

A Unified Land Development Ordinance for The City of Glenwood, IA

This Restructured Conversion Prepared by: JDW Midwest, LLC

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SECTION 165

General Provisions

165.01 Title

Chapters 165 through 176 of the Glenwood Municipal Code shall be known as the Zoning Ordinance of the City of Glenwood.

165.02 Jurisdiction

The provisions of this Zoning Ordinance shall be applicable to all property within the corporate limits of the City of Glenwood as provided by Chapter 414 of the Code of Iowa.

165.03 Purpose

The purpose of the Zoning Ordinance of the City of Glenwood are to:

- a. Serve the public health, safety, and general welfare of the city and its jurisdiction.
- b. Classify property in a manner that reflects its suitability for specific uses.
- c. Provide for sound, attractive development within the city and its jurisdiction.
- d. Encourage compatibility of adjacent land uses.
- e. Protect environmentally sensitive areas.
- f. Further the objectives of the Comprehensive Plan of the City of Glenwood.

165.04 Consistency with Comprehensive Development Plan

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

165.05 Conflicting Provisions

The Zoning Ordinance shall be held to provide the minimum requirements necessary for the promotion of the public health, safety, and welfare. If any provision of the Zoning Ordinance conflicts with any other provision of the Zoning Ordinance, and other Ordinance of the City of Glenwood, or any applicable State or Federal Law, the more restrictive provisions shall apply.

165.06 Relief from Other Provisions

Nothing in these provisions shall relieve any property owner or user from satisfying and condition or requirement associated with a previous approval, special permit, variance, development permit, or other permit issued under any local, State, or Federal ordinance or statute.

165.07 Severability of Provision

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

165.08 Publication

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

SECTION 166

Definitions

166.01 Purpose

Article Two shall be known as the Definitions. The purpose of these provisions is to promote consistency and precision in the interpretation of the Zoning Ordinance. The meaning and construction of words as set forth shall apply throughout the Zoning Ordinance, unless where modified in a specific section or where the context of such words or phrases clearly indicates a different meaning or construction.

166.02 General Construction of Language

The following general rules of construction apply to the text of the Zoning Ordinance.

a. Heading

Section and subsection headings contained herein are provided for illustrative purposes only and shall not be deemed to limit, govern, modify, or otherwise affect the scope, meaning, or intent if any provision of the Zoning Ordinance.

b. Illustration

In the case of any real or apparent conflict between the text of the Ordinance and any illustration explaining the text, the text shall apply.

c. Shall and May

“Shall” is always mandatory. “May” is discretionary.

d. Tenses and Numbers

Words used in the present tense include the future tense. Words used in the singular include the plural, and the plural the singular, unless the context clearly indicates the contrary.

e. Conjunctions

Unless the context clearly indicates the contrary, the following conjunctions shall be interpreted as follows:

1. “And” indicates that all connected items if provisions apply.
2. “Or” indicates that the connected items if provisions may apply singly or in any combination.
3. “Either ... or” indicates that the connected items or provisions shall apply singly but not in combination.

f. Referenced Agencies

Unless otherwise indicated, all public officials, bodies, and agencies referred to in this Chapter are those of the City of Glenwood.

166.03 Definition of Terms

For the purposes of this Zoning Ordinance, certain terms and words are hereby defined, certain sections contain definitions which are additional to those listed here. Where terms are not specifically defined, their ordinarily accepted meaning or meanings implied by their context shall apply.

166.04 A

1. Abutting: Having lot lines or district boundaries in common, including property separated by a public street or alley. Used interchangeably with adjacent.
2. Accessory Structure: A structure which is incidental to and customarily associated with a specific principal use or building on the same site.
3. Accessory Use: A use which is incidental to and customarily associated with a specific principal use on the same site.
4. Addition: Any construction which increases the size of a building or structure in terms of site coverage, height, length, width, or gross floor area.
5. Agent of Owner: Any person showing written verification that he/she is acting for, and with the knowledge and consent of, a property owner.
6. Alley: A public right of way, other than a street and twenty feet if less in width which is used as a secondary means of access to abutting property.
7. Alteration: Any construction or physical change in the internal arrangement of spaces, the supporting members, the positioning on a site, or the appearance of a building or structure.
8. Apartment: A housing unit within a building, designed for and suitable for occupancy by only one family. Apartments are generally located within multi-family residential buildings.
9. Assisted Living: Assisted living means provision of housing with services which may include but are not limited to health-related care, personal care, and assistance with instrumental activities of daily living to six or more tenants in a physical structure which provides a homelike environment. Assisted living also includes encouragement of family involvement, tenant self-direction, and tenant participation in decisions that emphasize choice, dignity, privacy, individuality, shared risk, and independence. Assisted living includes the provision of housing and assistance with instrumental activities of daily living only if personal care or health-related care is also included.

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

166.05 B

1. Base Zoning District: A district established by this Ordinance which prescribes basic regulations governing land use and site development standards. No more than one Base Zoning District shall apply to any individually platted lot or parcel unless the lot or parcel is part of a Planned Unit Development.
2. Basement: A level if a building below street level that has at least one-half of its height below the surface if adjacent ground. A basement: used for independent dwelling or business purposes shall be considered a story for the purposes of height measurement.
3. Beginning of Construction: The initial incorporation if labor and materials within the foundation of a building or structure.
4. Billboard: Any structure or portion thereof having an area if one hundred (100) square feet or more on which lettered, figured or pictorial matter is displayed for advertising for off premises purposes.
5. Block: An area of land within a subdivision that is entirely bounded by streets, by streets and the exterior boundaries of the subdivision, or by a combination of the above with a watercourse, lake, railroad, or other significant natural or man-made barrier, and which has been designated as such on a plat for the purposes of legal description of a property.
6. City Block Face: The property abutting one side of a street and lying between the two nearest intersections streets, or between the one nearest intersecting street and a major physical barrier, including, but not limited to, railroads, streams, lakes, or the corporate limits of Glenwood.
7. Board of Adjustment: A body, established by the City expressly for the purpose of granting relief from situations of hardship and to hear appeals as provided by this Ordinance.
8. Bufferyard: A landscaped area intended to separate and partially obstruct the view of two adjacent land uses or properties from one another.
9. Building: A structure entirely separated from any other structure by space or by walls and having a roof and built to provide shelter, support, or enclosure for persons of property.
10. Building Coverage: The area of a site covered by buildings or roofed areas, excluding allowed projecting eaves, balconies, and similar features.

11. Building Envelope: The three-dimensional space within which a structure is permitted to be built on a lot after all zoning and other applicable municipal requirements have been met.
12. Building Line: The outer boundary of a building established by the location of its exterior walls.
13. Building Official: The city official, designated by the City Council, who is responsible for the enforcement of the applicable building code and conditional uses.
14. Building Permit: A document that must be issued by the Building Official prior to erecting, constructing, enlarging, altering, repairing, moving, improving, removing, converting, or demolishing any building or structure regulated by this Ordinance or by the applicable building codes of the City of Glenwood. Issuance of a building permit follows review of plans by the Building Official to determine that the proposed use of the building or land complies with the provisions of the Zoning Ordinance.
15. Business: Activities that include the exchange of manufacture of goods or services on a site.
16. Business Center: A building containing more than one commercial business, or any group of non-residential buildings within a common development, characterized by shared parking and access.

166.06 C

1. Certificate of Occupancy: An official certificate issued by the Building official or his/her designee prior to occupancy of a completed building or structure, upon finding of conformance with the applicable building code and this Zoning Ordinance.
2. Change of Use: The replacement of an existing use by a new use.
3. City: City of Glenwood, Iowa.
4. City Council: The City Council of Glenwood, Iowa.
5. Common Area: An area held, designed, and designated for common or cooperative use within a development.
6. Development: A development proposed and planned as one unified project not separated by a public street or alley.
7. Common Open Space: Land within or related to a development that is not individually owned or dedicated for public use, designed and generally intended for the common use of the residents of the development.

DEFINITIONS

8. Compatibility: The degree to which two or more different land use types are able to exist together in close proximity, with no one use having significant negative effects on any other use.
9. Comprehensive Plan: The duly adopted Comprehensive Development Plan of the City of Glenwood.
10. Conditional Use: A use which is allowed in a zoning district which may be subject to specific qualifying criteria and conditions and which requires a finding by the Planning Commission of consistency with certain standards set forth in this Ordinance to evaluate its consistency with the character of other permitted uses in or around the proposed site.
11. Condominium: An ownership regime whereby the title to each unit of occupancy is held in separate ownership, and the real estate in which the units are located is held in common ownership solely by the owners of the units with each owner having an undivided interest in the common real estate. Condominiums may include residential, commercial, office, or industrial uses.
12. Conservation: Development: A development design technique that concentrates buildings in specific areas on a site to allow remaining land to be used for recreation, common open space, or the preservation of historically or environmentally sensitive features.
13. Conservation (of cluster) Subdivision: Wholly or in majority, a residential subdivision that permits a reduction in lot area, setback, or other site development regulations, provided 1) there is no increase in the overall density permitted for a conventional subdivision in a given zoning district, and 2) the remaining land area is used for common space.
14. County: Mills County, Iowa.
15. Courtyard: An open, unoccupied space, bounded on two or more sides by the walls of the building.
16. Conventional Subdivision: A subdivision which literally meets all nominal standards of the Zoning and Subdivision Ordinances for the dimensions, setbacks, street frontage, and other site development regulations.
17. Creative Subdivision: A subdivision which, while complying with the Subdivision Ordinance diverges from nominal compliance with site development regulations in the Land Development Ordinance. Creative subdivisions imply a higher level of pre-planning than conventional subdivisions. They may be employed for the purpose of environmental protection or the creation of superior community design. Types of Creative subdivisions include Conservation Subdivisions and Traditional Neighborhood Districts.

166.07 D

1. Density: The amounts of development per specific unit of a site.
2. Drive-In Services: Uses which involve the sale of products or provision of services to occupants.
3. Detached: Fully separated from any other building or jointed to another building in such a manner as not to constitute an enclosed or covered connection.
4. Driveway: A permanently paved, surfaced area providing vehicular access between a street and an off-street parking or loading area.
5. Dwelling Unit: One or more rooms, designed, occupied or intended for occupancy as a separate living quarters. With cooking, sleeping, and sanitary facilities provided within the dwelling unit for the exclusive use of a single family, as defined in Section 116.09 (1), maintaining a household.

166.08 E

1. Easement: A privilege or right of use granted on, above, under, or across a particular tract of land for a specific purpose by one owner to another owner, public or private agency, or utility.
2. Enclosed: A roofed or covered space fully surrounded by walls.

166.09 F

1. Family: One of more persons living together and sharing common living, sleeping, cooking, and eating facilities within an individual housing unit, no more than 4 or whom may be unrelated. The following persons shall be considered related for the purpose of this ordinance:
 - (a) Persons related by blood, marriage, or adoption.
 - (b) Persons residing with a family for the purpose of adoption.
 - (c) Not more than eight persons under 19 years of age, residing in a foster house licensed or approved by the State of Iowa.
 - (d) Not more than eight persons 19 years of age or older residing with a family for the purpose of receiving foster care licensed or approved by the State of Iowa.
 - (e) Person(s) living with a family at the direction of a court.
2. Fascia: A parapet-type wall used as part of the façade of a flat-roofed building and projecting no more than six feet from the immediately adjacent building face. Such a wall shall enclose at least three sides of the projecting flat roof and return to the parapet wall of the building.

DEFINITIONS

3. Federal: Pertaining to the Government of the United States of America.
4. Floor Area: *See Gross Floor Area.*
5. Floor Area Ratio: The quotient of gross floor area of all buildings on a site divided by gross site area of the site.
6. Frontage: The length of a property line of any one premises abutting and parallel to the public street, private way, or court from which access is permitted.

166.10 G

1. Garage: An Accessory building or portion of a main building used primarily for storage of motor vehicles.
2. Grade: The horizontal elevation of the finished surface of ground, paving, or sidewalk adjacent to any building line as follows:
 - (a) For buildings having walls facing one street only, the grade shall be the elevation of the ground at the center of the wall facing the street.
 - (b) For buildings having walls facing more than one street, the grade shall be the average elevation of the grades of all walls facing each street.
 - (c) For buildings having no walls facing a street, the grade shall be the average level of the finished surface of the ground adjacent to the exterior walls of the building.
3. Gross floor Area: The total enclosed area of all floors of a building, measured to the inside surfaces of the exterior walls. This definition excludes the areas of basements, elevator shafts, airspaces above atriums and enclosed off-street parking and loading areas serving a principal use. The floor area of buildings devoted to bulk storage of materials including, but not limited to, grain elevators and petroleum storage tanks, shall be determined on the basis of height in feet, with each ten feet of height being equivalent to one floor.

166.11 H

1. Height: The vertical distance from the established grade to the highest point of the coping of a flat roof, the deck line of a mansard roof, or to the average height between eaves and the ridge for gable, hip, shed, or gambrel roofs. For other cases, height shall be measured as the vertical distance from the established grade to the highest point of a structure as herein defined. Where a building or structure is located in a slope, height shall be measured from the average grade level adjacent to the building or structure.
2. Home based Business/Home Occupation: An accessory occupational use conducted entirely within a dwelling unit by its inhabitants, which is clearly incidental to the

residential use of the dwelling unit or residential structure and does not change the residential character of its site.

3. Housing Unit or Dwelling Unit: A building or portion of a building arranged for and intended for occupancy as an independent living facility for one family including permanent provisions for cooking.

166.12 I

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

166.13 J

166.14 K

166.15 L

1. Landscaped Area: The area within the boundaries of a given lot, site or common development consisting primarily of plant material, including but not limited to grass, trees, shrubs, vines, ground cover, and other organic plant materials; or grass paver masonry units installed such that the appearance of the area is primarily landscaped.
 - (a) Perimeter Landscaped Area: Any required landscaped area that adjoins the exterior boundary of a lot, site or common development.
 - (b) Interior Landscaped Area: Any landscaped area within a site exclusive of required perimeter landscaping.
2. Lane: An approved private right-of-way which provides access to residential properties and meets at least three of the following conditions:
 - (a) Serves twelve or fewer housing units of platted lots.
 - (b) Does not function as a local street because of its alignment, design, or location.
 - (c) Is completely internal to a development.
 - (d) Does not exceed 600 feet in length.
3. Loading Area: An off-street area used for the loading or unloading of goods from a vehicle in connection with the use of the site on which such area is located.

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4. **Lot**: A parcel of property with a separate and distinct number or other identifying designation which has been created, assigned and recorded in the Office of the Mills County Recorder. Each individual lot is subject to the provisions of each particular base Zoning District.
 - (a) **Corner Lot**: A lot located at the junction of at least two streets, private ways or courts or at least two segments of a curved street, private way or court, at which the angle of intersection is no greater than 135 degrees.
 - (b) **Double Frontage Lot**: A lot, other than a corner lot, having frontage on two streets, private ways or courts. Primary access shall be restricted on a double frontage lot to the minor of the two streets or to the front line as determined at time of platting or as defined by this ordinance (also known as a Through Lot).
 - (c) **Interior Lot**: A Lot other than a corner lot.
 - (d) **Common Development Lot**: When two or more contiguous lots are developed as part of a single development. These lots may be considered a single lot for purposes of this ordinance.
5. **Lot Area**: The total horizontal area within the lot lines of a lot.
6. **Lot Depth**: The mean horizontal distance measured between the front and rear lot lines.
7. **Lot Line**: A property boundary line(s) of record that divides one lot from another lot or a lot from the public or private street right-of-way or easement. Once established, lot lines may not be redefined due to a change or address which would result in a new definition of the following defined lot lines.
 - (a) **Front Lot Line**: The lot line separating a lot and a public or private street right-of-way or easement.
 - i. For an interior lot, the lot line separating the lot from the right-of-way or easement.
 - ii. For a corner lot, the shorter lot line abutting a public or private street or easement. In instances of equal dimension, the front lot line shall be determined by the Building Official, or as may be noted on the final plat.
 - iii. For a double frontage lot, the lot lines separating the lot from the right-of-way or easement of the more minor street. In cases where each street has the same classification, the front lot line shall be determined by the Building Official at the time of application for the original building permit for the lot, or as may be noted on the final plat.
 - (b) **Rear Lot Lines**: The lot lines which is opposite and most distant from the front line.

DEFINITIONS

- (c) Side Lot Line: Any lot line that is neither a front or rear lot line. A side lot line separating a lot from a street, private way or court is a street side lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.
- 8. Lot Width: The horizontal distance measured between the side lot lines of a lot, at right angles to its depth along a straight line parallel to the front lot line at the minimum required setback line.

166.16 M

1. Manufactured Home Dwelling: A factory built single-family dwelling, structure which is to be used as a place for human habitation, which is manufactured or constructed under the authority of 42 U.S. 3. Sec. 5403, Federal Manufactured Home Construction and Safety Standards, and which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than to a permanent site; does not have permanently attached to its body or frame any wheels or axels. A mobile home constructed to the National Manufactured Home Construction and Safety Standards promulgated by the US Department of Housing and Urban Development is not a manufactured home unless it has been converted to real property and is taxed as a site-built dwelling as is provided in the Code of Iowa section 435.26, and which complies with the following architectural and aesthetic standards listed below. For the purpose of any of these regulations, manufactured homes shall be considered the same as a single-family detached dwelling. In common with single-family detached dwellings, a manufactured home dwelling unit shall have the following characteristics:
 - (a) The home shall have at least 800 square feet of floor area;
 - (b) The home shall have an exterior width of at least 200 feet;
 - (c) The roof shall be pitched with a minimum vertical rise of 3 inches for each 12 inches of horizontal run.
 - (d) The exterior material is of a color, material, and scale comparable with those existing in the residential site on which the manufactured home dwelling is being permanently installed;
 - (e) The home shall have a nonreflective roof material which is or simulates asphalt or wood shingles, tile, or rock;
 - (f) Permanent utility connections shall be installed in accordance with local regulations;
 - (g) The home shall have all wheels, axels, transporting lights, and towing apparatus removed;
 - (h) The home shall be installed upon a permanent foundation that is constructed and built in accordance with the regulations of the City of Glenwood.

DEFINITIONS

2. Mixed Use Building: A building or structure that incorporates two or more types within a single building or structure, provided that each use type is permitted within the individual Base Zoning District in which the building or structure is to be located.
3. Mixed Use Development: A single development which incorporates complementary land use types into a single development.
4. Mobile Homes: A building type designed to be transportable in one or more sections, constructed on a permanent chassis or undercarriage, and designed to be used as a dwelling unit or other use with or without a permanent foundation when connected to the required utilities, but not bearing a seal attesting to the approval and issuance of the Iowa Department of Health or conformance to the manufactured home procedural and enforcement regulations, as adopted by the US Department of Housing and Urban Development; or not otherwise satisfying the definition of Manufactured Home Dwellings.
5. Mobile Home Park: A unified development under single ownership, developed, subdivided, planned, and improved for the placement of mobile home units for non-transient use. Mobile Home Parks include common areas and facilities for management, recreation, laundry, utility services, storage, storm shelter, and other services; but do not include mobile home sales on which unoccupied mobile homes are parked for the purposes of display, inspection, sale, or storage.
6. Mobile Home Subdivision: A development subdivided, planned, and improved for the placement of mobile home units on lots for uses by the individual owners of such lots. Mobile Home Subdivisions may include common areas and facilities for management, recreation, laundry, utility services, storage, storm shelter, and other services; but do not include mobile home sales lots on which unoccupied mobile homes are parked for the purpose of display, inspection, sale, or storage.

166.17 N

1. Nonconforming Development: A Building, structure, or improvement which does not comply with the regulations for its zoning district set forth by this Zoning Ordinance, but which complied with applicable regulations at the time of construction.
2. Nonconforming Lot: A lot which was lawful prior to the adoption, revision, or amendment of this zoning ordinance but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning ordinance. No action can be taken which would increase the non-conforming characteristics of the lot.
3. Nonconforming Sign: A sign that was lawfully erected prior to the adoption, revision, or amendment of this zoning ordinance but that fails by reason of such adoption,

revision, or amendment to conform to the present requirements of the zoning ordinance.

4. Nonconforming Structure: A structure which was lawful prior to the adoption, revision or amendment of this zoning ordinance but that fails by reason of such adoptions, revision, or amendment to conform to the present requirements of the zoning ordinance. No action can be taken which would increase the non-confirming characteristics of the structure.
5. Nonconforming Use: A land use which was lawful prior to the adoption, revision, or amendment of this zoning ordinance but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning ordinance. No action can be taken which would increase the nonconforming characteristics of the land use.
6. Nuisance: An unreasonable and continuous invasion of the use and enjoyment of a property right which a reasonable person would find annoying, unpleasant, obnoxious, or offensive.

166.18 O

1. Open Space: Are included on any site or lot that is open and unobstructed to the sky, except for allowed projections of cornices, overhangs, porches, balconies, or plant material.
2. Outdoor Storage: The storage of materials, parts, or products that are related to the primary use of a site for a period exceeding three days.
3. Overlay District: A district established by this Ordinance to prescribe special regulations to be applied to a site only in combination with a base district.
4. Owner: An individual. Firm, association, syndicate, partnership, or corporation having sufficient proprietary interest to seek development of land.

166.19 P

1. Parking Facility: An area on a lot and/or within a building, including one or more parking spaces, along with provision for access circulation, maneuvering, and landscaping, meeting the requirements of this Zoning Ordinance. Parking facilities include parking lots, private garages, and parking structures. Vehicle storage is distinct from parking and is regulated by provisions in Sections 167.07b, 167.08, 167.09, and Table 4-2. Vehicle storage is also governed by provisions of Article 9: Parking Regulations.

DEFINITIONS

2. Parking Spaces: An area on a lot and/or within a building, intended for the use of temporary parking of a personal vehicle. This term is used interchangeably with “parking stall”. Each parking space must have a means of access to a public street. Tandem parking stalls in single-family detached, single-family attached, and townhome residential uses shall be considered to have a means of access to a public street.
3. Paved: Permanently surfaced with poured concrete, concrete pavers, brick pavers, or asphalt.
4. Permanent Swimming Pools: Swimming pools above ground or in ground which remain erected substantially year-round or those constructed with durable materials such as wood, metal, and/or hard plastic (excludes toddler wading pools).
5. Permitted Use: A land use type allowed as a matter of right in a zoning district, subject only to special requirements of this Zoning Ordinance.
6. Planning Commission: The Planning and Zoning Commission of the City of Glenwood, as authorized pursuant to Chapter 414 of the Iowa Code. The Planning and Zoning Commission is also to be known as the Planning and Zoning Board, as such titles are used interchangeably in the City Code of Ordinances.
7. Planned Unit Development: A development of land which is under unified control and is planned and developed as a whole, in a single development operation or programmed series of development stages. The development may include streets, circulation ways, utilities, buildings, open spaces, and other site features and improvements.
8. Porch, Unenclosed: A roofed or unroofed open structure projecting from an exterior wall of a building and having no enclosed features more than thirty inches above its floor other than wire screening and a roof with supporting structure.
9. Premises: A lot, parcel, tract or plot of land, contiguous and under common ownership or control, together with the buildings and structure thereon.
10. Prepared Surface: A surface of gravel, pervious paving surfaces as defined by this Land Development Ordinance.
11. Principal Use: The main use of land or structures as distinguished from an accessory use.
12. Private Garage: A building for the storage of motor vehicles where no repair service facilities are maintained and where no motor vehicles are kept for rental or sale.
13. Property Line: See “Lot Line.”

166.20 Q

166.21 R

1. Recreational Vehicle: A vehicle towed or self-propelled on its own chassis or attached to the chassis of another vehicle and designed or used for temporary dwelling, recreational, or sporting purposes. Recreational vehicles include, but are not limited to, travel trailers, campers, motor coach homes, converted buses and trucks, boats, and boat trailers.
2. Regulations: A specific requirement set forth by this Zoning Ordinance which must be followed.
3. Remote Parking: A supply of off-street parking at a location not on the site of a given development.

166.22 S

1. Screening: The method by which a view of one site from another adjacent site is shielded, concealed, or hidden. Screening techniques include fences, walls, hedges, berms, or other features as may be permitted by the landscape provisions of this ordinance.
2. Setback: The distance, as required by the minimum setback(s) which establishes the horizontal component(s) of the building envelope.
3. Sign: A symbolic, visual device fixed upon a building, vehicle, structure, or parcel of land, which is intended to convey information about a product, business, activity, place, person, institution, candidate, or political idea.
4. Site: The parcel of land to be developed or built upon. A site may encompass a single lot; or a group of lots developed as a common development under the special and overlay districts provisions of this ordinance.
5. Site Plan: A plan, prepared to scale, showing accurately and with complete dimensioning, the boundaries of a site and the location of all buildings, structures, uses, and principal site development features proposed for a specific parcel of land; and any other information that may be reasonably requested by the City in order that an informed decision can be made on the associated request.
6. Special Permit Use: A use with operating and/or physical characteristics different from those of permitted uses in a given zoning district which may, nonetheless, be compatible with those uses under special conditions and with adequate public review. Special permit uses are allowed in a zoning district only at the discretion of

DEFINITIONS

and with the explicit permission of the {Planning Commission, as provided by Article 12 of this Ordinance.

7. State: The State of Iowa.
8. Story: The portion of a building included between the surface of any floor and the surface of the next floor above it; if there is no floor above it, the space between such floor and the next ceiling above it. A half story is a story under a sloped roof, the wall heights of which in at least two opposite exterior walls are less than four feet.
9. Street: A right of way, dedicated to public use, which affords a primary means of access to the abutting property. This definition is intended to be inclusive of the term as defined in Iowa State Statutes.
10. Street, Arterial: Street or highways intended to provide for through traffic movement between areas of the city or across the city. Major arterials usually imply relatively high speeds and traffic generally intended to provide trips of moderate lengths and imply lower operating speeds and more frequent points of local access than major arterial streets.
11. Street, Collector: A street connecting neighborhoods within the same communities; designed to carry traffic from local to arterial streets.
12. Street, Intersecting and Principal: In regard to a site, the principal street shall be the street to which the majority of lots on a blockface are oriented; the intersecting street shall be a street other than a principal street.
13. Street, Local: A street which is used primarily for access to the abutting properties.
14. Street, Major: A street carrying traffic between neighborhoods, connecting neighborhoods with major activity centers, or accommodating major through traffic. Major streets are designated as collectors, arterials, or expressways by the Comprehensive Development Plan and are normally included in and eligible for assistance under the TEA-21 program.
15. Structure: Any object constructed or built and attached or anchored permanently or semi-permanently to the ground in such a way as to prevent routine movement. For the purpose of this ordinance, a building mounted on a skid will be considered a structure.

166.23 T

1. Townhouse: A dwelling unit having a common wall with or abutting one or more adjacent dwelling units in a townhouse structure, with its own front and rear access to the outside, and neither above nor below any other dwelling unit.

2. Townhouse Structure: A building formed by at least two and not more than twelve contiguous townhouses with common or abutting walls.

166.24 U

1. Use: The conduct of an activity. Or the performance of a function or operation, on a site or in a building or facility.
2. Utilities: Installations, either above or below ground, necessary for the production, generation, transmission, delivery, collection, treatments, or storage of water, solid or fluid wastes, storm water, energy media, gas, electronic, or electromagnetic signals, or other services which are precedent to development and use of land.

166.25 V

166.26 W

1. Window: An opening in a building for admitting light and/or air, having pane of panes of glass.

166.27 X

166.28 Y

1. Yard Required: That portion of a lot which lies between a lot line and the corresponding building setback line or the required landscape area. This area shall be unoccupied and unobstructed from the ground upward except as may be specifically provided for or required by this ordinance.
 - (a) Front Yard: The space extending the full width of a lot, lying between the front lot line and the front setback line. For a corner lot, the front yard shall normally be defined as that yard along a street which meets one of the following two criteria:
 - i. The yard along the blockface to which a greater number of structures oriented; or
 - ii. The yard along a street that has the smaller horizontal dimension.
 - (b) Rear Yard: The space extending the full width of a lot, lying between the rear lot line and the rear setback line.
 - (c) Side Yard: The space extending the depth of a lot from the front to rear lot lines, lying between the side yard setback line and the interior lot line.

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- (d) **Street Side Yard:** On a corner lot, the space extending from the front yard to the rear yard, between the street side yard setback line and the street side lot line.

166.29 Z

1. **Zoning Administrator:** The designee of the City Council responsible for the interpretation, administration and enforcement of the Glenwood Zoning Ordinance.
2. **Zoning District:** A designated specified land classification, within which all sites are subject to a unified group of use and the site development regulations set forth in this Zoning Ordinance.

SECTION 167

Use Types

167.01 Purpose

Article Three shall be known as the Use Types. The purpose of the Use Types is to establish a classification system for land uses and a consistent set of terms defining uses permitted or conditionally permitted within various zoning districts. The Use Types section also provides a procedure for determining the applicable use type of any activity not clearly within any defined use type.

167.02 Determinations

a. Classification of Uses

In the event of any question as to the appropriate use types of any existing or proposed use or activity, the Zoning Administrator of the City of Glenwood shall have the authority to determine the appropriate use type. A determination of the Zoning Administrator may be appealed to the Board of Adjustment. In making such determinations, the Zoning Administrator and Board of Adjustment shall consider such characteristics or specific requirements of the use in common with those included as examples of use types. Those examples, when included in use type descriptions, are intended to be illustrative, as opposed to exclusive lists.

b. Records

The Zoning Administrator shall make all such determinations of appropriate use types in writing. The record of the determination shall contain a report explaining the reasons for the determination.

167.03 Agricultural Use Types

Agricultural use types include the on-site production and sale of plant and animal products by agricultural methods.

a. Horticulture

The growing of horticultural and floricultural specialties, such as flowers, shrubs, or trees intended for ornamental or landscaping purposes. This definition may include accessory retail sales under certain conditions. Typical uses include wholesale plant nurseries and greenhouses.

b. Crop Production

The raising and harvesting of tree crops, row crops for field crops on an agricultural or commercial basis. This definition may include accessory retail sales under certain conditions.

c. Animal Production

The raising of animals or production of animal products, such as eggs or dairy products on an agricultural or commercial basis on a site which is also used for crop production or where grazing of natural vegetation is the major feed source; or the raising of animals for recreational use. Typical uses include grazing, ranching, dairy farming, and poultry farming.

d. Commercial Feedlots

The use of a site for the confined feeding or holding of livestock or poultry within buildings, lots, pens, or other close quarters which are not used for crop production or where grazing of natural vegetation is not the major feed sources. Livestock and poultry shall include any animal or fowl which are used primarily for use as food or food products for human consumption, or for laboratory or testing purposes. A Commercial Feedlot does not include areas which are used for the raising of crops or other vegetation, and upon which livestock are allowed to graze or feed.

e. Livestock Sales

The use of a site for the temporary confinement and exchange or sale of livestock. Typical uses include sales barns.

167.04 Residential Use Types

Residential use types include uses providing wholly or primarily non-transient living accommodations. They exclude institutional living arrangements providing 24-hour skilled nursing or medical care, forced residence, or therapeutic settings.

a. Single- Family Residential

A single-family residential use in which one dwelling unit is located on a single lot, with no physical or structural connection to any other dwelling unit.

1. Single-family detached residential units shall meet the following standards:

- (a) The unit shall have at least 800 square feet of floor area;
- (b) The unit shall have an exterior width of at least 20 feet;
- (c) The structure shall have a nonreflective roof material which, if visible, is or simulates asphalt or wood shingles, tile, rock or standing seam metal with concealed fasteners. Any standing seam metal roof shall be stamped by a licensed engineer, shall be installed by a certified installer of standing seam metal roofs in accord with the regulations provided in the International Residential Code Book, as from time to time may be amended.
- (d) The unit shall have permanent utility connections installed in accordance with the regulations of the City of Glenwood.

(e) The unit shall be installed upon a permanent foundation that is constructed and built in accordance with the regulations of the City of Glenwood.

2. Single-Family Residential (Attached): A single-family residential use in which one dwelling unit is located on a single lot and is attached by a common vertical wall to only one other adjacent dwelling unit on another single lot.

b. Duplex Residential

The use of a legally-described lot for two dwelling units each occupied by one family within a single building, excluding manufactured or mobile home units, but including modular housing units.

c. Two-Family Residential

The use of a site for two dwelling units, each occupied by one family, each in a separate building, excluding a mobile home unit.

d. Townhouse Residential

The use of a site for three or more attached dwelling units, each occupied by one family and separated by vertical side walls extending from foundation through roof without openings. Each townhouse unit must have at least two exposed exterior walls.

e. Multiple-Family Residential

The use of a site for three or more dwelling units within one building not otherwise defined as townhouse units.

f. Downtown Residential

The use of upper levels above street level of a building within the Central Business District of the City of Glenwood for single-or multiple-family residential uses.

g. Group Residential

The use of a site for a residence by more than four unrelated persons, not defined as a family, on a weekly or longer basis.

h. Manufactured Home Residential

Use of a site for one or more manufactured home dwellings, as defined in Section 216.

i. Mobile Home Park

Use of a site under single ownership for one or more mobile home units. Generally, the land in which mobile homes are placed in a Mobile Home Park is leased from the owner of the facility.

j. Mobile Home Subdivision

Division of a tract of land into lots that meet all the requirements of the City of Glenwood's subdivision ordinance for the location of the mobile homes. Generally, a lot within a Mobile Home Subdivision is owned by the owner of the mobile home placed upon such lot.

k. Retirement Residence

A building or group of buildings which provide residential facilities for more than four residents of at least sixty-two years of age, or households headed by a householder of at least sixty-two years of age. A retirement residence may provide a range of residential building types and may also provide support services to residents, including but not limited to food service, general health supervision, medication services, housekeeping services, personal services, recreation facilities, and transportation services. The retirement residence may accommodate food preparation in independent units or meal service in one or more common areas. Retirement residences may include additional health care supervision or nursing care.

167.05 Civic Use Types

Civic use types include the performance of utility, educational, recreational, cultural, medical, protective, governmental, and other uses which are strongly vested with social importance.

a. Administration

Governmental offices providing administrative, clerical or public contact services that deal directly with the citizen, together with incidental storage and maintenance of necessary vehicles. Typical uses include federal, state, county, and city offices.

b. Assisted Living

Assisted living means provision of housing with services which may include, but are not limited to, health-related care, personal care, and assistance with instrumental activities of daily living to six or more tenants in a physical structure which provides a homelike environment. Assisted living also includes encouragement of family involvement, tenant self-direction, and tenant participation in decisions that emphasize choice, dignity, privacy, individuality, shared risk, and independence. Assisted living includes that provision of housing and assistance with instrumental activities of daily living if personal care or health-related care is also included.

c. Cemetery

Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbarium, crematoria, mausoleums and

mortuaries when operated in conjunction with and within the boundary of such cemetery.

d. Clubs

Uses providing meeting, recreational, or social facilities for a private, non-profit or noncommercial association, primarily for use by members and guests.

1. Clubs (Recreational): Clubs which provide indoor and/or outdoor athletic facilities, with or without social or meeting facilities. Typical uses include country clubs, private or nonprofit community or recreational centers, and private golf courses and driving ranges.
2. Clubs (Social): Clubs which provide primarily social or meeting facilities. Typical uses include private social clubs and fraternal organizations.

e. College and University Facilities

An educational institution of higher learning which offers a course of study designed to culminate in the issuance of a degree certified by a generally recognized accrediting organization.

f. Convalescent Services

A use providing bed care and inpatient services for persons requiring regular medical attention but excluding a facility providing surgical or emergency medical services and excluding a facility providing care for alcoholism, drug addiction, mental disease, or communicable disease. Typical uses include nursing homes.

g. Cultural Services

A library, museum, or similar registered non-profit organizational use displaying, preserving, and exhibiting objects of community and cultural interest in one or more of the arts and sciences.

h. Day Care Services (Limited)

This Use Type includes all classifications of day care facilities that operate providing care for not more than six (6) children. This term includes nursery schools, preschools, day care centers for children or adults, and similar uses but excludes public and private primary and secondary educational facilities. Day Care Services must be legally operated per the Code of Iowa.

i. Day Care Services (General)

This Use Type includes all classifications of day care facilities that operate providing care for more than six (6) children. This term includes nursery schools, preschools, day care centers for children or adults, and similar uses but excludes public and private primary and secondary educational facilities. Day Care Services must be legally operated per the Code of Iowa.

j. Detention Facilities

A publicly operated or contracted use providing housing and care for individuals legally confined, designed to isolate those individuals from the community.

l. Elder Group Home

A single-family residence that is the residence of a person who is providing room, board, and personal care to three through five elders who are not related to the person providing the service within the third degree of consanguinity or affinity.

m. Emergency Residential Services

A facility or use of a building to provide a protective sanctuary for victims of crime or abuse, including emergency housing during crisis intervention for victims of rape, abuse, or physical beatings.

n. Family Home

A community-based residential home or a child foster care facility to provide room and board, personal care, habitation services, and supervision in a family environment exclusively for not more than eight (8) developmentally, disabled persons and any necessary support personnel is permitted by and as limited by section 412.22, Code of Iowa.

o. Group Care Facility

A government-licensed or approved facility which provides for resident care and short or long-term, continuous multi-day occupancy of more than 8 but not more than 30 unrelated persons, not including resident staff. Group Care Facilities include facilities which provide services in accordance with individual needs for the:

1. Adaptation of living with, or rehabilitation from, the handicaps of physical disability.
2. Adaption to living with, or rehabilitation form, the handicaps of emotional or mental disorder; or developmental disabilities.
3. Rehabilitation form the effects of drug or alcohol abuse.
4. Supervision while under a program alternative to imprisonment, including but not limited to pre-release, work-release, and probationary programs.
5. Others who require direct adult supervision.

p. Group Home

A facility licensed by the State of Iowa in which at least but no more than eight persons, not including resident managers or house parents, who are unrelated by blood, marriage, or adoption, reside while receiving therapy, training, living assistance or counseling for the purpose of adaptation to living with or rehabilitation

from a physical or mental disability as defined by the relevant provisions of the Code of Iowa or by the Fair Housing Amendments Act of 1988.

q. Guidance Services

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

r. Health Care

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

s. Hospital

A facility providing medical, psychiatric, or surgical service for sick or injured persons primarily on an inpatient basis, including emergency treatment, diagnostic services, training, administration, and services to patients, employees, or visitors.

t. Maintenance Facilities

A public facility supporting maintenance, repair, vehicular or equipment servicing, material storage, and similar activities including street or sewer yards, equipment service centers, and similar uses having characteristics of commercial services or contracting or industrial activities.

u. Park and Recreation Services

Publicly-owned and operated parks, playgrounds, recreation facilities including publicly-owned community centers, and open spaces.

v. Postal Services

Postal services, including, post offices, bulk mail processing or sorting centers operated by the United States Postal Service.

w. Primary Educational Facilities

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

x. Public Assembly

Facilities owned and operated by a public agency or a charitable non-profit organization accommodating major public assembly for recreation, sports, amusement, or entertainment purposes. Typical uses include civic or community auditoriums, sports stadiums, convention facilities, fairgrounds, incidental sales, and exhibition facilities.

y. Religious Assembly

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

z. Safety Services

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

aa. Secondary Educational Facilities

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

bb. Utilities

Any above ground structures or facilities, other than lines, poles, and other incidental facilities, used for the production, generation, transmission, delivery, collection, or storage of water, sewage, electricity, delivery, collection, or storage of water, sewage, electricity, gas, oil, energy media, communications, electronic or electromagnetic signals, or other services which are precedent to development and/or use of land.

167.06 Office Use Types

Office use types include uses providing for administration, professional services, and allied activities. These uses often invite public clientele but are more limited in external effects than commercial uses.

a. Corporate Offices

Use of a site for administrative, processing, or research offices, which generally does not provide service to clientele from Glenwood and the surrounding region.

Corporate offices are destinations for commuters drawn from a relatively wide region around Glenwood, as well as from the community itself. Typical uses include corporate headquarter offices, telemarketing, or information processing offices.

b. General Offices

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

c. Financial Services

Provision of financial and banking services to consumers or clients. Walk-in and drive-in services to consumers are provided on site. Typical uses include banks, savings, and loan associations, savings banks, and loan companies. An ATM (Automatic Teller Machine) which is not accompanied on-site by an office of a its primary financial institution is considered within the Personal Services Use Type.

d. Medical Offices

Use of a site for facilities which provide diagnoses and outpatient care on a routine basis, but which does not provide prolonged, in-house medical or surgical care. Medical offices are operated by doctors, dentists, or similar medical practitioners licensed for practice in the State of Iowa.

167.07 Commercial Use Types

Commercial uses include the sale, rental, service, and distribution of goods, and the provision of services other than those classified under other use types.

a. Agricultural Sales and Service

Establishments of places of business engaged in sale from the premises of feed, grain, fertilizers, farm equipment, pesticides and similar goods or in the provision of agriculturally related services with incidental storage on lots other than where the service is rendered. Typical uses include nurseries, hay, farm implement dealerships, feed and grain stores, and tree service firms.

b. Automotive and Equipment Services

Established or places of business primarily engaged in sale and/or service of automobiles, trucks, or heavy equipment. The following are considered automotive and equipment use types.

1. Automotive Rental and Sales: Sale of rental of automobiles, noncommercial trucks, motorcycles, motor homes, recreational vehicles or boats, including incidental storage, maintenance, and servicing. Typical uses include new and used car dealerships; motorcycle dealerships, and boat, trailer, and recreational vehicle dealerships.
2. Auto Services: Provisions of fuel, lubricants, parts and accessories, and incidental services to motor vehicles; and washing and cleaning and/or repair of automobiles, noncommercial trucks, motorcycles, motor homes, recreational vehicles, or boats, including the sale, installation, and servicing of equipment and parts. Typical uses include service stations, car washes, muffler shops, auto repair garages, tire sales and installation, wheel and brake shops, and similar repair and service activities but exclude dismantling, salvage, or body and fender repair services.

3. Body Repair: Repair, painting, or refinishing of the body, fender or frame of automobiles, trucks, motorcycles, motor homes, recreational vehicles, boats, tractors, construction equipment, agricultural implements, mobile homes, and similar heavy equipment. Typical uses include body and fender shops, painting shops, and other similar repair or refinishing garages.
4. Equipment Rental and Sales: Sale or rental of trucks, tractors, construction equipment, agricultural implements, mobile homes, and similar heavy equipment, including incidental storage, maintenance, and servicing. Typical uses include truck dealerships, construction equipment dealerships, and mobile home sales establishments.
5. Equipment Repair Services: Repair of truck, tractors, construction equipment, agricultural implements, and similar heavy equipment. Typical uses include truck repair garages, tractor and farm implement repair services, and machine shop, but exclude dismantling, salvage, or body and fender repair services.

c. Bed and Breakfast

A lodging service that provides overnight or short-term, accommodations to guests or visitors, usually including provision of breakfast are usually located in large residential structures that have been adapted for this use. For the purpose of this definition, bed and breakfasts are always owned and operated by the resident owner or resident manager of the structure, include no more than eight units, and accommodate each guest or visitor for not more than 7 consecutive days during any one-month period.

d. Business Support Services

Establishment or places of business primarily engaged in the sale, rental or repair of equipment, supplies and materials or the provision of services used by office, professional and service establishments to the firms themselves by excluding automotive, construction and farm equipment. Typical uses include office equipment and supply firms, small business machine repair shops or hotel equipment and supply firms, messenger and delivery services, custodial or maintenance services, and convenience printing and copying.

e. Business or Trade Schools

A use providing education or training in business, commerce, language, or other similar activity or occupational pursuit, and not otherwise defined as a home occupation, college or university, or public or private educational facility.

f. Campground

Facilities providing camping or parking areas and incidental services for travelers in recreational vehicles or tents, which accommodate each guest or visitor for not more than 7 consecutive days during any one-month period.

g. Cocktail Lounge

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

h. Commercial Recreation

Private businesses, or other organizations which may or may not be commercial by structure or by nature, which are primarily engaged in the provision or sponsorship of sports, entertainment, or recreation for participants or spectators. Typical uses include theaters, private dance halls, billiard or bowling centers, game arcades, or private skating facilities.

i. Communications Services

Establishments primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic and telephonic mechanisms but excludes those classified as Utilities. Typical uses include television studios, telecommunication service centers, telegraph service offices, or film and sound recording facilities. Broadcast towers, and their minor ancillary ground structures are classified as "Miscellaneous Use Types."

j. Construction Sales and Services

Establishments or places of business primarily engaged in the retail or wholesale, from the premises, of materials used in the construction of buildings or other structures other than retail sale of paint, fixtures and hardware. This use type excludes those uses classified under Automotive and Equipment Services. Typical uses include building materials sales, or tool and equipment rental or sales.

k. Consumer Services

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

l. Convenience Storage

Storage services primarily for personal effects and household goods within enclosed storage areas having individual access but excluding use of such areas as workshops, hobby shops, manufacturing, or commercial activity. Typical uses include mini-warehousing.

m. Food Sales

Establishments or places of business primarily engaged in the retail sale of good or household products for home consumption. Food Sales establishments may include the sale of non-food items may account for not more than the lesser of 25% of the

sales area or 10,000 square feet of the Food Sales establishment. Typical uses include groceries, delicatessens, meat markets, retail bakeries, and candy shops.

