropriate additional requirements of the underlying zoning ordinance.

E. Lighting and Signage: The following lighting and signage requirements shall apply to all tower/attached wireless communications facility installations:

1. Artificial Illumination: Tower/attached wireless communications facilities shall not be artificially illuminated, directly or indirectly, except for:

a. Security and Safety: Security and Safety lighting of equipment buildings if such lighting is appropriate down-shielded to keep light within the boundaries of the site; and such illumination of the tower/attached wireless communications facility as may be required by the FAA or other applicable authority installed in a manner to minimize impacts on adjacent residences. The maximum illumination shall be the minimum standard established by the FAA per location and red lighting shall be used wherever acceptable. No night white lights may be used unless FAA required. Unless otherwise required by the FAA or applicable authority, the required light shall be red and shielded upward.

2. Signage: Tower/attached wireless communications facilities shall not display any signage, logos, decals, symbols or any messages of a commercial or noncommercial nature, except for a small message containing provider identification and emergency telephone

numbers and such other information as may be required by local, state or federal regulations governing tower/attached wireless communication facilities.

F. Fencing: An opaque fence (excluding slatted chain link) six feet in height shall enclose tower/attached wireless communications facilities with support structures. If needed for security, and additional one foot of barbed wire may be added to the top of the fence. Security features may be incorporated into the buffer and landscaping requirements for the site. Nothing herein shall prevent fencing that is necessary to meet requirements of state or federal agencies.

G. Radio Frequency and Sound Emissions: The following radio frequency emissions/sound standards shall apply to all tower/attached wireless communications facility installations:

1. Radio Frequency Impact: The FTA gives the FCC jurisdiction of the regulation of radio frequency (RF) emissions, and tower/attached wireless communications facilities that do not exceed the FCC standards shall not be conditioned or denied on the basis of RF impact.

2. FCC Compliance: In order to provide information to its citizens, copies of ongoing FCC information concerning tower/attached wireless communications facilities and RF emissions standards may be requested. Applicants for tower/attached wireless communications facilities shall be required to provide information with the application on the measurement of the effective radiated power of the facility and how this meets the FCC standards.

3. Sound Prohibited: No unusual sound emissions such as alarms, bells, buzzers or there like are permitted except for health and safety.

H. Structural Integrity: Tower/attached wireless communications facilities with support structures shall be constructed to the Electronics Industries Association/Telecommunications Industries Association (EIXTIA) 222 Revision F Standard entitled "Structural Standards for Steel Antennas Towers and Antenna Support Structures" (or equivalent), as it may be updated and amended. Each support structure shall be capable of supporting multiple antenna arrays.

I. Co-location Agreement: All applicants for tower/attached wireless communications facilities are required to submit a statement with the application agreeing to allow and reasonably market co-location opportunities to other tower/attached wireless communications facility users. The statement shall include the applicant's policy regarding co-location of other providers and the methodology to be used by the applicant in determining reasonable rates to charge other providers. The co-location agreement shall be considered a condition of issuance of a TUP. A TUP shall not be issued unless the applicant complies with the co-location policy outlined in Section 18.60.535 (Ord. 652(part) 2001).

18.60.535 Review Process:

A. Development Criteria: The applicable development criteria referred to herein are those set forth in Section 18.60.530 of this section.

B. Permitting Procedures: Tower/attached wireless communications facilities with or without new building construction that meet the development criteria may be permitted by administrative review in all zoning districts except as hereinafter specified. All monopole type

(or other tower type, if any, specified in Appendix A of this section) tower/attached wireless communications facilities with support structures that meet the development criteria and that are located on properties in tower/attached wireless communications facility overlay district one (listed in Appendix A) may be permitted by the building inspector as a permitted use. All others, regardless of type or location shall be subject to the site place review process.

C. Tower/Attached Wireless Communications Facilities as a part of a Coordinated Development Approval: Tower/attached wireless communications facilities as part of a proposed residential or nonresidential subdivision, planned unit development, site plan, re-zoning, or other coordinated development approval shall be reviewed and approved through those processes.

D. Tower/Attached Wireless Communications Facilities for Temporary Term: Temporary tower/attached wireless communications facilities may be permitted by administrative approval for a term not to exceed ninety days, upon evidence of need by the applicant. In case of emergency (e.g. storm damage to an existing tower or other circumstances resulting in the interruption of existing service) the administrative review shall be expedited to the extent feasible denial of request for a temporary permit may be appealed to the Board of Adjustment (Ord. 652(part) 2001).

18.60.540 Approval Process:

A. Application Submission: All requests for a TUP, regardless of tower/attached wireless communications facility type, shall submit an application in accordance with the requirements of this section.

1. Application Content: Each applicant requesting TUP under this chapter shall submit a sealed complete set of drawings prepared by a licensed architect and engineer that will include a site plan, elevation view, and other supporting drawings, calculations and other documentation showing the location and dimensions of the tower/attached wireless communications facility and all improvements associated therewith, including information concerning specifications, antenna locations, equipment facility and shelters, landscaping, parking, access, fencing, and, if relevant as determined by staff, topography, adjacent uses and existing vegetation. Applicants proposing to co-locate on an existing tower/attached wireless communications facility shall include a radio frequency inter-modulation study with their application.

2. Submission Requirements: Application for a TUP shall be submitted to the City of Camanche building inspector on forms prescribed by the City. The application shall be accompanied by a site plan containing the information described above and a copy of the appropriate FCC license. If Planning and Zoning Commission of District Commission review is required, the application and site plan shall be placed on the next available commission agenda accordance with the agenda deadlines established.

3. Application Fee: A plan review fee of five hundred dollars (\$500) and a radio frequency inter-modulation study review fee of five hundred (\$500) (co-location applicants only) shall accompany each application. These fees may be used by the City of Camanche to engage an engineer(s) or other qualified consultant(s) to review the technical aspects of the

application and radio frequency inter-modulation study (if required).

4. Deferral: The building inspector may defer administration approval of tower/attached wireless communications facilities for any reason. Deferral of administrative approach shall require submission to the Planning and Zoning Commission for review.

5. Application Denial: If administrative approval is not obtained or is denied due to noncompliance with the development criteria, the applicant may appeal the denial by applying for Planning and Zoning omission review.

