

FORT DODGE, IOWA ZONING ORDINANCE

November 2021

FORT DODGE, IOWA ZONING ORDINANCE

ADOPTED: OCTOBER 17, 1978
EFFECTIVE: DECEMBER 19, 1978

CITY COUNCIL

HERBERT S. CONLON,
MAYOR

HARRY E. CAMPBELL
COMMISSIONER ACCOUNTS,
FINANCES & PUBLIC SAFETY

VIRGIL H. WILSHUSEN
COMMISSIONER PARKS &
PUBLIC PROPERTY, STREETS &
PUBLIC IMPROVEMENTS

PLAN AND ZONING COMMISSION

PHIL WARNER, CHAIRPERSON
CAROLYN MAYER, VICE CHAIRPERSON
JOHN MARRS
WARREN EWEN

STANFORD W. GRIFFITH, JR.
KARL JOHNSON
CHARLES P. DOYLE

PLANNING STAFF

DENNIS A. PLAUTZ
DIRECTOR OF PLANNING &
COMMUNITY DEVELOPMENT

DEBRA L. WENGER
ASSISTANT PLANNER
IRENE PORTER, SECRETARY

ZONING ADMINISTRATOR

MARSHALL BICKFORD

ORDINANCE NO. 1489

AN ORDINANCE REGULATING AND RESTRICTING THE LOCATION, CONSTRUCTION AND USE OF BUILDINGS AND STRUCTURES, AND THE USE OF LAND IN THE CITY OF FORT DODGE, IOWA, AND FOR SAID PURPOSES, DIVIDING THE CITY INTO DISTRICTS AND CREATING BOARD OF ADJUSTMENT, REPEALING ORDINANCES IN CONFLICT WITH THIS ORDINANCE, AND PROVIDING FOR PENALTIES FOR VIOLATION OF THE REGULATIONS.

BE IT ENACTED by the [City Council](#) of the City of Fort Dodge, Iowa:

17.01 – TITLE AND PURPOSE

17.01.010 – SHORT TITLE

This Ordinance shall be known and may be cited as the “City of Fort Dodge, Iowa, Zoning Ordinance”.

17.01.020 – PURPOSE

The purpose of this Ordinance is to provide adequate light and air to prevent the overcrowding of land to avoid undue concentration of population to regulate the [use](#) of land and promote the health, moral, safety and general welfare in the City of Fort Dodge, Iowa.

TABLE OF CONTENTS

17.01 – TITLE AND PURPOSE 5

TABLE OF CONTENTS..... 7

17.02 – GENERAL PROVISIONS 8

17.03 - DEFINITIONS 11

17.04 – NON-CONFORMITIES 35

17.06 – BOARD OF ADJUSTMENT 39

17.07 – DISTRICT REGULATIONS..... 45

 17.07.02 AG – AGRICULTURAL DISTRICT..... 47

 17.07.03 CN – CONSERVATION DISTRICT..... 51

 17.07.04 RS – RESIDENTIAL SINGLE FAMILY DISTRICT 53

 17.07.05 RM – RESIDENTIAL MULTI-FAMILY DISTRICT..... 59

 17.07.06 RR – RESIDENTIAL REDEVELOPMENT DISTRICT..... 65

 17.07.07 MH – MOBILE HOME DISTRICT 71

 17.07.08 HM – HOSPITAL MEDICAL DISTRICT..... 73

 17.07.09 OC – OFFICE COMMERCIAL DISTRICT 77

 17.07.10 AC – ARTERIAL COMMERCIAL DISTRICT 83

 17.07.11 D – DOWNTOWN DISTRICT 89

 17.07.12 SC – SHOPPING CENTER COMMERCIAL DISTRICT 109

 17.07.13 LI – LIGHT INDUSTRIAL DISTRICT..... 113

 17.07.14 HI – HEAVY INDUSTRIAL DISTRICT 117

 17.07.15 PD – PLANNED DEVELOPMENT DISTRICTS 121

 17.07.16 RH – RESIDENTIAL HISTORICAL DISTRICT 133

 17.07.17 O-CG – CORRIDOR GATEWAY OVERLAY DISTRICT 137

 17.07.18 O-CR – CORRIDOR RESIDENTIAL OVERLAY DISTRICT 143

 17.07.19 O-CC – CORRIDOR COMMERCIAL OVERLAY DISTRICT 149

 17.07.20 - O-DG – DOWNTOWN GATEWAY OVERLAY DISTRICT 157

17.08.01 - SUPPLEMENTARY DISTRICT REGULATIONS 159

17.08.02 - WIRELESS COMMUNICATION FACILITIES ORDINANCE..... 171

17.08.03 - SITE PLAN REVIEW ORDINANCE 183

17.08.04 – SIGNS 204

17.09 - ADMINISTRATION..... 235

17.10 – OFFICIAL DISTRICT MAP..... 245

17.02 – GENERAL PROVISIONS

17.02.01 – APPLICATION OF DISTRICT REGULATIONS

The regulations set by this Ordinance within each [district](#) shall be minimum regulations and shall apply uniformly to each class or kind of [structure](#) or land, and particularly, except as hereinafter provided.

- A. No [building](#), [structure](#) or land shall hereafter be used or occupied, no [building](#) or [structure](#) or part thereof shall hereafter be erected, constructed, reconstructed, moved, or [structurally altered](#) except in conformity with all the regulations herein specified for the [district](#) in which it is located.
- B. Whenever the requirements of this Ordinance are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions, or covenants, the most restrictive or that imposing the higher standards shall govern.

17.02.02 – ESTABLISHMENT OF DISTRICTS: PROVISION FOR OFFICIAL ZONING MAP

- A. Official Zoning Map. The City shall be divided into [districts](#), as shown on the Official Zoning Map which, together with all explanatory matter thereon shall be adopted by Ordinance.

The Official Zoning Map shall be identified by the signature of the Mayor, attested by the City Clerk, and bearing the Seal of the City, under the following words: “This is to certify that this is the Official Zoning Map referred to in [Section 17.10.02](#) of Ordinance No. 1491 of the City of Fort Dodge, Iowa”, together with the date of adoption.

If, in accordance with the provisions of this Ordinance and Chapter 414, Code of Iowa, changes are made in [district](#) boundaries or other matter portrayed on the Official Zoning Map, such changes shall be entered on the Official Zoning Map promptly after the amendment has been approved by the [City Council](#), with an entry on the Official Zoning Map as follows: “By official action of the [City Council](#), the following changes are made in the Official Zoning Map.” (Indicating the changes by Ordinance Numbers and date of publication).

No amendment of this Ordinance which involves matter portrayed on the Official Zoning Map shall become effective until after such change and entry has been made on said map.

No changes of any nature shall be made in the Official Zoning Map or matter shown thereof except in conformity with the procedures set forth in this Ordinance. Any

unauthorized change of whatever kind by any person or persons shall be considered a violation of this Ordinance and punishable as provided under [Section 17.09.03](#).

Regardless of the existence of purported copies of the Official Zoning Map which may from time to time be made or published, the City Planner shall be the final authority as to the current zoning status of land and water areas, [buildings](#), and other [structures](#) in the City.

- B. Replacement of the Official Zoning Map. In the event that the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the [City Council](#) may by Ordinance adopt a new Official Zoning Map. The new Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no such correction shall have the effect of amending the original Official Zoning Map or any subsequent amendment thereof. The new Official Zoning Map shall be identified by the signature of the Mayor, attested by the City Clerk, and bearing the Seal of the City under the following words: “This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map adopted as part of Ordinance No. 1160 of the City of Fort Dodge, Iowa.”

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

17.02.03 – RULES INTERPRETATION OF DISTRICT BOUNDARIES

Where uncertainty exists as to the boundaries of [districts](#) as shown on the [Official Zoning Map](#), the following rules shall apply:

- A. Boundaries indicated as approximately following the center lines of [streets](#), highways, or [alleys](#) shall be construed to follow such center lines;
- B. Boundaries indicated as approximately following platted [lot](#) lines shall be construed as following such [lot](#) lines;
- C. Boundaries indicated as approximately following City Limits shall be construed as following such City Limits;
- D. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;
- E. Boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the event of change in the shoreline shall be construed as moving with the actual shore line; boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such center lines;

- F. Boundaries indicated as parallel to or extensions of features indicated in [Subsections A through C](#) above shall be so construed. Distances not specifically indicated on the [Official Zoning Map](#) shall be determined by the scale of the map.
- G. Where physical or cultural features existing on the ground are at variance with those shown on the [official Zoning Map](#), or in other circumstances not covered by [Subsections A through F](#) above, the [Board of Adjustment](#) shall interpret the [district](#) boundaries.
- H. Where a [district](#) boundary line divides a [lot](#) which was in single ownership at the time of passage of this Ordinance, the [Board of Adjustment](#) may permit, as a [special exception](#), the extension of the regulations for either portion of the [lot](#) not to exceed 50 feet beyond the [district](#) line into the remaining portion of the [lot](#) except in the case of an [overlay district boundary](#). Where an [overlay district boundary](#) divides a [lot](#), the [overlay district](#) regulations shall apply to the entire [lot](#) and also to the entire development area when being considered as part of a [site plan review](#) as required in [Section 17.08.03](#).
- I. Whenever [Council](#) vacates and disposes of a [Street](#) or [Alley](#), adjacent [districts](#) shall extend to the centerline of the vacation.
- J. Whenever a variance exists between the Zoning Map and the legal description on an amendment to this Ordinance, the legal description applies.

17.03 – DEFINITIONS

17.03.01 – DEFINITIONS

FOR THE PURPOSES OF THIS ORDINANCE, CERTAIN TERMS OR WORDS USED HEREIN SHALL BE INTERPRETED AS FOLLOWS:

The word person includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.

The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.

The word shall is mandatory, the word may is permissive.

The words used or occupied include the words intended, designed, or arranged to be used or occupied.

Any word not herein defined shall be as defined in other codes and ordinances of the City of Fort Dodge.

Any word not defined herein or in other codes and ordinances of the City of Fort Dodge shall be as defined in any recognized English Dictionary.

ABANDONED SIGN: A sign, including sign face and sign structure, which refers to a discontinued business, profession, commodity, service, or other activity or use formerly occupying the site. Includes structure(s) which formerly supported a sign(s).

ABUTTING: Having property or district lines in common.

ACCESS: A way of approaching or entering a property from a public street.

ACCESSORY BUILDING OR STRUCTURE: A subordinate building located on the same lot with the principal building, occupied by or devoted to an accessory use. Where an accessory building is attached to the main building in a substantial manner, as by a wall or roof, such accessory building shall be considered part of the main building.

ACCESSORY USE: A use customarily incidental and subordinate to the main use or building and located on the same lot therewith. In no case shall such accessory use dominate, in area, extent or purpose, the principal lawful use or building.

ADULT USES: Retail sale of any obscene material as defined by §728.1, 3 & 5 of the Code of Iowa and/or any live entertainment or performance presented for commercial purposes that consists in whole or part of persons exposing human genitalia, human buttocks, or the human female breasts.

ALLEY: The public right-of-way designed primarily to provide secondary access to lots.

ANIMATION: The movement of any object or light used in conjunction with a [sign](#) such as blinking, [flashing](#), traveling, scrolling, or changing degree of intensity of any light movement other than burning continuously.

ATTACHED SIGN: A [sign](#) which is structurally connected to a [building](#) and/or depends upon that [building](#) for support.

AUDITORIUM: A [building](#) that consists of a theater or concert hall where an audience sits.

AWNING SIGN: A [sign](#) or graphic printed or fixed upon awning material.

BEACON: A stationary or revolving light which flashes or projects illumination, single color or multi-colored, in any manner which is intended to attract or divert attention: except, however, this term is not intended to include any kind of lighting device which is required or necessary under the safety regulations of the Federal Aviation Agency or similar agencies.

BED AND BREAKFAST: Overnight accommodations offering no more than six (6) sleeping rooms offering a morning meal and operated by an on-site owner or manager.

BILLBOARD: An advertising [sign](#) with [sign height](#) over ten (10) feet from the ground surface on which same is located to the top of such billboard, and [sign area](#) greater than seventy-two (72) square feet and is a [structure](#) especially constructed for the display and/or advertising of characters, posters or other materials attached to the surface of such [structure](#), together with such other [structures](#) of similar nature on which the advertising or display is painted.

BLADE SIGN: A [sign](#) located below a marquee or awning and attached to a wall, marquee or awning with the exposed face of the [sign](#) in a plane perpendicular to the plane of the [building](#) wall and with a [total maximum surface area](#) of four square feet per sign face.

BRICK, JUMBO OR LARGE SIZED: Brick that is larger than a traditional proportion. Traditional proportions found in Fort Dodge are between 7.5” and 8.5” wide, and 2” and 2.25” tall.

BUILDABLE AREA: The space remaining on a [lot](#) in any [District](#) after the minimum space requirements (coverage, [yards](#), [setbacks](#), etc.) have been met.

BUILDING: Any [structure](#) built, used, designed, or intended for the support, shelter, or enclosure of persons, animals, or property of any kind, and requires a permanent location.

BULLETIN BOARD: An advertising [sign](#) with [sign height](#) not more than twelve (12) feet from the ground surface on which same is located to the top of such bulletin board, and the area of which does not exceed seventy-two (72) square feet.

BUSINESS COMPLEX. Cluster of interconnected [buildings](#), facilities, or [structures](#) that serve a common function, which include features such as complimentary [uses](#), shared [access](#), shared parking, or contiguous property.

CANOPY SIGN: A [sign](#) which is attached to or made an integral part of a canopy.

CENTERLINE: A line halfway between the [street lines](#).

CLEARANCE: The distance between the bottom of the [sign](#) face elevated above grade and the [grade](#) below.

CLINIC: A [building](#) or portion thereof, the [principal use](#) of which is for medical or dental study and/or treatment, and in which the services of professionals in the medical, veterinary or dental fields of practice are provided. This may also include [offices](#) for medical, dental, mental health, physical and occupational therapy; however, shall not include any in-patient care.

COMMISSION: City Plan Commission of Fort Dodge, Iowa.

COMPREHENSIVE PLAN: A document or series of documents prepared by the [Plan Commission](#) or City Planning Department setting forth policies for the future of the City and adopted by the [City Council](#) of Fort Dodge, Iowa.

CONVENIENCE STORE: An establishment whose principle business is the sale of a portion of or all of the following: edible foodstuff, beverages, petroleum products for immediate use in automobiles, and other consumer goods associated with the sale of such products.

COUNCIL: City Council of Fort Dodge, Iowa.

CURB LINE: The line at the face of the curb nearest to the [street](#) or roadway. In the absence of a curb, the curb line shall be established by the city engineer.

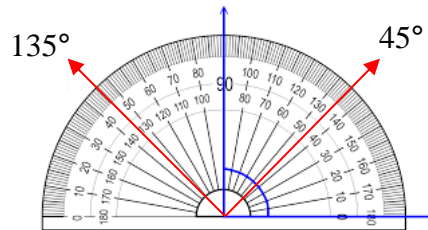
DAYCARE, ADULT: Any establishment providing for the care, supervision and protection of three or more adults, not to exceed 24 consecutive hours of care and where the persons are not residing on the premises.

DAYCARE, CHILD: An establishment providing for the care, supervision and protection of six or more children, not to exceed 24 consecutive hours of care and where the children are not residing on the premises. This definition applies to child day care facilities, nursery schools, child-care centers, and other similar facilities. [Special exception](#) for day care are not required where the facility meets the definition of [home occupation](#).

DECIDUOUS: A plant with foliage that is shed annually.

DECORATIVE METAL: Metals that are not only functional, but provide aesthetic appeal and ornamental details that take into account the character of the downtown. Decorative metals do not include steel or aluminum sheet metal typically used on industrial or agricultural outbuildings.

DEGREE OF TILT: The measure of slant a fixture has. The degree of tilt shall be calculated on the basis that 0° is horizontal to the ground and 90° is perpendicular to the ground (per image, below).



DENSITY: Number of living units per acre allowable under the provisions of this Ordinance.

DETACHED SIGN: A [sign](#) which is self-supporting and structurally independent from any [building](#).

DEVELOPMENT, NEW: Construction or expansion of a [building](#), [structure](#), parking lot or any impervious area.

DEVELOPMENT, REDEVELOPMENT: Construction of a [building](#), [structure](#), parking lot or any other impervious area on a previously developed area, not part of routine maintenance.

DIGITAL BILLBOARD: An [off-premise sign](#) capable of displaying multiple static images controlled by electronic communications.

DIRECTIONAL SIGN, OFF-PREMISES: A [sign](#) which is designed and erected on a [lot](#) solely to designate the location or direction of any area or place on another said [lot](#).

DIRECTIONAL SIGN, ON-PREMISES: A [sign](#) which is designed and erected on a [lot](#) solely to designate the location or direction of any area or place on that [lot](#).

DISTRICT: A designated geographic area of the City wherein regulations of this Ordinance are uniform.

DORMITORY: A [building](#) used as group living quarters for a student body or religious order run by a college, university, boarding school, convent, monastery or similar institution.

DOUBLE FRONTAGE/THROUGH LOT: A [lot](#) having a pair of opposite [lot](#) lines along two relatively parallel public rights-of-way, and that is not a corner [lot](#).

DUPLEX: A [building](#) containing two [dwelling units](#) only. ([Ord. 1627](#))

DWELLING: A “dwelling” is a [building](#), or portion thereof, with a minimum width of 22 feet, designed or used exclusively for residential occupancy with permanent frost-free footings, including [single-family dwellings](#), two-family dwellings, and [multiple-family dwellings](#), but not including [hotels](#) or boarding, [lodging](#) or rooming houses.

DWELLING, ATTACHED: An “attached dwelling” is one which is joined to another dwelling at one or more sides by a party wall or walls.

DWELLING, DETACHED: A “detached dwelling” is one which is entirely surrounded by open space on the same [lot](#).

DWELLING UNIT: A “dwelling unit” consists of one or more rooms which are arranged, designed, or used as living quarters for one family only. Individual bathrooms and complete kitchen facilities, permanently installed, shall always be included for each “dwelling unit”.

DWELLING, SINGLE FAMILY: A “single-family dwelling” is a [building](#) containing one [dwelling unit](#) only.

DWELLING, MULTIPLE FAMILY: A “multiple family dwelling” is a [building](#), or portion thereof, containing two or more [dwelling units](#).

EASEMENT: A right given by the owner of land to another party for specific limited use of the land.

EFFECTIVELY SCREENED: An area of planting which provides an effective visual barrier. For a single row the screen shall consist of Spruce, Fir, or Pine trees spaced at a maximum distance of 15 feet or a double staggered row of Spruce, Fir, or Pine spaced at a maximum interval of 20 feet within each row; for Arborvitae and Juniper the spacing shall be a double staggered row with maximum spacing of 10 feet within each row, or a single row with maximum spacing of 6 feet.

ELDER FAMILY HOME: A private household owned by a responsible party offering a social living arrangement for at least two but not more than five persons, the majority of whom are elders, who are not related within the third degree of consanguinity and who are not able or willing to adequately maintain themselves in an independent living arrangement, but who are essentially capable of physical self care.

ELECTRIC SIGN: A [sign](#) containing electrical wiring, but not including [signs](#) illuminated by an exterior light source.

ELECTRONIC CHANGEABLE COPY SIGN: An on-premise [sign](#) containing a computer or digital software generated message or other automated or remote method of changing copy.

EQUIPMENT SALES AND SERVICE: Establishments primarily engaged in the sale or rental of tools, small construction equipment, and similar industrial equipment. Included in this [use](#) type is the incidental storage, maintenance and servicing of such equipment.

EVERGREEN: A plant with foliage that persists and remains green year-round. Also referred to as conifers.

FAÇADE: The exterior wall of a [building](#) that fronts on or is visible from a [street](#) right of way. Not encompassing materials related to structural integrity of a [building](#).

FADE: A transition from one message to another by means of varying light intensity, where the first message gradually reduces intensity to the point of not being legible and/or gradually increases intensity to become legible.

FAMILY: One or more persons related by blood, marriage, or adoption occupying a single [dwelling unit](#). A family may include three, but not more than three persons not related by blood, marriage or adoption, but further provided that domestic employees employed on the premises may be housed on the premises without being counted as a family or families. ([Ord. 1563](#))

FAMILY HOME: A community based residential home which is licensed as a [residential care facility](#) under chapter 135C of the Code of Iowa or as a child foster care facility under chapter 237 of the Code of Iowa to provide room and board, personal care, habitation services and supervision in a family environment exclusively for not more than eight developmentally disabled persons and any necessary support personnel. Family Home does not mean an individual foster care family home licensed under chapter 237 of the Code of Iowa.

FENCE, SOLID: A fence with pickets or slats very close together forming a privacy panel. Each individual picket or slat shall not exceed eight inches in width. A chain link fence with slats is not a solid fence.

FLASHING: A pattern of changing light illumination where the [sign](#) illumination alternates suddenly between fully illuminated and fully non-illuminated for the purpose of drawing attention to the [sign](#).

FLOOR AREA, GROSS: The total area of all floors of a [building](#) as measured to the outside surface of exterior walls and including halls, stairways, elevator shafts, attached [garages](#), porches and balconies.

FLOOR AREA RATIO: The ratio of [gross floor area](#) permitted on a [lot](#) to the [buildable area](#) of the [lot](#).

FLOOR AREA RATIO – COMMERCIAL DISTRICTS: The total floor area of a [building](#) divided by the net area of buildable [lot](#) remaining after meeting [setback](#) requirements.

$$\text{F.A.R.} = \frac{\text{Total Building Floor Area}}{\text{Net Buildable Lot Area}} \\ \text{(percent)}$$

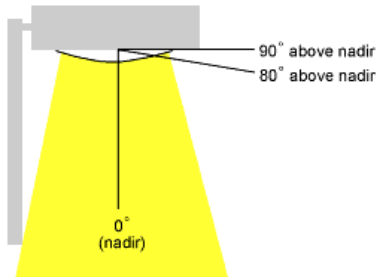
The Floor Area Ratio determines the total allowable floor area in commercial zones.

FLOWER: A small plant that has leaves and stems that die down at the end of the growing season to the soil level. No persistent woody stem remains above ground. These herbaceous plants may be annuals, biennials or perennials. A flower is not the same plant as a shrub or tree.

FRAME EFFECT: A visual effect on an [electronic message sign](#) applied to a single frame to transition from one message to the next.

FRONTAGE: The length in feet of a property line of any one premises abutting and parallel to a public [street](#).

FULL CUT-OFF FIXTURE: A [luminaire](#) light distribution where zero candela intensity occurs at an angle of 90 degrees above nadir, and at all greater angles from nadir. Additionally, the candela per 1000 lamp lumens does not numerically exceed 100 (10 percent) at a vertical angle of 80 degrees above nadir. This applies to all lateral angles around the [luminaire](#).



FUNERAL HOME: A [building used](#) for the preparation of the deceased for burial and the display of the deceased and rituals connected therewith before burial or cremation.

GARAGE: A [building](#) or portion thereof in which a motor vehicle containing gasoline, distillate or other volatile, flammable liquid in its tank is stored, repaired or kept.

GARAGE, PRIVATE: A [building](#) or part thereof [accessory](#) to a main [building](#) and providing for the storage of automobiles and in which no occupation or business for profit is carried on.

GARAGE, PUBLIC OR STORAGE: A [building](#) or part thereof other than a [private garage](#) for the storage of motor vehicles and in which service station activities may be carried on.

GRADE: The average level of the finished surface of the ground for [buildings](#) more than five feet from a [street line](#). For [buildings](#) closer than five feet to a [street](#) the grade is the sidewalk elevation at the center of the [building](#). If there is more than one [street](#) an average sidewalk elevation is to be used. If there is no sidewalk, the City Engineer shall establish the sidewalk grade.

GROUNDCOVER: Live plants that may include turf, vine, or other low-growing plants of a spreading habit. Plants of weed origin are not considered groundcover including dandelions, fox tail, thistles, or other similar weed plants.

GROUP HOME: A dwelling for the sheltered care of persons with special needs which, in addition to providing food and shelter, may also provide some combination of personal care, social or counseling services and transportation. This shall include shelters and [elder group homes](#).

HEALTH CARE FACILITY: Any residential care facility, intermediate care facility, or skilled nursing facility.

- a) “Residential Care Facility”—Any institution, place, [building](#) or agency providing for a period exceeding 24 consecutive hours accommodation, board, personal assistance and other essential daily living activities to three or more individuals, not related to the administrator or owner thereof within the third degree of consanguinity, who by reason of illness, disease, or physical or mental infirmity are unable to sufficiently or properly care for themselves but who do not require the services of a registered or licensed practical nurse except on an emergency basis.
- b) “Intermediate Care Facility”—Any institution, place [building](#) or agency providing for a period exceeding 24 consecutive hours accommodation, board and nursing services, the need for which is certified by a physician, to three or more individuals, not related to the administrator or owner thereof within the third degree of consanguinity, who by reason of illness, disease, or physical or mental infirmity require nursing services which can be provided only under the direction of a registered nurse on a 24 hour per day basis.
- c) “Skilled Nursing Facility”—Any institution, place, [building](#) or agency providing for a period exceeding twenty-four consecutive hours accommodation, board, and nursing services, the need for which is certified by a physician, to three or more individuals not related to the administrator or owner thereof within the third degree of consanguinity who by reason of illness, disease, or physical or mental infirmity require continuous nursing care services and related medical services, but do not require [hospital](#) care. The nursing care services provided must be under the direction of a registered nurse on a 24 hour per day basis.

HEAVY EQUIPMENT SALES AND SERVICE: Establishments primarily engaged in the sale, rental, or servicing of construction equipment or heavy machinery. Included in this [use](#) is the incidental storage, maintenance and servicing of such equipment.

HEIGHT-BUILDING: The vertical dimension measured from the average elevation of the finished [lot grade](#) at the front of the [building](#), to the highest point of ceiling of the top story in the case of a flat roof; to the deck line of a [mansard](#) roof; and to the average height between the plate and ridge of a gable, hip or gambrel roof.

HOME OCCUPATION: An occupation conducted in a [dwelling unit](#), provided that:

- a) No person other than members of the [family](#) residing on the premises shall be engaged in such occupation;
- b) The [use](#) of the [dwelling unit](#) for the home occupation shall be clearly incidental and subordinate to its [use](#) for residential purposes by its occupants, and not more than 25% of the [gross floor area](#) of the [dwelling unit](#) shall be [used](#) in the conduct of the home occupation;
- c) There shall be no change in the outside appearance of the [building](#) or premises, or other visible evidence of the conduct of such home occupation other than one [sign](#), not exceeding one square foot in area, non-illuminated, and mounted flat against the wall of the principal [building](#);
- d) No home occupation shall be conducted in any [accessory building](#);
- e) There shall be no sales in connection with such home occupation, except those made on the premises;
- f) No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met by providing off street parking and shall not be in a required [front yard](#);
- g) No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the [lot](#), if the occupation is conducted in a [single-family residence](#), or outside the [dwelling unit](#) if conducted in other than a [single-family residence](#). No equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or cause fluctuations in line voltage off the premises.

HOSPITAL: An institution which is devoted primarily to the maintenance and operation of facilities of the diagnosis, treatment or care over a period exceeding 24 hours of two or more non-related individuals suffering from illness, injury, or deformity, or a place which is devoted primarily to the rendering over a period exceeding 24 hours of obstetrical or other medical or nursing care for two or more non-related individuals or any institution, place, [building](#) or agency in which any accommodation is primarily maintained, furnished or offered for the care over a period exceeding 24 hours of two or more non-related aged

or infirm persons requiring or receiving chronic or convalescent care; and shall include sanatoriums or other related institutions. Provided, however, this shall not apply to [hotels](#) or other similar places that furnish only food and lodging or either, to their guests. “Hospital” shall include, in any event, any facilities wholly or partially constructed or to be constructed with federal financial assistance, pursuant to Public Law 725, 79th Congress, approved August 13, 1946*.

HOTEL: A [building](#) occupied as the more or less temporary residence of individuals who are lodged for compensation with or without meals, in which there are more than sixteen (16) sleeping rooms or suites of rooms with no provision made for cooking in any individual room or suite of rooms, and entrance is through a common lobby or office.

INDOOR RECREATION: Recreational activities such as a recreation center, bowling, roller skating, paintball, etc.; that are housed indoors.

INN: A [building](#) with no more than fifteen (15) sleeping rooms, which may include a [restaurant](#).

ILLUMINATED SIGN: A [sign](#) or [signs](#) with lighting sources installed for the primary purpose of improved visibility and/or attraction and/or any [sign](#) which is directly lighted by any electrical light source, internal or external, regardless of technology (this definition shall not include [signs](#) which are illuminated by [street](#) lights or other light sources owned by any public agency or light sources which are specifically operated for the purpose of lighting the area in which the [sign](#) is located rather than the [sign](#) itself) and is further “including but not limited to” defined as follows:

1. “Bare bulb illuminated [sign](#)” means illumination or emphasis of [sign](#) using unshielded bulbs.
2. “Direct flood illuminated [sign](#)” means illumination or emphasis of [sign](#) with visible flood lights.
3. “Flame illuminated [sign](#)” means illumination or emphasis of [sign](#) using open flame or torches as a light source.
4. “Flashing illuminated [sign](#)” means illumination or emphasis of [sign](#) using intermittent light source, including the illusion of intermittence through animation or other external light sources.
5. “Indirect illuminated [sign](#)” means sign using light source not visible directly to traffic beyond boundaries of the subject [lot](#).
6. “Internal illuminated [sign](#)” means sign using a light source concealed or contained within the [sign](#) and visible through a translucent surface.

7. “Neon or gas tube illuminated [sign](#)” means [sign](#) using a light source supplied by a neon or other gas tube, bent to form letters, symbols, and other shapes.

INSTITUTION: A nonprofit establishment for public use.

INTERIOR PROPERTY LINE: One that is adjacent to other private property and not along a public right of way.

JUNK YARD: An establishment or place of business which is maintained, operated, or [used](#) primarily for storing, keeping, buying or selling of old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber debris, waste, or junked, dismantled, or wrecked automobiles, or parts of automobiles, or iron, steel, or other old or scrap ferrous or non-ferrous material.

LANDSCAPE BED – An area comprised of 75% or more small plants or bushes.

LANDSCAPED AREA: An area not subject to vehicular traffic, which consists of living landscape material.

LAND-USE INTENSITY SYSTEM (LUI): An organized and comprehensive system for determining or controlling the intensity with which land is developed, replacing conventional fixed [yard](#), [height](#), spacing, etc., and [density](#) (lot area per [dwelling unit](#)) controls with more sensitive regulatory devices. Intended to widen developer options while maintaining public benefits, the LUI system is adopted to control planned residential developments. In addition to setting up minimum requirements for total [open space](#), it calls for “[livability space](#)”—landscaped pedestrian open space—and [recreation space](#). It recognizes the significance of having (or not having) permanent open space adjacent to the [lot](#). And the system is designed to be adapted to a variety of horizontal and vertical [building](#) configurations.

LIGHTING, DECORATIVE EXTERIOR: Lighting or fixture intended to add visual appeal to a [building](#), [signage](#) or landscaping, and is of a lower output than lighting intended for safety or security purposes.

L.U.I. DEFINITIONS: The following definitions are applicable only to this L.U.I. System as applied in the [RR](#) and [PD](#) Districts:

GROSS LAND AREA shall be computed as all area, except that to be devoted to nonresidential purposes, within [district](#) boundaries, plus half of the adjoining permanent open space such as [streets](#), parks, lakes, cemeteries, and the like, provided that width of such open space credited shall be limited to a number of feet equal to the L.U.I. rating applying to the land involved.

RESIDENTIAL LAND AREA shall be construed as all land for residential development and related [uses](#), including open space, within the [district](#). Such lands shall be construed to include [streets](#) entirely within residential portions of the

development, common open space, and lands accepted for dedication for public purposes. Residential land area shall not be construed to include lands not beneficial to residential [use](#) due to location or character, or areas [used](#) predominantly for commercial or other nonresidential purposes.

FLOOR AREA RATIO applied to gross land area determined the maximum amount of residential floor area allowable.

RESIDENTIAL FLOOR AREA shall be construed as the sum of areas for residential [use](#) on all floors of the [building](#) measured from the outside faces of the exterior walls, including halls, lobbies, stairways, elevator shafts, enclosed porches and balconies, and below-grade floor areas [used](#) for habitation and residential access.

Not countable as floor area are:

- a) Open [terraces](#), [patios](#), atriums, or balconies.
- b) Carports, [garages](#), breezeways, tool sheds.
- c) Special purpose areas for common [use](#) of occupants, such as recreation rooms or social halls.
- d) Staff space for therapy or examination in care housing.
- e) Basement space not [used](#) for living accommodations.
- f) Any commercial or other nonresidential space.

MAXIMUM LIMITATION: Maximum residential floor area shall not exceed the number of square feet derived by multiplying gross residential land area by the floor area ratio (FAR) applying in the land-use-intensity sector.

OPEN SPACE RATIO: The open space ratio is used in establishing minimum total open space requirements. Open space need not necessarily be at ground level, if appropriately improved. Total open space includes offsite space credited in computing gross land area.

- a) Open space if the total horizontal area of uncovered open space plus half the total horizontal area of covered open space subject to limitations set forth below.
- b) Uncovered open space is total gross residential land area not covered by [buildings](#), plus open exterior balconies and roof areas improved as recreation space.
- c) Covered open space is usable open space closed to the sky, but having two clear unobstructed open or partially open sides. Partially open is to be construed as 50% open or more. Examples of covered open space area are covered balconies, covered portions of improved roof areas, or spaces under [buildings](#) supported on columns or posts of cantilevered. The square feet

countable as covered open space shall not exceed the square footage of the open sides.

MINIMUM REQUIREMENT: Minimum open space required shall be not less than the number of square feet derived by multiplying gross residential land area by the open space ratio (OSR) applying in the land-use-intensity sector.

LIVABILITY SPACE: Livability space is part of total open space appropriately improved and located as outdoor living space for residents and for aesthetic appeal. Such space includes lawns and other [landscaped areas](#), walkways, paved [terraces](#) and sitting areas, outdoor recreational areas, and landscaped portions of [street](#) rights-of-way. Such space shall not be [used](#) for vehicles, except for incidental service maintenance, or emergency actions.

MINIMUM REQUIREMENT: Minimum livability space required shall be not less than the number of square feet derived by multiplying gross residential land area by the livability space ratio applying in the land-use-intensity sector.

RECREATION SPACE: Defined: Dimensional Specifications, Limitations on location. Recreation space, part of total and livability open space, is exterior area appropriately approved for common recreational use. In general, such space shall have at least dimension of 50 feet, an average dimension of 100 feet, and a minimum area of 10,000 square feet.

A smaller least dimension is acceptable if the recreation space is suitably improved roof area. A smaller dimension and area are acceptable if 10,000 square feet is more than the total needed, or in cases where anticipated needs of residents require smaller facilities, as, for example, tot lots.

Active recreational space for common use shall be at least 20 feet from any primary or secondary residential window at the same general level.

Minimum recreation space required shall be not less than the number of square feet derived by multiplying gross residential land area by the recreation space ratio (RSR) applying in the land-use-intensity sector.

CAR SPACE, OCCUPANT AND TOTAL:

- a) Occupant car space is parking space in a [garage](#), carport, or other offstreet parking area, together with appropriate [access](#) and maneuvering ways, available to residents without time limits.
- b) Total car space is occupant space plus other parking space available for unlimited or seldom-limited time periods, primarily for guests. Where curb parking on [streets](#) is permissible and likely to remain so, part or all of such guest parking requirements may be met by such curb parking.

Minimum Car Space Requirements: The occupant car ratio (OCR) and total car ratio (TCR) for the land-use-intensity sector times the number of [dwelling](#) and/or lodging units equals the number of occupant and total parking spaces required.

LODGING HOUSE: A “lodging house” is a [building](#) originally designed for or used as [single-family](#), two-family, or [multiple-family dwelling](#), all or a portion of which contains lodging rooms or rooming units which accommodate persons who are not members of the keeper’s family. Lodging or meals, or both, are provided. The term “lodging house” shall be construed to include: boarding house, rooming house, fraternity house, sorority house and [dormitories](#).