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

n. Funeral Services

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

o. Kennels

Boarding and care services for dogs, cats and similar small mammals or large birds; or any premises on which three or more animals included under this definition over four months of age are kept and maintained. Typical uses include boarding kennels, ostrich raising facilities; pet motels, or dog training centers.

p. Laundry Services

Establishments primarily engaged in the provision of laundering, cleaning or dyeing services other than those classified as Personal Services. Typical uses include bulk laundry and cleaning plans. diaper services, or linen supply services.

q. Liquor Sales

Establishments of places of business engaged in retail sales for off-premise consumption of alcoholic beverages. Typical uses include liquor stores, bottle shops, or any licensed sales of liquor, beer or wine for off-site consumption.

r. Lodging

Lodging services involving the provision of room and/or board, but not meeting the classification criteria of Bed and Breakfasts. Typical uses include hotels, apartment hotels, and motels.

s. Personal Improvement Services

Establishments primarily engaged in the provision of informational, instructional, personal improvements and similar services of a nonprofessional nature. Typical uses include driving schools, health or physical fitness studios, music schools, reducing salons, dance studios, handicraft and hobby instructions.

t. Personal Services

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

u. Pet Services

Retail Sales, incidental pet health services, and grooming and boarding, when totally within a building, of dogs, cats, birds, fish, and similar small animals customarily used as household pets. Typical uses include pet stores, small animal clinics, dog bathing and clipping salons, and pet grooming shops, but exclude uses for livestock and large animals.

v. Research Services

Establishments primarily engaged in research of an industrial or scientific nature. Typical uses include electronics research laboratories, space research and development firms, testing laboratories, or pharmaceutical research labs.

w. Restaurants

A use engaged in the preparation and retail sale of food and beverages; including the sale of alcoholic beverages when conducted as a secondary feature of the use, producing less than 50n per cent of the establishment's gross income.

1. Restaurant (Drive-in or Fast Food): An establishment which principally supplies food and beverages in disposable containers and is characterized by high

automobile accessibility and on-site accommodations, self-service, and short stays by customers.

2. Restaurant (General): An establishment characterized by table service to customers and/or accommodation to walk-in clientele, as opposed to Drive-In or Fast Food Restaurants. Typical uses include cafes, coffee shops, and restaurants.

x. Restricted (or Adult) Businesses

Any business activity which offers the opportunity to view sexual activities or view or touch anatomical area for entertainment purposes on a manner that offends contemporary standards in the community of Glenwood, depicts or describes sexual conduct in a patently offensive way, and lacks serious literary, artistic, political, or scientific callus. This category includes that sale or viewing of visual or print materials that meet these criteria. Typical uses include retail services or stores which are distinguished by an emphasis on activities or materials that emphasize sexual content; businesses which offer live performances characterized by exposure of specified anatomical areas; and adult theaters.

y. Retail Services

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

Household cleaning and maintenance products; drugs, cards, stationery, notions, books, tobacco products, cosmetics, and specialty items; flowers, plants, hobby materials, toys, and handcrafted items; apparel jewelry, fabrics and like items; cameras, photograph services, household electronic equipment, records, sporting equipment, kitchen utensils, home furnishing and appliances, art supplies and framing, arts and antiques, paint and wallpaper, hardware, carpeting and floor covering; interior decorating services; office supplies; mail order or catalog sales; bicycles; and automotive parts and accessories (excluding service and installation).

General Retail Services include:

1. Limited Retail Services: Establishments providing retail services, occupying facilities of 3,000 square feet or less. Typical establishments provide for specialty retailing or retailing oriented to Glenwood and its surrounding vicinity.
2. Medium Retail Services: Establishments providing retail services, occupying facilities between 3,001 and 10,000 square feet in a single establishment or multi-tenant facility. Typical establishments provide for specialty retailing or general-purpose retailing oriented to Glenwood and its surrounding vicinity.
3. Large Retail Services: Establishments providing retail services, occupying facilities between 10,001 and 40,000 square feet in a single establishment or multi-tenant

facility. Typical establishments provide for specialty retailing or general-purpose retailing oriented to Glenwood and its surrounding vicinity.

4. Mass Retail Services: Establishments providing retail services, occupying facilities over 40,000 square feet in a single establishment or multi-tenant facility. Typical establishments provide for general purpose retailing oriented to Glenwood and the surrounding region.

z. Stables and/or Riding Academies

The buildings, pens and pasture areas used for the boarding and feeding of horses, llama, or other equine not owned by the occupants of the premises. This use includes instruction in riding, jumping, and showing or the riding of horses/equine for hire.

aa. Surplus Sales

Businesses engaged in the sale, including sale by auction, of used items or new items which are primarily composed of factory surplus or discontinued items. Surplus sales use sometimes include regular outdoor display of merchandise. Typical uses include flea markets, auction houses, factory outlets, or merchandise liquidators.

bb. Trade Services

Establishments or places of business primarily engaged in the provision of services that are not retail or primarily dedicated to walk-in clientele. These services often involve services to construction or building trades and may involve a small amount of screened, outdoor storage in appropriate zoning districts. Typical uses include shops or operating bases for plumbers, electricians, or HVAC (heating, ventilating, and air conditioning) contractors.

cc. Vehicle Storage (Short-term)

Short-term storage of operating or nonoperating vehicles for a period of no more than 21 days. Typical uses include storage of private parking tow-aways or impound yards but exclude dismantling or salvage. Long-term storage beyond 21 days constitutes an Industrial Use Type.

dd. Veterinary Services

Veterinary services and hospitals for animals. Typical uses include pet clinics, dog and cat hospitals, pet cemeteries and crematoria, and veterinary hospitals for livestock and large animals.

167.08 Parking Use Types

a. Off-Street Parking

Parking use types include surface parking of motor vehicles on a temporary basis within a privately or publicly owned off-street parking facility.

b. Parking Structure

The use of a site for a multilevel building which provides for the parking of motor vehicles on a temporary basis, other than as an accessory to a principal use of the same site.

167.09 Industrial Use Types

Industrial use types include the on-site extraction or production of goods by nonagricultural methods, and the storage and distribution of products.

a. Construction Yards

Establishments housing facilities of businesses primarily engaged in construction activities, including incidental storage of materials and equipment on lots other than construction sites. Typical uses are building contractor's yards.

b. Custom Manufacturing

Establishments primarily engaged in the on-site production of goods by hand manufacturing, within enclosed structures, involving:

1. The use of hand tools, or
2. The use of domestic mechanical equipment not exceeding 2 horsepower, or
3. A single kiln not exceeding 8 KW or equivalent.

This category also includes the incidental direct sale to consumers of only those goods produced on site. Typical uses include ceramic studios, custom jewelry manufacturing, candle making shops.

c. Light Industry

Establishments engaged in the manufacture of processing of finished products from previously prepared materials, including processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales, and distribution, these establishments shall have no major external environmental effects across property lines and include no unscreened or unenclosed outdoor storage. Typical uses include commercial bakeries, dressed beef processing plants, soft drink bottling, apparel assembly from fabrics, electronics, manufacturing, print shops and publishing houses.

d. General Industry

Enterprises engaged in the processing, manufacturing, compounding, assembly, packaging, treatment or fabrication of materials and products from prepared materials or from raw materials without noticeable noise, odor, vibration, or air pollution effects across property lines.

e. Heavy Industry

Enterprises involved in the basic processing and manufacturing of products, predominately from raw materials, with noticeable noise, odor, vibration, or air pollution effects across property lines; or a use or process engaged in the storage of or processes involving potentially of actually hazardous, explosive, flammable, radioactive, or other commonly recognized hazardous material.

f. Recycling Collection

Any site which is used for the processing of any post-consumer, nondurable goods including, but not limited to glass, plastic, paper, cardboard, aluminum, tin, or other recycle commodities.

g. Recycling Processing

Any site which is used for the processing of any post-consumer, nondurable goods including, but not limited to glass, plastic, paper, cardboard, aluminum, tin, other recyclable commodities.

h. Resource Extraction

A use involving on-site extraction of surface or substance mineral products of natural resources, excluding the grading and removal of dirt. Typical uses are quarried, borrow pits, sand and gravel operations, mining.

i. Salvage Services

Places of business primarily engaged in the storage, sale, dismantling or other processing of used or waste materials which are not intended for reuse in their original forms. Typical uses include automotive wrecking yards, junk yards, or paper salvage yards.

j. Vehicle Storage (Long Term)

Long-term storage of operation or nonoperating vehicles for a period exceeding 21-days. Typical uses include storage of private parking tow-away(s) or impound yards but exclude dismantling or salvage uses. Long-term storage of 21-days or less constitutes a Commercial Use Type.

k. Warehousing (Enclosed)

Uses including storage, distribution, and handling of goods and materials. Typical uses include monument yards, grain elevators, and open storage.

l. Warehousing (Open)

Uses including open air storage, distribution, and handling of goods and materials. Typical uses include monument yards, grain elevators, and open storage.

167.10 Transportation Use Types

Transportation use types include the use of land for the purpose of providing facilities supporting the movement of passengers and freight from one point to another.

a. Aviation Facilities

Landing fields, aircraft parking and service facilities, and related facilities for operation, service, fueling, repair, storage, charter, sales, and rental of aircraft, and including activities directly associated with the operation and maintenance of airport facilities and the provision of safety and security.

b. Railroad Facility

Railroad yards, equipment servicing facilities, and terminal facilities.

c. Transportation Terminal

Facility for loading, unloading, and interchange of passengers, baggage, and incidental freight or package express, including bus terminals, railroad stations, public transit facilities.

d. Truck Terminal

A facility for the receipt, transfer, short term storage, and dispatching of goods transported by truck.

167.11 Miscellaneous Type Uses

The use of a site for the production of energy utilizing methods that do not involve the oxidation, combustion, or fission of primary materials. Typical uses include solar collector fields, geothermal energy installations, or water-powered mills or generating facilities.

a. Amateur Radio Tower

A Structure(s) for the transmission of broadcasting of electromagnetic signals by FCC licensed Amateur Radio operators.

b. Communications Tower

A structure(s) for the transmission of broadcasting of radio, television, radar, or microwaves, ordinarily exceeding the maximum height permitted in its zoning district. Typical use includes broadcasting towers and cellular communications towers.

c. Construction Batch Plant

A temporary demountable facility used for the manufacturing of cement, concrete, asphalt, or other paving materials intended for specific construction projects.

d. Landfill (Non-putrescible Solid Waste Disposal)

The use of a site as a depository for solid wastes that do not readily undergo chemical or biological breakdown under conditions normally associated with land disposal operations. Typical disposal material would include ashes, concrete, paving wastes, rock, brick, lumber, roofing materials and ceramic tile.

e. Landfill (Putrescible and Non-putrescible Solid Waste Disposal)

The use of a site as a depository for any solid waste except hazardous and toxic waste as defined by the Federal Environmental Protection Agency and/or the State of Iowa. Typical disposal material would include non-putrescible wastes; and putrescible wastes such as vegetation, tree parts, agricultural wastes (garbage) and manure.

f. Wind Energy Conservation System (WECS)

Any device which converts wind energy to a form of usable energy, including wind charges, windmills, or wind turbines.

SECTION 168**Zoning District Regulations**

168.01 Purpose

Article Four presents the Zoning District Regulations/ Zoning Districts are established in the Zoning Regulations to promote compatible land use patterns and to establish site development regulations appropriate to the purposes and specific nature of each district.

168.02 Establishment of Districts

The following base districts and overlay districts are hereby established. Table 168-1 displays the purposes of these districts.

<u>BASE ZONING DISTRICTS</u>	<u>DISTRICT NAMES</u>
AR	Agricultural Reserve District
RR	Rural Residential District
R-1	Single-Family Residential District (8,400 square foot lots)
R-2	Single-Family Residential District (6,000 square foot lots)
R-3	Urban Family Residential District
R-4	Multi-Family Residential District
MH	Mobile Home Residential District
UC	Mixed Use Urban Corridor District
CC	Community Commercial District
DC	Downtown Commercial District
GC	General Commercial District
HC	Highway Gateway Commercial District
BP	Business Park District
LI	Limited Industrial District
GI	General Industrial District
 <u>OVERLAY DISTRICTS</u>	
MU	Mixed Use District
PD	Planned Unit Development District
NC	Neighborhood Conservation District
RC	Rural Conservation Development Overlay District
FP/FW	Floodplain/Floodway Overlay District

168.03 Application of Districts

A base district designation shall apply to each lot or site within the city and its planning jurisdiction. A site must be in one base district.

Overlay districts may be applied to any lot or site or any portion thereof, in addition to a base district designation. The Mixed-Use District may stand alone as a base district.

168.04 Hierarchy

References in the Zoning Ordinance to less intensive or more intensive districts shall be deemed to refer to those agricultural, residential, commercial, and industrial base zoning districts established in Section 168.02, and shall represent a progression from the AR agricultural Reserve District as the least intensive to the GI General Industrial District as the most intensive. The Overlay Districts shall not be included in this reference.

168.05 Development Regulations

For each Zoning District: Purposes are set forth in Table 168*1; Uses permitted are set forth in Table 168-2; and Site Development Regulations are presented in Table 168-3.

168.06 Zoning Map

a. Adoption of Zoning Map

Boundaries of zoning districts established by this Zoning Regulations shall be shown on the Zoning Map maintained by the City Clerk. This map shall bear the signature of the Mayor attested by the City Clerk under the certification that this is the Official Zoning Map referred to by this Ordinance. This map, together with all legends, references, symbols, boundaries, and other information, shall be adopted as a part of, and concurrent with these Regulations. Said Zoning map shall be on file with the City Clerk and shall be readily accessible to the public at Glenwood City Hall.

b. Changes to the Zoning Map

The city council may from time to time adopt a new official zoning map which shall supersede the prior official zoning map, in the event that the official zoning map becomes damaged or destroyed; or for purposes of clarity due to a number of boundary changes, or to correct drafting errors or omissions; provided, however, that any such adoption shall not have the effect of amending the original zoning ordinance or any subsequent amendment thereof.

168.07 Interpretation of District Boundaries

The following rules shall apply in determining the boundaries of any zoning district shown on the Zoning Map.

- a.** Where district boundaries are indicated as approximately following lot lines, such lot lines shall be considered the district boundaries.
- b.** Where district boundaries are indicated as within street or alley, railroad, streams or creeks, or other identifiable rights-of-way, the centerline of such rights-of-way shall be deemed the district bounds.

- c. Where a district boundary decides a property, the location of the boundary shall be determined by the use of the scale appearing on the Zoning Map.
- d. Where district boundaries are indicated as approximately following corporate limits, such corporate limits shall be considered the district boundaries.
- e. Where district boundaries are indicated a approximately following section lines, quarter section lines, or quarter-quarter section lines, such lines shall be considered the district boundaries.
- f. Boundaries not capable of being determined as set forth in 168.07a through 168.07e shall be as dimensioned on the official Zoning Map or if not dimensioned shall be determined by the scale shown on the map.

168.08 Vacation of Streets and Alleys

Whenever a public street or alley is vacated, the zoning district adjoining each side of such right-of-way shall be extended out to the former centerline.

168.09 Annexation of Territory

All unimproved or agricultural territory which may hereafter be annexed to the City shall be considered as lying in the AR Agricultural Reserve District until such classification shall be changed as provided by this ordinance. Any improved property that is annexed into the city shall be zoned according to the zoning district that most nearly describes either its present use or the use proposed by Glenwood's Comprehensive Plan. This zoning shall be established by the Planning and Zoning Commission and the City Council at the time of annexation.

168.10 Required Conformance

Except as specified in this chapter, no building or structure shall be erected, converted, enlarged, reconstructed or structurally altered, nor shall any building or land be used, which does not comply with all of the district regulations established by this title for the district on which the building or land is located.

168.11 Required Frontage

Except as provided in Article Seven of this title, no lot shall contain any building used in whole or in part for residence purposes unless such lot abuts for a least twenty feet on at least one public street, or unless it has an exclusive unobstructed private easement of

access of right-of-way of at least twenty feet wide to a street; and there shall be not more than one single-family dwelling for such frontage or easement, except that a common easement of access at least fifty feet wide may be provided for two or more such single-family dwellings or for one or more two-family or multiple dwellings.

Table 168-1: Purposes of Zoning Districts

SYMBOL	TITLE	PURPOSE
AR	Agricultural Reserve	The AR District provides for and preserves the agricultural and rural use of land, while accommodating very low-density residential development generally associated with agricultural uses. This district is designed to maintain complete agricultural uses within the Glenwood jurisdiction. In addition, land included in the Urban Reserve in the Comprehensive Plan should be retained in the AR district to prevent premature or inappropriate development.
RR	Rural Residential	The district provides for the rural residential use of land, accommodating very low density residential environments. The district's regulations assure that density is developed consistent with land use policies of the Glenwood Comprehensive Plan regarding rural subdivisions; levels of infrastructure; and environmentally sensitive development practices. The RR District is appropriate for development that is unlikely to receive urban water and sewer services. The district also accommodates developments that merge urban living with rural life.
R-1	Single-Family Residential (8,400 SF Lots)	This district is intended to provide for residential development, characterized by single-family dwellings on lots with an area of 8,400 square feet and above. Development in this district will generally be provided with urban infrastructure services.
R-2	Single-Family Residential (6,000 SF Lots)	This district is intended to provide for residential development characterized by single-family dwellings on relatively small lots with an area of 6,000 to 8,400 square feet. Development in this district will generally be provided with urban infrastructure services.
R-3	Urban Family Residential	This district is intended to provide for medium density residential development, characterized by single-family dwellings on small lots along with low-density multi-unit residential structures such as duplexes and townhouses. It provides regulations to encourage innovative forms of housing development. It adapts to both established and developing neighborhoods, as well as transitions between single-family and multi-family areas. Its regulations are intended to minimize traffic congestion and to assure that density is consistent with the carrying capacity of infrastructure.
R-4	Multi-Family Residential	This district is intended to provide locations primarily for multiple-family housing, with supporting and appropriate community facilities. It also permits some non-residential uses such as offices through a special permit procedure to permit a mixing of uses that have relatively similar operating and development effects.
MH	Mobile Home Residential	This district recognizes that mobile home development, properly planned, can provide important opportunities for affordable housing. It provides opportunities for mobile home development within planned parks or subdivisions, along with the supporting services necessary to create quality residential neighborhoods.
UC	Mixed Use Urban Corridor	This district recognizes the mixed use character of major urban corridors, most notably Locust Street. These corridors sometimes accommodate a combination of residential, commercial, and office uses. Design standards maintain their character as important urban streets.

Table 168-1: Purposes of Zoning Districts (Continued)

SYMBOL	TITLE	PURPOSE
CC	Community Commercial	This district is intended for commercial facilities which serve the needs of markets ranging from several neighborhoods to the overall region. Permitted commercial and office uses are generally compatible with nearby residential areas, with development standards designed to minimize the effects of traffic and operating characteristics. CC Districts are appropriate at major intersections, at the junction of several neighborhoods, or at substantial commercial subcenters.
DC	Downtown Commercial	This district is intended to provide appropriate development regulations for Downtown Glenwood. Mixed uses are encouraged within the DC District. The grouping of uses is designed to strengthen the town center's role as a center for trade, service, and civic life.
GC	General Commercial	This district accommodates a variety of commercial uses, some of which have significant traffic or visual effect. These districts may include commercial uses which are oriented to services, including automotive services, rather than retail activities. These uses may create land use conflicts with adjacent residential areas, requiring provision of adequate buffering. This district is most appropriately located along major arterial streets or in areas that can be adequately buffered from residential districts.
HC	Highway Gateway Commercial	This district is designed to provide high quality commercial development at major community gateways and highway environments, specifically relating to interchanges or intersections of major community arterials such as Locust Street and Highway 34. The design of projects at these gateways should provide a positive first impression to Glenwood.
BP	Business Park	This district is designed to promote the development of planned business parks that accommodate corporate offices, research facilities, and structures which can combine office, distribution, and limited industrial uses. These facilities serve a more regional audience but, may provide services to local residents. They are characterized by extensive landscaping, abundant parking facilities, and good visual and pedestrian relationships among buildings.
BP	Business Park	This district is designed to promote the development of planned business parks that accommodate corporate offices, research facilities, and structures which can combine office, distribution, and limited industrial uses. These facilities serve a more regional audience but, may provide services to local residents. They are characterized by extensive landscaping, abundant parking facilities, and good visual and pedestrian relationships among buildings.
LI	Limited Industrial	This district is intended to reserve sites appropriate for the location of industrial uses with relatively limited environmental effects. The district is designed to provide appropriate space and regulations to encourage good quality industrial development, while assuring that facilities are served with adequate parking and loading facilities.
GI	General Industrial	This district is intended to accommodate a wide variety of industrial uses, some of which may have significant external effects. These uses may have operating characteristics that create conflicts with lower-intensity surrounding land uses. The district provides the reservation of land for these activities and includes buffering requirements to reduce incompatibility.

168.12 Use Matrix: Levels of Permitted Uses

Within zoning districts in Glenwood, different uses are permitted with different conditions. These are displayed in Table 168-2, the Matrix of Permitted Uses. Levels of permission include.:

- a. Uses which are Permitted by right: These uses are permitted subject to issuance of a building permit by Building Official, subject only to compliance with all regulations of this Ordinance. Uses permitted by right might be subject to supplemental regulations contained in this Ordinance. These uses are indicated in the Use Matrix by a “P” in the applicable cell.
- b. Conditional Uses: These uses are subject to approval of a Conditional Use Permit by the Planning Commission, following the procedure set forth in Section 177.03. These uses are indicated in the Use Matrix by a “C” in the applicable cell. Conditional uses with intensity ratings of M (moderate), H (high), or I (intensive) require attainment of a requisite number of Performance Points. These uses require special site of development features and amenities in excess of the minimum requirements in certain zoning district, because of their scale, neighborhood impact, or other potential external effects. The procedure for determination of Performance Points is set forth in Section 169.
- c. Site Plan Approval: Some use types require a site plan approval by the Building Official, based on specific criteria for review. This procedure is set forth in Section 177.02. These uses are indicated in the Use Matrix by an asterisk (*) following the citing of a specific use type.

168.13 Guide to Site Development Regulators

The regulators set forth in Table 168-3 establish the limits and requirements for most development in the City of Glenwood. This section is intended to provide guidance for applying the regulators contained in these tables.

- a. Site area per housing unit: This indicates the gross land area per unit within a residential development. For example, a 40 lot subdivision on a 10 acre (435,600 square foot tract) will have a site area per unit of 10,890 square feet. Site area per unit, which measures gross density, may differ from minimum lot size. In conservation development the site area per unit will be larger than minimum lot size, permitting the clustering of lots in exchange for common open space. In multi-family development, the site area per unit will usually be smaller than minimum lot size, because the lot is the legal parcel on which a multiple-unit building is built.

- b. Minimum lot area:** This indicates the minimum size of a legally described and recorded parcel upon which development can take place. As noted above, minimum lot area and site area per unit may not be the same.
- c. Minimum lot width:** This is the required minimum distance connecting at points along opposite side lot lines, measured at the required front yard setback. For example, the lot width of an irregular lot in a district requiring a 25-foot front yard setback is determined by:

 - 1. Locating the points along each side lot line at a distance of 25-feet back from the front property line.
 - 2. Drawing a line connecting these two (2) points.
 - 3. Measuring the length of this line and the length is the lot width.
- d. Minimum yards:** These define the required setbacks of buildings from front, side, and rear property lines. While the yard requirements apply to a majority of development, the Ordinance provides for a number of exceptions. Some of these include:

 - 1. **Planned Developments:** Front yard setbacks can be varied within Planned Developments, which are reviewed and approved by the City Council after a recommendation from the Planning Commission.
 - 2. **Flexibility provided by Supplemental Development Regulations:** Section 171 establishes supplemental regulations, many of which provide flexibility or variations in setback regulations for specific contexts.
 - 3. **Maximum setbacks:** Some specific zoning districts provide maximum as well as minimum setbacks. These setbacks establish “build-to” lines which may be necessary to protect the appearance and character of special urban districts.
- e. Maximum height:** Height normally measures the vertical distance from the established grade to the highest point of a building. However, as established by the definition of height, the point of measurement may vary for different types of buildings and roof slopes.
- f. Maximum building coverage:** This measures the percentage of a site that may be covered by the footprint of buildings. Thus, a 20,000 square foot building on a 40,000 square foot site has a building coverage of 50%. This is a method of regulating the scale of buildings in an area.
- g. Maximum Impervious Coverage:** This measures the percentage of a site that may be covered by buildings and other surfaces and development features which prevent the penetration of water into the ground (such as driveways, porches, parking lots,

and other features). Limits on impervious coverage help control the velocity and quantity of stormwater runoff and provide for groundwater recharge.

- h. Floor area ratio:** Just as site area per unit controls the density of residential development, floor area ratio (FAR) controls the density of non-residential development. FAR is the ratio of gross floor area of a building to total site area. Thus, in an area with a maximum permitted FAR of 1.0, a 40,000 square foot building may be located on a 40,000 square foot site. Naturally, because of coverage ratios, landscaping, and parking requirements, such a building will be multi-story.
- i. Maximum amount of total parking in street yard:** This controls the maximum amount of parking that can be located in the area between a building façade and the street. When applied in certain zoning districts, it is intended to reduce the number of cars seen from the street, encourage site planning which locates parking in rear and side yards, and produce a stronger relationship between buildings and streets. For example, a project with 100 parking stalls and a 50% limit on the amount of parking located in street yards must locate 50 of its stalls in rear or side yards without street exposure.
- j. Minimum Width of Residential Structures:** This controls the minimum width for any residential building structure elevations, which shall be not less than twenty (20) feet in width, in all residential zones.
- k. Minimum Floor Area for Residential Structures.** This controls the minimum floor area for each residential structure. Any residential structure shall contain not less than seven hundred-fifty (750) square feet of enclosed living space.

ZONING DISTRICT REGULATIONS

Table 168-2: Matrix of Permitted Uses by Zoning Districts

USE TYPES	IR	AR	RR	R-1	R-2	R-3	R-4	MH	UC	CC	DC	GC	HC	BP	LI	GI	Add. Regs.
Agricultural Uses																	
Horticulture	L	P	P	C	C	C	C	C		P	C	C	C				
Crop Production	L	P	P														
Animal Production	M	P	P														
Commercial Feedlots	I																
Livestock Sales	I																
Residential Uses																	
Single-Family Detached	L	P	P	P	P	P	P	P	P								
Single-Family Attached	L		C	C	C	P	P	P	P								
Duplex	L					P	P		P								
Two-Family	L		C	C		P	P		P		P						
Townhouse (up to 4 attached units)	L					P	P		P		P						
Townhouse (over 4 attached units)*	M					C	P		P		P						
Multiple -Family*	H						P		C	C	P	C					
Downtown Residential	M										P						
Group Residential*	M		C				P			C							
Manufactured Housing Residential	L	P	P	P	P	P	P	P									
Mobile Home Park	H							C									
Mobile Home Subdivision	M							P									
Retirement Residential*	M	C	C	C	C	P	P	C	P	C	P	C					

P = Uses Permitted by Right C = Uses Permitted by Conditional Use Permit Blank = Use Not Permitted
 Intensity Rating (IR Column): L = Low M=Moderate H = High I = Intensive *Requires Site Plan Approval

ZONING DISTRICT REGULATIONS

Table 168-2: Matrix of Permitted Uses by Zoning Districts *(continued)*

USE TYPES	IR	AR	RR	R-1	R-2	R-3	R-4	MH	UC	CC	DC	GC	HC	BP	LI	GI	Add. Regs.
Civic Uses																	
Administration	L		C	C	C	C	C	C	P	P	P	P	P	P	P	P	
Assisted Living	M				C	C	P										
Cemetery	L	C	C	P	P	P	C	P									
Clubs (Recreational)*	M	C	C	C	C	C	P	C	P		C	P	P	C	P	P	
Clubs (Social)*	M	C	C	C	C	C	P	C	P	P	P	P	P	C	P	P	
College/Univ*	H	C	C	C	C	C	P	C	P	P	P	P	P	P	P		
Convalescent Services	L	C			C	C	P	C	P	P	C						
Cultural Services*	M	C	C	P	P	P	P	P	P	P	P	P	P	P	P		
Day Care (Limited)	L	P	P	P	P	P	P	P	P	P	P	C	C	C	C	C	
Day Care (General)*	M	C	C	C	C	C	P	C	P	P	P	P	P	P	C	C	
Detention Facilities*	I											C	C		C	C	
Elder Home	L	P	P	P	P	P	P	P	P								
Emergency Residential	L	P	P	P	P	P	P	P	P	P	P						
Family Home	L	P	P	P	P	P	P	P	P								
Group Care Facility*	M				C		P		P	P	P	P	P				
Group Home	L	C			C	C	P		P	P	P	P	P				
Guidance Services	L						P		P	P	P	P	P	P	P	P	
Health Care*	M						P		P	P	P	P	P	P	P	P	
Hospitals*	H						C		C	C	P	P	P	P	C	C	
Maintenance Facility*	H	C							C	C		P	P		P	P	
Park and Recreation	L	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Postal Facilities*	M								C	P	P	P	P	P	P	P	
Primary Education*	H	P	P	P	P	P	P	P	P	P	P	C	C				
Public Assembly*	H								C	C	P	P	P	C			
Religious Assembly*	M	P	P	P	P	P	P	P	P	P	P	P	P		C		
Safety Services*	M	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Secondary Educ*	H	C	C	C	C	C	P	C	P	C	C	C	C				
Utilities*	H	P	C	C	C	C	C	C	C	C	C	P	P		P	P	

P = Uses Permitted by Right C = Uses Permitted by Conditional Use Permit Blank = Use Not Permitted
Intensity Rating (IR Column): L = Low M=Moderate H = High I = Intensive *Requires Site Plan Approval

ZONING DISTRICT REGULATIONS

Table 168-2: Matrix of Permitted Uses by Zoning Districts *(continued)*

Use Types	IR	AR	RR	R-1	R-2	R-3	R-4	MH	UC	CC	DC	GC	HC	BP	LI	GI	Add. Reg.
Office Uses																	
Corporate Offices*	M						C		P	P	P	P	P	P	P	P	
General Offices	M						C		P	P	P	P	P	P	P	P	
Financial Offices*	M								P	P	P	P	P	P	P	P	
Medical Offices	M								P	P	P	P	P	P	P	C	
Commercial Uses																	
Ag Sales/Service*	H									C	C	P	P		P	P	
Auto Rental/Sales*	H								C	C	P	P	P		P	P	
Auto Services*	H								C	P	P	P	P		P	P	
Body Repair*	I									C	C	P	P		P	P	
Equip Rental/ Sales*	H										C	P	P		P	P	
Equipment Repair*	H											P	P		P	P	
Bed and Breakfast*	L	C	C	C	C	C	C		P	P	P	P	P				
Business Support Services	M	C	C	C	C	C	C		P	P	P	P	P	P	P	P	
Business/Trade School*	H									P	P	P	P	P	P	P	
Campground*	M	C								C		C	C				
Cocktail Lounge*	H								C	C	C	P	P	C	P	P	
Commercial Rec (Indoor)*	H								C	P	P	P	P	P	P	P	
Commercial Rec (Outdoor)*	H	C										P	P		P	P	
Communication Service*	M								P	P	P	P	P	P	P	P	
Construction Sale/Service*	H								C	C	C	P	P		P	P	
Consumer Service	M								P	P	P	P	P	P	P		
Convenience Storage*	H									C		C	C		P	P	
Food Sales (Convenience)*	H								P	P	P	P	P	P	P	P	
Food Sales (Limited)	L								P	P	P	P	P	P	P		
Food Sales (General)*	M								C	P	P	P	P				
Food Sales (Supermarkets)*	H									P	P	C	C				

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Intensity Rating (IR Column): L = Low M=Moderate H = High I = Intensive *Requires Site Plan Approval

ZONING DISTRICT REGULATIONS

Table 168-2: Matrix of Permitted Uses by Zoning Districts *(continued)*

USE TYPES	IR	AR	RR	R-1	R-2	R-3	R-4	MH	UC	CC	DC	GC	HC	BP	LI	GI	Addl. Reg.
Commercial Uses																	
Funeral Service*	M						C		P	P	P	P	P	P	P	P	
Kennels*	M	P	C									C	C		P	P	
Laundry Services*	H										C	P	P		P	P	
Liquor Sales*	H								C	P	P	P	P		C		
Lodging*	H								P	P	P	P	P		C		
Personal Improvement	M								P	P	P	P	P	P	C		
Personal Services	M	C	C	C	C	C	C		P	P	P	P	P	P	P	P	
Pet Services	M	C							P	P	P	P	P	P	P		
Research Services*	M								P	P	P	P	P	P	P	P	
Restaurants (Drive-in)*	H								C	P	C	P	P		C	C	
Restaurants (General)*	H								P	P	P	P	P	P	C	C	
Restricted Business*	I														C	P	
Retail Services (Limited) (Medium)	M								P	P	P	P	P	C			
Retail Services (Large)*	H								C	P	C	P	P				
Retail Services (Mass)*	I									C	C	P	P				
Stables*	M	C	C														
Surplus Sales*	I										C	P			P	P	
Trade Services	M								C	C	C	P	P	P	P	P	
Vehicle Storage (Short-term)*	M								C			P			P	P	
Veterinary Services	M	C	C						P	C	C	P	P		P	P	
Parking Uses																	
Off-Street Parking*	H								C	C	P	P	P	C	P	P	
Parking Structure*	H									C	P	C	C	C	P	P	

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Intensity Rating (IR Column): L = Low M=Moderate H = High I = Intensive *Requires Site Plan Approval

ZONING DISTRICT REGULATIONS

Table 168-2: Matrix of Permitted Uses by Zoning Districts *(continued)*

Use Types	IR	AR	RR	R-1	R-2	R-3	R-4	MH	UC	CC	DC	GC	HC	BP	LI	GI	Add. Reg.
Industrial Uses																	
Agricultural Industry*	I														C	P	
Construction Yards*	H														P	P	
Custom Manufacturing	M								C	C	P	P	P	P	P	P	
Light Industry*	H													C	P	P	
General Industry*	I										C				P	P	
Heavy Industry*	I															C	
Recycling Collection*	M									C	C	P			P	P	
Recycling Processing*	I														P	P	
Resource Extraction*	I															C	
Salvage Services*	I															P	
Vehicle Storage (Long-term)*	H											C			P	P	
Warehousing (Enclosed)*	H										C	C	C	P	P	P	
Warehousing (Open)*	I														C	P	
Transportation Uses																	
Aviation*	I													C	C	P	
Railroad Facilities*	I										C	C		C	P	P	
Truck Terminal*	I											C			C	P	
Transportation Terminal*	H									P	P	P	P		P	P	
Miscellaneous Uses																	
Alternative Energy Production Devices	M	C	C	C	C	C	C	C	C		C	C	C	P	P	P	
Amateur Radio Tower	L	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Communications Tower	H		C	C					C		C	C	C	P	P	P	
Construction Batch Plant*	I											P	P		C	P	
Landfill (Non-Putrescible)*	I															C	
Landfill (Putrescible)*	I																

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 Intensity Rating (IR Column): L = Low M=Moderate H = High I = Intensive *Requires Site Plan Approval

ZONING DISTRICT REGULATIONS

Table 168-3: Summary of Site Development Regulations

REGULATOR	AR	RR	R-1	R-2	R-3	R-4*
Minimum Lot Area (square feet)						
One-Family	10 acres	1 acre	8,400	6,000	5,000	4,000
Duplex, Two-Family	NA		---	---	10,000	7,000
Townhouses	NA		---	---	9,000	7,000
Multi-Family	NA		---	---	---	7,000
Other Permitted Uses	NA	1 acre	8,400	6,000	6,000	6,000
Minimum Lot Width (feet)						
One-Family	150	100	70	60	50	40
Duplex					80	70
Townhouses					25	25
Multi-Family						70
Other Permitted Uses	150	100	70	60	60	70
Minimum Site Area per Housing Unit (square feet) by type of Residential Use						
Single-Family	10 Acres	2 Acres	8,400	6,000	5,000	5,000
Two-Family					5,000	4,000
Duplex					5,000	3,500
Townhouse					3,000	2,500
Multi-family						1,250
Minimum Yards (feet)						
Front Yard	35	35	25	25	25	25
Street Side Yard	25	25	25	20	15	10
Interior Side Yards						
• 1 to 1.5 stories	20	20	> of 7 or 10% of lot width	5	5	5
• 2-3 stories	20	20		10	10	7
• More than 3 stories	NA	NA	NA	NA	NA	NA
• Non-Residential Uses	30	30	30	20	20	15
Rear Yard	35	35	25	25	25	10
Maximum Height (feet)	35	35	35	35	35	75
Maximum Building Coverage	10%	20%	25%	40%	50%	60%
Maximum Impervious Coverage	20%	30%	40%	60%	70%	80%
Floor Ratio	NA	NA	NA	NA	NA	NA
Minimum Width for any building	20	20	20	20	20	20
Elevation						
Minimum Floor Area	750	750	750	750	750	750

ZONING DISTRICT REGULATIONS

Table 168-3: Summary of Site Development Regulations *(continued)*

REGULATOR	MH	UC	CC*	DC	GC*	HC*
Minimum Lot Area (square feet)				None	5,000	10,000
One-family	5,000	5,000				
Duplex, Townhouses		7,000				
Multi-Family		8,000	8,000			
Mobile Home Park	2 acres					
Other Permitted Uses		5,000	5,000			
Minimum Lot Width (feet)				None	50	100
One-Family	60	50				
Duplex		70				
Townhouses		25				
Multi-Family		80	80			
Other Permitted Uses	80	50	50			
Mobile Home Park	150					
Site Area per Housing Unit (square feet) by type of residential						
Single-Family	5,000	5,000				
Two-Family		4,000				
Duplex		3,500				
Townhouse		2,500		2,000		
Multi-Family		1,250	1,250	600		
Mobile Home Park	4,000					
Minimum Yards (feet)						
Front Yard		Note 3				
• Mobile Home Park	35					
• Other Permitted Uses	25		20	0	10	25
Street Side Yard (Note 2)	15	15	20	0	10	15
Interior Side Yard (Note 2)						
• 1 to 1.5 stories	5	5	Note 4	0	0	0
• 2-3 stories		7		0	0	0
• More than 3 stories		10		0	0	0
Rear Yard (Note 2)	25	15	10	0	10	20
Maximum Height (feet)	35	45	45	No limit	55	55
Maximum Building Coverage		50%	60%	100%	70%	60%
Maximum Impervious Coverage		70%	80%	100%	90%	80%
Floor Area Ratio		0.50	1.0	No limit	1.0	1.0
Maximum Amount of Total Parking Located in Street Yard		50%	80%	20%	80%	100%

Table 168-3: Summary of Site Development Regulations (*continued*)

REGULATOR	BP	LI*	GI*
Minimum Lot Area (<i>square feet</i>)	10,000	5,000	5,000
Minimum Lot Width (<i>feet</i>)	100	50	50
Minimum Yards (<i>feet</i>)			
Front Yard	25	20	20
Street Side Yard	25	20	20
Interior Side Yard	10	0	0
Rear Yard	25 (Note 5)	10	10
Maximum Height (<i>feet</i>)	45	45	No Limit
Maximum Building Coverage	60%	70%	70%
Maximum Impervious Coverage	80%	90%	90%
Floor Area Ratio	2.0	1.0	No limit
Maximum Amount of Total Parking Located in Street Yard	50%	No limit	No limit

Note 1: See Section 603 for supplemental regulations governing single-family attached and townhouse residential use types.

Note 2: Mobile Home Parks require a 35-foot setback on all property lines.

Note 3: Normal minimum setback is 25 feet. Front yard setback may be reduced to 15 feet if:

1. No parking is placed within the street yard.
2. The entire street yard area is landscaped, with the exception of driveways to parking areas of pedestrian accesses to the principal building on the site.

Note 4: No requirements for non-residential uses. Conditional use permit for residential uses should establish required setbacks as part of the approval process.

Note 5: Required rear yard may be reduced one foot for every one foot of front yard provided in excess of the minimum requirement. No rear yard may be less than 10 feet.

* Uses in the **R-4, CC, GC, HC, LI, and GI** Districts are subject to landscape and screening provisions contained in Section 173.

SECTION 169

Performance Point Evaluation System

169.01 Purpose

The Performance Point Evaluation System is designed to ensure that projects which are permitted in zoning districts subject to approval of a Conditional Use Permit because of especially significant scale, design or operating effects on their environments provide enhancements and design features which compensate for these effects. the system requires attainment of a specified number of Performance Points to qualify for issuance of a Conditional Use Permit. It further provides a variety of design features and enhancements to permit a developer considerable flexibility in choosing appropriate enhancements.

169.02 Application

The Performance Point Evaluation System applies to all uses which require a Conditional Use Permit in a given zoning district, as set forth by Table 168-2.

169.03 Performance Point Requirements

In order to receive a permit to proceed with development, projects must attain the number of Performance Points set forth in the following table, Intensity Rating references are indicated in the Use Matrix. Attainment of these points is a prerequisite for approval of a Conditional Use Permit by the Planning Commission. However, such attainment shall not limit the ability of the Planning Commission to make other appropriate requirements of a specific project.

Intensity Rating	Performance Point Requirement
L (<i>Light</i>)	10
M (<i>Moderate</i>)	20
H (<i>High</i>)	40
I (<i>Intensive</i>)	60

169.04 Project Evaluation

- a. Projects shall be evaluated by the Planning Commission, which shall maintain a written record of the evaluation.