6. Application Approval: If the TUP application is in compliance with the development criteria and otherwise meets the requirements of this section, the Building Inspector shall issue a tower use permit.

B. Planning and Zoning Commission Review: The following shall apply to all TUP applications requiring submission to the Planning and Zoning Commission.

1. Review Authority: The Planning and Zoning Commission shall be the review authority for TUP applications not eligible for administrative review or otherwise referred to the commission.

2. Notice: Notice of the Application and public hearing by the Planning and Zoning Commission shall be accomplished in the same manner as a site plan under the Zoning Ordinance.

3. Hearing: The Planning and Zoning Commission shall review and consider the TUP application at a public meeting. At the meeting, interested persons may appear and offer information in support or opposition to the proposed application. The Planning and Zoning Commission shall consider the following in reaching a decision:

a. Development Criteria: The TUP application shall be reviewed for compliance with the development criteria set forth in §18.60.530 of this Chapter; provided that the applicable development criteria may be amended or waived so long as the approval of the tower/attached wireless communications facility meets the goals and purposes of this chapter. The Planning and Zoning Commission may recommend an alternate development criteria by specific inclusion in a motion for approval.

b. Tower Sitting Conditions: The Planning and Zoning Commission may impose conditions and restrictions on the application or on the premises benefitted by the TUP as it deems necessary to reduce or minimize any adverse effects and to enhance the compatibility of the tower/attached wireless communications facility with the surrounding property, in accordance with the purposes and intent of this chapter. The violation of any condition shall be grounds for the revocation of the TUP. The Planning and Zoning Commission may recommend such conditions in addition to the development criteria upon the following findings:

The tower/attached wireless communications facility would result in significant adverse visual impact on nearby residences.

The conditions are based upon the purpose of goals of this chapter.

The conditions are reasonable and capable of being accomplished.

C. Action: Following the public meeting and presentation of evidence, the Planning and Zoning Commission shall take one of the following actions:

Recommend the application as submitted

Recommend the application with conditions or modifications

Defer the application for additional information or neighborhood input

Deny the application in writing

D. Findings: All decisions rendered by the Planning and Zoning Commission concerning a TUP shall be supported by written findings of fact based upon substantial evidence of record.

E. Timing of Decision: The Planning and Zoning Commission shall render its decision with sixty days or less of the final submission of all required application documents and technical review, however, this time may be increased due to deferrals by either the applicant or the Planning and Zoning Commission.

F. Appeals: The decision of the Planning and Zoning Commission shall be referred to the City Council, which shall approve, reject, or modify such decision. Council action shall be based upon the same standards as used by the commission in its deliberations.

G. All commercial building permit require submission and approval of the City Council (Ord. 652(part) 2001).

18.60.545 Shared Facility and Co-location Policy:

A. Co-location: All new tower/attached wireless constructed to be capable of sharing the facilities with other providers, to co-locate with other existing communication facilities and to accommodate the future co-location of other wireless facilities. A TUP shall not be issued until the applicant proposing a new tower/attached wireless communications facility shall demonstrate that it has made a reasonable good faith attempt to locate its wireless communication facility onto an existing structure. Competitive conflict and financial burden are not deemed to be adequate reasons against co-location.

B. All wireless communication facilities with support structures up to a height of one hundred fifty (150) feet shall be engineered and constructed to accommodate at least three (3) antenna arrays. All wireless communication facilities with support structures up to a height of more than one hundred fifty (150) feet shall be engineered and constructed to accommodate at least four (4) antenna arrays (Ord. 652 (part) 2001).

18.60.550 Removal of Abandoned Towers and Attached Wireless Communication Facilities: Any tower/attached wireless communications facility that is not operated for a continuous period of twelve months shall be considered abandoned, and the City of Camanche, at its election, may require the tower/attached wireless communications facility owners or the owner of the ground on which the tower is located, or both to remove the tower/attached wireless communications facility. If the abandoned tower/attached wireless communications facility is not removed within ninety days, the City of Camanche may remove it and recover its costs from the tower/attached wireless communications facility owner of the ground. If there are two or more users of a single tower/attached wireless communications facility, this provision shall not become effective until all providers cease to use the tower/attached wireless communications facility (Ord. 652(part) 2001).

18.60.555 Nonconforming Tower/Wireless Communication Facilities: Tower/attached wireless communications facilities in existence on the date of the adoption of this chapter which do not comply with the requirements of this chapter (nonconforming tower/attached wireless communications facility) are subject to the following provisions:

A. Expansion: Nonconforming tower/attached wireless communications facilities may continue in use for the purpose now used, but may not be expanded without complying with this chapter except as further provided in this section.

B. Additions: Nonconforming tower/attached wireless communications facilities may add additional antennas (belonging to the same provider or other providers) subject to administrative review under this chapter.

C. Repairs or Reconstruction: Nonconforming tower attached wireless communications facilities which become damaged due to any reason or cause, may be repaired and restored to their former use, location, and physical dimensions subject to the provisions of this chapter. Provided, however, that if the damage to the nonconforming tower/attached wireless communications facility exceeds fifty (50) percent of replacement cost, said nonconforming tower/attached wireless communications facility may only be reconstructed or repaired in compliance with this chapter.

D. Abandoned Use: Any nonconforming tower/attached wireless communications facility not in use for twelve months shall be deemed abandoned and all rights, as a nonconforming use shall cease (Ord. 652 (part) 2001).

18.60.560 Revocation of Tower Use Permits: Any TUP issued pursuant to this chapter may be revoked after a hearing as provided hereinafter. IF the building inspector finds that any permit holder has violated any provision of this chapter, or has failed to make good faith reasonable efforts to provide or seek co-location, the building inspector shall notify the permit holder in writing that the TUP is revocable due to the permit holder's non-compliance with the conditions of the permit and the building inspector shall convene a meeting with the permit holder on later than thirty (30) days from the date of the letter. The building inspector may require the permit holder to correct the violation within a reasonable amount of time or the building inspector may revoke the permit. Thereafter, the permit holder may appeal such decisions to the City Administrator and the City Council as provided in subsection 15 of this code (Ord. 652 (part) 2001).

18.60.565 Penalty: Violation of this section, in addition to the revocation proceedings as described above, shall subject the permit holder to the municipal infraction section of this code (Ord. 652 (part) 2001).