LOT: For purposes of this ordinance, a lot is a parcel of land of at least sufficient size to meet minimum zoning requirements for [use](#), coverage, and area, and to provide such [yards](#) and other open spaces as are herein required. Such lot shall have [frontage](#) on an improved public [street](#), or on an approved private [street](#), and may consist of:

- a) A single [lot of record](#);
- b) A portion of a [lot of record](#);
- c) A combination of complete [lots of record](#), or complete [lots of record](#) and portions of [lots of record](#), or of portions of [lots of record](#);
- d) A parcel of land described by metes and bounds; provided that in no case of division or combination shall any residual lot or parcel be created which does not meet the requirements of this Ordinance.

LOT FRONTAGE: The front of a [lot](#) shall be the portion nearest the [street](#). For the purpose of determining [yard](#) requirements on corner [lots](#) and through [lots](#), all sides of a [lot](#) adjacent to [streets](#) shall be considered [frontage](#), and yards shall be provided as indicated under [Yards](#) in this section.

LOT MEASUREMENTS:

- a) Depth of a [lot](#) shall be the distance between the midpoints of straight lines connecting the foremost points of the side [lot](#) lines in front and the rearmost points of the side [lots](#) lines in the rear.
- b) Width of a [lot](#) shall be the distance between straight lines connecting front and rear [lot](#) lines at each side of the [lot](#), measured across the [building](#) line, provided however that width between side [lot](#) lines at their foremost points (where they intersect with the [street line](#) or front property line) shall not be less than 80% of the required [lot](#) width except in the case of [lots](#) on the turning circle of cul-de-sac where 80% requirement shall not apply.

LOT OF RECORD: A [lot](#) which is part of a Subdivision recorded in the Office of the County Recorder, or a [lot](#) or parcel described by metes and bounds, and the description of which has been so recorded.

LUMINAIRE: This is a complete lighting system, and includes a lamp or lamps and a fixture.

MAJOR RECREATIONAL EQUIPMENT: Major recreational equipment is defined as including boats and boat trailers, snowmobiles and snowmobile trailers, travel trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers, and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not.

MANSARD. An inclined decorative roof-like projection that is attached to an exterior [building façade](#).

MECHANICAL UNIT: Mechanical equipment associated with [building](#) operations (e.g., H-VAC systems, meter banks, cooling units, etc.)

MERCANTILE (RETAIL) GOODS ESTABLISHMENT: Any establishment selling or displaying goods or merchandise to the general public for personal or household consumption. Services or stock of goods incidental to the sale of such goods may also be provided at such an establishment.

MERCANTILE (RETAIL) GOODS SALES, OUTDOOR: The display and sale of products and services outside of a [building](#) or [structure](#).

MINIMUM HEIGHT: The lowest vertical distance at which the [structure](#) can still operate at an efficient level of service. An efficient level of service is deemed to be 95% or greater of possible service levels.

MINI-WAREHOUSE FACILITIES: A [building](#) or group of [buildings](#), which are rented and designed, through individual compartments or controlled stalls, for self-storage purposes.

MONUMENT SIGN: An on-premise freestanding [sign](#) with the appearance of a solid base. The width of such base shall be at least seventy-five (75) percent of the width of the [sign](#).

MOTEL: (Also Motor Hotel, Motor Court, Motor Lodge, or Tourist Court)—A [building](#) or group of [buildings](#) designed to provide sleeping accommodations to transient guests for compensation, and provides near each guest room a parking space for the guest's vehicle. A swimming pool, [restaurant](#), meeting rooms, management [offices](#) and other such [accessory](#) facilities may be included.

MOTOR VEHICLE REPAIR: An establishment engaged in the maintenance, servicing, repair, or painting of motor vehicles whether licensed or unlicensed.

MOTOR VEHICLE SALES: Establishments with an open off-street area where two or more operable motor vehicles are stored or offered or displayed for sale or advertising purposes.

MULLION: A vertical or horizontal bar between the panes of glass in a window.

MULTIPLE USE FACILITIES: Wireless communication facilities that are shared with other existing or newly constructed uses, such as, but not limited to, (sports field lights, retail business highway signs, flag poles, or other shared competing communications facilities, etc.)

MUSEUM: An institution for the acquisition, preservation, study, and exhibition of works of artistic or historical value including historic homes that are open for touring. Temporary lodging for touring artists may be allowed when incidental to the aforementioned uses.

NONCONFORMITIES: [Lots](#), [structures](#), [uses](#) of land and [structures](#), or characteristics of [uses](#), which are prohibited under the terms of the Zoning Ordinance but were lawful at the date of the Ordinance's enactment.

NONCONFORMING SIGN: A [sign](#) that was legally erected prior to the adoption of this chapter but which violates the regulations of this chapter.

NUISANCE: Anything that interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses.

OFFICE: A [building](#) used primarily for conducting the affairs of a business, profession, service, industry, or government or like activity, it may include subsidiary services for office workers, such as a [restaurant](#), coffee shop, newspaper stand and child-care facilities.

OFF-PREMISE SIGN: A sign which directs attention to a business, profession, commodity, or service offered on property other than that on which the sign is located.

ON-PREMISE SIGN: A sign which directs attention to a business, profession, commodity, or service offered on the property on which the sign is located.

OUTDOOR RECREATION FACILITY: A privately or publicly owned or operated use providing permanent or recurring seasonal facilities for recreation activities that are carried on primarily outside of the [structure](#).

OUTDOOR STORAGE: The keeping of any goods, junk, wares, merchandise, materials (including salvaged materials), equipment, commodities, vehicles or any other item outside of a completely enclosed [building](#) for a continuous period longer than twenty-four (24) hours, enclosed or unenclosed.

OVERLAY ZONE: A set of zoning requirements imposed in addition to those of the

underlying base zone. Development in overlay zones must conform to the requirements of the overlay zone as well as those of the underlying base zone, unless modifications to base zone requirements are approved as a part of the overlay rezoning process.

OVERSTORY TREE: A self-supporting woody plant having at least one well defined stem or trunk and normally attaining a mature height and spread of at least thirty feet (30’), and having a trunk that may, at maturity, be kept clear of leaves and branches at least eight feet above grade.

PARAPET: The extension of a [building façade](#) above the line of the structural roof.

PARKING STRUCTURE: A [building](#) (or part thereof) which is designed specifically to be for automobile parking and where there are a number of floors or levels on which parking takes place.

PATIO: An area that is usually paved or flat to create a space for outdoor lounging, dining, or other similar recreation uses.

PERMITTED USE: A use by right which is specifically authorized in a particular [zoning district](#).

PLACES OF CIVIC OR RELIGIOUS ASSEMBLY: A [building](#) or [structure](#), or group of buildings or structures, that by design and construction are primarily intended for the conducting of organized meetings, public worship, and other religious activities, or other activities and [accessory uses](#) associated herewith, for non-commercial purposes.

POLE SIGN: An on-premise sign built on a freestanding frame, mast, or pole(s) with [clearance](#) greater than three feet, and where the support structure encompasses less than seventy-five (75) percent of the width of the sign.

POLITICAL SIGN: A sign installed for a limited period of time which displays information pertaining to an upcoming governmental subdivision, city, county, state, or federal election.

PORTABLE SIGN: Any sign not permanently attached to the ground or [building](#) and capable of being moved from place to place, including signs attached to vehicles and trailers and portable temporary attraction sign boards.

PREMISES: A tract of one or more [lots](#) or sites which are contiguous and under common ownership and control.

PRIMARY BUILDING FAÇADE: The [façade](#) facing the [street](#) that serves as the more prominent classification per the Iowa Department of Transportation’s Federal Functional Classification Map. Where classified the same on either [frontage](#) or corner, the City Engineer shall determine the primary and/or secondary [street](#).

PRINCIPAL USE: The main use of land or [structures](#) as distinguished from an [accessory use](#).

PRIVATE RECREATIONAL USES: A facility or [structure](#) belonging to, or restricted for the use or enjoyment of particular persons for purposes of recreation.

PROJECTION: The distance by which a sign extends over public property or beyond the [building](#) line.

PROJECTIONS (INTO YARDS): Parts of [buildings](#) such as architectural features that extend beyond the [building](#)'s exterior wall.

PROJECTING SIGN: A sign other than a wall sign, which projects from and is supported by a wall of a [building](#) or [structure](#).

PUBLIC BUILDINGS/FACILITIES: A [building](#) housing a use or a use conducted by, or a facility or [structure](#) owned or managed by, the government of the United States, the State of Iowa, Webster County or the City of Fort Dodge that provides a governmental function, activity, or service for public benefit.

REAL ESTATE SIGN: A temporary sign which is used exclusively for the sale or lease of the property upon which it is located.

RECONSTRUCTION, PARKING LOT: Any of the following activities: Creation of a dust-free parking lot (including all entrance, driving and maneuvering areas) including all or portions of the parking lot. Removal and replacement of more than 25% of the existing dust-free parking lot (within a contiguous area), due causes such as end of performance lifecycle or failure. Removal may include all or portions of material integral to the performance and durability of the surface. However, grinding down the existing surface for purposes of resurfacing is not considered a reconstruction.

RELIGIOUS ASSEMBLY: A [building](#) or place in which worship, ceremonies, rituals and education pertaining to a particular system of beliefs are held.

RESIDENTIAL-STYLE SIDING: A siding typically placed so as to create straight horizontal lines every 4"-12", and conventionally used in residential construction.

RESTAURANT: A retail services establishment where food and drink are prepared, served, and consumed primarily within the principal [building](#). Sale of alcoholic beverages may be included, but is secondary to the main business of serving food and are primarily served during a meal.

RESTAURANT, OUTDOOR: A dining area, on or near premises, located outdoors of a restaurant, coffee shop, café or other food service establishment and not in the public right-of-way.

RESURFACING, PARKING LOT: An existing dust-free parking lot (including all entrance, driving and maneuvering areas) where all or portions of the existing surface are repaired and/or covered with a new layer of pavement. May include grinding down the existing surface for purposes of resurfacing.

RETAIL SHOWROOM - Indoor display and warehousing of home furnishing items like furniture, floor coverings, cabinetry, and appliances.

RETAIL SERVICES ESTABLISHMENT: Any establishment providing services or entertainment, as opposed to products, to the general public for personal or household use.

RETAINING WALL: A wall that holds back ear or water. All retaining walls that exceed four (4) feet in height must be constructed per the current International Residential Code.

ROTATING SIGN: Any sign or portion of a sign which moves in a revolving or similar manner.

SANDWICH BOARD: A two-sided sign, typically shaped like an "A" and hinged at the top, that is not permanently attached to the ground.

SCROLL OR TRAVEL: A message transition where the message that is leaving or appearing appears to move vertically or horizontally across the display surface.

SECONDARY BUILDING FAÇADE: The [façade](#) facing the [street](#) serving as the less prominent classification per the Iowa Department of Transportation's Federal Functional Classification Map. Where classified the same on either [frontage](#) or corner, the City Engineer shall determine the primary and/or secondary [street](#).

SECONDARY OR TRIM MATERIAL: Material equaling less than 40% of the total combined area of the [building façade](#).

SETBACK: The required distance between every [structure](#) and [lot](#) line on the [lot](#) in which it is located.

SHRUB: A woody plant consisting of several small stems from the ground or small branches near the ground/ may be [deciduous](#) or [evergreen](#).

SIDEWALK CAFÉ - A regularly and frequently occurring outdoor area located on a public sidewalk which is contiguous with a side of a [building](#) wherein a [restaurant](#) is located or proposed to be located and where food and beverages from the associated [restaurant](#) are consumed by persons sitting or standing at tables in that area. If serving alcohol, then [restaurant](#) must hold a liquor control license exemption in accordance with the requirements of the Fort Dodge Municipal Code (§9.20).

SIDEWALK RETAIL DISPLAY AND SALES - A regularly and frequently occurring outdoor area located on a public sidewalk which is contiguous with a side of a [building](#)

wherein retail sales is located or proposed to be located. Alcohol shall not be sold in said area.

SIGN: Any letter, figure, character, mark, plane, point, marquee sign, design, poster, pictorial, picture, stroke, stripe, line, trademark, reading matter or illuminated service, which shall be constructed, placed, attached, painted, erected, fastened or manufactured in any manner whatsoever, so that the same shall be used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine or merchandise, whatsoever, which is displayed in any manner outdoors. Every sign shall be classified and conform to the requirements of that classification as set forth in this chapter.

SIGN AREA: The entire area within the largest single continuous perimeter enclosing the extreme limits of a sign face, but not passing through or between any elements of the sign. Sign area does not include any structure for support or service of the sign, or architectural elements of the [building](#). Sign area for wall, ground and [monument signs](#) are calculated as the area enclosing the extreme limits of the copy only. All area shall be calculated in square feet.

SIGN HEIGHT: For signs located in a [front yard](#), height is the vertical dimension measured from the grade of the sidewalk to the topmost point of the sign or [sign structure](#). Where no sidewalk exists, sidewalk grade is determined by the City Engineer. For signs located on other portions of a [lot](#), grade shall be the same as that for [buildings](#). Where no [building](#) exists, grade shall be determined at the sidewalk as if in a [front yard](#).

SIGN, MULTI-TENANT. A [detached sign](#) used to advertise businesses that occupy a [business complex](#) of two (2) or more tenants located on the same parcel or within an approved subdivision.

SIGN, REFACING. To renew, restore, replace, or repair the face or surface of a sign within the existing [sign structure](#) without changing area, dimensions, location, or other unrelated structural sign components.

SIGN, ROOF. A sign mounted on, and supported by, the main roof portion of a [building](#), or above the uppermost edge of a [parapet](#) wall of a [building](#) and which is wholly or partially supported by such a [building](#). Signs mounted on [mansard façades](#) or architectural projections shall not be considered to be roof signs.

SIGN STRUCTURE: Any structure which supports or is capable of supporting a sign as defined in this code. A sign structure is permitted to be a single pole and is not required to be an integral part of the [building](#).

SIGN TYPE: A functional description of the use of an individual sign. Sign types include but are not limited to: advertising, abandoned, attached, [awning](#), banner, [beacon](#), canopy, combination, detached, directional, [electric](#), electronic message board, ground, illuminated, [monument](#), moving, pole, political, portable, projecting, real estate sales, roof, temporary, wall, and window signs.

STREET: All property dedicated or intended for public or private [use](#) for [access](#) to abutting lands or subject to public [easements](#) therefore, and whether designated as a street, highway, thoroughfare, parkway, throughway, expressway, road, avenue, boulevard, lane, place, circle, or however otherwise designated.

STREET LINE: The right-of-way line of a [street](#).

STOREFRONT: The ground floor [façade](#) of a commercial [building](#), situated below the upper floor windows.

STORY: That portion of a [building](#) included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a [building](#) included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a basement, cellar or unused under-floor space is more than 6 feet above grade as defined herein for more than 50% of the total perimeter or is more than 12 feet above grade as defined herein at any point, such basement, cellar or unused under-floor space shall be considered a story.

STRUCTURE: Anything constructed or erected which requires location on the ground or attached to something having location on the ground, including signs and [billboards](#), but not including fences or walls used as fences.

STRUCTURAL ALTERATION: Any change in the supporting members of a [building](#), such as bearing walls or partitions, columns, beams or girders, or any complete rebuilding of the roof or the exterior walls.

SWIMMING POOL OR HOT TUB: All outdoor artificial or semi-artificial receptacles of either temporary or permanent construction, whether above ground or below ground, capable of containing water of a depth of twenty-four (24) inches or more, whether used for swimming or aesthetic purposes, but shall exclude man-made lakes or ponds created through the collection of storm water or drainage runoff.

TAVERN: An establishment other than a [restaurant](#) that is licensed to sell alcoholic beverages for consumption on premises. Food may or may not be served. Taverns may include but are not limited to saloons, brewpubs, bars, pubs, or cocktail lounges, which may or may not be associated with [restaurants](#).

TEMPORARY SIGN: Any sign, banner, pendant, valance, [sandwich board](#), collapsible sign, or advertising display constructed of cloth, canvas, light fabric, cardboard, wall board or other light materials, with or without frames that is 12 square feet or larger and intended to be displayed for a limited period of time only. [Portable signs](#) or any sign not permanently embedded in the ground, or not permanently affixed to a [building](#) or [sign structure](#) that is permanently embedded in the ground, are considered temporary signs.

TERRACE: Each of a series of flat areas made on a slope.

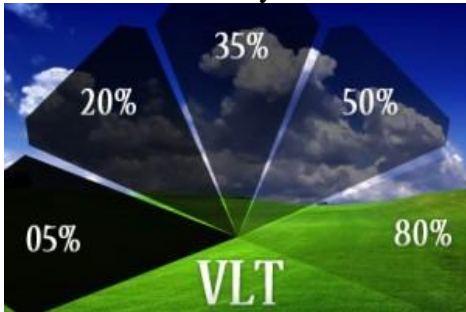
TOTAL PERMITTED SIGN AREA: The maximum permitted combined area of all on-premise signs allowed on a specific property.

THEATER, NON-PROFIT LIVE: A [building](#) or part of a [building](#) reserved for dramatic, dance, musical, or other live performances owned and operated by a non-profit corporation.

TOWN HOUSE: A one-family dwelling unit in a row of at least three (3) such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more vertical common fire-resistant walls.

TRANSOM: Window area that is part of a storefront, but situated above a door or another window.

TRANSPARENT: Glass having a minimum visible light transmittance (VLT) of 35% and maximum reflectivity of 25%.



TREE, SHADE: A woody plant, usually [deciduous](#), that normally grows with one main trunk and has a canopy that screens and filters the sun in the summer and winter, respectively.

TREE, UNDERSTORY: Assemblages of natural low-level woody, herbaceous, and ground cover species which exists in the area below the canopy of the trees.

USE: The purpose or activity for which a piece of land or its [buildings](#) is designed, arranged, or intended, or for which it is occupied or maintained.

VARIANCE: A device used by the [Board of Adjustment](#) which grants a property owner relief from certain provisions of a Zoning Ordinance when, because of the particular physical surroundings, shape, or topographical condition of the property, compliance would result in particular hardship upon the owner, as distinguished from a mere inconvenience or a desire to make more money and which condition is not of the owner's own making.

VEHICLE DISPLAY LOT: An open off-street area where two or more operable motor vehicles are stored or offered or displayed for sale or advertising purposes.

WALL SIGN: Any sign attached to or erected against the wall of a [building](#) or structure, with the exposed face of the sign in a plane parallel to the plane of said wall.

WAREHOUSING AND DISTRIBUTION: An establishment whose primary activity is the storage of residential, commercial, industrial, or other goods, including inventory and/or finished products, and dispatching of goods where no such goods are sold either at wholesale or at retail. This use does not include the storage and dispatching of goods incidental to a permitted primary use on the same [lot](#).

WASTE TIRES: Tires that are no longer suitable for their originally intended purpose, due to wear, damage, or defect (not including nonpneumatic tires).

WASTE TIRE COLLECTION SITE: If any of the following conditions exist, the site is determined to be a waste tire collection site. Storage, collection, or deposit of:

- 300 or more waste tires not stored in an enclosed [structure](#).
- 5,000 or more waste tires (cumulative) stored in one or more completely enclosed [structures](#), such as a [building](#) or semi-trailer.
- 50 or more waste tires stored on site for over 90 days.

WINDOW SIGN: A sign painted on or installed inside a window for the purpose of viewing from outside the premises.

YARD: A required open space other than a court occupied and unobstructed by any [structure](#) or portion of a [structure](#) from 30 inches above the general ground level of the graded [lot](#) upward, provided however that fences, walls, poles, posts, and their customary yard accessories, ornaments, and furniture may be permitted in any yard subject to height limitations and requirements limiting obstruction of visibility.

YARD, FRONT: An open unoccupied space on the same [lot](#) with a main [building](#), extending the full width of the [lot](#) and situated between the [street line](#) and the front line of the [building](#) project to the side lines of the [lot](#).

YARD, SECONDARY FRONT: On [lots](#) abutting two or more [streets](#) at their intersection, the Secondary Front Yard is typically the frontage that faces the longest [street](#) dimension of the [lot](#). Where square or almost square, the Secondary Front Yard shall be determined as outlined in [Section 17.08.01.D.1](#). The Secondary Front Yard consists of open unoccupied space on the same [lot](#) with a main [building](#), extending the full width of the [lot](#) and situated between the [street line](#) and the front line of the building project to the rear and front lines of the [lot](#).

YARD, SIDE: A yard extending from the rear line of the required [front yard](#) to the rear [lot](#) line, or in the absence of any clearly defined rear [lot](#) line to the point on the [lot](#) farthest from the intersection of the [lot](#) line involved with the public [street](#).

YARD, REAR: An open unoccupied space on the same [lot](#) with the [building](#) between the rear line of the [building](#) and the rear line of the [lot](#) and extending the full width of the [lot](#).

YARD, REAR FRONTAGE: On [double frontage or through lots](#), this is the portion of the yard that would typically be considered the Rear Yard; however, has a [street](#) frontage. Rear Frontage can often be determined based on which direction the majority of buildings on a block face. Further, the yard of a Rear Frontage typically consists of an open unoccupied space of the same [lot](#) with the principal [building](#), extending the full width of the [lot](#) and situated between the [street line](#) and the rear line of the building project to the side lines of the [lot](#).

ZERO LOT LINE: A zoning classification that allows a residential [duplex](#) to be constructed on one property line, with [setbacks](#) required only on the sides of the [structure](#) which do not abut the [lot](#) lines. One [dwelling unit](#) shall be constructed on each side of the zero lot line property line. All subdivisions shall be approved independently for zero lot line usage through the procedures utilized in all rezoning and upon said approval shall be so designated with the label ZL following the Subdivision name on the [District Map](#). ([Ord. 1627](#))

ZONING ADMINISTRATOR: The local Official responsible for granting Zoning Permits and following a determination by the Zoning [Board of Adjustment](#) for [special exceptions](#) and [variances](#). Decisions of the Official may be appealed to the [Board of Adjustment](#).

ZONING DISTRICT: A section of a City or County designated in the Zoning Ordinance text and delineated on the [Zoning Map](#) in which requirements for the use of land, the [building](#) and development standards are prescribed. Within each district, all requirements must be uniform.

ZONING MAP: The Map delineating the boundaries of districts which, along with the zoning text, comprises the Zoning Ordinance.

The following documents and agencies referenced herein are applicable to the extent specified:

- 1) EIA-222. Electronics Industries Association, Standard 222 Structural Standards for steel antenna towers and antenna support structures.
- 2) FAA. Federal Aviation Administration.
- 3) FCC, Federal Communications Commission.

17.04 – NON-CONFORMITIES

17.04 NON-CONFORMING LOTS, NON-CONFORMING USES OF LAND, NON-CONFORMING STRUCTURES, NON-CONFORMING USES OF STRUCTURES AND PREMISES, AND NON-CONFORMING CHARACTERISTICS OF USE.

17.04.01 Intent – within the districts established by this Ordinance there exists:

- a) [lots](#),
- b) [structures](#),
- c) uses of land and [structures](#), and
- d) characteristics of use,

which were lawful before this Ordinance was passed or amended, but which are prohibited, regulated, or restricted under the terms of this Ordinance or future amendment. It is the intent of this Ordinance to permit these non-conformities to continue until they are removed, but not to encourage their survival. It is further the intent of this Ordinance that non-conformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other [structures](#) or uses prohibited elsewhere in the same [district](#).

Non-conforming uses are declared by this ordinance to be incompatible with [permitted uses](#) in the districts involved. A non-conforming use of [structure](#), a non-conforming use of land, or a non-conforming use of [structure](#) and land in combination shall not be extended or enlarged after passage of this ordinance by attachment on a [building](#) or premises of additional signs intended to be seen from off the premises, or by the addition of other uses, of a nature which would be prohibited generally in the [district](#) involved.

To avoid undue hardship, nothing in this Ordinance shall be deemed to require a change in the plans, construction or designated use of any [building](#) on which actual construction was lawfully begun prior to the effective date of adoption of amendment of this Ordinance and upon which actual [building](#) construction has been carried on diligently. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner. Where excavation or demolition or removal of an existing [building](#) has been substantially begun preparatory to rebuilding, such excavation or demolition or removal shall be deemed to be actual construction, provided that work shall be carried on diligently.

17.04.02 Non-Conforming Lots of Record – In any [district](#) in which [single-family dwellings](#) are permitted, a [single-family dwelling](#) and customary [accessory buildings](#) may be erected on any single [lot of record](#) at the effective date of adoption or amendment of this Ordinance, notwithstanding limitations imposed by other provisions of this Ordinance. This provision shall apply even though such [lots](#) fails to meet the requirements for area or width, or both, of the [lot](#) shall conform to the regulations for the [district](#) in which such [lot](#) is located. [Variance](#) of yard requirements shall be obtained only through action of the [Board of Adjustment](#).

17.04.03 Non-Conforming Uses of Land (Or Land with Minor Structures Only) – Where at the time of passage of this Ordinance lawful use of land exists which would not be permitted by the regulations imposed by this Ordinance, and where such use involves no individual [structure](#) with a replacement cost exceeding \$1,000.00, the use may be continued so long as it remains otherwise lawful, provided:

- a) No such non-conforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Ordinance.
- b) No such non-conforming use shall be moved in whole or in part to any portion of the [lot](#) or parcel other than that occupied by such use at the effective date of adoption or amendment of this Ordinance.
- c) If any such non-conforming use of land ceases for any reason for a period of more than 30 days, any subsequent use of such land shall conform to the regulations specified by this Ordinance for the district in which such land is located.
- d) No additional [structure](#) not conforming to the requirements of this ordinance shall be erected in connection with such non-conforming use of land.

17.04.04 Non-Conforming Structures – Where a lawful [structure](#) exists at the effective date of adoption or amendment of this Ordinance that could not be built under the terms of this Ordinance by reason of restrictions on area, [lot](#) coverage, height, yards, its location on the [lot](#), or other requirements concerning the [structure](#), such [structure](#) may be continued so long as it remains otherwise lawful, subject to the following provisions:

- a) No such non-conforming [structure](#) may be enlarged or altered in such a way which increases its non-conformity, but any [structure](#) or portion thereof may be altered to decrease its non-conformity.
- b) Should such non-conforming [structure](#) or non-conforming portion of [structure](#) be destroyed by any means to an extent of more than 50% of its

replacement cost at time of destruction, it shall not be reconstructed except in conformity with the provisions of this Ordinance.

- c) Should such [structure](#) be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

17.04.05 Non-Conforming Uses of Structures or of Structures and Premises in Combination – If lawful use involving individual [structures](#) with a replacement cost of \$1,000 or more, or of [structure](#) and premises in combination, exists at the effective date of adoption or amendment of this Ordinance, that would not be allowed in the district under the terms of this Ordinance, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

- a) No existing [structure](#) devoted to a use not permitted by this ordinance in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or [structurally altered](#) except in changing the use of the [structure](#) to a use permitted in the district in which it is located except for existing manufacturing, assembly or repair shops (fully enclosed) as provided for in [Section 17.07.11.D.3](#).
- b) Any non-conforming use may be extended throughout any parts of a [building](#) which were manifestly arranged or designed for such use at the time of adoption or amendment of this Ordinance, but no such use shall be extended to occupy any land outside such [building](#).
- c) If no [structural alterations](#) are made, any non-conforming use of a [structure](#) or [structure](#) and premises, may as a [special exception](#) be changed to another non-conforming use provided that the [Board of Adjustment](#), either by general rule or by making findings in the specific case, shall find that the proposed use is equally appropriate or more appropriate to the district than the existing non-conforming use. In permitting such change, the [Board of Adjustment](#) may require appropriate conditions and safeguards in accord with the provisions of this Ordinance.
- d) Any [structure](#), or [structure](#) and land in combination, in or on which a non-conforming use is superseded by a [permitted use](#), shall thereafter conform to the regulations for the district, and the non-conforming use may not thereafter be resumed.
- e) When a non-conforming use of a [structure](#), or [structure](#) and premises in combination, is discontinued or abandoned for 12 consecutive months or for 18 months during any three-year period (except when government action impedes [access](#) to the premises) the [structure](#), or [structure](#) and premises in

combination, shall not thereafter be used except in conformity with the regulations of the district in which it is located.

- f) When non-conforming use status applies to a [structure](#) and premises in combination, removal or destruction of the [structure](#) shall eliminate the non-conforming status of the land. Destruction for the purpose of this subsection is defined as damage to an extent of more than 50% of the replacement cost at time of destruction, except in the [Downtown District](#) where any damaged [structure](#) for existing manufacturing, assembly or repair shops (fully enclosed) may be replaced as provided for by [special exception](#).

17.04.06 Repair and Maintenance – On any non-conforming [structure](#) or portion of a [structure](#) containing a non-conforming use, work may be done in any period of 12 consecutive months on ordinary repairs, or on repair or replacement of non-bearing walls, fixtures, wiring, or plumbing, to an extent not exceeding 10% of the current replacement cost of the non-conforming [structure](#) or non-conforming portion of the [structure](#) as the case may be, provided that the cubic content existing when it became non-conforming shall not be increased. In the case of those existing manufacturing, assembly or repair shops (fully enclosed) allowed by [Section 17.07.11.D.3](#) in the [Downtown District](#), this provision shall not apply.

If a non-conforming [structure](#) or portion of a [structure](#) containing a non-conforming use becomes physically unsafe or unlawful due to lack of repairs or maintenance, and is declared by any duly authorized official to be unsafe or unlawful by reason of physical condition, it shall not thereafter be restored, repaired, or rebuilt except in conformity with the regulations of the district in which it is located.

Nothing in this Ordinance shall be deemed to prevent the strengthening or restoring to a safe condition of any [building](#) or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

17.04.07 Uses Under Special Exception Provisions Not Non-Conforming Uses – Any use which is permitted as a [special exception](#) in a district under the terms of this Ordinance (other than a change through [Board of Adjustment](#) action from a non-conforming use to another use not generally permitted in the district) shall not be deemed a non-conforming use in such district, but shall without further action be considered a conforming use.

17.06 – BOARD OF ADJUSTMENT

17.06.01 BOARD OF ADJUSTMENT: ESTABLISHMENT AND PROCEDURE:

- A. There is herewith established a Board of Adjustment. Said Board of Adjustment may in appropriate cases and subject to appropriate conditions and safeguards make [special exceptions](#) to the terms of the Ordinances in harmony with its general purpose and intent and in accordance with general or specific rules therein contained and provide that any property owner aggrieved by the action of the [Council](#) in the adoption of such regulations and restrictions may petition the said Board of Adjustment directly to modify regulations and restrictions as applied to such property owners.

The Board of Adjustment shall consist of five members each to be appointed, by the Mayor with the consent of the [City Council](#), for a term of five years, excepting that when the Board shall first be created one member shall be appointed for a term of five years, one for a term of two years, and one for a term of one year. Members shall be removable for cause by the appointing authority upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant.

- B. Proceedings of the Board of Adjustment – The Board of Adjustment shall adopt rules necessary to the conduct of its affairs and in keeping with the provisions of this Ordinance. Meetings shall be held at the call of the Chairman and at such other time as the Board may determine. The Chairman, or in his absence the Acting Chairman, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public.

The Board of Adjustment shall, through its Secretary, keep minutes of its proceedings, showing the vote of each member upon each question or if absent or failing to vote indicating such fact, and shall keep records of its examination and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record. All actions of the Board concerning appeals, [special exceptions](#) or [variances](#) shall also be recorded in the office of the County Recorder. It shall be the responsibility of the appellant to record said action and all corresponding stipulations and further said action shall take effect upon the Board receiving sufficient confirmation of the same. A copy of said action shall also be filed in the office of the Administrative Official.

- C. Hearings; Appeals; Notice – Appeals to the Board of Adjustment concerning interpretation of administration of this Ordinance may be taken

by any person aggrieved or by any officer or bureau of the governing body of the City affected by any decision of the Administrative Official and with the Board of Adjustment a notice of appeal specifying the grounds thereof. The Administrative Official shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken.

The Board shall fix a reasonable time for the hearing of the appeal, and give at least 7 and not more than 20 days public notice thereof by the posting of not less than one sign of at least nine square feet in area with white background and black letters at least three inches high containing notice of the hearing in a conspicuous place on or near the property upon which application for appeal is made, as well as due notice to the parties in interest, and decide the same within 30 days. At said hearing, any party may appear in person, by agent or by attorney.

- D. Stay of Proceedings – An appeal stays all proceedings in furtherance of the action appealed from, unless the Administrative Official from whom the appeal is taken certifies to the Board of Adjustment after the Notice of Appeal is filed with him, that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life and property. In such case proceedings shall not be stayed other than by a restraining order which may be granted by the Board of Adjustment or by a court of record on application, on notice to the Administrative Official from whom the appeal is taken and on due cause shown.

17.06.02 THE BOARD OF ADJUSTMENT: POWERS AND DUTIES

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

- A. Administrative Review – To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Administrative Official in the enforcement of this Ordinance.
- B. Special Exceptions: Conditions Governing Applications; Procedures – To hear and decide only such special exceptions as the Board of Adjustment is specifically authorized to pass on by the terms of this Ordinance; to decide such questions as are involved in determining whether special exceptions should be granted; and to grant special exceptions with such conditions and safeguards as are appropriate under this ordinance, or to deny special exceptions when not in harmony with the purpose and intent of this Ordinance. A special exception shall not be granted by the Board of Adjustment unless and until:
 - 1. A written application for a special exception is submitted indicating the section of this Ordinance under which the special exception is sought and stating the grounds on which it is requested.

2. The owner of the property for which special exception is sought or his agent shall be notified by mail of the time and date of the hearing. Notice of such hearings shall be posted on the property for which special exception is sought consisting of not less than one sign of at least nine square feet in area with white background and black letters at least three inches high containing notice of the hearing in a conspicuous place on or near the property, at the City Hall, and in a newspaper of general circulation in the City; at least 7 days and not more than 20 days prior to the Public Hearing.
 3. The public hearing shall be held. Any party may appear in person, or by agent or attorney.
 4. The Board of Adjustment shall make a finding that it is empowered under the section of this ordinance described in the application to grant the special exception, that the granting of the special exception will not adversely affect the public interest.
- C. [Variance](#), Conditions Governing Application; Procedures – To authorize upon appeal in specific cases such [variance](#) from the terms of this ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this ordinance would result in unnecessary hardship. A [variance](#) from the terms of this ordinance shall not be granted by the Board of Adjustment unless and until:
1. A written application for a [variance](#) is submitted demonstrating:
 - a. that special conditions and circumstances exist which are peculiar to land, [structure](#), or [building](#) involved and which are not applicable to other lands, [structures](#), or [buildings](#) in the same district.
 - b. That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance.
 - c. That the special conditions and circumstances do not result from the actions of the applicant.
 - d. That granting the [variance](#) requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, [structures](#), or [buildings](#) in the same district.

No non-conforming use of neighboring lands, [structures](#), or [buildings](#) in the same district, and no permitted or non-conforming use of land, [structures](#), or [buildings](#) in other districts may be considered grounds for the issuance of a [variance](#).

2. Notice of Public Hearing shall be given as in [Section 17.06.01](#).
3. The Public Hearing shall be held. Any party may appear in person, or by agent or by attorney.
4. The Board of Adjustment shall make findings that requirements of [Section 17.06.02](#) have been met by the applicant for a [variance](#).
5. The Board of Adjustment shall further make a finding that the reasons set forth in the application justify the granting of the [variance](#), and that the [variance](#) is the minimum [variance](#) that will make possible the reasonable use of the land, [building](#), or [structure](#).
6. The Board of Adjustment shall further make a finding that the granting of the [variance](#) will be in harmony with the general purpose and intent of this ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

In granting any [variance](#), the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this Ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the [variance](#) is granted, shall be deemed a violation of this Ordinance and punishable under [Section 17.09.03](#) of this Ordinance.

Under no circumstances shall the Board of Adjustment grant a [variance](#) to allow a use not permissible under the terms of this Ordinance in the district involved or any use expressly or by implication prohibited by the terms of this ordinance in said District.