169.05 Evaluation Standards

a. Landscaped Areas

1. Base Standard: All projects must provide landscaping constituent with the Minimum Depth and Bufferyard Standards established by Section 173.
2. Performance Points: Projects earn one point for each foot of landscaping provided in addition to the minimum required standards.

b. Parking Lot Landscaping

1. Base Standard: All parking lots accommodating 20 or more cars shall provide interior landscaping equal to 5% of the paved area of the parking lot.
2. Performance Points: Projects earn points based on the following table:

<u>Points</u>	<u>Action</u>
0	Project meets minimum standards.
5	Project provides 1.25 times the base standard for interior landscaping.
10	Project provides 1.50 times the base standard for interior landscaping.
15	Project provides 2.00 times the base standard for interior landscaping.

c. Trees

1. Base Standard: All projects must provide one tree of a species approved by the Planning Director for each 500 square foot of landscaping provided by the Landscaped Area Standards.
2. Performance Points: Projects earn points based on the following table:

<u>Points</u>	<u>Action</u>
0	Project meets minimum standards.
5	Project provides 1.25 times the base standard for tree planting.
10	Project provides 1.5 times the base standard for tree planting.
15	Project provides 1.75 times the base standard for tree planting.
20	Project provides 2 times the base standard for tree planting.

d. Signage

1. Base Standard: Projects must meet the sign requirement set forth in Section 175.
2. Performance Points: Projects earn points based on the following table:

<u>Points</u>	<u>Action</u>
0	Total sign area = 80% to 100% of permitted sign area.
5	Total sign area = 70% to 80% of permitted sign area.
10	Total sign area = 60% to 70% of permitted sign area.
15	Total sign area = 50% to 60% of permitted sign area.
20	Total sign area = Less than 50% of permitted sign area.

3. Projects which provide all signage as monument or ground signs earn an additional ten points. All such signs must be located outside of vision clearance zones.

e. Parking in Street Yard Facing Corridors

1. Base Standard: Projects must meet requirements indicated in the Development Regulations for individual districts.
2. Performance Points: Projects earn points based on the following table:

<u>Points</u>	<u>Action</u>
0	Meet minimum standards.
5	Reduces the amount of street yard parking by 10% below district requirements.
10	Reduces the amount of street yard parking by 20% below district requirements.
15	Reduces the amount of street yard parking by 30% below district requirements.
20	Reduces the amount of street yard parking by 40% below district requirements.

f. Impervious Coverage

1. Base Standard: Projects must meet requirements indicated in the Development Regulations for individual districts.
2. Performance Points: Projects earn points based on the following table:

<u>Points</u>	<u>Action</u>
0	Meet minimum standards.
5	Reduces impervious coverage by 10% below district requirements.
10	Reduces impervious coverage by 20% below district requirements.
15	Reduces impervious coverage by 30% below district requirements.
20	Reduces impervious coverage by 40% below district requirements.

g. Building Articulation

1. Base Standard: No requirement.
2. Performance Points: Projects earn points based on the following table:

<u>Points</u>	<u>Action</u>
5	Building provides a minimum offset of 5 feet for every 100 feet of length of the façade parallel to the corridor's major street.
10	Building provides a minimum offset of 5 feet for every 75 feet of length of the façade parallel to the corridor's major street.
15	Building provides a minimum offset of 5 feet for every 50 feet of length of the façade parallel to the corridor's major street.

h. Building Materials

1. Base Standard: No requirement, except that any metal building proposed in a UC, CC, or DC district requires specific approval by the Planning Commission.

2. Performance Points: Projects earn points based on the following table:

<u>Points</u>	<u>Action</u>
0-15	Use of brick or building stone in the façade of buildings. Scores vary according to the amount of these materials and their integration with other building materials.

i. Use of Pitched or Gabled Roofs

<u>Points</u>	<u>Action</u>
0-10	Highest score is provided if 75% to 100% of the roof area of the building is accounted for by roofs with a minimum roof pitch of 1:5.

SECTION 170

Special and Overlay Districts

170.01 General Purpose

Special and Overlay Districts recognize the presence of special community characteristics that traditional zoning districts do not adequately address. Special Districts provide for base districts that allow multiple land uses and flexible development, with the requirement that a specific plan for the area be submitted by applicants. Overlay Districts are used in combination with base districts to modify or expand base district regulations. Overlay Districts are adopted to special needs of different parts of the City of Glenwood.

The Overlay Districts are designed to achieve the following objectives:

- a. To Recognize special conditions in specific parts of the City which require specific regulation.
- b. To provide flexibility in development and to encourage innovative design through comprehensively planned projects.

170.10 MU MIXED USE DISTRICT

170.101 Purpose

The MU Mixed Use District is intended to accommodate projects which combine several compatible land uses into an integrated development. The MU District may also be used to pre-designate parts of the city which are appropriate for a mixture of residential, commercial, office, and accessory uses. The District permits mixing residential areas with workplaces and services. Development in the MU District must accommodate transportation systems, pedestrian and bicycle movement, and surrounding environments.

170.102 Permitted Uses

Each ordinance establishing an MU District establishes the use types permitted within its boundaries.

170.103 Site Development Regulations

- a. The minimum area of any MU District is one acre.
- b. Prior to the issuance of any building permits or other authorization, all projects in the MU District shall receive approval by the City Council, following a recommendation by the Planning Commission. This approval may be grateful for a specific plan for the development of an MU District in lieu of a plan for individual

projects, provided that any subsequent developments are consistent with the specific plan.

c. Applications for approval must contain at a minimum the following information:

1. A detailed site map, including:
 - (a) A boundary survey,
 - (b) site dimensions,
 - (c) contour lines at no greater than five (5) foot intervals,
 - (d) adjacent public rights of way, transportation routes, and pedestrian or bicycle systems,
 - (e) description of adjacent land uses,
 - (f) utility service to the site and easements through the other considerations that may affect development, and
 - (g) description of other site features, including drainage, soils, of other considerations that may affect development.
2. A development plan, including:
 - (a) A site layout, including the location of proposed buildings, parking, open space, and other facilities,
 - (b) location, capacity, and conceptual design of parking facilities,
 - (c) description of the use of individual buildings,
 - (d) description of all use types to be included in the project or area, and maximum floor area devoted to each general use,
 - (e) maximum height of buildings,
 - (f) schematic location and design of open space in the site, including a landscaping plan,
 - (g) vehicular and pedestrian circulation plan, including relationship to external transportation systems,
 - (h) schematic building elevations and sections if required to describe the project,
 - (i) grading plans,
 - (j) proposed sewer and utility improvements, and
 - (k) location, sizes, and types of all proposed signage.
3. Specific proposed development regulations for the project, including:
 - (a) The specific use types permitted within the proposed district,
 - (b) maximum floor area ratios,
 - (c) front, side, and rear yard setbacks,
 - (d) maximum height,
 - (e) maximum building and impervious coverage, and
 - (f) design standards applicable to the projects.
4. A traffic impact analysis, if required by the City.

170.104 Adoption of District

- a. The Planning Commission and City Council shall review and evaluate each Mixed-Use District application. The City may impose reasonable conditions, as deemed necessary to ensure that a Mixed-Use Development shall be compatible with adjacent land uses, will not overburden public services and facilities and will not be detrimental to public health, safety and welfare.
- b. The Planning Commission, after proper notice, shall hold a public hearing and act upon each application.
- c. The Planning Commission may recommend amendments to MU district applications.
- d. The recommendation of the Planning Commission shall be transmitted to the City Council for final action.
- e. The City Council, after proper notice, shall hold a public hearing and act upon any Ordinance establishing a MU Mixed-Use District. Proper notice shall mean the same notice established for any other zoning amendment.
- f. An Ordinance adopting a Mixed-Use District shall require a favorable simple majority of the City Council for approval.
- g. Upon approval by the City Council, the Development Plan shall become a part of the Ordinance creating or amending the MU District. All Approved plans shall be filed with the City Clerk.

170.105 Amendments

The Zoning Administrator is authorized at his/her discretion to approve amendments to an approved development plan, provided that:

- a. A written request is filed with the Zoning Administrator, along with information specifying the exact nature of the proposed amendment.
- b. The amendment is consistent with the provisions of this section.
- c. The amendment does not alter the approved site regulations of the development plan and does not materially alter other aspects of the plan, including traffic circulation, mixture of use types, and physical design.
- d. Any amendment not conforming to these provisions shall be submitted to the Planning Commission and City Council for action.

170.20 PD PLANNED UNIT DEVELOPMENT DISTRICT

170.201 Purpose

The PD Planned Development Overlay District is intended to provide flexibility in the design of planned projects, to permit innovation in project design that incorporates open space and other amenities; and to insure compatibility of developments with the surrounding urban environment. Planned developments often involve groupings of buildings or sites that are designed as an integrated unit on land under unified control or ownership at the time of grant of development permission. The requirements of a PD run with the land regardless of the subsequent sale or conveyance of property. The PD District may be used in combination with any base district specified in this Ordinance. The PD District, which is adopted by the City Council with the recommendation of the Planning Commission, assures specific development standards for each designated project.

170.202 Permitted Uses

Uses permitted in a PD Overlay District are those permitted in the underlying base district. A PD also may be combined with an MU Mixed Use District to allow a combination of use types not anticipated by conventional base districts.

170.203 Objectives of Planned Development Districts

In evaluating applications for PD Planned Development Overlay Districts, the Planning Commission and City Council shall consider the following general objectives.

a. Residential PD Districts

Residential PD Planned Districts should be designed to produce more usable open space, provide better recreation opportunities, enhance pedestrian scale, protect or create neighborhood amenities and environmental features, and produce more attractive neighborhoods than those produced by conventional development techniques.

b. Commercial PD Districts

Commercial PD Districts should be designed to produce more attractive and functional clusters and commercial centers than the strip development that is frequently produced by the application of conventional zoning regulations. Techniques encouraged by PD Districts include consolidated access, shared parking, consistent architectural quality, improved pedestrian and trail access to commercial facilities, public space, and integrated landscaping and signage programs.

c. Industrial PD Districts

Industrial PD Districts should promote the establishment of industrial parks and to encourage groups of industrial buildings with integrated site design and architectural and landscaping themes.

d. PD Districts in Sensitive Contexts

PD Districts may be utilized to provide a high level of detail and define the requirements of project approval for developments proposed within settings that are so sensitive that normal zoning requirements, including landscaping and buffering requirements, do not provide sufficient protection for neighboring properties.

170.204 Site Development Regulations

Site Development Regulations are developed individually for each Planned Development District, but must comply with the minimum or maximum standards established for the base district, with the following exceptions:

- a. Lot area and lot width are not restricted, provided that the maximum density allowed for each base district is not exceeded.
- b. Maximum building coverage shall be the smaller of the allowed building coverage in the base district, or 60 percent.
- c. Setback requirements may be varied according to the specific Planned Development plan.

170.205 Access to Public Streets

Each PD District must abut a public street for at least 100 feet and gain access from that street.

170.206 Application Process

a. Development Plan

The application for a Planned Development District shall include a Development Plan containing the following information:

b. Application Requirements

An application for approval must contain at a minimum the following information:

- 1. A detailed site map, including:
 - (a) A boundary survey,
 - (b) site dimensions,
 - (c) contour lines at no more than two (2) foot intervals,

- (d) adjacent public rights of way, transportation routes, and pedestrian or bicycle systems,
- (e) description of adjacent land uses,
- (f) utility service to the site and easements through the site, and
- (g) description of other site features, including drainage, soils, or other considerations that may affect development.

2. A development plan, including:

- (a) A land use plan designating specific uses for that site and establishing site development regulations, including setback, height, building coverage, impervious coverage, density, and floor area ratio requirements,
- (b) a site layout, including the location of proposed buildings, parking, open space, and other facilities,
- (c) location, capacity, and conceptual design of parking facilities,
- (d) description of the use of individual buildings,
- (e) schematic architectural plans and elevations sufficient to indicate a building height, bulk, materials, and general architectural design,
- (f) a site development and landscaping plan, showing building locations, or building envelopes, site improvements; public or common open spaces; community facilities; significant visual features; and typical landscape plans,
- (g) vehicular and pedestrian circulation plan, including relationship to external transportation systems,
- (h) schematic building elevations and sections if required to describe the project,
- (i) grading plans,
- (j) proposed sewer and utility improvements, and
- (k) location, sizes, and types of all proposed signage.

3. A statistical summary of the project, including gross site area, net site area, number of housing units by type, gross floor area of other uses, total amount of parking, and building and impervious surface percentages.

170.207 Adoption of District

- a. The Planning Commission and City Council shall review and evaluate each Planned Unit Development application. The City may impose reasonable conditions, as deemed necessary to ensure that a PD shall be compatible with adjacent land uses, will not overburden public services and facilities and will not be detrimental to public health, safety and welfare.

- b.** The Planning Commission, after proper notice, shall hold a public hearing and act upon each application.
- c.** The Planning Commission may recommend amendments to PD district application.
- d.** The recommendation of the Planning Commission shall be transmitted to the City Council for final action.
- e.** The City Council, after proper notice shall hold a public hearing and act upon any Ordinance establishing a PD Planned Unit Development Overlay District. Proper notice shall mean the same notice established for any other zoning amendment.
- f.** An Ordinance adopting a Planned Development Overlay Zoning District shall require a favorable simple majority of the City Council for approval.
- g.** Upon approval by the City Council, the Development Plan shall become a part of the Ordinance creating or amending the PD District. All approved plans shall be filed with the City Clerk.

170.208 Amendment Procedure

Major amendments to the Development Plan must be approved according to the same procedure set forth in Section 170.207.

170.209 Building Permits

The City shall not issue a building permit, certificate of occupancy, or other permit for a building, structure, or use within a PD District unless it is in compliance with the approved Development Plan or any approved amendments.

170.210 Termination of PD District

If no substantial development has taken place in a Planned Development District for three years following approval of the District, the Planning Commission shall reconsider the zoning of the property and may, on its own motion, initiate an application for rezoning the property.

170.30 NC HISTORIC NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT

170.301 Purpose

The NC Historic Neighborhood Conservation Overlay District enables the adoption of special performance and development standards in combination with site development regulations of a base district for areas of special historical or architectural significance within the City of Glenwood. The District recognizes the importance of historically and architecturally significant districts to the character of Glenwood and provides for their conservation.

170.302 Application and Use

The NC Overlay District provides an opportunity to establish and apply special development controls and standards for areas in Glenwood with special physical or design characteristics. Examples of these standards may include, but not limited to:

- a. Variations or substitutions of development regulations, including revised minimum and maximum setbacks, lot sizes, heights, and other regulations, based on the unique characteristics of the neighborhood.
- b. Requirements for building design, materials, features, and orientation.
- c. Special requirements or permission for signage.
- d. Limitations on maximum size and scale of buildings.
- e. Limitations of location of parking, driveways, and other features that have an impact on the fabric of a traditional neighborhood.

170.303 Procedure for Adoption

a. Proposal

The creation of an NC Overlay District may be initiated by the Planning Commissions, the City Council, or by petition of the owner or owners of 51% of the property area within the proposed district.

b. Requirements for Application

An application for the creation of an NC Overlay District must include:

- 1. A statement describing the proposed district's special historical or architectural characteristics and stating the reasons for proposal of the district.
- 2. A map indicating the boundaries of the proposed NC Overlay District, specifying the base district(s) included within these boundaries.

3. An inventory of the buildings or historically important sites located within the boundaries of the proposed district.
4. Supplemental site development regulations, design criteria, and performance standards that apply to the proposed district.

170.304 Adoption of District

- a. The Planning Commission, and City Council shall review and evaluate each NC Overlay District application.
- b. The Planning Commission, after proper notice, shall hold public hearings and act upon each application.
- c. The Planning Commission may recommend amendments to NC district applications.
- d. The recommendation of the Planning Commission shall be transmitted to the City Council for final action.
- e. The City Council, after proper notice, shall hold a public hearing and act upon any Ordinance establishing an NC Historic Overlay District.
- f. The Ordinance adopting the NC District shall include a statement of purpose, a description of district boundaries, and a list of supplemental site development regulations and performance standards.
- g. An Ordinance adopting an NC Overlay District shall require a favorable vote of a simple majority of the City Council for approval.
- h. Upon approval by the City Council, each NC Overlay District shall be shown on the Zoning Map, identified sequentially by order of enactment and referenced to the enacting Ordinance.
- i. Any protest against an NC Overlay District shall be made and filed as provided by the Code of Iowa, and amendments thereto.

170.305 Building Permits

Building or other development permits issued by the City in an NC District shall be consistent with the adopted NC District Ordinance and shall follow all procedures for review that are established by the City.

170.40 RC CONSERVATION DEVELOPMENT OVERLAY DISTRICT

170.401 Purpose

The RC Conservation Development Overlay District is intended to require development design standards and techniques in sensitive environmental areas in and around Glenwood that preserve unique landforms and the character of land. Glenwood's location in the Loess Hills produces special environments, which include the rolling hills north of the city. The techniques of the RC district require that the natural landforms determine the design and character of new residential development in these sensitive areas. Areas of environmental sensitivity and potential application of the RC Overlay District are established in the city's comprehensive development plan.

170.402 Process

Subdivisions in an RC Overlay district generally follow the approval procedures outlined in Section 179, establishing the process for preliminary and final plat approval. Projects which do not require subdivision follow approval procedures appropriate to the specific project, including conditional use permits, zoning amendments, site plan review, or other applicable measures. The requirements and standards included in this section are in addition to those established procedures.

170.403 Permitted Land Uses

Land uses permitted in an RC District are the same as those permitted in the underlying base district.

170.404 Permitted Yield

Developments in RC Overlay districts are permitted the same density on developable area as would be allowed to conventional residential development in the underlying zoning district. Yield in housing units (*Y*) is calculated by the formula:

$$Y = \frac{.90(TA - UA)}{SA}$$

Where:

TA = Total parcel area.

UA = Undevelopable areas, defined as the sum of wetlands designated by the National Wetlands Survey, Water of the United States, slopes exceeding 20%, floodways, and soils subject to slumping, as indicated on the medium intensity maps contained in the county soil survey published by the USDA Soil Conservation Service, is subtracted from the total parcel area.

.90 = An allowance for the typical percentage of land available after deducting the area of public streets and rights-of-way(s) serving a low-density residential development.

SA = Minimum site area per unit required by the underlying zoning district.

170.405 Minimum Percentage of Open Space

- a. The minimum percentage of land that shall be designated as permanent open space, not to be further subdivided, and protected through a conservation easement held by the City of Glenwood, Mills County, or by a recognized land trust or conservancy, shall be a minimum of 35% of the Net Developable Area, defined as .90 (TA-UA).
- b. The above areas shall generally be designated as undivided open space, to facilitate easement monitoring and enforcement, and to promote appropriate management by a single entity according to approved land management standards.
- c. All undivided open space and any lot capable of further subdivision shall be restricted from further subdivision through a permanent conservation easement, in a form acceptable to the City and duly recorded in the Mills County Recorder's Office.
- d. The undivided open space may be used, without restriction, for underground drainage fields for individual or community septic systems, and for "spray fields" for spray irrigation purposed in a "land treatment" sewage disposal system. However, "mound" systems protruding above grade and aerated sewage treatment ponds shall be limited to not more than ten percent of the required minimum open space.
- e. Stormwater management ponds or basins may be included as part of the minimum required open space, as may land within the rights-of-way for underground pipelines. However, land within the rights-of-way of high tension power lines shall not be included as comprising part of the minimum required open space.

170.406 Conservation Areas as Open Space

- a. The location of open space shall be consistent with the policies contained in the City of Glenwood's Comprehensive Development Plan, and with the recommendations contained in this section and the following section ("Evaluation Criteria").
- b. Open space shall be composed of two types of land; "Primary Conservation Areas" and "Secondary Conservation Areas." All lands within both Primary and Secondary Conservation Areas shall be protected by a permanent conservation easement prohibiting future development, and setting other standards safeguarding the site's special resources from negative changes.
 - 1. Primary Conservation Areas: This category consists of wetlands designated by the National Wetlands Survey. Water of the United States, slopes exceeding 20%, floodways, and soils subject to slumping, as indicated on the medium

intensity maps contained in the county soil survey published by the USDA Soil Conservation Services.

2. Secondary Conservation Areas: Secondary Conservation Areas comprise at least 35 percent of the Net Developable Area and shall be designated and permanently protected. Full density credit shall be allowed for land in this category that would otherwise be buildable under local, state, and federal regulations, so that their development potential is not reduced by this designation. Such density credit may be applied to other unconstrained parts of the site. Secondary Conservation Areas are determined by specific project design and typically include all or some of the following kinds of resources.
 - (a) A 100-foot deep greenway buffer along all waterbodies and watercourses, and a 50-foot greenway buffer alongside wetlands soils classified as “very poorly drained” in the medium intensity county soil survey of the USDA Natural Resources Conservation Service. These areas must be considered as Secondary Conservation Areas but are considered as Developable Areas for the purpose of calculating yield.
 - (b) 100-year floodplains.
 - (c) Woodlands, individual specimen trees, or small stands of significant trees.
 - (d) Aquifer recharge areas and areas with highly permeable (“excessively drained”) soil.
 - (e) Significant wildlife habitat areas.
 - (f) Class I and Class II farmlands.
 - (g) Historic, archaeological or cultural features listed (or eligible to be listed) on the National Register of Historic Places.
 - (h) Slopes in excess of 15%.
 - (i) Ridgelines and view corridors.
 - (j) Land with soils that do not support residential development.

170.407 Location Standards for Open Space

a. Access to Residential Lots

Undivided open space shall be directly accessible to the largest practicable number of lots within a conservation subdivision. To achieve this, the majority of house lots should abut undivided open space in order to provide direct views and access. Safe and convenient pedestrian access to the open space from all lots not adjoining the open space shall be provided (except in the case of farmland, or other resource areas vulnerable to trampling damage or human disturbance). Where the undivided open space is designated as separate, noncontiguous parcels, no parcel shall consist of less than three (3) acres in area not have a length-to-width ratio in excess of 4:1,

except such areas that are specifically designed as village greens, ballfields, upland buffers to wetlands waterbodies or watercourses, or trail links.

b. Interconnection of Open Spaces

Protected open spaces in each new subdivision are encouraged to adjoin each other, ultimately forming an interconnected network of Primary and Secondary Conservation Areas across the county. The only elements of the network that would necessarily be open to the public are those lands that have been required to be dedicated for public use and typically configured in a linear fashion as an element of Glenwood's long-range open space network through the Comprehensive Development Plan.

170.408 Special Processes for Conservation Development

The review and approval process for subdivisions in the RC Overlay District is the same as that for conventional subdivisions, as set forth in Section 178. Additional provisions and approval processes are set forth in this section.

a. Existing Features Plan

1. Plans analyzing each site's special features are required for all proposed subdivisions. The Existing Features Plan shall include at a minimum; (1) a contour map based at least upon topographical maps published by the U.S. Geological Survey; (2) the location of severely constraining elements such as steep slopes (over 25%), wetlands, watercourses, intermittent streams and 100 year floodplains, and all rights-of-way and easements; (3) soil boundaries as shown on USDA natural Resources Conservation Service medium- intensity maps; and (4) the location of significant features such as woodlands, treelined, open fields or meadows, scenic views into or out from property, watershed divides and drainage ways, fences or stone walls, rock outcrops, and existing structures, roads, tracks and trails.
2. The Existing Features Plan shall identify both Primary Conservation Areas and Secondary Conservation Areas, as described in Section 170.406.b.1 and 170.406.b.2 of this ordinance. The Existing Features Plan shall form the basis for the Conceptual Preliminary Plan, which shall show the tentative location of houses, streets, lot lines, and greenway lands in new subdivisions, according to the four-step design process described below.

b. Conceptual Preliminary Plan

A sketch plan or a Conceptual Preliminary Plan shall be submitted for all proposed subdivision to the Building Official before submission of a formal preliminary plat application. A Conceptual Preliminary Plan presents a conceptual layout for greenway and open lands, house sites, and street alignments. Each Conceptual

Preliminary Plan shall follow a four-step design process, as described below. Applicants shall be prepared to demonstrate to the City Planner that these four design steps were followed in the preparation of the plan.

1. *Step One: Designating the Open Space.* During the first step, all potential conservation areas (both primary and secondary as defined above) are identified, using the Existing Features Plan.
2. *Step Two: Location of House Sites.* During the second step, potential house sites are located. Subdivision applicants shall identify tentative house sites on the Conceptual Preliminary Plan and proposed house sites on the detailed Final Plan. House sites should generally be located not closer than 100-feet from Primary Conservation Areas; but may be situated within 50-feet of Secondary Conservation Areas, in order to enjoy views of the latter without negatively affecting the former.
3. *Step Three: Street and Lot Layout.* The third step consists of aligning proposed streets to provide vehicular access to each house in the most reasonable and economical way. When lots and access streets are laid out, they shall be located in a way that avoids or at least minimizes adverse impacts on both the Primary and Secondary Conservation Areas. To the greatest extent practicable, wetland crossings and streets traversing existing slopes over 15% shall be strongly discouraged. Street connections shall generally be encouraged to minimize the number of new cul-de-sacs to be maintained by the city and to facilitate easy access to and from homes in different parts of the property (and on adjoining parcels). Where cul-de-sacs are necessary, those serving six or fewer homes may be designed with “hammerheads” facilitating three-point turns.

170.409 Ownership and Maintenance of Common Open Space

Developments in the RC Overlay District shall provide for ownership and ownership and maintenance of common open space. Common open space within a development shall be owned, administered, and maintained by any of the following methods, either individually or in combination, and subject to approval by the City.

a. Offer of Dedication

The City of Glenwood or Mills County shall have the first and last offer of dedication of undivided open space in the event said land is to be conveyed. Dedication shall take the form of a fee simple ownership. The City or other public agency may, but shall not be required to accept undivided open space provided: (1) such land is accessible to the residents of the city/county; (2) there is no cost of acquisition other than any costs incidental to the transfer of ownership such as title insurance; and (3) the city/county agrees to and has access to maintain such

lands. Alternatively, a public agency may accept an easement, subject to the above conditions.

b. Homeowners Association

The undivided open space and associated facilities may be held in common ownership by a homeowners' association. The association shall be formed and operated under the following provisions:

1. The developer shall provide a description of the association, including its bylaws and methods for maintaining the open space.
2. The association shall be organized by the developer and shall be operated with financial assistance from the developer, before the sale of any lots within the development.
3. Membership in the association is automatic (mandatory) for all purchases of homes therein and their successors. The conditions and timing of transferring control of the association from developer to homeowners shall be identified.
4. The association shall be responsible for maintenance of insurance and taxes on undivided open space, enforceable by liens placed by the city/county on the association. The association may place liens on the homes or house lots of its members who fail to pay their association dues in a timely manner. Such liens may require the imposition of penalty interest charges.
5. The members of the association shall share equitably the costs of maintaining and developing such undivided open space. Shares shall be defined within the association bylaws.
6. In the event of a proposed transfer, within the methods here permitted, of undivided open space land by the homeowners' association, or of the assumption of maintenance of undivided open space land by a public agency, notice of such action shall be given to all property owners within the development.
7. The homeowners' association may lease open space lands to any other qualified person, or corporation, for operation and maintenance of open space lands.

c. Condominiums

The undivided open space and associated facilities may be controlled through the use of condominium agreements. Such agreements shall be in conformance with the state statute. All undivided open space land shall be held as a "common element."

1. The organization is acceptable to the City, and is a bona fide conservation organization with perpetual existence;
2. The conveyance contains appropriate provisions for proper reverted of retransfer in the event that the organization becomes unwilling or unable to continue carrying out its functions; and
3. A maintenance agreement acceptable to the commission is entered into by the developer and the organization.

170.410 Maintenance Standards

a. Financial Responsibility

The ultimate owner of the open space (typically a homeowners' association) shall be responsible for raising all monies required for operations, maintenance, or physical improvements to the open space through annual dues, special assessments, etc. The homeowners' association shall be authorized under its bylaws to place liens on the property of residents who fall delinquent in payment of such dues or assessments.

b. Maintenance Enforcement

1. In the event that the association or any successor organization shall, at any time after establishment of a development containing undivided open space, fail to maintain the undivided open space in reasonable order and condition in accordance with the development plan, the City may serve written notice upon the owner of record, setting forth the manner in which the owner of record has failed to maintain the undivided open space in reasonable condition.
2. Failure to adequately maintain the undivided open space in reasonable order and condition constitutes a violation of this ordinance.
3. Should any bill or bills for maintenance of undivided open space by the City or County be unpaid, a late fee of fifteen percent shall be added to such bills and a lien shall be filed against the premises in the same manner as other municipal claims.

170.411 Evaluation Criteria

In evaluating the layout of lots and open space, the following criteria will be considered by the Planning Commission and City Council as indicating design appropriate to the site's natural, historic, and cultural features, and meeting the purposed of this ordinance:

- a. Protection of floodplains, wetlands, and steep slopes from clearing, grading, filling, or construction except as may be approved for essential infrastructure or active or passive recreation amenities.
- b. Preservation and maintenance of woodlands, existing fields pastures, meadows, and orchards, and sufficient buffer areas to minimize conflicts between residential and agricultural uses.
- c. Maintenance of buffers at least 100 feet in depth adjacent to wetlands and surface waters, including creeks, streams, springs, lakes and ponds.
- d. Design around existing tree lines between fields or meadows, and minimal impacts on large woodlands (greater than five acres), especially this containing many mature trees or a significant wildlife habitat.
- e. Maintenance of scenic views.
- f. Avoidance of new construction on prominent hilltops or ridges, by taking advantage of lower topographic features.
- g. Protection of wildlife habitat areas of species listed as endangered, threatened, or of special concern by the U.S. Environmental Protection Agency.
- h. Design around and preserves sites of historic, archaeological, or cultural value, including stone walls, barn foundations. cellar holes, earthworks, and burial grounds.
- i. Protection of rural character and improves public safety and vehicular carrying capacity by avoiding development fronting directly into existing public roads.
- j. Landscaping of common areas if appropriate.
- k. Provision if active or passive recreational areas in suitable locations that offer convenient access by residents and adequate screening from nearby house lots.
- l. Inclusion of a pedestrian circulation system providing access between properties, activities, or special features within the neighborhood open space system. All roadside footpaths should connect with off-road trails.
- m. Provision of open space that is reasonably contiguous, avoiding fragmented open spaces.

170.500 FP FLOODPLAIN/FLOODWAY OVERLAY DISTRICT

170.501 Purpose

It is the purpose of this ordinance to promote the public health, safety and general welfare and to minimize losses to property by applying the provisions of this ordinance to:

- a. Restrict or prohibit uses which are dangerous to health, safety, or property in times of flooding or cause undue increases in flood heights or velocities.
- b. Require that uses vulnerable to floods, including public facilities which serve such uses, be provided with flood protection at the time of initial construction.
- c. Protect individuals from buying lands which are unsuitable for intended purposes because of flood hazard.
- d. Assure that eligibility is maintained for property owners in the community to purchase flood insurance in the National Flood Insurance Program when identified by the Federal Insurance Administration as a flood prone community.

170.502 Floodplain and Floodway Overlay District: Findings of Fact

a. Flood Losses Resulting from Periodic Inundation

Flood hazard areas of the City of Glenwood, Iowa, are subject to inundation which results in loss of life or property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

1. General Causes of These Flood Losses:

These flood losses are caused by (a) the cumulative effect of obstruction in floodways causing increases in flood heights and velocities, (b) the occupancy of flood areas by uses vulnerable to floods or hazardous to others which are inadequately elevated or otherwise protected from flood damages.

2. Methods Used to Analyze Flood Hazards:

This ordinance uses a reasonable method of analyzing flood hazards which consists of a series of interrelated steps.

- (a) Selection of a base flood which is based upon engineering calculations which permit a consideration of such flood factors as its expected frequency of occurrence, the area inundated and the depth of inundation. The base flood selected for this ordinance is representative of large floods which are reasonably characteristic of what can be expected to occur on the particular streams subject to this ordinance. It is

in the general order of a flood which could be expected to have a one (1%) percent chance of occurrence in any one year, and delineated by applicable Flood Insurance Studies and the Federal Emergency Management Administration's Flood Insurance Rate Maps and Flood Boundary and Floodway Map, or any subsequent effective Flood Insurance Studies, Rate Maps, and Flood Boundary and Floodway Maps issued after the effective date of this ordinance and adopted by the City of Glenwood.

- (b) Calculation of water surface profiles based upon a hydraulic engineering analysis of the capacity of the stream channel and overbank areas to convey the base flood.
- (c) Computation of the floodway required to convey this flood without increasing flood heights more than 1 foot at any point.
- (d) Delineation of floodway encroachment lines within which no obstruction is permitted which would cause any increase in flood height.
- (e) Delineation of floodway fringe, i.e., that area outside the floodway encroachment lines but which still is subject to inundation by the base flood.

b. Land to Which Ordinance Applies

This ordinance shall apply to all lands within the jurisdiction of the City of Glenwood identified on the Flood Insurance Rate map (FIRM) as numbered and unnumbered A zone and/or within the Overlay Districts FP and FW established in this ordinance. In all areas covered by this ordinance, no development shall be permitted except upon a permit to develop granted by the City Council or its duly designated representative under such safeguards and restrictions as the City Council may reasonably impose for the promotion and maintenance of the general welfare, health of the inhabitants of the community as contained in the City Code.

c. Enforcement Officer

The Zoning Administrator of the City of Glenwood is hereby designated as the City Council's duly designated Enforcement Officer under this ordinance.

d. Rules of Interpretation of District Boundaries

The boundaries of the floodway and floodway fringe overlay districts shall be determined by scaling distances on the official zoning map. Where interpretation is needed to the exact location of the boundaries of the districts as shown on the official zoning map, as for example where there appears to be conflict between a mapped boundary and actual field conditions, the Enforcement Officer shall make the necessary interpretation. The base flood elevation for the point in question shall be the governing factor in locating the district boundary on the land. The person contesting the location of the district boundary shall be give a reasonable

opportunity to present his case to the Board and to submit his own technical evidence if he so desires.

e. Compliance

No development located within known flood hazard areas of the community shall be located, extended, converted or structurally altered without full compliance with the terms of this ordinance and other applicable regulations.

f. Abrogation and Greater Restrictions

It is not intended by this ordinance to repeal, abrogate or impair any existing easements, covenants or deed restrictions. However, where this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail. All other ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistency only.

g. Interpretation

In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements and shall be liberally constructed in favor of the City of Glenwood and shall not be deemed a limitation or repeal of any other powers granted by state statute.

h. Warning and Disclaimer of Liability

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger floods may occur on rare occasions or the flood height may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This ordinance does not imply that areas outside floodway and floodway fringe district boundaries or land uses permitted within such districts will be free from flooding and flood damages. This ordinance shall not create liability on the part of the City of Glenwood or any officer or employee thereof for any flood damages that may result from reliance on this ordinance or any administrative decision lawfully made thereunder.

i. Severability

If any section, clause, provision or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

j. Application for Appeal

Where a request for a permit to develop is develop is denied by the Zoning Administrator, the applicant may apply for such permit or variance directly to the

Board of Adjustment. Procedures for appeals to the Board of Adjustment shall proceed as set forth by Section 177.08 of this Ordinance.

170.503 Floodplain and Floodway Permits and Administration

a. Permit Required

No person, firm, or corporation shall initiate any development or substantial improvement or cause the same to be done without first obtaining a separate permit for development as defined in this section.

b. Administration

1. The Zoning Administrator is hereby appointed to administer and implement the provisions of this ordinance.
2. Duties of the Zoning Administrator shall include, but not be limited to:
 - (a) Review of all development permits to assure that sites are reasonable, safe from flooding and that the permit requirements of this ordinance have been satisfied.
 - (b) Review permits for proposed development to assure that all necessary permits have been obtained from those Federal, State or Local Governmental agencies from which prior approval is required.
 - (c) Notify adjacent communities and the Department of Natural Resources prior to any alteration or relocation of a watercourse and shall submit evidence of such notification to the Federal Insurance Administration when participating in the National Flood Insurance Program.
 - (d) Notify the Department of Natural Resources of any proposed construction and development activity in floodplain areas, and/or upon land situated within the Floodplain/Floodway Overlay Zoning District.
 - (e) When floodproofing is utilized for a particular structure, the Zoning Administrator shall be presented certification from a registered professional engineer or architect.

c. Application for Permit

To obtain a permit, the applicant shall first file an application in writing on a form furnished for that purpose. Every such application shall:

1. Identify and describe the work to be covered by the permit.
2. Describe the land on which the proposed work is to be done by lot, block, tract and house and street address, or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use or occupancy for which the intended.
4. Be accomplished by detailed plans for the proposed construction.

5. Be signed by the permittee or his authorized agent who may be required to submit evidence to indicate such authority.
6. Give such other information as reasonably may be required by the Zoning Administrator or City Engineer.

170.504 Establishment of Zoning Districts

The mapped flood plain area within the jurisdiction of this ordinance are hereby divided into the two following districts: A Floodway Overlay District (FW) and a Floodplain Overlay District (FP) as identified in the official Flood Plain Study. Within these districts, all uses not meeting the standards of this ordinance and hose standards of the underlying zoning district shall be prohibited. These zones shall be consistent with the numbered and unnumbered A Zones as prohibited. These zones shall be consistent with the numbered and unnumbered A Zones as identified on the official FIRM when identified in the Flood Insurance Study provided by the Federal Insurance Administration.

170.505 Standards for Floodways Overlay District and Floodplain Overlay District

- a. No permit for development shall be granted for new construction, substantial improvement or other improvements including the placement of placement of manufactured homes within the identified flood plain unless the conditions of this section are satisfied.
- b. All areas identified as unnumbered A Zones by the Federal Insurance Administration are subject to inundation of the 100-year flood; however, the water surface elevation was not provided. The unnumbered A Zones shall be subject to all development provisions of this ordinance. If Flood Insurance Study Data is not available, the community shall utilize any base flood elevation data currently available within its area of jurisdiction. Further, in cases of proposed development within unnumbered "A" zones, the developer's engineer shall be required to conduct the necessary studies to determine the 100-year flood elevation and its extent in relation to such development.
- c. New construction, subdivision proposals, substantial improvement, prefabricated buildings, placement of manufactured homes and other development shall require:
 1. Design or anchorage to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads including the effect of buoyancy.
 2. New or replacement water supply systems and/or sanitary sewage systems designed to minimize or eliminate infiltration of flood waters into the systems

and discharges from the systems into flood waters, and on-site waste disposal systems be located so as to avoid impairment or contamination.

3. Construction with materials resistant to flood damage, utilizing methods and practices that minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems be located so as to avoid impairment or contamination.
4. All utility and sanitary facilities be elevated or floodproofed one foot above the regulatory flood elevation. Such floodproofing is permitted only for non-residential properties.
5. That until a floodway has been designated, no development including landfill, may be permitted within the identified flood plain unless the applicant for the land use has demonstrated that the proposed use, when combined with all other existing and reasonably anticipated uses, will not increase the water surface elevation of the 100-year flood more than one (1') foot in the average cross-section of the reach in which the development of landfill is located as shown in the official flood plain study incorporated by reference herein.
6. Storage of Materials and Equipment:
 - (a) The storage or processing of materials that are buoyant, flammable, explosive, or could be injurious to human, animal or plant life is prohibited.
 - (b) Storage of other materials or equipment may be allowed if not subject to major damage by floods and firmly anchored to prevent flotation or if readily removed from the area within the time available after flood warning.
7. Subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, be required to assure that:
 - (a) All such proposals are consistent with the need to minimize flood damage.
 - (b) All public utilities and facilities, such as sewer, gas, electrical and waste systems are located, elevated and constructed to minimize or eliminate flood damage.
 - (c) Adequate drainage is provided so as to reduce exposure to flood hazards.
 - (d) Proposals for development (including proposals for manufactured home parks and subdivisions of five (5) acres or fifty (50) lots, whichever is less, include within such proposals the regulatory flood elevation.

170.506 Floodplain Overlay District Regulations

a. Permitted Uses

Any use permitted in the underlying base district shall be permitted in the Floodplain Overlay District. No use shall be permitted in the district unless the standards of this section are met.

b. Standards for the Floodplain Overlay District

1. Any new construction or substantial improvements of residential structures shall have the lowest floor, including basement elevated one foot above the base flood elevation.
2. Any new construction or substantial improvements of non-residential structures shall have the lowest floor, including basement, elevated one foot above the base flood elevation, or, together with attendant utility and sanitary facilities, shall be floodproofed so that below such a level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydro-dynamic loads and effect of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the Enforcement Official. Such floodproofing is permitted only for non-residential properties.
3. All new construction and substantial improvements that fully enclosed areas below the lowest floor that are subject to flooding shall be designated to automatically equalize hydro-static flood forces or exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by the registered professional engineer or architect or meet or exceed the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be not higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
4. Within AH zones, adequate drainage paths around structures on slopes shall be required in order to guide floodwaters around and away from proposed structures.
5. Manufactured Homes:
 - (a) All manufactured homes shall be anchored to resist flotation, collapse. or lateral movement. Manufactured homes must be anchored in accordance with local building codes of FEMA guidelines. In the event that over-the-

top frame ties to ground anchors are used, the following specific requirements (or their equivalent) shall be met:

- i. Over-the-top ties shall be provided at each of the four corners of the manufactured home with two additional ties per side at intermediate locations, and manufactured homes less than 50 feet long requiring one additional tie per side.
 - ii. Frame ties shall be provided at each corner of the home with five additional ties per side at intermediate points, and manufactured homes less than 50 feet long requiring four additional ties per side.
 - iii. All components of the anchoring system shall be capable of a carrying a force of 4800 lbs.
 - iv. Any additions to manufactured homes shall be similarly anchored.
- (b) All manufactured homes to be placed within Zones AL-30, AH and AE on the Community's FIRM shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood elevation and be securely anchored to an adequately anchored foundation system in accordance with the provisions of the Uniform Building Code.

c. AO Zones: Special Regulations

Located within the areas of special flood hazard are areas designated as AO Zones. These areas have special flood hazards associated with base flood depths of 1 to 3 feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate. Therefore, the following provisions apply with AO Zones:

1. All new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as 1 foot above the depth number specified in feet on the community's FIRM.
2. All new construction and substantial improvements of nonresidential structures shall:
 - (a) Have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as 1 foot above the depth number specified in feet on the community's FIRM; or
 - (b) Together with attendant utility and sanitary facilities be completely floodproofed to or above that level that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effect of buoyancy. Such

certification shall be provided to the official as set forth in Section 170.503.

- (c) Adequate drainage paths around structures on slopes shall be required in order to guide floodwaters around and away from proposed structures.

170.507 Floodway Overlay Districts

a. Permitted Uses

Only uses having a low flood-damaged potential and not obstructing flood flows shall be permitted within the Floodway District to the extent that they are not prohibited by any other ordinance and provided that they do not require structures fill or storage of materials or equipment. No use shall increase the flood levels of the base flood elevation. These uses are subject to the standards of Sections 170.506 and other applicable sections.

1. Agricultural uses such as general farming, pasture, nurseries, forestry.
2. Accessory residential uses such as lawns, gardens, parking and play areas.
3. Nonresidential areas such as loading areas, parking, and airport landing strips.
4. Public and private recreational uses such as golf courses, archery ranges, picnic grounds, parks, wildlife and nature preserves. New placement of residential structures including manufactured homes is prohibited within the identified floodway (FW) area.
5. In Zone A unnumbered, obtain, review and reasonably utilize any floodway data available through Federal, State or Local sources in meeting the standards of this section.

170.508 Request For Variances From District Requirements

- a. The Board of Adjustment, as established by the City of Glenwood, shall hear and decide appeal and requests for variances from the requirements of this ordinance.
- b. The Board of Adjustment shall hear and decide appeals when it is alleged that there is an error in any requirement, decision, or determination made by the Zoning Administrator in the enforcement of administration of this ordinance.
- c. Any person aggrieved by the decision of the Board of Adjustment or any taxpayer may appeal such decision to the District Court as provided by the Code of Iowa.
- d. In passing upon such applications, the Board of Adjustment shall consider all technical evaluation, all relevant factors, standards specified in other sections of this ordinance, and:
 1. The danger that materials may be swept onto other lands to the injury of others.