18.60.570 Permitted Use Sites: Any applicant desiring to locate at the following sites shall be allowed to do so as a permitted use with no review necessary beyond approval of the building inspector.

Site Number

Field Site Name

Communication Facility Use

- 1 Camanche Water Tower
- 2 City Hall
- 3 Police Station
- 4 Fire Station

(Ord. 652 (part) 2001).

18.60-F Nonconforming Uses

Sections:

- 18.60.610 Nonconforming Land -Continuance
- 18.60.620 Nonconforming Building -Continuance
- 18.60.630 Nonconforming Building -Two Year Discontinuance
- 18.60.640 Change of Use -Conformity Required
- 18.60.650 Damage to Nonconforming Building -Action
- 18.60.660 Signs
- 18.60.670 Validation of Nonconformity Use Prohibited
- 18.60.680 Nonconforming Lot of Record

18.60.610 Nonconforming Land -Continuance: The use of land which does not conform to the provisions of this title at the time of its effective date may be continued until such time as a structure is erected thereon, and thereafter the use of the land and the building must conform with provisions of this title (Ord. 273 Art. XVI(A) 1972).

18.60.620 Nonconforming Building -Continuance: The lawful use of a building existing at the time of the effective date of this title may be continued although such use does not conform to the provision thereof. If no structural alterations are made, a nonconforming use of the same classification, to a more restricted classification or to a conforming use but such use shall not thereafter be changed to a less restricted use (Ord. 273 Art. XVI(B) 1972).

18.60.630 Nonconforming Building -Two Year Discontinuance: In the event that a nonconforming use of any building or premises is discontinued for a period of two (2) years, the use of the same shall thereafter conform to the use regulations of the district (Ord. 273 Art. XVI(C) 1972).

18.60.640 Change of Use -Conformity Required: No nonconforming use, except when required to do so by law or ordinance, shall be enlarged, extended, reconstructed, or structurally altered, unless such use is changed to a use permitted in the district (Ord. 273 Art. XVI(D) 1972).

18.60.650 Damage to Nonconforming Building -Action: When a building, the use of which does not conform to the provisions of this title, is damaged by fire, explosions, acts of God, or the public enemy, to the extent of more than seventy (70) percent of its market value,

it shall not be restored except in conformity with the regulations of the district in which it is located or as provided in Chapter 18.70-C. When damaged by less than seventy (70) percent of its market value, a nonconforming building may be repaired or reconstructed and used as before the time of damage; provided such repairs or reconstruction are completed within one (1) year of the date of such damage (Ord. 273 Art. XVI(E) 1972).

18.60.660 Signs: Directional or name signs or signs pertaining to advertising products sold on the premises of a nonconforming building or use may be continued only when the nonconforming use is permitted to continue.

18.60.670 Validation of Nonconformity Use Prohibited: A nonconforming use is violation of the provisions of the zoning ordinance which this title supersedes shall not be validated by the adoption of the ordinance codified in this chapter (Ord. 273 Art. XVI(G) 1972).

18.60.680 Nonconforming Lot of Record: Where a lot of record at the time of the effective date of the ordinance codified in this title or a lot in a subdivision which the City Council has officially approved in either a preliminary or final plat at the time of the effective date of the ordinance codified in this title has less area or width than required in the district in which it is located, said lot may nevertheless be used for purposes permitted in the district (Ord. 273 Art. XVI(H) 1972).

18.60G: SPECIAL ORDINANCES: NON-UTILITY SCALE/UTILITY SCALE ORDINANCES

Non-Utility Scale Solar Installations

A. Permitted Accessory Use. Active solar energy systems shall be allowed as an accessory use in all zoning classifications where structures of any sort are allowed, subject to certain requirements as set forth below.

1. Height. Active solar energy systems must meet the following height requirements:
 - a. Building- or roof-mounted solar energy systems shall not exceed the maximum allowed height in any zoning district. For purposes for height measurement, solar energy systems other than building-integrated systems shall be given an equivalent exception to height standards as building mounted mechanical devices or equipment.
 - b. Ground- or pole-mounted solar energy systems shall not exceed 20 feet in height when oriented at maximum tilt.
2. Set Back. Active solar energy systems must meet the accessory structure setback for the zoning district and primary land use associated with the lot on which the system is located.

- a. Roof-mounted solar energy systems. In addition to the building setback, the collector surface and mounting devices for roof-mounted solar energy systems shall not extend beyond the exterior perimeter of the building on which the system is mounted or built, unless the collector and mounting system has been explicitly engineered to safely extend beyond the edge, and setback standards are not violated. Exterior piping for solar hot water systems shall be allowed to extend beyond the perimeter of the building on a side yard exposure.
- b. Ground-mounted solar energy systems. Ground-mounted solar energy systems may not extend into the side-yard or rear setback when oriented at minimum design tilt.

3. Approved Solar Components. Electric solar energy system components must have a UL listing and solar hot water systems must have an SRCC rating.

4. Approval Required. All solar energy systems shall require a Zoning Permit from the City of Camanche Building Inspector office. Zoning approval does not indicate compliance with Building Code or Electric Code.

5. Compliance with Building Code. All active solar energy systems shall be consistent with the State of Iowa Building Code and solar thermal systems shall comply with HVAC-related requirements of the Electric Code.

6. Compliance with State Electric Code. All photovoltaic systems shall comply with the Iowa State Electric Code.

7. Compliance with State Plumbing Code. Solar thermal systems shall comply with applicable Iowa State Plumbing Code requirements.

8. Utility Notification. All grid connected solar energy systems shall comply with the interconnection requirements of the electric utility. Off-grid systems are exempt from this requirement.

Utility Scale Solar Installations.

The Purpose of this section is to encourage utility scale photovoltaic solar installations. Concentrating solar power (CSP) systems shall be prohibited.

A. Major site plan and Special Exception Use Permit required: A site plan shall be submitted and reviewed as part of the approval of a utility scale solar installation. A utility scale solar installation shall require a Special Exception Use Permit.