- D. Board has Powers of Administrative Official on Appeals: Reversing Decision of Administrative Official – In exercising the above mentioned powers, the Board of Adjustment may, so long as such action is in conformity with the terms of this Ordinance, reverse or affirm wholly or partly, or may modify the order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the administrative official from whom the appeal is taken.

The concurring vote of three members of the Board shall be necessary to reverse any order, requirement, decision, or determination of the administrative official, or to decide in favor of the applicant or any matter

upon which it is required to pass under this ordinance, or to effect any variation in the application of this ordinance.

17.06.03 APPEALS FROM THE BOARD OF ADJUSTMENT

Any person or persons, or any board, taxpayer, department, board or bureau of the City aggrieved by any decision of the Board of Adjustment may seek review by a court of record of such decision, in the manner provided by the laws of the State and particularly by Chapter 414, Code of Iowa.

17.07 – DISTRICT REGULATIONS

17.07.01 DISTRICTS ESTABLISHED

The City is herewith divided into the following [Districts](#):

- AG - [Agricultural District](#)
- CN - [Conservation District](#)
- RS - [Residential Single Family District](#)
- RM - [Residential Multiple Family District](#)
- RR - [Residential Redevelopment District](#)
- MH - [Mobile Home District](#)
- HM - [Hospital Medical District](#)
- OC - [Office Commercial District](#)
- AC - [Arterial Commercial District](#)
- D - [Downtown District](#)
- SC - [Shopping Center Commercial District](#)
- LI - [Light Industrial District](#)
- HI - [Heavy Industrial District](#)
- PD - [Planned Development District](#)
- RH - [Residential Historical District](#)
- O-CG - [Overlay-Corridor Gateway District](#)
- O-CC - [Overlay-Corridor Commercial District](#)
- O-CR - [Overlay-Corridor Residential District](#)
- O-DG - [Overlay-Downtown Gateway District](#)

17.07.02 AG – AGRICULTURAL DISTRICT

- A. **INTENT:** This [district](#) is intended to provide for areas in which agriculture and related [uses](#) are encouraged as the [principal use](#) of land. However, [uses](#) which may be offensive to the surrounding area or to the community as a whole by reasons of noise, dust, smoke, odor, traffic or physical appearance or other similar factors are not permitted. The [district](#) prohibits urban density residential [use](#) until these areas may be served by utilities and services of the City. This [district](#) is also intended to preserve land suited for eventual development into other [uses](#), pending proper timing for economical and practical provisions of [streets](#), utilities, schools and other facilities so that reasonable compact development will occur and the fiscal integrity of the City is preserved. All newly annexed areas to the City will automatically be placed into this [district](#) classification unless otherwise suitably classified.
- B. **PERMITTED USES:** The following [uses](#) are permitted in the AG District:
1. Agriculture, including the usual agricultural [buildings](#) and [structures](#) and excluding offensive [uses](#).
 2. Wireless Communication in accordance with [Section 17.08.02](#) of this Ordinance.
- C. **ACCESSORY USES:** [Uses](#) of land or [structure](#) customarily incidental and subordinate to a [permitted use](#) in the AG District.
1. Living quarters of persons employed on the premises and not rented or otherwise [used](#) as a separate [dwelling](#).
 2. [Private garages](#), barns and other farm [buildings](#).
 3. Customary incidental [home occupations](#).
 4. Roadside stands offering for sale only agricultural products or other products produced on the premises.
 5. Temporary [buildings](#) for the [uses](#) incidental to construction work which [buildings](#) shall be removed upon the completion or abandonment of the construction work.
- D. **SPECIAL EXCEPTIONS:** Certain [uses](#) may be permitted in the AG District subject to specific conditions and requirements intended to make them compatible with and acceptable to adjacent [uses](#).
1. Cemeteries, crematories or mausoleums.
 2. Commercial kennels.

3. Stables, private or public.
 4. Greenhouses and nurseries.
 5. Mining and extraction of minerals or raw materials.
 6. Publicly operated sanitary landfills.
 7. Private recreational camps, golf courses and recreational facilities.
 8. Public or private utility substations, relay stations, etc.
 9. Airport and landing field.
 10. Churches and [public owned and operated buildings and facilities](#).
 11. Public parks and recreation open space.
 12. Wireless Communication Structures in accordance with [Section 17.08.02](#) of this Ordinance.
- E. **BULK REGULATIONS:** The following requirements shall provide for light and air around [permitted uses](#) and [buildings](#) in the AG District.
1. Minimum [lot](#) area
[dwellings:](#) 2 acres
[other uses:](#) 5 acres
 2. Minimum [lot](#) width
[dwellings:](#) 150 feet
[other uses:](#) 200 feet
 3. Minimum [front yard](#)
[dwellings:](#) 50 feet
[other uses:](#) 50 feet
 4. Minimum [side yard](#)
[dwellings:](#) 15 feet
[other uses:](#) 25 feet
 5. Minimum [rear yard](#)
[dwellings:](#) 40 feet
[other uses:](#) 40 feet

6. Maximum height – the lesser of
 - dwellings: 2 ½ stories or 35 feet
 - other uses: 2 ½ stories or 35 feet, excluding farm buildings
 7. Floor area ratio: Non-residential uses shall provide a floor area ratio of 0.50 excluding the required yard area.
- F. OFFSTREET PARKING: The following offstreet parking requirements shall apply in the AG District.
1. Dwellings: Two (2) parking spaces on the lot for each living unit in the building. For dwellings not consisting of living units, two parking spaces on the lot for each 1,000 square feet of floor area.
 2. Churches: One (1) parking space on the lot for each 5 seats in the main auditorium.
 3. Public buildings and facilities: One (1) parking space for each 300 square feet of gross floor area.
 4. Roadside stands: One (1) parking space for each 50 square feet of floor area.
 5. Greenhouses and nurseries: One (1) parking space per 1,000 square feet of enclosed floor area.
- G. OFFSTREET LOADING: The following offstreet loading requirements shall apply in the AG District:
1. All activities or uses allowed in the AG District shall be provided with adequate receiving facilities accessible by motor vehicle off any adjacent service drive or open space on the same zoning lot.
 2. Loading shall not be permitted to block public right-of-way.

17.07.03 CN – CONSERVATION DISTRICT

- A. **INTENT:** This district is intended to prevent, in those areas which are subject to periodic or potential flooding, such development as would result in a hazard to health or safety or be otherwise incompatible with the public welfare. This district is also intended to provide for water conservation, erosion control, protection of wildlife habitat, protect natural erosion control, protect natural drainage ways and to generally provide for ecologically sound land use of environmentally sensitive areas. It is noted, however, that there is a floodway fringe created by separate City Ordinance by which this specific area is further regulated.

- B. **PERMITTED USES:** The following uses are permitted in the CN District:
 - 1. Undeveloped and unused land in its natural condition.
 - 2. Public parks and recreation open space and trails, boat ramps, fishing piers and similarly compatible uses and facilities normally found in public parks.
 - 3. Outdoor sale and consumption of foods and/or alcoholic beverages.

- C. **ACCESSORY USES:** Uses of land or structure customarily incidental and subordinate to a permitted use in the CN District.
 - 1. Agriculture
 - 2. Agricultural or recreational buildings or structure whose use or value would not be impaired by being flooded.
 - 3. Flood control structures.
 - 4. Roadside stands offering for sale only agricultural products or other products produced on the premises.
 - 5. Temporary buildings for the uses incidental to construction work which buildings shall be removed upon the completion or abandonment or the construction work.

- D. **SPECIAL EXCEPTIONS:** Certain uses may be permitted in the CN District subject to specific conditions and requirements intended to make them compatible with and acceptable to adjacent uses.
 - 1. Cemeteries, crematories and mausoleums.
 - 2. Stables, private or public.
 - 3. Greenhouses and nurseries.

4. Private recreational [uses](#).
 5. Public or private utility – substations, relay stations, etc.
 6. [Public buildings/facilities](#).
 7. Wireless Communication Structures in accordance with [Section 17.08.02](#) of this Ordinance.
- E. **BULK REGULATIONS**: The following requirements shall provide for light and air around [permitted uses](#) and [buildings](#) in the CN District:
1. Minimum [lot](#) area: 5 acres
 2. Minimum [lot](#) width: 200 feet
 3. Minimum [front yard](#): 50 feet
 4. Minimum [side yard](#): 25 feet
 5. Minimum [rear yard](#): 40 feet
 6. Maximum [Height](#): 2 ½ stories or 35 feet, excluding farm [buildings](#)
 7. [Floor area ratio](#): Non-residential [uses](#) shall provide a [floor area ratio](#) of 0.05 excluding the required [yard](#) areas.
- F. **OFFSTREET PARKING**: The following offstreet parking requirements shall apply in the CN District:
1. Roadside stands: One parking space for each 50 square feet of floor area.
 2. Greenhouses and nurseries: One parking space per 1,000 square feet of enclosed floor area.
- G. **OFFSTREET LOADING**: The following offstreet loading requirements shall apply in the CN District:
1. All activities or [uses](#) allowed in the CN district shall be provided with adequate receiving facilities accessible by motor vehicle off any adjacent service drive or open space on the same zoning [lot](#).
 2. Loading shall not be permitted to block public right-of-way.

17.07.04 RS – RESIDENTIAL SINGLE FAMILY DISTRICT

- A. **INTENT:** This district is intended to provide for a variety of single family residential areas where public utilities and services are available and to encourage a suitable living environment through the promotion of public health, safety and welfare. Low and medium population density neighborhoods are recognized and provided for by varying the minimum bulk regulations. Criteria such as topography, soil types, access, traffic land on streets, schools, utilities, recreation and other public facilities shall be taken into consideration when the lot area requirement is established for the various single family residential areas of the city.
- B. **PERMITTED USES:** The following uses are permitted in the RS District:
1. Single family detached dwellings.
 2. Duplex, (when built in an approved subdivision for zero lot line housing, and when built under zero lot line requirements). *See definition and supplementary regulations. (Ord. 1627)
 3. Public parks and recreation open spaces.
 4. Family Homes and Elder Family Homes.
- C. **ACCESORY USES:** Uses of land or structure customarily incidental and subordinate to a permitted use in the RS District:
1. Private garages.
 2. Home occupation.
 3. Vegetable and flower gardens.
 4. Raising and keeping of animals and fowl, but not on a commercial basis or on a scale objectionable to neighbors; the keeping or raising of pigs, sheep, goats, cattle or horses is prohibited except on premises containing 2 acres or more and except within an enclosure at least 100 feet from any residence now existing or hereafter erected.
 5. Private recreational facilities.
 6. Temporary buildings for the use incidental to construction work which buildings shall be removed upon the completion or abandonment of the construction work.

- D. [SPECIAL EXCEPTIONS](#): Certain [uses](#) may be permitted in the RS District subject to specific conditions and requirements intended to make them compatible with and acceptable to adjacent [uses](#).
1. Nursery schools and Day Care operations.
 2. Public or private utility-substations, relay stations, etc.
 3. Churches and [public owned and operated buildings and facilities](#).
 4. Private schools with a curriculum similar to public schools.
 5. Golf courses – but not miniature courses or separate driving tees.
 6. [Offices](#) of private non-profit corporations and associations in existing, non-residential [structures](#).
 7. Off-site Parking Areas - In the application for [special exception](#), the applicant shall provide plans that demonstrate how the requirements listed below will be met. The [Board of Adjustment](#) shall make findings regarding the following requirements in their determination regarding the [special exception](#).
 1. The [lot](#) (parcel) occupied by the off-site parking area shall be located within 100’ at their closest points from the [lot](#) occupied by the [principal use](#).
 2. Visual screening and landscaping shall be provided to ensure the compatibility of the parking lot with the surrounding properties. Landscaping and greenspace shall comprise at least 25% of the gross area of the [lot](#).
 3. Greenspace width requirements to be provided as specified in [Section 17.08.03.G.12.c/Table 17.08.03-2](#). Paved surfacing shall be used, and the diagram shall state which type, whether concrete or asphalt. The parking lot shall be designed to adequately manage run off.
 4. The property of such parking facilities shall be in the same possession as the [lot](#) occupied by the [building](#) or [use](#) to which the parking facilities are [accessory](#).
 8. Wireless Communication Structures in accordance with [Section 17.08.02](#) of this Ordinance.

E. **BULK REGULATIONS:** The following requirements shall provide for light and air around permitted residential [uses](#) and [buildings](#) in the RS District:

	a.		b.		c.		d.		e.
Zoning symbol	Min. lot area	Units/gross acre	Min. lot width		Min. front yard		Min. side yard		Min. rear yard
	(sq. ft.)		(feet)		(feet)		(feet)		(feet)
4RS*	4,000	(10)	40		20		4		20
6RS	6,000	(7)	60		20		6		20
8RS	8,000	(5)	80		25		6		25
10RS	10,000	(4)	100		25		10		25
15RS	15,000	(3)	150		25		10		25
6RS- ZL (Interior Lots)	4,000	(10)	35		20		6		20
6RS (Corner Lots)	5,000	(8)	50		20		6		20

No [sideyard variances](#) shall be granted where the use of [ZLL](#) provisions are utilized. ([Ord. 1627](#))

* to recognize existing [lots of record](#) at the time of Ordinance adoption.

1. Maximum [height](#) – the lesser of 2 ½ stories or 35 feet.
2. [Floor area ratio](#): the following non-residential [uses](#) shall meet the minimum area, width, [yard](#) and maximum [height](#) requirements of the [15 RS](#) zoning area shown above, and all provide the following [floor area ratio](#) excluding the required [yard](#) areas:
 - (1) Educational and cultural institutions, 1.0.
 - (2) Recreational and social [buildings](#), 1.0.
 - (3) Churches and [public buildings](#), 1.0.

F. **OFFSTREET PARKING:** The following offstreet parking requirements shall apply in the RS District. Parking spaces shall be provided on the same [lot](#) as the primary [structure](#). However, if the [lot](#) lacks adequate space to fulfill the parking requirement, the requirement may be met through an off-site parking lot if a [special exception](#) is granted to do so as described in the [special exception section](#) of these [district](#) regulations. The [use\(s\)](#) being served by the off-site parking lot shall be

permitted or [special exception use](#)(s) that are also allowed for the parking lot's respective zoning classification.

1. [Dwellings](#): 2 parking spaces on the [lot](#) for each living unit in the [building](#). For [dwellings](#) not consisting of living units: 2 parking spaces on the [lot](#) for each 1,000 square feet of floor area.
2. Churches: 1 parking space on the [lot](#) for each 5 seats in the main [auditorium](#).
3. Elementary, junior high and equivalent private or parochial schools: 1 parking space for each classroom and office plus 1 parking space for each 300 square feet of [gross floor area](#) in [auditorium](#) or gymnasium.
4. Senior high school and equivalent private or parochial schools: 1 parking space for each employee and 1 parking space for each 10 students.
5. Colleges, universities and equivalent private or parochial schools: 1 parking space for each employee and 1 parking space for each 5 students.
6. [Public buildings and facilities](#): 1 parking space for each 30 square feet of [gross floor area](#).
7. [Nursery schools](#): 1 parking space per employee.

- G. **PARKING AND STORAGE OF CERTAIN VEHICLES**: No [major Recreational Equipment](#) shall be parked or stored on any [lot](#) except in a carport or enclosed [building](#) or behind the required [front yard setback](#) lines unless it is parked on a designated hard surfaced driveway in the required [front yard](#), provided however, that such equipment may be parked anywhere on a residential premises for not to exceed 24 hours during loading or unloading.

Automotive vehicles or trailers of any kind or type without current license plates shall not be parked or stored on any [lot](#) other than in completely enclosed [buildings](#). No automotive vehicle or trailers of any kind shall be parked or stored on any [lot](#) in this [district](#) in a required [front yard](#) except when parked on a designated hard surfaced driveway. For single family [detached dwellings](#) and [duplexes](#), all new driveways shall meet requirements as set out in [17.08.01.K](#), of this Ordinance. No vehicle of any kind shall be parked on public or private property so as to create a safety hazard with pedestrian or vehicular traffic.

- H. **OFFSTREET LOADING**: The following offstreet loading requirements shall apply in the RS District:

1. All activities or [uses](#) allowed in the RS District shall be provided with adequate receiving facilities accessible by motor vehicle off any adjacent service drive or open space on the same zoning [lot](#).

2. Loading shall not be permitted to block public right-of-way.

17.07.05 RM – RESIDENTIAL MULTI-FAMILY DISTRICT

- A. **INTENT:** This district is intended to provide for a variety of multi-family residential areas where public utilities and services are available and to encourage a suitable living environment through the promotion of public health, safety and welfare. Medium and high population density neighborhoods are recognized and provided for by varying the minimum bulk regulations. Criteria such as topography, soil types, access, traffic load on streets, schools, utilities, recreation and other public facilities shall be taken into consideration when the lot area requirement is established for the various multi-family residential areas of the city.
- B. **PERMITTED USES:** The following uses are permitted in the RM District:
1. Single family detached and attached dwellings.
 2. Duplex, (when built in an approved subdivision for zero lot line housing and when building under zero lot line requirements). *See definition and supplementary regulations. (Ord. 1627)
 3. Multi-family dwellings.
 4. Public parks and recreation open space.
 5. Health Care Facilities (residential and intermediate).
 6. Family Home and Elder Family Home.
- C. **ACCESSORY USES:** Uses of land or structure customarily incidental and subordinate to a permitted use in the RM District:
1. Private garages.
 2. Parking lots.
 3. Home occupation.
 4. Vegetable and flower gardens.
 5. Raising and keeping of animals and fowl, but not on a commercial basis or on a scale objectionable to neighbors; the keeping or raising of pigs, sheep, goats, cattle or horses is prohibited except on premises containing 2 acres or more and except within an enclosure at least 100 feet from any residence now existing or hereafter erected.
 6. Private recreational facilities.

7. Temporary [buildings](#) for the use incidental to construction work which [buildings](#) shall be removed upon the completion or abandonment of the construction work.
- D. [SPECIAL EXCEPTIONS](#): Certain [uses](#) may be permitted in the RM District subject to specific conditions and requirements intended to make them compatible with and acceptable to adjacent uses.
1. [Nursery schools](#) and Day Care operations.
 2. Public or private utility substations, relay stations, etc.
 3. Churches and [public owned and operated buildings and facilities](#).
 4. Private schools with curriculum similar to public schools.
 5. [Lodging houses, dormitories](#), fraternities and sororities.
 6. [Offices](#) of private nonprofit Corporations and Associations. ([Ord. 1647](#)).
 7. [Non-profit live theater facilities](#) in existing non-residential [structures](#).

The [Board of Adjustment](#) shall require and review written documentation including, but not limited to, the following:

1. The adequacy of parking
2. The intensity of operation
3. The size of [structure](#) to be utilized

all of which is to assure compatibility with the existing residential neighborhood.

8. Off-site Parking Areas - In the application for [special exception](#), the applicant shall provide plans that demonstrate how the requirements listed below will be met. The [Board of Adjustment](#) shall make findings regarding the following requirements in their determination regarding the special exception.
 1. The [lot](#) (parcel) occupied by the off-site parking area shall be located within 100' at their closest points from the [lot](#) occupied by the [principal use](#).
 2. Visual screening and landscaping shall be provided to ensure the compatibility of the parking lot with the surrounding properties.

Landscaping and greenspace shall comprise at least 25% of the gross area of the [lot](#).

3. Greenspace width requirements to be provided as specified in [Section 17.08.03.G.12.c/](#)[Table 17.08.03-2](#). Paved surfacing shall be used, and the diagram shall state which type, whether concrete or asphalt. The parking lot shall be designed to adequately manage run off.
4. The property of such parking facilities shall be in the same possession as the [lot](#) occupied by the [building](#) or [use](#) to which the parking facilities are [accessory](#).
9. Wireless Communication Structures of in accordance with [Section 17.08.02](#) of this Ordinance.

E. **BULK REGULATIONS:** The following requirements shall provide for light and air around permitted residential [uses](#) and [buildings](#) in the RM District.

Zoning symbol	Min. lot area per dwelling (sq. ft.)	Units/gross acre	Min. lot area (sq. ft.)	Min. lot width (feet)	Min. front yard (feet)	Min. side yard (feet)	Min. rear yard (feet)	Max. ht. (I) (feet)
1RM	1,000	(43)	4,000	40	20	4	20	45
2RM	2,000	(21)	4,000	40	20	4	20	45
3RM	3,000	(14)	4,000	40	20	4	20	45
4RM	4,000	(10)	4,000	40	20	4	20	45
RM- ZL ^(II)	4,000	(10)	4,000	35	20	4	20	45
RM- ZL ^(III)	5,000	(10)	5,000	50	20	4	20	45

- (I) 3 stories
- (II) Interior [Lots](#)
- (III) Corner [Lots](#)

No sideyard [variances](#) shall be granted where the [use](#) of [ZLL](#) provisions are utilized. ([Ord. 1627](#))

[Health Care Facilities](#) to have a 20,000 square feet minimum [lot](#) area plus 2,500 square feet for each supervised individual over 10 individuals on the same [lot](#) with no more than 10 supervised persons in one [building](#).

Floor area ratio: The following non-residential uses shall meet the minimum area, width and yard requirements of the 4RM zoning area shown above, and shall provide the following floor area ratio excluding the required yard areas.

1. Education and cultural institutions, 1.5.
2. Recreational social buildings, 1.0.
3. Churches and public buildings, 1.0.
4. Offices of private nonprofit Corporations and Associations (Ord. 1647), 1.0.

F. OFFSTREET PARKING: The following offstreet parking requirements shall apply in the RM District. Parking spaces shall be provided on the same lot as the primary structure. However, if the lot lacks adequate space to fulfill the parking requirement, the requirement may be met through an off-site parking lot if a special exception is granted to do so as described in the special exception section of these district regulations. The use(s) being served by the off-site parking lot shall be permitted or special exception use(s) that are also allowed for the parking lot's respective zoning classification.

1. Single family dwellings: 2 parking spaces on the lot.
2. Multi-family dwellings: 1 parking space on the lot for each dwelling unit.
3. Churches: 1 parking space on the lot for each 5 seats in the main auditorium.
4. Elementary, junior high and equivalent private or parochial schools: 1 parking space for each classroom and office plus 1 parking space per each 300 square feet of gross floor area in auditorium or gymnasium.
5. Senior high schools and equivalent private or parochial schools: 1 parking space for each employee and 1 parking space for each 10 students.
6. Colleges, universities, institutions of higher learning, and equivalent private or parochial schools: 1 parking space for each employee and 1 parking space for each 5 students.
7. Public buildings and facilities: 1 parking space for each 300 square feet of gross floor area.
8. Nursery schools: 1 parking space per employee.

G. PARKING AND STORAGE OF CERTAIN VEHICLES: No major Recreational Equipment shall be parked or stored on any lot except in a carport or enclosed building or behind the required front yard setback lines unless it is parked on a

designated hard surfaced driveway in the required [front yard](#), provided however, that such equipment may be parked anywhere on a residential premises for not to exceed 24 hours during loading and unloading.

Automotive vehicles or trailers of any kind or type without current license plates shall not be parked or stored on any [lot](#) other than in completely enclosed [buildings](#). No automotive vehicle or trailers of any kind shall be parked or stored on any [lot](#) in this [district](#) in a required [front yard](#) except when parked on a designated hard surfaced driveway. For [single family detached dwellings](#) and [duplexes](#), all new driveways shall meet requirements as set out in [17.08.01.K](#) of this Ordinance. No vehicle of any kind shall be parked on public or private property so as to create a safety hazard with pedestrian or vehicular traffic.

H. OFFSTREET LOADING: The following offstreet loading requirements shall apply in the RM District:

1. All activities or uses allowed in the RM district shall be provided with adequate receiving facilities accessible by motor vehicle off any adjacent service drive or open space on the same zoning [lot](#).
2. Loading shall not be permitted to block public right-of-way.

17.07.06 RR – RESIDENTIAL REDEVELOPMENT DISTRICT

- A. INTENT: This district is intended to provide for the redevelopment of older existing platted residential areas where public facilities and services are available and to encourage a suitable living environment by offering an incentive for redevelopment of these areas by permitting a higher density controlled by Land Use Intensity (LUI) factors. Existing low, medium and high populations density neighborhoods are recognized and provided for by varying the minimum bulk regulations. Criteria such as topography, soil types, access, traffic load on streets, schools, utilities, recreation and other public facilities shall be taken into consideration when the lot area requirement is established for the various multi-family redevelopment residential areas of the City. Weighted consideration will also be given to redevelopment in which there is a minimal of relocation activities or where adequate relocation plans are developed.
- B. PERMITTED USES: The following uses are permitted in the RR District:
1. Single family detached and attached dwellings.
 2. Multi-family dwellings.
 3. Public parks and recreation open space.
 4. Family Homes and Elder Family Homes.
- C. ACCESSORY USES: Uses of land or structure customarily incidental and subordinate to a permitted use in the RR District:
1. Private garages.
 2. Parking lots.
 3. Home occupation.
 4. Vegetable and flower gardens.
 5. Raising and keeping of animals and fowl, but not on a commercial basis or on a scale objectionable to neighbors.
 6. Private recreational facilities.
 7. Temporary buildings for the uses incidental to construction work which buildings shall be removed upon the completion or abandonment of the construction work.

- D. SPECIAL EXCEPTIONS: Certain uses may be permitted in the RR District subject to specific conditions and requirements intended to make them compatible with and acceptable to adjacent uses.
1. Nursery schools and Day Care operations.
 2. Public or private utility substations, relay stations, etc.
 3. Churches and public owned and operated non-residential buildings and facilities.
 4. Private schools with curriculum similar to public schools.
 5. Lodging houses, dormitories, fraternities and sororities.
 6. Off-site Parking Areas - In the application for special exception, the applicant shall provide plans that demonstrate how the requirements listed below will be met. The Board of Adjustment shall make findings regarding the following requirements in their determination regarding the special exception.
 1. The lot (parcel) occupied by the off-site parking area shall be located within 100' at their closest points from the lot occupied by the principal use.
 2. Visual screening and landscaping shall be provided to ensure the compatibility of the parking lot with the surrounding properties. Landscaping and greenspace shall comprise at least 25% of the gross area of the lot.
 3. Greenspace width requirements to be provided as specified in Section 17.08.03.G.12.c/Table 17.08.03-2. Paved surfacing shall be used, and the diagram shall state which type, whether concrete or asphalt. The parking lot shall be designed to adequately manage run off.
 4. The property of such parking facilities shall be in the same possession as the lot occupied by the building or use to which the parking facilities are accessory.
 7. Wireless Communication Structures in accordance with Section 17.08.02 of this Ordinance.
- E. BULK REGULATIONS: Provision for light and air around permitted uses and buildings in the RR District shall be determined by the Land Use Intensity (LUI) requirements:

1. Maximum [height](#) – the lessor of: Six stories or 90 feet
2. [LUI](#) Ratio times gross land area – RS Dist. – Other Dist.

- Floor area ratio	-	.200	-	.528
- Open space ratio	-	.76	-	.71
- Livability space ratio	-	.52	-	.41
- Recreation space ratio	-	.036	-	.062
3. [LUI](#) Ratio times living units

-Occupant car ratio	-	1.4	-	.96
-Total car ratio	-	1.6	-	1.1
4. All non-residential uses – [F.A.R.](#) – 1.0, excluding bulk regulations above.
5. The above bulk regulations, when met, do not automatically constitute approval of the submitted plan. The [City Council](#) reserves the right to approve or reject any plans submitted that are not in conformance with the City’s [Comprehensive Plan](#), are not properly related to adequate traffic arteries, are not compatible with surrounding land [uses](#) or are not otherwise in the best interest of the City of Fort Dodge.
6. If adjacent to a residential [district](#), the [side yard](#) and [rear yard](#) shall be equal to the minimum [side yard](#) and [rear yard](#) required in the adjacent [district](#).

F. [OFFSTREET PARKING](#): The following parking requirements shall apply in the RR District. Parking spaces shall be provided on the same [lot](#) as the primary [structure](#). However, if the [lot](#) lacks adequate space to fulfill the parking requirement, the requirement may be met through an off-site parking lot if a [special exception](#) is granted to do so as described in the [special exception section](#) of these [district](#) regulations. The use(s) being served by the off-site parking lot shall be permitted or [special exception](#) use(s) that are also allowed for the parking lot’s respective zoning classification.

1. Offstreet parking requirements for residential development in the RR District are governed by the [Land Use Intensity](#) (LUI) procedure and bulk regulations.
2. [Nursery Schools](#) – 1 parking space per employee.
3. Churches – 1 parking space for each 5 seats in main [auditorium](#).
4. Elementary, Junior High and equivalent private or parochial schools: 1 parking space for each classroom and office plus 1 parking space per each 300 square feet of [gross floor area](#) in [auditorium](#) or gymnasium.

5. Senior High Schools and equivalent private or parochial schools: 1 parking space for each employee and 1 parking space for each 10 students.
 6. Colleges, universities, institutions of higher learning, and equivalent private or parochial schools: 1 parking space for each employee and 1 parking space for each 5 students.
 7. [Public buildings and facilities](#): 1 parking space for each 300 square feet of [gross floor area](#).
- G. **OFFSTREET LOADING**: The following offstreet loading requirements shall apply in the RR District:
1. All activities or uses allowed in the RR District shall be provided with adequate receiving facilities accessible by motor vehicle off any adjacent service drive or open space on the same zoning [lot](#).
 2. Loading shall not be permitted to block public right-of-way.
- H. **ADMINISTRATIVE PROCEDURE**: The following administrative procedure shall apply in the RR District:
1. The general procedure for application, review and action shall be according to the following outline:
 - a. A Concept Plan at the option of the applicant may be submitted to the [Plan and Zoning Commission](#) for review and at the request of the Applicant it shall be submitted to the [City Council](#) for review. The Concept Plan is intended to indicate the general concept of the developer and may be in any form the developer desires in order to indicate his intentions.
 - b. Application, filing fee, and number of copies of the Final Plan as determined by the City Planner, are to be submitted to the City Clerk. The Final Plan shall consist of a set of Site Plans and Building Plans as required by the Building Code for issuance of a Building Permit. In addition the following [Land Use Intensity Ratios](#) shall be computed and included with the Plans”

[Floor Area Ratio](#)
[Open Space Ratio](#)
[Livability Space Ratio](#)
[Recreation Space Ratio](#)
Occupant Car Ratio
Total Car Ratio

Also, the [Floor Area Ratio](#) for any non-residential [structure](#) shall be computed and shown.

- c. [Plan and Zoning Commission](#) requests staff report from City Planner, City Engineer and Building Official. The Building Official certifies as to compliance with Building Code for adequacy of plans. The Fire Chief shall also be notified of the pending action.
 - d. Upon receiving staff reports the [Plan and Zoning Commission](#) shall make a recommendation to the [City Council](#) for approval or disapproval.
 - e. The [City Council](#) shall then review the Final Plan and take action on the rezoning request. Upon approval of the rezoning request 1 copy of the required plans and information shall be placed on permanent file in the office of the Administrative Official. Further, upon rezoning, the [Zoning Administrator](#) changes the zoning classification on the [Official Zoning Map](#) and designates the District as RR with the corresponding [LUI](#) number.
- I. AREAS SUBJECT TO REZONING: Areas subject to rezoning into the RR classification are those and only those areas designated in the [Comprehensive Plan](#) of the City of Fort Dodge as either an Urban Renewal Area or a Code Enforcement Project Area. Further, separate [LUI](#) numbers as shown on the sector map applying within these areas.

17.07.07 MH – MOBILE HOME DISTRICT

- A. INTENT: This [district](#) is intended to provide for certain medium density residential areas in the City now developed as Mobile Home Parks which by reason of their design and location are compatible with surrounding residential areas and areas of the city where similar development seems likely to occur. This [district](#) has useful application as a transition zone between shopping areas and residential areas and is normally located along thoroughfares where direct [access](#) to the site is available.

- B. PERMITTED USES: All mobile homes and mobile home parks shall conform to Ordinance #1332 (Mobile Home Park Ordinance).

- C. SPECIAL EXCEPTIONS:
 - 1. Wireless Communication Structures in accordance with [Section 17.08.02](#) of this Ordinance.

17.07.08 HM – HOSPITAL MEDICAL DISTRICT

- A. **INTENT:** This district is intended to provide for uses of land which accommodate commercial and professional uses directly associated with medical and dental treatment of human ailment. Other uses generally associated with hospital and medical facilities will also be permitted in this district.
- B. **PERMITTED USES:** The following uses are permitted in the HM District:
1. Hospitals and clinics.
 2. Health care facilities (residential, intermediate and skilled nursing).
 3. Sale and service of goods and products directly related to hospital/medical facilities.
 4. Churches and public owned and operated buildings and facilities.
 5. Day care facilities.
 6. Wireless Communication Structures in accordance with Section 17.08.02 of this ordinance.
- C. **ACCESSORY USES:** Uses of land or structure customarily incidental and subordinate to a permitted use in the HM District:
1. Living quarters of persons employed on the premises and not rented or otherwise used as a separate dwelling.
 2. Private garages.
 3. Parking lots.
 4. Temporary buildings for the uses incidental to construction work which buildings shall be removed upon the completion or abandonment of the construction work.
- D. **SPECIAL EXCEPTIONS:** Certain uses may be permitted in the HM District subject to specific conditions and requirements intended to make them compatible with and acceptable to adjacent uses.
1. Hotels and motels.
 2. Undertaking establishments.
 3. Public or private utility substations, relay stations, etc.

4. Off-site Parking Areas - In the application for [special exception](#), the applicant shall provide plans that demonstrate how the requirements listed below will be met. The [Board of Adjustment](#) shall make findings regarding the following requirements in their determination regarding the [special exception](#).
 - a. The [lot](#) (parcel) occupied by the off-site parking area shall be located within 100' at their closest points from the [lot](#) occupied by the [principal use](#).
 - b. Visual screening and landscaping shall be provided to ensure the compatibility of the parking lot with the surrounding properties. Landscaping and greenspace shall comprise at least 25% of the gross area of the [lot](#).
 - c. Greenspace width requirements to be provided as specified in [Section 17.08.03.G.12.c/ Table 17.08.03-2](#). Paved surfacing shall be used, and the diagram shall state which type, whether concrete or asphalt. The parking lot shall be designed to adequately manage run off.
 - d. The property of such parking facilities shall be in the same possession as the [lot](#) occupied by the [building](#) or [use](#) to which the parking facilities are [accessory](#).
 9. Wireless Communication Structures in accordance with [Section 17.08.02](#) of this ordinance.
- E. **BULK REGULATIONS:** The following requirements shall provide for light and air around [permitted uses](#) and [buildings](#) in the HM District:
1. Minimum [lot](#) area: 15,000 square feet
 2. Minimum [lot width](#): 100 feet
 3. Minimum [front yard](#): 20 feet
 4. Minimum [side yard](#): If adjacent to a residential [district](#), the [side yard](#) shall be equal to the minimum side yard required in the adjacent district but in no instance less than 5 feet.
 5. Minimum [rear yard](#): If adjacent to a residential [district](#), the [rear yard](#) shall be equal to the minimum [rear yard](#) required in the adjacent [district](#), but in no instance less than five feet.

6. [Height](#) limit: The lesser of 6 stories or 90 feet.
7. [Floor area ratio](#), excluding bulk regulations above:
 - a. [Hospitals](#) and [clinics](#), 2.0.
 - b. Churches, [health care facilities](#), and [public buildings](#), 1.5.
 - c. Sales and service [buildings](#) directly related to [hospital](#)/medical facilities, 1.5.
 - d. [Hotels](#) and [motels](#), 1.5.
 - e. [Public owned and operated buildings](#), 1.5.
 - f. [Undertaking establishments](#), 1.0.
- F. **OFFSTREET PARKING:** The following offstreet parking requirements shall apply in the HM District. Parking spaces shall be provided on the same [lot](#) as the primary [structure](#). However, if the [lot](#) lacks adequate space to fulfill the parking requirement, the requirement may be met through an off-site parking lot if a [special exception](#) is granted to do so as described in the [special exception section](#) of these [district](#) regulations. The [use](#)(s) being served by the off-site parking lot shall be [permitted](#) or [special exception use](#)(s) that are also allowed for the parking lot's respective zoning classification.
 1. [Hospitals](#): 1 parking space per bed.
 2. [Clinics](#): 1 parking space per 300 square feet of [gross floor area](#).
 3. [Health care facilities](#): 1 parking space for each 2 ½ beds.
 4. Sales and service [buildings](#): 1 parking space per 300 square feet of [gross floor area](#).
 5. [Public buildings and facilities](#): 1 parking space per 300 square feet of [gross floor area](#).
 6. Churches: 1 parking space on the [lot](#) for each 5 seats in the main [auditorium](#).
 7. [Hotels](#) and [motels](#): 1 parking space per room plus 1 parking space for each employee.
 8. [Undertaking establishments](#): 1 parking space for each 5 seats plus 1 parking space for each vehicle maintained on the premises.