2. The danger of life and property due to flooding or erosion damage.
3. The susceptibility of proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
4. The importance of the services provided by the proposed facility to the community.
5. The necessity to the facility of a waterfront location, where applicable.
6. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.
7. The compatibility of the proposed use with existing and anticipated development.
8. The relationship of the proposed use to the comprehensive plan and flood plain management program for that area.
9. The safety of access to the property in time of flood for ordinance and emergency vehicles.
10. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effect of wave action, if applicable, expected at the site.
11. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.

e. Conditions for Variance

1. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level providing terms 2. through 6. below have been fully considered. As the lot size increases beyond the one-half acre, the technical jurisdiction required for issuing the variance increases.
2. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this section.
3. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
4. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

5. In addition to the criteria for variances set forth in Section 177.09 of this Ordinance, variances shall only be issued upon (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of the variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
6. Any applicant to whom a variance is granted shall be given a written notice that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

170.509 Zoning Regulations For Nonconforming Uses

a. Continuance of Nonconforming Uses

A structure or the use of a structure or premises which was lawful before the passage or amendment of the ordinance, but which is not in conformity with the provisions of this ordinance may be continued subject to the following conditions:

1. No such use is substantial improvement of that use shall be expended, changed, enlarged, or altered in a way which increases its nonconformity.
2. Is such use is discontinued for twelve (12) consecutive months, and future use of the building premises shall conform to this ordinance. The Water Department shall notify the Building Inspector in writing of instances of Nonconforming uses where utility services have been discontinued for a period of twelve (12) months.
3. Uses of adjuncts thereof which are or become nuisances shall not be entitled to continue a nonconforming use.

b. Replacement of Residential Uses

If any residential nonconforming use of structure is destroyed by any means, including flood, it shall not be reconstructed if the cost is more than 50 percent of the market value of the structure before the damage occurred except that if it is reconstructed in conformity with the provisions of this ordinance. This limitation does not include the cost of any alteration to comply with existing state or local health, sanity, building, or safety codes or regulations or the cost of any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

c. Replacement of Non-Residential Uses

If any non-residential nonconforming use if structure is destroyed by any means, including flood, it should not be reconstructed if the cost is more than 50 percent

of the market value of the structure before the damage occurred except that if it is reconstructed in conformity with the provisions of this ordinance. This limitation does not include the cost of any alteration to comply with existing state or local health, sanitary, building, or safety codes or regulations or the cost of any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

170.510 Definitions

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them same meaning as they have in common usage and so as to give this ordinance its most reasonable application.

a. Actuarial Rates

Or “risk premium rates” are those rates established by the Federal Insurance Administrator pursuant to individual community studies and investigations which are undertaken to provide flood insurance in accordance with 42 U.S.C. 4014 and the accepted actuarial principles. Actuarial rates include provisions for operation costs and allowances.

b. Appeal

A request for a review of the Zoning Administrator’s Interpretation of any provision of this ordinance or a request for a variance.

c. Area of Shallow Flooding

A designated AO or AH zone on a community’s Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

d. Area of Special Flood Hazard

The land in the flood plain within a community subject as the elevation of the 100-year flood.

e. Base Flood Elevation

Elevation indicated in the official flood plain study as the elevation of the 100-year flood.

f. Base Flood Protection Elevation

An elevation one foot higher than the water surface elevation of the base flood.

g. Channel

A natural or artificial watercourse of perceptible extent, with a definite bed and banks to confine and conduct continuously or periodically flowing water. Channel flow, thus, is that water which is flowing within the limits of a defined channel.

h. Community

Any state or area of political subdivision thereof which has authority to adopt and enforce flood plain management regulations for the area within its jurisdiction.

i. Development

Any man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

j. Existing Construction *(For the purposes of determining rates)*

Structures for which the “start of construction” commenced before the effective date of the FIRM or before January 1, 1975, for FIRM’s effective before the date. “Existing Construction” may also be referred to as “existing structures”.

k. Flood or Flooding

A general and temporary condition of partial or complete inundation of normally dry land areas from (1) the overflow of inland or tidal waters; (2) the unusual and rapid accumulation of runoff of surface waters from any source.

l. Flood Insurance Rate Map (FIRM)

An official map of a community, on which the Flood Insurance Study has delineated the Flood Hazard Boundaries and the zones establishing insurance rates applicable to the community.

m. Flood Insurance Study

The official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the Flood Boundary Floodway Map and the water surface elevation of the base flood.

n. Flood Plain Management

The operation of an overall program of corrective and preventative measures for reducing flood damage, including but not limited to, emergency preparedness plan, flood control works and flood plain management regulations.

o. Flood Protection System

Those physical structural works constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a “special flood

hazard”. Such a system typically includes levees or dikes. These specialized modifying works are those constructed in conformance with sound engineering standards.

p. Floodproofing

Any combination of structural and non-structural additions, changes, or adjustments to structures, including utility and sanitary facilities, which would preclude the entry of water. Structural components shall have the capability of resisting hydrostatic and hydrodynamic loads and effect of buoyancy.

q. Floodplain (FP)

That area of the flood plain, outside of the floodway, that on an average is likely to be flooded once 100 years (i.e. that has a one percent chance of flood occurrence in any one year.)

r. Floodway (FW)

The channel of a river or other watercourse and the adjacent portion of the flood plain that must be reserved in order to discharge the 100-year flood without cumulatively increasing the water surface elevation more than one foot at any point assuming equal conveyance reduction outside the channel from the two sides of the flood plain.

s. Freeboard

A factor of safety usually expressed in feet above a flood level for purposes of flood plain management. “Freeboard” tends to compensate for the many unknown factors that could contribute to flood heights greater than the heights calculated for a selected size flood and floodway conditions, such as wave action, clogged bridge openings, and the hydrological effect of urbanization of the watershed.

t. Highest Adjacent Grade

The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

u. Lowest Floor

The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building’s lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.

v. Manufactured Home

A structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For flood plain management purposes, the term “manufactured home” also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes, the term “manufactured home” does not include park trailers, travel trailers, and other similar vehicles.

w. Manufactured Home Park or Subdivision

A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

x. New Construction

Structures for which the “start of construction of substantial improvement” is commenced on or after the effective date of the FIRM.

y. 100-Year Flood

The base flood having a one percent chance of annual occurrence.

z. Overlay District

A district which acts in conjunction with the underlying zoning district or districts.

aa. Start of Construction

For other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. Law 97-348) includes substantial improvement, and means the date the building permit was issued, providing the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start of other improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure in a site, such as the pouring of slab or footings, the installation of piles, the construction of a structure on a site, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, nor does it include excavation for a basement, footings, or foundations or the erection of temporary forms, nor does it include the installation of the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

bb. Structure

A walled and roofed building that is principally above ground as well as a manufactured home, and a gas or liquid storage tank that is principally above ground.

cc. Substantial Improvement

Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either (1) before the improvement or repair is started, or (2) if the structure has been damaged and is being restored, before the damage occurred. For the purpose of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either (1) any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions, or (2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

dd. Variance

A grant of relief to a person from the requirements of this ordinance which permits construction in a manner otherwise prohibited by this ordinance where specific enforcement would result in unnecessary hardship.

SECTION 171

Supplemental Use Regulations

171.01 Purpose

The Supplemental Use Regulations set forth additional standards for certain uses located within the various zoning districts. These regulations recognize that certain types have characteristics that require additional controls in order to protect public health, safety, and welfare. These regulations complement the use regulations contained in Section 168 of this Ordinance. The regulations contained in this Article pertain both to uses allowed by right within various zoning districts, and to uses that require approval as conditional uses by the Planning Commission or City Council in appeal to impose additional conditions on developments seeking Conditional Use Permit approval.

171.02 Supplemental Use Regulation Agricultural Uses

Nothing in those provisions shall relieve any property owner or user from satisfying any condition or requirement associated with a previous approval, special permit, variance, development permit, or other permit issued under any local, State, or Federal ordinance or statute.

a. Horticultural and Crop Production Retail Sales

Retail operations of garden centers or roadside stands associated with a primary agricultural use may be permitted in the AR and RR District, subject to the following requirements:

1. Garden Centers:
 - (a) A garden center is a building or premises used for the retail sale of plant materials or items useful in the growing or display of lawns, gardens, and plants.
 - (b) Garden centers must conform to all site development regulations for the zoning district.
 - (c) Any garden center adjacent to a residential district must maintain a 20-foot landscaped bufferyard, consistent with the standards established in Section 804.
2. Roadside Stands:
 - (a) A roadside stand is a facility used on a temporary or seasonal basis for the retail sale of produce grown largely on adjacent or surrounding agricultural lands.
 - (b) A roadside stand may be located within a required front yard but no closer than 40 feet to the edge of a traveled roadway.
 - (c) A roadside stand may operate for a maximum of 180 days in any one year.

a. Animal Production

1. No commercial poultry or livestock operation shall be located within 100 feet of any residential or commercial zoning district.
2. Breeding and raising of small animals and fowl, such as birds, rabbits, chinchilla, and hamsters is permitted in the AR and RR District, provided that any building housing such animals shall be at least 200 feet from any other residential zoning district, 100 feet from any property line and 25 feet from any dwelling unit on the site. Any site accommodation these uses shall be no less than 2.5 acres. No animals with measurable odors shall be raised for commercial purposes within the city limits.
3. Within the RR or AR Districts, any lots of 2 acres and over may maintain one horse, llama, or other equine and/or hoofed animal and its immature offspring. Such a lot may have one additional animal for each additional two acres of lot area, up to a maximum total of three animals. No stable shall be located closer than 300 feet from any other residential zoning district, 100 feet from any property line and 50 feet from any dwelling unit on the site.

b. Commercial Feedlots

Commercial Feedlots are not permitted within the jurisdiction of the City of Glenwood.

171.03 Supplemental Use Regulations: Residential Uses

a. Zero-Lot Line Single-Family Detached Residential

Within a common development, one interior side yard may be equal to zero for single-family detached residential use, subject to the following additional regulations:

1. The side yard opposite to the zero yard must equal at least twice the normal required minimum side yard and must taken by itself comply with all side yard requirements for the zoning district.
2. The normal side yard setback requirement must be maintained adjacent to any lot with an existing structure not within the common development; or not otherwise designated for zero lot line use.
3. An easement for maintenance of the zero lot line façade is filed with the Mills County Recorder and the City Clerk at the time of application for the building permit.

b. Single-Family Attached

When permitted without requirement for conditional use approval, the minimum side yard opposite the common wall shall be equal to twice the normal required side

yard. A reduced setback may be permitted as part of a Conditional Use Permit approved by the Planning Commission.

c. Townhouse Residential

Where permitted, townhouse residential is subject to the following regulations:

1. The minimum width for any townhouse lot sold individually shall be 25 feet, except within an approved creative subdivision.
2. Coverage percentages are computed for the site of the entire townhouse common development.

d. Two-Family Residential

1. The second dwelling unit shall be located to the rear of the site and shall be separated from the front dwelling unit by a minimum of 25 feet.
2. The second dwelling unit shall be served by a driveway at least ten feet in width, leading from a public street adjacent to the lot.
3. A minimum lot size of 5,000 sq. Ft. Per unit must be maintained.

e. Supplemental Design Standards for Residential Uses in the RR, R1, R2, R3 and R4 Districts

Exterior materials shall be non-reflective and shall be of a color, material, and scale comparable to existing residential structures in the immediate area. Permanent siding shall be, or simulate, wood, wood shingles, brick, masonry, or tile. Roof construction shall be of non-reflective materials which are or simulate the appearance of asphalt, wood shingles, tile, rock or standing metal with concealed fasteners. Any standing seam metal roof shall be stamped by a licensed engineer, must be installed by a certified installer in accord with the regulations provided in the International Residential Code Book, as from time to time may be amended.

f. Downtown Residential and Group Residential uses in the DC District

Downtown Residential and Group Residential uses are permitted in the DC District subject to the following conditions:

1. Downtown and Group Residential uses are permitted in the DC District only on levels above street level except that a unit specifically designed for occupancy by disabled residents or senior citizens may be developed at street level. subject to approval by the Planning Commission.
2. Residents of units must be informed by the owner of the building that lawful commercial uses have priority over residential uses.
3. All upper level apartments must have two separate means of egress.
4. One parking space must be provided for each unit.

g. Boarders and Non-related Individuals

1. Within the AR, RR, R-1, R-2, R-3, and MH districts, no more than two persons in addition to the family of the owner shall be permitted to reside in an owner-occupied dwelling unit. No more than five persons shall be permitted to reside in a non-owner-occupied dwelling unit.
2. Within the R-4 districts, no more than ten persons in addition to the family of the owner shall be permitted to reside in an owner-occupied dwelling unit. No more than five persons shall be permitted to reside in a non-owner-occupied dwelling unit.
3. A minimum of 250 square feet must be provided in the dwelling unit for each resident.

h. Mobile Home Parks

In the MH Mobile Home Residential District, which permits mobile home residential use, such use may be configured in a Mobile Home Park or Mobile Home Subdivision. Following the effective date of this Ordinance, no mobile home shall be located outside of a Mobile Home Park or Mobile Home Subdivision. A Mobile Home Park is subject to approval as a Conditional Use by the Planning Commissions and compliance with the following regulations:

1. Certification: A certification of compliance with all ordinances and regulations regarding mobile home licensing, zoning, health, plumbing, electrical, building, fire protection and any other applicable requirements shall be issued by the Zoning Administrator prior to the occupancy of any new Mobile Home Park or any expansion of an existing Mobile Home Park.
2. Minimum and Maximum Area: A Mobile Home Park shall be considered to be one zoned lot. The contiguous area of a Mobile Home Park shall have a minimum of 2.0 acres and a maximum of 15 acres.
3. Density Requirements:
 - (a) The minimum gross site area per dwelling unit shall be 4,000 square feet.
 - (b) The minimum size of an individual mobile home space shall be 4,500 square feet for single-wide mobile home units and 5,000 square feet for double-wide mobile home units.
 - (c) Each mobile home space shall have a width of at least 50 feet with and a length of at least 80 feet.
4. Site Development Standards:
 - (a) Setbacks: Each Mobile Home Park shall have a minimum perimeter setback of 35 feet from each property line. No space for a dwelling unit or any other structure shall be permitted in the required setback.
 - (b) Setback landscaping: All area contained within the required setbacks except sidewalks and private drives shall be landscaped and screening in conformance with Section 173 of this Ordinance. Screening shall be

provided in conformance with Section 173.06 for any common property line with another non-residential use.

- (c) Impervious Coverage: Impervious coverage for a Mobile Home Park shall not exceed 50 percent of the total site area.
- (d) Open Space: Each Mobile Home Park shall provide a minimum of 400 square feet of open recreational space per unit. Such space shall be provided at a central location accessible from all parts of the park of pedestrians. Required perimeter setbacks or buffers shall not be credited toward the fulfillment of this requirement.
- (e) Separation Between Mobile Home Units: The minimum separation between a mobile home unit and attached accessory structure and any other mobile home units and/or accessory structure shall be 15 feet.
- (f) Separation and Setbacks for Accessory Buildings: An accessory building on a mobile home space must maintain a minimum rear and side yard setback of five feet. A minimum distance of ten feet shall be provided between any mobile home and an unattached accessory building.

5. Street Access and Circulation Requirements

- (a) Access to Public Street: Each Mobile Home Park must abut and have access to a dedicated public street with a right-of-way of at least 60 feet. Direct access to a mobile home space from a public street is prohibited.
- (b) Vehicular Circulation: The Mobile Home Park must provide interior vehicular circulation on a private internal street system. Interior streets shall have a minimum right-of-way of 60 feet and a paved width of 27 feet. The street system shall be continuous and connected with other internal public streets; or shall have a cul-de-sac with a minimum radius of 60 feet. No such cul-de-sacs may exceed 300 feet in length.
- (c) Separation between Units and Circulation Areas: The minimum distance between a mobile home unit and any attached accessory structure and the pavement of an internal street or parking area shall be ten feet.
- (d) Sidewalks: Each Mobile Home Park shall provide a sidewalk systems to connect each mobile home space to common buildings or community facilities constructed for the use of its residents; and to the fronting public right of way. Sidewalk width shall be at least four feet.
- (e) Street and Sidewalk Standards: All internal streets and sidewalks shall be hard-surfaced. Electric street lighting is required along all internal streets.
- (f) Parking Requirements: Each Mobile Home Park must provide at least two off-street parking stalls for each mobile home space.

6. Tornado Shelters: Tornado shelters shall be provided in the Mobile Home Park. Such shelter or shelters shall be built according to the recommendations of the Civil Defense authority and be large enough to meet the specific needs of the park and its residents.

7. Utilities:

- (a) All Mobile Home Parks shall provide individual units and common facilities with an adequate, piped supply of water for both drinking and domestic purposes; and standard electrical service, providing at least one 120-volt electrical service outlet to each mobile home space.
- (b) Complete sanitary and sewer service shall be provided within each Mobile Home Park in accordance with the Subdivision Chapter of the Land Development Ordinance.
- (c) Properly spaced and operating fire hydrants shall be provided for proper fire protection within each Mobile Home Park in accordance with the Subdivision Chapter of the Land Development Ordinance and other applicable city codes and public improvement design standards.
- (d) All electric, telephone, gas, and other utility lines shall be installed underground.

8. Financial Responsibility: Each application for a Mobile Home Park shall include a demonstration by the developer of financial capability to complete the project; and a construction schedule.

9. Completion Schedule: Construction must begin on any approved Mobile Home Park within one year of the date of approval by the Planning Commission. Such construction shall be completed within two years of approval, unless otherwise extended by the Commission.

10. All other uses and provisions of the Glenwood Mobile Home Park regulations are incorporated herein by reference. These provisions include tie-down and other structural requirements included in the Glenwood Municipal Codes.

i. Mobile Home Subdivisions

- 1. Mobile Home Subdivisions shall be developed in accordance with all standards and requirements set forth in the Subdivision Chapter of the Land Development Ordinance of Glenwood. Site development regulations shall be the same as those required in the R-2 Zoning District. Each mobile home shall be considered a single-family detached residential unit for the purpose of determining applicable development regulations.
- 2. Mobile home units within Mobile home Subdivisions shall be built in accordance with the minimum design standards of the US Department of Housing and Urban Development and display a certification of such compliance.
- 3. Mobile Home Subdivisions shall provide tornado shelter facilities as required by Section 171.03g.6.
- 4. The minimum size of a mobile home subdivision shall be ten (10) acres.

j. Earth-Sheltered Residences

No subterranean or basement structure shall be occupied for residential purposes, except for those that meet the following requirements as earth-sheltered residences.

1. The living area shall be provided with exterior windows and/or skylights with a total glassed area of at least 10% of the gross floor area of the residence. Such windows or skylights shall give direct access to natural light and open space.
2. All earth sheltered residences shall conform to the development regulations for their respective zoning districts.
3. An outdoor space shall be provided immediately outside one wall of the residence that has:
 - (a) A minimum size of 500 square feet.
 - (b) A minimum width of 200 feet.
 - (c) An average grade elevation no more than 2 feet above or below the finished floor elevation of the residence.
4. All earth-sheltered residences shall have structural systems designed by a professional structural engineer and shall have plans signed and approved by such engineer.

171.04 Supplemental Use Regulations: Civic Uses

a. Community Centers and Clubs

Clubs located adjacent to residential uses shall maintain a bufferyard of not less than 40 feet along the common boundary with such residential use.

b. Day Care

1. Limited Day Care uses are permitted on residential lots and may be operated by the occupant of a dwelling unit on the site.
2. Day care facilities are permitted by Conditional use Permit in the GI General Industrial Zoning District only if incidental to a permitted primary use.
3. Day care centers accommodate more than four children or adults shall:
 - (a) Provide at least 100 square feet of open space per child, entirely enclosed by a building fence, or wall with a height of at least six feet.
 - (b) Conform with all requirements and licensures of the State of Iowa.

c. Group Care Facilities and Group Homes

1. Each group care facility or group home must be validly licensed by either the State of Iowa or the appropriate governmental subdivision.
2. Group homes are permitted in the DC District only on levels above street level except that a facility specifically designed for occupancy by disabled residents

may be developed at street level, subject to approval of a special permit by the City Council with the recommendation of the Planning Commission.

171.05 Supplemental Use Regulations: Commercial Uses

a. Auto Repair, Equipment Repair, and Body Repair

1. Where permitted in commercial districts, all repair activities must take place within a completely enclosed building. Outdoor storage is permitted only where incidental to Auto Repair and Body Repair, provided that such storage is completely screened so as not to be visible from residential areas or public rights-of-ways. Screening is subject to provisions of Section 173 of this ordinance.
2. Any spray painting must take place within structures designed for that purpose and approved by the Building Official.

b. Auto Washing Facilities

1. Each conveyor operated auto washing facility shall provide 100 feet of stacking capacity per washing lane on the approach side of the washing structure and stacking space for two vehicles on the exit side.
2. Each self-service auto washing facility shall provide stacking space for three automobiles per bay on the approach side and one space per bay on the exit side of the building.

c. Automobile and Equipment Rental and Sales

1. All outdoor display areas for rental and sales facilities shall be hard-surfaced.
2. Body repair services are permitted as an accessory use to automobile rental and sales facilities, provided that such repair services shall not exceed 25% of the gross floor area of the building.

d. Bed and Breakfasts

Bed and Breakfasts permitted in the DC District must provide any sleeping facility only on levels above street level except that units specifically designed and reserved for occupancy by handicapped people may be located on the street level.

e. Campgrounds

1. Minimum Size: Each campground established after the effective date of this Ordinance shall have a minimum size of one acre.
2. Setbacks: All campgrounds shall maintain a 50-foot front yard setback and a 25-foot bufferyard from all other property lines.
3. Each campground must maintain water supply, sewage disposal, and water and toilet facilities in compliance with all City ordinances; or, alternately, be limited

to use by self-contained campers, providing their own on-board water and disposal systems.

f. Convenience Storage

When permitted in the CC, GC, HC, LI and R4 Districts, convenience storage facilities shall be subject to the following additional requirements:

1. The minimum size of a convenience storage facility shall be one acre.
2. Activities within the facility shall be limited to the rental of storage cubicles and the administration and maintenance of the facility.
3. All driveways within the facility shall provide a paved surface with a minimum width of 25 feet.
4. All storage must be within enclosed buildings and shall not include the storage of hazardous materials.
5. No storage buildings may open into required front yards.
6. Facilities must maintain landscaped bufferyards of 35 feet adjacent to any public right-of-way and 20 feet adjacent to other property lines, unless greater setbacks are required by Section 173.

g. Kennels

1. The minimum lot size shall be two acres.
2. No building or dog runs shall be located nearer than 100 feet from any property line and 300 feet to the property line of any residential use or district.
3. All kennel facilities shall be screened around such facilities or at property lines to prevent distracting or exciting animals. Screening shall be of a type provided by Section 173, establishing landscape and screening standards.

h. Restricted Businesses

Restricted (or adult entertainment businesses) shall be subject to the following restrictions, and no person shall cause or permit the establishment of any adult entertainment business contrary to said restrictions.

1. No adult entertainment business shall be open for business between the hours of twelve (12) midnight and six (6) a.m.
2. An adult entertainment business shall not be allowed within 1,000 feet of another existing adult entertainment business.
3. An adult entertainment business shall not be located within 1,000 feet of any residentially zoned district or a preexisting school, public park, or place of worship.
4. The provisions of this chapter shall apply to any adult entertainment businesses in existence at the time the ordinance codified in this chapter take effect. All nonconformances shall come into compliance on or before January 1, 2005, and

no such nonconforming use shall be permitted to expand in size or scope, and the rights granted in this chapter shall terminate upon cessation of business, sale, or transfer of ownership of the adult entertainment business.

5. Measurement of distances. For the purpose of this chapter, measurements shall be made in a straight line, without regard to intervening structure or objects, from the main entrance of such adult entertainment business to the point on the property line of such other business, school, church, public park or areas zoned for residential use which is closest to the said main entrance of such adult entertainment business.
6. No adult entertainment business shall employ any person under 21 years of age.
7. No adult entertainment business shall furnish any merchandise or services to any person who is under eighteen years of age.
8. No adult entertainment business shall be conducted in any manner that permits the observation of models or any material depicting, describing or relating to specified sexual activities or anatomical areas whose exhibition is not normally tolerated in public by display, decoration, sign, show window or other opening from any public way or from any property not licensed as an adult use. No operator of an adult entertainment business or any officer, associate, member, representative, agent, owner, or employee of such business shall engage in any activity or conduct or permit any other person to engage in any activity or conduct in or about the premises which is prohibited by this code or any laws of the state or the United States.
9. No part of the interior of the adult entertainment business shall be visible from any pedestrian sidewalk, walkway, street, or other public or semipublic area.
10. An adult entertainment business shall post a sign at the entrance of the premises which shall state the nature of the business and shall state that no one under the age of eighteen years is allowed on the premises. The sign shall comply with the city's sign regulations. This section shall not be construed to prohibit the owner from establishing an older age limitation for coming on the premises.
11. Nuisance Operation: Any adult entertainment business operated, conducted or maintained contrary to the provisions of this chapter shall be and the same is declared to be unlawful and a public nuisance, and the city attorney may, in addition to or in lieu of prosecuting a criminal action under this chapter, commence an action or actions, proceeding or proceedings, for the abatement, removal or enjoinder thereof, in the manner prescribed by law, and shall take such other steps and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate or remove such establishment and restrain and enjoin any person from operating, conducting or maintaining an adult entertainment business contrary to the provisions of this chapter.

171.06 Supplemental Design Standards for Office and Commercial Uses in the UC, CC, GC, HC and DC Districts

Intent: In the interest of promoting the general welfare of the community and to protect the value of buildings and property, the image and character of a community is vitally important. The quality of architecture and building construction is important to the preservation and enhancement of building and property values, prevention of the physical deterioration of buildings and the promotion of the image of the community and the general welfare of its citizens. The intent of this section is to promote better architectural design and site planning, to create visual interest by requiring minimum design treatments for commercial buildings and projects, and to maintain and enhance the attractiveness and efficiency of the streetscapes of the community.

Applicability: The requirements, guidelines, and standards set forth in this section shall apply to all new development and redevelopment of property within the GC, UC, CC, and DC zoning districts.

a. Fenestration

A street façade having a continuous length of 50 feet more shall have an offset in building elevations equal to a dimension of at least three feet or niches and alcoves with significant architectural delineation and definition to suggest window and entrance elements.

b. Façade

The total area of all windows and doors on each primary façade shall be equal to at least 20% of the area of that façade. Windows and doors on each primary façade shall have awnings or other treatments that provide shade, shelter and a break in the vertical plane. All primary facades shall have architectural style, detail, trim features, and roof treatments that are consistent with each other. Secondary facades shall be consistent and architecturally harmonious with the primary facades and have similar style, detail and trim features.

c. Exterior Treatment

Exterior materials shall be brick, stone, masonry, wood clapboard; vinyl siding shall simulate the appearance of wood, stone, brick or masonry. Corrugated metal panels, used as a finish material, shall be prohibited in most zoning districts. Architectural metal panels are acceptable, subject to consultation and a determination by the administrative official that the treatment meets the intent of this section. Smooth concrete panels or blocks shall have a decorative finish. A maximum of three (3) colors may be used on the exterior of any building; plus, one additional color for trim or cornice work. Fluorescent or neon colors are prohibited. These limitations exclude any unpainted natural stone or roof material.

d. Separate Ancillary Structures

Separate ancillary structures (Carwashes, cashier booths, canopies over gas pumps, etc.) shall have comparable pitch or parapets for roofs and shall otherwise have the

sane architectural detail, design elements and roof design as the primary structure, including the same cornice treatment, the same materials and colors, etcetera.

e. Roofing

Within the UC and CC districts, the dominant roof form shall be a pitched or gabled roof with a minimum slope equal to one foot of vertical height to every three feet of horizontal distance. Permitted roof materials may include asphalt shingles, slate or simulated slate shingles or standing seam metal with concealed fasteners, which shall be stamped by a licensed engineer, shall be installed by a certified installer in accord with regulations provided in the International Residential Code Book as from time may be amended.

f. Orientation

Mid-block commercial buildings shall be oriented to face the right-of-way/roadway, unless it can be shown that compelling site conditions necessitate a different orientation. If compelling site conditions necessitate that the building not face the right-of-way/roadway, then the building is considered to have two (2) primary facades, the façade that faces the right-of-way/roadway and the façade that incorporates the primary customer entrance. Corner lot commercial buildings shall be oriented to face a right-of-way/roadway, unless it can be shown that there are compelling site conditions that necessitate a different orientation. If compelling site conditions necessitate that the building not face such right-of-way/roadway, then the building is considered to have three (3) primary facades the two facades that face the right-of-way/roadway and the façade that incorporates the primary customer entrance.

g. Downtown Commercial (DC) Standards

The Downtown Commercial Zoning District is recognized as unique and historic district within Glenwood that is vital to the image and economic vitality of the community. Development in this district should recognize the historic fabric and architectural traditions of surrounding structures and attempt to complement and be harmonious with adjacent buildings.

In addition to the other standards and requirements set forth in this section, the following requirements apply to construction in the DC (Downtown Commercial) zone. (1) Awnings or other similar window and door treatments are required on no less than 50% of the length of all primary facades. This requirement applies to ground floor facades only. (2) Display windows a minimum of 6 feet in height shall exist along at least 50% of the length of all primary facades. (3) Exterior materials, for roofs and exterior walls, shall be historically accurate and architecturally harmonious with the existing adjacent structures. Permitted materials may include or should simulate brick, wood clapboard, board and batten, or architectural masonry (marble, slate, granite) or any other material, which in the determination of the administrative official, is consistent with the intent of this regulation. Vertical corrugated metal is not allowed as an exterior material. Wood is not allowed as a

structural building material within the DC zone; however it may be used as facing material if deemed by the administrative official to be consistent with the intent on this section. For renovations or reconstructions the aforementioned permitted exterior materials are not allowed to cover existing brick, masonry or any other historic exterior architectural elements unless the exiting elements can be proved to be structurally unsound.

h. Highway Gateway Commercial (HC) Standards

The Gateway Commercial Zoning District is designed to provide high quality commercial development at major community gateways and highway environments. The design of projects at these gateways should provide a first impression of Glenwood that is pleasant and visually appealing. Specific design standards for this zoning district recognize the need for high quality architecture and special site development characteristics due to proximity to high-traffic roadway intersections.

In addition to the other standards and requirements set forth in this section, the following requirements apply to new construction in the Highway Gateway Commercial Zoning District. (1) Awnings or other similar window and door treatments are required on no less than 50% of the entire length of all primary facades. (2) Windows, including those incorporated into doors, shall exist on at least 50% of the area of all primary facades. (3) Exterior materials, for roofs and exterior walls shall be of high quality and aesthetically appealing. Exposed fasteners on metal buildings are not permitted; metal roofs shall be constructed of standing seam, concealed fastener, or some other similar roof type. Vertical corrugated metal shall not be used as a siding material on any structure located in the HC zoning district. (4) Traffic circulation for development in the HC zoning district should be directed towards frontage roads and shall connect to other the existing and planned street network of the City of Glenwood (The Comprehensive Plan of the City of Glenwood further specifies the proposed location of road infrastructure in the HC zoning district).

i. Mixed Use Urban Corridor (UC) Standards

The Mixed-Use Urban Corridor zoning district is designed to recognize the Mixed Use character of major urban corridors, most notable, Locust Street. These corridors support a variety of uses including commercial, residential and office uses. Design standards are meant to maintain this character. Buildings should resemble residential development, incorporating elements such as a primary entrance with a porch or awning, windows and doors with trim and parking lots in rear or side yards maintaining an attractive, landscaped front yard. The dominant building form should be low-profile, one or two-story building with gabled roofs.

In addition to the other standards and requirements set forth in this section, the following requirements apply to construction in the Mixed Use Urban Corridor zoning district. (1) Awnings, porches or other similar window and door treatments are required on the primary entrance. (2) Windows, including those incorporated into doors, shall exist on at least 30% of the total area of all primary facades. (3)

Exterior materials, for roofs and exterior walls shall be consistent with other surrounding structures in the UC zoning district. Exposed fasteners on metal buildings are not permitted: metal roofs shall be constructed on standing seam, concealed fastener or some other similar roof type. Vertical corrugated metal shall not be used as a siding material. Vinyl siding is allowed, as are materials which, in the determination of the administrative official, are consistent with the intent of this section.

j. Community Commercial (CC) Standards

The intent of the Community Commercial zoning district is to provide areas for the development of businesses serving or operating in neighborhoods. Generally located at major intersections or within neighborhoods, the CC zoning district design standards are designed to reduce the effect of traffic and operating characteristics on surrounding residential areas. Buildings should resemble residential development, incorporating elements such as a primary entrance with a porch or awning, windows and doors with trim and parking lots in rear or side yards maintaining an attractive, landscaped front yard. The dominant building form should be low-profile, one or two-story buildings with gabled roofs.

In addition to the standards and requirements set forth in this section the following requirements apply to construction within the CC zoning district. (1) Awnings, porches or other similar window and door treatments are required on the primary entrance. (2) Windows, including those incorporated into doors, shall exist on at least 30% of the total area of all primary facades. (3) Exterior materials, for roofs and exterior walls shall be consistent with other surrounding structures in the CC zoning district. Exposed fasteners on metal buildings are not permitted; metal roofs shall be constructed of standing seam, concealed fastener or some other similar roof type, Vertical corrugated metal shall not be used as a siding material. Vinyl siding is allowed, as are materials which, in the determination of the administrative official, are consistent with the intent of this section.

k. General Commercial (GC) Standards

The general commercial zoning district accommodates a variety of commercial uses. These districts may include commercial uses that are oriented toward services rather than retail activities. These uses may create land use conflicts with adjacent residential development that require adequate buffering. Design standards in the GC zoning district are intended to allow more flexibility and variety.

In addition to the standards and requirements set forth in this section the following requirements apply to construction within the GC zoning district. (1) Windows, including those incorporated into doors, shall exist on at least 20% of the total area of all primary facades. (2) Permitted exterior materials, for roofs and exterior walls include exposed fastened metal, standing seam, concealed fastener, vinyl siding and concrete blocks or panels. Vertical corrugated metal is allowed as a siding material. For renovations or reconstructions, the aforementioned permitted exterior materials are not allowed to cover existing brick, masonry, or any other historic

exterior architectural elements unless the existing elements can be proved to be structurally unsound.

l. Landscaping and Screening

In addition to the architectural and design standards and requirements set forth in this section all new development within the City of Glenwood shall abide by the Landscaping and Screening standards set forth in Section 173 of the Land Development Ordinance.

m. Parking

In addition to the architectural and design standards and requirements set forth in this section, all new development within the City of Glenwood shall abide by the sign regulations set forth in Section 174 of the Land Development Ordinance.

n. Signage

In addition to the architectural and design standards and requirements set forth in this section, all new development within the City of Glenwood shall abide by the sign regulations set forth in Section 175 of the Land Development Ordinance.

o. Site Development Regulations

In addition to the architectural and design standards and requirements set forth in this section, all new development within the City of Glenwood shall abide by the site development regulations and supplemental site development regulations set forth in Sections 168 and 172, respectively, of the Land Development Ordinance.

171.07 Supplemental Use Regulations: Industrial Uses

a. Resource Extraction

Resource extraction, where permitted, is subject to the following additional requirements:

1. Erosion Control: A resource extraction use may not increase the amount of storm run-off onto adjacent properties. Erosion control facilities, including retention and sediment basins, are required of each facility, if necessary, to meet this standard.
2. Surface Drainage: The surface of the use may not result in the collection or ponding of water, unless specifically permitted by the City Council.
3. Storage of Topsoil: Topsoil shall be collected and stored for redistribution following the end of the operation.
4. Elimination of Hazards: Excavation shall not result in a hazard to any person or property. The following measures are required.
 - (a) Restoration of slopes to a gradient not exceeding 33% as soon as possible.
 - (b) Installation of perimeter safety screening.

(c) Installation of visual screening adjacent to any property within a residential or public use district.

5. Restoration of Landscape: The topography and soil of the resource extraction site shall be restored and stabilized within nine months of completion of the operation. The site shall be seeded, planted, and contoured in a way that prevents erosion. Alternately, the site may be used as a lake or body of water, subject to approval by the City Council with the recommendation of the Planning Commission and the Department of Natural Resources.

b. Salvage Services

1. Screening:
 - (a) The perimeter of each new facility shall be fully enclosed by opaque, freestanding fencing, or screening walls. Minimum height of this enclosure shall be ten feet. Any such enclosure shall be constructed behind required landscaped bufferyards.
 - (b) Each existing salvage services facility shall be screened as provided above within one year of the effective date of this Ordinance.
 - (c) All enclosures shall be of uniform height, texture, and color, and shall be maintained by the proprietor to ensure maximum public safety and to completely obscure the public view of materials stored in the facility.
2. Storage of materials within any salvage services facility may not be higher than the height of the surrounding screen fence or wall.
3. No loading, unloading or any other operational activity including salvage materials may take place outside the boundaries of the enclosure. Burning of any materials shall be prohibited.
4. No Salvage Services use may be established within 1,000 feet of the nearest property line of a residential zoning district or any civic use.

171.08 Performance Standards for Industrial Uses

a. Industrial Uses in the LI District: Performance Standards

The following performance standards apply to all industrial uses permitted within an LI Limited Industrial zoning district:

1. Physical Appearance: All operations shall be carried on within an enclosed building except that new materials or equipment in operable conditions may be stored outside. Normal daily inorganic washes may be stored outside in containers, provided that such containers are not visible from the street.
2. Fore Hazard: No operation shall involve the use of highly flammable gases, acid, liquids, or other inherent fire hazards. This prohibition shall not apply to the normal use of heating or motor fuels and welding gases when handled in accordance with the regulations of Mills County and the City of Glenwood.

3. Maximum Permitted Sound Levels Adjacent to Residential Zoning Districts: No operation in the LI district shall generate sound levels in excess of those specified in Table 6-1 at the boundary of a residential district. All noises shall be muffled so as not to be objectionable because of intermittence, beat frequency, or shrillness.
4. Sewage and Wastes: No operation shall discharge into a sewer, drainage way, or the ground and material which is radioactive, poisonous, detrimental to normal sewer plant operation, or corrosive to sewer pipes and installations.
5. Air Contaminants: No material may be discharged into the air from any source in such quantity as to cause injury, detriment, nuisance, or annoyance to any considerable number of people or to the public in general; or to endanger the health, comfort, or safety of any considerable number of people or to the public in general; or to damage other businesses, vegetation, or property.
6. Odor: The emission of odors determined by the Planning Commission to be obnoxious to most people shall be prohibited. Such odors shall be measured at the property line of the operation. As a guide to classification, strong odors associated with putrefaction, organic decay, or fermentation will generally be considered obnoxious to most people, while odors of equal intensity associated with the roasting of coffee or nuts are generally considered acceptable.
7. Gases: No release of noxious or poisonous gases shall be permitted except as provided in this section. Measurements of sulfur dioxide, hydrogen sulfide or carbon monoxide shall not exceed 5 parts per million taken at the property line of the operation.
8. Vibration: All machines shall be mounted to minimize vibration. No measurable vibration shall occur at the property line of the operation which exceeds a displacement of 0.003 inch.
9. Glare and Heat: All glare generated by a use shall be shielded or directed so as not to be visible at the property line of the operation. No heat may be generated from an operation that raises the air temperature at the property line of the operation by more than five degrees Fahrenheit above the ambient air temperature.
10. Storage of Chemical Products: IF allowed by Conditional Use Permit, any above or below ground storage of liquid petroleum products or chemicals of a flammable or noxious nature shall not exceed 150,000 gallons when stored on one lot less than one acre. Such storage shall not exceed 25,000 gallons in any one tank. Storage of liquid petroleum products or chemicals of a flammable or noxious nature in excess of 25,000 gallons shall be located at least 50 feet from any structure intended for human habitation and at least 200 feet from any Residential, Office, or Commercial zoning district.

171.09 Maximum Permitted Sound Levels Adjacent to Residential Zoning Districts

Table 171-1 displays the maximum permitted sound levels that may be generated by uses in the CC, GC, HC, BP, LI, or GI zoning districts where adjacent to residential zoning districts. All measurements shall be taken at or within the boundary between the originating district and the adjacent residential zoning district with a sound level meter meeting ANSI specification for a Type II or better general purposes sound level meter. The A-weighted response shall be used.

Table 171-1: Maximum Permitted Sound Levels at Residential Boundaries

<u>Originating Zoning District</u>	<u>Time</u>	<u>Maximum One Hour *Leq (dbA)</u>
CC, GC, HC, LI, BP	7:00 a.m. – 10:00 p.m.	60
	10:00 p.m. – 7:00 a.m.	55
GI	7:00 a.m. – 10:00 p.m.	65

*Leq is the constant sound level that, in a given situation and time period, conveys the same sound energy as the actual time-varying A-weighted sound. It is the average sound level and accurately portrays the sound the human ear actually hears.

171.10 Supplemental Use Regulations: Miscellaneous Uses**a. Communications Towers**

Communications towers, where permitted, are subject to the following additional requirements:

1. Co-Location: It is the policy of the City of Glenwood to encourage the co-location of new communication towers with existing towers or as part of suitable existing structures. All applications for approval of a communications tower location shall include evidence that all potential alternatives for location on existing towers or suitable buildings has been explored and exhausted. Applicants may not be denied space on an existing tower within the City of Glenwood unless mechanical, structural, or regulatory factors prevent co-location.
2. Towers shall be located so that the distance from the base of the tower to any adjoining property line or the supporting structure of another separate tower is minimum of 110% of the tower height.
3. The tower facility shall be designed to be aesthetically and architecturally compatible with the built environment of the City of Glenwood. Associated support buildings shall be designed with materials that are consistent with those in the surrounding neighborhood.
4. All tower facilities shall provide landscaped peripheral yards with a minimum depth of 35 feet. One tree consistent with the provisions of Section 173 shall be planted for every 500 square feet of required peripheral yard area.

b. Landfills

1. Compliance with Codes: Each landfill must comply with all relevant city, county, State, or Federal codes and statutes.
2. Prevention of Hazards: No facility shall present a hazard to surrounding residents or properties.
3. Drainage and Water Supply: No landfill may modify or prevent the flow of major natural drainage ways within the jurisdiction of the City of Glenwood. Landfills shall not produce a measurable increase in pollutions in any public water-based recreational facility or any waterway if well that is a part of a public or private water supply.
4. Minimum Separation from Residential Uses: No non-putrescible landfill may be established within 300 feet of a developed residential or public use. No landfill involving the disposal of putrescible or septic wastes shall be established within one-fourth mile of any residential, public, or commercial zoning district; or any State or Federal Highway.
5. Restoration of Site: The site of any landfill must be restored, stabilized, planted, and seeded within six months after the end of the operation. Dissipation of waste products must be accomplished in a manner approved by the State of Iowa's Department of Natural Resources.
6. Toxic Waste: The disposal of hazardous, toxic, or radioactive wastes as defined by the Federal Environmental Protection Agency shall be prohibited within the City of Glenwood and its extra-territorial jurisdiction.

c. Wind Energy Conservation Systems (WECS)

1. The distance from all lot lines or any building or power line to any tower support base of a WECS shall be equal to the sum of the tower height and the diameter of the rotor. A reduction of this requirement may be granted as part of a Conditional Use Permit approval if the Planning Commission finds that the reduction is consistent with public health, safety, and welfare.
2. The distance between the tower support bases of any two WECS shall be the minimum of five rotor lengths, determined by the size of the largest rotor. A reduction of this requirement may be granted as part of a Conditional Use Permit approval if the Planning Commission finds that the reduction does not impeded the operation of either WECS.
3. The WECS operation shall not interfere with radio, television, computer or other electronic operations on adjacent properties.
4. A fence six feet high with a locking gate shall be placed around any WECS tower base; or the tower climbing apparatus shall begin no lower than twelve feet above ground.
5. The WECS is exempt from the height restrictions of the base district.