B. Additional information: In addition to all submittal requirements of a Special Exception Use Permit application, the application for a utility scale solar installation shall include the following information on the site plan or in narrative form, supplied by the utility scale solar installation owner, operator or contractor installing the structure(s):

1. Number, location and spacing of solar panels/arrays.

2. Planned location of underground or overhead electric lines.
3. Project development timeline.
4. Interconnection agreement.
5. Operation and maintenance plan.
6. Decommissioning plan.

C. Site and Structure Requirements

1. Setback. Setbacks for all structures (including solar arrays) must adhere to where the project is located; greater setbacks may be required by the Board of Adjustment.
2. Screening. A landscape buffer may be required to be installed and maintained during the life of the operation. Determination of screening requirements will be made by the Board of Adjustment as part of the review and approval process and will be based on adjacent or nearby surrounding land uses and topography.
3. Utility Connections. Reasonable efforts shall be made to place all utility connections from the solar installation underground, depending on appropriate soil conditions, shape and topography of the site, distance to the connection, or other conditions or requirements.
4. Grading plan. A grading plan shall be submitted and shall include all proposed changes to the landscape of the site (e.g., clearing, grading, topographic changes, tree removal, etc.).
5. Glare minimization. All solar panels must be constructed to minimize glare or reflection onto adjacent properties and adjacent roadways and must not interfere with traffic, including air traffic, or create a safety hazard.
6. Compliance with local, state and federal regulations. Utility scale solar installations shall comply with applicable local, state and federal regulations.
7. Appurtenant structures. All appurtenant structures shall be subject to bulk and height regulations of structures in the underlying zoning district.
8. Floodplain considerations. Utility scale solar installations are considered to be maximum damage potential structures and facilities for purposes of the floodplain district regulations.
9. Signage. No signs other than appropriate warning signs, or standard manufacturer's, operator's or installer's identification signage, shall be displayed.
10. Fencing/security. A security fence must be installed along all exterior sides of the utility scale solar installation and be equipped with a minimum of one gate and locking mechanism on the primary access side. Security fences, gates and warning signs must be maintained in good condition until the utility scale solar installation is dismantled and removed from the site.

D. Operation and maintenance plan. The applicant shall submit a plan for the operation and maintenance of the solar installation, which shall include measures for maintaining safe access to the installation, storm-water and erosion controls, as well as general procedures for operation and maintenance of the installation.

1. Soil erosion and sediment control considerations. The applicant agrees to conduct all roadwork and other site development work in compliance with a National Pollutant Discharge Elimination System (NPDES) permit as required by the Iowa Department of Natural Resources and comply with requirements as detailed by local jurisdictional authorities during the plan submittal. If subject to NPDES requirements, the applicant must submit the permit for review and comment, and an erosion and sediment control plan before beginning construction. The plan must include both general “best management practices” for temporary erosion and sediment control both during and after construction and permanent drainage and erosion control measures to prevent damage to local roads or adjacent areas and to prevent sediment laden runoff into waterways.

2. Storm-water management considerations. For the purposes of pollutant removal, storm-water rate and runoff management, flood reduction and associated impacts, the applicant shall provide a detailed analysis of pre- and post-development storm-water runoff rates for review by local jurisdictional authorities.

3. Ground cover and buffer areas. Ground around and under solar arrays and in project site buffer areas shall be planted and maintained in perennial vegetated ground cover, and meet the following standards:

a. Top soils shall not be removed during development, unless part of a remediation effort.

b. Soils shall be planted and maintained in perennial vegetation to prevent erosion, manage run off and build soil. Seeds should include a mix of grasses and wildflowers, ideally native to the region of the project site that will result in a short stature prairie with a diversity of forbs or flowering plants that bloom throughout the growing season. Blooming shrubs may be used in buffer areas as appropriate for visual screening.

c. Seed mixes and maintenance practices should be consistent with recommendations made by qualified natural resource professionals such as those from the Department of Natural Resources, County Soil and Water Conservation Service, or Natural Resource Conservation Service.

4. Cleaning chemicals and solvents. During operation of the proposed installation, all chemicals or solvents used to clean photovoltaic panels should be low in volatile organic compounds and the operator should use recyclable or biodegradable products to the extent possible. Any onsite storage of chemicals or solvents shall be referenced.

5. Maintenance, repair or replacement of facility. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall

be maintained to a level acceptable to emergency response officials. Any retrofit, replacement or refurbishment of equipment shall adhere to all applicable local, state and federal requirements.

E. Decommissioning and site reclamation plan.

1. The application must include a decommissioning plan that describes: the anticipated life of the utility scale solar installation; the anticipated manner in which the project will be decommissioned; the anticipated site restoration actions; the estimated decommissioning costs in current dollars; and the method for ensuring that funds will be available for decommissioning and restoration.
2. The applicant shall provide the basis for estimates of net costs for decommissioning the site (decommissioning costs less salvage value). The cost basis shall include a mechanism for calculating adjusted costs over the life of the project.
3. Restoration or reclamation activities shall include but not be limited to the following:
 - a. Restoration of the pre-construction surface grade and soil profile after removal of structures, equipment, graveled areas and access roads.
 - b. Re-vegetation of restored soil areas with crops, native seed mixes, plant species suitable to the area, consistent with the county's weed control plan.
 - c. For any part of the energy project on leased property, the plan may incorporate agreements with the landowner regarding leaving access roads, fences, gates or repurposed buildings in place or regarding restoration of agricultural crops or forest resource land. Any use of remaining structures must be in conformance with the regulations in effect at that time.
4. Following a continuous 1 year period in which no electricity is generated, or if substantial action on the project is discontinued for a period of 1 year, the permit holder will have 1 year to complete decommissioning of the utility scale solar installation. Decommissioning shall be completed in accordance with the approved decommissioning plan. The land owner or tenant must notify the County when the project is discontinued.

(Ord. 795, Passed 2024)

Chapter 18.7

ADMINISTRATION AND ENFORCEMENT

The administration and enforcement of the Zoning Ordinance shall be controlled by the regulations contained in this chapter.