G. OFFSTREET LOADING: The following offstreet loading requirements shall apply in the HM District:

1. All activities or [uses](#) allowed in the HM District shall be provided with adequate receiving facilities accessible by motor vehicle off any adjacent service drive or open space on the same zoning [lot](#).
2. Loading shall not be permitted to block public right-of-way.

17.07.09 OC – OFFICE COMMERCIAL DISTRICT

- A. **INTENT:** This [district](#) is intended to provide certain areas of the City for the development of [office](#) and convenience services for persons living in neighboring residential areas. Some residential type [structures](#) are also [permitted](#). This [district](#) is characterized by large homes suitable for [use](#) as [offices](#), or parcels of land economically desirable for the construction of new [office](#) facilities. The [uses permitted](#) are intended to require a low volume of traffic and limited outdoor advertising so as to protect the abutting and surrounding residential [districts](#). This [district](#) is normally small in size and is often located as a transition between residential and commercial areas.
- B. **PERMITTED USES:** The following [uses](#) are [permitted](#) in the OC District:
1. [Offices](#) and [clinics](#).
 2. Sale and service of goods and products conducted entirely within the [building](#), excluding any manufacturing or processing of goods or petroleum products, and excluding consumption of prepared foods unless such preparation is clearly incidental to the primary use of the facility, as well as excluding [taverns](#), bars and entertainment establishments dispensing alcoholic beverages.
 3. [Single-Family](#) or [Multi-Family dwellings](#).
 4. Churches and [public owned and operated buildings and facilities](#).
 5. Wireless Communication Structures in accordance with [Section 17.08.02](#) of this ordinance.
 6. Firework sales, as long as situated within a fully enclosed, permanent building.
- C. **ACCESSORY USES:** [Uses](#) of land or [structure](#) customarily incidental and subordinate to a [permitted use](#) in the OC District:
1. [Private garages](#).
 2. Parking Lots.
 3. Temporary [buildings](#) for the uses incidental to construction work which [buildings](#) shall be removed upon the completion or abandonment of the construction work.
 4. Outdoor display and sales. The display and/or tent for outdoor display and sale of fireworks, including all membranes, guy wires, and ropes, as well as

any other trailers, storage units, or similar objects associated with the display and/or tent, must be at least 100 feet from all structures.

- D. SPECIAL EXCEPTIONS: Certain uses may be permitted in the OC District subject to specific conditions and requirements intended to make them compatible with and acceptable to adjacent uses.
1. Public or private utility substations, relay stations, etc.
 2. Undertaking establishments.
 3. Convenience stores which may sell self-service petroleum products from one island with a maximum length of 28 feet and contain a maximum of 2 dispenser machines, and excluding any repair or service of vehicles on premises. (Ord. 1655).
 4. Nursery Schools and Day Care Operations. (Ord. 1655).
 5. Taverns, bars and entertainment establishments dispensing alcoholic beverages. (Ord. 1655).
 6. Off-site Parking Areas - In the application for special exception, the applicant shall provide plans that demonstrate how the requirements listed below will be met. The Board of Adjustment shall make findings regarding the following requirements in their determination regarding the special exception.
 1. The lot (parcel) occupied by the off-site parking area shall be located within 100' at their closest points from the lot occupied by the principal use.
 2. Visual screening and landscaping shall be provided to ensure the compatibility of the parking lot with the surrounding properties. Landscaping and greenspace shall comprise at least 25% of the gross area of the lot.
 3. Greenspace width requirements to be provided as specified in Section 17.08.03.G.12.c/Table 17.08.03-2. Paved surfacing shall be used, and the diagram shall state which type, whether concrete or asphalt. The parking lot shall be designed to adequately manage run off.
 4. The property of such parking facilities shall be in the same possession as the lot occupied by the building or use to which the parking facilities

are [accessory](#). If off-site parking facilities are not in the same ownership as the [use](#) it is serving, the following is required:

- A formal shared parking agreement must be executed and recorded against both properties with a copy provided to the City. The agreement shall identify the number of spaces provided off-site, the location of those spaces, and the length of the agreement (not less than 10 years). The agreement may include other terms such as parking lot maintenance as determined by the property owners. The property owner utilizing off-site parking must ensure that the City has a copy of the current agreement at all times.
- The site required to provide parking must accommodate as many spaces on-site as is practical based on [Site Plan Review](#) criteria and minimum [SUDAS](#) guidelines.
- At such time as any shared parking agreement is terminated or the use changes at the off-site parking location, the property owner desiring off-site parking must notify the City and the number of spaces provided off-site must either be accommodated on-site, or a new shared parking agreement must be executed. The change shall require approval of an amended [special exception](#) by the [Board of Adjustment](#).

7. Wireless Communication Structures in accordance with [Section 17.08.02](#) of this ordinance.
8. [Lodging houses](#), [dormitories](#), fraternities and sororities.

E. **BULK REGULATIONS:** The following requirement shall provide for light and air around [permitted uses](#) and [buildings](#) in the OC District:

1. Minimum [lot](#) area: 5,000 square feet
2. Minimum [lot width](#): 50 feet
3. Minimum [front yard](#): 20 feet
4. Minimum [side yard](#): 5 feet
5. Minimum [rear yard](#): 20 feet
6. Maximum [height](#): The lesser of 45 feet or 3 stories
7. [Floor area ratio](#), excluding bulk regulations above:
 - a. [Offices](#) and [clinics](#), 1.5.

- b. Sale and service [buildings](#), 1.5.
 - c. Churches and [public buildings](#), 1.5.
 - d. [Undertaking establishments](#), 1.0.
- F. **OFFSTREET PARKING:** The following parking requirements shall apply in the OC District. Parking spaces shall be provided on the same [lot](#) as the primary [structure](#). However, if the [lot](#) lacks adequate space to fulfill the parking requirement, the requirement may be met through an off-site parking lot if a [special exception](#) is granted to do so as described in the [special exception section](#) of these district regulations. The [use](#)(s) being served by the off-site parking lot shall be [permitted](#) or [special exception use](#)(s) that are also allowed for the parking lot's respective zoning classification.
- 1. [Single-family dwellings](#): 2 parking spaces on the [lot](#).
 - 2. [Multi-family dwellings](#): 1 parking space on the [lot](#) for each [dwelling unit](#).
 - 3. [Offices](#): 1 parking space per 300 square feet of [gross floor area](#).
 - 4. [Clinics](#): 1 parking space per 300 square feet of [gross floor area](#).
 - 5. Sales and service [buildings](#): 1 parking space per 300 square feet of [gross floor area](#).
 - 6. Churches: 1 parking space on the [lot](#) for each 5 seats in the main [auditorium](#).
 - 7. [Public buildings and facilities](#): 1 parking space per 300 square feet of [gross floor area](#).
 - 8. [Undertaking establishments](#): 1 parking space for each 5 seats plus 1 parking space for each vehicle maintained on the premises.
- G. **OFFSTREET LOADING:** The following offstreet loading requirements shall apply in the OC District:
- 1. All activities or [uses](#) allowed in the OC District shall be provided with adequate receiving facilities accessible by motor vehicle off any adjacent service drive or open space on the same zoning [lot](#).
 - 2. Loading shall not be permitted to block public right-of-way.
- H. **GENERAL REGULATIONS:** The following general regulations shall apply in the OC District:

1. All required [yards](#), including those which may be used for offstreet parking shall be landscaped. They shall be landscaped attractively with natural lawn, living trees and/or shrubs, etc. Any areas left in a natural state shall be property maintained in a sightly and well-kept condition.
2. All business shall be conducted within an enclosed [yard](#) or [building](#), except by [special exception](#).
3. All right-of-way shall be landscaped attractively with lawn, etc. Any areas left in a natural state shall be property maintained in a sightly and well-kept condition.

17.07.10 AC – ARTERIAL COMMERCIAL DISTRICT

- A. **INTENT:** This [district](#) is intended to provide for non-residential uses which because of certain locational requirements and operational characteristics are appropriately located in close proximity to major thoroughfares. This [district](#) is further characterized by a need for larger [lot](#) sizes, off-street parking, adequate [setbacks](#), clear vision, safe ingress and egress and immediate [access](#) for transient traffic. Frontage roads shall be provided where possible.
- B. **PERMITTED USES:** The following uses are [permitted](#) in the AC District:
1. Sales and service of goods and products including those with incidental manufacturing or processing of goods for sale only on the premises.
 2. Sales and display rooms and [lots](#), not including yards for the storage or display of new or used building materials or for any scrap or salvage operation storage or sales.
 3. [Offices](#) and [clinics](#).
 4. Churches and [public owned and operated buildings and facilities](#).
 5. [Hotels](#) and [motels](#).
 6. [Undertaking establishments](#).
 7. [Single-family](#) and [multi-family dwellings](#).
 8. Wireless Communication Structures in accordance with [Section 17.08.02](#) of this ordinance.
 9. Fireworks sales, as long as situated within a fully enclosed, permanent building.
- C. **ACCESSORY USES:** Uses of land or [structure](#) customarily incidental and subordinate to a [permitted use](#) in the AC District:
1. Living quarters of persons employed on the premises and not rented or otherwise used as a separate dwelling.
 2. [Private garages](#).
 3. Parking lots.

4. Temporary [buildings](#) for the uses incidental to construction work which [buildings](#) shall be removed upon the completion or abandonment of the construction work.
 5. Outdoor display and sales. The display and/or tent for outdoor display and sale of fireworks, including all membranes, guy wires, and ropes, as well as any other trailers, storage units, or similar objects associated with the display and/or tent, must be at least 100 feet from all structures.
- D. [SPECIAL EXCEPTIONS](#): Certain uses may be permitted in the AC District subject to specific conditions and requirements intended to make them compatible with and acceptable to adjacent uses.
1. Public or private utility substations, relay stations, etc.
 2. Off-site Parking Areas - In the application for [special exception](#), the applicant shall provide plans that demonstrate how the requirements listed below will be met. The [Board of Adjustment](#) shall make findings regarding the following requirements in their determination regarding the [special exception](#).
 1. The [lot](#) (parcel) occupied by the off-site parking area shall be located within 100' at their closest points from the [lot](#) occupied by the [principal use](#).
 2. Visual screening and landscaping shall be provided to ensure the compatibility of the parking lot with the surrounding properties. Landscaping and greenspace shall comprise at least 25% of the gross area of the [lot](#).
 3. Greenspace width requirements to be provided as specified in [Section 17.08.03.G.12.c/Table 17.08.03-2](#). Paved surfacing shall be used, and the diagram shall state which type, whether concrete or asphalt. The parking lot shall be designed to adequately manage run off.
 4. The property of such parking facilities shall be in the same possession as the [lot](#) occupied by the [building](#) or use to which the parking facilities are accessory. If off-site parking facilities are not in the same ownership as the use it is serving, the following is required:
 - A formal shared parking agreement must be executed and recorded against both properties with a copy provided to the City. The agreement shall identify the number of spaces provided off-site, the location of those spaces, and the length of the agreement (not less than 10 years). The agreement may include other terms

such as parking lot maintenance as determined by the property owners. The property owner utilizing off-site parking must ensure that the City has a copy of the current agreement at all times.

- The site required to provide parking must accommodate as many spaces on-site as is practical based on [Site Plan Review](#) criteria and minimum [SUDAS](#) guidelines.
- At such time as any shared parking agreement is terminated or the use changes at the off-site parking location, the property owner desiring off-site parking must notify the City and the number of spaces provided off-site must either be accommodated on-site, or a new shared parking agreement must be executed. The change shall require approval of an amended [special exception](#) by the [Board of Adjustment](#).

3. Wireless Communication Structures in accordance with [Section 17.08.02](#) of this ordinance.

E. **BULK REGULATIONS**: The following requirements shall provide for light and air around [permitted uses](#) and [buildings](#) in the AC District:

1. Minimum [lot](#) area: 5,000 square feet
2. Minimum [lot width](#): 50 feet
3. Minimum [front yard](#): 25 feet
4. Minimum [side yard](#): If adjacent to a residential [district](#), the [side yard](#) shall be equal to the minimum [side yard](#) required in the adjacent district, but in no instance less than 5 feet.
5. Minimum [rear yard](#): If adjacent to a residential [district](#), [rear yard](#) shall be equal to the minimum [side yard](#) required in the adjacent [district](#); but in no instance less than 5 feet.
6. Maximum [height](#): The lesser of 45 feet or 3 stories.
7. [Floor area ratio](#), excluding bulk regulations above:
 - a. Sales and service [buildings](#) 2.0
 - b. [Offices](#) and [clinics](#) 2.0
 - c. Churches and [public buildings](#) 2.0
 - d. [Hotels](#) and [motels](#) 2.0

- F. OFFSTREET PARKING: The following parking requirements shall apply in the AC District. Parking spaces shall be provided on the same lot as the primary structure. However, if the lot lacks adequate space to fulfill the parking requirement, the requirement may be met through an off-site parking lot if a special exception is granted to do so as described in the special exception section of these district regulations. The use(s) being served by the off-site parking lot shall be permitted or special exception use(s) that are also allowed for the parking lot's respective zoning classification.
1. Sales and service buildings: 1 parking space per 300 square feet of gross floor area.
 2. Offices: 1 parking space per 300 square feet of gross floor area.
 3. Clinics: 1 parking space per 300 square feet of gross floor area.
 4. Churches: 1 parking space on the lot for each 5 seats in the main auditorium.
 5. Public buildings and facilities: 1 parking space per 300 square feet of gross floor area.
 6. Hotels and motels: 1 parking space per room plus 1 parking space for each employee.
 7. Retail Showrooms: 1 parking space per 800 square feet of gross floor area.
 8. Multi-family dwellings: 1 parking space per dwelling unit.
- G. OFFSTREET LOADING: The following offstreet loading requirements shall apply in the AC District:
1. All activities or uses allowed in the AC District shall be provided with adequate receiving facilities accessible by motor vehicle off any adjacent service drive or open space on the same zoning lot.
 2. Loading shall not be permitted to block public right-of-way.
- H. GENERAL REGULATIONS: The following general regulations shall apply in the AC District:
1. All required yards, including those which may be used for off-street parking shall be landscaped. They shall be landscaped attractively with natural lawn, living trees and/or shrubs, etc. Any areas left in a natural state shall be property maintained in a slightly and well-kept condition.

2. All business shall be conducted within an enclosed yard or [building](#), except by [special exceptions](#).
3. All right-of-way shall be landscaped attractively with lawn, etc. Any areas left in a natural state shall be property maintained in a sightly and well-kept condition.

17.07.11 D – DOWNTOWN DISTRICT

- A. **INTENT:** This District is intended to accommodate a mixed use of [buildings](#) that provide a variety of retail, service, entertainment, [office](#), lodging, residential and civic functions. It is also intended to preserve and build upon the historic character of the central business district, create attractive entry points and plazas centered on the pedestrian, and maintain appropriate buffers to surrounding residential areas.
- B. **DOWNTOWN DISTRICT SUBDISTRICTS:** Because different areas of the downtown have differing intensities of use, physical characters and functions, two zoning sub-districts, each with its own set of allowable uses, bulk and [setback](#) regulations, and design standards control development and use in the traditional downtown of the City. The locations of these two sub-districts are shown on the [Official Zoning Map](#) for the City of Fort Dodge. The purpose of each sub-district is described as follows:
1. **D-1 Downtown Core Sub-District:** The D-1 Downtown Core Sub-District is intended for the historic commercial core of the City located along Central Avenue. Regulations maintain the pedestrian-orientation and reflect the traditional character of downtown development. Parking is a secondary use; therefore, it is not located such that it would be visible from a public [street](#). A variety of commercial uses are permitted, including [mercantile \(retail\) goods](#) and personal service establishments, educational, [office](#) and medical uses, as well as residential uses that are consistent with the density and intensity of downtown development patterns. Mixed-use development involving different combinations of commercial, [office](#) and residential uses in individual [buildings](#) is encouraged for the D-1 Downtown Core Sub-District.
 2. **D-2 Downtown Corridor Sub-District:** The D-2 Downtown Corridor Sub-District is intended to accommodate a variety of [office](#), [mercantile \(retail\)](#), commercial and existing light manufacturing land uses that can thrive when provided direct or adjacent [access](#) to downtown’s arterial [streets](#) that function as the gateways to the downtown core. It is also a transition area from primarily residential to the City’s downtown core business district. The district allows a variety of [mercantile \(retail\) goods establishments](#), personal service establishments and [office](#) uses, which are typically oriented toward vehicular [access](#) and may be located within larger retail centers. Many of the [lots](#) in this district that accommodate these uses also provide on-site parking, with proper screening to promote the pedestrian scale.
- C. **PERMITTED USES:** [Table 17.07.11-1](#) establishes the [permitted uses](#), uses permitted subject to a [special exception](#), or uses permitted subject to specific conditions and requirements intended to make them compatible with and acceptable to adjacent uses. Uses not identified in the [table](#) are not permitted. The legend for this [table](#) is as follows:

P – Permitted: This use is permitted within the Downtown Sub-District. A property owner or developer should take into account [Bulk](#), [Site and Building Design](#), [Site](#)

[Plan](#), and [Sign regulations](#), as addressed within this Ordinance.

S – Special Exception: This use is permitted subject to review by the City’s [Board of Adjustment](#), which shall find that requirements of [Section 17.06.02.B](#) are met, and that the proposed use will be compatible with the character of the neighborhood, promote goals of adopted plans and create synergies among uses.

C – Permitted with Conditions: This use is permitted subject to review by the City’s Planning Staff, which shall find pertinent requirements of [17.07.11.D](#), are met for the applicable use.

Table 17.07.11-1. Downtown Uses

Uses P = Permitted S = Special Exception C = Permitted with Conditions	Downtown Sub-Districts	
	D-1 Core	D-2 Corridor
Residential		
Town House		P
Multiple Family Dwelling (all floors)	S	P
Multiple Family Dwelling (upper floors only)	P	P
Group Home (all floors)	S	P
Group Home (upper floors only)	P	P
Lodging		
Bed & Breakfast		P
Dormitory (all floors)	S	P
Dormitory (upper floors only)	P	P
Hotel	S	S
Inn	S	S
Commercial (indoors only)		
Office	P	P
Clinic	P	P
Mercantile Establishment	P	P
Tavern	P	P
Restaurant	P	P
Firework sales	C	C
Industrial:		
Existing Manufacturing, Assembly or Repair as of January 31, 2011 (Section 17.07.11.C.2&3)	C	C
Civic:		
Auditorium	P	P
Convention Center	P	P
Indoor Recreation	P	P
Library	P	P
Movie Theater	P	P
Museums and Cultural Centers	P	P
Religious Assembly*	S	P
Law Enforcement	P	P
Civic Support:		

Funeral Home		S
Parking Lot (as principal use)* *	S	S
Parking Structure (as principal or accessory use)	S	S
Utility Substation		S
Wireless Communications Structure in accordance with Section 17.08.02 of this ordinance.	S	S
Automotive:		
Gas Station		S
Auto or Tire Repair/Auto Parts or Tire Sales	S	S
Auto Body Repair	S	S
Education		
College, University, or Trade School	P	P
School (K thru 12)		P
Pre-school	S	P
Child Day Care (outdoor play area must be fully fenced)	S	S
Outdoor:		
Outdoor Civic Events***	P	P
Outdoor Tavern or Restaurant (private property - Table 17.07.11-2)	C	C
Outdoor Recreation Area (private property - Table 17.07.11-2)	C	C
Outdoor Mercantile (private property - Table 17.07.11-2)	C	C
Outdoor Mercantile , Display or Café (sidewalk/public property – Table 17.07.11-3)	C	C
Outdoor Storage (must be fully screened)		S
Accessory Uses		
Parking Lot (where meeting requirements of Section 17.07.11.F.1.b.)	S	P
Drive-through facilities**** (Section 17.07.11.D.4)	S	C
Home Occupation	P	P
Vegetable and Flower Garden	P	P
Raising and keeping of animals, such as dogs, cats, and ferrets, but not on a commercial basis or on a scale objectionable to neighbors.	P	P
Outdoor display and sale of fireworks		C

*Site improvements to an existing [religious assembly](#) established in D-1 as of May 8, 2017 will not require a [special exception](#); however, will require an administrative review to ensure said improvements meet City Requirements

**Where existing paved lot as primary use, may reconstruct per all City Requirements

***Must have special event permit through the City of Fort Dodge Parks and Recreation for use of city-owned property

****Re-use/improvements to existing drive-through facility does not require a [special exception](#).

D. **PERMITTED WITH CONDITIONS:** Certain uses may be permitted in the D-1 and D-2 Districts subject to specific conditions and requirements intended to make them compatible with and acceptable to adjacent uses.

1. Assurance that the conditions of [Table 17.07.11-2](#) or [Table 17.07.11-3](#) are met for the applicable use shall be completed at the administrative level. If the owner/applicant does not agree with the administrative determination then the

owner/applicant may request a [special exception](#) for modified compliance. The [Board of Adjustment](#) shall consider the conditions identified, [Downtown Design Guidelines](#) and [special exception](#) criteria as established in [Section 17.07.11.C.](#):

Table 17.07.11-2. Outdoor Conditional Use Conditions (Private Property)

Outdoor Uses - Private Property Conditions			
	Outdoor Bar or Restaurant	Outdoor Recreation Area	Outdoor Mercantile
Special Permit Required	Yes	Yes	Yes
Permit Duration	Perpetuity as long as use does not subside for more than 12 months.		Annual
Occurrences	Unlimited		Allowed one permit per year that provides for no more than 3 occurrences and not more than 60 days per calendar year per premise.
Location	Must be on premise and not be larger in land area than the primary building .		
Nuisance	Only non-amplified music (speakers or live) allowed. Municipal Code Title 9 applies - Public Peace, Safety and Morals.		
Time Limits	During businesses normal hours of operation.		
Site Plan	Required for any exterior changes or improvements.		
Site Requirements	Shall be enclosed by a fence. *See requirements below.	N/A	N/A

* When situated in a front, secondary front, side or rear frontage yard, must be fully enclosed by decorative fencing as identified in [Figure 17.07.11-1](#).

* When situated in the rear yard may be enclosed by fencing as allowed by the Supplementary District – Fence & Hedges Regulations (Section 17.08.01.I.) of the City’s Zoning Ordinance.

* A [special exception](#) may be considered for an alternate fencing material, taking into account downtown aesthetics and quality of proposed fencing.

Table 17.07.11-3. Outdoor Conditional Use Conditions (Public Property)

Outdoor Uses - Public Property Conditions		
	Mercantile Display or Sales	Sidewalk Café
Special Permit Required	Yes	Yes
Required Documents	1) Indemnity Agreement 2) Proof of insurance meeting City's requirements 3) Lease Agreement 4) Service Permit and State license, if serving alcoholic beverages in outdoor area 5) Any other applicable permits required by the State	
Permit Duration	Annual	
Allowed time period	May 1st - October 31st.	
Location	Shall be adjacent to the building .	
Nuisance	Only non-amplified music (speakers or live) allowed. Municipal Code Title 9 applies - Public Peace, Safety and Morals.	
Time Limits	During businesses normal hours of operation.	
Site Plan	Site diagram required, but no site plan.	
Site Requirements	Must provide a minimum of five feet (5') clearance on sidewalk for public pedestrians at all times.	
	Items shall be removable.	
	N/A	Tables, chairs and other items in the seating area shall be decorative metal hardware or metal hardware with wood or wood appearing components. Sidewalk Café seating areas shall be fully enclosed by decorative fencing as identified in Figure 17.07.11-1 or some other aesthetic barrier that is at least 30" tall.

Figure 17.07.11-1. Three-rail fence style.

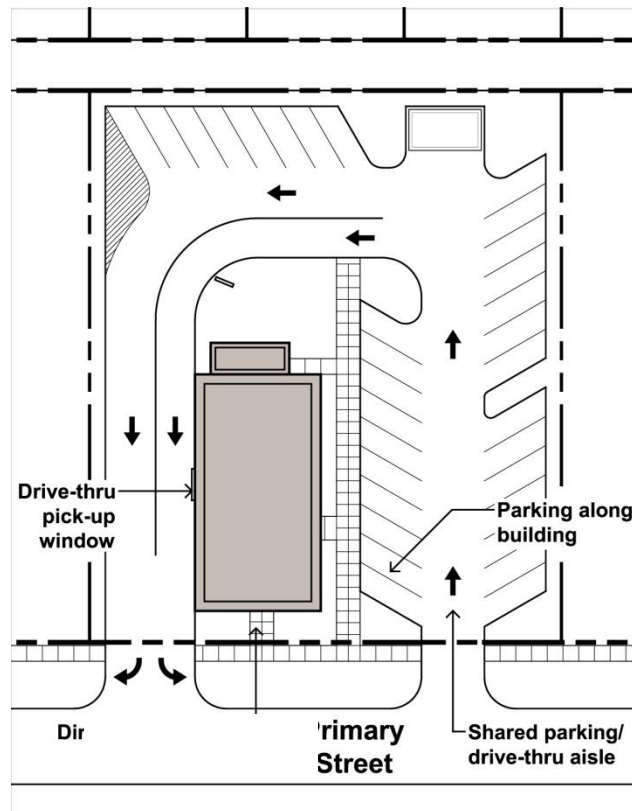


2. An existing [structure](#) used for manufacturing, assembly or repair as of January 31, 2011, is permitted to change to another such use or as a use permitted by [Section 17.07.13](#) (Light Industrial District), without being subject to [Section 17.04 \(Nonconformities\)](#), provided the use of a [structure](#), or [structure](#) and premises in combination, has not been discontinued or abandoned for 12 consecutive months or for 18 months during any three-year period.
3. An existing manufacturing, assembly or repair use as of October 31, 2014 is permitted to expand its operations within the Downtown District on existing and adjacent owned [lots](#) to the existing operation, via reconstruction, [building](#) addition(s) and/or construction of new [building](#) (s), provided said expansion may significantly increase the taxable value of the property, may improve existing operations and may improve economic conditions for the operation; and subject to compliance with all of the following conditions:
 - a. Any new or reconstructed areas of the [building](#) visible from a public right-of-way (excluding [alleys](#)) shall meet the guidelines established in the following sections of the City's [Downtown Design Guidelines](#) per the applicable [District](#):
 - i. Overall Building Scale;
 - (a) Excluding [building height](#) requirements where not in line with existing [buildings](#).
 - ii. Major Massing Elements;
 - iii. Building Materials:
 - (a) Including provisions on prohibited or discouraged materials (also identified in [Section 17.07.11.F.5.](#)), unless a majority of the existing [building](#) uses such materials and the new areas are designed to match the architecture and materials of the existing [building](#).
 - iv. Parking Lot Landscaping
 - (a) Excluding the requirement for landscaping islands, unless required by [Section 17.08.03.G.9. \(Site Plan Ordinance\)](#)
4. Drive-through Facilities
 - a. Drive-through facilities, where permitted, shall meet the following requirements. See [Figure 17.07.11-2](#) for an illustration of a conforming site plan.
 - b. Drive-through [access](#) and parking lot circulation shall be designed such that it allows direct [access](#) between a portion of the on-site parking and a [building](#) entrance without crossing the drive-through aisle.
 - c. An unobstructed pedestrian path shall be provided from the public sidewalk along the front [lot](#) line to the primary entrance.
 - d. Drive-through or general vehicular circulation paths shall not be located between the primary [building](#) and the front [lot](#) line.
 - e. One additional curb cut beyond the permitted amount as described in this

chapter may be considered by the City Engineer to facilitate drive-through operations. However, to the greatest extent possible, curb cuts shall be shared between on-site parking and drive-through [access](#). Site [access](#) should first take advantage of side [streets](#) and public [alleys](#) in order to eliminate the need for curb cuts above and beyond the permitted amount.

- f. Drive-through canopies and related [structures](#) shall be constructed of materials similar to the principal [structure](#).

Figure 17.07.11-2. Conforming Drive-through and Parking Configuration



- 5. Firework sales are permitted so long as situated within a fully enclosed, permanent, building.
- 6. Outdoor display and sale of fireworks are permitted as an accessory use, so long as the display and/or tent, including all membranes, guy wires, and ropes, as well as any trailers, storage units, or similar objects associated with the display and/or tent, are at least 100 feet from all structures.

E. BULK REGULATIONS:

Table 17.07.11-4. Bulk Regulations

Bulk Regulations		
	D-1 Core Sub-district	D-2 Corridor Sub-district
Lot Size Requirements		
Min. lot area per dwelling unit	N/A	1,200 square feet
Min. lot area for non-residential uses	2,500 square feet	3,000 square feet
Min. lot width	25 feet	30 feet
Setbacks and Build-to Zones		
Minimum front yard	0 feet	Residential: 10 feet Non-residential or mixed-use building : 0 feet
Maximum front yard	0 feet unless Section 17.07.11.E.1 (below) or Section applies.	Residential: 20 feet unless Section 17.07.11.E.1 (below) applies. Non-residential or mixed-use building : 10 ft unless Section 17.07.11.E.1 (below) applies.
Minimum interior side yard	0 feet	Residential: 5 feet Non-residential or mixed-use building : 0 feet
Maximum interior side yard	5 feet unless Section 17.07.11.E.1 (below) or Section 17.07.F.1.b. (accessory parking) applies	10 feet unless Section 17.07.11.E.1 (below) or Section 17.07.F.1.b. (accessory parking) applies.
Minimum rear yard	0 feet	20 feet when adjacent to a residential district
Development Intensity		
Minimum façade height	18 feet	None.
Maximum building height	120 ft or 8 stories	50 ft or 4 stories

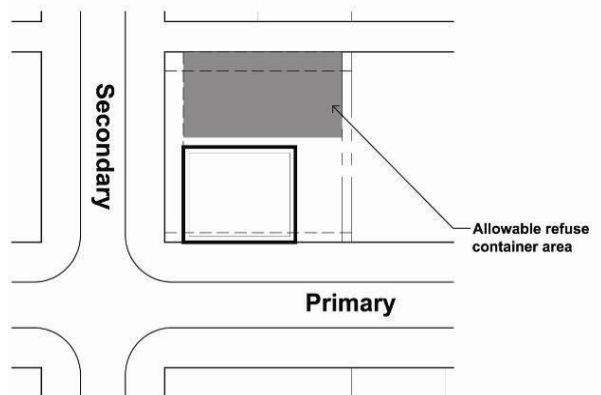
1. The above required maximum [setbacks](#) may be exceeded if:
 - a. A new [building](#) is constructed to provide for a downtown plaza per the [Downtown Design Guidelines](#);
 - b. An existing [building](#) is providing an addition that:
 - i. Is non-substantial;
 - ii. Is designed to match the existing [building setbacks](#); or
 - iii. Provides a loading dock so as to avoid delivery in the right-of-way.
 - c. A [special exception](#) is granted by the [Board of Adjustment](#) meeting requirements of [Section 17.07.11.C.](#)
 - d. The proposed [structure](#) is located in the [Downtown Gateway Overlay \(O-DG\) District](#), and meets requirements of [Section 17.07.20.](#)

F. SITE AND BUILDING DESIGN REQUIREMENTS:

1. Parking location and [access](#) requirements shall apply to all downtown sub-districts, and are required as follows:
 - a. Parking lots – [principal use](#):
 - i. Parking lots as a [principal use](#) require a [special exception](#) from the [Board of Adjustment](#).
 - b. Parking lots – [accessory use](#):
 - i. Parking lots as an [accessory use](#) are permitted in the D-2 District, and require a [special exception](#) from the [Board of Adjustment](#) in the D-1 District, and shall meet the following requirements.
 - (a) [Accessory](#) parking is prohibited between a principal [structure](#) and [street](#) right of way;
 - (b) Accessory parking is permitted in the [interior side yard](#) between the front property line and the rear [façade](#) of the primary [building](#) so long as it meets the following requirements:
 - (i) Site Plan requirements as established in [Section 17.08.03.G.9.](#); and
 - (ii) A combination of decorative fencing and landscaping is installed along the entire length of all public [street](#) right-of-ways, except for necessary vehicular or pedestrian [access](#) points.
 - c. An existing non-conforming accessory parking lot may be reconstructed in conflict with [Section 17.07.11.F.1.b.](#) so long as it meets the following requirements:
 - i. The parking lot is an accessory lot to a principal [building](#), and would require a reconfiguration of the [building](#) to construct per [Section 17.07.11.F.1.b.](#);
 - (a) the proposed reconstruction meets requirements of [Section 17.08.03.G.9.](#) (site plan);
 - ii. the proposed reconstruction incorporates decorative fencing and landscaping that accounts for 40% of the linear [street frontage](#) that the [lot](#) abuts, excluding drive aisles or pedestrian [access](#) points;
 - iii. the proposed reconstruction includes a pedestrian walkway that provides a direct connection between the primary entrance and public sidewalk/[street](#); and
 - iv. the lot for reconstruction provides one pedestrian feature.
 - d. Parking lot [access](#) priority shall be given first to the public [alley](#), then secondary streets, then primary streets. In those cases where [access](#) must be provided off the primary [street](#) only one point of [access](#) may be permitted, and it shall be located approximately mid-block.
2. Supporting site feature requirements:

- a. [Accessory Buildings](#) may exceed the maximum [setback](#) requirements of [Section 17.07.11.E](#), and may encroach within 6 feet of the required [setback](#) from the principal [structure](#), as established in [Section 17.08.01.E](#); however, are prohibited between the principal [structure](#) and public right-of-way, unless part of an approved outdoor [patio](#). All [accessory buildings](#) shall complement and coordinate with the principal [structure](#)(s) on the [lot](#), both in architectural style and material selection.
- b. Refuse stations are prohibited between the principal [structure](#) and public right of way and shall meet the following:
 - i. should be located as far as possible from secondary streets on corner [lots](#);
 - ii. shall be located such that they minimize the impacts of odor, maintenance, and servicing on parking circulation and [building](#) entry; and
 - iii. shall be screened from view of the [street](#) through the use of materials compatible with the principal [building](#) such as wood, brick, or masonry and a gate of a coordinating material.

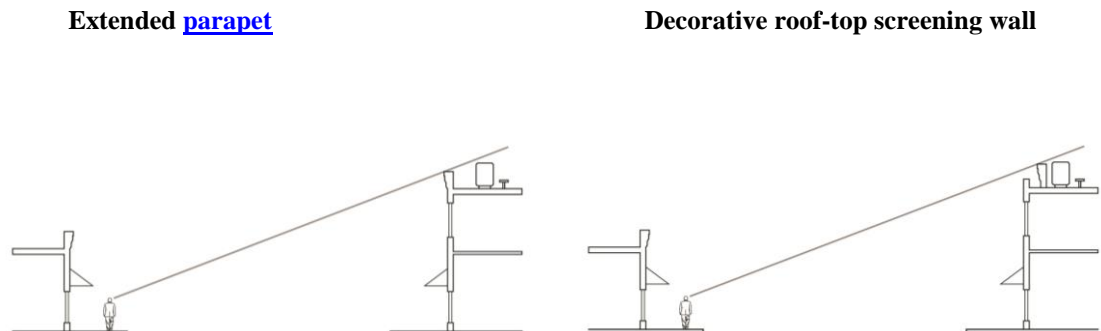
Figure 17.07.11-3. Permitted Refuse Station Location



- c. Mechanical systems, which do not include facilities owned, under the control of, or primarily serviced by public or private utilities (including metering and supply), shall meet the following requirements:
 - i. Are prohibited between the principal [structure](#) and [street](#) right-of-way at any level;
 - ii. Are permitted in an [interior side yard](#) so long as they are hidden from view by an opaque screen as follows:
 - (a) Screen may consist of:
 - (i) Wood or masonry walls or fences that are compatible with the principal [structure](#); or
 - (ii) Landscaping.