171.11 Supplemental Use Regulations: Accessory Uses

a. Home-Based Businesses/Home Occupations

Home-based businesses and home occupations are permitted as an accessory use in residential units subject to the following conditions:

1. External Effects:
 - (a) There shall be no change in the exterior appearance of the building or premises housing the home occupation other than signage permitted within this section.
 - (b) No noise, odors, bright lights, electronic interference, storage or other external effects attributable to the home occupation shall be noticeable from any adjacent property or public right of way.
 - (c) The home occupation shall be carried on entirely within the principal residential structure and/or within a detached accessory building approved by the City in accordance with these zoning regulations. All "External Effects" criteria in items a.1.(a), (b), (d), (e) and (f) of this subsection are applicable for the detached accessory building. Signage is not allowed upon the detached accessory building.
 - (d) Mechanical or electrical equipment supporting the home occupation shall be limited to that which is self-contained within the structure and normally used for office, domestic or household purposes.
 - (e) No outdoor storage of materials or equipment used in the home occupation shall be permitted, other than motor vehicles used by the owner to conduct the occupation. Parking or storage of heavy commercial vehicles to conduct the home occupation is prohibited.
 - (f) No home occupation shall discharge into any sewer, drainageway, or the ground any material which is radioactive, poisonous, detrimental to normal sewer plant operation, or corrosive to sewer pipes and installations.
2. Employees: The home occupation shall employ no more than one full time or part time employee on site other than the residents of the dwelling unit, provided that one off-street parking space is made available and used by that non-resident employee.
3. Extent of Use: For all residential and agricultural zoning districts, the lesser of 25% of the floor area of the dwelling or 400 square feet may be devoted to the home occupation, inclusive of any detached accessory buildings used by that non-resident employee.
4. Signage: Each home-based business shall be permitted to have one wall sign not to exceed four square feet in area.
5. Traffic Generation and Parking

- (a) Home-based businesses may generate no more than 10 vehicle trips per day, corresponding to amount of traffic normally generated by a dwelling unit.
 - (b) Deliveries or service by commercial vehicles or trucks rated at ten tons gross empty weight is prohibited for any home-based business located on a local street.
 - (c) Parking needs generated by a home-based business shall be satisfied with off-street parking. No more than one vehicle used in connection with any home occupation shall be parked on the property. Such parking shall not be located in a required front yard. No more than two in-street parking spaces shall be used by the home occupation at any one time.
6. Prohibited Home-Based Businesses/ Home Occupations: The following activities are prohibited as home-based businesses, even if they meet the other requirements set forth in this section.
- (a) Animal hospitals.
 - (b) Beauty and Barber Shops, except with a Conditional Use Permit.
 - (c) General retail sales.
 - (d) Mortuaries.
 - (e) Repair shops or service establishments including major electrical appliance repair, motorized vehicle repair, and related uses.
 - (f) Repair and service establishments including electronics repair and small engine repair, except with a Conditional Use Permit.
 - (g) Stables or kennels.
 - (h) Welding, vehicle body repair, or rebuilding or dismantling of vehicles.

b. Permitted Accessory Uses: Residential Uses

Residential uses may include the following accessory uses, activities, and structures on the same lot.

- 1. Private garages and parking for the residential use.
- 2. Recreational activities and uses by residents.
- 3. Home occupations, subject to Section 171.11 of these regulations.
- 4. Residential convenience services for multi-family uses or mobile home parks.
- 5. Garage sales, provided that the frequency of such sales at any one location shall not exceed one during a continuous, two (2) month period or four sales during any twelve (12) month period.
- 6. Maintenance of no more than four household pets over the age of six months. Permitted household pets do not include animals who present hazards to members of the household or the general public, including venomous animals, constrictors, or other exotic animals, or animals who have an undue impact on their neighborhood environment.

c. Permitted Accessory Uses: Civic Use Types

Guidance Services and Health Care use types are permitted in the LI Limited Industrial zoning districts only as accessory uses to a primary industrial use.

d. Permitted Accessory Uses: Other Use Types

Other use types may include the following accessory uses, activities , and structures on the same lot:

1. Parking for the principal use.
2. Manufacturing or fabrication of products made for sale in a principal commercial use, provided such manufacturing is totally contained within the structure housing the principal use.
3. Services operated for the sole benefit of employees of the principal use.

e. Permitted Accessory Uses: Agricultural Use Types

1. Garden centers and roadside stands, subject to the regulations set forth in Section 171.02.
2. Other uses and activities necessarily and customarily associated with the purpose and functions of agricultural uses.

171.12 Supplemental Use Regulations: Outdoor Storage outside of the LI and GI Zoning Districts

Outdoor storage is prohibited in all zoning districts except the GI General Industrial zoning district, except as provided in this section.

a. Agricultural Use Types

Outdoor storage is permitted only where incidental to agricultural uses.

b. Civic Use Types

Outdoor storage is permitted only where incidental to Maintenance Facilities.

c. Commercial Use Types

1. Outdoor storage is permitted where incidental to Agricultural Sales and Service; Auto Rentals and Sales; Construction Sales; Equipment Sales and Service; Sables and Kennels; and Surplus Sales.
2. Outdoor storage is permitted where incidental to Auto Services, Equipment Repair, and Body Repair, provide that such storage is completely screened at property lines by an opaque barrier, as set forth in Section 173. This provision shall apply to any Auto Services, Equipment Repair, or Body Repair use established after the effective date of this Ordinance.

d. Industrial and Miscellaneous Use Types

1. Outdoor storage is permitted where it is incidental to industrial uses within the AR and LI zoning districts. Any such outdoor storage is subject to screening requirements set forth in Section 173.
2. Outdoor storage is permitted where incidental to landfills.

171.13 Supplemental Use Regulations: Temporary Uses

a. Purpose

These provisions are intended to permit occasional, temporary uses and activities, when consistent with the objective of the Zoning Ordinance and compatible with surrounding uses. They are further intended to prevent temporary uses from assuming the character of permanent uses.

b. Temporary Use Types

The following temporary uses are permitted, subject to the regulations contained within these sections:

1. Model homes or apartments, if contained within the development to which they pertain.
2. Development sales offices. Such offices may remain in place until 90% of the lots or units within the development are sold and may not be located within a mobile home or manufactured home/structure.
3. Public assemblies, displays, and exhibits.
4. Commercial circuses, carnivals, fairs, festivals, or other transient events, provided that events are located on property owned by the sponsoring non-profit organization or are located within a DC or more intensive zoning district.
5. Outdoor are shows and exhibits.
6. Christmas tree or other holiday-related merchandise sales lots, provided that such facilities are not located in a residential zoning district.
7. Construction site offices, if located om the construction site itself.
8. Outdoor special sales, provided that such sales operate no more than three days in the sane week and five days in the same month; and are located in commercial or industrial zoning districts.
9. Construction Batch Plants in the LI District provided that:
 - (a) No plant may be located within 600 feet of a developed residential use, park, or school.
 - (b) The facility is located no more than one mile from its job site. The Zoning Administrator may extend this distance to two miles, if such extension avoids use of local streets by plant-related vehicles.
 - (c) Hours of operation do not exceed 16 hours per day.

(d) The duration of the plan's operation does not exceed 180 days.

10. Additional temporary uses that the Zoning Administrator determines to be similar to the previously described uses in this section.

c. Required Conditions of All Temporary Uses

1. An application to conduct a temporary use shall be made to the Zoning Administrator and shall include at a minimum a description of the proposed use; a diagram of its locations; information regarding hours and duration of operation; and other information necessary to evaluate the application.
2. The Zoning Administrator may authorize a temporary use only if he/she determines that:
 - (a) The use will not impair the normal operation of a present or future permanent use of the site.
 - (b) The use will be compatible with surrounding uses and will not adversely affect the public health, safety, and welfare.
3. The duration of the permit shall be explicitly stated on the permit.
4. Decisions of the Zoning Administrator may be appealed to the Board of Adjustment.

SECTION 172

Supplemental Site Development Regulations

172.01 Purpose

The Supplemental Site Development Regulations establish basic requirements for all lots, including frontage requirements. These regulations recognized the existence of special conditions that cannot comply literally with the site development regulations set out for each zoning district. Therefore, these regulations qualify of modify the district regulations of this Ordinance and provide for specific areas of exception.

172.02 Required Street Frontage

Except as permitted below, any lot used in whole or part for residential purposes shall provide a minimum frontage of 20 feet along at least one public street, or shall possess an exclusive, uninterrupted private easement of access or right of way of at least 20 feet wide to a public street. There shall not be more than one single-family housing unit for such frontage or easement. A common easement of access at least fifty feet in width may be provided for two or more single-family units or for one or more duplex, two-family, townhouse, or multiple-family housing units.

172.03 Lot Size Exceptions-Replacement Housing

In any district permitting residential use types, a single-family or duplex use type which is replacing a preexisting structure of the same use type may be located on any lot or plot of official record as of the effective date of this Ordinance, regardless of its area or width, but subject to the following requirements:

- a.** The sum of the widths of the side yards of such lot shall be the lesser of those required by the district regulations or 25% of the width of the lot. No single side yard shall be less than 10% of the width of the lot.
- b.** The depth of the rear yard of such lot need not exceed 20% of the depth of the lot, but not be less than 15 feet.
- c.** If two or more such adjacent lots are combined under single ownership, the resulting combined lots shall be treated as a single lot for purposes of applying these setback requirements.

172.04 Setback Adjustments

a. Lots Adjoining Alleys

In calculating the depth of a required side or rear yard setback for a lot adjoining a dedicated public alley, one-half of the alley may be credited as a portion of the yard. However, no residential structure may be nearer than four feet to the near side of the alley and setback requirements for accessory buildings shall not be decreased.

b. Encroachments on Required Yards

Every part of a required yard shall be open and unobstructed from finished grade upward, except as specified herein.

1. Architectural projections, including roofs which cover porches, enclosed porches, window sills, belt courses, cornices, eaves, flues and chimneys, stoops and ornamental features may project four feet in to a required yard.
2. Terraces, patios, uncovered decks, retaining walls, and ornamental features which have no structural element more than three feet above or below the adjacent ground level may project ten feet into a required yard. However, all such projections must be set back at least three feet from an adjacent side lot line or rear lot line; or twenty feet from any street property line.
3. In Residential Districts, paved and prepared parking areas must be set back at least two (2) feet from an adjacent side lot line.
4. Fire escapes, fireproof outside stairways, and balconies opening to fire towers may project a maximum of 3 feet into required yards, provided that they do not obstruct the light and ventilation of adjacent buildings.
5. For buildings constructed upon a front property line, a cornice may project into public right-of-way. Maximum projection is the smaller of four feet or five percent of the right-of-way width.
6. In commercial districts only, a canopy or awning may extend into a required front yard, provided that the canopy or awning is set back at least five feet from the front property line, covers less than fifteen percent of the total area of the required front yard, and has a vertical clearance of at least 7.5 feet. In the DC zone, canopies and awning may exceed fifteen percent of the area of the required front yard. Awnings and canopies in the DC zone are subject to the following general regulations:
 - (a) Maximum projection of any Awning or Canopy shall be as follows:
 - i. In the DC zone, and awning may extend from the façade of a building to a distance of 6 feet from the inside edge of the curb. Canopies shall not be constructed in the DC zone.

- ii. In all other commercial zones, exclusive of the DC zone, awnings and canopies are subject to the same regulations set forth in section 175.04(e).
 - (b) Each awning in the DC zone must maintain a minimum vertical clearance of 7.5 feet.
 - (c) Awnings must minimize visible support structures and may not expose guy wires, cables, turnbuckles, angle iron or any other similar external support structure.
 - (d) Awnings may project into a public right of way or sidewalk in the DC zone so long as no posts or other devices are used to support the awning in such manner as to obstruct the sidewalk or hinder or interfere with the free passage of pedestrians.
7. Accessory buildings are subject to all site development regulations of its zoning district, except as provided below.
- (a) Side Yards: An accessory building may be located a minimum of five (5) feet from the side lot line of the property if it is located between the rear building line of the principal building and the rear property line and is under 15 feet in height. An additional one (1) foot setback is required for every two (2) feet above 15 feet in height, up to the minimum requirements of the zoning district.
 - (b) Front Yards: No accessory building may be located between the front building line of the principal building and the front property line.
 - (c) Rear Yard: The minimum rear yard setback for accessory buildings shall be 5 feet. This minimum rear yard setback shall be increased to 15 feet if the accessory building is a garage with a vehicular entrance door that is directly oriented toward an alley. Double-frontage lots shall require front-yard setbacks along both street frontages as set forth in Table 168-3. Easements may be incorporated into these required setbacks. No accessory building shall be located within any easement or right-of-way along the rear property line.
 - (d) Street Yards: No accessory building shall be located within 20 feet from any street right-of-way line.
 - (e) Maximum Size: No accessory building other than a garage shall exceed 150 square feet, or 1.5% of total lot area, whichever is larger, within an R-1, R-2, R-3, R-4, or MH residential district providing that the necessary building permit is obtained. The maximum size of a detached garage for a single-family detached, single-family attached, or duplex residential uses shall not exceed 720 square feet, or 25% of the building coverage of the main residential structure, whichever is larger. Residential lots with a minimum 12,500 square feet may be allowed to construct a garage larger

than 1,000 square feet with a conditional use permit. All accessory buildings on a site, taken together, must comply with the building coverage requirements for the zoning district and shall not occupy more than 30% of any required rear yard.

- (f) Height: In residential districts, the maximum height shall be 16 feet for any accessory building. Maximum height for a detached garage and/or other accessory building in an AR District shall be 20 feet.
 - (g) Separation from Other Buildings: Any accessory building shall be placed within ten feet of any other building on its own property or any adjacent properties.
 - (h) Attached Accessory Buildings: Any accessory building physically attached to the principal building shall be considered part of the principal building on such adjacent lot. No accessory building shall be considered part of the principal building and subject to the development regulations of its zoning district.
 - (i) Effect on Adjacent Properties: If an adjacent lot is built upon, the accessory building must be entirely to the rear of the front wall of any principal building on such adjacent lot. No accessory building shall damage adjacent property by obstructing views, inhibiting solar access or hindering ventilation.
 - (j) Hazards: Any accessory use which creates a potential fire hazard shall be located a minimum of 10 feet from any residential structure. Such uses include but are not limited to detached fireplaces, barbecue ovens, or storage of flammable materials.
 - (k) No accessory building shall be built upon any lot until construction of the principal building has begun.
8. Permanent swimming pools shall be subject to the same front yard, side yard, rear yard, and street side yard setback as accessory buildings.
9. Lamp posts with a maximum height of ten (10) feet, and flag poles up to maximum height of base district may be located within required yards, provided they are set back at least five (5) feet from property lines.
10. Garage Setbacks: Any garage that fronts on a public street must be set back at least 20 feet from such street, regardless of the setback requirement within the zoning district. This shall not be interpreted to waive a larger required minimum setback required by the zoning district.

c. Architectural Requirements for Detached Garages and Carports

- 1. Exterior building materials and architectural designs used for single-family detached, single-family attached or duplex residential structures shall be

comparable to, or similar to, or architecturally harmonious with, the existing main residential structure.

2. Exterior materials shall be non-reflective and shall be of a color, material, and scale comparable to existing residential structures in the immediate area. Permanent siding shall be, or simulate, wood, wood shingles, brick, masonry, or tile. The roof shall be pitched with a minimum vertical rise of 2.5 inches for each 12 inches of horizontal run, Roof construction shall be of non-reflective materials which are or simulate the appearance of asphalt, wood shingles, tile, rock, or standing seam metal with concealed fasteners. Any standing seam metal roof shall be stamped by a licensed engineer, shall be installed by a certified installer of standing seam metal roofs in accord with the regulations provided in the International Residential Code Book, as from time to time may be amended.
3. Unless made an integral part of the part of the primary structure or residence, all carports are subject to the setback requirements as set forth in this chapter for detached garages. It shall be unlawful for a person to erect, utilize, or maintain a carport unless:
 - (a) It is soundly constructed of lumber, steel, or other suitable materials to be approved by the Administrative Officer;
 - (b) It is similar to or architecturally harmonious with the existing primary structure in the discretion of the Administrative officer;
 - (c) It is affixed to the ground by concrete footings; and
 - (d) It has a permanent and impervious ground cover of gravel, concrete, or asphalt for which vehicles may be allowed to rest.

d. Setback Adjustment

1. Setbacks on Built-Up City Blockface(s):

These provisions apply if thirty percent or more of the buildings on that blockface have front yard setbacks different from those required for the specific district.

 - (a) If a building is to be built on a parcel of land within 100 feet of existing buildings on both sides, the minimum front yard shall be the mean setbacks of the adjacent buildings.
 - (b) If a building is to be built on a parcel of land within 100 feet of an existing building on one side only, the minimum front yard shall be the setback of the adjacent building.
 - (c) If a building is to be built on a parcel of land not within 100 feet of an existing building on either side, then the minimum front yard shall be the mean setback of all existing buildings on the blockface.

(d) No setback adjustment pursuant to this section shall create a required front yard setback more than five feet greater than that otherwise required by the applicable zoning district.

2. Corner Lots: Required setbacks shall not reduce the buildable width of any corner lot to less than 24 feet. Appropriate setback adjustments shall be allowed to maintain this minimum width.

e. Rear Yard Exceptions – Residential Uses

When an irregular lot is sized for residential purposes, the rear yard may be measured as the average horizontal distance between the building and rear lot line, provided that the minimum setback shall not be less than sixty percent (60%) of the rear yard required by the zoning district.

f. Double Frontage Lots

Residentially zoned double frontage lots on a major street, and with no access to that street may have a 25-foot minimum front yard setback along said street. All other double frontage lots must provide full front yard setbacks from each adjacent street.

g. Satellite Antennas

1. Each lot shall have no more than one satellite antenna.
2. Antennas with a surface area of over 6.3 square feet which are accessory to a primary use and are designed to receive and transmit electromagnetic signals, or to receive signals from satellites, shall not be located within any front yard of the primary use.
3. Antennas with a surface area of over 6.3 square feet are subject to the following additional regulations:
 - (a) Such antennas shall be located no less than ten (10) feet from the property line of an adjacent property line.
 - (b) The maximum height shall be 15 feet from the maximum diameter shall be 11 feet.
 - (c) Each antenna shall be screening by a six (6) foot high wood or masonry fence, or by natural plants or trees of equal minimum height.

h. Vision Clearance Zones

Except in the DC District, no structure, including a fence, shall be built to a height of more than three feet above the established curb grade on the part of the lot within a vision clearance zone. The vision clearance zone shall be a triangle measures from the point of intersection of the centerline of the streets to a point 90 feet in each direction from the intersection along such centerlines. At the intersection of major

streets, the 90-foot distance shall be increased to 120 feet. No landscaping shall be planted in such area which will materially obstruct the view of drivers approaching the street intersection.

172.05 Height Exceptions

These provisions allow exceptions to the height limit of any zoning district in certain situations.

a. Vertical Projections

Chimneys, cooling towers, building mechanical equipment, elevator bulkheads, fire towers, grain elevators, non-parabolic receiving antennas, tanks, solariums, steeples, penthouses not exceeding 25 percent of total roof area, flag poles, stage towers or scenery lofts, and water towers may be built to any height in accordance with existing and future ordinances.

b. Amateur Radio Towers and Federal communication Commission Pronouncements

1. Radio towers, antennas and other appurtenances operated by licenses amateur radio operators, where permitted and when, may not exceed 75 feet in height. This height has been determined by the City to reasonably accommodate amateur service communications, and further represents the minimum practicable regulations to accomplish legitimate municipal land use regulation purpose, as recognized under published guidelines of the Federal Communications Commissions.
2. Special instances may require that amateur radio tower heights exceed 75 feet to achieve effective and reliable communications. In such cases the Board of Adjustment may grant a Conditional Use Permit to a licensed amateur radio operator for a specific tower height that exceeds 75 feet. In determining whether to grant such permission, the City Council shall consider the federal guidelines contained in PRB-1 (*Amateur Radio Preemption*, 101 FCC 2d (1985); codified at C.F.R Section 97.15(e).
3. Such radio towers shall not be located within any front yard of the primary use.

c. Civic Buildings

Buildings housing civic use types may be built to a maximum height of 60 feet. Such buildings located in residential districts shall be set back one foot in addition to required setbacks from each property line for each foot of height over the maximum height of the zoning district.

d. Communications Towers

Communications towers, when operated by a federally-licensed commercial or non-profit organization, may be built to any height in accordance with existing and future ordinances. This exception does not apply to radio towers, antennas and other appurtenances operated by licensed amateur radio operators. Such towers are subject to the requirements of Section 10.610b.

e. Wind Energy Conservation Systems (WECS)

Wind Energy Conservation Systems are exempt from the height restrictions of the base district but are subject to the regulations of Section 171.

f. Conditional Use Approvals

The Planning Commission may grant an exception from the height limit for a zoning district for a Conditional Use as part of its approval of that use. The limit of extent of this exception shall be a specific part of the Conditional Use Permit.

g. Federal Aviation Administration Rules

No structure may be built in any zoning district which exceeds the maximum height permitted under the rules of the Federal Aviation Administration. These rules describe the glide angles and operational patterns for any airport within the planning jurisdiction of the City of Glenwood.

172.06 Exceptions to Site Development Regulations for Conservation Subdivisions

a. Purpose

In the instance that the Subdivision Chapter of the Land Development Ordinance provides for Conservation Subdivisions, the city may authorize such subdivisions to allow for greater flexibility in the design and development of subdivisions, in order to produce innovative residential environments, to provide for more efficient use of land, to protect topographic and to encourage the preservation of common area and open space. These special regulations and design exceptions apply only to Conservation Subdivisions. For the purposes of these provisions, Conservation Subdivisions shall include subdivisions developed under the standards identified in Section 170.40 or subdivisions designed according to Traditional Neighborhood Development (TND) techniques, set forth in Section 181.05.

b. Site Area Per Unit

Unless otherwise provided, the site area per unit for a creative subdivision as a whole shall be that of the zoning district in which such subdivision is located. For the purpose of computing site area per unit, the area of public streets and private ways within the subdivision must be excluded. Residential use types may be combined within the creative subdivision provided that the subdivision as a whole complies with the required maximum density of the zoning district.

c. Perimeter Yards

1. Structures must maintain normal street yard setbacks from any public streets that form the perimeter of the development.
2. Structures must maintain a 20 feet minimum side yard setback from any property line that forms the boundary of the development.

d. Area and yards for individual Lots

1. Individual lots within a Conservation Subdivision or TND are exempt from minimum lot area or yard setback requirements set forth elsewhere in this Ordinance, unless provided for by the regulations for a specific zoning district. Such a subdivision must be planned and developed as a common development. A minimum separation of twenty (20) feet shall be established for all residential structures not attached to one another, unless the City Council grants a specific exception for developments proposing unique circumstances, only in as much as said development can be demonstrated to avoid detriment to Glenwood's efforts to protect public health, safety, welfare, community character, property values and aesthetics.
2. Any private garage oriented to or facing a public street or private way internal to the creative subdivision must be set back a minimum of 25 feet from that public street or private way.

e. Coverage and Landscaping Requirements

Individual lots in a creative subdivision are exempt from maximum building and impervious coverage limitations and street yard landscaping requirements established for the zoning district. However, the subdivision as a whole, including streets, walks, and access ways, must comply with the building and impervious coverage regulations for its zoning district.

172.07 Fence Regulations

a. Location Restriction

1. Unless otherwise provided by this Ordinance or other sections of the Glenwood Municipal Code, no fence shall be built on any lot or tract outside the surveyed lot lines.
2. No fence shall be built by a private party on public land without the specific prior approval of the City. Removal of any such fence shall be at the expense of its owner.

b. Applicability

The regulations contained in this section apply to all fences with a height above grade of 30 inches and over.

c. Required Openings

Unless otherwise provided by this Ordinance or other sections of the Glenwood Municipal Code, any fence built on residential property within required front or street side yards shall contain openings constituting no less than 50 percent of the surface area of the fence.

d. Sight Obstruction at Street Intersections

No fence or hedge permitted or required by this article or other sections of the Glenwood Municipal Code shall be built to a height of more than three feet above the established curb grade on the part of the lot within a vision clearance zone. The vision clearance zone shall for fence construction shall include:

1. At street intersections, a triangle measured from the point of intersection of the centerline of the streets to a point 90 feet in each direction from the intersection along such centerlines. At the intersection of major streets, the 90-foot distance shall be increased to 120 feet. No landscaping shall be planted in such area which will materially obstruct the view of drivers approaching the street intersection.
2. At intersections of a sidewalk and alley or non-residential driveway or parking lot access, a triangle whose legs extend 10 feet back from the sidewalk along the alley or driveway, and 20 feet parallel to and along the back of the sidewalk back from the intersecting alley or driveway. See diagram 172-1.

e. Facing

The finished surfaces of any fence shall face toward adjacent properties and street frontage.

f. Effect on Adjacent Properties and Drainage

1. No accessory building shall drainage adjacent property by obstruction views, inhibiting solar access, or hindering ventilation.
2. Fences shall be erected and maintained so as to avoid limiting or obstructing the flow of water in natural drainage courses, or drainageways created within easements.

g. Fence Construction on Utility Easements

Any fence erected on a tract of land subject to an easement for the construction, maintenance, operations, or replacement of any water, sanitary or storm sewer, gas line, electric power, telephone, or other utility poles, or other cables or lines shall be

designed and constructed to be readily removeable to permit the use of the easement. Such fences shall be subject to removal or replacement shall be the responsibility of the owner of the fence.

h. Protective Fences around Swimming Pools

A fence with a minimum height of six feet and compliant with the terms of this section shall be required around public or permanent private swimming pools.

i. Residential Fences

Fences constructed within residential districts or on land used for residential purposes are subject to the following provisions.

1. Height: The maximum height of a fence within a required front yard or street side yard setback shall be 42 inches. The maximum height for any fence outside of a required front yard shall be six feet.
2. Exception for Street Side Yards: ON corner lots, a fence built parallel to the street side yard line but set back in conformance with the required street yard setback may have a maximum height of six feet.
3. Exception to Openness Requirement: Fences built on residential property outside of required front of street side yards may exceed of 50 percent closed construction.
4. Exception to Front Yards of Double Frontage Lots: A fence built within the required front yard of a double frontage lot may be a maximum of six feet in height and may exceed 50 percent closed construction if such lot fronts and arterial street or expressway, as defined in the Comprehensive Development Plan of the City of Glenwood; and if such frontage does not provide primary access to the property.
5. Materials: Fences shall be constructed of wood, chain-link, PVC/ resin, stone or masonry materials, or ornamental metals only. Wood fences shall utilize standard building lumber only. Barbed wire and/or electrified fences are not permitted and are defined as any fence that includes in its material barbs, blades, razors, electric current or other features specifically designed to injure or abrade an individual or animal who attempts to negotiate the fence. Wire mesh fences may be permitted to enclose tennis courts and game and recreation areas on public land and residential lots.

j. Civic, Office, Commercial, and Industrial Fences

Fences constructed in commercial and industrial districts are subject to the following special provisions:

1. The maximum height of a fence for any permitted use in any non-residential zoning district shall be eight feet.

2. Civic Uses in Residential Districts: The maximum height of fences installed as part of Primary and Secondary Educational Facilities, Day Care, and Park and Recreation Use Types, or any other use that provides secured outdoor space for the use of children within Residential Zoning Districts shall be eight feet.
3. The Board of Adjustment may approve greater fence heights on a case-by-case basis if it concludes that such permission furthers the health, safety, and welfare of the residents of the City of Glenwood.
4. Barbed wire shall not be used in the construction of any fence outside of the AR Agricultural Reserve and GI General Industrial Zoning Districts. Within GI Districts, the bottom strand of barbed wire shall be at least six feet above ground level. Electrified fences are not permitted within the jurisdiction of the City of Glenwood, except for agricultural uses within the AR District.

172.08 Appeals

Denial, revocations, or cancellations of a building permit based on the provisions of this Section may be appealed to the Board of Adjustment, as set forth in Sections 177.08 through 177.10.

SECTION 173

Landscaping and Screening Standards

173.01 Purpose

The Landscaping and Screening Regulations provide additional guidance on the development of sites within Glenwood by addressing landscaping and screening requirements. They are designed to improve the appearance of the community; buffer potential incompatible land uses from one another; and conserve the value of properties within the City of Glenwood.

173.02 Applicability

The provisions of this section shall apply to all new development on each lot or site upon application for a building permit, except for the following:

- a. Reconstruction or replacement of a lawfully existing use or structure following a casualty loss.
- b. Remodeling, rehabilitation, or improvements to existing uses or structures which do not substantially change the location of structures, parking, or other site improvements.
- c. Additions or enlargements of existing uses or structures which increase floor area or impervious coverage area by less than 20 percent. Where such additions or enlargements are 20 percent or greater, these provisions shall apply only to that portion where the new development occurs.

173.03 Landscaping Requirements

Landscaping shall be required adjacent to each street property line and within street yards as set forth in Table 173-1.

173.04 Landscaping List of Recommended and Prohibited Plant Materials

a. Official List of Recommended and Prohibited Plant Materials

Planting shall be used in required landscaped areas or bufferyards consistent with the Official List of Recommended and Prohibited Plant Materials, provided through the office of the Zoning Administrator. All plant materials shall conform in size, species and spacing with this section of the ordinance.

b. Use of Inorganic Landscaping Materials

No artificial trees, shrubs, plants or turf shall be used to fulfill the minimum requirements for landscaping. Inorganic materials, such as stone or decorative

pavers, may be used provided that such material does not comprise more than 35% of the minimum required landscaped area. Other concrete and/or asphalt pavement surfaces may not be used within the minimum required landscaped area, except for driveways and walkways.

Table 173-1: Required Landscape Depth

Zoning District	Depth of Landscaping Adjacent to Street Property Line
AR	35 feet
RR	25 feet
R-1	20 feet
R-2	20 feet
R-3	15 feet
R-4	15 feet
MH	35 feet
UC	10 feet
CC	10 feet
DC	No Requirement
GC	10 feet
HC	15 feet
BP	25 feet
LI	10 feet
GI	No Requirement

173.05 Bufferyard Provisions

These provisions apply when any use is established in a more intensive district (District A) which is adjacent to a less intensive zoning district (District B). The owner, developer, or operator of the use within District A shall install and maintain a landscaped bufferyard on his/her lot or site, as set forth in this section. Bufferyard requirements apply only to those districts indicated in Table 173-2. Bufferyards are not required of single-family, 2-family, duplex, or townhouse use types in the more intensive zoning district.

- a. The bufferyard dimensions set forth in Table 173-2 apply to zoning districts which share a common lot line or are adjacent but separated by an intervening alley.

Table 173-2: Bufferyard Requirements (in feet)

	District B (less intensive adjacent district)			
District A (more intensive district) Note 3	AG, RR Note 1	R-1, R-2, R-3 Note 1	R-4 Note 1	MH Note 1
R-4	20	20	---	---
MH	35	35	35	---
UC	15 Note 2	15 Note 2	15 Note 2	15 Note 2
DC	---	---	---	---
LC	20	20	20	20
CC, GC	25	25	20	20
LI	40	40	30	40
GI	100	100	100	100

Notes to Table 8-2:

Note 1: Applies only to residential uses preciously established in the zoning district.

Note 2: Buffering requirement applies to adjacent between new commercial and office use types and pre-existing residential land uses in adjacent districts. Buffering requirement also applies to a commercial or office use type established in a UC district and adjacent to a pre-existing residential use in the UC District. Vertical screening may also be required as set forth in Section 173.06.

Note 3: Buffer requirements do not apply to single-family, duplex, r townhouse residential uses established in District A

- b. When a street separates adjacent zoning districts requiring a bufferyard, the size of the bufferyard shall be one-half the required bufferyard set forth in Table 173-2.
- c. Each required bufferyard must be entirely landscaped and free of paved areas, access ways, storage, or other disturbances.

173.06 Screening Standards

a. Application

Screening is required between adjacent zoning district indicated in Table 173-2 when one or more of the following conditions in the more intensive zoning district is

directly visible from and faces toward the boundary of the less intensive zoning district:

1. The rear elevation of buildings.
2. Outdoor storage areas or storage tanks, unless otherwise screened.
3. Loading docks, refuse collection points, and other service areas.
4. Major machinery or areas housing a manufacturing process.
5. Major on-site traffic circulation areas or truck and/or trailer parking.
6. Sources of glare, noise, or other environmental effects.

b. Opaque Barrier

A six (6) foot opaque barrier shall be provided which visually screens the conditions listed in Section 173.06 (a) from less intensive uses as follows:

1. A solid wood and/or masonry fence or wall at least six feet in height.
2. A landscaping screen, using evergreen or deciduous materials, capable of providing a substantially opaque, hedge-like barrier and attaining a minimum height of six feet within three years of planting.
3. A landscaped earth berm with a maximum slope of three to one, rising no less than six feet above the existing grade of the lot line separating the zoning districts.
4. Any combination of these methods that achieves a cumulative height of six feet.

c. Location of Screening Wall

A screening wall or fence shall be installed no closer to the less intensive zoning district than one-half the width of the required bufferyard.

d. Screening: Effect on Drainage

Screening shall not adversely affect surface water drainage.

e. Permitted Interruptions of Screening

Screening may be interrupted to provide access drives to service areas or for loading purposes to buildings. Such breaks or interruptions shall not exceed 20% of the length of the required screened area.

173.07 Parking Lot Landscaping

a. Landscape and Screening Requirements

Unless otherwise noted, each unenclosed parking facility of over 6,000 square feet shall comply with the following regulations:

1. Each unenclosed parking facility shall provide a minimum landscaped buffer of ten feet along any street property line.
2. Each parking facility that abuts a residential district shall provide a ten (10) foot landscaped buffer along its common property line with the residential district.
3. Any parking facility which abuts property in a residential district shall provide a fence, wall, landscape screen, or earth berm not less than four feet in height for the length of the common boundary. A grade change, terrace, or other site feature which blocks the sight line of headlights into a residential property may satisfy this requirement, subject to the determination of the Zoning Administrator.
4. Each unenclosed parking facility of over 6,000 square feet within any street yard shall provide interior landscaped area equal to no less than 5 percent of the total paved area of the parking facility. Parking facilities within the LI and GI Districts shall be exempt from this requirement.
5. Interior landscaping shall be credited toward the satisfaction of overall landscaping requirements set forth in this section.
6. Landscaping or screening installed in any required landscaped area shall not obstruct the view from the off-street parking facility to any driveway approach, street, alley, or sidewalk. Landscaping shall further not obstruct any views among parking spaces and circulation ways, or visibility between vehicles and pedestrians.

173.08 Tree Planting

In any landscaped area for commercial uses only required by the Minimum Depth Requirements, the Bufferyard Requirements, or the Parking Lot Interior Landscaping Requirements, one tree of an approved species with a minimum caliper size of two inches shall be planted and maintained for each 500 square feet of required landscaped area. Existing trees approved for preservation shall be counted toward satisfaction of this requirement.

173.09 General Provisions

a. Time of Application

The provisions contained in this Section shall be applied for each individual lot or site when an application for a building permit on such lot is made. When required, a Landscape Plan shall be submitted with each application for a building permit. Such plan shall be reviewed by the Zoning Administrator for compliance with the provisions of this section.

b. Maintenance of Required Landscaping

Upon installation of required landscape materials, each owner shall take appropriate actions to ensure their continued health and maintenance. Required landscaping that does not remain healthy shall be replaced consistent with this Article.

c. Obstruction of View

Landscaping or screening installed in any landscaped area shall not obstruct the view from or to any driveway approach, street, alley, or sidewalk.

d. Earth Berm Locations

All earth berm locations shall be reviewed by the Zoning Administrator, or his/her designee to determine how the berms shall relate to drainage and public utilities.

e. Exceptions

A development may continue to comply with the bufferyard and screening requirements in effect at the time of issuance of its original permit, regardless of whether an adjacent lot or site is subsequently rezoned to a less intensive district which would otherwise require compliance with bufferyard or screening provisions.

SECTION 174

Off-Street Parking

174.01 Purpose

The Off-Street Regulations require that developments provide parking in proportion to the need created by each use. The regulations further establish standards for the functional design of parking facilities. These regulations are intended to accommodate vehicles in a functionally satisfactory manner and to minimize external effects on neighboring properties.

174.02 General Applications

a. Applicability

Off-street parking shall be provided for any new building constructed, for new uses or conversions of existing buildings; or for enlargements of existing structures.

b. Exemptions

Any use within the DC Downtown Commercial District, with the exception of permitted ground level residential uses, is exempt from the off-street parking requirements. Any off-street parking facility constructed in the DC District after the effective date of this Ordinance must comply with the design standards set forth in this section.

174.03 Schedule of Off-Street Parking Requirements

Parking facilities for each use shall be provided in accord with the minimum requirements set forth in Table 174-1.

a. Computation

1. When a computation of required parking results in a fraction of 0.5 or greater, the requirement shall be rounded up to the next whole number.
2. Unless otherwise indicated, parking requirements are based on gross floor area. Gross floor areas for the purpose of this calculation exclude any interior space used for the parking or loading of vehicles.
3. When parking requirements are computed on the basis of capacity, capacity shall be determined by the building code or other official determinations of occupancy in effect for the City of Glenwood at the time the use is established.

Table 174-1: Minimum Off-Street Requirements

Agricultural Use Types	
Horticulture	1 space per 1,000 square feet of sales area.
Crop/ Animal Production	No requirement.
Residential Use Types	
Single-Family Residential	2 spaces per dwelling unit.
Duplex Residential	2 spaces per dwelling unit.
Two-Family Residential	2 spaces per dwelling unit.
Multi-Family Residential	1.5 spaces per efficiency or 1-BR unit; 2 spaces per 2-BR unit; 2.5 spaces for 3 or more BR unit.
Downtown Residential	No requirement.
Group Residential	1 space for each resident.
Mobile Home Residential	2 spaces per dwelling unit.
Retirement Residence	1.5 spaces per independent living unit; 0.5 spaces per assisted living unit.
Civic Use Types	
Administration	1 space for 300 square feet of gross floor area.
Assisted Living	1 space for 4 beds + 1 space per employee of largest shift.
Cemetery	No requirement
Clubs	1 space per 4 persons capacity.
College/University	1 space per three students.
Convalescent Services	1 space for 4 beds
Cultural Services	1 space per 500 square feet of gross floor area.
Day Care Services	1 space per 5 persons capacity + 1 space per employee of largest shift.
Group Care Facility	1 space per 4 persons capacity + 1 space per employee of largest shift.
Group Home	1 space per 4 persons capacity + 1 space per employee of largest shift.
Guidance Services	1 space per 300 square feet.
Health Care	1 space per 300 square feet + 1 space per employee of largest shift.
Hospitals	1 space per 2 beds + 1 space per employee of largest shift.
Maintenance Facilities	See Schedule A.
Parks and Recreation	Establish by an approved site master plan.
Postal Facilities	See Schedule A.
Primary Education	1 space per employee of largest shift + 10 stalls for visitors.
Public Assembly	1 space per 4 persons capacity.
Religious Assembly	1 space per 4 persons capacity in largest assembly area.
Safety Services	1 space per employee of maximum shift + 1 stall per 1,000 sq. ft.
Secondary Education	1 space per employee of max shift + 1 space for each 3 of 11 th and 12 th grade students.
Utilities	1 space per employee of maximum shift.

Table 174-1: Minimum Off-Street Requirements (continued)

Commercial Use Types	
Agricultural Sales/Services	See Schedule A.
Auto Rental and Sales	See Schedule A.
Auto Services*	4 times service capacity.
Body Repair*	5 spaces per repair stall.
Business Support Services	1 space per 500 square feet.
Campground	1 space per camping site.
Cocktail Lounge	1 space per 200 square feet.
Commercial Recreation	1 space per 4 persons capacity. For bowling alleys, 4 spaces per lane.
Communication Services	1 space per 500 square feet.
Construction Sales	See Schedule A.
Consumer Services	1 space per 200 square feet.
Convenience Storage	1 space per 20 storage units. **
Equipment Sales/Services	See Schedule A.
Food Sales (All Types)	1 space per 200 square feet.
General Retail Services	1 space per 200 square feet.
Liquor Sales	1 space per 200 square feet.
Lodging, Bed and Breakfast	1 space per unit
Personal Improvement	1 space per 200 square feet.
Personal Services	1 space per 300 square feet.
Pet Services	1 space per 500 square feet.
Restaurants (Drive-in)	1 space per 50 square feet of customer service area.
Restaurants (General)	1 space per 3 persons capacity in dining area.
Stables/Kennels	1 space per employee + 1 stall per 5,000 sq. ft. of site area.
Surplus Sales	See Schedule A.
Trade Services	1 space per 500 square feet.
Veterinary Services	1 space per 500 square feet.

* Auto Service and Body Repair subject to other restrictions applicable under this ordinance:

- See Section 4: Use Types – “Vehicle Storage”; also,
- Sections 6: Supplemental Use Regulations, “Outdoor Storage.”

** This standard may be reduced by up to 20% at the discretion of the Building Official, if the site plan review demonstrates that circulation and loading patterns accommodate adequate space for queuing and temporary parking by users during the peak hours of operation.

Table 174-1: Minimum Off-Street Parking Requirements (continued)

Office Use Types	
Corporate Offices	1 space per 300 square feet.
General Offices	1 space per 300 square feet.
Financial Services	1 space per 300 square feet.
Medical Offices	5 spaces per staff doctor or dentist.
Miscellaneous Use Types	
Broadcasting Tower	See Schedule A.
Non-Putrescible Landfill	See Schedule A.
All Landfills	See Schedule A.
Industrial Use Types	
Agricultural Industries	See Schedule A.
Light Industry	See Schedule A.
General Industry	See Schedule A.
Heavy Industry	See Schedule A.
Railroad Facilities	See Schedule A.
Resource Extraction	1 space per employee on largest shift.
Salvage Services	See Schedule A.
Warehousing	See Schedule A.
Construction Yards	See Schedule A.

Schedule A	
This schedule sets forth minimum off-street parking requirements for uses With elements that have different functions and operating characteristics	
<u>Function of Element</u>	<u>Requirement</u>
Office or Administration	1 space per 300 square feet.
Indoor Sales, Display or Service Area	1 space per 500 square feet.
Outdoor Sales, Display or Service Area	1 space per 2,000 square feet.
Equipment Servicing or Manufacturing	1 space per 1,000 square feet.
Indoor or Outdoor Storage or Warehousing	1 space per 5,000 square feet.

174.04 Parking Facility Location

a. Residential Parking

1. With the exception of Downtown Residential uses, off-street parking for residential uses shall be located on the same lot or site as the use.
2. Off-street parking areas for any multi-family residential uses shall be at least six feet from any main building; and shall not be located within a required front yard or street side yard.
3. For multi-family residential uses, separately leased, detached garages may not be used to satisfy parking requirements for such uses unless terms of the lease

prevent their use as private storage. Parking incorporated into the design of multi-family buildings, or within parking structures, shall be counted toward fulfillment of parking requirements.

b. Non-residential Parking

Off-street parking for non-residential uses shall be located on the same lot or site as the use, or within 300 feet of that use if the parking site is within a zoning district that permits the Off-Street Parking use type. Control of ownership or use rights to the remote off-street parking must be demonstrated as a condition of permission.