Regulations:

18.70-A	Administration and Enforcement
18.70-B	Building Permits
18.70-C	Board of Adjustments
18.70-D	Changes and Amendments

18.70-A Administration and Enforcements

Sections:

18.70.010	Administration and Enforcement
18.70.015	Inspection for Violations -Report
18.70.020	Enforcement Authority
18.70.025	Appeals From Decision of Building Inspector
18.70.030	Interpretation of Provisions
18.70.035	Violation and Penalties

18.70.010 Administration and Enforcement: The Building Inspector or Administrative Officer designated by the City Council shall administer and enforce this Ordinance. The Building Inspector or Administrative Officer may be provided with the assistance of such other persons as the City Council may direct. The developer shall reimburse the City Engineer expenses and Attorney expenses.

18.70.015 Inspection for Violations -Report: It shall be the duty of the Building Inspector or an Administrative Officer designated by the Council, to make inspections to determine the existence of violations of this title. A complete report of any violation discovered shall be made to the City Council for further action, and copies of said report shall be sent to the occupant of the property and the owner if known (Ord. 273 Art. XXI §2, 1972).

18.70.020 Enforcement Authority: In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained, or any building, structure or land use is constructed, used or modified in violation of this title, the Building Inspector, the City Council, of the Mayor, in addition to other remedies, may institute any proper action or proceeding in the name of the City of Camanche, Iowa, to prevent such unlawful erection, construction, reconstruction, alterations, repairs, conversion, maintenance or use, to restrain, correct or abate such violations, to prevent the occupancy of said building, structure or land, or to prevent any illegal act, conduct, business or use in or abut said premises (Ord. 615 §3(part) 1996: Ord. 273 Art. XXI §3, 1972).

If the Building Inspector shall find that any of the provisions of this ordinance is being violated, the Building Inspector shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it.

18.70.025 Appeals for Decision of Building Inspector: Appeals from any enforcement decision of the Building Inspector be taken to the Mayor and the Appeal shall be filed with the City Clerk within ten (10) days of mailing of decision.

18.70.030 Interpretation of Provisions: In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements, adopted for the promotion and protection of the public health, safety, morals, and general welfare. Wherever the requirements of this Ordinance are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions, or covenants, the most restrictive or that imposing the higher standards shall govern.

18.70.035 Violation and Penalties: Any person, firm or corporation who is responsible for or commits the violation of any of the provisions of this title, or fails to comply therewith or with any of the requirements thereof, or who builds or alters any building in violation of any detailed statement or plan submitted and approved hereunder, shall be deemed guilty of a misdemeanor and shall be liable to a fine as established by Iowa Code. The City may at its election, proceed under the City's municipal infraction ordinances, codified in Chapter 1.13, and a fine as established by Iowa Code. After notice in writing by the Building Inspector, each day that a violation is permitted to exist and continue beyond the date of notification, is a separate offense, a minimum of one (1) day constituting a separate and subsequent offense. The owner or owners of any building or premises or part thereof, where anything in violation of this title shall be placed or shall exist or work continue, or any architect, builder, contractor, individual, corporation or service provider employed in connection therewith who assisted in the commission of any such violation, shall be deemed guilty of a separate offense and upon conviction shall be penalized as provided in this section. Construction in violation of this section prior to the issuance of the building permit is a prima facie violation of this section, and further, construction after the issuance of the building permit and prior to the notice of starting work required pursuant to Section 18.70.245, is a prima facie violation of this section and any owner of any building or premises or any architect, engineer, builder, contractor, individual, corporation or service provider employed in connection therewith who assisted in the construction prior to the issuance of the building permit and notice required by Chapter 18.70-B shall be deemed guilty of a separate offense and upon conviction shall be penalized as provided in this section (Ord. 615 §3(part) 1996).

18.70-B Building Permits

Sections:

18.70.210	Required
18.70.215	Application -Form and Procedure
18.70.220	Application -Information Required
18.70.225	Application -Plans Required
18.70.230	Dimensions Based on Survey

18.70.235	Application -Approval
18.70.240	Work Performance and Location Conformity Required
18.70.245	Notice of Starting Work
18.70.250	Inspection of Layout of Proposed Work
18.70.255	Revocation
18.70.260	Permanent Record Printed
18.70.265	Fees

18.70.210 Required: It shall be necessary to obtain a building permit for all new construction and remodeling work which changes the size, outline, area, location on lot, height of structure, yard requirements, or use and occupancy of any building and for any cement slab or permanent fixture of any kind. No permit shall be required for usual maintenance and repair (Ord. 478 (part) 1981).

18.70.215 Application -Form and Procedure:

A. Application for a permit shall be submitted in such form as the Building Inspector may prescribe, and on the form supplied by the City. Application shall be made by the owner or his duly authorized representative. The application shall contain the full name and address of the owner is a corporate body, of its responsible officers. The fee for the building permit shall be paid in full at the time the permit is issued (Ord. 615 §3 (part) 1996).

B. For new construction, application for a building identification number shall be filed with the Building Inspector contemporaneous with filing a building permit and subject to the following regulations:

1. Building Identification Location: The owner of every building and residence shall on or before the first day of December, 1991, obtain and have conspicuously placed a standard type number on the front entryway of the structure, plainly visible from the street; or in the case of rural areas, the number should be attached to the rural mailbox at the street location for identification purposes, or for City areas where the numbers are not plainly visible and for private lanes, a standard type number shall be placed on a mailbox or lane post for identification purposes. In any areas of the City that are served by multiple mailboxes, the inclusive numbers must be shown on a post adjacent to the mailboxes, and each individual lane or house in said developed area shall also be marked conspicuously on the house or lane post as set forth above (Ord. 589 §2, 1991).

2. Number Standard: The type of number should be a standard four (4) inch high block letter with a color in contrast to the building wall. On rural type mailboxes or land posts, a three (3) inch number is permitted (Ord. 589 §3, 1991).

3. Violation Penalty: If the owner of any property fails to comply with and conform to the provisions of this chapter, the City will notify said property owner of the violation, and if the property owner does not comply within thirty (30) days of said notice, thereafter the City shall levy a fine of fifteen dollars (\$15.00) as a special tax and assessment to be certified and

collected in the same manner as all special assessments are collected. Each thirty (30) day period that said violation continues is a separate offense, and after notice, can be fined as set forth above. (Ord. 589 §4, 1991).

18.70.220 Application -Information Required: The application must describe briefly the proposed work, the use and occupancy of the building and grounds, and it shall give such additional information as may be required by the Planning and Zoning Commission or its designated representative for an intelligent understanding of the proposed work (Ord. 478 (part) 1981).