- (b) The bottom edge of the required screening shall be no more than six inches above the ground, and the upper edge shall extend not less than 12 inches above the top of any such mechanical.
- iii. Are permitted on the roof of a new [building](#) or addition so long as they are screened from a point 6' above grade at the front property line across the public [street](#) by the use of a [parapet](#) wall (see [Figure 17.07.11-4.](#)), opaque screening material compatible with the architecture of the [building](#), or architecturally designed mechanical screening designed to blend with the [building](#) and roof materials. Additional screening may be required due to topographic differences in adjoining properties.
- iv. Are permitted on the roof of an existing [building](#) so long as they are either screened as established above in [Section 17.07.11.F.2.c.iii.](#) or camouflaged using paint colors intended to blend with the [building](#) and roof materials.
- v. Are permitted on an [alley](#) side, so long as they meet the following:
 - (a) Are prohibited at the ground level to 14 feet in height in the [alley](#) right-of-way, unless a right-of-way agreement is established.
 - (b) Units located above 14 feet shall not encroach more than 12 inches into an [alley](#) right-of-way.

Figure 17.07.11-4. Required Roof-top Mechanical Screening for New Buildings



3. Building Orientation

- a. Prominent [façade](#) elements, such as windows and entries of principal [buildings](#), shall be oriented towards the primary [street frontage](#) of the [lot](#) in order to create an active and vibrant sidewalk environment.
- b. New construction shall address the [street](#) in a manner consistent with surrounding [buildings](#).
- c. Direct [access](#) shall be provided from the public sidewalk on the primary [street frontage](#) to the front entry of the principal [building](#).

4. Building Design

- a. New [buildings](#), or [building](#) additions [primary building façade](#) design shall include the following:
 - i. A knee wall or lower zone along the ground plane that provides a visual base to the [building](#) and accounts for grade changes.
 - ii. A window zone that sits horizontally on the knee wall or lower zone. A minimum of 40% of the [storefront](#) shall consist of windows, which may include [mullions](#) and doors with window openings.
 - (a) D-1: the window zone shall consist of [transparent](#) glass.
 - (i) A [special exception](#) may be sought to request non-transparent glass where the need is proven based on use or proposed design.
 - (b) D-2: the window zone shall consist of [transparent](#) or non-transparent glass.
 - iii. A [transom](#) or awning zone above the window area.
 - (a) If awnings are used, then they should complement the [building](#) architecture in terms of form, material and color. Rounded awnings are discouraged.
 - iv. A cornice that creates a clear horizontal transition between the [storefront](#) and upper stories or an eave line that articulates the top of the [storefront](#) and beginning of a roofline.
 - v. Upper story windows appropriately spaced, which shall consist of [transparent](#) or non-transparent glass.
 - vi. Ground floor entries framed by the ground-floor architectural elements.
 - vii. Three of the following design details shall be used to add interest to the [façade](#) and reflect or reinterpret traditional design:
 - (a) Decorative columns or pilasters
 - (b) Decorative cornice or trim
 - (c) Decorative masonry that highlights important massing lines such as [building](#) edge, prominent corners, changes in [building](#) plane and breaks up large monolithic surfaces.
 - (d) Decorative eave brackets for pitched roofs.
- b. New [buildings](#), or [building](#) additions [secondary building façade](#) design shall be subdivided proportionately using a minimum of three vertical and horizontal [façade](#) elements such as windows ([transparent](#) or non-transparent glass), columns, pilasters, changes in [building](#) plane, banding or massing, decorative cornices, or trim; in order to avoid large blank spaces.
- c. Existing primary and secondary [façade](#) design shall incorporate all elements of [Sections 17.07.11.F.4.a. and 17.07.11.F.4.b.](#); except where existing [building](#) design is not compatible with said requirements, then proposed changes shall take into account the architectural tradition of the building:

- i. Replacement windows shall fill the entire original opening.
 - ii. Areas that historically existed as [transom](#) windows may only be filled with one of the following alternate materials where existing design expresses the need: cement board, wood (marine grade and above), or transparent or non-transparent glass.
 - iii. Areas that historically existed as upper story windows shall consist of [transparent](#) or non-transparent glass.
 - iv. The following standards apply in the D-1 District:
 - (a) Openings originally designed as windows on [storefronts](#) of [primary facades](#) shall consist of [transparent](#) glass.
 - (i) A [special exception](#) to allow for non-transparent glass may be sought where the need is proven based on use or existing design.
 - (b) Openings originally designed as windows on [storefronts](#) of [secondary facades](#) shall consist of [transparent](#) or non-transparent glass.
 - v. The following standards apply in the D-2 District:
 - (a) Openings originally designed as windows on [storefronts](#) of [primary](#) and [secondary facades](#) shall consist of [transparent](#) or non-transparent glass.
- d. Existing buildings [rear](#) and [interior side façade](#) design shall take into account the architectural tradition of the building. New openings may be made where needed to meet building code. Openings originally designed as windows on all levels of [side](#) and [rear facades](#) shall retain the appearance of being a window. Window openings covered prior to the time of passing this ordinance (Ord #2331 11/22/2021) may be repaired/replaced with cement board, wood (marine grade and above), or [transparent](#) or non-transparent glass where existing design requires such. Existing glass window openings at the time of passing of this ordinance (Ord #2331 11/22/2021) shall remain [transparent](#) or non-transparent glass.
- e. Roofs
- i. New [buildings](#) in the D-1 District shall be designed to incorporate a flat roof to reflect the traditional precedent. A slight pitch is permitted, taking into account drainage. A [parapet](#) is encouraged. Varying roofline elevations and forms, roof massing elements (i.e. turrets, dormers, or towers) may be used to create visual interest.
 - ii. New [buildings](#) in the D-2 District are encouraged to provide a flat roof to reflect traditional precedent. A [parapet](#) is encouraged. Varying roofline elevations, roof massing elements (i.e. turrets, dormers, or towers) or decorative cornices may be used to create visual interest.
 - iii. The roofs of existing [buildings](#) and [building](#) additions to [buildings](#) in the D-1 and D-2 District shall take into account the design of the existing [building](#).
- f. Multi-Family Buildings:

- i. New and existing multi-family [buildings](#) in the D-2 District are not required to meet [building](#) design requirements of [Sections 17.07.11F.4.a-b-c-d](#) (above); however, shall be designed to face the primary or secondary [street](#) and shall meet the following requirements:
 - (a) Shall use massing elements, such as window bays, roof forms, or changes in the [façade](#) plane, to create interest and articulate individual units.
 - (b) Ground floor [façade](#) characteristics such as windows size and spacing, architectural elements, and materials shall be consistent with upper floor characteristics.
 - (c) Entryways shall include front steps with decorative railings, an enclosed or covered stoop, or doorway framed by architectural elements that reflect the overall theme of the [building](#).
 - (d) If the ground floor is elevated above grade, the foundation shall use appropriate materials and be capped with trim to create a transition to the primary ground floor [façade](#) material

5. Building Materials

- a. The intent of allowing certain [building](#) materials centers on the goal to incorporate materials that reflect the character of downtown Fort Dodge and should convey a sense of quality, durability and permanence. Materials should not cover-up features/materials that contribute to a [building](#)'s historic character. If the original material has been overlaid with lower class materials, the non-conforming alterations should be removed and the original material repaired or replaced with similar materials.
- b. [Table 17.07.11-5](#) identifies permitted [building](#) materials and their allowed application. [Building](#) materials not listed on this [table](#) may be considered through a [special exception](#) request to the City's [Board of Adjustment](#), which will take into account durability and whether the proposed material and its application fit with the character of the downtown.
 - i. New [buildings](#) – D-1 District:
 - (a) Shall incorporate Class I and II materials on front and side [façades](#);
 - (b) May incorporate Class I, II or IV material on the rear [façade](#).
 - ii. New [buildings](#) - D-2 District:
 - (a) Shall incorporate Class I, II or III materials on front and side [façade](#);
 - (b) May incorporate Class I, II, III or IV materials on the rear [façade](#).
 - iii. Existing [buildings](#) – D-1 and D-2 Districts:
 - (a) May incorporate all Class I, II, III, or IV materials; however, shall not cover up or replace a higher class material and shall take into account the architectural tradition of the [building](#).
 - iv. The following materials are prohibited on a [building façade](#) in the D-1 or D-

2 District:

- (a) Faux or artificial brick or stone faces not consisting of cement, natural stone or brick (i.e. prohibit plastic and vinyl).
- (b) Residential-style Siding consisting of metal, vinyl, wood or wood composite (i.e. engineered wood); except as allowed for residential [buildings](#).
- (c) Asphalt shingles.
- (d) Non-decorative Metal or Wood Siding or Paneling.

Table 17.07.11-5. Permitted Building Materials

Building Material	Allowed Application	Example areas of use	Maximum Percent Allowed	Districts Allowed
Class I				
Brick (and real brick veneer)	Should be applied as primary material	N/A	N/A	New and existing buildings in the D-1 and D-2 District
Limestone			N/A	
Glass/windows (per Section 17.07.11.F.4.)			N/A	
Class II				
Marble	Applied as a trim, decorative, or accent material	Storefronts	40%	New and existing buildings in the D-1 and D-2 District
Granite		Storefronts	40%	
Cement Board panels or trim		Knee walls, window sills, etc.	40%	
Decorative wood		Knee walls, trim, etc.	30%	
Decorative metal		Mullions, columns, parapet caps, etc.	30%	
Poured Concrete		Knee walls, window sills, hoods, etc.	30%	
Sandstone		Window sills, lintels	30%	
Stucco		N/A	30%	
Class III				
Other Natural Stones	Shall not cover/replace existing Class I or Class II Materials	N/A	N/A	Existing buildings in the D-1 District, new and existing buildings in the D-2 District
Molded concrete in the form of brick or natural stone		N/A	N/A	
Class IV				
Stucco	Shall not cover/replace existing Class I or Class II Materials	N/A	N/A	Rear façade of new and existing buildings in the D-1 and D-2 District.
Decorative metal		N/A	N/A	
Cement Board		N/A	N/A	
Class V				
Residential-style siding consisting of metal, vinyl, or wood (residential)	N/A	N/A	New building : 40% Existing building : N/A	New and Existing Residential Structures in the D-2 District.

G. ON-SITE PARKING REQUIREMENTS:

1. Development in the downtown sub-districts shall provide on-site parking in accordance with [Table 17.07.11-6](#).

Table 17.07.11-6. Parking Requirements

Uses	Downtown Sub-Districts	
	D-1 Core	D-2 Corridor
Residential		
Town House / Multi-Family	1 space per d.u.	1 space per d.u.
Group Home	None	1 space for every 8 beds + 1 space per 3 employees
Lodging		
Bed & Breakfast	N/A	1 space plus 1 space per guest room
Dormitory (all floors)	None	1 space per two beds
Dormitory (upper floors only)	None	1 space per two beds plus lower floor use
Hotel	None	1 space per 3 rooms
Inn	None	1 space per 3 rooms
Commercial (indoors only)		
Office	None	2 spaces per 1,000 s.f., first 1,500 s.f. exempt
Clinic	None	1 space per 300 s.f. of gross floor area
Mercantile Establishment	None	2 spaces per 1,000 s.f., first 1,500 s.f. exempt
Tavern	None	4 spaces per 1,000 s.f., first 1,000 s.f. exempt
Restaurant	None	4 spaces per 1,000 s.f., first 1,000 s.f. exempt
Industrial:		
Existing Manufacturing, Assembly or Repair as of January 31, 2011	None	1 space per 2,500 s.f.
Civic:		
Auditorium	None	1 space per 4 seats
Convention Center	None	1 space per 4 seats
Indoor Recreation	None	1 space per 150 s.f. of Gross Floor Area
Library	None	1 space per 400 s.f. of Gross Floor Area
Movie Theater	None	1 space per 4 seats
Museums and Cultural Centers	None	2 spaces per 1,000 s.f.
Religious Assembly	None	1 space per 5 seats + .5 spaces per 1,000sf of residential living area if convent or rectory attached

Law Enforcement	None	2 spaces per 1,000 s.f., first 1,500 s.f. exempt
Civic Support:		
Funeral Home	None	1 space per three chapel seats or one space for each 50 s.f. of public area, whichever is greater
Automotive:		
Gas Station	N/A	1 space per four pump stations; plus three spaces per service bay, as applicable
Auto or Tire Repair/Auto Parts or Tire Sales	None	1 space per service bay
Auto Body Repair	None	1 space per service bay
Education		
College, University, or Trade School	None	1 space per 4 students based on maximum enrollment
School (K thru 12)	N/A	1 space per classroom
Pre-school	None	1 space per 300 square feet of gross floor area
Child Day Care (outdoor play area must be fully fenced)	None	1 space per 300 square feet of gross floor area

2. Parking may be provided in a designated parking lot, either adjacent to or non-adjacent to the lot, where the parking spaces are within 500’ of the entrance to the principal [building](#) on a [lot](#) as measured on a reasonable walking path from the furthest space to the [building](#) entry for each use.
3. Required off-street parking may be provided in a parking lot under different ownership or management than the lot being supplied with parking, so long as a shared parking agreement is signed by the owners of all properties involved and then recorded with Webster County and a copy of that is filed with the City. The agreement should indicate the number of required spaces to be provided for a specific user and the reasonable long-term commitment of both parties to maintain the demand for and supply of such parking.
4. To foster shared parking in the downtown district, a reduction in the total parking required for two or more uses may be requested. The following regulations apply for establishing such an agreement and calculating the reduced amount of required parking.
 - a. For any property under one ownership and used for two or more uses, the number of spaces shall be computed by multiplying the minimum amount of parking required for each land use, as stated under [Section 17.07.11.G.1](#) (above), by the appropriate percentage as shown in the shared parking requirements by time period (see [Table 17.07.11-7](#)). The number of spaces required for the development is then determined by adding the results in each column. The column totaling the highest number of parking spaces becomes the minimum off-street parking requirement.

- b. For two or more uses under multiple ownership, the total off-street parking requirement may be satisfied by providing a joint parking facility, and the minimum requirements may be reduced in accordance with the procedure outlined in [Section 17.07.11.G.4.a.](#) (above) for shared parking for single ownership. The appropriateness of shared parking shall be determined during [site plan review](#), provided the following criteria are met:
 - i. The shared parking facility is within 500 linear feet, measured along the most appropriate walking routes between the furthest space of the shared parking facility and the entrances to all establishments being served.
 - ii. The applicant provides a recorded shared-use parking agreement per [Section 17.07.11.G.3.](#)

Table 17.07.11-7. Shared Parking Multiplier Percentages.

Use	Weekday		Weekend		Nighttime
	6:00 a.m. - 6:00 p.m.	6:00 p.m. - midnight	6:00 a.m. - 6:00 p.m.	6:00 p.m. - midnight	Midnight - 6:00 a.m.
Office	100	10	10	5	5
Commercial/ Mercantile (retail)	60	90	100	70	5
Restaurant	50	100	100	100	10
Lodging	70	100	70	100	70
Recreational/Entertainment/ Social/Cultural	40	100	80	100	10
Residential	60	90	80	90	100
Institutional (church)	10	5	100	50	5
Institutional (non-church)	100	20	10	10	5
Other	100	100	100	100	100

Source: Table based on “Shared Parking,” a publication from the Urban Land Institute, Washington, D. C., 1983

17.07.12 SC – SHOPPING CENTER COMMERCIAL DISTRICT

- A. INTENT: This District is intended to provide for the development of modern retail shopping and mixed use facilities planned and constructed as a unit, so located as to serve several neighborhoods or, where conditions warrant, a larger regional area. Such development shall be properly related to adequate adjacent traffic arteries and compatible with the surrounding areas. The final authority over approval of the development shall be retained by the [City Council](#) with extensive prior study and review by the [Plan and Zoning Commission](#); such review shall be based on the City's [Site Plan Ordinance](#), [Comprehensive Plan](#), and the promotion of health, safety, morals, or general welfare of the City.
- B. PERMITTED USES: The following uses are permitted in the SC District:
1. Retail sales of merchandise.
 2. [Offices](#) and [clinics](#).
 3. Service establishments.
 4. [Indoor recreation](#) establishments.
 5. Parking lots or parking garages.
 6. Parking ramps.
 7. [Hotels/motels](#)
 8. Multi-Family Residential
 9. Wireless Communication Structures in accordance with [Section 17.08.02](#) of this ordinance.
 10. Firework sales, as long as situated within a fully enclosed, permanent, building.
- C. ACCESSORY USES: Use of land or [structure](#) customarily incidental and subordinate to a [permitted use](#) in the SC District:
1. [Accessory buildings](#) and uses customarily incidental to a [permitted use](#).
 2. Dwelling facilities for a custodian, caretaker or watchman employed on the premises.

- D. SPECIAL EXCEPTIONS: Certain uses may be permitted in the SC District subject to specific conditions and requirements intended to make them compatible with and acceptable to adjacent uses.
1. Service stations.
 2. Outdoor displays, excluding the outdoor display and sale of fireworks.
 3. Wireless Communication Structures in accordance with Section 17.08.02 of this ordinance.
- E. BULK REGULATIONS: The following requirements shall provide for light and air around permitted uses and buildings in the SC District:
1. Minimum zone area: 5 acres (through a single or combination of lots)
 2. Minimum lot area: 5,000 square feet
 3. Minimum lot width: 50 feet
 4. Minimum front yard: 25 feet
 5. Minimum side yard: 5 feet
 6. Minimum rear yard: 5 feet
 7. Maximum height: The lesser of 4 stories or 60 feet
 8. Floor area ratio, excluding bulk regulations above:
 - a. All permitted and accessory uses 3.0.
- F. OFFSTREET PARKING: The following offstreet parking requirements shall apply in the SC District:
1. Retail sales of merchandise: 1 parking space per 300 square feet of gross floor area.
 2. Offices and clinics: 1 parking space per 300 square feet of gross floor area.
 3. Hotels and motels: 1 parking space per room plus 1 parking space for each employee.
 4. Retail Showrooms: 1 parking space per 800 square feet of gross floor area.

5. [Multi-family dwellings](#): 1 parking space per [dwelling unit](#).
- G. **OFFSTREET LOADING**: The following offstreet loading requirements shall apply in the SC District:
1. All activities or [uses](#) allowed in the SC District shall be provided with adequate receiving facilities accessible by motor vehicle off any adjacent service drive or open space on the same zoning [lot](#).
 2. Loading shall not be permitted to block public right-of-way.
- H. **GENERAL REGULATIONS**: The following general regulations shall apply in the SC District:
1. All required [yards](#), including those which may be used for off-street parking shall be landscaped. They shall be landscaped attractively with natural lawn, living trees and/or shrubs, etc. Any areas left in a natural state shall be properly maintained in a sightly and well-kept condition.
 2. All businesses shall be conducted within an enclosed [yard](#) or [building](#), except by [special exceptions](#).
 3. All right-of-way shall be landscaped attractively with lawn, etc. Any areas left in a natural state shall be properly maintained in a sightly and well-kept condition.
- I. **SITE PLAN REVIEW**: All proposed development in the SC District shall meet requirements of [Section 17.08.03 – Site Plan Review Ordinance](#). The following review process shall apply in the SC District:
1. [Major Site Plans](#) (as determined by [Section 17.08.03 – Site Plan Review Ordinance](#)) require additional review by the City’s [Plan and Zoning Commission](#) and [City Council](#) following staff’s review. The [Plan and Zoning Commission](#) and [City Council](#) shall review to ensure the development is in compliance with the City’s [Site Plan Ordinance](#) and is consistent with the City’s [Comprehensive Plan](#).
 2. In the case of disapproval or approval subject to conditions, the [Plan and Zoning Commission](#) and/or [City Council](#) shall indicate the reasons for disapproval or approval subject to conditions, based on the City’s [Site Plan Ordinance](#) and [Comprehensive Plan](#).
 3. Any substantial change to the approved Site Plan per [Section 17.08.03.K](#), will require a resubmission to and approval by the [Plan and Zoning Commission](#) and [City Council](#).

4. Per [Section 17.08.03.N.](#) of the [City's Site Plan Ordinance](#), the site shall be maintained in accordance with the approved Site Plan.

17.07.13 LI – LIGHT INDUSTRIAL DISTRICT

- A. **INTENT:** This district is intended to provide for areas of development by industrial firms that have high standards of performance and that can locate in close proximity to residential and business uses. The district regulations are designed to permit the development of any manufacturing or industrial operations which, on the basis of actual physical and operational characteristics, would not be detrimental to the surrounding area or to the community as a whole by reasons of noise, dust, smoke, odor, traffic, physical appearance or other similar factors. [Outdoor storage](#) is allowed in this district when the material is enclosed within a [solid fence](#) at least six feet high and said fence being within required [building](#) lines. All industrial operations must be in an enclosed [building](#). No residential uses are permitted.
- B. **PERMITTED USES:** The following uses are permitted in the LI District:
1. Any non-residential [building](#) or use which would not be hazardous, obnoxious, offensive or unsightly by reason of odor, sound, vibrations, radioactivity, electrical interference, glares, liquid or solid waste, smoke, or other air pollutants.
 2. Storage, manufacture, compounding, processing, packing and/or treatment of products, exclusive of the rendering or refining of fats and/or oils.
 3. Manufacture, compounding, assembly and/or treatment of articles or merchandise derived from previously prepared materials.
 4. Assembly of appliances and equipment, including manufacture of small parts.
 5. Wholesale distribution of all standard types of prepared or packaged merchandise.
 6. Sale and storage of [building](#) materials. Outdoor or open storage shall be allowed only when the material is enclosed within a [solid fence](#) at least six feet high and said fence being within required [building](#) lines.
 7. Contractor's [offices](#) and storage of equipment.
 8. Public or private utility substations, relay stations, etc.
 9. Wireless Communication Structures in accordance with [Section 17.08.02](#) of this Ordinance.
 10. Firework sales, as long as situated within a fully enclosed, permanent, building.

- C. ACCESORY USES: Uses of land or structure customarily incidental and subordinate to a permitted use in the LI District:
1. Accessory buildings and uses customarily incidental to a permitted use.
 2. Living quarters for watchmen and custodians of industrial properties.
 3. Outdoor display and sales. The display and/or tent for outdoor display and sale of fireworks, including all membranes, guy wires, and ropes, as well as any trailers, storage units, or similar objects associated with the display and/or tent, must be at least 100 feet from all structures.
- D. SPECIAL EXCEPTIONS: Certain uses may be permitted in the LI District subject to specific conditions and requirements intended to make them compatible with and acceptable to adjacent uses.
1. Service stations.
 2. Wireless Communication Structures in accordance with Section 17.08.02 of this Ordinance.
- E. BULK REGULATIONS: The following requirements shall provide for light and air around permitted uses and buildings in the LI District:
1. Floor area ratio:
 - a. All permitted and accessory uses, 1.5.
 2. Maximum height – 6 stories or 90 feet.
 3. If a side yard is provided it shall be a minimum of 5 feet.
- F. OFFSTREET PARKING: The following offstreet parking requirements shall apply in the LI District:
1. All commercial uses shall provide 1 parking space on the lot for each 300 square feet of floor area.
 2. All industrial uses shall provide 1 parking space on the lot for each 2 employees of maximum number employed at any one time.
- G. OFFSTREET LOADING: The following offstreet loading requirements shall apply in the LI District:

1. All activities or uses allowed in the LI District shall be provided with adequate receiving facilities accessible by motor vehicle off any adjacent service drive or open space on the same zoning [lot](#).
2. Loading shall not be permitted to block public right-of-way.

H. GENERAL REGULATIONS: The following general regulations shall apply in the LI District:

1. All required yards, including those which may be used for off-street parking shall be landscaped. They shall be landscaped attractively with natural lawn, living trees and/or shrubs, etc. Any areas left in a natural state shall be properly maintained in a sightly and well-kept condition.
2. All business shall be conducted within an enclosed yard or [building](#), except by [special exceptions](#).
3. All right-of-way shall be landscaped attractively with lawn, etc. Any areas left in a natural state shall be properly maintained in a sightly and well-kept condition.

17.07.14 HI – HEAVY INDUSTRIAL DISTRICT

- A. **INTENT:** This [district](#) is intended to provide areas for activities and [uses](#) of a heavy industrial character and is the least restrictive of any [district](#). In the best interest of the City, certain uses in the HI District shall be subject to final [City Council](#) approval, conditional approval or denial to ensure that proper safeguards are taken. The [Plan and Zoning Commission](#) will provide extensive prior study review and recommendations to the [City Council](#) for consideration. No residential [uses](#) are permitted.
- B. **PERMITTED USES:** There may be any [use](#), excluding residential [uses](#) and trailers; the following [uses](#) must be given separate [Council](#) approval before a [building](#) or occupancy permit is issued:
1. Acid manufacture.
 2. Cement, lime, gypsum, or plaster of Paris manufacture.
 3. Distillation of bones.
 4. Explosive manufacture or storage.
 5. Fat rendering.
 6. Fertilizer manufacture.
 7. Gas manufacture.
 8. Garbage, offal, or dead animals, reduction or dumping.
 9. Glue manufacture.
 10. Petroleum or its products, refining of.
 11. Smelting of tin, copper, zinc or iron ores.
 12. Stockyards or slaughter of animals.
 13. [Junk yards](#). Must be surrounded by a [solid fence](#) at least six feet high located within [building](#) lines and the junk piled not higher than the fence.
 14. [Waste tire collection site](#).
 15. Wireless Communication Structures in accordance with [Section 17.08.02](#) of this Ordinance.

Before granting such separate approval, Council shall refer applications to the Chief of the Fire Department and the Commission for study, investigation and report. If no report is received in 30 days, Council may assume approval of the application.

- C. ACCESSORY USES: Uses of land or structure customarily incidental and subordinate to a permitted use in the HI District:
1. Accessory buildings and uses customarily incidental to a permitted use.
 2. Living quarters for watchmen or custodians of industrial properties.
 3. Outdoor display and sales. The display and/or tent for outdoor display and sale of fireworks, including all membranes, guy wires, and ropes, as well as any trailers, storage units, or similar objects associated with the display and/or tent, must be at least 100 feet from all structures.
- D. BULK REGULATIONS: The following requirements shall provide for light and air around permitted uses and buildings in the HI District:
1. Floor area ratio:
 - a. All permitted and accessory uses, 1.5.
 2. Maximum height – 6 stories or 90 feet.
 3. If a side yard is provided it shall be a minimum of 5 feet.
- E. OFFSTREET PARKING: The following offstreet parking requirements shall apply in the HI District:
1. All commercial uses shall provide 1 parking space on the lot for each 300 square feet of floor area.
 2. All industrial uses shall provide 1 parking space on the lot for each 2 employees of maximum number employed at any one time.
- F. OFFSTREET LOADING: The following offstreet loading requirements shall apply in the HI District:
1. All activities or uses allowed in the HI District shall be provided with adequate receiving facilities accessible by motor vehicle off any adjacent service drive or open space on the same zoning lot.
 2. Loading shall not be permitted to block public right-of-way.

G. GENERAL REGULATIONS: The following general regulations shall apply in the HI District:

1. All required [yards](#), including those which may be used for off-street parking shall be landscaped. They shall be landscaped attractively with natural lawn, living trees and/or shrubs, etc. Any areas left in a natural state shall be properly maintained in a sightly and well-kept condition.
2. All business shall be conducted within an enclosed [yard](#) or [building](#), except by [special exceptions](#).
3. All right-of-way shall be landscaped attractively with lawn, etc. Any areas left in a natural state shall be properly maintained in a sightly and well-kept condition.

H. SPECIAL EXCEPTIONS: Certain [uses](#) may be permitted in the HI district subject to specific conditions and requirements intended to make them compatible with and acceptable to adjacent [uses](#).

1. Wireless Communication Structures in accordance with [Section 17.08.02](#) of this Ordinance.

17.07.15 PD – PLANNED DEVELOPMENT DISTRICTS

- A. INTENT: This district is intended to provide flexible land use and design regulations through the use of performance criteria so that small-to-large scale neighborhoods, or portions thereof, may be developed with a variety of residential types and non-residential uses, may contain both individual building sites and common property which are planned and developed as a unit. Such a planned development is to be designed and organized so as to be capable of satisfactory use and operation as a separate entity without necessarily needing the participation of other building sites or other common property in order to function as a neighborhood. Planned Development specifically encourages innovations so that the growing demands of housing may be met by greater variety in type, design, and siting of dwellings and by the conservation and more efficient use of land.

This district recognizes that the standard zoning function (use and bulk) and the subdivision function (platting and design) are appropriate for the regulation of land use in areas or neighborhoods that are already substantially developed. This district further recognizes that a rigid set of space requirements along with bulk and use specifications would frustrate the application of the Planned Development concept. Therefore, where PD techniques are deemed appropriate the land may be rezoned to a PD District providing an approval process in which an approved PD plan becomes the basis for continuing land use controls.

To carry out the intent a PD District endeavors to provide:

1. A choice in the types of environment, occupancy tenure (e.g., cooperatives, individual ownership, condominium, leasing, etc.) types of housing, types of ownership, and community facilities available to existing and potential residents.
2. Useable open space and recreation areas.
3. Convenience in location of accessory commercial and service areas.
4. Preservation of natural topographical, geological features with emphasis upon:
 - a. Prevention of soil erosion.
 - b. Conservation of existing surface and subsurface water.
 - c. Preservation of major trees or other environmental enhancing features.
5. An efficient network of streets and utilities.

6. The development of a pattern in harmony with the objectives of the City's [Comprehensive Plan](#) which will foster a more desirable living environment.
- B. [PERMITTED USES](#): The following uses are permitted in the PD District:
1. [Dwelling units](#) in [detached](#), semi-detached, [attached](#), groups of [attached](#) or clustered or multi-storied [structures](#), or any combination thereof.
 2. Any non-residential use which by design, use and restriction is compatible with all adjacent uses.
 3. Any industrial use which by design, use and restriction is compatible with all adjacent uses.
 4. Public and private educational and recreational facilities.
- C. [ACCESSORY USES](#): Uses of land or [structure](#) customarily incidental and subordinate to a [permitted use](#) in the PD District:
1. [Accessory buildings](#) and uses customarily incidental to a [permitted use](#).
 2. Storage of material or merchandise incidental to the [principal use](#), but not to exceed 40% of the floor area for each purposes.
- D. [SPECIAL EXCEPTIONS](#): All uses permitted in the PD District are subject to specific conditions and requirements intended to make them compatible with and acceptable to adjacent uses.
1. Wireless Communication Structures in accordance with [Section 17.08.02](#) of this Ordinance.
- E. [BULK REGULATIONS](#): The following requirements shall provide for light and air around [permitted uses](#) and [buildings](#) in the PD District:
1. Minimum [lot](#) area: 10 acres (gross area)
 2. Maximum height – the lesser of 6 stories or 90 feet.
 3. [LUI](#) Ratio times gross land area
 - [Floor area ratio](#) .400
 - Open space ratio .72
 - Livability space ratio .44
 - Recreation space ratio .052
 4. [LUI](#) Ratio times living units

- Occupant car ratio 1.1
- Total car ratio 1.2

5. All non-residential uses – F.A.R. – 1.0, excluding bulk regulations above.
 6. The above bulk regulations, when met, do not automatically constitute approval of the submitted plan. The [City Council](#) reserves the right to approve or reject any plans submitted that are not in conformance with the City’s [Comprehensive Plan](#), are not properly related to adequate traffic arteries, are not compatible with surrounding land uses or are not otherwise in the best interest of the City of Fort Dodge.
 7. If adjacent to a residential [district](#), the [side yard](#) and [rear yard](#) shall be equal to the minimum [side yard](#) and [rear yard](#) required in the adjacent [district](#).
- F. OFFSTREET PARKING: The following offstreet loading requirements shall apply in the PD District:
1. Residential offstreet parking requirements shall be as determined through use of the Land Use Intensity ([LUI](#)) procedure as established by the most recently adopted City Resolution for [LUI](#) development.
 2. Commercial offstreet automobile parking shall be provided in a ratio of not less than 3 square feet of gross parking area for each 1 square foot of net rentable floor area.
 3. Industrial offstreet parking shall provide 1 parking space on the [lot](#) for each 2 employees of maximum number employed at any time.
- G. OFFSTREET LOADING: The following offstreet loading requirements shall apply in the PD District:
1. All activities or uses allowed in the PD District shall be provided with adequate receiving facilities accessible by motor vehicle off any adjacent service drive or open space on the same zoning [lot](#).
 2. Loading shall not be permitted to block public right-of-way.
- H. GENERAL REGULATIONS: The following general regulations shall apply in the PD District:
1. More than one [building](#) may be placed on one platted or recorded [lot](#) in any PD.

2. A PD which only involves one housing type, such as all detached or all attached units, shall not be considered as inconsistent with the stated purposes and objectives of this section and shall not be the sole basis for denial or approval.
3. Architectural style of [buildings](#) shall not solely be a basis for denial or approval of a plan. However, the overall appearance and compatibility of individual [buildings](#) to other site elements or to surrounding development will be primary consideration in the review stages of the [Plan and Zoning Commission](#) and [City Council](#).
4. No [building](#) permit shall be granted for any [buildings](#) on land for which a plan for a PD is in the process of City review or which does not conform to the approved final plan.
5. Staging of Development:
 - a. Any PD plan proposed to be constructed in stages shall include full details relating thereto and the [City Council](#) may approve or modify where necessary, any such proposals.
 - b. The staging shall include the time for beginning and completion of each stage. Such timing may be modified by the [City Council](#) on the showing of good cause by the developer.
 - c. The Land Owner or Developer shall make such [easements](#), covenants, and other arrangements and shall furnish such performance bond or bonds as may be determined by the [City Council](#) to be reasonably required to assure performance in accordance with the plan and to protect the public interest in the event of abandonment of the plan before completion.
6. Open Space: A primary function of the PD provision is to encourage development which will preserve and enhance the worthwhile, natural terrain characteristics and not force intense development to utilize all portions of a given site in order to arrive at the maximum density allowed. In evaluating each individual proposal the recognition of this objective will be a basic consideration in granting approval or denial including but not limited to the following:
 - a. The amount and location of common open space shall be consistent with the stated purpose and intent of this section.
 - b. All common open space shall be labeled as such and as to its intent or designed functions.

7. Covenants, [Easements](#), and Restrictions: The final plan shall contain such proposed covenants, [easements](#) and other provisions relating to the bulk, location and density of such residential units, non-residential uses and public facilities as are necessary for the welfare of the PD and area consistent with the best interest of the entire city. All or any of the covenants, [easements](#) and other provisions, if part of the final plan may be modified, enforced, removed or released as deemed necessary by the [City Council](#) for the preservation of the public health, safety, morals and general welfare of all city residents.
 8. [Streets](#), Utilities, Services and Public Facilities: The uniqueness of each proposal for a PD requires that specifications and standards for [streets](#), utilities and services shall be subject to minor modifications from the specifications and standards established in this and other city ordinances governing their construction. The [City Council](#) may therefore waive or modify the specifications or standards where it is found that they are not required in the interests of the residents or of the entire city. The plans and profiles of all [streets](#), utilities and services shall be reviewed, modified if necessary, and approved by the City Engineer, Fire Chief, and Building Inspector, prior to the final approval of the PD plan by the [City Council](#). All PD projects shall be served by public or community water and sewer systems.
- I. ADMINISTRATIVE PROCEDURE: The following administrative procedure shall apply in the PD District:
1. The general procedure for application, review and action on a PD shall be according to the following outline:
 - a. A Concept Plan at the option of the applicant may be submitted to the [Plan and Zoning Commission](#) for review and at the request of the Applicant it shall be submitted to the [City Council](#) for review. The Concept Plan is intended to indicate the general concept of the developer and may be on any form the developer desires in order to indicate his intentions.
 - b. Application, filing fee and 11 copies of the preliminary plan are to be submitted to the City Planning Director at least 14 days prior to public hearing date.
 - c. [Planning Commission](#) staff and City Engineer review Preliminary Plans and transmit copies of review to [Plan and Zoning Commission](#) members, Administrative Official, Fire Chief and applicant at least 5 days before Public Hearing before [Plan and Zoning Commission](#).