174.05 Parking for People with Disabilities

- a. Each off-street parking facility shall provide the number of parking spaces set forth in Table 174-2 designed and designated for use by people with disabilities. Every eighth parking space shall be van-accessible. Design criteria and dimensions shall be in accordance with *Federal Register, Volume 56, No 144*. Parking facilities for single-family, duplex, two-family, and mobile home residential uses are exempt from this requirement.
- b. Spaces designated for people with disabilities shall have a minimum width of 12 feet. Each handicap space shall provide a barrier free route to an accessible building entrance, which shall not require users to walk or wheel behind parked cars. Such spaces shall be designated with an upright sign exhibiting the universal symbol for accessibility by the handicapped. All such spaces shall be designed in compliance with the standards of the Americans with Disabilities Act.

Table 174-2: Accessible Parking Requirements

Number of Stalls	Number of Required Accessible Spaces	Number of Stalls	Number of Required Accessible Spaces
1-25	1	201-300	7
26-50	2	301-400	8
51-75	3	401-500	9
76-100	4	501-1,000	2% of total
101-150	5	1,001 and over	20, plus 1 for each 100
151-200	6		stalls over 1,000

174.06 Off-Street Parking Design Standards

a. Dimensions

1. Standard parking stalls shall be 9 feet wide and 18 feet long.
2. Where parking stalls are located adjacent to landscaped areas, the paved depth of such stalls may be decreased by two feet to provide for a vehicle overhang area. The vehicle overhang area may not encroach in to a required landscaped area or public sidewalk.

b. Pavement and Drainage

1. Off-street parking facilities shall be surfaced with concrete, asphalt, or brick and shall be maintained with materials sufficient to prevent mud, dust, or loose material except as provided below:
 - (a) Sites within the AR and RR Districts are exempt from this requirement.
 - (b) In residential areas, all parking spaces and driveways used for parking shall be paved however, this requirement does not extend to driveways not used under any conditions for parking.
 - (c) In GI Districts, the paving requirement for certain parking and loading areas more than 50 feet back from any public right-of-way may be waived, following review and approval of a specific site plan by the Zoning Administrator.
2. Off-street parking facilities shall be designed and built to prevent the free flow of water onto adjacent properties. Parking lot design which discharges water onto public right-of-way is subject to review and approval by the City Engineer.

c. Landscape and Screening Requirements

Landscape requirements for off-street parking facilities are set forth in Section 173.07.

d. Entrances and Exits

1. Adequate access to each parking facility shall be provided by means of clearly defined and limited driveways or access points. Such driveways shall be designed to direct non-residential traffic away from residential areas.
2. Parking facilities other than driveways for single-family, duplex, two-family, or mobile home residential uses must permit vehicles to enter streets in a forward position.
3. Ninety (90%) degree head-in parking from any public right-of-way shall be permitted only in the DC District, or as part of a specific Planned Development design.

e. Design and Pedestrian Access

1. Parking lots providing over 100 stalls should be divided into smaller parking fields not exceeding 50 stalls to reduce the visual impact of large parking expanses. Divisions should be made with landscape strips, peninsulas, or grade changes.
2. Commercial or office parking lots shall be designed to separate pedestrians from vehicles to the maximum degree possible and to provide protected pedestrian paths within parking areas which lead to store, building, or shopping center entrances.
3. Sidewalks and walkways in commercial developments should link to the city's sidewalk and trail system where available and shall provide a safe pedestrian route from adjacent public sidewalks and trails.

f. Safety Features

1. Parking facilities shall be designed to provide visibility of a between pedestrians and vehicles when circulating within or entering or leaving the facility; and shall not create blind, hidden, or hazardous areas.
2. Circulation patterns shall be designed in accord with accepted standards of traffic engineering and safety.

g. Maintenance

All parking facilities shall be maintained to assure the continued usefulness and compatibility of the facility. Acceptable maintenance includes keeping the facility free of refuse, debris, and litter; maintaining parking surfaces in sound condition; and providing proper care of landscaped areas.

h. Adjustment for Conditional Uses and Planned Mixed Use Projects

1. For uses subject to a Conditional Use Permit approval, the Planning Commission may adjust the minimum requirements of this section, in order to provide design, usability, attractiveness, or protection to adjoining uses in a manner equal to or greater than the minimum requirements of this section.
2. In mixed use projects, different uses may have complementary parking requirements. This can result in a parking requirement that is less than the sum of parking required for each use and added separately. The Planning Commission may authorize an adjustment to the total parking requirement for separate uses located as part of a common development, or for separate uses located on adjacent sites and served by common parking facilities. All parking facilities subject to the mixed use adjustment must be located in a common facility, equally accessible and usable to all served uses.

174.07 Bicycle Parking**a. Parking Requirements**

1. Each parking facility providing 50 spaces, or more shall provide parking accommodations for bicycles as provided by the Table 174-3:

Table 174-3: Bicycle Parking Requirements

Number of Parking Stalls	Required Bicycle Spaces
50-100	5
100-150	8
150-200	10
Over 200	2 additional spaces for each 50 parking stalls

2. Bicycle parking facilities shall include bicycle racks secured to prevent easy removal, bicycle lockers, or bicycle posts or bollards expressly designed for the secure storage.
3. The location of bicycle parking facilities shall be at least as convenient to the main entrance of the primary use as the most convenient automobile parking not reserved for use by disabled people.
4. Bicycle parking should be located to prevent hazards or obstructions to the normal flow of pedestrians into a use.

174.08 Off-Street Loading**a. Loading Requirement**

In any district with every building or part thereof hereafter erected, having a gross floor area of ten thousand square feet or more, which is to be occupied by manufacturing, storage, warehouse, goods display, retail store, wholesale store, market, hotel, hospital, mortuary, laundry, dry cleaning or other uses similarly requiring the receipt or distribution by vehicles of material or merchandise, there shall be provided and maintained on the same lot with such building, at least one off-street loading space plus one additional such loading space for each twenty thousand square feet or major fraction thereof of gross floor area, so used, in excess of ten thousand square feet.

b. Design Standards

1. Each loading space shall be at least 12 feet wide by 40 feet long, with a vertical clearance of at least 14 feet.
2. Loading spaces and access areas shall be paved.
3. Off-street loading areas are subject to the landscaping and buffering requirements for parking facilities set forth in this Section 173.

c. Schedule of Loading Spaces

Loading spaces for each use requiring them shall be provided in accord with the minimum requirements set forth in Table 174-4.

Table 174-4: Off-Street Loading Requirements

Gross Floor Area of Use (square feet)	Number of Required Loading Spaces
5,000 or less	None
5,001 – 25,000	1
25,001 – 75,000	2
Larger than 75,000	3

174.09 Stacking Requirements for Drive-Through Services

- a. Commercial establishments providing drive-in or drive-through services shall provide minimum on-site stacking, distance as provided by Table 174-5.
- b. The City Engineer may reduce these requirements for specific projects, provided that the applicant can present a traffic study prepared by a professional traffic engineer demonstrating that such reduction is appropriate to the function of the project. A reduction must be approved by the Public Works Director.

Table 174-5: Off-Street Stacking Requirements

Type of Operation	Minimum Stacking Space
Financial Services with Drive-Up Tellers	3 vehicles per window or kiosk
Financial Services with Drive-Up ATM	3 vehicles per ATM station
Self-service or automatic car wash	Entrance: 3 vehicles per bay Exit: 1 vehicle per bay
Fast food restaurant	Behind menu board: 3 vehicles Behind first service window: 3 vehicles
Photo processing, dry cleaning, or other drive-up personal services	2 vehicles per services window
Gas stations	2 vehicles per pump
Gated parking lot, community entrance, or overhead door	1 vehicle per gate or door

Note: Minimum vehicle lane shall be 12 feet; Vehicle length = 20 feet.

174.10 Parking for Personal and Recreational Vehicles

a. Applicability

This section permits the parking of personal vehicles on a single lot in a residential district subject to specific conditions. Personal vehicles include: passenger cars; vans; pick-up trucks; camper shells, toppers, and other similar appurtenances

intended for attachment to a personal vehicle; trailers under 25 feet in length, and boats under 25 feet in length. Measurement of boats shall include the boat trailer to which it is attached. The minimum height of any Personal Vehicle shall be eight feet from grade. Trucks, tractor cab units, trailers, recreational vehicles, boats over 25 feet in length and vehicles over ten tons gross empty weight shall be defined as heavy commercial vehicles.

b. Location of Parking

1. Parking is permitted within any enclosed structure when such structure conforms to the regulations of its zoning district.
2. Parking of personal vehicles is permitted on a prepared driveway (outside of an enclosed structure) within the front yard setback but, shall in no case encroach upon the public right-of-way.
3. In Residential Districts, paved and prepared parking must be set back at least two (2) feet from an adjacent side lot line.
4. Parking of personal vehicles may occur in the rear yard setback (outside of an enclosed structure and not on the front yard paved driveway) if the Zoning Administrator determines that such parking conforms to the provisions of the Zoning Ordinance, meets the following conditions:
 - (a) The parking space is provided on a prepared surface and connected to a dedicated public right-of-way and/or alley.
 - (b) The paved parking does not exceed the maximum impervious coverage limit for the lot.
5. Heavy commercial vehicles, including tractor cab units that exceed 10 tons gross vehicle weight shall not be parked on any lot within a residential zoning district. Recreational vehicles shall not be parked within a residential zoning district, except as provided below.

c. Special Provisions for Recreational Vehicles and Boats

Parking and storage of recreational vehicles and boats within residential districts is subject to the following additional conditions. These conditions are in addition to those requirements for the parking of Personal Vehicles.

1. Recreational vehicles and boats must be maintained in a clean, well-kept state.
2. Recreational vehicles and boats equipped with liquefied petroleum gas containers must ensure that such containers must meet the current standards of the Interstate Commerce Commissions, the United States Department of Transportation, or the American Society of Mechanical Engineers. Any valves must be closed at all times that the vehicle is not in preparation for immediate use. Leaks in containers must be repaired immediately.

3. Recreational vehicles may be parked temporarily by non-paying guests for a maximum of three consecutive days or fourteen days total during any calendar year. Cooking in the recreational vehicle is prohibited at all times.
4. Recreational vehicles and boats may not be permanently connected to utility lines.
5. Recreational vehicles and boats may not be used for the storage of goods, materials, or equipment other than those items which pertain to the use of the vehicle.
6. If feasible on a lot, recreational vehicles and boats may be parked outside of required front yard and street side yard setbacks.

174.11 Supplementary Regulations: Storage and Parking of Unlicensed or Other Vehicles

The storage or keeping of motor vehicles not having a properly issued current motor vehicle registration and current motor vehicle license plate properly displayed is prohibited on any lot, parcel or tract of land or part thereof, situated within the zoning jurisdiction of the City of Glenwood, except for motor vehicles stored within a fully enclosed building or held for sale by a licensed motor vehicle dealer at his/her place of business in a zoning district which permits such use.

SECTION 175

Sign Regulations

175.01 Purpose

The Sign Regulations provide standards for communicating information in the environment of the City of Glenwood and its jurisdiction. The regulations recognize the need to protect public health, safety and welfare; to maintain the city's attractive appearance to provide for adequate business identification, advertising, and communication of information; and to encourage the fair enforcement of sign regulations.

175.02 Definition of Terms

The following definitions shall be used for terms contained in this chapter that are not otherwise defined in the Glenwood Municipal Code or in this Zoning Ordinance.

1. Abandoned Sign: A sign, including sign face and supporting structure, which refers to a discontinued business, profession, commodity, service, or other activity or use formerly occupying the site; or which contains no sign copy on all sign faces for a continuous period of six months.
2. Attached Sign: A sign which is structurally connected to a building or depends upon that building for support.
3. Auxiliary Design Elements: Terms which describe secondary characteristics of a sign, including its method of illumination and other features within the bounds of its basic shape.
4. Awning and Awning Sign: A movable shelter supported entirely from the exterior wall of a building. An awning sign is a message printed on such a shelter.
5. Banner: Material with a printed message or graphic secured or mounted from a structure in such a way as to allow wind movement.
6. Building Marker: An historic or commemorative plaque, or a building name or cornerstone carved into a masonry surface.
7. Business Center Identification Sign: A sign which identifies a building or group of commercial buildings in single ownership or control, sharing parking and access.
8. Canopy and Canopy Sign: A temporary or movable shelter, standing alone and not supported by any exterior wall of any building, and composed of non-rigid materials, exclusive of a supporting framework, to be approved by the Planning and Zoning Director. A canopy sign is a message on such shelter.
9. Clearance: The distance from the bottom of a sign face elevated above grade and the grade below.

10. Detached Sign: A sign which is self-supporting and structurally independent from any building.
11. Directional Sign: A sign which serves only to designate the location or direction of any area or place.
12. Double-Faced Sign: A sign consisting of no more than two parallel faces supported by a single structure.
13. Frontage: The length of a property line of any one premises abutting and parallel to a public street, private way, or court.
14. Ground Sign: A detached on-premise sign built on a freestanding frame, mast, or pole(s) with a clearance no greater than 3 feet.
15. Illuminations: Lighting sources installed for the primary purpose of lighting a specific sign or group of signs.
16. Marquee: A permanent roofed structure attached to and supported by a building and extending over public right-of-way.
17. Maximum Permitted Sign Area: The maximum permitted combined area of all signs allowed on a specific property.
18. Monument Sign: An on-premise freestanding sign mounted on a solid base.
19. Moving Sign: A sign which conveys its message through rotating, changing, or animated elements.
20. Nonconforming Sign: A sign that was legally erected prior to the adoption of this chapter but which violates the regulations of this chapter.
21. Off-Premise Identification Sign: A sign which identifies or advertises a name, symbol, operation, merchandise sold, services rendered, or other information relative to the conduct of any entity or business which is not primarily situated at the premises upon which the sign is located.
22. Pole Sign: An on-premise sign built on a freestanding frame, mast or pole(s) with a clearance greater than 3 feet.
23. Portable Sign: Any sign supported by frames or posts rigidly attached to bases not permanently attached to the ground or a building and capable of being moved from place to place.
24. Premise Identification Sign: A sign which pertains to the use of a premises and which contains information about the owner or operator of that use; the type of business being conducted, or the principal brand name of a commodity sold on the premises; other information relative to the conduct of the use; or any other lawful message that the owner or operator of a premise wishes to communicate. This ordinance does not distinguish between the nature or location of the

- product or sire communicated by signs on a specific site, provided that such sign meets the requirements of this and other city ordinances.
25. Premises: A tract of one or more lots or sites which are contiguous and under common ownership or control.
26. Projecting Signs: A sign other than a wall sign that is attached to and projects from a building face.
27. Residential Sign: A small detached or attached sign located on a residential promise, conveying a message communicated by the owner of the property.
28. Roof Sign: Any sign or part of sign erected upon, against, or directly above a roof or on top of or above the parapet or cornice of a building.
- (a) Integral Roof Sign: A roof sign positioned between an eave line and the peak or highest point on a roof, substantially parallel to the face of a building.
 - (b) Above-peak Roof Sign: A roof sign positioned above the peak of a roof or above a parapet or cornice.
29. Sign: Symbolic, visual device fixed upon a building, vehicle, structure, or parcel of land which is intended to convey information about a product, business, activity, place, person institution, candidate, or political idea.
30. Sign Type: A functional description of the use of an individual sign. Includes owner identification, advertising, directional, electronic message, and temporary.
31. Street Façade: Any separate external face of a building, including parapet walls and omitted wall lines, oriented to and facing a public street private way, or court. Separate faces oriented in the same direction or within 45 degrees of one another are considered part of the same street façade.
32. Temporary Signs: A sign, flag, banner pennant, or valance constructed of light weight materials which is not permanently attached to building or land, and which is intended for display for a limited period of time.
33. Wall Sign: A sign attached to and parallel with the side of a building.
34. Window Sign: A sign painted on or installed inside a window for the purpose of viewing from outside the premises.
35. Zone Lot: A parcel of land in single-ownership that is large enough to meet the minimum zoning requirements of its zoning district and can provide such yards and other open spaces that are required by the site development regulations.

175.03 General Sign and Street Graphics Regulations

a. Compliance

Each sign or art of a sign erected within the zoning jurisdiction of the City of Glenwood must comply with the provisions of this chapter, other relevant provisions of the City of Glenwood's Municipal Code, and applicable building codes.

b. Resolution of Conflicting Regulations

This chapter is not meant to repeal or interfere with enforcement of other sections of the City of Glenwood's Municipal Code. In case of conflicts between Code sections, State or Federal Regulations, the more restrictive regulations shall apply.

c. Prohibited Signs

The following signs are prohibited in all zoning districts.

1. Obsolete Signs. Signs that advertise an activity, business, product or service no longer conducted on the premises on which the sign is located.
2. Signs or sign structures which resemble or conflict with traffic control signs or devices, which mislead or confuse persons traveling on public streets or which create a traffic hazard.
3. Banners, balloons, posters. Signs which contain or consist of banners, balloons, posters, pennants, ribbons, streamers, spinners, or other similarly moving devices, except as specifically provided in -. These devices when not part of any sign shall also be prohibited.
4. Signs which create a safety hazard by obstructing the clear view of pedestrians or vehicles, or which obscure official signs or signals.
5. Private Message Signs on Public Property. Signs displaying private advertising or other private messages located on public property which is being used for public purposes.
6. Flashing Signs. No flashing, blinking, or rotation lights shall be permitted for either permanent or temporary signs. Electronic message boards are not considered flashing signs for the purpose of this ordinance.
7. Moving Signs. No sign shall be permitted any part of which moves by any mechanical or electronic means.
8. Painted Wall Signs. Off-premise signs painted on building walls unless located in a DC District as part of a program for restoration of historic signs.

d. Exempt Signs

The following signs are permitted in any zoning district and are exempt from other provisions of this chapter.

1. Real Estate Signs. Signs advertising the sale, rental, or lease of the premises or part of the premises on which the signs are displayed. One non-illuminated sign, not to exceed six square feet, shall be permitted on each premises. Such signs shall not extend higher than four feet above grade level or closer than ten feet to the front property line unless located on the wall of a building. Such signs shall be removed within seven days after the disposition of the premises.
2. Construction Signs. Signs identifying the architect, engineer, contractor or other individuals involved in the construction of a building and such signs announcing the character of the building enterprise or the purpose for which the building is intended but not including product advertising. One non-illuminated sign not to exceed fifty square feet shall be permitted per street frontage. Such sign shall not extend higher than ten feet above grade level and meet the front yard requirement for a principal structure unless located on the wall of a building on the premises or on a protective barricade surrounding the construction. Such sign shall be removed within one week following completion of construction.
3. Political Campaign Signs. Signs announcing candidates seeking public office or pertinent political issues to be dealt with at a specific, date-certain election. Such signs shall be confined to private property and shall be removed within one week following the election to which they pertain. This requirement for removal shall not affect the right of a property owner to communicate any other message within the requirements or limitations of this ordinance.
4. Street Banners. Signs advertising a public event, providing that specific approval is granted under regulations established by the City Council.
5. Seasonal Decorations. Signs pertaining to recognized national holidays and national observances.
6. Public Signs. Signs of a noncommercial nature and in the public interest, erected by or upon the order of a public officer in the performance of his public duty, such as safety signs, danger signs, trespassing signs, traffic signs, memorial plaques, signs of historical interest and other similar signs, including signs designating hospitals, libraries, schools and other institutions or places of public interest or concern.
7. Signs Integrated into Building Design. signs for churches or temples, or names of buildings, dates of erection, monumental citations, commemorative tablets or other similar signs when carved into stone, concrete or other building material or made of bronze, aluminum, or other permanent type of construction and made an integral part of the structure to which they are attached.

8. Window Signs. Such signs which are displayed inside of a window or within a building, provided, however, that neon window signs shall be permitted only in those districts where neon signs are permitted.
9. Works of graphic art painted or applied to building walls which contain no advertising or business identification messages. Restoration of historic advertising signs in the DC District shall be included in this exclusion.
10. Residential signs under 4 square feet in size.
11. Neighborhood or subdivision identification signs under 50 square feet in size.
12. Signs which are not visible from a public right-of-way, private way, or court or from a property other than that on which the sign is installed.

e. Temporary and Civic Signs

1. Temporary or portable signs for grand openings, sales, and special events are permitted in Commercial and Industrial zoning districts, subject to the following requirements.
 - (a) Such signs are subject to the permit procedures set forth in this section.
 - (b) The size of such signs does not exceed the limitations set forth in Table 175-3.
 - (c) No more than one such sign is permitted at any single premises.
 - (d) Temporary or portable signs may be present at any single premises for a maximum of 30 consecutive or non-consecutive days per year.
2. Temporary signs for non-profit civic campaigns or events, political campaigns, or other non-commercial events are permitted in any zoning district and are exempt from other provisions of this section, subject to the following requirements.
 - (a) Such signs are installed no earlier than 30 days before the date of the event or election and removed no later than 7 days after the date of the event or election.
 - (b) The maximum size of such signs is 32 square feet when located in any residential zoning district; and 100 square feet in any other zoning district.

f. Vision-Clearance Area

No sign may project into or be placed within a vision-clearance area defined by a triangle with legs of forty feet from the point at which the curbs or edges of two intersecting streets, private ways, or alleys, or an intersecting street, private way, alley, or driveway, meet.

175.04 General Regulations: Basic Design Elements for Signs

General sign regulations shall be as set forth in this section.

a. Conformance Required

Except as may be hereinafter specified, no sign shall be erected, placed maintained, converted, enlarged, reconstructed or structurally altered which does not comply with all off the regulations established by this title.

b. Maintenance

All signs shall be maintained in a good state of repair, including, but not limited to, the structural components, the lighting, if any, the portion attaching the sign to the ground or structure, and the surface features.

c. Nonconformance and Amortization

Where a sign at the effective date of adoption or amendment of the ordinance codified in this title that could not be built under the terms of this title by reason of restrictions on area, use, height, setback, or other characteristics of the sign or its location on the lot, such sign may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No such sign may be enlarged or altered in a way which increases its nonconformity; however, reasonable repairs and alterations may be permitted.
2. Should such a sign be destroyed by any means to an extent of sixty percent or more of its replacement cost at the time of destruction, it shall be reconstructed except in conformity with the provisions of this title.
3. Within any zoning district, all signage shall comply fully with the provisions of this Ordinance, unless otherwise provided, within fifteen years after the effective date of this Ordinance.

d. Wall Signs and Graphics

Wall signs and graphics are subject to the following general regulations.

1. A wall sign shall not extend more than 30 inches from the wall to which it is attached.
2. A wall sign must be parallel to the wall to which it is attached.
3. A wall sign may not extend beyond the corner of the wall to which it is attached, except where attached to another wall sign, it may extend to provide for the attachment.
4. A wall sign may not extend beyond its building's roof line.

5. A wall sign attached to a building on its front property line may encroach upon public right-of-way by no more than 18 inches. Such a wall sign shall provide minimum clearance of eight feet, six inches.
6. For the purpose of calculating permitted sign areas pursuant to this chapter, signs painted on the walls of buildings shall be considered wall signs.
7. Where permitted, canopy signs are counted as wall signs when calculating total permitted sign area.

e. Projecting Signs and Graphics

Projecting signs and graphics are subject to the following general regulations.

1. The maximum projection of any projecting sign shall be as follows:
 - (a) 3 feet over public sidewalks less than 12 feet wide;
 - (b) 5 feet over public sidewalks 12 feet wide or more, or over private property.
2. A projecting sign may be no closer than two feet from the vertical plane of the inside curb line.
3. Each projecting sign must maintain at least the following vertical clearances:
 - (a) 12 feet over sidewalks; except that a canopy may reduce its vertical clearance to 7 feet, 6 inches.
 - (b) 15 feet outside of parking areas or driveways, but within three feet of such areas; or within 50 feet of the right-of-way lines formed by a street intersection;
 - (c) 15 feet over parking lots;
 - (d) 18 feet over alleys or driveways.
4. No projecting sign extending three feet or more from a property line may be located within 25 feet of any other projecting sign extending three feet or more from a property line.
5. Projecting signs must minimize visible support structure and may not expose guy wires, cables, turnbuckles, angle iron, or other similar external support structure.

f. Pole Signs

All pole signs shall be constructed of metal or masonry, unless a conditional use is granted for any other material.

1. Each pole sign must maintain at least the following vertical clearances:
 - (a) 8 feet, 6 inches over sidewalks;
 - (b) 10 feet outside of parking areas or driveways, but within three feet of such areas; or within 50 feet of the right-of-way lines formed by a street intersection.
 - (c) 14 feet over parking lots;

(d) 18 feet over alleys or driveways.

2. Permitted pole signs may revolve at a rate not to exceed six (6) revolutions per minute.

g. Roof Signs

Roof signs are subject to the following regulations:

1. Where permitted, integral roof signs may be used interchangeably with wall signs.
2. Integral roof signs may not exceed the permitted height for pole signs.
3. An integral roof sign must be mounted parallel to the wall of the building to which it is attached.

h. Detached Signs

Any wooden detached signs are by conditional use only.

175.05 General Regulations: Other Design Elements

a. Illumination

Lighting, when installed, must be positioned in such a manner that light is not directed on to an adjoining property or onto a public street or highway.

b. Marquees and Marquee Signs

Signs placed on, attached to, or constructed on a marquee are subject to the maximum projection and clearance regulations of projecting signs.

c. Banners

1. A banner sign projecting from a building may not exceed the wall height of the building.
2. Maximum projection for any banner is five feet with a minimum clearance of ten feet.
3. Maximum size of a banner is twice the permitted size of a projecting sign or 120 square feet, whichever is less.

d. Clocks

For the purposes of this chapter, clocks are not considered a moving sign.

175.06 General Permit Procedures

a. Applicability

1. A sign permit, approved by the zoning administrator, shall be required before the erection, construction, alteration, placing, or locating of all signs conforming with this title.
2. A permit shall not be required for repainting without changing permanent wording, composition, or colors, or nonstructural repairs.

b. Plans Submittal

A copy of plans and specification shall be submitted to the zoning administrator for each sign regulated by this title. Such plans shall show sufficient details about size of the sign, location and materials to be used and such other data as may be required for the zoning administrator to determine compliance with this title.

c. Appeals

Any person or persons aggrieved by the decision of the zoning administrator to approve or disapprove a sign permit, as provided by this title, any appeal such decision to the Board of Adjustment as provided by Section 177 of this title.

d. Application Fees

Each application for a sign permit shall be accompanied by any applicable fees, which shall be established by the City Council from time to time by resolution.

175.07 Method of Measurement for Regulators

a. Maximum Permitted Sign Area

Maximum permitted sign area for a premise is set forth as a numerical limit or as a function of the frontage of the premises on a street or private way. For properties with frontage on more than one street or private way, the total frontage shall be calculated as the longest frontage plus one-half the length of all additional frontages.

b. Sign Area

1. Sign area includes the entire area within the perimeter enclosing the extreme limits of the sign, excluding any structure essential for support or service of the sign, or architectural elements of the building.
2. The area of double-faced signs is calculated on the largest face only.
3. The sign area for ground signs, monument signs, and architectural sign bands is calculated as the area enclosing the extreme limits of the copy only.

4. When a sign is “individual letters” mounted to a wall, the area will be calculated by using 50% of the area within the perimeter enclosing the letters.

c. Height

The height of a sign is measured from the average grade level below the sign to the topmost point of the sign or sign structure.

d. Setback

The setback of a sign is measured from the property line to the line projected to the ground plane of the nearest portion of the sign.

175.08 Permitted Sign Types by Zoning Districts

Table 175-1 sets forth the sign types permitted within each zoning district of the City of Glenwood.

175.09 Auxiliary Design Elements

Table 175-2 sets forth auxiliary design elements permitted within each zoning district of the City of Glenwood.

175.10 Maximum Permitted Sign Area

Table 175-3 sets forth the maximum sign area permitted within each zoning district of the City of Glenwood.

175.11 Permitted Signs by Numbers, Dimensions, and Location

Table 175-4 Sets forth the maximum permitted numbers of signs per premise; the maximum permitted dimensions of each sign, and the required setbacks for detached signs.

Table 175-1: Permitted Signs by Type and Zoning Districts

SIGN TYPES	AR	RR	R-1	R-2 R-3	R-4	MH	UC	CC	DC	GC	HC	BP	LI	GI
Detached Signs														
Residential	P	P	P	P	P	P	P	P	N	N	N	N	N	N
Premise Identification	P	P(C)	P(C)	P(C)	P(C)	P	P	P	P	P	P	P	P	P
Incidental	P(C)	P(C)	P(C)	P(C)	P(C)	P	P	P	P	P	P	P	P	P
Ground	P	P(C)	P(C)	P(C)	P	P	P	P	P	P	P	P	P	P
Pole	N	N	N	N	N	N	P	P	P	P	P	P	P	P
Attached Signs														
Awning	N	N	N	N	N	N	P	P	P	P	P	P	P	P
Banner	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Building Marker	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Canopy	N	N	N	N	N	P	P	P	P	P	P	P	P	P
Incidental	P(C)	P(C)	P(C)	P(C)	P(C)	P	P	P	P	P	P	P	P	P
Marquee	N	N	N	N	N	P	P	P	P	P	P	P	P	P
Projecting	N	N	N	N	N	N	P	P	P	P	P	P	P	P
Roof, Integral	N	N	N	N	N	N	P	P	P	P	P	P	P	P
Roof, Above Peak	N	N	N	N	N	N	N	N	N	N	N	N	P	P
Wall	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Window	N	N	N	N	N	N	P	P	P	P	P	P	P	P
Miscellaneous														
Flag	P	P	P	P	P	P		P	P	P	P	P	P	P
Portable	N	N	N	N	N	N		N	N	N	P	N	N	N
Billboard	P	P	N	N	N	N	N	N	N	N	N	N	N	N
Off-Premise Identification Sign	P	N	N	N	N	N		N	N	N	N	N	P	P

P: Permitted for All Uses

P(C): Permitted for Civic Uses

N: Not Permitted

Table 175-2 Permitted Signs by Type and Zoning Districts

SIGN TYPES	AG	RR	R-1	R-2 R-3	R-4	R-5	UC	CC	DC	GC	HC	BP	LI	GI
Design Element Illumination														
Indirect	P(C)	P(C)	P(C)	P(C)	P(C)	P	P	P	P	P	P	P	P	P
Direct	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Internal	P(C)	P(C)	P(C)	P(C)	P(C)	P	P	P	P	P	P	P	P	P
Neon	N	N	N	N	N	N	P	P	P	P	P	P	P	P
Flashing	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Flame	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Bare Bulb	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Other														
Electronic Information	N	N	N	N	N	N	P	P	P	P	P	P	P	P
Moving	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Rotating	N	N	N	N	N	N	N	N	N	N	N	N	N	N

P: Permitted for All Uses

P(C): Permitted for Civic Uses

N: Not Permitted

Table 175-3: Permitted Signs by Maximum Permitted Area and District

This Maximum Permitted Area for all signs on a premise excluding incidental signs, building marker signs, and flags shall not exceed the lesser of the following:

ZONING DISTRICT	AR	RR R-1 R-2	R-3 R-4 MH	UC	CC	DC	GC HC	BP	LI GI
Square Feet of Signage per Linear Foot of Frontage	N/A	N/A	N/A	0.75	1.50	1.5	2.0	1.5	2.0
Maximum Total Square Feet	Note 1	Note 2	Note 3	300 Note 4	500 Note 5	200	700	500	700

Note 1: 200 square feet for civic or commercial uses, 4 square feet for residential uses, including home occupations.

Note 2: 50 Square feet for project identification signs: 32 square feet for civic uses, 2 square feet for residential uses, including home occupations, billboards – max square feet.

Note 3: 32 square feet for civic uses, 50 square feet for project identification signs for multi-family or mobile home developments and for non-residential uses when permitted, 2 square feet for residential uses, including home occupations.

Note 4: Maximum limits apply to non-residential premises only. On premises with primary residential use, 50 square feet for project identification signs for multi-family developments, 4 square feet for residential uses, including home occupations.

Note 5: One Business Center Identification Sign with a maximum area of 150 square feet is permitted in addition to the Maximum Total Square Feet established here, subject to the regulations set forth by Table 175-4.

General Note: Developments within MU Mixed Use and PD Planned Development Overlay District shall submit individual sign plans as part of the application process for approval of the district. Development in a PD Planned Development Overlay District shall comply with the size and distribution requirements for their underlying zoning district.

Table 175-4: Permitted Signs by Numbers, Dimensions, and Locations

Each Individual sign shall comply with the regulations for maximum quantity, maximum size, minimum setbacks, and height limits shown in this table:

ZONING DISTRICT	AR	RR R-1 R-2	R-3 R-4 MH	UC	CC	DC	GC HC	BP	LI GI
DETACHED SIGNS									
Number Permitted Per Premise	1	1	1	1	N/A	1	N/A	N/A	N/A
Per Feet of Frontage of Property	N/A	N/A	N/A	N/A	1 per 300	N/A	1 per 300	1 per 300	1 per 300
Maximum Size* (sq. ft.)	100*	X	X	100	300	100	300	200	300
Maximum Height (feet) of Structure Above Ground	25	10	10	20	25	25	35	20	35
Front Yard Setback (feet)	25	5	10	10	10	0	5	5	0
ATTACHED SIGNS									
Side Yard Setback (feet)	10	10	10	10	5	0	5	5	0
Maximum Size* (sq. ft.)	100	X	X	50	N/A	N/A	300	300	300
And % of Street Façade	N/A			20%	20%	20%	20%	20%	20%

X: See Table 175-3 for maximum sign sizes.

Note 1: In addition to its total permitted sign area, each premises used for a business center may have one detached center identification sign, subject to the following conditions:

1. The maximum area for a center identification sign shall be 150-square feet.
2. No center identification sign shall be within 300-feet of any other center identification sign or within 150-feet of any other detached sign on the same or adjacent premises.
3. The sign shall display no more than the name and location of the business center.
4. Each sign shall be subject to all other regulations for detached signs or graphics set forth in this section.

General Note: Developments within MU Mixed-Use and PD Planned Development Overlay District shall submit individual sign plans as part of the application process for approval of the district. Developments in a PD Planned Development Overlay District shall comply with the size and distribution requirements for their underlying zoning district.

SECTION 176

Nonconforming Development and Uses

176.01 Purpose

The purposes of the Nonconforming Development regulations are:

- a. To allow for reasonable use of legally created lots of record which do not meet current minimum requirements for their respective zoning districts.
- b. To provide for reasonable use of legally constructed structures which do not meet current development regulations for their respective zoning district.
- c. To allow for the reasonable continuation of legally established uses which do not meet current use regulations for their respective zoning districts.
- d. To limit the continuation and provide for the gradual replacement of nonconforming uses.

176.02 Regulations Additive

Regulations for nonconforming uses are in addition to regulations for nonconforming structures. In the event of a conflict, the most restrictive regulations shall apply.

176.03 Nonconforming Lots

a. Pre-Existing Lots of Record

Nonconforming lots of record existing at the time of the adoption of this chapter shall be exempt, unless otherwise provided, from the minimum lot area and lot width requirements of each zoning district. Such lots may be developed with any use allowed by the regulations for the district and must comply with all other site development regulations set forth by the Zoning Regulations.

b. Reductions Due to Public Acquisition

If a portion of a legally existing lot in any district is acquired for public use, the remainder of this lot shall be considered a conforming lot.

176.04 Nonconforming Structures

These regulations apply to buildings and structures which were constructed legally under regulations in effect before the effective date of these Regulations.

a. Continuation

A lawful nonconforming structure existing on the effective date of this section may be continued, repaired, maintained, or altered, subject to the provisions of this Section.

b. Additions or Enlargements to Nonconforming Structures

1. A lawful nonconforming structure may be added to or enlarged if the enlargement if the addition satisfies one or more of the following conditions:
 - (a) The enlargement of addition, when considered independently of the existing building, complies with all applicable setback, height, off-street parking, and landscaping requirements.
 - (b) The nonconforming building and impervious surface coverages on the site are not increased and the building, after the addition, conforms to height and off-street parking regulations applicable to its zoning district.
 - (c) The addition projects no further into a required side yard setback than the existing building; the length of the side wall of the addition is the smaller of 25 feet or 50 percent of the length of the existing nonconforming side wall; and the enlarged building complies with building and impervious coverage, front and rear yard setbacks, and height regulations applicable to its zoning district.
2. No permitted addition to a nonconforming structure may place a wall within ten feet of a window of an adjacent pre-existing residential structure.

c. Moving of Nonconforming Structures

A lawful nonconforming building or structure shall not be moved in whole or in part to another locations on its lot unless every part of the structure conforms to all site development regulations applicable to its zoning district.

d. Repair of Nonconforming Structures

A lawful nonconforming building damaged by fire, explosion, storm or other calamity, except flood damages, may be repaired and reconstructed provided there is no increase in the degree of nonconformity and that the cost of the reconstruction does not exceed 50% of the value of the building prior to the damage.

e. Conversion of a Conforming Building

A conforming building shall not be changed in any way that will result in a nonconforming development.

f. Applicability of landscaping and Screening Regulations

A pre-existing structure, building or development shall be exempt from Section 173, Landscaping and Screening Regulations. However, any expansion of such structure, building, or development or and adjacent new development onto property that is or becomes vacant on or after the effective date of these Regulations shall be subject to Section 173.

g. Amortization of Nonconforming Development

The following nonconformances must be brought into compliance with the provisions of this ordinance within specified periods.

1. Fences, walls, and foliage which violate the vision clearance provisions of this ordinance shall be made conforming within one year of the effective date of the ordinance.
2. Any fences or screens that are inconsistent with the provisions of this ordinance shall be made conforming within one year of the effective date of the ordinance.
3. Nonconforming storage operations, including vehicle storage, salvage services, or similar uses made conforming within two years of the effective date of the ordinance.

176.05 Nonconforming Uses

a. Continuation of Nonconforming Uses

1. Any nonconforming use lawfully existing on the effective date of these regulations may continue, subject to the limitations of this Section.
2. Whenever the use of a premise becomes nonconforming through a subsequent change in the zoning ordinance or zoning district boundaries, such use may be continued or changed to another nonconforming use of the same or lesser intensity with the approval of the City Council, following a public hearing and recommendation of the Planning Commission.

b. Change and Amortization of Nonconforming Uses

A nonconforming use may be changed to another nonconforming use of the same or lesser intensity, as measured by the Intensity Rating in the Use Matrix and by the category of use type. For the purpose of measuring nonconforming use rights, the hierarchy of Intensity Ratings ascends from low to moderate to high to intensive. The hierarchy of uses ascends from agricultural to residential to office to commercial to industrial and transportation. For example, a nonconforming commercial use in a residential district with an Intensity Rating (IR) of H may be converted to another commercial use with a provided an IR of H, M, or L. However, such a use may not be converted to an industrial use type regardless of its IR.

c. Enlargement of Nonconforming Uses

A building or structure housing a lawful nonconforming use may not be added to or enlarged.

d. Abandonment of Nonconforming Use

1. If any structure or property used as a lawful nonconforming use becomes vacant or unused for a continuous period of twelve months, any subsequent use must conform to all use regulations applicable to the property's zoning district.
2. If a structure housing a nonconforming use converts to a conforming use, it forfeits any further claim to nonconforming use rights.

e. Allowance for Repairs

Repairs and maintenance of a structure occupied by a nonconforming use may be made, provided that no structural alterations are made other than those required by law.

f. Damage or Destruction of Structures

Should a structure occupied by a lawful nonconforming use be damaged to the extent that the cost of restoration exceeds 60 percent of the replacement cost of the structures=, the nonconforming use shall no longer be permitted.

g. Nonconforming Uses and Conditional Use Permits

A lawful pre-existing use which would require a Conditional Use Permit in its zoning district shall be presumed to have the appropriate Permit and shall be considered a conforming use., The use shall be subject to the regulations governing lapses or revocation of Permits, set forth in Section 177.

SECTION 177

Administration and Procedures

177.01 Purpose

The Administration and Procedures Provisions establish the methods for implementation of the Zoning Regulations. These provisions include procedures for reviewing specific uses within certain zoning districts amending the Zoning Regulations; and granting variances.

177.02 Site Plan Review Procedures

a. Purpose

The Site Review Procedure provides for the administrative review in addition to plan review required by other sections of the Glenwood Municipal Code of projects that have potentially significant effects on traffic circulation or a significant effect on land uses in adjacent neighborhoods. The procedure provides for review and evaluation of site development features and possible mitigation unfavorable effects on surrounding property.

b. Administration

The Zoning Administration, or his/her designee shall review, evaluate, and act on all site plans submitted pursuant to this procedure. An applicant may appeal a denial of any application to the Board of Adjustment.

c. Uses Requiring Site Plan Review

All uses indicated as subject to Site Plan Review in Table 177-1 are subject to the provisions of this section, unless otherwise subject to a Conditional Use Permit procedure for specific zoning districts.

d. Application Requirements

An application for a Site Plan Review may be filed by the owner(s) of a property or the owners' authorized agent with the Zoning Administrator. The application shall include the following information:

1. Name and address of the applicant.
2. Owner, address, and legal description of the property.
3. A description of the nature and operating characteristics of the proposed use.
4. A site plan, drawn to a scale sufficient to permit adequate review and dimensioned as necessary, showing the following information:
 - (a) The date, scale, north point, title, name of owner, and name of person preparing the site plan.

- (b) The location and dimensions of boundary lines, easements, and required yards and setbacks of existing and proposed buildings and site improvements.
- (c) The location, size and use of proposed and existing structures on the site.
- (d) The location of all proposed site improvements, including parking and loading areas, pedestrian and vehicular access, sewers, sidewalks, utilities, service areas, fencing, screening landscaping, and lightning.
- (e) Location of any major site feature, including drainage and contours at no greater than five feet intervals.
- (f) Any other information that may be required for review by the Zoning Administrator, and his/her designee.

e. Administrative Action and Appeal

The Zoning Administrator, or his/her designee must act upon each complete application within ten working days of filing. An applicant may appeal a denial to the Board of Adjustment within ten days of the action. The Board of Adjustment shall consider the appeal at the first available meeting after the filing of the appeal.

f. Review and Evaluation

1. The Zoning Administrator, or his/her designee (or the Board of Adjustment in cases of appeal), shall review and approve the site plan based on the criteria established in Table 177-1 and conformance with applicable regulation in these Zoning Regulations.
2. The Zoning Administrator, or his/her designee (or Board of Adjustment in cases of appeal), shall make the following findings before approval of the site plan:
 - (a) The proposed development, together with any necessary modifications, is compatible with the criteria established in Table 177-1.
 - (b) Any required modifications to the site plan are reasonable and are the minimum necessary to minimize potentially unfavorable effects.
 - (c) The site plan conforms to the Zoning Regulations.

g. Modification of Site Plan

The Zoning Administrator, or his/her designee (or the Board of Adjustment in cases of appeal), may require modification of a site plan as a prerequisite for approval. Required modifications may be more restrictive than base district regulations and may include but not be limited to, additional landscaping or screening; installation of erosion control measures; improvement of access or circulation; rearrangement of structures on the site; or other modifications deemed necessary to protect the public health, safety, welfare, community character property values, and/or aesthetics.

h. Terms and Modification of Approval

1. A Site Plan Approval shall become void one year after the date of approval, unless the applicant receives a Building Permit and diligently carries out development prior to the expiration of this period.
2. The Zoning Administrator, or his/her designee, may approve an application to modify a previously approved site plan if he/she determines that the modification does not affect findings related to the criteria set forth in Table 177-1.
3. The Zoning Administrator, or his/her designee may revoke a Site Plan Approval if he/she determines that the development is not complying with the terms and conditions of the approval. Such revocation may be appealed to the Board of Adjustment.

i. Approval to Run with Land

An approval pursuant to this section shall run with the land until the expiration date of such approval.