18.70.225 Application -Plans Required: All applications for building permits shall be accompanied by accurate plot plans, submitted in duplicate, drawn to scale, showing the actual shape and dimensions of the lot to be built upon, the exact sizes and locations on the lot of the buildings and accessory buildings and structures to be erected or altered, the existing and intended use of each building or part of a building, the number of families or housekeeping units the building is designed to accommodate, and such other information with regard to the lot and neighboring lots as may be necessary to determine and provide for the enforcement of this title. One copy of such plot plans shall be returned to the owner when such plans have been approved. A careful record of such applications and plats shall be kept in the office City Clerk (Ord. 478 (part) 1981).

18.70.230 Dimensions Based on Survey: All dimensions shown on these plans relating to the location and size of the lot to be built upon shall be based on an actual survey and the lot shall be staked out on the ground before construction is started (Ord. 273 Art. XVIII §2, 1972).

18.70.235 Application -Approval:

- A. All applications for building permits, other than those for purely residential purposes are filed with the Building Inspector. Commercial and industrial building permits over \$500,000.00 will be reviewed by the Building Inspector and City Council.
- B. All building permits for residential use, which do not include home occupations, shall be referred directly to the Building Inspector or the Building Inspector's designated representative. The Building Inspector shall review all plans and specifications of the application and otherwise assure a full compliance with this code. If the plans and specifications are compliant, the Building Inspector shall issue the permit, provided the fee has been paid upon application. If the application does not comply, the Building Inspector shall give written explanation of the denial to the applicant and forward a copy of the denial to the Board of Adjustment. The applicant shall then have the right to appeal to the Board of Adjustment from the decision of the Building Inspector (Ord. 478 (part) 1981).

18.70.240 Work Performance and Location Conformity Required: All work performed under a permit issued by the City shall conform to the approved application and approved amendments thereto. The location of all new construction as shown on the approved plat or

an approved amendment thereof shall be strictly adhered to. All permitted construction shall have the permit on display in a conspicuous place viewable from the street at the construction site during the execution or existence of the work or use authorized thereby (Ord. 478 (part) 1981).

18.70.245 Notice of Starting Work: The Building Inspector shall be given at least twenty-four (24) hours of notice of the starting of work under a permit, and failure to give said notice as required herein voids the building permit, and penalties shall be imposed pursuant to Section 18.70.035 in writing on a form provided by the Building Inspector at the time of issuance of the permit. A permit issuance shall expire by limitation within six (6) months from date of issue, but may be extended only upon approval of the Building Inspector (Ord. 615 §3 (part), 1996; Ord 478 (part) 1981).

18.70.250 Inspection of Layout of Proposed Work: It shall be the duty of the Planning and Zoning Commission or its designated representative to inspect the layout of the proposed work immediately after receipt of notice of starting work. The Planning and Zoning Commission shall satisfy itself that the proposed work is conforming to the plan submitted with the application for a permit. If work started does not conform to the plot, plat or other information given in the application, the Planning and Zoning Commission or its designated representative is granted authority to stop work until the provisions of the permit are complied with (Ord. 478 (part) 1981).

18.70.255 Revocation: The Planning and Zoning Commission or its designated representatives may revoke a permit or approval issued under the provisions of this title in the event that there has been any false statement or misrepresentation as to a material part in the application or drawing on which the permit or approval was based. The Planning and Zoning Commission or its designated representative shall notify the applicant of such revocation and the reasons therefore and send a copy of such notice to the Board of Adjustment. Appeal may be taken for any revocation to the Board Adjustments by the applicant (Ord. 478 (part) 1981).

18.70.260 Permanent Record Required: A permanent record shall be kept of all applications for permits and it is unlawful to change the use or occupancy of a building or land to a use or occupancy other than that described in the application. If it is desired to change another conforming use or occupancy, a new application must be submitted and approved (Ord. 478 (part) 1981).

18.70.265 Fees: The fees for each permit shall be as established from time to time by resolution of the City Council, and shall be paid at the time the building permit is issued (Ord. 478 (part) 1981).

18.70-C Board of Adjustment

Sections:

18.70.310	Board of Adjustment Created
18.70.315	Powers and Duties of the Board of Adjustment
	A. Interpretations
	B. Special Use Permits
	C. Variances
18.70.320	Reconstruction Permit
18.70.325	Proceedings of the Board of Adjustment
18.70.330	Application to the Board of Adjustment
18.70.335	Procedure of the Board of Adjustment
18.70.340	Stay of Proceeding
18.70.345	Notice and Hearing
18.70.350	Decisions of the Board of Adjustment
18.70.355	Appeals from the Board of Adjustment
18.70.360	City Council Review

18.70.310 Board of Adjustment Created: A Board of Adjustment is hereby created. The Board of Adjustment shall consist of five (5) members, each to be appointing for a term of five (5) years, excepting that wen the Board shall first be created one member shall be appointed for a term of five (5) years, one for four (4) years, one for a term of three (3) years, on for a term of two (2) years, and on for a term of one (1) year. The Board shall elect a chairman from its membership, and appoint a secretary (Ord. 273 Art. XVII §1(part) 1972).

Members of the Board of Adjustment may be removed from the office by the City Council for Cause upon written changes and after public hearing. Vacancies shall be filled by the City Council for the unexpired term of the member.

18.70.315 Powers and Duties: The Board of Adjustment shall have all the powers and duties prescribed by law and by this title, which are more particularly specified as follows:

A. Interpretation: Upon appeal from a decision by an administrative official, to decide any questions involving the interpretation of any provision of this title, including determination of the exact location of any district boundary if there is uncertainty with respect thereto:

B. Special Use Permits: To issue special use permits for which this title requires the obtaining of such permits from the Board of Adjustment or for the extension of a building or use as such existed at the time of the passage of the ordinance codified in this title, into a contiguous more restricted district for a distance not exceeding two hundred (200) feet; but not for any other use of purpose.

In granting any special permit, the Board shall establish any conditions that it deems to be necessary to or desirable for the public interest, to promote the general objectives of this title and to minimize the injury to the value of property in the neighborhood.