- d. [Plan and Zoning Commission](#) holds public hearing on preliminary plan.
 - e. [Plan and Zoning Commission](#) sends recommendation for action on Preliminary Plan to [City Council](#).
 - f. [Council](#) acts on Preliminary Plan and staging of development.
 - g. If [Council](#) approves Preliminary Plan, applicant submits 11 copies of Final Plan within 90 days of [Council](#) meeting.
 - h. City Planning Director transmits copies of the Final Plan to the [Plan and Zoning Commission](#), City Engineer, Administrative Official and Fire Chief.
 - i. Planning staff and City Engineer review final plans and make recommendations to the [Plan and Zoning Commission](#) at least 5 days before [Plan and Zoning Commission](#) meeting.
 - j. [Plan and Zoning Commission](#) acts on Final Plan and submits recommendation to [City Council](#).
 - k. [Council](#) reviews Final Plan and takes action.
 - l. If the [City Council](#) approves the Final Plan for the first phase or phases, the [Zoning Administrator](#) changes the zoning classification on the [Official Zoning Map](#) for the entire area as approved at the Preliminary Plan stage to PD and adds the appropriate L.U.I. number. No [building](#) permits shall be issued for any phase which has not been given Final Plan approval.
2. Application for a PD shall be made by the owner of the property except that an option holder may apply for a PD provided his application is accompanied by a signed statement indicating no objections from the owner or owners of all properties involved in the application.
 3. Application for a Preliminary PD Plan shall be filed with the City Clerk and shall be accompanied by 11 copies of the following plans and information as the City Planning Director requires:
 - a. Location maps showing general location within the City and more specific location map showing all surrounding property lines and ownership within 200 feet of the proposed PD as the same appears on the records of the County Auditor of Webster County.

- b. General development plan at a scale of more than one inch equals 100 feet indicating:
 - (1) The proposed site and existing developments on adjacent properties.
 - (2) Proposed size, location & arrangement of [buildings](#).
 - (3) All types of uses proposed.
 - (4) Gross density of each type of use.
 - (5) Height and bulk of all [buildings](#).
 - (6) Parking areas and stall arrangement.
 - (7) Entrance and exit drives.
 - (8) Off-street parking areas shall be so designed that vehicles can be parked in a convenient and orderly fashion and so that traffic may move from one part of a parking lot to another without using a public [street](#). All open off-street parking areas shall be effectively screened by a wall, fence or planting of acceptable design. All lighting used to illuminate off-street parking areas shall be so arranged as to deflect the light away from adjacent properties in residential use.
 - (9) Landscaping.
 - (10) Dimensions.
 - (11) Proposed sewer and water systems.
 - (12) Recreation areas.
- c. In the case of Planned Developments, all Preliminary Plans shall contain a separate sheet incorporating all information required for a preliminary plat by the [Fort Dodge Subdivision Ordinance](#).
- d. Summary Sheet Indicating:
 - (1) Land Use Intensity Ratios as computed with each factor shown on the plan:

[Floor Area Ratio](#)
Open Space Ratio

Livability Space Ratio
Recreation Space Ratio
Occupant Car Ratio
Total Car Ratio

- (2) Gross area of land in each use of each separate intensity of use.
 - (3) Number of units proposed including the number of bedrooms in each area.
 - (4) Phasing Plan indicating geographic staging and approximate timing of the plan or portions thereof.
 - (5) Written statement by the applicant indicating how his proposed development conforms to the stated objectives and purpose of this section and why his proposal would be in the public interest.
- e. [Plan and Zoning Commission](#) study and review of preliminary plan:
- (1) The [Plan and Zoning Commission](#) shall make its recommendations to the [City Council](#) for project approval; approval with conditions; or denial. Such recommendations shall be made within 60 days of the initial hearing unless the applicant files a written request to the [Plan and Zoning Commission](#) for delay. If the [Plan and Zoning Commission](#) does not make its recommendations within the specified time period and a delay has not been requested by the applicant, the [City Council](#) may take action on the request by the applicant.
 - (2) The [Plan and Zoning Commission](#) shall forward to the [City Council](#) its recommendation based on and including but not limited to the following:
 - (a) Compatibility with the stated purposes and intent of the Planned Development.
 - (b) Relationship of the proposed plan to the neighborhood in which it is proposed to be located, to the City's Land Use Plan and to other provisions of the Zoning Ordinance.

- (c) Internal organization and adequacy of various uses or densities; circulation and parking facilities; public facilities, recreation areas and open spaces.
- f. Final Plan Review:
- (1) A Final Plan for the development or staging of development as approved shall be submitted with an application for Final Plan approval within 90 days after [Council](#) approval of the preliminary plan unless a written request for an extension is submitted by the applicant. If an application for final approval or a request for an extension is not received within 90 days, the preliminary plan will be considered abandoned and a new application for a preliminary plan must be submitted following the preliminary plan procedure. There shall be a maximum of extension of not more than 1 year.
 - (2) The [Plan and Zoning Commission](#) shall review the Final Plan at its first regularly scheduled meeting which occurs 14 days after filing of the application for Final Plan approval.
 - (3) The Final Plan shall be in substantial compliance with the approved preliminary plan. Substantial compliance shall mean:
 - (a) The number of residential living units has not been substantially changed.
 - (b) The floor area of non-residential uses has not been substantially changed.
 - (c) Open-space has not been substantially altered to change its original intended design or use.
 - (d) All special conditions prescribed on the preliminary plan by the applicant or any of the reviewing bodies have been incorporated into the Final Plan.
 - (e) All L.U.I. ratios have not been substantially altered.
 - (4) The application for Final Plan (or for any stages of the Final Plan) approval shall be accompanied by a legal description of the total property together with copies of the following plans and data:

- (a) A plan with locations of all [structures](#) including placement, size and type with topography showing two foot contour intervals.
 - (b) Preliminary architectural delineations including, but not limited to [building](#) plans, elevations and sections together with preliminary specifications. These plans and specifications are applicable to all [structures](#) other than single family dwellings.
 - (c) Elevations or sections through the site which will best indicate the relationship of the [building](#) with the various terrain features and site elements.
 - (d) Detailed grading and drainage plan at 2 foot contour interval.
 - (e) Utility plan for all public utilities.
 - (f) Landscape plan prepared by a professional landscape architect.
 - (g) Proposed zoning changes with legal descriptions of all district boundary changes.
 - (h) Deed restrictions, covenants, agreements, by-laws of proposed homeowner's association and other documents controlling the use of property, type of construction or development or the activities of future residents.
 - (i) The procedures for approving and recording of plats shall be followed if the Final Plan involves platting or division of land or the platting of public [streets](#).
 - (j) If the Final Plan does constitute a Subdivision or involves the platting of public [streets](#), the Final Plan shall meet all of the requirements for the Final Plat under the [Fort Dodge Subdivision Ordinance](#).
 - (k) Any other information which is necessary to fully represent the intentions of the preliminary plan.
- (5) If the Final Plan for the first phase or phases is approved, the [Zoning Administrator](#) shall then change the Zoning Classification on the [official Zoning Map](#) for the entire area

as approved at the Preliminary Plan stage to P.D. No [building](#) permits shall be issued for any phase which has not been given Final Plan approval.

- (6) Any substantial change to the Plan will require resubmission to and approval by the [Plan and Zoning Commission](#) and the [City Council](#).
- (7) If the zoning change is approved, the first phase of construction must begin or show reasonable progress within 1 year after approval of the Final Plan and zoning change by Ordinance or the District may be zoned back to its original [zoning district](#) classification or other appropriate [zoning district](#) classification.

*Land Use Provisions of all PD's prior to 2021 – See associated covenants.

**Corridor Plaza Zoning Regulations – See Exhibit B-1 of Ordinance #2319 adopted January 25, 2021 and associated covenants.

17.07.16 RH – RESIDENTIAL HISTORICAL DISTRICT

- A. **INTENT:** This district is intended to preserve the historical integrity of areas that are predominantly single family residential in land use. Both historical and cultural [structures](#) are appropriate for this area.
- B. **PERMITTED USES:** The following uses are permitted in the RH District:
1. Single family detached and [attached dwellings](#).
 2. Public Parks and recreation open space.
 3. [Family Home](#) and [Elder Family Home](#).
- C. **ACCESSORY USES:** Uses of land or [structure](#) customarily incidental and subordinate to a [permitted use](#) in the RH District:
1. [Private garages](#).
 2. Parking lots.
 3. [Home Occupation](#).
 4. Vegetable and flower gardens.
 5. Private recreational facilities.
 6. Temporary [buildings](#) for the use incidental to construction work which [buildings](#) shall be removed upon the completion or abandonment of the construction work.
- D. **SPECIAL EXCEPTIONS:** Certain uses may be permitted in the RH District subject to specific conditions and requirements intended to make them compatible with and acceptable to adjacent uses:
1. Public or private utility stations, relay stations, etc.
 2. Churches and publicly owned and operated [buildings](#) and facilities including incidental uses such as nursery school and day care services operated by the church or government.
 3. Private schools with curriculum similar to public schools.
 4. [Offices](#) of private non-profit corporations and associations.

5. Upper floor dwellings, incidental to the use of the facility, not to exceed 3 apartments, where the facilities are owned and operated by a non-profit corporation or association that uses the facility to conduct their business.
 6. Art and History [museums](#) including homes open for touring.
 7. Facilities that are owned and operated by non-profit corporations and primarily used for periodic receptions and other similar private functions, with alcohol allowed solely at the functions and not served to the general public.
 8. Off-site Parking Areas - In the application for [special exception](#), the applicant shall provide plans that demonstrate how the requirements listed below will be met. The [Board of Adjustment](#) shall make findings regarding the following requirements in their determination regarding the [special exception](#).
 1. The [lot](#) (parcel) occupied by the off-site parking area shall be located within 100' at their closest points from the [lot](#) occupied by the [principal use](#).
 2. Visual screening and landscaping shall be provided to ensure the compatibility of the parking lot with the surrounding properties. Landscaping and greenspace shall comprise at least 25% of the gross area of the lot.
 3. Greenspace width requirements to be provided as specified in [Section 17.08.03.G.12.c/Table 17.08.03-2](#). Paved surfacing shall be used, and the diagram shall state which type, whether concrete or asphalt. The parking lot shall be designed to adequately manage run off.
 4. The property of such parking facilities shall be in the same possession as the [lot](#) occupied by the [building](#) or use to which the parking facilities are accessory.
 9. Wireless Communication Structures in accordance with [Section 17.08.02](#) of this Ordinance.
- E. **BULK REGULATIONS:** The following requirements shall provide for light and air around permitted residential uses and [buildings](#) in the RH District:
1. Minimum [lot](#) area: 6,000 square feet
 2. Units/Gross acre: 7 units

3. Minimum [lot width](#): 60 feet
 4. Minimum [front yard](#): 20 feet
 5. Minimum [side yard](#): 6 feet
 6. Minimum [rear yard](#): 20 feet
 7. Maximum [height](#): 45 feet
 8. [Floor area ratio](#): The following non-residential [uses](#) shall provide the respective [floor area ratio](#) excluding the required [yard](#) areas:
 - a. Educational, historical and cultural institutions, 1.5.
 - b. Recreational and social [buildings](#), 1.0.
 - c. Churches and [public buildings](#), 1.0.
 - d. [Office](#) of private non-profit corporations and associations, 1.0.
- F. [OFFSTREET PARKING](#): The following offstreet parking requirements shall apply in the RH District. Parking spaces shall be provided on the same [lot](#) as the primary [structure](#). However, if the [lot](#) lacks adequate space to fulfill the parking requirement, the requirement may be met through an off-site parking lot if a [special exception](#) is granted to do so as described in the [special exception section](#) of these district regulations. The use(s) being served by the off-site parking lot shall be permitted or [special exception](#) use(s) that are also allowed for the parking lot's respective zoning classification.
1. Single family dwellings: 2 parking spaces on the [lot](#).
 2. [Multi-family dwellings](#): 1 parking space on the [lot](#) for each [dwelling unit](#).
 3. Churches: 1 parking space on the [lot](#) for each 5 seats in the main [auditorium](#).
 4. Elementary, junior high and equivalent private or parochial schools: 1 parking space for each classroom and office plus 1 parking space for each 300 square feet of [gross floor area](#) in [auditorium](#) or gymnasium.
 5. Senior high schools and equivalent private or parochial schools: 1 parking space for each employee and 1 parking space for each 10 students.
 6. Colleges, universities and equivalent private or parochial schools: 1 parking space for each employee and 1 parking space for each 5 students.

7. [Public buildings and facilities](#): 1 parking space for each 300 square feet of [gross floor area](#).
 8. Nursery schools: 1 parking space per employee.
- G. **PARKING AND STORAGE OF CERTAIN VEHICLES**: No [major Recreational Equipment](#) shall be parked or stored on any [lot](#) except in a carport or enclosed [building](#) or behind the required [front yard setback](#) lines unless it is parked on a designated hard surfaced driveway in the required [front yard](#), provided however, that such equipment may be parked anywhere on a residential premises for not to exceed 24 hours during loading or unloading.
- Automotive vehicles or trailers of any kind or type without current license plates shall not be parked or stored on any [lot](#) other than in completely enclosed [buildings](#). No automotive vehicle or trailers of any kind shall be parked or stored on any [lot](#) in this district in a required [front yard](#) except when parked on a designated hard surfaced driveway. No vehicle of any kind shall be parked on public or private property so as to create a safety hazard with pedestrian or vehicular traffic.
- H. **OFFSTREET LOADING**: The following offstreet loading requirements shall apply in the RH District:
1. All activities or uses allowed in the RH District shall be provided with adequate receiving facilities accessible by motor vehicle off any adjacent service drive or open space on the same zoning [lot](#).
 2. Loading shall not be permitted to block public right-of-way.

17.07.17 O-CG – CORRIDOR GATEWAY OVERLAY DISTRICT

- A. INTENT: This overlay is intended to enhance the character of the community’s primary transportation corridors and major community entryways. This overlay is also intended to improve the image of the community presented to citizens and visitors as they travel along these corridors by improving the built environment in these areas through enhanced development standards including architectural and landscape requirements. The use of this overlay would be appropriate when applied to major community entryways and transportation corridors where it is desired to improve the public image of private property as it is viewed from the public right-of-way. As such, this overlay would normally be applied in a linear nature on one or both sides of the length of a public [street](#) some distance from the road [centerline](#) and applied as detailed below and in [Section 17.02.03](#).
- B. APPLICABILITY: This overlay shall be applied in the following manner:
1. The O-CG Corridor Gateway Overlay District is intended to function as an “overlay” to the underlying base zones, in addition to all of the use, yard, bulk and other requirements of the applicable base zone. In each case, the most restrictive provision of the overlay zone or the underlying base zone shall apply. The location of overlay zones shall be shown on the [Official Zoning Map](#).
 2. These regulations shall apply when a [Site Plan Review](#) is required as outlined by [Section 17.08.03](#) of this ordinance. In addition, the following activities shall also require compliance with these regulations through the [Site Plan Review](#) process:
 - a. Reconstruction, renovation, or rehabilitation of the exterior of an existing [structure](#) which requires application for a [building/zoning](#) permit such as [façade](#) renovations, siding, or entrance design and except for routine maintenance.
 - b. Reconstruction or substantial improvements to an existing parking lot to include the expansion of existing parking lots that are not surfaced with a Portland Cement Concrete (PCC) or asphalt surface and the paving of existing gravel lots with a Portland Cement Concrete (PCC) or asphalt surface.
 3. A [special exception](#) may be granted by the [Board of Adjustment](#) to allow modified compliance with the regulations of this section where strict compliance would render a property unbuildable and the granting of the [special exception](#) would not adversely affect the public interest or the purposes and intent of this ordinance.

- C. PERMITTED USES: All uses permitted in a given site's underlying base zone, except those uses expressly prohibited in Section 17.07.17(D), are permitted in the O-CG Overlay District.
- D. PROHIBITED USES: The following uses are prohibited in the O-CG Overlay District:
1. Adult Uses
 2. Outdoor display and sale of fireworks.
- E. ACCESSORY USES: Uses of land or structure customarily incidental and subordinate to a permitted use in the O-CG Overlay District:
1. Outdoor Storage. Outdoor Storage areas shall meet the following requirements:
 - a. Shall not be located closer to a street than the main building or in a required off-street parking space nor cover an area more than forty percent (40%) of the floor area of the main building and must have a minimum peripheral setback of five feet.
 - b. All outdoor storage must be completely enclosed in a fenced yard with fully opaque screening. Chain link fence with slats is not permitted.
 - c. A landscaped area five feet (5') deep shall be provided along all outdoor storage areas along all street lot lines. At least 1 tree or shrub per 10 lineal feet must be provided for within this landscaped area.
 - d. No item in the storage area may be stacked higher than the fence.
 - e. Outdoor storage, or the storage of junk, explosives, or flammable materials, and other noxious or dangerous materials are specifically prohibited.
 2. Outdoor Display. Outdoor display of merchandise for immediate sale is permitted in areas immediately adjacent to a main building. However, the display area may not be located within a required yard or required off-street parking space and may not be located in a manner that obstructs building entrances and exits, sidewalks, bicycle parking areas, pedestrian routes, or vehicular use areas.
- F. GENERAL REGULATIONS: The following general regulations shall apply in the O-CG Overlay District.
1. Architectural Requirements. The following architectural requirements and guidelines shall apply in the O-CG Overlay District:

- a. Setbacks. New buildings or building additions requiring a major site plan must not be setback less than twenty-five feet (25') nor greater than one hundred feet (100'). This setback standard supersedes the setback standards of the base zone. Maximum setbacks shall be applied to no more than two frontages, which include the primary street frontages, as identified by the City Engineer.
 - i. Further setbacks are permitted as follows:
 - (a) 101'-150' so long as performance requirements 1-3 of table 17.07.17.F.1.a – 1 are provided;
 - (b) Greater than 150' so long as performance requirements 1-5 of table 17.07.17.F.1.a – 1 are provided.

Table 17.07.17.F.1.a – 1: Performance Requirements

<p>151'+ Setback (1-5)</p> <p>101'-150' Setback (1-3)</p>	<ol style="list-style-type: none"> 1. Protected pedestrian walkway provided along a minimum of 40% of the length between the property line and building (excluding drive aisles) that includes 5' of landscaping along either side along the entire length, and includes a mix of planting types (trees, shrubs and groundcover) consistent with landscaping standards in Section 17.08.03, Site Plan Review. 2. Clearly identifiable pedestrian crosswalk across any parking/drive aisle areas. Identification must include a different pavement material and color from the main surface of the parking lot. Acceptable approaches include stamped and stained concrete, brick pavers, or similar approved treatments, such as painting. 3. At least one (required for 101'-150' setback) or two (required for 151'+ setback) of the following features within the pedestrian-oriented area: <ol style="list-style-type: none"> a. Seating areas b. Fountains/plazas c. Art/sculptures d. Low-level decorative lighting, not related to the building e. Design and landscaping elements replicating the 5th Avenue South streetscape theme (must include 2 of the following): <ol style="list-style-type: none"> i. The use of Kasota limestone in split face and diamond sawn textures for landscape walls, bollards, and benches ii. A mix of prairie flowers (native perennials), ornamental grasses, and ornamental flowering trees complimentary to existing public right of way plantings iii. Ornamental metal fencing complimentary to existing public right-of-way features 4. The landscape requirements for the site must satisfy the next higher level of requirements for general green space, interior green space, and planting quantities (i.e. lots requiring 6% general green space must provide 10% green space, etc.). Calculations for planting quantities will be derived using the higher general green space percentage and the total lot area. 5. Stormwater Best Management Practices provided on the property
---	--

- b. Building Placement. [Buildings](#) should be sited parallel to the [street frontage](#) and are encouraged to have a well defined front [façade](#) with primary entrances addressing the primary [street frontage](#) and secondary entrances located at additional convenient locations. Where primary entrances do not address the primary [street frontage](#), a pedestrian walkway shall be provided along the entire length between the property line and [building](#) (except drive aisles) that

includes 5' of landscaping along either side along the entire length, and includes a mix of planting types (trees, shrubs and [groundcover](#)) consistent with landscaping standards in [Section 17.08.03, Site Plan Review](#). Where the walkway crosses a parking/drive aisle a crosswalk shall be provided.

- c. [Building](#) Materials. The following materials are not acceptable for front [façades](#) unless used as a secondary or trim material:
 - i. Masonite
 - ii. Visible asphaltic exterior wall
 - iii. Vertical aluminum/steel siding or panels
 - iv. Non-architectural sheet metal
 - v. Non-textured concrete block
 - vi. Non-finished/non-painted plywood or particle board siding

- d. [Building](#) Design. [Primary](#) and [secondary building façades](#) shall have three distinct architectural zones, each dissimilar from the other:
 - i. Lower zone below the window level;
 - ii. Window level zone;
 - 1.) Where the window zone cannot be achieved on a [secondary building façade](#), architectural enhancements shall be made to eliminate blank spaces.
 - iii. Upper zone from window level up to and including eaves.

- e. Design Elements. All [buildings](#) shall have at least three design elements that contribute to the appearance and character of the [building](#) such as:
 - i. Display windows
 - ii. Peaked roof forms
 - iii. Arches/recessed archways
 - iv. Overhangs
 - v. Integrated tile/molding

- vi. Awnings/canopies
 - vii. Window and door framing/shutters/sills
 - viii. Change in material/massing/texture
 - ix. Change in color
- f. Mechanicals and Loading/Service Areas. Loading areas, trash areas, and [mechanical units](#) shall be placed and screened to be obstructed from view from any public right-of-way whether located at-grade or on the roof, through the following:
- i. Locating such features away from the public right-of-way.
 - ii. Using roof edge [façades](#) or [parapet](#) walls to screen roof mounted equipment.
 - iii. Installing fully opaque screening (landscaping, board on board fence, or other materials that match the front [façade](#)) to screen such items from view.
 - iv. Trash areas shall be fully enclosed and utilize similar materials as the [building](#), except in [heavy industrial](#) zoning districts provided it is not located in a required [front yard setback](#) or visible from a public right-of-way.
2. Landscaping Requirements. All development in the Corridor Gateway Overlay District must conform to the landscaping regulations defined in the [Site Plan Review](#) chapter.
3. Off-Street Parking Lot Requirements. Off-street parking lot requirements shall be the same as required by the underlying base zone and as contained within the Iowa Statewide Urban Design and Specifications Manual ([SUDAS](#)) as adopted by the City of Fort Dodge and enforced by the City Engineer. Specifically, the following requirements and guidelines shall apply in the O-CG Overlay District:
- a. Cross access connections among adjacent private parking lots with recorded [easements](#) detailing the same may be required to avoid vehicles unnecessarily exiting from one parking lot to the adjacent [street](#) and then entering immediately into the next parking lot.

17.07.18 O-CR – CORRIDOR RESIDENTIAL OVERLAY DISTRICT

- A. INTENT: This overlay is intended to preserve, protect, and enhance the character of primarily residential areas along the community’s primary transportation corridors and major community entryways. This overlay is also intended to improve the built environment in these areas when development and redevelopment occurs through enhanced development standards including architectural and landscape requirements. This overlay is characterized by primarily residential uses. The use of this overlay would be appropriate when applied to major community entryways and transportation corridors where it is desired to protect residential areas from encroaching commercial and/or industrial development. As such, this overlay is intended to apply in a linear nature on one or both sides of the length of a public street some distance from the road centerline and applied as detailed below and in Section 17.02.03.
- B. APPLICABILITY: This overlay shall be applied in the following manner:
1. The O-CR Corridor Residential Overlay District is intended to function as an “overlay” to the underlying base zones, in addition to all of the use, yard, bulk and other requirements of the applicable base zone. In each case, the most restrictive provision of the overlay zone or the underlying base zone shall apply. The location of overlay zones shall be shown on the Official Zoning Map.
 2. These regulations shall apply when a Site Plan Review is required as outlined by Section 17.08.03 of this ordinance. In addition, the following activities shall also require compliance with these regulations through the Site Plan Review process:
 - a. Reconstruction, renovation, or rehabilitation of the exterior of an existing structure which requires application for a building/zoning permit such as façade renovations, siding, or entrance design and except for routine maintenance.
 - b. Reconstruction or substantial improvements to an existing parking lot to include the expansion of existing parking lots that are not surfaced with a Portland Cement Concrete (PCC) or asphalt surface and the paving of existing gravel lots with a Portland Cement Concrete (PCC) or asphalt surface.
 3. A special exception may be granted by the Board of Adjustment to allow modified compliance with the regulations of this section where strict compliance would render a property unbuildable and the granting of the special exception would not adversely affect the public interest or the purposes and intent of this ordinance.

- C. PERMITTED USES: All uses permitted in a given site's underlying base zone, except those uses expressly prohibited in Section 17.07.18(D), are permitted in the O-CR Overlay District.
- D. PROHIBITED USES: The following uses are prohibited in the O-CR Overlay District:
1. Adult Uses
 2. Equipment sales and service
 3. Convenience store
 4. Industrial and manufacturing uses
 5. Mini-warehouse facilities
 6. Motor Vehicle Repair
 7. Motor Vehicle Sales
 8. Warehousing and Distribution
- E. SPECIAL EXCEPTIONS: Certain uses may be permitted in the O-CR District subject to specific conditions and requirements intended to make them compatible with and acceptable to adjacent uses.
1. Retail sales
- F. ACCESSORY USES: Uses of land or structure customarily incidental and subordinate to a permitted use in the O-CR Overlay District:
1. Outdoor Storage. Outdoor Storage is not permitted.
 2. Outdoor Display. Outdoor display of merchandise for immediate sale is permitted in areas immediately adjacent to a main building on a temporary basis only. There shall be no more than four (4) such occasions per year; such occasion shall not exceed five (5) days. However, the display area may not be located within a required yard or required off-street parking space and may not be located in a manner that obstructs building entrances and exits, sidewalks, bicycle parking areas, pedestrian routes, or vehicular use areas.
- G. GENERAL REGULATIONS: The following general regulations shall apply in the O-CR Overlay District.
1. Architectural Requirements. The following architectural requirements and guidelines shall apply in the O-CR Overlay District:

- a. Setbacks. The front setback for new buildings must not deviate more than five feet (5') from the average setback of existing principal buildings along the same frontage. A new building may not be located closer to the street than the existing principal building that is closest to the street along the same frontage. This setback standard supersedes the setback standards of the base zone.
- b. Uses other than Single-Family or Multiple-Family Residential. Architectural requirements for uses other than single-family or multiple-family residential within the O-CR Overlay District shall be the same as that required in Section 17.07.19 O-CC Corridor Commercial Overlay District.
- c. Single-Family Residential Uses. Structures shall be situated at right angles with the street with primary façades parallel with the street to which they front. Buildings shall be oriented perpendicular to the front facing façade. All garages, attached or detached, shall be set back a minimum of eighteen feet (18') behind the primary façade of the principal building on the lot.
- d. Multiple-Family Residential Uses.
 - i. Building Placement. When a lot contains one principal building, the building should be sited parallel to the street frontage and shall have a well defined front façade with at least one primary entrance addressing the street frontage. When a lot contains two (2) or more principal buildings, the buildings should be sited toward a public street, private street, or interior courtyard with at least one primary entrance addressing the primary street frontage. Buildings located interior to a lot must have main entrances that are clearly visible from interior private streets/drives or surface parking areas.
 - ii. Building Materials. Brick or stone shall be incorporated into multiple-family residential buildings on all sides of the structure that is clearly visible from a street.
 - iii. Building Design. The design of buildings shall include the use of angles and multiplicity of planes within the wall and roof design to lessen the plainness of appearance which can be characteristic of large residential buildings. Building shall also include pitched or gabled rooflines and shall reflect a residential appearance in nature. Front façades that are greater than fifty feet (50') in length must be articulated with bays, projections, or recesses.

- iv. Building Entrances. Primary entrances to a building, including entrances to ground level individual dwelling units, must be clearly demarcated by one of the following means:
 - 1.) Covered porch or canopy
 - 2.) Transom and sidelight windows
 - 3.) Pilasters and pediment
 - 4.) Other significant architectural treatment that emphasizes main entrances. Simple trim around the doorway does not meet this standard.
- v. Mechanicals and Loading/Service Areas. Loading areas, trash areas, and mechanical units shall be placed and screened to be obstructed from view from any public right-of-way whether located at-grade or on the roof, through the following:
 - 1.) Locating such features away from the public right-of-way.
 - 2.) Using roof edge façades or parapet walls to screen roof mounted equipment.
 - 3.) Installing fully opaque screening (landscaping, board on board fence, or other materials that match the primary building façade) to screen such items from view.
 - 4.) Trash areas shall be fully enclosed and utilize similar materials as the building, except in heavy industrial zoning districts provided it is not located in a required front yard setback or visible from a public right-of-way.
2. Landscaping Requirements. All development in the Corridor Residential Overlay District must conform to the landscaping regulations defined in the Site Plan Review chapter.
3. Off-Street Parking Lot Requirements. Off-street parking lot requirements shall be the same as required by the underlying base zone and as contained within the Iowa Statewide Urban Design and Specifications Manual (SUDAS) as adopted by the City of Fort Dodge and enforced by the City Engineer. Specifically, the following requirements and guidelines shall apply in the O-CR Overlay District:

- a. Cross access connections among adjacent private parking lots with recorded [easements](#) detailing the same may be required to avoid vehicles unnecessarily exiting from one parking lot to the adjacent [street](#) and then entering immediately into the next parking lot.
- b. Surface parking, parking within [accessory structures](#), and loading areas must be located behind principal [building](#) (s) and concealed from view of fronting [streets](#). Parking and loading areas may not be located directly between a principal [building](#) and the [street](#) or within the required side [setback](#) area.

17.07.19 O-CC – CORRIDOR COMMERCIAL OVERLAY DISTRICT

- A. **INTENT:** This overlay is intended to enhance the character of primarily commercial areas along transportation corridors and major community entryways. This overlay is also intended to improve the built environment in these areas when development and redevelopment occurs through enhanced development standards including architectural and landscape requirements. This overlay is characterized by most retail commercial uses. The use of this overlay would be appropriate when applied to major community entryways and transportation corridors where it is desired to improve the public image of the City’s major commercial areas as they are viewed from the public right-of-way. As such, this overlay would normally be applied in a linear nature on one or both sides of the length of a public [street](#) some distance from the road [centerline](#) and applied as detailed below and in [Section 17.02.03](#).
- B. **APPLICABILITY:** This overlay shall be applied in the following manner:
1. The O-CC Corridor Commercial Overlay District is intended to function as an “overlay” to the underlying base zones, in addition to all of the use, yard, bulk and other requirements of the applicable base zone. In each case, the most restrictive provision of the overlay zone or the underlying base zone shall apply. The location of overlay zones shall be shown on the [Official Zoning Map](#).
 2. These regulations shall apply when a [Site Plan Review](#) is required as outlined by [Section 17.08.03](#) of this ordinance. In addition, the following activities shall also require compliance with these regulations through the [Site Plan Review](#) process:
 - a. Reconstruction, renovation, or rehabilitation of the exterior of an existing [structure](#) which requires application for a [building/zoning](#) permit such as [façade](#) renovations, siding, or entrance design and except for routine maintenance.
 - b. Reconstruction or substantial improvements to an existing parking lot to include the expansion of existing parking lots that are not surfaced with a Portland Cement Concrete (PCC) or asphalt surface and the paving of existing gravel lots with a Portland Cement Concrete (PCC) or asphalt surface.
 3. A [special exception](#) may be granted by the [Board of Adjustment](#) to allow modified compliance with the regulations of this section where strict compliance would render a property unbuildable and the granting of the [special exception](#) would not adversely affect the public interest or the purposes and intent of this ordinance.

- C. PERMITTED USES: The following uses are permitted in the O-CC Overlay District.
1. Where permitted by the underlying base zone, motor vehicle sales new and used automobiles provided all outside storage, display, and parking areas shall be used and maintained in conformance with an approved site plan as outlined by Section 17.08.03 of this ordinance and in compliance with this section. The storage, display, and parking of vehicles for hire, rental, or sale shall be limited to the area designated for such use in the site plan.
 2. All other uses permitted in a given site's underlying base zone, except those uses expressly prohibited in Section 17.07.19(D), are permitted in the O-CC Overlay District.
- D. PROHIBITED USES: The following uses are prohibited in the O-CC Overlay District:
1. Adult Uses
 2. Heavy equipment sales and service
 3. Industrial and manufacturing uses
 4. Single-family residential or duplexes
 5. Mini-warehouse facilities
 6. Warehousing and Distribution
 7. Outdoor display and sale of fireworks
- E. ACCESSORY USES: Uses of land or structure customarily incidental and subordinate to a permitted use in the O-CC Overlay District:
1. Vehicle Display Lots. Any site plan application which includes improvements to property used for display, hire, rental, or sales of motor vehicles shall comply with the following design guidelines:
 - a. The proposed development shall comply with the Landscaping Requirements for a new parking lot as specified in the Site Plan Ordinance, Section 17.08.03, prior to use.
 - b. Any portion of the property to be used for outside storage, display, or parking of vehicles shall:
 - i. Contain at least one-half acre of land.

- ii. Be surfaced with Portland Cement Concrete (PCC) or asphalt surface and shall be so graded and drained as to dispose of all surface water accumulation within the area.
 - iii. Incorporate curbs or other substantial permanent barriers to prevent encroachment of the vehicles into the required [setback](#) and landscape areas. Precast wheel stops and other barriers which can be readily moved are not acceptable.
2. [Outdoor Storage](#). [Outdoor Storage](#) areas shall meet the following requirements:
- a. Shall not be located closer to a [street](#) than the main [building](#) or in a required off-street parking space nor cover an area more than forty percent (40%) of the floor area of the main [building](#) and must have a minimum peripheral [setback](#) of five feet.
 - b. All [outdoor storage](#) must be completely enclosed in a fenced yard with fully opaque screening. Chain link fence with slats is not permitted.
 - c. A [landscaped area](#) five feet (5') deep shall be provided along all [outdoor storage](#) areas along all [street lot](#) lines. At least 1 tree or shrub per 10 lineal feet must be provided for within this [landscaped area](#).
 - d. No item in the storage area may be stacked higher than the fence.
 - e. [Outdoor storage](#), or the storage of junk, explosives, or flammable materials, and other noxious or dangerous materials are specifically prohibited.
3. [Outdoor Display](#). Outdoor display of merchandise for immediate sale, [excluding fireworks](#), is permitted in areas immediately adjacent to a main [building](#). However, the display area may not be located within a required yard or required off-[street](#) parking space and may not be located in a manner that obstructs [building](#) entrances and exits, sidewalks, bicycle parking areas, pedestrian routes, or vehicular use areas.