177.03 Conditional Use Permit Procedure

a. Purpose

The Conditional Use Permit Procedure provides for public review and discretionary Planning Commission approval for uses within zoning districts which have unusual site development or operating characteristics that could adversely affect surrounding properties.

b. Administration

The Zoning Administrator shall be responsible for the administration of the Conditional Use Permit Procedure. The Planning Commission shall review, evaluate, and approve of each application. An applicant may appeal a denial of any application pursuant to this section to the City Council. In addition, a valid protest petition, meeting the requirements set forth in Section 177.04.d.3 of these Regulations shall also initiate an appeal to the City Council.

c. Application Requirements

An application for a Conditional Use Permit may be filed with the Zoning Administrator by the owner(s) of a property or the owners' authorized agent. The application shall include the following information:

1. Name and address of the applicant.
2. Owner, address and legal description of the property.
3. A description of the nature and operating characteristics of the proposed use.

4. Any graphic information, including site plans, elevations, other drawings, or other materials determined by the Zoning Administrator to be necessary to describe the proposed use to approving agencies.

d. Approval Process

The Planning Commission, following proper notice, shall hold a public hearing on each Conditional Use Permit and following such public hearing, shall act on the application.

e. Appeal Process

1. A denial by the Planning Commission may be appealed to the City Council by an applicant within ten days of the action. The appeal request must be submitted in writing to the Zoning Administrator.
2. An approval by the Planning Commission may be appealed to the City Council by the submittal of a valid protest petition, meeting the requirements set forth in Section 177.04.d.3 of these Regulations, within ten days of the action.
3. The Zoning Administrator shall transmit the application and appeal documents, along with his/her recommendation and the record of the Planning Commission action, to the City Council.
4. The City Council, after publication and public hearing, shall act on the appeal.

f. Criteria of Review

The Planning Commission shall review and approve the site plan based on the criteria established in Table 177-1 and conformance with applicable regulations in these Zoning Regulations.

g. Scope of Approval

1. The Planning Commission and/or City Council, in cases of appeal, may, at their discretion, apply a Conditional Use Permit to a specific owner or applicant. The approving agencies may establish special site development or operational regulations as a condition for approval of a Conditional Use Permit.
2. The Planning Commission or City Council, in cases of appeal, shall not grant a Conditional Use Permit for any home occupation/home-based business which is otherwise prohibited under Section 171.11 of these Regulations.

h. Lapse and Revocation of Permit

1. A Conditional Use Permit shall become void two years after its effective date if the applicant has not carried out development or occupancy during that period.

2. The Planning Commission may revoke a Conditional Use Permit should the operation of the use subject to such to such permit violate the conditions under which the permit was granted.

i. Previously Approved Permits

Any special use approved under regulations in effect before the effective date of these Regulations shall be considered to have a valid Conditional Use Permit, subject to requirements imposed at the time of its approval.

Table 177-1: Criteria for Site Plan Review and Conditional Use Permits

CRITERIA		APPLIES TO	
LAND USE COMPATIBILITY		Site Plan Review	Conditional Use Permit
Development Density	Site area per unit or floor area ratio should be similar to surrounding uses if not separated by major natural or artificial features.		X
HEIGHT AND SCALE			
Height and Bulk	Development should minimize differences in height and building size from surrounding structures. Differences should be justified by urban design considerations.	X	X
Setbacks	Development should respect pre-existing setbacks in surrounding area. Variations should be justified by site or operating characteristics.	X	X
Building Coverage	Building coverage should be similar to that of surrounding development if possible. Higher coverage should be mitigated by landscaping or site amenities.	X	X
SITE DEVELOPMENT			
Frontage	Project frontage along a street should be similar to the lot width.	X	X
Parking and Internal Circulation	Parking should serve all structures with minimal conflicts between pedestrians and vehicles. All structures must be accessible to public safety vehicles.	X	X
	Development must have access to adjacent public streets and ways. Internal circulation should minimize conflicts and congestion at public access points.	X	X
Landscaping	Landscaping should be integral to the development, providing street landscaping, breaks in uninterrupted paved areas, and buffering where required by surrounding land uses. Parts of site with sensitive environmental features or natural drainageways should be preserved.	X	X
BUILDING DESIGN			
	Architectural design and building materials should be compatible with surrounding areas or highly visible locations		X
Operating Characteristics			
Traffic Capacity	Project should not obstruct traffic on adjacent streets. Compensating improvements will be required to mitigate impact on street system operations.	X	X
External Traffic Effects	Project design should direct non-residential traffic away from residential areas.	X	X
Operating Hours	Projects with long operating hours must minimize effects on surrounding residential areas.	X	X

Table 177-1: Criteria for Site Plan Review and Conditional Use Permits *(continued)*

CRITERIA		APPLIES TO	
OPERATING CHARACTERISTICS		Site Plan Review	Conditional Use Permit
Outside Storage	Outside storage areas must be screened from surrounding streets and less intensive land uses	X	X
PUBLIC FACILITIES			
Sanitary Waste Disposal	Developments within 300 feet of a public sanitary sewer must connect to sewer system. Individual disposal systems, if permitted, shall not adversely affect public health, safety, or welfare.	X	X
	Sanitary sewer must have adequate capacity to serve development.	X	X
Storm Water Management	Development should handle storm water adequately to prevent overloading of public storm water management system.	X	X
	Development should not inhibit development of other properties.	X	X
	Development should not increase probability of erosion flooding landslides, or other run-off related effects.	X	X
Utilities	Project must be served by utilities.	X	X
	Rural estate subdivision should be located in the designated areas which can accommodate utility and infrastructure installation consistent with the need to protect the environment and public health.	X	X
COMPREHENSIVE PLAN	Projects should be consistent with the City of Glenwood's Comprehensive Development Plan.	X	X

177.04 Amendment Procedure

a. Purpose

The Amendment Procedures describe the methods by which may be made in the text of the Zoning Regulations (text amendment) and/or the official boundaries of zoning districts (rezoning).

b. Initiation of Amendments

1. Text amendments may be initiated by the Planning Commission or City Council.
2. Rezoning may be initiated by a property owner of authorized agent; the Planning Commission; or the City Council.

c. Rezoning Application Requirements

An application for a rezoning may be filed with the Zoning Administrator, or his/her designee. The application shall include the following information:

1. Name and address of the applicant.
2. Owner, address and legal description of the property.
3. A description of the reason for the rezoning application and the nature and operating characteristics of the proposed use.
4. Any graphic information, including site plans, elevations, other drawings, or other materials determined by the Zoning Administrator to be necessary to describe the proposed use to approving agencies.

d. Amendment Process

1. The Planning and Zoning Board shall consider each proposed text or rezoning amendment at a scheduled Planning and Zoning Board meeting when notice of such proposal is set forth on the meeting agenda and shall recommend action to the City Council. A vote for an amendment by a majority of all Planning and Zoning Board members shall constitute a recommendation to the City Council.
2. The City Council, after publication and public hearing, shall act on the proposed amendment. On applications which receive a recommendation of approval from the Planning Commission, a majority vote of these members either elected or appointed to the City Council is required for approval. On applications which receive a recommendation of denial from the Planning Commission, a majority vote plus one of those members either elected or appointed to the City Council is required for approval.
3. Protest: If a valid protest petition opposing an amendment is filed with the City Clerk by eligible property owners, pursuant to applicable sections of the Code of Iowa, majority vote plus one of those members either elected or appointed to

the City Council is required for approval. A valid protest petition must meet the following criteria.

- (a) Submission of the petition in the office of the City Clerk within fourteen (14) days after the conclusion of the public hearing on the amendment by the Planning Commission.
- (b) Notarized signatures by at least one of the following:
 - i. The owner or owners of at least 20% of the property proposed for rezoning.
 - ii. The owners of 20% of the total area, excluding public rights-of-way and public property, within the zoning jurisdiction of the city and within 300 feet of the proposed rezoning.

e. Required Notice and Publication

Prior to consideration of amending, supplementing, changing, modifying, or repealing these regulations by the governing body, notice of public hearings shall be provided by two of the three following methods, as determined by the City:

1. Notice by Posted Sign: A notice shall be posted in a conspicuous place on or near the property upon which action is pending. Such notice shall be not less than eighteen inches in height and twenty-four inches in width with a white background and black letters not less than one and one-half inches in height. Such posted notice shall be so placed upon such premises that is easily visible for the street and shall be so posted at least ten days before the date of such hearing. It shall be unlawful for any person to remove, mutilate, destroy or change such posted notice prior to such hearings.
2. Publication: At least ten days before the date of hearing, the City Clerk shall have published in a daily newspaper having a general circulation in the City of Glenwood a Notice of the time, place and subject matter of such hearing.
3. Notification by Mail: At least ten days prior to the date of hearing, the party initiating the rezoning request shall present the City Clerk a certified address list of those persons who own property within 300 feet of the subject site. The City Clerk shall mail notice of the time, place and subject matter of the hearing to such property owners at least ten days prior to the date of the hearing. In addition, the City of Glenwood shall provide for the following:
 - (a) Notifications by Mail of School District: The City Clerk shall mail notice of the time, place and subject matter of any Planning Commission rezoning hearings to the School District Administrative Official and/or Chair of the Board of Education, within whose boundaries the subject site is located.
 - (b) The notification shall be submitted to the applicable official and/or Board of Education at least ten (10) days prior to the date of such meeting.

- (c) Each school district to be affected by such rezoning proposal shall be notified.

177.05 Building Permits and Certificates of Zoning Compliance

a. Administration and Enforcement

The Zoning Administrator shall administer and enforce these regulations. The City Council may direct other persons to assist him/her.

If the Zoning Administrator or his/her designee shall find that any of the provisions of these regulations are being violated, he/she shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. He/she shall order discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures or of illegal additions, alterations, or structural changes; discontinuance of any illegal work being done; or shall take any other action authorized by these regulations to ensure compliance with or to prevent violation of its provisions.

b. Building Permits Required

No sign, retaining wall, paved or prepared surfaces, buildings or other structure shall be erected, moved, added to, or structurally altered without a permit therefore, issued by the administrative official. No building permit shall be issued by the administrative official except in conformity with the provisions of these regulations, unless he/she receives a written order from the Board of Adjustment in the form of an administrative review, special exception, or variance as provided by these regulations.

c. Application for Building Permit

All applications for building permits shall include plans if applicable in duplicate drawn to scale, showing the actual dimensions and shape of the lot to be built upon; the exact sizes and locations on the lot of buildings already existing, if any; the location and dimensions of the proposed building or alteration.

The application shall include such other information as lawfully may be required by the administrative official, including existing or proposed building or alterations; existing or proposed uses of the building and land; the number of families, housekeeping units, or rental units the building is designed to accommodate; conditions existing on the lot; and such other matters as may be necessary to determine conformance with, and provide for the enforcement of these regulations. One copy of the plans shall be returned to the applicant by the administrative official, after he/she shall have marked such copy wither as approved or disapproved and attested to same by his signature on such copy. One copy of the plans, similar marked, shall be retained by the administrative official.

d. Certificates of Zoning Compliance for New, Altered or Non-Conforming Uses

It shall be unlawful to use or occupy or permit the use or occupancy of any building or premises, or both, or part thereof hereafter created, erected, changed converted, or wholly or partly altered or enlarged in its use or structure until a certificate of zoning compliance shall have been issued therefore by the administrative official stating that the proposed use of the building or land conforms to the requirements of these regulations.

e. Expiration of Building Permit

1. If the work described in any building permit has not begun within 90 days from the date of issuance thereof, said permit shall expire; it shall be canceled by the administrative official; and written notice be given to the persons affected.
2. The project contemplated by such building permit must be substantially complete, as determined in the sole discretion of the Zoning Administrator by _____. 20____. Failure to meet substantial completion by such date shall result in the revocation of the building permit unless an extension of the substantial completion date is granted by the Glenwood City Council for good cause shown.

f. Construction and Use to be as Provided in Applications, Plans, Permits, and Certificates of Zoning Compliance

Building permits or certificates of zoning compliance issued on the basis of plans and applications approved by the administrative official authorize only the use, arrangement, and construction set forth in such approved plans and applications, and no other use, arrangement or construction at variance with that authorized shall be deemed violation of these regulations, and punishable as provided by Section hereof.

177.06 Schedule of Fees, Charges and Expenses

- a. The City Council shall establish a schedule of fees, charges, and expenses and a collection procedure for building permits, certificates of zoning compliance, appeals, and other matters pertaining to these regulations.
- b. The schedule of fees shall be posted in the office of the administrative official and may be altered or amended only by the City Council.
- c. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

177.07 Board of Adjustment

a. Establishment

1. A Board of Adjustment is hereby established to provide relief in situations of hardship or to hear appeals as provided by this Section. The Board shall consist of seven (7) regular members.
2. Five (5) members shall be appointed by the Mayor with the approval of the City Council. Two members shall be appointed by the Mills County Board of Supervisors and shall be residents of the area outside the city limits over which the zoning jurisdiction of the City of Glenwood is extended beyond its corporate limits under 414.23 of the Iowa Code, as from time to time amended. All members should be appointed for five-year overlapping terms and are removeable for cause by the City Council after public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant.
3. The Board of Adjustment shall adopt rules and regulations in accordance with these regulations and the laws of the State of Iowa pursuant in Sections 414.7 through 414.14 of the Code of Iowa. Meetings shall be held at the call of the Chairman and at such other times as the oaths and compel the attendance of witnesses. All meetings and records shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact. The Board shall keep a record of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record. A majority of the Board shall constitute a quorum for the transaction of business.

b. Procedure for Appeals

1. Appeals shall be made to the Board of Adjustment through the office of the Zoning Administrator in written form as determined by the Zoning Administrator in written form as determined by the Zoning Administrator. The Board shall fix a reasonable time for the hearing of the appeal and shall decide the appeal within 30 days of the date of the public hearing. An appeal stays all proceedings in furtherance of the action, unless the Zoning Administrator certifies to the Board that by reason of the facts stated in the certificate, a stay would, in his/her opinion, cause imminent peril in life or property.
2. The Board shall provide a minimum of ten (10) days' notice of a public hearing on any question before it. Notice of the hearing shall be posted in a conspicuous place on the near the property on which the application has been made by publication in a newspaper of general circulation in the City of Glenwood; and by written notice to the appealing party.

3. Upon the public hearing, and party may appear in person or by agent or attorney. A concurring vote of four out of seven members of such Board as so composed shall be necessary to reverse any order, requirement, decision in determination of any administrative official, or to decide in favor of the appellant on any matter upon which it is required to pass under any zoning ordinance or to affect any variation in such regulations.
4. No order of finding of the Board shall become effective until the eighth day following the posting of a copy of such ruling or finding, duly attested by the secretary of the Board upon a readily visible bulletin board in the City Hall and transmittal of duplicate copies to the Clerk and to the Zoning Administrator.

177.08 Powers and Duties of the Board of Adjustment

The Board of Adjustment shall have only the following powers and duties:

a. Administrative Review

To hear and decide appeals where it is alleged there is error in any order, requirement, decisions or determination made by the Zoning Administrator, or his/her designee in the enforcement of the Zoning Ordinance.

b. Interpretation of Zoning Map

To hear and decide, in accordance with the provisions of any zoning regulation, request for interpretation of any map.

c. Variances to Relieve Hardships Relating to Property

To authorize, upon appeal, variances from the strict application of these regulations where by reason of exceptional narrowness, shallowness, or shape of the specific piece of property at the time of enactment of the zoning regulations; or by reason of exceptional topographic conditions or other extraordinary and exceptional situations or condition of such piece or property, such strict application would result in peculiar and exceptional practical difficulties to or exceptional and undue hardships upon the owner of such property.

1. Requirements for Grant of a Variance. No such variance shall be authorized by the Board unless it finds that:
 - (a) The appeal falls within the jurisdiction of the Board.
 - (b) All parties directly in interest have been notified of the proceedings.
 - (c) The grant of the variances would not have the effect of changing the zoning of the property.
 - (d) Strict application of the zoning regulations will produce undue hardship and prevent the reasonable use of the property.

- (e) The alleged hardship producing the variance request was not the result of a willful act of the applicant or other person maintaining an interest in the property or immediate predecessors in interest.
- (f) Such hardship is not shared generally by other properties in the same zoning district and in the same vicinity.
- (g) The authorization of such variance will not be of substantial detriment to adjacent property and the character of the district will not be changed by the granting of the variance.
- (h) The granting of such variance is based upon reason of demonstrable hardship as distinguished from variations for purposes of convenience, profit, or caprice.
- (i) The condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable a general regulation to be adopted as an amendment to these Zoning Regulations.
- (j) The granting of the variance will not cause substantial detriment to the public good and will not substantially impair the intent and purpose of any Ordinance or Resolution.

2. Findings by Board. The Board of Adjustment shall make findings that the requirements of Section 177.09 have been met by the applicant for a variance.

3. Conditions of Grant of Variance:

- (a) In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with these regulations. 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 these regulations and punishable under Section 177.14 of these regulations.
- (b) Under no circumstances shall the Board of Adjustment grant a variance to allow a use not permissible under the terms of these regulations in the district involved, or any use expressly or by implication prohibited by the terms of these regulations in said district.
- (c) No non-conforming use of neighboring lands, structures, or buildings in the same district and no permitted or non-conforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

d. Board has Powers of Zoning Administrator on Appeals: Reversing Decisions of Zoning Administrator

In exercising the above-mentioned powers, the Board of Adjustment may, so long as such action is in conformity with the terms of these regulations, reverse or affirm, wholly or partly, or may modify the order, requirement, decisions, or

determination as ought to be made, and to that end shall have the powers of the Zoning Administrator from whom the appeal is taken.

The Concurring vote of four members of the Board shall be necessary to reverse any order, requirements, decision, or determination of the administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under these regulations, or to affect any variations in the application of these regulations.

177.09 Appeals from the Board of Adjustment

Any person or persons, or any board, taxpayer, officer, department, board or bureau of the city aggrieved by any decision of the Board of Adjustment may seek review of such decision by the District Court for the County in the manner provided by the laws of the State of Iowa.

177.10 Duties of Zoning Administrator, Board of Adjustment, City Council, and Courts on Matters of Appeal

- a. It is the intent of these regulations that all questions of interpretation and enforcement shall be first presented to the Zoning Administrator, and that such questions shall be presented to the Board of Adjustment only on appeal from the decision of the Zoning Administrator, and that recourse from the decisions of Board of Adjustment shall be to the courts as provided by law.
- b. Under these regulations the City Council shall have only the duties (1) of considering and adopting or rejecting proposed amendments, or the repeal of these regulations as provided by law (2) of establishing a schedule of fees and charges as stated in Section 177 of these regulations, and (3) of directing a city officer to appeal a decision of the Board of Adjustment.

177.11 Severability Clause

Should any section or provision of this resolution be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the resolution as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

177.12 Complaints Regarding Violations

Whenever a violation of this ordinance occurs, or is allowed to have occurred, any person may file a written complaint. Such complaints stating fully the causes and basis

thereof shall be filed with the Zoning Administrator. He/she shall record properly such complaint immediately, investigate, and take action thereon as provided by this resolution.

177.13 Penalties for Violation

- a.** Any person, firm, or corporation violating any provision of the Zoning Regulations of the City of Glenwood, Iowa, is hereby declared to be a common nuisance and subject to penalties and abatement measures authorized under present and future laws.
- b.** The owner or tenant of any building, structure, premises, or part thereof, an architect, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.
- c.** Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent or remedy any violation.

SECTION 178

Subdivisions: Basic Conditions

178.01 Purpose

The Purposes of this section are to:

- a. Serve the public health, safety, and general welfare of the city and residents of Glenwood and its surrounding jurisdictions.
- b. Provide for the orderly development and growth of the city by prescribing rules and standards insuring the functional arrangement of streets, public improvements, open spaces, community facilities, and utilities.
- c. Promote the creation of well-planned and attractive residential, commercial, and industrial developments within the city and its jurisdiction.
- d. Avoid excessive costs to the taxpayers of Glenwood or the residents of the jurisdiction of the city for the provision of public services and utilities, while maintaining high standards for these services.
- e. Protect the unique environment of the City of Glenwood by avoiding environmental damage whenever feasible and appropriate; and by encouraging flexibility in the design of subdivisions.
- f. Provide the City of Glenwood with the ability to grow incrementally through the eventual annexation of new developments.

178.02 Jurisdiction and Applicability

- a. The provisions of this section shall be applicable to all property within the corporate limits of the City of Glenwood and extraterritorial jurisdiction, as defined in the City of Glenwood Code of Ordinances.
- b. No owner of real property within the City of Glenwood and its jurisdiction may subdivide such property without gaining approval pursuant to this ordinance. In addition, no individual may sell or offer to sell any lots or parts of real property that are not subdivided as required by state law or this section.
- c. The provisions of this section apply to all zoning districts. However, specific standards and requirements may be modified for Planned Development Overlay Districts.

178.03 Interpretation, Conflict and Severability

- a. These regulations shall be held to provide the minimum requirements necessary for the promotion of the public health, safety, and welfare. If any provision conflicts with any other provision of the Land Development Ordinance, any other Ordinance of the City of Glenwood, or any applicable State or Federal law, the more restrictive shall apply.
- b. Nothing in these provisions shall relieve any property owner or user from satisfying any condition or requirement associated with a previous approval, special permit, variance, development permit, or other permit issued under any local, State, or Federal ordinance or statute.

178.04 Performance of Work by the City

No officer or employee of the City shall perform or cause to be performed any work upon any street or in any addition or subdivision of the city unless all requirements of these regulations have been complied with by the owner of the subdivision.

SECTION 179

Subdivision Regulations: Approvals and Procedures

179.01 Purpose

The purpose of this Article is to establish procedures for subdivision applications and for review and action on applications by the Planning and Zoning Commission and the City Council. the procedures are designed to assure adequate review and consideration of subdivision applications, while providing for an orderly and expeditious approval process. The Article provides procedures for the approval of three types of subdivisions: Administrative Subdivisions, Minor Subdivisions and Major Subdivisions.

179.02 Administrative Subdivisions

a. Scope

The Administrative Subdivision procedure may be used to adjust an interior property line or combine two or more lots without re-platting providing the following conditions are met:

1. In the case of an Administrative Property Line Adjustment:
 - (a) The lots involved must be designated within the same zoning district and the proposed adjustment will not create or result in a violation of the zoning ordinance.
 - (b) The lots involved must be existing platted lots.
 - (c) The adjustment alters property lines of no more than four lots without creating additional lots.
2. In the case of an Administrative Platting or Lot Consolidation:
 - (a) The lots involved must be designated within the same zoning district and the proposed platting or lot consolidation will not create or result in a violation of the zoning ordinance.
 - (b) The lots involved must be existing platted lots.
 - (c) The lots must be under unified ownership.
 - (d) The proposed platting creates no more than four lots, or the proposed consolidation consolidates no more than four lots into a lesser number of lots.
3. A lot is limited to only one instance an administrative adjustment, platting and/or consolidation.
4. The subdivision is served by existing utilities and does not require the extension of streets, utilities, or public improvements.
5. Each lot resulting from the subdivision procedure will conform fully to all requirements of the zoning district that pertain to the lots; and each lot is

developable according to the site development regulations of the zoning ordinance.

b. Application and Approval Procedure

An application for an Administrative Subdivision may be approved under the following:

1. An application submits an application on a form established by the Planning Commission and including the supporting documents required for Administrative Subdivisions in Table 179-1. These documents shall include a plat of all lots and parcels that are affected by the action, prepared by a Licensed Surveyor.
2. Following submission, the Zoning Administrator and Public Works Director shall review each application according to the following criteria:
 - (a) Compliance with the conditions for contained in Section 179.02(a) above.
 - (b) Consistency with the Comprehensive Development Plan of the City of Glenwood.
 - (c) Potential adverse environmental effects or effects on neighboring properties.
3. Following such review, the Zoning Administrator may approve the Administrative Subdivision. Such approval shall be denoted by signed certificate of approval which must be filed along with the plat with the Mills County Recorder.
4. The Zoning Administrator retains the right to disapprove the Administrative Subdivision application. In the event of such action, the application may proceed through the Minor and Major subdivision process. If the subdivision complies with the conditions of a Minor Subdivision application, it may be directed to that approval process. Otherwise, the proposed subdivision shall be deemed a Major Subdivision and proceed through the appropriate review and action process.
5. Following approval of an Administrative Subdivision, the subdivider must file the plat and certificate of approval with the Mills County Recorder. If the approved plat is not filed within 90 days of approval by the Zoning Administrator, such approval shall be null and void.
6. The Zoning Administrator shall keep a complete and accurate record of all administrative subdivision approvals.

179.03 Minor Subdivision

a. Scope

The Minor Subdivision procedure may be used when a proposed subdivision meets all of the following conditions:

1. The subdivision adjusts the lot lines of not more than four lots without creating additional lots; or creates no more than four lots from any single parcel, tract, or lot.
2. The subdivision is served by existing utilities and does not require the extension of streets, utilities, or public improvements.
3. Each lot resulting from the subdivision procedure will conform fully to all requirements of the zoning district that pertain to the lots; and each lot is developable according to the site development regulations of the zoning ordinance.
4. No part of the parcel has been the subject of a previous Minor Subdivision or Minor Subdivision approval.

b. Application and Approval Procedures

An application for a Minor Subdivision may be approved under the following procedure:

1. The application submits an application on a form established by the Zoning Administrator and including the supporting documents required for Administrative Subdivisions in Table 179-1. These documents shall include a plat of all lots and parcels that are affected by the action, prepared by a Licensed Surveyor.
2. Following submission, the Zoning Administrator and City Engineer shall review each application according to the following criteria:
 - (a) Compliance with the conditions for contained in Section 179.03(a) above.
 - (b) Consistency with the Comprehensive Development Plan of the City of Glenwood.
 - (c) Potential adverse environmental effects or effects on neighboring properties.
 - (d) Effects of the subdivision on public services. In order to determine this effect, the Zoning Administrator may submit the application to relevant school districts, utilities, and public safety agencies as required.
3. Following such review, the Zoning Administrator shall forward the application along with his/her recommendation, to the Planning Commission.
4. The Planning Commission, following proper notice, shall hold a public hearing on each Minor Subdivision and, following such public hearing, shall make a recommendation to the City Council. If the subdivision is approved by the City Council, the approval shall be documented by a certificate of approval. This certificate shall be filed along with the approved plat with the Mills County Recorder. A record of all subdivision and certificates of approval shall also be maintained by the City Clerk.

5. The Planning Commission retains the right to disapprove or not act on the Minor Subdivision application. In the event of such action, the application may proceed through the Major Subdivision process.
6. Following approval of a Minor Subdivision, the subdivider must file the plat and certificate of approval with the Mills County Recorder. If the approved plat is not filed within 180 days of approval by the City Council, such approval shall be null and void.
7. The Zoning Administrator shall keep a complete and accurate record of all Minor Subdivision approvals.

179.04 Major Subdivisions

a. Applicability

The Major Subdivision procedures apply to all subdivisions which are not approved or eligible for approval under the Administrative or Minor Subdivision procedures. In general, these include subdivisions that: 1) are not approved under the Administrative or Minor Subdivision procedure; 2) create more than four lots; 3) Require development or extension of public improvements.

b. Stages in the Approval Process

The approval process for Major Subdivisions consists of three stages: the pre-application stage, the preliminary plat approval stage, and the final plat approval stage.

c. Pre-application Procedures

1. Before filing an application for preliminary plat approval, the applicant shall meet with the Zoning Administrator or his/her designee, regarding general requirements and issues relating to the proposed streets and public facilities.
2. At the pre-application conference, the applicant shall submit a concept plan. The concept plan shall include:
 - (a) A location map showing the relationship of the proposed subdivision to existing and proposed streets and public facilities.
 - (b) A schematic plan illustrating the proposed layout of streets, lots, and other features and their relationship to existing and proposed site topography.
3. Within fifteen working days, the Zoning Administrator shall inform the applicant about the consistency of the concept plan with the objectives and policies of the City's Comprehensive Plan and Land Development Ordinance.
4. The pre-application conference does not require a formal application or payment of a fee.
5. Following the pre-application meeting, the Zoning Administrator shall refer the schematic plan to the Planning Commission for review. The Commission must

approve the subdivision's general land use and schematic plan prior to preparation of the preliminary plat.

d. Preliminary Plat Application

1. Application Requirements: After the re-application conference, the applicant shall prepare and submit an application for preliminary plat approval. The applicant shall prepare and file 8 copies of the preliminary plat. The application for preliminary plat approval shall be submitted to the City Clerk at least 21 calendar days before the Planning Commission meeting at which the application will be considered. The application shall consist of a form established by the Zoning Administrator, the supporting documents required for Major Subdivisions in Table 179-1; and payment of a fee, the amount of which shall be determined by the City Council.
2. Draft Subdivision Agreement: The preliminary plat application shall include a draft of a subdivision agreement, following a format established by the Planning Commission. The subdivision agreement establishes the mutual responsibilities of city and subdivider, including financing arrangements proposed for the subdivision.
3. Preliminary Plat Approval Procedure:
 - (a) After submission of a complete application for a preliminary plat, the Zoning Administrator and his/her staff shall review the application. As part of the review, the Zoning Administrator will circulate the application to the City Engineer, local utilities, the school district in which the subdivision is located, public safety agencies, and any other applicable provider of public services deemed necessary. Each reviewing agency shall submit written comments to the Zoning Administrator within a period which he/she establishes.
 - (b) Following the comment period, the Zoning Administrator shall submit a written recommendation for action to the Planning Commission.
 - (c) The Planning Commission, following proper notice, shall hold a public hearing on each Major Subdivision and, following such public hearing, shall take action on the application. The Planning Commission may recommend approval, conditional approval, or denial of the preliminary plat to the City Council. In addition, the Commission may delay action on the application in order to resolve outstanding issues.
 - (d) Following action by the Planning and Zoning Commission, the Chairman of the Commission shall transmit a written recommendation summarizing the Commission's action to the City Council.

- (e) The City Council, following proper notice, shall hold a public hearing on each Major Subdivision and, following such public hearing, shall take action on the application.
- (f) Approval of a preliminary plat by the City Council shall not constitute approval of a final plat. The approval shall be considered an expression of conditional approval to guide the preparation of a final plat, to be considered subsequently by approving authorities. The preliminary approval shall confer upon the applicant the following rights:
 - i. The general terms and conditions under which the plat was approved will not change.
 - ii. The applicant may submit for approval a final plat for the whole or a part of the preliminary plat on or before the expiration date of the preliminary approval.
 - iii. The preliminary plat approval shall stay in force for a period of one year from the date of approval by the City Council. The City Council may, at its discretion, establish a longer effective date for the preliminary plat approval. The City Council also may grant extensions to the effective period of a preliminary plat.
 - iv. Phased Subdivisions: The final plat may be submitted in phases, provided that no phase represents the lesser of 10 lots or 20% of the total number of lots in the entire approved preliminary plat. The initial phase of the final plat must be submitted according to the effective dates established in Section (3) above. In the event of a phased subdivision, the initial preliminary plat approval remains effective for a period not to exceed five years, unless otherwise extended by the City Council.

e. Final Plat Application Process

1. Application Requirements: The Applicant shall prepare and submit an application for final plat approval within one year of the preliminary plat approval, unless an extension has been granted by the City Council. The application for final plat approval shall be submitted to the City Clerk at least 21 calendar days before the Planning Commission meeting at which the application will be considered. The application shall consist of a form established by the Zoning Administrator; the supporting documents required for Final Plat Approval of Major Subdivisions in Table 179-1; and payment of a fee, the amount of which shall be determined by the City Council.
2. Final Subdivision Agreement: The final plat application shall include the final subdivision agreement to be executed between the City and the applicant. The terms of this agreement shall be acted upon along with action on the Final Plat.

3. Performance Bond: The subdivision agreement shall specify the amount of the performance bond for public improvements to be filed prior to receiving final plat approval or, alternately, shall contain a statement that required improvements have been satisfactorily completed. The performance bond, if required, must be presented in a form satisfactory to the City Attorney prior to final approval of the subdivision.
4. Final Plat Approval:
 - (a) The Zoning Administrator and Planning Commission shall review the final plat for consistency with the approval preliminary plat and for compliance with the Land Development Ordinance and other applicable local, state, or federal statutes and regulations. If the final plat meets all conditions of the ordinance and is substantially consistent with the terms of the preliminary plat approval, the Commission shall have no recourse but to approve the final plat.
 - (b) If the Planning Commission finds in its review that the submitted final plat is inconsistent with the preliminary plat, does not comply with the conditions of relevant ordinances and statutes, or requires a waiver of any section of the LDO, it shall hold a public hearing on the final plat. Following such public hearing, the Commission shall transmit its recommendation on the final plat to the City Council.
 - (c) The City Council, following proper notice, shall hold a public hearing on each final plat and subdivision agreement and, following such public hearing shall take final action on the application. The City Council is further empowered to grant waivers of as section of the Subdivision Regulations after a waiver request has received a recommendation from the Planning Commission.

f. Filing the Final Plat

1. Following City Council approval of a final plat, the Chairman of the Planning Commission and the Mayor of the City of Glenwood shall sign a certificate of approval, which shall be a part of the reproducible documents of the subdivision plat required with subdivision of the final plat.
2. The passage of a resolution by the City Council accepting the plat shall constitute final approval of the platting of the area shown on the final plat. The applicant shall record the plat in the office of the Recorder of Mills County and shall file satisfactory evidence of such recording in the office of the City Clerk before the City shall recognize the plat as being in force.
3. The subdivider must file the final plat along with all applicable covenants and other documentation within 180 days of the execution of the preliminary plat by the Chairman of the Planning Commission and the Mayor.

Table 179-1: Application Requirements

PLAT INFORMATION	ADMINISTRATIVE SUBDIVISION	MINOR SUBDIVISION	MAJOR PRELIMINARY	SUBDIVISION FINAL
Name, address of owner and applicant.	X	X	X	X
Name, signature, license number, seal and address of engineer, land surveyor, architect, planner, and / or landscape architect, as applicable, involved in preparation of plat.	X	X	X	X
Title block, denoting type of application, tax map sheet, legal description, and general location.	X	X	X	X
Key map, showing location with reference to surrounding property, streets, current street names, city limits, and other features within ¼ mile of the subdivision boundary.	X	X	X	X
Present and proposed zoning.			X	X
North arrow, date, and graphic scale.	X	X	X	X
Proof that taxes are current.	X	X	X	
Signature blocks for Planning and Zoning Commission Chairman, Administrative Official, and Mayor.	X	X	X	X
Appropriate certification blocks.	X	X	X	X
Monumentation.	X	X		X
Metes and bounds description, including dimensions, bearings, curve data, tangent length, radii, arcs, chords, and central angles for all centerlines and ROW's and centerline curves on streets.				X
Acreage of tract.	X	X	X	X
Date of original and all revisions.	X	X	X	X
Dimensioning of setbacks.		X	X	X
Location, dimensions, and names of existing and proposed streets.	X	X	X	X
All proposed lot lines, lot dimensions, and lot areas in square feet.	X	X	X	X

Table 179-1: Application Requirements *(continued)*

PLAT INFORMATION	ADMINISTRATIVE SUBDIVISION	MINOR SUBDIVISION	MAJOR PRELIMINARY	SUBDIVISION FINAL
Copy of any existing or proposed deed restriction or covenants.		X	Concept	X
Existing and proposed easements or land reserved for or dedicated to public use.	X	X	X	X
Phasing plan.			X	X
Payment of application fees.	X	X	X	X
ENVIRONMENTAL INFORMATION				
Property owners and lines within 200 feet.		X	X	
All existing water courses, floodplains, wetlands, habitat areas or other environmentally sensitive features within 200 feet.	X	X	X	X
Survey of trees and wooded areas, (noting size and location of trees) and mature or environmentally sensitive vegetation.		X	X	
Existing ROW's and easements within 200 feet.	X	X	X	X
Topography at five (5) foot contours including areas up to 200 feet of the plat boundaries.		X	X	
Existing site drainage system.	X	X	X	X
Comprehensive drainage study and soil percolation tests.			X	X
IMPROVEMENTS & CONSTRUCTION INFORMATION				
Proposed utility infrastructure plans including water, sanitary sewer, and storm water management.			General	Detailed
Sediment/Soil Erosion Control Plan.			X	X
Existing and proposed contours				X
Construction details as required.				X
Road and paving cross-sections.			X	X
Proposed street names.			X	X
New block and lot numbers.	X	X	X	X

Table 179-1: Application Requirements *(continued)*

PLAT INFORMATION	<u>ADMINISTRATIVE SUBDIVISION</u>	<u>MINOR SUBDIVISION</u>	<u>MAJOR PRELIMINARY</u>	<u>SUBDIVISION FINAL</u>
Lighting plan and details.			Concept	X
Pedestrian circulation patterns and sidewalk or trail locations.			X	X
Certifications and seals from licensed professional engineer, as required by Ordinance.		X		X
Improvement financing plan, including sources of funding (private, assessments, public, and other sources).			X	X
Draft subdivision agreement.			X	
Final subdivision agreement.				X
Required Number of Copies of Plat Document	8	8	8	8
Required Minimum Scale of Plat Documents	1"=100 feet	1"=100 feet	1"=100 feet	1"=100 feet
Required Number of Copies of Plat at 11'x17' size	1	1	1	1

SECTION 180

Subdivision Regulations: Design Criteria and General Standards

180.01 Purpose

The purpose of this section is to provide flexible design alternatives in order to assure that subdivision in the Glenwood area create functional and attractive environments, minimize adverse effects, become assets to the city's urban and natural setting, and adapt to their specific situation. The section defines specific types of subdivisions that have carrying design characteristics, applicable to various settings within the City of Glenwood and jurisdiction. It outlines specific design criteria that should be incorporated into the concepts of various types of subdivisions.

180.02 Site Design and Constraints

a. Consideration of Plans

The design of developments shall consider all existing local and regional plans for Glenwood and its Jurisdiction. These include the Comprehensive Development Plan for the City of Glenwood.

b. Grading Permit Required

1. A Grading Permit is required for erosion and sediment control on all construction sites. For all sites greater than 5 acres in size the developer shall apply to the Iowa Department of Natural Resources for a Stormwater Pollution Control permit and copy of that application must be provided to the Zoning Administrator. An approval permit from the IDNR shall be submitted to the Zoning Administrator prior to any grading or site disturbing activity. For sites less than 5 acres in size, the application for a grading permit shall include:
 - (a) A location map showing the location and extent of grading activity.
 - (b) A Sediment and Erosion Control Plan.
2. After subdivision of a complete application for a grading permit for sites less than 5 acres, the Zoning Administrator and his/her staff shall review the application. As part of the review, the Zoning Administrator may circulate the petition to any agency with statutory authority for the management of drainageways and stormwater management.
3. For sites less than 5 acres, a grading permit shall be issued within twenty (20) working days if the Zoning Administrator has determined or received assurances from applicable state agencies that the Sediment and Erosion Control Plan is compatible with statute, and further that is compatible with the objectives and policies of the City's Comprehensive Plan and Land Development Ordinance regulations regarding soil and sediment erosion, and environmental water quality.

c. Preservation of Natural Features and Drainage Patterns

1. To the maximum extent possible, development shall be located to preserve natural features of the site, to avoid areas of environmental sensitivity and to minimize negative impact and alteration of natural features and drainage patterns.
2. The subdivider shall give maximum consideration to the preservation of the following areas as open space, to the extent consistent with reasonable utilization of land:
 - (a) Wetlands and other unique environmental areas as defined in Section 404, Federal Water Pollution Control Act of 1972 and delineated on wetlands maps prepared by the US Fish and Wildlife Service. Construction and fill activity shall be prohibited on wetlands as regulated by State and federal agencies.
 - (b) Significant stands or mature specimens of trees shall be designated by required tree surveys.
 - i. Non-Residential and Attached Residential: No tree taller than 20 feet or larger than 4 inches in diameter (measured six inches above the ground) shall be removed except when approved by the Zoning Administrator or his/her designee. Trees removed subject to City approval shall be replaced as recommended by the City Tree Board. The owner of a site with natural landscaping that is unhealthful (e.g. spaced too closely) may be permitted to plant replacement trees in the parkway in the City, if approved by the Zoning Administrator.
 - ii. Single-Family Residential: Placement of the building must avoid trees taller than 20 feet or larger than four inches in diameter measured six inches above the ground. Any such tree removed or damaged should be replaced by a species compatible with existing trees, on a one-to-one basis. The number of replacement trees will be limited by what can be reasonably accommodated within the available lot area.
 - (c) Flood plain lands, other than areas that have already experienced substantial development.
 - (d) Slopes in excess of 15% as measured over a 50-foot interval. Development on slopes over 15% may be permitted only if an erosion and slope stabilization plan is submitted and approved with the development and if appropriate measures are taken in compliance with this approval plan. The City may, at its discretion, require the review and certification of such a plan by a licensed Professional Engineer.
 - (e) Habitats of endangered species. Development shall avoid fill or disturbance of habitat sites as identified on federal or state lists administered by the US Fish and Wildlife Service of the US Department of the Interior, and applicable state environmental regulatory agencies. Developers are

encouraged to preserve habitat areas as a connected open space consistent with the parks and greenways system designated in the Glenwood Comprehensive Development Plan.

d. General Guidelines for Subdivision Layout

Subdivisions shall be designed to comply with the following overall performance objectives:

1. Avoidance of adverse effects on ground water and aquifer recharge.
2. Reduction and minimizing of cut and fill.
3. Avoidance or reduction of unnecessary impervious surfaces.
4. Prevention of flooding and encroachment of water to other properties.
5. Provision of adequate access to lots, including alternative routes to lots and sites within the subdivision and minimizing of cul-de-sacs over 500 feet.
6. Mitigation of negative environmental effects on surrounding properties, including effects of shadow, noise, odor, traffic drainage, and utilities.
7. Respect for the urban character and traditional layout of Glenwood, including providing continuity to established street and community facility networks; establishing linkages and connections between new development and existing parts of the city; and preserving historically and architecturally significant sites and buildings, determined as those sites or districts either listed on or determined to be eligible for listing on the National Register of Historic Places, as determined by the State Historic Preservation Office.
8. Dedication of arterial, collector, and key local streets on the general alignments specified in the Comprehensive Development Plan.

180.03 Subdivision and Development Design Categories and Rules

a. Purpose

The purpose of this section is to establish special design criteria for various types of subdivisions and developments. These categories reflect various policy contexts in the Glenwood jurisdiction.

b. Subdivision and Development Design Categories

Subdivision and development categories, policy implications, contexts, and special application and regulatory requirements are set forth in Table 180-2.