That the use for which such permit is sought will not be injurious to the neighborhood or otherwise detrimental to the public welfare and will be in harmony with the general purpose of this title. In determining its findings, the Board shall consider the character and use of adjoining buildings and those in the vicinity, the numbers of persons residing or working in such

buildings or upon such land and traffic conditions in the vicinity. However, no such special permit shall be granted by the Board of Adjustment unless and until:

1. A written application for a special use permit is submitted indicating the section of this Ordinance under which the special use permit is sought and stating the grounds on which it is requested.

2. Notice shall be given at least four (4) days in advance of the public hearing by publication in a newspaper of general circulation within the City of Camanche.

3. The public hearing shall be held. Any party may appear in person or by agent or Attorney.

4. The Board of Adjustment shall make a finding that it is empowered under the section of this Ordinance described in the application to grant the special use permit that the granting of the special use:

a. Is deemed necessary for the public convenience at the location;

b. Is so designed, located and proposed to be operated that the public health, safety, and welfare will be protected;

c. Will not cause substantial injury to the value of other property and will contribute to convenient services facilities and blend well in the design in the neighborhood in which it is located (Ord. 273 Art. XV(D) 1972).

5. That the special use permit must be acted upon within six (6) months after the date of its issuance or the special use therein granted is void and a new permit must be applied for before any use or construction may start. Construction projects entering into a development agreement with the City of Camanche will have their permit action start date determined by the development agreement

(Ord. 801, Passed 2024).

C. Variances: To vary or adapt the strict application of any of the requirements of this title in the case of exceptionally irregular, narrow, shallow or steep lots, or other exceptional physical conditions, whereby such strict application would result in practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of the land or building involved, but in no other case. In granting any variance, the Board of Adjustment shall prescribe any conditions that it deems to be necessary or desirable. However, no variance in the strict application of any provision of this title shall be granted by the Board of Adjustment unless and until:

1. A written application for a variance is submitted demonstrating:

a. That there are circumstances or conditions fully described in the findings, applying to the land or building for which the variance is sought, which circumstances or conditions are peculiar to such land or buildings and do not apply generally to land or buildings in the neighborhood, and that said circumstances or conditions are such that the strict application of the provisions of this title would deprive the applicant of the reasonable use of such land or building;

b. That, for reasons fully set forth in the findings, the granting of the variance is

necessary for the reasonable use of the land or building and that the variance is granted by the board is the minimum variance that will accomplish this purpose;

c. That the granting of the variance will be in harmony with the general purpose and intent of this title, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. In addition to considering the character and use of adjoining buildings and those in the vicinity, the board, in determining its findings, shall consider the number of persons residing or working in such buildings or upon land and traffic conditions in the vicinity (Ord. 481, 1981; Ord. 273 Art. XVII §1a, 1972).

d. That the hardship conditions and circumstances do not result from the actions of the applicant.

e. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance, to other lands, structures, or buildings in the same district. No nonconforming use of neighboring lands, structures or buildings in the same district and no permitted use or land, structures or building in other districts shall be considered grounds for the issuance of a variance.

2. Notice shall be given at least four (4) days in advance of the public hearing by publication in a newspaper of general circulation in the City of Camanche.

3. The public hearing shall be held. Any party may appear in person, or by agent or by Attorney.

4. The Board of Adjustment shall make findings that the requirements of Section 18.70.315C.1 have been met by the applicant for a variance.

5. The Board of Adjustment shall further make a finding that the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.

6. The Board of Adjustment shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this Ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with the Ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Ordinance and punishable under Section 18.70.035 of this Ordinance.

Under no circumstances shall the Board of Adjustment grant a variance to allow a use not permissible under the terms of this Ordinance in this district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.

18.70.320 Reconstruction Permit: The Board of Adjustment may permit the reconstruction of a nonconforming building which has been damaged by explosion, fire, act of God or the public enemy to the extent more than fifty (50) percent of its fair market value, where the Board finds some compelling necessity requiring a continuance of the nonconforming use.

18.70.325 Proceedings of the Board of Adjustment: The Board of Adjustment shall adopt the rules necessary to the conduct of its affairs, and in keeping with the provisions of this Ordinance. Meetings shall be held at the call of the Chairperson and at such other times as the Board may determine. The Chairperson, or in the Chairperson's absence, the acting chairperson may administer the oaths and compel attendance of witnesses. All meetings shall be open to the public.

The Board of Adjustment shall keep minutes of its proceeding showing the vote of each member upon each question, or in absent or failing to vote indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be public record and be immediately filed in the Office of the Board.

18.70.330 Application to the Board of Adjustment: The Board of Adjustment shall act strict accordance with the procedure specified by law and by this title. All appeals and applications made to the Board shall be in writing, on forms prescribed by the Board. Every appeal or application shall refer to the specific provision of the ordinance involved, and shall exactly set forth the interpretation that is claimed, the use for which the special permit is sought, or the details of the variance that is applied for and the grounds on which it is claimed that the variance should be granted, as the case may be.

Each such resolution approved by the Board of Adjustments shall be filed in the Office of the City Clerk, by case number under one or another of the following headlines: Interpretations, Special Permits, or Variances, together with all documents pertaining thereto. The Board of Adjustment shall notify the City Council and the Planning Commission of each special permit and each variance granted under the provisions of this title (Ord. 273 Art. XVII §1b, 1972).

18.70.335 Procedure of the Board of Adjustment: Appeals to the Board of Adjustment concerning interpretation or administration of this Ordinance may be taken by any person aggrieved or by any officer or bureau of the governing body of the City affected by a decision of the Administrative Officer. Such appeals shall be taken within a reasonable time not to exceed thirty (30) days of filing with the Administrative Officer, and with the Board of Adjustment, a notice of appeal specifying the grounds thereof. The administrative Officer shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was broken.

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

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

application, on notice to the Administrative Officer from whom the appeal is taken and on due cause shown.

18.70.345 Notice and Hearing: No action of the Board shall be taken on any case until after proper notice has been given and public hearing has been held. Proper notice of a hearing before the Board shall be by "Public Notice", in the Clinton Herald and by written notice mailed to the owner or their agent given at least fifteen (15) days prior to the date of such proposed hearing. In its discretion, the Board may require written notice to other parties deemed by said board to be directly affected by the matter being considered (Ord 273 Art. XVII §1c, 1972).