F. [GENERAL REGULATIONS](#): The following general regulations shall apply in the O-CC Overlay District.

- 1. [Architectural Requirements](#). The following architectural requirements and guidelines shall apply in the O-CC Overlay District:
 - a. [Setbacks](#). New [buildings](#) or [building](#) additions requiring a [major site plan](#) in the O-CC Overlay District may be [setback](#) as close as five feet (5') from the property line, but in no case shall a [building](#) be [setback](#) further than twenty-five feet (25'). This [setback](#) standard supersedes the

[setback](#) standards of the base zone. Maximum [setbacks](#) shall be applied to no more than two [frontages](#), which include the primary [street frontages](#), as identified by the City Engineer. Further [setbacks](#) are permitted as follows:

- i. 26'-50' so long as performance requirements 1-3 of [table 17.07.19.F.1.a. – 1](#) are provided;
- ii. 51'-100' so long as performance requirements 1-6 of [table 17.07.19.F.1.a. – 1](#) are provided;
- iii. Greater than 100' so long as the performance requirements 1-7 are provided;

Table 17.07.19.F.1.a. – 1: Performance Requirements (next page)

101'+ Setback (1-7)

51'-100' Setback (1-6)

26'-50' Setback (1-3)

1. Protected pedestrian walkway provided along the entire length between the property line and [building](#) (except drive aisles) that includes 5' of landscaping along either side along the entire length, and includes a mix of planting types (trees, shrubs and [groundcover](#)) consistent with landscaping standards in [Section 17.08.03, Site Plan Review](#).
2. Clearly identifiable pedestrian crosswalk across any parking/drive aisle areas. Identification must include a different pavement material and color from the main surface of the parking lot. Acceptable approaches include stamped and stained concrete, brick pavers, or similar approved treatments.
3. At least one (required for 26'-50' [setback](#)), two (required for 51'-100' [setback](#)) or three (required for greater than 100' [setback](#)) of the following features within the pedestrian-oriented area
 - a. Seating areas
 - b. Fountains/plazas
 - c. Art/sculptures
 - d. Low-level decorative lighting, not related to the [building](#)
 - e. Design and landscaping elements replicating the 5th Avenue South streetscape theme (must include 2 of the following):
 - i. The use of Kasota limestone in split face and diamond sawn textures for landscape walls, bollards, and benches
 - ii. A mix of prairie [flowers](#) (native perennials), ornamental grasses, and ornamental flowering trees complimentary to existing public right of way plantings
 - iii. Ornamental metal fencing complimentary to existing public right-of-way features
4. The landscape requirements for the site must satisfy the next higher level of requirements for general green space, interior green space, and planting quantities (i.e. [lots](#) requiring 6% general green space must provide 10% green space, etc.). Calculations for planting quantities will be derived using the higher general green space percentage and the total [lot](#) area.
5. Architectural enhancements including two of the following elements, which are meant to create a character throughout the [building](#) with a repeated or patterned design element:
 - a. Decorative masonry (columns, caps & cornices)
 - b. Decorative or architectural metal
 - c. Horizontal scaling
 - d. Vertical features
 - e. Varied roof types
 - f. Varied roof elevations

6. Building materials prohibited on the front façade:
 - a. 40% or more of EIFS or stucco
 - b. Non-textured concrete block
 - c. Plywood or particle board
7. Stormwater Best Management Practices provided on the property

- b. Building Placement. Buildings should be sited parallel to the street frontage and are encouraged to have a well defined front façade with primary entrances addressing the primary street frontage and secondary entrances located at additional convenient locations. Where primary entrances do not address the primary street frontage, a pedestrian walkway shall be provided along the entire length between the property line and building (except drive aisles) that includes 5' of landscaping along either side along the entire length, and includes a mix of planting types (trees, shrubs and groundcover) consistent with landscaping standards in Section 17.08.03, Site Plan Review. Where the walkway crosses a parking/drive aisle a crosswalk shall be provided.
- c. Building Materials. The following materials are not acceptable for front façades unless used as a secondary or trim material:
 - i. Masonite
 - ii. Visible asphaltic exterior wall
 - iii. Vertical aluminum/steel siding or panels
 - iv. Non-architectural sheet metal
 - v. Non-textured concrete block
 - vi. Non-finished/non-painted plywood or particle board siding
- d. Building Design. Primary and secondary building façades shall have three distinct architectural zones, each dissimilar from the other:
 - i. Lower zone below the window level;
 - ii. Window level zone;

- 1.) Where the window zone cannot be achieved on a secondary building façade, architectural enhancements shall be made to eliminate blank spaces.
 - iii. Upper zone from window level up to and including eaves.
- e. Design Elements. All buildings shall have at least three design elements that contribute to the appearance and character of the building such as:
 - i. Display windows
 - ii. Peaked roof forms
 - iii. Arches/recessed archways
 - iv. Overhangs
 - v. Integrated tile/molding
 - vi. Awnings/canopies
 - vii. Window and door framing/shutters/sills
 - viii. Change in material/massing/texture
 - ix. Change in color
- f. Building Entrances. Building entrances shall be designed into the façade of the building. Temporary or permanent weather/wind shield entrances shall be constructed in the interior portion of the building and shall not extend past the front façade.
- g. Mechanicals and Loading/Service Areas. Loading areas, trash areas, and mechanical units shall be placed and screened to be obstructed from view from any public right-of-way whether located at-grade or on the roof, through the following:
 - i. Locating such features away from the public right-of-way.
 - ii. Using roof edge façades or parapet walls to screen roof mounted equipment.
 - iii. Installing fully opaque screening (landscaping, board on board fence, or other materials that match the primary building façade) to screen such items from view.

- iv. Trash areas shall be fully enclosed and utilize similar materials as the [building](#), except in [heavy industrial](#) zoning districts provided it is not located in a required [front yard setback](#) or visible from a public right-of-way.
2. Landscaping Requirements. All development in the Corridor Commercial Overlay District must conform to the landscaping regulations defined in the [Site Plan Review](#) chapter.
3. Off-Street Parking Lot Requirements. Off-street parking lot requirements shall be the same as required by the underlying base zone and as contained within the Iowa Statewide Urban Design and Specifications Manual ([SUDAS](#)) as adopted by the City of Fort Dodge and enforced by the City Engineer. Specifically, the following requirements and guidelines shall apply in the O-CC Overlay District:
 - a. Cross access connections among adjacent private parking lots with recorded [easements](#) detailing the same may be required to avoid vehicles unnecessarily exiting from one parking lot to the adjacent [street](#) and then entering immediately into the next parking lot.

17.07.20 - O-DG – DOWNTOWN GATEWAY OVERLAY DISTRICT

- A. **INTENT:** This overlay is intended to enhance the character of specific downtown retail nodes identified in the 2008 Downtown Plan. This overlay is primarily oriented toward accommodating market trends in redevelopment while respecting the historic character of the central business district.
- B. **APPLICABILITY:** This overlay shall be applied in the following manner:
 - 1. The O-DG – Downtown Gateway Overlay District is intended to function as an “overlay” to the underlying base zones, in addition to all of the use, yard, bulk and other requirements of the applicable base zone. If an item is not addressed in this section, then the requirements of the base zone shall apply. This overlay shall supersede any conflicting requirements in the base zone. This overlay zone’s location is shown on the [Official Zoning Map](#).
- C. **BULK REGULATIONS:** All bulk regulations identified in [Section 17.07.11.E](#) apply except as identified in [Table 17.07.20-1](#):

Table 17.07.20-1. Bulk Regulations in O-DG

Bulk Regulations	
Setbacks and Build-to Zones	
Min. front yard	Res. only: 10 ft. Non-res. or mixed-use: none
Max. front yard	Res. only: 20 ft. Non-res. or mixed-use: 10
Min. interior side yard	Res. only: 5 ft, Non-res. or mixed-use: none, unless adjacent to residential use, then 5 ft
Max. interior side yard	None.
Min. rear yard	None.

- 1. The maximum [front yard setback](#) may be waived provided the following are met:
 - a. Logical and direct pedestrian access is provided from the public right-of-way to the [building](#) entrance.
 - b. Where the direct pedestrian access crosses parking or drive aisle areas a clearly identifiable pedestrian crosswalk shall be provided, which may include:
 - i. Different pavement material from the main surface of the parking lot (i.e.: stamped and stained concrete, stamped and stained asphalt, etc.).
 - ii. Painted crosswalk, provided it is maintained such that the crosswalk would be visible under good weather conditions.
 - iii. Other approaches accomplishing the intent expressed here.
 - c. A bike rack is located at the front of the [building](#), in close proximity to the

pedestrian walkway.

- d. At least one of the following features is provided within the pedestrian-oriented area within the front [setback](#) area, between the [building](#) and the front property line:
 - i. Design and landscaping elements replicating downtown streetscaping themes.
 - ii. Benches.
 - iii. Seating areas.
 - iv. Fountains/plazas.
 - v. Art/sculptures.
 - vi. Low-level [decorative lighting](#).
 - vii. Other elements similar in nature to those suggested here.

D. SITE DESIGN REGULATIONS

1. Parking location and access

- a. Parking is permitted in the front provided the following requirements are met:
 - i. [Section 17.08.03 \(Site Plan Review Ordinance\)](#) is satisfied; and
 - ii. Logical and direct pedestrian access is provided from the public right-of-way to the [building](#) entrance.
 - iii. Where the direct pedestrian access crosses parking or drive aisle areas a clearly identifiable pedestrian crosswalk shall be provided, which may include:
 - (a) Different pavement material from the main surface of the parking lot (i.e.: stamped and stained concrete, stamped and stained asphalt, etc.).
 - (b) Painted crosswalk, provided it is maintained such that the crosswalk would be visible under good weather conditions.
 - (c) Other approaches accomplishing the intent expressed here.
 - iv. The site incorporates decorative fencing and landscaping that accounts for 40% of the linear [street frontage](#), excluding drive aisles.

E. PROHIBITED USES: The following uses are prohibited in the O-DG Overlay District:

1. Outdoor display and sale of fireworks.

17.08.01 - SUPPLEMENTARY DISTRICT REGULATIONS

- A. **Access for Structures.** Every [structure](#) hereafter erected or moved shall be on a [lot](#):
1. adjacent to a public or private [street](#), or for which a legally recorded [access](#) easement to a public or private [street](#) exists; and
 2. located so as to provide safe and convenient [access](#) for servicing, fire protection, and required off-street parking.
- B. **Automotive Vehicles and Major Recreational Equipment.** Storage and use of automotive vehicles and [major recreational equipment](#) shall meet the following requirements:
1. In All [Districts](#):
 - i. No automotive vehicles or [major recreational equipment](#) shall be used for living, camping, sleeping, or housekeeping purposes when parked or stored on any location not approved for such use, unless for an occurrence that is not to exceed 72 hours. No two occurrences shall run consecutively, and no more than 3 occurrences are permitted per year.
 - ii. No automotive vehicle or [major recreational equipment](#) of any kind shall be parked on public or private property so as to create a safety hazard with pedestrian and vehicular traffic.
 2. In [Residential Districts](#):
 - i. No automotive vehicles and/or [major recreational equipment](#) without current license plates shall be parked or stored on any [lot](#) unless within a completely enclosed [building](#).
 - ii. Automotive vehicles or [major recreational equipment](#) are permitted to be parked or stored per the following requirements:
 - a. In the [front yard](#), [secondary front yard](#), [rear frontage](#), or [side yard](#) so long as located on a hard surface driveway;
 - b. In the [front yard](#), [secondary front yard](#), [rear frontage](#), or [side yard](#) on any surface so long as not parked or stored for more than 24 hours during loading and unloading; and/or
 - c. In the [rear yard](#) on any surface;
 - d. All new driveway approaches shall be approved by Engineering.
 3. In [Non-Residential Districts](#):
 - i. Parking/paving requirements of [Section 17.08.03 \(Site Plan Review\)](#) and storage requirements of [Section 17.07 \(District Regulations\)](#) shall apply.
- C. **Corner Visibility.** Corner visibility requirements at the intersection of driveways, [alleys](#), and [streets](#) shall follow recommendations of the American Association of State Highway and Transportation Officials' (AASHTO's) Policy on Geometric Design of Highways and Streets. The City's Engineering Department will assist in interpretation of these requirements when requested.
- D. **Yard Determinations.** In addition to definitions of [yards](#), as found in [Section](#)

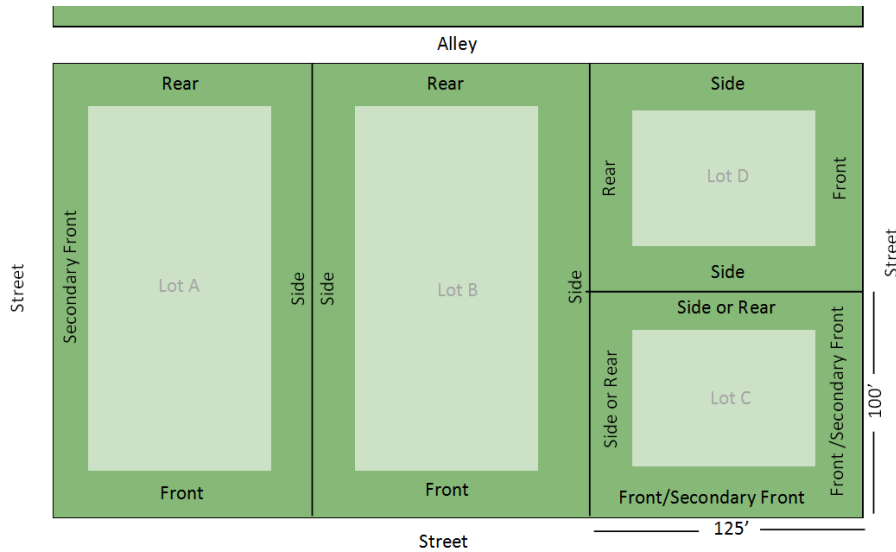
17.03, the following assists in determining [yards](#) and [setbacks](#).

1. On [lots](#) abutting two or more [streets](#) at their intersection, the [front yard](#) shall face the shortest [street](#) dimension of the [lot](#) and the [secondary front yard](#) shall face the longest [street](#) dimension of the [lot](#) (see Lot A in [Figure 17.08.01.01](#)), except that if the [lot](#) is square or almost square having dimensions in a ratio of 4:3 to 4:4, then the [front](#) or [secondary front yard](#) may face either [street](#) (see Lot C in [Figure 17.08.01.01](#)), as determined by the [Zoning Administrator](#). The [rear yard](#) is always opposite from the [front yard](#).

Figure 17.08.01.01: Determining Yards of a Corner Lot

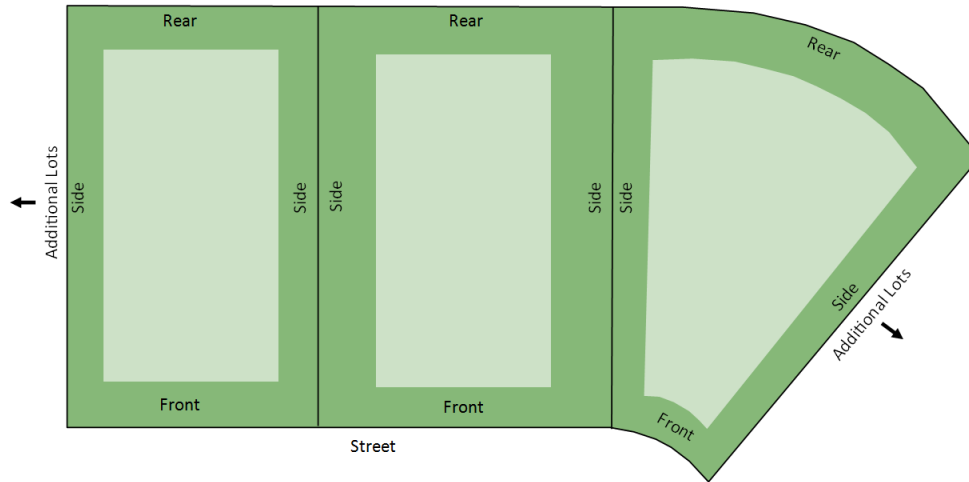
$\frac{100'}{125'} = 0.8$

Ratio of Lot C frontage: $\frac{100'}{125'} = 0.8$; Therefore, Lot C's [front/secondary front yard](#) may face either [street](#), as determined by the [Zoning Administrator](#).



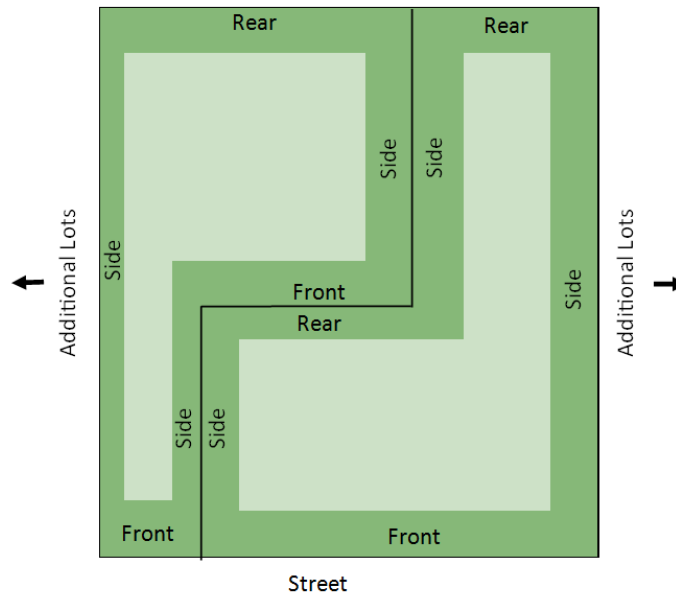
2. As depicted in [Figure 17.08.01.02](#), the depth of required [front yards](#) shall be measured at right angles to a straight line joining the foremost points of side [lot](#) lines. The foremost point on the side [lot](#) line, in the case of rounded property corners at [street](#) intersections, shall be assumed to be the point at which the side and front [lot](#) lines would have met without such rounding. [Front](#) and [rear frontage yard](#) lines shall be opposite and in most cases parallel.

Figure 17.08.01.02: Determining Front Yard



3. As depicted in [Figure 17.08.01.03](#) flag lots or the opposite thereof shall have all [front yards](#) facing and parallel to the [street](#). The [rear yard](#) shall be situated opposite of the [front yard](#).

Figure 17.08.01.03: Determining Yards of a Flag Lot



- E. **Placement of more than one principal structure.** In any [district](#), more than one [structure](#) housing a permitted or permissible [principal use](#) may be erected on a [lot](#), provided that [yard](#) and other requirements of this Ordinance shall be met for each [structure](#) as though it were on an individual [lot](#).

- F. **Accessory Structures.** The followed is required relative to the placement of an [accessory structure](#):
1. In All [Districts](#):
 - i. Must be situated at least six (6) feet (wall to wall) from any principal or [accessory structure](#), unless [Section 17.07.11.F.2.a. \(Downtown\)](#) applies.
 - ii. Shall not have walls that encroach into the [front yard](#), or more than two feet into a [side yard](#).
 - iii. Is permitted to have walls that encroach any distance within the [rear yard](#), so long as eaves and overhangs meet encroachment restrictions of [Section 17.08.01.G](#), unless it is a garage entered from the [alley](#); in such case it must be kept 15 feet from the rear property line.
 - iv. Shall meet all other encroachment restrictions as established in [Section 17.08.01.G](#), below.
 2. In [Residential Districts](#):
 - i. On lots that are less than one (1) acre in area, [accessory structures](#) shall not be taller nor have a greater footprint than the principal [structure](#).
- G. **Encroachments.** [Setback](#) encroachments allow specific [building](#) and site elements to project into the “non-buildable” portion of a [setback](#). [Table 17.08.01.01](#), below outlines permitted encroachments for various elements of a site. Where a zero (0) foot [setback](#) is allowed by the underlying zone, said encroachment requirements do not apply.

Table 17.08.01.01: Permitted Setback Encroachments

Element	<u>Front/Secondary Front/Rear Frontage</u>	<u>Side</u>	<u>Rear</u>
Unenclosed fire stairs or escapes	0'	0'	4'
Unenclosed Porches, decks, or balconies	10'	0'	10'
Steps or ADA ramps necessary to provide access to the first floor of an existing building .	Any distance so long as connecting to a sidewalk or approved landing.	Any distance so long as connecting to a sidewalk or approved landing that is 2' from side or rear property line.	
Patios, terraces, retaining walls and driveways*	Any distance.		
Bay windows, window wells, shading devices such as awnings or canopies.	Any distance so long as 2' from any property line.		
Sills, belt courses, cornices and ornamental features.	2'	2'	2'
Eaves and roof overhangs	3', so long as situated at least 1' from the property line		Any distance so long as situated at least 1' from the property line.
Swimming pool or hot tub	N/A	0'	10'

*Except where [Section 17.08.03 – Site Plan Review Ordinance](#) Applies

H. **Front Yard Averaging.** For residential neighborhoods that developed prior to current [setback](#) requirements, the minimum depth of the [front yard](#) for [single-family detached dwellings](#) and [duplexes](#) may be determined based on the average of the [front yards](#) of existing [single-family detached dwellings](#) and [duplexes](#):

1. On either side of the lot ([Figure 17.08.01.04](#));
2. where a corner [lot](#), may be determined based on neighboring [lot](#) ([Figure 17.08.01.05](#)); or
3. where multiple [lots](#) are vacant on one or multiple sides of a [lot](#), an average of the majority of the setbacks of existing [buildings](#) on the block may be used ([Figure 17.08.01.06](#)).

Figure 17.08.01.04: Front Yard Averaging – typical scenario

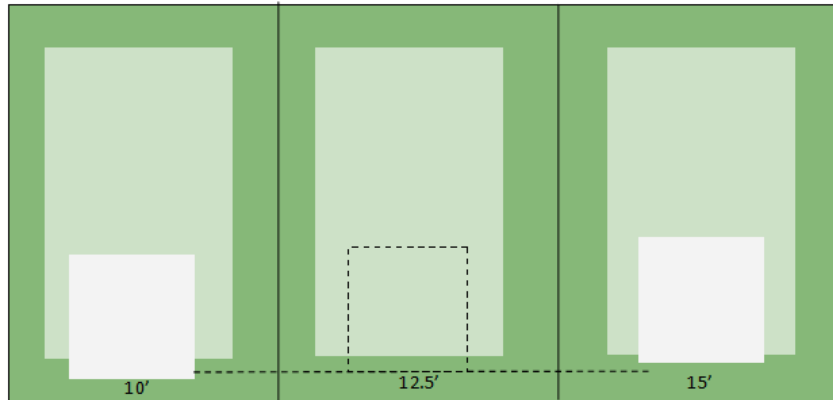


Figure 17.08.01.05: Front Yard Averaging – corner lot

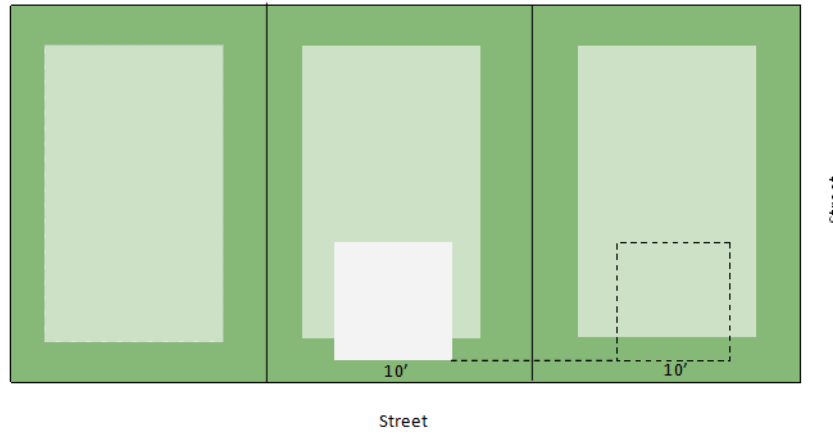
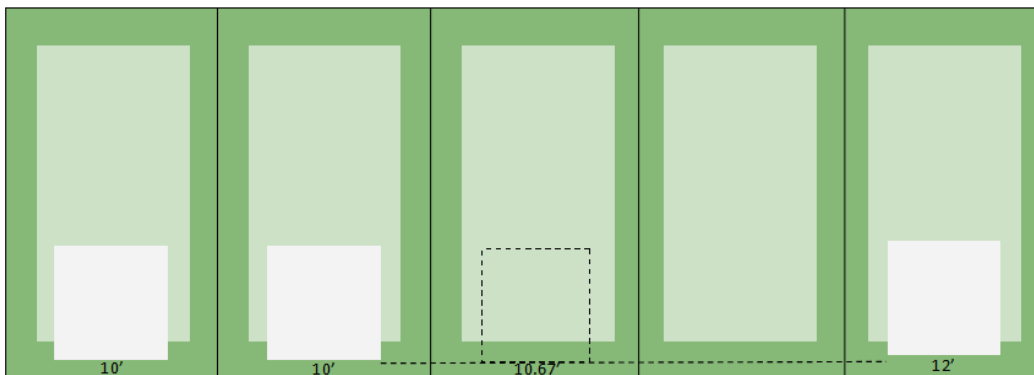
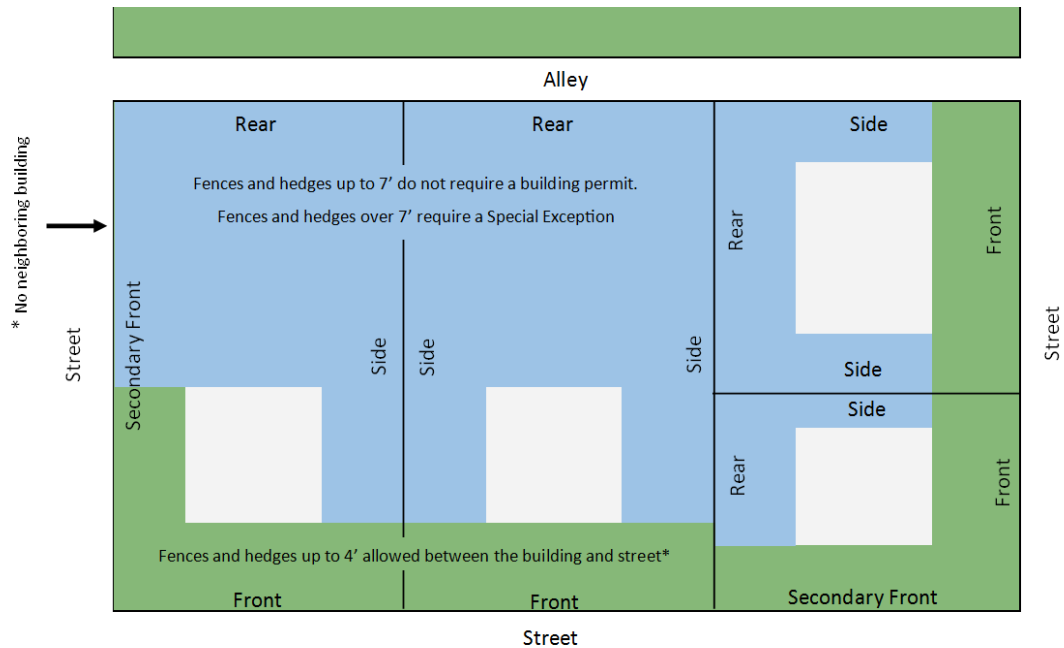


Figure 17.08.01.06: Front Yard Averaging – vacant lots



- I. **Fences & Hedges.** The following is required in relation to the placement of a fence or hedge.
1. In All Districts:
 - i. Corner visibility requirements per Section 17.08.01.C shall be met prior to installing a fence or hedge of any type.
 - ii. Barbed wire is prohibited unless required by State or Federal requirements, or as permitted by Section 17.08.01.I.3, below.
 - iii. Manmade earth berms, terraces, and retaining walls that elevate a fence shall be considered as a part of the fence height.
 - iv. The finished side of the fence must face the exterior of the lot for which the fence is being placed.
 - v. Higher fences or hedges than specified in this Section may only be allowed through a special exception from the City’s Board of Adjustment.
 2. In Residential Districts (See Figure 17.08.01.07):
 - i. The following height requirements apply to all fences and hedges:
 - a. Side and Rear Yard – maximum height is seven (7) feet.
 - b. Front Yard – maximum height is four (4) feet, unless otherwise required by this Ordinance.
 - c. Secondary Front Yard – maximum height is seven (7) feet, so long as situated in the rear yard, and no building is situated on the adjacent lot. Where there is a building on the adjacent lot, the seven (7) foot fence shall not extend closer to the street than the principal building.

Figure 17.08.01.07: Residential Fence Requirements



* Corner side yard allowed 7' so long as situated in rear yard and adjacent lots have no buildings.

- d. Rear Frontage (for double frontage/through lots) – maximum

height is seven (7) feet, so long as [rear frontage](#) can be easily determined based on the setback or direction that the majority of [structures](#) along the block face. Where not easily determined, a [special exception](#) shall be obtained from the City's [Board of Adjustment](#).

3. In Non-Residential [Districts](#):
 - i. Barbed wire fencing is permitted in the [Agricultural \(AG\)](#), [Light Industrial \(LI\)](#) and [Heavy Industrial \(HI\) Districts](#) so long as:
 - a. It is not located in an [Overlay](#);
 - b. It is not located adjacent to a residential use/[district](#); and/or
 - c. It is installed to a height of least six (6) feet above ground.
 - ii. The following height requirements apply to all fences and hedges in non-residential districts other than Downtown Districts (D-1/D-2):
 - a. [Side](#) and [Rear Yard](#) – maximum height is ten (10) feet
 - b. [Front](#), [Secondary Front](#), and [Rear Frontage](#) – maximum height is seven (7) feet, unless located in an [Overlay](#), then maximum height is four (4) feet. Where [rear frontage](#) cannot be easily determined, a [special exception](#) shall be obtained from the City's [Board of Adjustment](#), taking into account the placement of the majority of [structures](#) along the block.
 - iii. The following height and material requirements apply to all fences and hedges in the Downtown Districts (D-1/D-2). Higher fences or alternate materials than specified in this Section may only be allowed through a [special exception](#) from the City's Board of Adjustment, who will take into account downtown aesthetic and quality of proposed fencing.
 - a. [Rear yard](#):
 - (1) Maximum height is seven (7) feet.
 - (2) Permitted materials include:
 - i. chain link (mesh or slats are prohibited),
 - ii. weatherproof or treated wood (excluding plywood)
 - iii. composite wood
 - iv. rigid vinyl,
 - v. metal, or
 - vi. decorative masonry.
 - b. [Front](#), [Side](#), [Secondary Front](#), and [Rear Frontage](#):
 - (1) Maximum height is four (4) feet, except where the decorative specification per [Figure 17.07.11-1](#) is used, then the permitted height is seven (7) feet.
 - (2) Permitted materials include:
 - i. composite wood,
 - ii. rigid vinyl,
 - iii. metal (following specification of [Figure 17.07.11-1](#)), or
 - iv. decorative masonry.
4. Schools and [Places of Civic or Religious Assembly](#):

- i. The following height requirements apply to all fences and hedges for [lots](#) that are legally used as schools or [places of civic or religious assembly](#):
 - a. [Front](#), [Secondary Front](#), [Rear](#), and [Rear Frontage](#) – maximum height is seven (7) feet, unless located in an [Overlay](#), then maximum height in the [front yard](#) is four (4) feet. Where [rear frontage](#) cannot be easily determined, a [special exception](#) shall be obtained from the City’s [Board of Adjustment](#), taking into account the [setback](#) or direction that the majority of [structures](#) along the block face.

J. **Height Exemptions.**

1. Chimneys, church steeples, cooling towers, elevator bulkheads, fire towers, monuments, stacks, tanks, water towers, ornamental towers, spires, wireless towers, grain elevators, or necessary mechanical appurtenances, are exempt from height regulations in [Section 17.07](#).
2. Any principal [structure](#) of a legal school or [place of civic or religious assembly](#) may be erected to a height not to exceed 60 feet. Where situated in a [Residential District](#), said [structures](#) shall be [setback](#) so as to meet the base [setback](#) plus one (1) foot for every one (1) foot the [structure](#) is constructed over the base zone’s permitted height.

K. **Driveway Paving.**

1. [Single family detached dwellings](#), [duplexes](#), and their [accessory structures](#) shall have driveways that meet the following requirements:
 - i. Driveways connecting to a paved right-of-way, no matter their location, shall be paved with a Portland Cement Concrete (PCC) or asphalt surface.
 - ii. All segments of driveways located in the public right-of-way shall be paved with Portland Cement Concrete (PCC) only.
 - iii. Driveways connecting to an existing gravel [alley](#) or [street](#), and located in the [rear yard](#) may be gravel.
2. All other uses shall meet paving requirements of the [Site Plan Review Ordinance \(Section 17.08.03\)](#).

- L. **Sidewalks required.** All new development shall provide a Portland Cement Concrete (PCC) public sidewalk within the public right-of-way that extends the entire extent of the property. Said public sidewalk shall meet standards established by the City’s Engineering Department. Where any of the following circumstances exist, a sidewalk may be temporarily waived by the Director of Business Affairs & Community Growth or his/her designee until such time that said circumstances have been overcome or addressed:

1. Topographic challenges at and including [lots](#) within a block or more of subject property.
 2. No current opportunity for a logical connection.
 3. Significant adverse impact to area drainage.
 4. Conflicts with other infrastructure.
 5. Not identified as an area for sidewalks in the City's Sidewalk Prioritization Program.
- M. **Utility Service Lines.** Nothing in this Ordinance shall have the effect of prohibiting utility service lines.
- N. **Off-Street Parking.** Required off-street parking areas for three or more automobiles shall have individual spaces marked, and shall be so designed, maintained, and regulated so that no parking or maneuvering incidental to parking shall be on any public [street](#), walk, or [alley](#), unless allowed by the City Engineer.
- O. [Off-premise signs](#) shall comply with the setbacks of the [Districts](#) they are located in. Other bulk regulations do not apply.

[Off-premise signs](#) are governed by State and Federal regulations along highways, where zoning exists. The new signs may be erected only in areas zoned commercial or industrial. Federal and State regulations apply to all [streets](#).

1. Therefore, to recognize the separate use business nature of the off-premise sign, the off-premise sign shall be allowed only in the [AC](#), [LI](#) and [HI](#) Districts of which the conditions area: the [yard](#) and [setback](#) requirements of any [District](#) shall be met; no sign may encroach upon or overhang a public right-of-way, or property not owned or leased for the sign; and that all State and/or Federal regulations must be met for all [Districts](#) even if not adjacent to a highway.

P. **ZERO LOT LINE CRITERIA –**

1. Utilization of the [Zero Lot Line](#) regulations under this Ordinance requires the approval of the entire Subdivision in which a [zero lot line](#) unit is to be proposed. Approval of Subdivisions shall be limited to generally undeveloped areas and the review shall follow the procedures required for all rezoning proposals. Approval of a Subdivision for [zero lot line](#) regulations shall be so designated by the symbol [ZL](#) following the Subdivision name on the [District Map](#).
2. A [duplex](#) may be built which utilizes [zero lot line](#) regulations when all of the following conditions have been met:
 - i. Each [dwelling unit](#) is attached on the side, and only one side to the other [dwelling unit](#) and further that the side property line divides each [dwelling unit](#).

- ii. The applicant provides to the [City Council](#) and records in the Office of the County Recorder acceptable covenant and deed restrictions on all properties which are proposed for [zero lot line](#) designation which includes the following:
 - a. Provision for access to the abutting property for the adjacent property owner and/or his representative for the purpose of construction, reconstruction, repair and maintenance of the side which will abut the common [lot](#) line.
 - b. Provision for necessary [easement](#) encroachments for footings, eaves and special [structures](#) and provides for perpetual [easements](#) in the event of an encroachment by the party wall.
 - c. Provision that the City of Fort Dodge is a third party to the approval and subsequent changes to any covenants and deed restrictions, but is not a third party in enforcement of said covenants and deed restrictions.
 - d. Shall provide for restrictions to limit changes of color, material and design of the [dwelling](#) as to be compatible with the attached unit. ([Ord. 1627](#))

Q. The placement of satellite dish antennas, either permanent or temporary, shall be considered as [accessory buildings](#), except that a 72 hour temporary use is allowed. When attached to a main building or other [structure](#) the owner must adhere to the Uniform Building Code. No satellite dish shall exceed a diameter of 12 feet except for commercial use.

R. **Prohibited Uses.** In all [districts](#), it shall be prohibited to construct on, or utilize, land surrounding any public water supply well for any of the following uses when said use would be located within the following distance of said water supply well:

- 1. Within 100 feet thereof:
 - i. Storage of chemicals above ground.
 - ii. Application of chemicals to ground, excluding lawn fertilizer.
- 2. Within 200 feet thereof:
 - i. Mechanical wastewater treatment plants.
 - ii. Cesspools and earth privies.
 - iii. Soil absorption fields.
 - iv. Solid stockpiles of animal wastes.
 - v. Cemeteries.
 - vi. Private Wells.
 - vii. Storage of chemicals and minerals on or underground.
- 3. Within 400 feet thereof:
 - i. Point discharge to ground surface of sanitary and industrial wastes.
 - ii. Wastewater lagoons.
 - iii. Storage basins or lagoons for animal waste.
- 4. Within 1,000 feet thereof:
 - i. Solid waste disposal sites.

- S. **Adult Uses:** [Adult uses](#) shall not be permitted in any [conservation](#), residential [mobile home](#) or [hospital/medical district](#) or within 185 feet of the exterior [lot](#) line to the exterior lot line of any residential or [conservation](#) zoned property or any private or public school or church, synagogue or mosque or within 150 feet of the right of way of Central Avenue between its intersection with 3rd Street and its intersection with 21st Street. [Adult uses](#) shall also not be permitted in any [O-CG](#), [O-CR](#), or [O-CC](#) Overlay District.