Table 180-1: Development Types and Policy Requirements

Subdivision or Development Type	Desirable Context	Typical Zoning	Characteristics	Submission Requirements
Conventional Rural	Areas in the ETJ that will develop to low densities and unlikely to be annexed or receive urban services. Areas with relatively little environmental sensitivity.	RR	Rural standards, including service by well and septic or other individual wastewater system. Gravel street surface, although streets may be hard-surfaced. Surface drainage.	Normal submission requirements outlined in Table 179-1
Conservation Rural	Areas in the ETJ that will develop to low densities and unlikely to be annexed or receive urban services but include significant environmental resources and constraints.	RR with RC Overlay	Rural standards, including service by well and septic or other individual wastewater system. May be designed to accommodate community wastewater systems. Gravel street surface, although streets may be hard-surfaced. Surface drainage. Significant reservations of open space, conserving environmentally sensitive areas.	Normal submission requirements outlined in Table 179-1. Special submission requirements and demonstration of design techniques set forth in Section 170-40.
Conventional Urban	Areas that are feasibly provided with city services. These areas are likely to be annexed if located outside the corporate limits.	R-1 & higher	*Urban standards, including city water and sewer. *May consider alternative stormwater management mechanisms, including surface drainage and retention/detention. *May include non-residential subdivisions.	Normal submission requirements outlined in Table 179-1.
Conservation Urban	Areas that are feasibly provided with city services but include significant environmental resources and constraints. Examples are sites in the Loess Hills environments north of the city.	R-1 & higher with RC Overlay	Urban standards including city water and sewer. May use storm drainage alternatives, including retention/detention or managed wetlands. Significant reservations of open space, conserving environmentally sensitive areas.	Normal Submission requirements outlined in Table 179-1. Special submission requirements and demonstration of design techniques set forth in Section 170.40.

Table 180-1: Development Types and Policy Requirements *(continued)*

Subdivision or Development Type	Desirable Context	Typical Zoning	Characteristics	Submission Requirements
Traditional Neighborhood Developments	Areas within the city limits or to be annexed where innovative planning following TND principles is appropriate.	R-1 & higher with PD Overlay	Urban standards including city water and sewer. Narrower streets and modified street system design form conventional development. Small lots, closer spacing of houses, reduced setbacks, and mixing of uses.	Normal submission requirements outlined in Table 179-1. PD application incorporating Traditional Neighborhood Development standards.
Planned Development (Preliminary)	In-city areas that require special flexibility, including modification of normal use and setback standards. Large projects with substantial urban impacts. Projects which may develop over a long period of time following a master plan.	Any Districts with PD Overlay	*Urban standards, including city water and sewer. *May include mixed uses and master planned development that modifies normal zoning standards.	Submission requirements for PD districts, set forth in Section 170.20.
Planned Development (Final)	In-city areas that require special flexibility, including modification of normal use and setback standards. Large projects with substantial urban impacts. Multi-building site developments where architecture is determined, such as large apartment complexes or commercial centers.	Any Districts with PD Overlay	Urban standards including city water and sewer.	Submission requirements for PD districts, set forth in Section 170.20.

SECTION 181

Subdivision Regulations: Circulation System Design

181.01 Purpose

The purpose of this Section is to assure the development of functional and safe circulation patterns within new subdivisions, in order to encourage economical and effective movement of motor vehicles, bicycles, and pedestrians; provide access for public safety vehicles; and encourage the development of circulation systems that enhance the quality of life within new and existing neighborhoods in the City of Glenwood and its planning jurisdiction.

181.02 General Standards

The design of circulation systems should conform to the following general standards and requirements:

a. Roadway System Design

1. The road system shall be designed to permit safe and orderly movement of traffic, to meet but not exceed needs of the present and future served population; to be simple and logical; to respect natural features, topography, and landscape, and to present an attractive streetscape.
2. The system shall conform with the City's Comprehensive Development Plan. For streets not shown on the Comprehensive Development Plan, the arrangement of streets shall provide for the logical extension of existing streets.
3. The street network of a subdivision should provide for logical, continuous extensions of streets to subsequent later developments. Such extensions shall make provision when necessary with a temporary turnaround with a radius of at least 60 feet. Temporary turnaround will require a temporary easement if it extends beyond the reserved street right-of-way.
4. The system shall provide adequate traffic flow through a subdivision and provide at least two routes from each lot within the subdivision to the rest of the City, except as explicitly permitted by the approving authorities. Additionally, the system should be designed to discourage through traffic from using local streets.
5. The system should provide good internal street network connectivity. Internal connectivity shall be measured by a Connectivity Index, calculated as:

$$CI = L/N$$

Where:

N = the number of nodes (*including intersections and cul-de-sacs heads*) in a subdivision

L = the number of street links defined by those nodes. A desirable target for street connectivity is an index of 1.30 to 1.40.

b. Pedestrian and Bicycle Systems

1. A continuous pedestrian system shall be provided within each non-industrial subdivision, designed to conduct pedestrians between every point in the subdivision in a safe manner.
2. In conventional subdivisions, the pedestrian system will ordinarily be provided by sidewalks placed parallel to and on both sides of each street, with exceptions permitted to preserve natural features, create visual interest or maintain greenways and pedestrian ways proposed in the Glenwood Comprehensive Development Plan.
3. In innovative developments, the pedestrian system may be an independent network diverging from streets but providing continuous pedestrian access between all points.
4. The pedestrian system, including sidewalks and intersection crossings, shall be designed to comply with the American with Disabilities Act.
5. Bikeways or recreational trails shall be required only if specifically indicated by the Comprehensive Development Plan. Any land dedicated for trail development shall be credited toward the satisfaction of pedestrian system and open space standards set forth by this ordinance.

181.03 Street Hierarchy and Design

a. Characteristics of the Hierarchy

1. Streets shall be classified according to a street hierarchy with design tailored to function.
2. The street hierarchy shall be defined by road function and projected average daily traffic (ADT), as calculated by trip generation rates prepared by the Institute of Transportation Engineers or other generally accepted standards.
3. Each residential street shall be classified and designed to meet appropriate standards for its entire length.
4. The applicant shall demonstrate to the satisfaction of the approving agencies that the distribution of traffic created by the subdivision will not exceed the design capacity of the proposed street system, and its individual segments.
5. The categories, functions, and projected traffic loads of the street hierarchy are set forth in Table 181-1.

b. Car-way Width

1. Car-way width for each street classification is determined by parking and curbing requirements based on form or intensity of adjacent development.
2. To promote economic development of streets, minimum car-way width should generally be used. Minimum car-way widths are set forth in Table 181-2.

c. Curbs, Gutters, and Shoulders

1. Curbing shall be required for the purposes of safety, drainage, and protection of the pavement edge, as set forth in Table 181-3.
2. Requirements for curbs vary according to street function and the nature of adjacent development. Adjacent development is defined as urban or rural as follows:
 - (a) Rural: Residential or predominately agricultural land use where average lot frontage exceeds 200 feet, generally within an RR district.
 - (b) Intermediate: Residential land use where average lot frontage may range from 150 to 250 feet within areas in the city's growth path, but unlikely to receive short-term urban services.
 - (c) Urban: Residential land use where average lot frontage is less than or equal to 150 feet; or adjacent land uses include commercial, office, industrial, or civic use types.
3. Where curbing is required, shoulders and drainage swales may be used only if soils or topography make the provision of shoulders preferable to curbs; or where the character of an area is preserved by the use of shoulders and drainage swales.
4. Shoulders, when developed, shall be constructed in accordance with the standards defined in Table 181-3 for all streets; and located within right-of-way. Swale width is site-specific. Shoulders shall consist of stabilized turf or other acceptable material.
5. All curbs shall provide ramps for accessibility by handicapped people consistent with the requirements of the Americans with Disabilities Act.
6. Curb construction shall follow standards established by the City of Glenwood.

d. Sidewalks

1. Sidewalk requirements are determined by road classification and intensity of development, as set forth in Table 181-3.
2. Where sidewalks are not otherwise required by Table 181-3, the City may require their installation if necessary to provide access to generators of pedestrian traffic or major community feature; to continue a walk on an adjacent street; to link parts of the city; or to accommodate future development.

3. In conventional development, sidewalks shall be placed generally parallel to streets within right-of-way. Exceptions are possible to preserve important natural features or to accommodate topography or vegetation; when applicant shows an alternative for a safe convenient pedestrian system; or in creative subdivisions.
4. Commercial areas, sidewalks may abut curb.
5. Pedestrian rights-of-way at least 15 feet in width may be required through the center of blocks over 660 feet in length if deemed necessary by the approving authorities to provide access to schools or community facilities; or to maintain a continuous pedestrian network within and between subdivisions and districts of the City of Glenwood and its jurisdiction. Such rights-of-way shall be dedicated to the public in the same manner as streets.
6. Sidewalks shall provide a clear path of at least four feet in width, free of any obstructions.
7. All sidewalks shall be constructed according to current standards in use by the City of Glenwood. Sidewalks shall be of concrete construction four inches thick except at points of vehicular crossing where they shall be six inches thick.
8. All sidewalks, crossings, and other segments of a continuous pedestrian system must comply with standards of the Americans with Disabilities Act.

e. Bikeways and Recreational Trails

1. Bikeways and recreational trails shall be required in subdivision only when specified as part of the comprehensive development plan.
2. Off-street recreational trails shall be a minimum of ten feet in width for two-way traffic and comply with the Americans with Disabilities Act. Surfacing of trails shall be acceptable to the City of Glenwood. Gradients for bikeways and recreational trails should not exceed one percent, except for short distances.
3. Recreational trails may satisfy part of the requirements of this ordinance for sidewalks or open space.
4. All residential streets shall utilize bicycle safety drainage grates at storm sewer inlets.

f. Right-of-Way

1. Measurement: The right-of-way of a street shall be measured from lot line to lot line and shall be wide enough to contain the car-way, curbs or shoulder, sidewalks and sidewalk setbacks, other necessary graded areas, and utilities.
2. Any right-of-way that continues an existing street shall be no less than that of existing street.

3. The requirements for rights-of-way for functional categories of roads is set forth in Table 181-3.
4. Dedications: Dedications of right-of-way for collector, sub-collector, community, or arterial streets shall be made consistent with the comprehensive development plan.

g. Street Design Standards

1. Pavement standards shall be per recommendation of the City Engineer with the following minimum standards:
 - (a) Minimum acceptable pavement shall be:
 - i. Seven (7) inch reinforced concrete pavement (3,500 PSI) with six (6) inch integral concrete curbs.
 - ii. Nine (9) inch asphaltic concrete pavement with seven inches of coarse graded binder course and two inches of fine graded surface course with a six (6) inch concrete curb and 24-inch gutter.
 - (b) All streets shall be paved to current standards utilized in the City of Glenwood except:
 - i. Local streets in intermediate subdivision. Intermediate subdivisions may utilize 6-inch P.C.C. non-reinforced paving or 7-inch hot mix asphaltic paving.
 - ii. Street pavement thickness shall relate to the role of the street in the hierarchy, subgrade conditions, and pavement type.
2. Continuity of Arterial or Collector Streets:

No subdivision shall prevent the extension of arterial or collector streets through and beyond the subdivision. The subdivider may plan and design collector streets not designated in the Comprehensive Development Plan subject to the approval of the City Council.
3. Cul-de-sacs:
 - (a) Cul-de-sac streets designed to have one end permanently closed generally should not exceed 500 feet in length and shall be designed so that vision from entrance to end is not restricted. A longer length is permissible within conservation developments or in the case of unconventional developments, such as golf course subdivisions or where topography or environmental limitations significantly restrict the ability to provide alternate street access.
 - (b) The closed end of a cul-de-sac within a conventional subdivision shall have a turnaround with a street property line diameter of at least 120 feet in residential subdivisions. This diameter may be increased by the Planning Commission if deemed necessary in the case of a commercial or industrial

subdivision. The pavement diameter shall be 42.5 feet and may be increased if deemed necessary by the Planning Commission.

4. Street Grades:

Maximum permitted street grades are set forth in Table 181-2. In typical circumstances, the minimum permitted street gradient shall be 1.0%. In exceptional circumstances, the City Engineer may permit street gradients of less than 1.0%, however, under no circumstances may the gradient be less than 0.5%.

5. Street Intersections:

- (a) Streets shall intersect as nearly at right angles as possible, unless limited by topography, existing street alignments, or other clearly defined constraints.
- (b) In most cases, no more than two streets should intersect at a single intersection. Exceptions may be made within TND or Planned Developments.
- (c) Local streets shall minimize intersections with major arterials.
- (d) New intersections along one side of an existing or proposed street shall, if possible, align with intersections on the other side of the street. Offsets between adjacent intersections shall measure at least 150 feet between centerlines. The use of T - Intersections is encouraged on local streets within the interior of a subdivision.
- (e) Intersections design standards are set forth in Table 181-2.

6. Block Size:

The length, widths, and shapes of blocks shall be suited to the proposed land use and design of the proposed subdivision. Blocks within urban subdivisions shall not exceed 660 feet in length, unless necessitated by exceptional topography or other demonstrable constraints.

7. Other design standards shall be as set forth in Table 181-4.

181.04 Lighting and Wiring

a. Underground Wiring

- 1. All electric, telephone, television, cable TV, and other communication lines shall be provided by underground wiring within easements or public right-of-way, except where in the opinion of the approving authorities, such location is not feasible. Poles for permitted overhead lines shall be placed in rear lot line easements; or in other locations designed to lessen their visual impact.
- 2. New lots adjacent to existing overhead service may utilize that service; however, new local service connections shall be underground.

3. Year-round screening of any above ground utility apparatus is required. Screening shall be consistent with the Landscape and Screening Standards set forth in Section 173 of the Zoning Chapter of the Land Development Ordinance.

181.05 Traditional Neighborhood Developments (TNDs)

a. Purpose

Traditional Neighborhood Developments provide innovative mixed-use environments that reflect the planning and development patterns in place when Glenwood and other traditional communities were initially developed. TNDs manage automobiles but maintain a scale and set of linkages that promote pedestrian travel and civic space. These theories of urban design have been classified as “New Urbanism” although they transport the patterns of development of traditional Glenwood in to new settings. The TND regulations included in this section are intended to capture the essence of this design technique, while avoiding excessive requirements that will discourage the use of the concept. The Glenwood regulations are intended to capture the general concept and vision of traditional neighborhood design and to provide flexibility and incentives to encourage TNDs without being so prescriptive as to inhibit the use of the concept.

b. Size

The minimum size of a TND shall be 10 acres.

c. Application and Approval

1. TNDs shall require approval of a PD Planned Development District.
2. All applications for a TND Subdivision must be accompanied by a TND Development Plan, in addition to other documents required by these regulations. This plan shall illustrate the distribution of land uses throughout the subdivision; the location and design features; architectural controls; and other information necessary to communicate the concept of the TND subdivision. The TND Subdivision Plan shall be a part of the approved subdivision. Subsequent building and development permits shall be issued by the City only in consistency with the TND Development Plan.
3. Articles of incorporation and/or covenants for a homeowners’ association or other provision assuring maintenance or operation of all common spaces shall be submitted with the TND application.

d. Permitted Land Uses

1. Mixed Land Uses:
Retail, service, civic, office, and various types of residential land uses may be combined within a TND development, notwithstanding the use regulations of the

underlying zoning district. The distribution and location of land uses shall be consistent with the TND Plan submitted for the subdivision.

2. Commercial and Residential Mix:

The gross floor area of commercial area permitted within a TND shall not exceed 10,000 square feet per 100 people projected to live in the development. For the purpose of calculating projected population, the following factors shall be used:

- (a) Single-Family Detached: 3.5 people per unit
- (b) Single-Family Attached: 2.75 people per unit
- (c) Townhouses: 2.5 people per unit
- (d) Multi-family: 2.0 people per unit

3. Parks and Open Space:

Parks and public open spaces shall make up at least 10% of the total area of the TND development.

e. Density

- 1. The average site area per unit of a TND shall be established by the underlying zoning district. However, the density of individual parts of the TND may exceed the average density.
- 2. Overall density permitted by the underlying zoning district of the TND may be increased as follows for specific amenities: 10% for the provision of a centrally located town square if at least one acre for each 25 acres of developed area; 10% for the provision of approved ornamental lighting throughout the TND Subdivision; and 10% for the development of a central community boulevard. Cumulative density bonuses shall not exceed 25% of the density permitted by the underlying zoning district.

f. Lot Dimensions and Setbacks

1. Lot Dimensions:

Individual lot size dimensions, including minimum width, may be reduced to 80% of the requirement of the underlying zoning district. Any savings on lot size shall be devoted to public space, including but not limited to town squares, small parks, greenways, and community facilities.

2. Lot Setbacks:

- (a) Lot setbacks may be varied from those otherwise specified for the zoning district. Typically, the front-yard setback, should respect a build-to line that is not less than 5-feet nor greater than 20-feet. Different setbacks may be incorporated as part of the TND district approval. Setback limits must be established on the preliminary and final plot.
- (b) The distance across a street from building face to building face shall not exceed 100-feet except along a community street or boulevard.

- (c) The setback from any garage entrance to any circulation way, including an alley, must be at least 20-feet unless the project design makes other specific provisions for dedicated off-street parking. Garage access from the rear of lots by way of an alley is encouraged.

g. Street System Design

1. Street Continuity:

All street within a TND District connect t other streets within the district, forming a continuous network. All streets and alleys shall terminate at other streets within the TND District and shall connect to other streets on the edge of the district.

2. Street and Block Characteristics:

- (a) The design of the street system shall create an open network that creates blocks with a length of no more than 660 feet.
- (b) Street loops and cul-de-sacs may be included as part of the street system design. However, no street with a single point of access onto a connecting street should be longer than 500 feet.
- (c) Street or right-of-way widths may be carried for local streets within TND Subdivisions as provided in Section 181.05, Transportation and Parking Standards.

3. Community Streets and Boulevards:

Community streets and boulevards are streets that are designed as central open space features within a TND development. The incorporation of these facilities within a TND is strongly encouraged and receives a density bonus, as provide in Section 28.4. Characteristics of such a street include:

- (a) Alignment that generally runs more than 50% of the longest dimension of the development.
- (b) Orientation to a main activity center in the development, including parks and neighborhood greens, civic facilities, commercial activity centers, or designed landmarks.
- (c) Extensive street landscaping and parallel sidewalks and trails.
- (d) Thematic lighting and street furniture.
- (e) A street section which incorporated a median or wide sidewalks setbacks. A median's width should be equal to 1.00 times the width of either individual street channel 20 feet or over in width. If the road channel is undivided, the distance between sidewalk and curb should be equal to at least 50% of the curb-to-curb width.

Table 181-1: Street Hierarchy

<u>RESIDENTIAL STREET TYPE</u>	<u>FUNCTION</u>	<u>GUIDELINE MAXIMUM ADT</u>
Lane, Court, or Cul-De-Sac	Street providing private or controlled access to no more than twelve housing units.	120-150
Local	Provides frontage to lots and carries traffic with origin or destination on street itself. Carries least traffic at lowest speed. East-west orientation provides best solar access. Local residential streets usually do not interconnect with adjoining neighborhoods or subdivisions.	250-1,000
Collector	Conducts and distributes traffic between local streets and major streets in the community. Carries larger volume of traffic. Residential collectors interconnect and provide through access between residential neighborhoods. Collector streets should preserve one through traffic lane in each direction, without encroachment by parking. Collectors may be included in the city's Surface Transportation Program system for federal aid.	1,000-2,500
Minor Arterials	Provides community wide access between residential neighborhoods and to other activity centers in Glenwood, including downtown and major commercial facilities. Direct access may be provided to other arterial streets. Parking should generally be prohibited on other arterials. Other arterials should be excluded from residential areas. These streets are part of the Surface Transportation Program system for federal aid.	2,500-7,500
Major Arterials	Inter-regional road in the street hierarchy. Conveys traffic between activity centers, often at high speeds and with limited access. Should be excluded from residential areas. These streets are part of the Surface Transportation Program system for federal aid.	7,500+

Table 181-2: Car-way Width, Grade, and Intersection Standards

<u>RESIDENTIAL STREET TYPE</u>	<u>MOVING LANES</u>	<u>PARKING RESTRICTIONS</u>	<u>MAXIMUM GRADE</u>	<u>BACK OF CURB</u>	<u>MINIMUM CURB RADII</u>
Lane or Court	Two 11-foot	No restriction	10% (5%*)	22 feet	20 feet (Note 1)
Cul-de-sac	Two 11-foot	No restriction	10% (5%*)	26 feet	20 feet (Note 1)
Urban Local	Two 11-foot	No restriction	10% (5%*)	26 feet	20 feet (Note 1)
TND or PD Local	Two 11-foot	No restriction	10%	22 feet	
Intermediate Local	Two 11-foot	No restriction	10%	26 feet	20 feet (Note 1)
Rural Local Collector	Two 11-foot	No restriction	10% (5%*)	26 feet	20 feet (Note 1)
No parking	Two 12-foot	No parking	10% (5%*)	28 feet	25 feet (Note 1)
One-side Parking	Two 12-foot	One-side only	10% (5%*)	32 feet	25 feet (Note 1)
Two-side Parking	Two 12-foot	No restriction	10% (5%*)	36 feet	25 feet (Note 1)
Arterials	Note 2	Note 2	6%	Note 2	Note 2

* Denotes Maximum Street Grade Within 50 feet of an Intersection.

Note 1: Intersections shall be rounded at the curb line, with the street having the highest radius requirement as shown in Table 181-2 determining the minimum standard for all curb lines.

Note 2: Arterial street width, grade, and curb radii are determined by state standards and the designation of individual street or roadway segments.

Table 181-2: Curb, Sidewalk, and Right-of-Way Requirements

STREET TYPE	BACK OF CURB WIDTH	CURB/SHOULDER	SIDEWALK	SIDEWALK SETBACK	TOTAL ROW
Lane or Court	22 feet	Not Required	Required	NA	50 feet
Cul-de-sac	26 feet at approach, 42.5 ft. radius*	Required	Required	Note 1	60 feet at approach 120 feet diameter
LOCAL					
Rural	26 feet	Not Required	Not Required	NA	60 feet
Intermediate	26 feet	Not Required	One side	6 feet	60 feet
Urban	26 feet	Curb	Both Sides	6 feet	60 feet
TND	22 feet	Curb	Both Sides	Curb to 6 feet	50 feet
Community Boulevard (divided)	18 feet, 20 foot median	Project specific	Both Sides	8 feet	85 feet
Community Boulevard (undivided)	32 feet	Project specific	Both Sides	8 feet	66 feet
COLLECTORS					
Rural Urban	28 feet	Not Required	Not Required	NA	66 feet
No parking	28 feet	Curb	Both Sides	8 feet	70 feet **
One-side parking	32 feet	Curb	Both Sides	8 feet	70 feet **
Two-side parking	36 feet	Curb	Both Sides	8 feet	70 feet **
ARTERIALS					
Urban and Rural	36-48 feet (Note 2)	Note 2	Note 2	8 feet	66-80 feet minimum

* Minimum where no parking is permitted, and radius is measure from center to back of curb.

** Right-of-way widths for these classes of street may be modified within Conservation Subdivisions, Planned Developments, or TNDs.

Note 1: Sidewalks to be located within the street right-of-way at property line where possible, otherwise 6 ft. Minimum will apply.

Note 2: Arterial street width, grade, and curb radii are determined by state standards and the designation of individual street or roadway segments.

Table 181-4: Street Design Requirements

STREET TYPE	MINIMUM RADIUS OF HORIZONTAL CURVES	MINIMUM SIGHT DISTANCE ON VERTICAL CURVES	MINIMUM SLOPE	PPC PAVEMENT THICKNESS
Lane or Court	100 feet	150 feet	10%	6 inches
Local Urban	200 feet	200 feet	10%	7-inches
Intermediate	200 feet	200 feet	10%	7-inches
Rural	200 feet	200 feet	10%	Determined by road design
TND/PD	100 feet	150 feet	10%	Determined by road design
Collector	200 feet	200 feet	8%	Determined by road design
Arterials	300 feet	250 feet	6%	Determined by road design

SECTION 182

Subdivision Regulations: Public Improvements and Infrastructure

182.01 Purpose

The purpose of this Article is to assure that all subdivision developed in the City of Glenwood and its jurisdiction are adequately furnished with necessary public services. These services include adequate water, waste management, and storm water drainage utilities; and park and open soave resources.

182.02 Water

Installation of water services shall be regulated by the Glenwood Water Board of Trustees. Regulations regarding water utilities can be found in the Glenwood Water Regulations and well installation regulations are located in the Glenwood Code of Ordinances.

182.03 Sanitary Sewers

a. Connection

1. All installations shall be properly connected to an approved and functioning sanitary sewer system prior to issuance of a certificate of occupancy.
2. Depending on the number of units, residential subdivision shall be connected to an existing public sanitary sewer system if such a system is available, by gravity service, within the following distances:

<u>Size of Development</u>	<u>Distance</u>
1 unit	200 feet
2 units	400 feet
3 units	600 feet
4 units	800 feet
5-15 units	1,000 feet
15 units or over	0.5 mile

Developments with more than 15 units and located within 0.5 mile of an existing public sanitary sewer system must provide adequate justification as to why they are unable to connect to such a system. For developments with more than 15 units and located more than 0.5 mile form a public sanitary sewer system, the waste disposal strategy, shall be considered by the approving authorities on a case-by-case basis.

3. If the City creates a benefit fund for the purpose of financing public extensions of sanitary interceptor sewers to newly developing areas, each subdivision to be benefited by such extensions shall contribute to such a fund. Subdivision within

the city limits of Glenwood at the time of platting; or subdivisions currently served by existing sanitary sewer service shall be exempt from this requirement.

Contributions to the fund shall be computed on the basis of proportionate costs and benefits of necessary extensions. Assessments shall be made on a per lot basis for single-family development; a per unit basis for multi-family residential development; and a site area basis for non-residential development.

4. All proposals for new public sanitary sewer systems or extensions of existing systems shall be approved by appropriate public agencies.
5. All state requirements shall be met, and approvals from the Department of Natural Resources or other appropriate state agencies shall be obtained for all waste disposal systems.

b. Sanitary Sewer System Design Standards

Sanitary sewer facilities shall be provided to provide adequate service to the subdivision and conform to the city's sewer plan.

1. Materials: Sewer pipe material shall meet the standards set forth in the Glenwood City Code.
2. All sewers shall have a minimum diameter of eight (8) inches.
3. Location: Wherever possible, sewers shall be located in the streets or alley rights of way and easements.
4. Stub-Outs: All sanitary sewer stub-outs shall be carried to a property line.

c. Certifications

A certification from a registered Professional Engineer shall be filed with the City of Glenwood certifying that the sanitary sewer system of the subdivision is designed and constructed in accordance with the requirements of this Section; and all applicable standards of the State of Iowa. This certification shall be affixed to an accurate set of "as-built" system plans.

d. Private Wastewater Disposal Systems

If the development does not meet the required criteria for connection to a public sanitary sewer system and gravity sewer service connections, or if for reasons of topography, economic feasibility, or other special conditions, the developer proposes service by a private wastewater disposal system, the developer shall request a variance according to the following provisions:

1. Subsurface or septic systems are not permissible on any lot created after the effective date of this Ordinance if the gross density of the subdivision is higher than one unit per 1.5 acres; if individual lots are smaller than one acre; or in any urban subdivision.

2. The developer shall submit with the preliminary plat application an Economic Feasibility Study Report and an Environmental Impact Study report, prepared by a Professional Engineer, which documents the cost of providing city sewer service to the subdivision versus the cost of the proposed private disposal system. The preliminary plat application shall also show the proposed system for each lot and shall submit percolation tests for each lot, taken at the proposed adsorption field sites to determine the size of the field required for each lot.
3. The City shall consider all these submittals in determining whether to permit installation of private wastewater disposal systems for the subdivision.
4. If a private wastewater disposal system is approved by the City with the preliminary plat approval, the system shall be designed and built in accordance with regulations of the Iowa Department of Natural Resources. The developer's Professional Engineer shall furnish the City with three certified copies of as-built plans showing service line locations and final sewer and maintenance access locations, lengths, elevations, and grades.
5. If a sanitary sewer system is to be provided to an area within a ten-year period, as indicated in an officially adopted document of the City the County, or other authorized agency, the City may require installation of a capped system or dry lines. Alternately, the City may require a payment in lieu of the improvement, to be credited toward the extension and extension of the subdivision of a future sanitary sewer system.
6. City approval to install a community and/or private wastewater disposal system shall be allowed subject to the following additional provisions:
 - (a) The developer and all successive lot owners shall agree to connect to the City sanitary sewer system if installed to the corner of their lot. Such connection shall not be required for ten years after the date of construction of the initial wastewater disposal system.
 - (b) With connection to the City sanitary system, all existing lot owners shall be required to disconnect from and abandon the pre-existing wastewater disposal system in conformance with all local and State standards and shall share equally in the cost of such disconnection. Disconnection and abandonment shall be completed within six months after connection to the City sanitary sewer system.

182.04 Storm Water Management

a. Design

1. All subdivisions shall have a storm water management system that is adequate to prevent the undue or unplanned retention of storm water on the site. undue retention does not include:

- (a) Retention through planned facilities.
 - (b) Retention not substantially different from pre-existing conditions.
- 2. The design of the storm water management system shall be consistent with general and specific concerns and standards of the Comprehensive Development Plan and the drainage control programs of applicable public agencies. Design shall be based on environmentally sound site planning and engineering techniques.
- 3. To maximum degree possible, drainage form subdivisions shall conform to natural contours of land and not disturb pre-existing drainageways.
- 4. Adjacent properties shall not be unduly burdened with surface water from the subdivision. Specifically:
 - (a) There may be no unreasonable impediment of water from higher adjacent properties across the subdivision, causing damage to lower properties.
 - (b) No action shall unreasonably collect and channel storm water onto lower properties. The volume or rate of post-development run off shall not exceed the amount of pre-development runoff, and is to be managed in a manner consistent with Iowa statutes and existing case law regarding such flows.
- 5. Design shall use the best available technology to minimize off-site runoff, encourage natural filtration, simulate natural drainage, and minimize discharge of pollutants. Best available technology shall include retention basins, swales, porous paving, and terracing.
- 6. No surface water shall be discharged in to a sanitary sewer system.
- 7. Where possible, a subdivision's drainage system shall coordinate with that of surrounding properties or streets.
- 8. All storm water design shall be reviewed and approved by the City Engineer. The preliminary plat submission must include preliminary drainage computations and demonstrations that the proposed storm water management system meets the requirements of this Section. A certification from a registered Professional Engineer shall be filed with the City of Glenwood certifying that the storm water management system of the subdivision is designed and constructed in accordance with the requirements of this Section; and all applicable standards of the State of Iowa. This certification shall be affixed to an accurate set of 'as-built' system plans.

b. Erosion Control

With the submission of the preliminary plat, the subdivider shall submit an erosion control plan, prepared and certified by a licensed Professional Engineer, for a land disturbing activity. All grading activities must be carried out consistent with this approved erosion control plan.

182.05 Parks and Public Facilities

a. Purpose

In order to serve the education and recreational needs of new residents within the subdivision and promote the public health, welfare, community character and property values, residential subdividers are required to donate resources to make improvements to the City of Glenwood's parks system as a condition of subdivision approval.

b. Park Reservations: General Requirements

The amount of park facilities for new residents is partly based on date and policy in the adopted City of Glenwood Comprehensive Plan. The Plans reflect a local adaptation of standards of the National Recreation and Park Association (NRPA). The Comprehensive Plan is the result of a system-wide technical analysis and citizen participatory planning process, which identified near-term and long-range needs for the local parks system.

Given these findings, the City of Glenwood has determined the following:

1. Park Dedication. If required by the city and consistent with the comprehensive development plan, a subdivision shall dedicate up to 0.04 acres per dwelling unit for parkland. Alternately, the subdivider shall pay a fee equivalent to the cost of 0.04 acres per unit, to be used specifically by the City for the acquisition and development of park and recreational facilities which directly benefit the subdivision.
2. Location. Land donated for new parks shall be located based generally on the City's Comprehensive Plan and official map and shall specifically consider the design of each development and natural features present. The amount of land required shall not include wetlands, floodway, floodplain or storm water detention facilities.
3. Combining Parks and Schools Lands. Whenever possible, and whenever in the best interests of the City and the affected school district, land dedicated for park and recreation sites shall be contiguous to land dedicated for a school site. Where the subdivision is less than forty (40) acres, park and recreation land to be donated should, where possible, and in the best interest of the City and the affected school district, be combined with donations from adjoining developments in order to promote usable park and recreation lands, and thereby minimize hardship on a particular subdivider.

c. Park Donation Substitutes

If park land would be more appropriately located off-site, the City Council may agree to accept cash in lieu of and from a residential subdivider. The amount of land required from a residential subdivider may be reduced depending on the amount of the improved land, up to two (2) acres established as a private park by the subdivider,

provided that such land is determined to be of equivalent value and available by right to all residents of the development. The subdivider shall present residents, through physical design and legal documentation that the private facility shall be equally available to all residents of the development.

d. Criteria for Requiring a Contribution of Cash in Lieu of Park and Recreation Land

1. General Requirements. Where the subdivision is small, and the resulting site is too small to be practical or when the available land is inappropriate for parks and recreational land use, or when land for a park and recreation use cannot be made contiguous to land dedication for a school site, the City Council shall determine whether the subdivider shall be required to pay a cash contribution in lieu of the required land donation.
2. Park Accounting Trust and Use of Fees. The cash contributions in lieu of land for parks and recreation use shall be held in trust by the City of Glenwood for expenditure by the City as determined by the City Council. Such cash contributions shall be used solely for the acquisition of land for parks and recreation which will be available to serve the immediate or future needs of the residents of the subdivision or development, or for the improvement of recreation facilities and other parks already existing which will benefit the subdivision.

182.06 Reservation of Additional Lands

The City Council may require reservation of sites to be purchased for schools and other civic facilities as a condition for approval of the subdivision. Where the Comprehensive Plan or the designation of the City calls for a larger amount of land in a particular subdivision or planned development for park and recreation use, or as additional public land that the subdivider is required to dedicate, the land needed beyond the subdivider's contribution shall be reserved for subsequent acquisition by the City. Reservation of land for public acquisition shall be for a period not to exceed three years from the date that the plat is officially recorded.

182.07 Topography and Grading

The slope, topography and geology of the dedicated site and its surroundings must be suitable for its intended purposes. A subdivider shall allow the City to have access to the proposed sites for the purpose of conducting soil boring tests.

182.08 Timing and Conveyance

Unless otherwise determined through a Subdivision Agreement, a subdivider shall convey to the City (or such other governmental body, corporation or such owner as determined by the City) the land required under this Section at the time of final approval by the City

Council of the subdivision or resubdivision plat or final development plan, by the delivery of the following documents:

- a. A good and sufficient Trustee's or Warranty Deed conveying fee simple title free and clear of all liens and encumbrances (except liens or encumbrances dischargeable by cash accompanying said deed) except for current real estate taxes;
- b. A deposit of money equal to 100% of the most ascertainable taxes for the year, prorated to the date that the deed is delivered;
- c. A plat of survey containing thereon the legal description of the property to be conveyed and any other matters which may be required by the City Administrator, under as advised by the Zoning Administrator, City Attorney, and the consulting City Engineer.

182.09 Timing of Payment

Cash contributions required under this Section shall be paid as follows:

a. Fees Paid Prior to Final Plat

Unless otherwise provided by the terms of a developer agreement entered into between the City and the subdivider, all fees required pursuant to this Section, including fees arising from the development of land located in the City's two-mile planning jurisdiction that may be subject of an intergovernmental agreement, shall be due and owing prior to the final plat approval by the City Council.

However, if the subdivider's lands are the subject of an annexation agreement, payment shall be made at the times and in the manner provided in said annexation agreement.

b. Procedures for Fee Collection and Administration

It shall be the duty of the Finance Director, or other official designated by the City Council to establish regulations and procedures for the collection and administration of the cash contributions required under this Section.

182.10 Developer Agreements

a. Developer Agreements May Establish Time and Manner of Compliance

The City may enter into a Developer Agreement with any subdivider which sets forth the time and manner of compliance with the terms of this Section and implementation of any other provisions of these regulations.

b. Prior Development Agreement

In any developer agreement has previously been entered into between the City and a subdivider, and that Agreement remains in full force and effect, the provisions of that

agreement shall control, and this Section shall have no force and effect, provided that the subdivider complies with the terms of such Agreement. However, if such subdivider is not complying with the terms of that Agreement then the provisions of this Section shall apply, and the City shall utilize the criteria set forth herein to determine the appropriate exaction amount, less credits, if any.

Further if the development contemplated by a subdivider has either increased in number of units or has otherwise increased the demand for park and recreation facilities, then the developer Agreement previously entered into between the subdivider and the City shall be amended and the subdivider shall provide additional land, or a pro-rata fee, bases on the provisions of this Section, less credits, if any.

182.11 Easements

a. Utility Easements

1. Urban Subdivisions: Easements for utilities shall be provided for in the subdivision dedication allowing for the constructions, maintenance, repair, and replacement of utilities. Such easements shall be at least 10-feet in width.
2. Easements of greater width may be required along lot lines or across lots, and easements of lesser width may be approved if accepted by utility providers, and easements shall connect with easements on adjoining properties.
3. Easements shall be approved in writing by any appropriate public or private utility provider intending to use such easement for their facilities. Such approval shall be submitted prior to final plat approval.
4. Rural subdivisions: Easements for utilities shall be placed within street rights-of-way, without requirements for additional utility easements.

b. Drainage Easements

Where a Subdivision is crossed by a watercourse, drainageway, channel, or stream, a storm water easement or drainage right-of-way shall be provided. It shall correspond generally with the extent of such watercourse, together with any additional construction or expansion necessary to allow it to conduct storm water adequately. The total width of any easement shall be sufficient to cover the 100-year flood plain calculated for a fully developed upstream drainage basin. Parallel streets or parkways may be utilized to preserve such drainageways.

c. Setback Requirements for Structures Adjacent to Creeks and Drainageways

1. In addition to other applicable provisions of city ordinances, no persons shall be granted a permit for the construction of any structure, exclusive of fences, bank stabilization structures, poles signs, and non-related parking areas adjacent to any creek or stream unless such structure is located so that no portion whereof is any closer to the stream than will allow a maximum 3:1 slope between the water's edge

(during normal flow conditions) of the stream and the closest point of the structure at-grade.

2. An exemption from the provisions of Sub-section (1) above may be granted if all of the following conditions are met and required certification is filed with the City of Glenwood:

- (a) Certification by a registered professional engineer that adequate bank stabilization structures or slope protection will be installed in the construction of said structure, having an estimated useful life equal to that of the structure, which will provide adequate lateral support so that no portion of the structure adjacent to the stream will be endangered by erosion or lack of lateral support.
- (b) Certification shall be affixed to an accurate set of “as-built” construction plans for the structure, as well as “as-built” plans of depicting any bank stabilization or slope protection measures or structures.
- (c) In the event that the structure is adjacent to any stream that has been channelized or otherwise improved by any agency of government, then such certification providing this exemption must take the form of a certification as to the adequacy and protection of the improvements installed by such governmental unit.

d. Other Easements

The subdivision shall provide easements for other public utilities that cross through it, in a form acceptable to the City or appropriate public agency.

182.12 Dedications

Before final plat approval is granted to the subdivision, dedications to public use of all streets, alleys, other public rights-of-way, or other parks and public lands shall be completed as required by this Ordinance.

SECTION 183

Subdivision Regulations: Improvement Financing and Guarantees

183.01 Purpose

The purpose of this Article is to ensure the equitable financing and proper installation and maintenance of required streets, utilities, and other improvements. The guarantee shall be structured to provide adequate assurances to the City while not adding unnecessary costs to the developer.

183.02 Application

This article applies to subdivisions which require the installation of streets, utilities, or other public improvements by the City or developer.

183.03 Responsibility of Subdivider

The subdivider shall be responsible for the installation and/or construction of all improvements required by this Ordinance and shall warrant the design, material, workmanship, construction, and performance of such improvements for two years after the date of completion.

183.04 Subdivision Agreement

a. Condition for Approval of Plat

As a condition for final approval, each subdivision plat must include a subdivision agreement entered into between the City of Glenwood and the subdivider. Additionally, no contract for the construction of public improvements involving a subdivision within the extraterritorial jurisdiction but outside the corporate limits of Glenwood shall be awarded without the approval of such an agreement.

b. Components of the Agreements

The agreements shall include provisions for the financing and distribution of responsibilities among the City and the subdivider for land acquisition, design and installation of public improvements. The agreement shall also state specifically how public services will be provided in the Subdivision prior to annexation by the City.

c. Rules for Distributing Improvement Costs

Generally, the following rules shall be followed in distributing costs for public improvements:

1. Public Costs

Allowable public costs will be those items that have demonstrable benefit to the general public. These items may include:

- (a) Pavement width in excess of 26 feet for streets designated as collector or arterial streets in the Glenwood Comprehensive Development Plan or any subsequent amendment thereof. On collector and arterial streets requiring a higher standard of paving than normal, the additional cost shall be borne by the City or other public agency.
- (b) The incremental cost of water mains over six inches.
- (c) Oversized storm sewers or drainage structures required to serve other areas in the watershed. Such expenses may also be assessed on an area basis to properties served by the improvement.
- (d) Sanitary outfall sewers or water lines outside of the limits of a subdivision that serve areas larger than that of the subdivision, provided that such extension is consistent with the sequencing or development specified in the Comprehensive Development Plan.
- (e) The additional costs of sanitary sewers over 8 inches in diameter, when such sewers are required by the City.
- (f) Park and recreation facilities consistent with the Comprehensive Development Plan.
- (g) Those costs required to be paid by the City for extension of water and sewer lines, pursuant to the Glenwood Municipal Code.

2. Private Costs

Allowable special assessment costs will be those items that have direct benefit primarily to adjacent properties. These items may include:

- (a) The entire cost of grading street rights-of-way, including intersections.
- (b) All sanitary sewer lines serving the subdivision up to 8 inches and water lines serving the subdivision up to 6 inches.
- (c) All paving and street construction, including curbs and gutters, up to a car-way width of 26 feet.
- (d) A stormwater management system adequate to provide for the collection, retention, and removal of surface runoff, extending to the boundaries of the subdivision.
- (e) Sidewalks as required by this Ordinance. Construction of sidewalks may be delayed until after completion of site grading and construction but must be completed prior to occupancy of the structure.
- (f) The contract charge for underground electrical and gas service.
- (g) An iron rod not less than one-half inch in diameter and 24 inches in length as follows:
 - i. Set in concrete three feet deep at the intersection of all lines forming angles in the boundary of the subdivision and at all street intersections.
 - ii. At lot corners and changes in direction of block and lot boundaries.

- (h) Those costs required to be paid by the developer for extension of water and sewer lines, pursuant to the Glenwood Municipal Code.
- 3. The subdivider in lieu of installing and constructing said improvements at his/her expense, may, along with all owners of property to be affected by such improvements and all perfected lienholders, petition the Council to cause the construction of such improvements. This petition shall waive any applicable limitations of the amount that could be assessed against subdivision property owners including intersection costs, and other costs normally paid by the City in special assessment projects.

183.05 Subdivisions Contiguous with City

Unless otherwise provided as a specific part of the subdivision approval by the city, all subdivisions now or hereafter laid out adjoining or contiguous to the corporate limits of the city shall be included within such corporate limits and become a part of the City of Glenwood. The residents of the subdivision shall be entitled to all the rights and privileges and subject to all laws, ordinances, rules, and regulations of the City of Glenwood.

183.06 Performance Guarantees

- a. As a condition of the final approval of the plat and prior to its recording with the Mills County Recorder, the City Council shall require and accept the following:
 - 1. The furnishing of a performance bond, letter of credit, cash escrow, or other guarantee in a form acceptable to the City, in an amount not to exceed 100% of the estimated cost of the improvement installation.
 - 2. A specification of the time allowed for the installation of improvements. This period may be extended by the City Council.
 - 3. The performance guarantee amount and requirement, along with the permitted time for installation, shall be included within the Subdivision Agreement negotiated between the City and the Developer and approved with the Final Plat.

183.07 Notification of Completion and Acceptance by City

a. Notification

Upon substantial completion of all required improvements, the developer shall notify the City Engineer in writing, as well as submitting a certification from a registered Professional Engineer, attesting to the conformance of construction to the plans and specifications as approved by the City Council.