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

18.70.355 Appeals from the Board of Adjustment: Any person or persons, Board of Bureau of the City aggrieved by any decision of the Board of Adjustment may seek review by a Court of Record of such decision in the manner provided by the laws of the state and particularly by Chapter 414, Code of Iowa.

18.70.360 City Council Review: The City Council shall review variances granted by the Board of Adjustment at the first council meeting following the filing of the variance decision by the Board of Adjustment before the effective date of the variance. No variance shall go into effect until after the next regularly scheduled council meeting after the filing of the decision by the Board of Adjustment. If the City Council remands the decision to grant a variance back to the Board of Adjustment for further review, hearing or study, or to amend or enlarge its findings, the effective date of the variance is delayed for thirty (30) days from the date of remand. The Board of Adjustment shall take such necessary action in a timely manner to issue a decision and return the variance to the City Council during a regularly scheduled council meeting within the said thirty (30) day period. The City Council may review the said further action of the Board of Adjustment for compliance with state statutes and City ordinances and procedure, but the City Council may not substitute the council judgment for the judgment of the Board of Adjustment but the City Council may petition for certiorari pursuant to Section 414.15 of the Code of Iowa (Ord. 628 §3, 1998).

18.70-D Changes and Amendments

Sections:

18.70.410 Procedure

18.70.420 Application for Change of Text or Zoning District Boundaries

18.70.410 Procedure: The regulations imposed and the district created by this title may be amended from time to time by the City Council but no such amendments shall be made without a public hearing before the council, and after a report has been made upon the amendment by the Planning and Zoning Commission. Such amendment shall be initiated by petition to the City Council or by council action. At least fifteen (15) days of notice of the time and place of such hearing shall be published in a publication having general circulation in the City. In case the Planning and Zoning Commission does not approve the changes or in case of a protest against such change signed by either the owners or not less than twenty (20) percent of the property (by area) included in such proposed change, or by not less than twenty (20) percent of the owners of all property within two hundred (200) feet, streets and alleys excluded, of the proposed district, and having frontage upon any street passing through such areas, filed with the City Clerk, such amendment shall not be passed except by the favorite vote of three-fourths (3/4) of all members of the City Council (Ord. 273 Art. XIX §1, 1972).

Upon holding the hearing, but prior to making a recommendation, the Planning and Zoning Commission shall determine the following:

1. Whether or not the current district classification of the property to be rezoned is valid.
2. Whether there is a need for additional land zoned for the purpose requested.
3. Whether the proposed change is consistent with the current land use plan or policy.
4. Whether the proposed change would result in a population density or development which would in turn cause a demand for services or utilities in excess of the capacity planned for the area.
5. Whether the proposed change would result in the generating of traffic in excess of the capacity of existing or planned streets in the vicinity. When the proposed change is expected to result in generating excess traffic beyond the capacity of the existing or planned streets in the vicinity, the Commission may provide the City Council with recommendations on upgrading streets. As part of an ordinance amendment changing land from one zoning district to another zoning district, the Planning and Zoning Commission may recommend, and the City Council may impose, conditions on a property owner which are in addition to existing regulations. Such conditions shall only limit the permitted uses listed for the area proposed for rezoning. The imposed conditions shall be agreed to in writing by the property owner before the public hearing required under this section or any adjournment of the hearing. The conditions must be reasonable and imposed to satisfy public needs which are directly caused by the requested change.

18.70.420 Application for Change of Text or Zoning District Boundaries: A property owner, lessee, developer or option holder may petition the City Council for an amendment to the text or district map of this title; provided that before any action shall be taken as provided for in this chapter, the party or parties petitioning for amendment shall deposit with the City Clerk a fee as established by resolution of the City Council. Said sum or any part thereof shall not be refunded for failure of such proposed amendment to be enacted into law. A party shall not initiate action for a zoning amendment affecting the same land more often than once every twelve (12) months, unless approved by the City Council (Ord. 273 Art. XIX §2, 1972).

Such application shall be filed with the City Clerk accompanied by a fee as established by Resolution of the City Council and in case of a map amendment, shall contain the following information:

1. The legal description and local address of the property.
2. The present zoning classification and the zoning classification requested for the property.
3. The existing used and proposed use of the property.
4. The names and addresses of the owners of all property within two hundred (200) feet of the property for which the change is requested.
5. A statement of the reasons why the applicant feels the present zoning classification is no longer valid.
6. A plat showing the location, dimensions, and use of the applicant's property and all property within two hundred (200) feet thereof, including streets, alleys, railroads, and other physical features.

18.72 Reserved

18.76 Reserved

18.80 Reserved

18.82 Reserved

18.84 Reserved

SUMMARY OF AN ORDINANCE AMENDING TITLE 18,
THE ZONING ORDINANCE OF THE CITY OF CAMANCHE, IOWA

The proposed Ordinance amendments address several miscellaneous subjects. One amendment provides that in residential blocks, the front yard setback for new construction shall conform to the average setback of the existing buildings, but in no case more than fifty (50) feet setback shall be required. A deck is a structure consisting of a raised, flat floored, roofless area adjoining a structure. The Ordinance is amended to allow decks to project up to ten (10) feet in the front yard setback provided an unobstructed front yard of at least fifteen (15) feet remains. Steps from a deck may project up to an additional five (5) feet into the front

yard setback, provided an unobstructed front yard of at least ten (10) feet remains. A penalty is established for commencing construction without obtaining a building permit and the penalties established at a fine equal to the scheduled permit fee, which also must be paid, however the penalty for the construction project cannot exceed \$200.00, or the scheduled permit fee, whichever is less. The zoning ordinance is amended to change the notice for a Board of Adjustment hearing from 15 days to the same publication requirement under §362.3 of the Iowa Code, of not less than 4 days and no more than 20 days before the date of the Board hearing. The zoning ordinances were further amended to establish rules for the interpretation of district boundaries for enforcement.

The above description is a summary of the essential elements of the amendments to the zoning ordinance. The full ordinance amending the zoning ordinance may be viewed at Camanche City Hall, normal business hours which are 8:00 a.m. to 4:00 p.m. Monday through Friday.

Signed Sheryl Jindrich, Camanche City Clerk