17.08.02 - WIRELESS COMMUNICATION FACILITIES ORDINANCE

AN ORDINANCE ESTABLISHING MINIMUM STANDARDS FOR WIRELESS COMMUNICATION FACILITIES: ESTABLISHING REQUIREMENTS FOR SITING AND DESIGN OF WIRELESS COMMUNICATION STRUCTURES, FACILITIES AND RELATED UTILITIES.

A. Purpose. The provisions of this section are intended to regulate and guide the location of new communication towers, antennas, and related accessory structures. It is the Desire of the City of Fort Dodge to encourage the development of an aesthetically pleasing local environment. It is also the intent of the City to encourage the expansion of wireless technology, as it provides a valuable service to City residents and businesses. It is not the City's goal to unreasonably discriminate among providers of functionally equivalent services; and to not have the effect of prohibiting, either directly or indirectly, the provisions of personal wireless services. It is the City's goal to encourage wireless providers to construct new facilities disguised through techniques of camouflage design, as defined in this Ordinance. It is the intent of these regulations to achieve the following objectives:

1. To minimize the adverse visual effects of communication structures through careful design, siting, locating, and screening;
2. To locate and engineer communications support structures in a manner which minimizes potential damage to adjacent properties from structural failure; and
3. To allow for the reasonable location and efficient use of communication structures through the co-location of carriers.

B. Definitions, as used in this Chapter:

1. "Base station" – a structure other than a tower that supports or houses an antenna, transceiver, or other associated equipment that constitutes part of a "base station" at the time the relevant application is filed with the City, even if the structure was not built for the sole or primary purpose of providing such support, but does not include structures that do not at that time support or house base station components.
2. "Camouflage design" – Structures and associated equipment taking on the appearance of a piece of art, a natural feature, an architectural structural component or other similar element and which aesthetically blends with the surrounding [building](#) environment. Examples of camouflage design include, but are not limited to: architecturally screened roof-mounted antennas; antennas integrated into architectural elements; antennas designed to look other than an antenna; antennas integrated into existing [buildings](#), sports field lights, highway signs, water towers, etc; and towers designed to blend into the surrounding environment or to look other than a tower, such as flag poles, trees, clock towers, monuments, and church steeples. All such designs are subject to the review and approval of the

- communications carrier, the landlord, and the [Zoning Administrator](#) or his/her designee. If deemed to require a [special exception](#), the request would be contingent upon approval by the [Board of Adjustment](#).
3. [“Collocation”](#) – the mounting or installation of transmission equipment on an eligible support structure, as defined in this section, for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.
 4. [“Communications structure”](#) – any communications tower, antenna, and related accessory structure used in the transmission or reception of microwave energy, analog data transfer techniques, radio frequency energy, and other digital data transfer techniques.
 5. [“Communication structure site”](#) – a tract or parcel of land that contains the wireless communication structure, [accessory building\(s\)](#), on-site parking, and may include other uses associated with and necessary for wireless communication and transmission.
 6. [“Effectively screened”](#) – an area of planting which provides an effective visual barrier. For a single row the screen shall consist of Spruce, Fir, or Pine trees spaced at a maximum distance of 15 feet or a double staggered row of Spruce, Fir, or Pine spaced at a maximum interval of 20 feet within each row; for Arborvitae and Juniper the spacing shall be a double staggered row with maximum spacing of 10 feet within each row, or a single row with maximum spacing of 6 feet.
 7. [“Eligible facilities request”](#) – any request for modification of any existing wireless tower or base station that involves (a) collocation of new transmission equipment; (b) removal of transmission equipment; or (c) replacement of transmission equipment.
 8. [“Eligible support structure”](#) – any tower or base station, as defined in this section, provided that it is existing at the time the relevant application is filed to the City.
 9. [“Existing”](#) – tower or base station previously reviewed and approved under the applicable local zoning or siting process.
 10. [“Lattice tower”](#) – an antenna support tower that is self-supporting with multiple legs and cross-bracing of structural steel.
 11. [“Minimum height”](#) – the lowest vertical distance at which the structure can still operate at an efficient level of service. An efficient level of service is deemed to be 95% or greater of possible service levels.
 12. [“Modification”](#) – includes collocation, removal, or replacement of an antenna or any other transmission equipment associated with the supporting structure.

13. “Monopole” – a tower consisting of a single vertical structure not supported by radiating guy wires or support structure. A monopole tower shall be distinctive from a two-legged or multi-legged, lattice constructed tower structure.
14. “Replacement” – exchanging of transmission equipment; not to include the structure on which the equipment is located.
15. “Structure height” – the vertical distance measured from the base of the antenna support structure at grade to the highest point of the structure. If the support structure is on a sloped grade, then the average between the highest and lowest grades of the cell site shall be used in calculating the height.
16. “Substantial change” –
 - a. For all towers and base stations, a “substantial change”:
 - i. Involves the installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets;
 - ii. Entails any excavation or deployment outside the current site or the tower or base station;
 - iii. Defeats the existing concealment elements of the tower or base station; or
 - iv. Does not comply with conditions associated with the prior approval of construction or modification of the tower or base station unless the non-compliance is due to any of the “substantial change” thresholds as identified below.
 - b. For towers outside of the public right-of-way, a “substantial change”:
 - i. Increases the height of the tower by more than 10%, or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet, whichever is greater, or
 - ii. Protrudes from the edge of the tower more than 20 feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater.
 - c. For towers in the right-of-way, and all base stations, a “substantial change”:
 - i. Increases the height of the tower or base station by more than 10% or 10 feet, whichever is greater, or
 - ii. Protrudes from the edge of the structure more than 6 feet.

17. “Tall Structure” – any structure the top of which is more than fifty (50) feet above grade.
18. Tower” – any structure that is designed and constructed primarily for the purpose of supporting one or more antennas for telephone, radio, and similar communication purposes, including self-supporting lattice towers, guyed towers, or monopole towers. The term includes the structure and any support thereto
19. “Transmission equipment” – any equipment that facilitates transmission for any Commission-licensed or authorized wireless communication service, including, but not limited to, radio transceivers, antennas, and other relevant equipment associated with anything necessary to their operation including coaxial or fiber-optic cable, and regular backup power supply.
20. The following documents and agencies referenced herein are applicable to the extent specified:
 - a. EIA-222. Electronics Industries Association, Standard 222 Structural Standards for steel antenna towers and antenna support structures.
 - b. FAA. Federal Aviation Administration
 - c. FCC. Federal Communications Commission

C. Federal Regulations

The following federal regulations shall be upheld by the City when enforcing this Ordinance.

1. Spectrum Act, Section 6409(a). A state or local government may not deny, and shall approve, any eligible facilities request for a modification of any existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station. If an application request is deemed to be protected under the Spectrum Act, Section 6409(a), then such request will be approved.

Section 6409(a) does not apply to City-owned property, such as leasing space for the installation of wireless equipment on rooftops, water towers, power poles, or other City-owned property.

2. Declaratory Ruling of Federal Telecommunications Act (FTA), Section 332(c)(7)(B). A local government shall have 90 days to act on requests for collocations and 150 days for all other applications. These deadlines shall begin on the initial day of filing the application. This deadline may be extended only if the submitted application is incomplete. The City shall inform the applicant of

incompleteness within 30 days of the initial filing. The City shall describe in writing what information is lacking from the submitted application. The clock will resume again when such missing information is provided to the City but may be halted again if the City again notifies the applicant within 10 days that information is still missing from the application; this notification cannot contain requests for additional information beyond what was previously-requested.

- a. Those requests protected under Section 6409(a) of the Spectrum Act shall be acted upon within 60 days of filing the application. This deadline may be extended only if the following: The City and the applicant agree upon such extension; or
 - b. The submitted applicant is incomplete. The City shall inform the applicant of incompleteness within 30 days of the initial filing. The City shall describe in writing what information is lacking from the submitted application. The clock will resume again when such missing information is provided to the City but may be halted again if the City again notifies the applicant within 10 days that information is still missing from the application; this notification cannot contain requests for additional information beyond what was previously-requested.
3. 47 U.S.C. § 332(c)(7)(B)(iii) – a provision of the Federal Telecommunications Act. Any decision to deny a request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record.

D. Applicability

1. New communications structures. All new communications structures in the City of Fort Dodge shall be subject to these regulations, except as noted in subsections [3](#), [4](#), and [5](#) this section.
2. Pre-existing communications structures . All pre-existing communications structures shall be allowed to continue their present usage as a non-conforming use and shall not be required to meet the requirements of this chapter. Routine maintenance, including replacement of transmission equipment of like construction and height, shall be permitted on such existing communication structure sites. New construction other than routine maintenance shall comply with the requirements of this ordinance. No alterations may increase the non-conformity of the existing structure, unless otherwise protected under Section 6409(a) of the Spectrum Act. Placement of an antenna on a non-conforming structure shall not be considered an expansion of the non-conforming structure.
3. Amateur radio station operators. This chapter shall not govern any tower, or the installation of any antenna on a tower, which is under seventy-five feet in height and is owned and operated by a federally-licensed amateur radio station operator.

4. Receive-only antennas. This chapter shall not govern the installation of any antenna, if on a tower, which is less than fifty feet in height and used exclusively as a receive-only antenna.
5. Non-provider bi-directional antennas. This chapter shall not govern any tower, or the installation of any tower, which is less than seventy-five feet in height and used exclusively for an individual business, or other independent user and not used for the retail provision of communication services.

E. Permitted Communications Structures. Proposed structures shall be subject to review by the [Zoning Administrator](#) or his/her designee if any of the following are true for the given classifications:

1. All Communications Structure application requests protected under Section 6409(a) of the Spectrum Act, regardless of [zoning district](#).
2. Industrial zoning classifications ([LI](#) and [HI](#)):
 - a. All proposed structures to be constructed using camouflage design, to visually disguise them or architecturally integrate them from the public view and their surroundings.
 - b. All proposed structures co-located onto an existing communications facility or structure at least 50 feet in height.
 - c. All proposed structures set back a distance equal to the height of the tower from the nearest property line and of monopole design.
3. Commercial zoning classifications ([OC](#), [AC](#), [D-1](#), [D-2](#), [SC](#) and [HM](#)):
 - a. All proposed structures to be constructed using camouflage design, to visually disguise them or architecturally integrate them from the public view and their surroundings.
 - b. All proposed structures co-located onto an existing communications facility or structure equal to or greater than 50 feet in height.
4. Agricultural zoning classifications ([AG](#)):
 - a. All proposed structures to be constructed using camouflage design, to visually disguise them or architecturally integrate them from the public view and their surroundings.
5. Residential and [Conservation](#) zoning classifications ([RS](#), [RM](#), [RR](#), [RH](#), [MH](#), [CN](#), and [PD](#)) and public right-of-way:

- a. Small cell technologies only. Structures must be constructed using camouflage design, to visually disguise them or architecturally integrate them from the public view and their surroundings.

F. Communications Structures Requiring a Special Exception. Proposed structures shall require a [special exception](#) by the [Board of Adjustment](#), if any of the following are true for the given classifications:

1. Industrial zoning classifications ([LI](#) and [HI](#)):
 - a. Lattice or guyed design towers.
 - b. Monopoles [setback](#) a distance less than 100 percent of the height of the tower.
2. Commercial zoning classifications ([OC](#), [AC](#), [D-1](#), [D-2](#), [SC](#) and [HM](#)):
 - a. Any structure not employing camouflage design.
 - b. All proposed structures not collocated upon an existing communications facility or structure equal to or greater than 50 feet in height.
3. Agricultural zoning classifications ([AG](#)):
 - a. All proposed structures not employing camouflage design.
4. Residential and [Conservation](#) zoning classifications ([RS](#), [RM](#), [RR](#), [RH](#), [MH](#), [CN](#), and [PD](#)):
 - a. All proposed structures not listed as permitted in [Section 17.08.02.E.5.a](#). Structures must be constructed using camouflage design, to visually disguise them or architecturally integrate them from the public view and their surroundings.

G. Communications Structures Prohibited.

1. Lattice towers shall not be permitted anywhere in the City unless located in an Industrial zone, or an area designated for future industrial use in the City's Future Land Use Plan. Said towers shall be constructed with a [setback](#) from any right-of-way line, property line, or residential [district](#) equal to or greater than the height of the tower. The maximum required [setback](#) shall be 300 feet.

H. General Standards. The following criteria and standards are necessary to fulfill the intent of the Zoning Ordinance and are the minimum necessary to safeguard the public health, safety, aesthetics, and general welfare. These criteria include:

1. [Collocation Capability](#). In order to reduce the number of communications

structures in the community, proposed towers not of camouflage design shall be required to accommodate other users, including other wireless communication companies, and local police, fire and ambulance companies.

2. Air Safety. Support structures 200 feet in height or taller, or those near airports, shall meet all FAA regulations.
3. Setbacks from Base of Structure. Structures of camouflage design shall be subject to the setback requirements of the underlying [zoning district](#) as specified in [Ordinance 1489](#). Communication structures are not permitted within 300 feet of a residential zone ([RS](#), [RM](#), [RH](#), [RR](#), [MH](#), and [PD](#)) or interstate or state highway, unless camouflaged. The following minimum setback distances between the base of the tower and any property line are available by [special exception](#) from the [Board of Adjustment](#) and are not subject to [Variance](#):
 - a. Lattice or guyed towers shall be setback from the nearest property line a distance equal to 100 percent of the height of the tower with a maximum required setback of 300 feet. Guy anchors shall be setback a minimum of 25 feet.
 - b. Monopoles shall be setback from the nearest property line a distance equal to 75 percent of the height of the tower.
4. Required Parking. If the communication structure site is fully automated, adequate parking shall be required for maintenance workers. If the site is not automated, the number of required parking spaces shall equal the number of people on the maximum working shift. Parking space dimensions and surface material requirements shall adhere to the City's [Site Plan Review Ordinance](#).
5. Painting. Antenna support structures shall be painted, if determined necessary in process of the request, in such a manner as to reduce the visual impact and create a harmonious appearance with their surroundings.
6. Lighting. Support structures shall not be artificially illuminated unless required by the FAA or other applicable authority. If lighting is required, the lighting alternatives and design chosen must cause the least interference to the surrounding views. Subject to FAA approval, required lighting shall utilize a dual mode system for strobe lightning only during daylight hours and a red lamp from dusk to dawn.
7. Signage. The use of any portion of a tower for [signs](#) other than warning signs is prohibited.
8. Fencing and Landscaping. An opaque fence shall be installed around the antenna support structure and other equipment, unless the antenna is mounted on an existing structure or camouflage design is employed. The fence shall serve to screen the base of the structure and improve security. Said fencing shall be [effectively](#)

[screened](#) on the outside (as defined in this ordinance). No chain link fence associated with any wireless communication facility is permitted unless [effectively screened](#) as defined in this section

9. Support facilities. Such as equipment rooms, cabinets, and cellular switching devices shall be designed to match the architecture of adjacent [buildings](#). Structures must be constructed of a material compatible with existing abutting property [building](#) unless specifically proven to be unattainable to reduce the visual impact of the structure and create an appearance, which is compatible and harmonious with the surroundings. In the event the Wireless Communications Company chooses not to house support facilities such as equipment rooms and cellular switching devices, the facility shall be screened from public view by walls, fences, trellises, landscaping, or similar treatments.
10. Temporary poles. May be permitted for a period of up to six months, subject to review and extension, if an application for a permanent facility has been filed and the necessity for temporary service can be proven to the satisfaction of the City. Final approval of a temporary facility shall be subject to the review and approval as defined in the process section.
11. Utilities. All utilities associated with communications structure sites shall be underground unless demonstrated by the company that the local utility company has determined that it is impractical. This regulation does not apply in industrial zoning classifications.
12. Maintenance. The facility operator or property owner shall be responsible for maintaining the facility in good appearance, which shall include but not be limited to, regular cleaning of the facility, keeping the facility painted as needed, keeping birds nests and other similar items clear of the antenna area, and all-around maintenance of the facility.

I. Communications Structure Application Submittal and Approval Process.

1. If Site Plan Application requirements per [Section 17.08.03, Site Plan Review Ordinance](#) apply, requirements of Sections [17.08.02](#) and [17.08.03](#) shall apply; however, plans may be reviewed as one.
2. A Communications Structure Application and [Site Plan](#) drawn to scale shall be submitted, reviewed, and approved in accordance with this chapter prior to the issuance of any necessary permits or the commencement of any of the installation activities.
3. All Communications Structure Applications and associated drawings shall include the following items of information, relative to the scope of improvements. Additional information may be required by the City to ensure City requirements are met:

- a. FCC License. The Wireless Communication Company shall provide proof that it is licensed by the Federal Communications Commission to conduct business in the Fort Dodge market.
- b. Proof of lease agreement with owner, if project involves leasing.
- c. Demonstrated necessity. Applicant shall demonstrate that the antenna must be located where it is proposed in order to satisfy the antenna's function in the company's grid system. Not required for those applications protected under Section 6409(a) of the Spectrum Act.
- d. Structural Safety. The applicant shall demonstrate through proof of insurance and submittal of engineering studies, that the proposed structure is safe, according to the Electronic Industries Association Standards (EIA Standard 222 in regards to structural standards for steel antenna towers and antenna support structures) for its design, according to 1996 FCC Regulations in terms of radio frequency transmissions, and the surrounding areas will not be negatively affected by structure failure. All support structures shall be fitted with anti-climbing devices, as approved by the manufacturers. Any such failure or interference shall be the responsibility of the applicant to remedy.
- e. Legal description and address of the property.
- f. Property boundaries and required [setbacks](#).
- g. Land uses and current zoning of adjacent properties.
- h. Location, type, height, and dimensions of existing and proposed structures on site; including existing and proposed uses.
- i. Guy anchor locations, if applicable.
- j. Topography of the site with contours shown at two foot intervals for the subject property and adjacent properties within two hundred feet of the subject property.
- k. Vehicular parking and [access](#), if applicable.
- l. Existing vegetation to be retained or removed.
- m. Existing or proposed fencing location, if applicable.
- n. Existing and proposed landscaping, if applicable.
- o. Photographs of the existing and proposed conditions of the site. Each site line

shall be illustrated by one eight-inch by ten-inch color photograph of what can currently be seen from any public road within three hundred feet and from any residential property within three hundred feet. A second copy of each of the existing condition photographs shall have the proposed wireless communications facility superimposed on it to show what will be seen from public roads and residential properties, if the proposed communication structure is built.

4. Additional information required for new Towers.

- a. Demonstrated inability to collocate. This demonstration shall utilize one or more of the following criteria to satisfactorily illustrate why collocation on an existing tall structure is not feasible:
 - i. Structural Impossibilities. The Wireless Communications Company shall provide a structural analysis to show the structural loading, minimum height, available space on the existing structure, or available ground space at the proposed site is inadequate to serve its needs for a viable communications structure site.
 - ii. Engineering Impossibilities. The Wireless Communications Company shall provide engineering studies to show that an existing structure cannot be satisfactorily engineered to meet the coverage and/or capacity demands of its customers or function in its grid system.
 - iii. Economic Impossibilities. Collocation on an existing tall structure is an incentive to, and is in the best economic interest of, each wireless communication company as collocation reduces the cost to deploy each communication site. Where negotiation to collocate on an existing structure fails, the Wireless Communications Company shall provide evidence, to include written assurances in the form of affidavits, that it could not obtain permission from owners of structures within a quarter (1/4) mile radius of the proposed site to install its antennas on those structures
- b. Structure Height. The applicant shall demonstrate that the tower is the minimum height required to function satisfactorily while simultaneously providing adequate structural height for possible collocators. Demonstrated tower height also applicable to modifications to existing towers not protected under Section 6409(a) of the Spectrum Act. If [special exception](#), the [Board of Adjustment](#) has the right to deny any structures above the determined height unless otherwise shown the structure would be inoperable.

J. Abandonment.

1. All approvals for wireless communication facilities shall be in effect only while the

- facilities are being operated on a continual basis. When the use is replaced or discontinued for a period of six months, the approvals will lapse; and the operator or property owner shall be required to remove the facility and all associated equipment and restore the property to its original or otherwise acceptable condition, subject to the approval of the [Zoning Administrator](#) or his/her designee. The tower owner shall give notice to the [Zoning Administrator](#) or his/her designee of intent to discontinue use of a tower on the day that notice is given to the FCC.
2. Documentation and Deposit for Removal. Prior to receiving a building permit for construction of the wireless communication facility, the applicant shall provide:
 - a. Documentation supplied to the [Zoning Administrator](#) or his/her designee sufficient to demonstrate that the tower owner has the obligation under the governing lease to dismantle and remove the tower upon abandonment; and
 - b. For placement into the Wireless Communication Facility Removal Account established with the City Clerk's Office the adequate amount of an irrevocable cash deposit to cover the cost of removal of the tower. The adequate amount shall be thirty dollars (\$30) per foot of height for camouflage structures and one hundred dollars (\$100) per foot of height for monopole, lattice, or guyed towers. An account shall be established for removal of towers constructed under this ordinance, refundable up to the amount of deposit plus the appropriate allocation of interest earned in the account as determined by the City Clerk, and upon restoration of the site to its previous condition as determined by the [Zoning Administrator](#) or his/her designee.
 - c. In lieu of the cash deposit described above, a permit may be issued with the submission of a removal bond of the same amount and in the form acceptable to the City Clerk.

17.08.03 - SITE PLAN REVIEW ORDINANCE

AN ORDINANCE PROVIDING FOR THE REVIEW OF CERTAIN PROPOSED IMPROVEMENTS TO PROPERTY: ESTABLISHING SUBMISSION REQUIREMENTS AND DEVELOPMENT STANDARDS.

A. Purpose. The purpose of this ordinance is to establish procedures enabling the City to review certain proposed improvements to property to insure compliance with all applicable codes and to provide minimum standards to guide those improvements. The regulations in this ordinance promote the health, safety, and general welfare of the City and the efficient use of City resources by:

1. Insuring the orderly and harmonious development of property by minimizing negative effects on the surrounding neighborhood.
2. Insuring that the design of proposed improvements consider impacts on public right-of-ways, utilities, facilities and services.

This ordinance is intended to supplement rather than replace any existing reviews or approvals required under this or other ordinances of the City of Fort Dodge.

B. Application and Scope. A site plan shall be submitted, reviewed and approved in accordance with this chapter prior to the issuance of a [building](#) permit or the commencement of any of the development activities listed below.

1. [New development](#) or [redevelopment](#), except [single-family detached dwellings](#) or [duplexes](#) and their permitted [accessory structures](#).
2. Any change, alteration or modification in a [structure](#) or use which would require additional off street parking spaces or other compliance with the City's zoning requirements.
3. Development regulated by the City's Stormwater Ordinance.

Any substantial deviation from the approved site plan, unless approved in advance through minor modification or [site plan amendment procedures](#) as set forth by this ordinance, shall be deemed a violation of this ordinance.

C. Completion Prerequisite to Certificate of Occupancy Issuance. Where a certificate of occupancy applies, no final occupancy shall be issued until all terms and conditions of the approved site plan have been satisfactorily completed. However, in the case that landscaping is delayed due to the season of the year, a temporary certificate of occupancy may be issued.

D. Administrative Waiver Of Site Plan Review, When Permitted. The Director of Business Affairs and Community Growth or their designee may waive the requirements for site plan review for any development activity within the scope of this ordinance

where he or she reasonably believes that such a waiver will not adversely affect the purposes and intent of this ordinance. If the improvements actually constructed differ substantially from the plans considered as a basis for this waiver, the waiver may be revoked, all [building](#) permits suspended, and a stop work order issued pending application and subsequent approval of a site plan. Site plan waivers are valid for a period of two (2) years from the date of approval. Within this two (2) year time frame, a [building](#) permit must be applied for.

E. Level of Review. The level of review depends on the scope of improvement proposed and will be determined by the Director of Business Affairs and Community Growth based on the following criteria:

1. **Administrative Site Plan.** A minor site plan for any [development](#) or [redevelopment](#) that meets all of the following:
 - a. Does not require additional parking spaces.
 - b. Does not change on-site traffic patterns.
 - c. Does not impact stormwater runoff.
 - d. Does not impact more than one Site Development Standard (listed in [Section G](#) of this ordinance).

This review level will be completed at a staff level. Administrative site plans shall not be subject to the full review process.

2. **Minor Site Plan.** Any site plan not meeting the [major site plan](#) level of review. Minor site plan is not required to be prepared by a licensed architect or engineer, however it must be a scalable drawing that clearly and accurately describes all [submission requirements](#). Minor site plan review will be completed at a staff level and shall be subject to the full review process.
3. **Major Site Plan.** Site plans proposing any of the following shall be considered a major site plan. Major site plans shall be electronically prepared by a licensed architect or engineer.
 - a. All [new development](#) on a previously undeveloped site.
 - b. Any improvements on a previously developed site impacting 5,000 square feet or greater; said area shall only include improvements made on private property (i.e. excluding work proposed in the public right-of-way).
 - c. Any site that has had two minor site plans approved within a three year period proposing any new or [redevelopment](#) shall be a major site plan.

Major site plan review will be completed at a staff level and shall be subject to the full review process.

F. Submission Requirements. All required site plans shall include the following items of information. Required information is related to the scope of improvements. Additional information may be required by City staff to ensure Site Development Standards are met. The site plan shall include an application, payment of fees, and a PDF that can be printed, to an engineer's scale, on an 11" x 17" sheet of paper. If the site plan will not print to an engineer's scale, then a minimum of two (2) full-size paper copies of the site plan drawings must accompany the submission. All plans shall clearly and accurately indicate the following:

1. Administrative and Minor Site Plans:

- a. Name, address and phone number(s) of the property owner(s), developer(s), contractor(s), and/or person(s) preparing the site plan if different than the owner(s), as applicable.
- b. Legal description and address of the property.
- c. North arrow, date of preparation, and graphic scale.
- d. Present zoning classification(s) of the property.
- e. Complete property dimensions and [setbacks](#) as required by the zoning ordinance.
- f. All existing and proposed [easements](#) on the property.
- g. Property drawing with improvements providing the area of the property and the location with full dimensions of all proposed and existing [structures](#), showing exterior dimensions including height of [building](#) (s); the total floor area of each [building](#); and the floor area of each floor in each [building](#) by use, if applicable.
- h. Lighting information, at a minimum including manufacturers' information sheets for every exterior light proposed.
- i. Bike rack information, at minimum the manufacturer's specifications.
- j. Architectural elevations, in color, if property is regulated by [Corridor Overlay Districts](#) or [Downtown District](#), with sufficient information on materials and color to demonstrate compliance with the ordinance.
- k. Additional information may be required to make determinations required by this ordinance.

2. Major Site Plan

- a. All information required in a minor site plan.
- b. A location map or other drawing at appropriate scale showing the general location and relation of the property to surrounding areas, including, where relevant, the zoning and land use pattern of adjacent properties, and existing [street](#) system in the area and location of nearby public facilities, if applicable.

- c. Existing land features details on the general nature, location and size of all significant existing land features, including, but not limited to, sidewalks or paths, tree or shrub masses, all individual trees over four inches (4") in diameter, surface rock and/or soil features, and all springs, streams or other permanent or temporary bodies of water with one hundred year (100-year) flood plain boundary delineated and areas outside the one hundred year (100-year) flood plain labeled as such.
- d. Stormwater management plan demonstrating compliance with the Site Development Standards and the City's Stormwater Ordinance; said plan shall indicate the property's existing impervious area and the property's proposed impervious area.
- e. Utility systems details on all existing and proposed utility systems and [easements](#), including, but not limited to, the location and size of sanitary sewer mains and service lines, storm sewers, and water mains, service lines, and hydrants as well as electric, gas, and telephone lines.
- f. Surface materials shall be labeled. This should include grass, landscaping, pavement type or other surfaces. Information on the location, grade and dimensions of all present and/or proposed [streets](#), sidewalks, or other paved surfaces and engineering cross sections of proposed curbs and pavement should be provided too.
- g. Landscaping details including common names of all trees, shrubbery, planting beds and seed or sod and approximate height and spread of plantings at the time of planting in a table. A detailed narrative explanation of locations may be permitted, however if more than two required plantings or other chapters of this ordinance require plantings in a specific place, then a plan showing locations must be provided.
- h. Parking and traffic circulation plan for the entire site, with dimensions, demonstrating compliance with the Site Development Standards.
- i. Impervious area coverage detail in a table, providing at a minimum the proposed area of paved surface, type of pavement and percentage change proposed.
- j. Trash screening details including the location, height, and material of screening structures for areas of collection and disposal of garbage and trash, if applicable.
- k. Signage information including the location, height, size, type, and overall dimensions of all existing and proposed outside signs, if applicable.
- l. [Dwelling unit](#) information for multi-family developments including the total number of [dwelling units](#) and indicating the number of bedrooms per unit, if applicable.
- m. Additional information may be required to make determinations required by this ordinance including but not limited to:

- i. Photometric plan. If required the photometric plan shall be on a maximum 10-foot grid illustrating the proposed illumination at ground level including all non-[decorative exterior](#) fixtures proposed on the site.
- ii. Soils tests.
- iii. Traffic impact studies.
- iv. Utility capacity analysis.
- v. [Building](#) and/or sign elevations.

G. Site Development Standards. When acting upon an application for site plan approval, the Director of Business Affairs and Community Growth or their designee shall rely upon generally accepted site planning criteria and design standards. Required site development standards are related to the scope of improvements. The following criteria and standards are necessary to fulfill the intent of the Zoning Ordinance and are the minimum necessary to safeguard the public health, safety, aesthetics, and general welfare. These criteria and standards include:

1. Natural Areas.

The site plan must show that a reasonable effort has been made to conserve and protect those natural characteristics that are of some lasting benefit to the site, its environs and the community at large.

2. Lot Coverage & Land Use.

The site coverage, [building](#) scale, [setbacks](#), and open spaces shall be in compliance with the City of Fort Dodge, Iowa, Zoning Ordinance. It shall also be in proportion with the development property and with existing and planned development and [structures](#) in adjacent and surrounding property.

3. Stormwater & Erosion Control.

The proposed improvement shall be designed with storm sewers, storm water management controls, and erosion protection in accordance with standards acceptable to the City.

4. Utilities.

- a. The proposed development shall be designed with adequate water mains, fire hydrants and sanitary sewer lines in accordance with the ordinances and regulations of the City of Fort Dodge, so as to protect the public health and welfare, and so as not to overload any existing public utility.
- b. All utility service transmission systems, including, but not limited to, water, sewer, natural gas, electrical and telephone lines shall be placed underground, wherever reasonably practical.

5. Corner Visibility. Corner visibility requirements at the intersection of driveways, alleys, and streets shall follow recommendations of the American Association of State Highway and Transportation Officials' (AASHTO's) Policy on Geometric Design of Highways and Streets. The City's Engineering Department will assist in interpretation of these requirements when requested.

6. Parking, Traffic Circulation & Access Management.

a. Paving

i. All parking areas and vehicular driving or maneuvering areas shall be surfaced with a Portland Cement Concrete (PCC), Hot Mix Asphalt (HMA) or similar dust-free paving prior to such use.

ii. Gravel or asphalt milling may be permitted if all of the following are met:

a. Iowa Statewide Urban Design and Specifications Manual ([SUDAS](#)) for creating a dust free surface.

b. Commercial or [light industrial](#) areas, [rear yards](#) provided said area is:

a. Not intended for or used by customers or the general public.

b. Clearly defined, such that expansion will not occur without moving permanent features. However, this shall not be required for areas designed solely for [access](#) or circulation drives.

c. Screened with 6' solid fencing that is 100% opaque or 6' tall [evergreen](#) trees staggered such that 100% opacity will be achieved within three (3) years of planting, except for [access](#) points.

i. Fencing shall be constructed with the posts on the interior side of the fence unless the fence is finished on both sides.

ii. Landscaping areas shall be a minimum of five (5) feet wide.

iii. Landscaping may be used to meet the landscaping requirements of other sections of this ordinance.

iv. Chain link fence with or without slats shall not be permitted.

- c. Heavy industrial properties, rear or side yards provided said area is:
 - a. Not intended for or used by customers or the general public.
 - b. Yards adjacent to districts other than Heavy Industrial or Agricultural shall be screened following one of the two requirements below:
 - i. Landscaping:
 - 1. Minimum amount of landscaping shall be calculated as follows:
 - a. Shrubs – One (1) shrub per 10 lineal feet.
 - b. Trees – One (1) tree per 75 lineal feet.
 - 2. Minimum sizes shall meet those specified later in this ordinance.
 - 3. Located to reduce the visibility of said area from public right of way.
 - 4. Overlay District parcels shall double the amount of required landscaping for any side(s) parallel to the Corridor. This landscaping shall be planted along that perimeter.
 - 5. Landscaping may be used to meet the landscaping requirements of other sections of this ordinance.
 - ii. Fencing:
 - 1. Property lines adjacent to a public right-of-way shall be a minimum 50% opaque, decorative black fence a minimum of four (4) feet high.
 - 2. All other areas may use chain link or solid fencing a minimum of four (4) feet high.
 - 3. Overlay District parcels shall incorporate landscaping along any side(s) parallel to the Corridor as follows:
 - a. Shrubs – One (1) shrub per 20 lineal feet.
 - b. Trees – One (1) tree per 100 lineal feet.
 - c. 50% of this landscaping may be used to meet the landscaping requirements of other sections of this ordinance.

- b. The design of interior vehicle and pedestrian circulation shall provide for convenient flow of vehicles, including emergency vehicles as are necessary for safety and the general welfare.
- c. Sidewalks are required along any side of a [building](#) where parking is located, as specified in [Section 7](#) of this ordinance.
- d. The proposed development shall have entrances and exits upon adjacent [streets](#) at such locations as to prevent congestion on adjacent and surrounding [streets](#) and in order to provide for safe and orderly vehicle movement.
 - i. A traffic study may be required for [access](#) points proposed by a commercial or industrial user.
- e. Off-street parking lots shall include medians and striping necessary to provide safe intuitive traffic flow and delineate each parking stall. Parking lots and maneuvering incidental to parking shall be designed, maintained, and regulated so that it is not on any public [street](#), walk or [alley](#), unless allowed by the City Engineer.
- f. The placement of [buildings](#), [structures](#), fences, trash enclosures, lighting and fixtures on each site shall not interfere with traffic circulation, safety, appropriate use or enjoyment of adjacent properties.
- g. Regulations contained within the Iowa Statewide Urban Design and Specifications Manual ([SUDAS](#)) as adopted by the City of Fort Dodge and enforced by the City Engineer shall be utilized.

7. Sidewalk.

- a. Public rights of way
 - i. All development shall provide a Portland Cement Concrete (PCC) public sidewalk within the public right-of-way along the entire length of any property line adjacent to said public right-of-way.
 - ii. Widths required:
 - a. Four feet (4') along residential [streets](#).
 - b. Five feet (5') along all other [streets](#).
 - iii. Impractical circumstances may exist where sidewalks may not be feasible, at the time of site plan approval. If any of the following situations are deemed applicable by the Director of Business Affairs and Community Growth or their designee the sidewalk requirement may be deferred :

- a. Topographic challenges at and including [lots](#) within a block or more of subject property.
 - b. No logical connection opportunity.
 - c. Significant adverse impact to area drainage.
 - d. Conflicts with other infrastructure.
 - e. Not identified as an area for sidewalks in the City's Sidewalk Prioritization Program.
- b. Private Property
- i. Sidewalks are required along all sides of a [building](#) where parking is proposed, to facilitate pedestrian access to the [building](#).
 - ii. If parking stalls are adjacent to the sidewalk, it shall be 6' wide, minimum.
 - iii. Where parking is not adjacent, the sidewalk shall be a minimum of 5' wide.

8. Bike Rack.

- a. Multi-family and commercial uses shall provide bicycle parking spaces equal to five percent (5%) of the number of required motor vehicle spaces. A minimum of one (1) space shall be required.
- b. It shall be located in reasonable proximity to the [building](#) entrance, but not such that bicycles would obstruct sidewalks or parking stalls.
- c. It shall be located on a hard surface that is permanently dust-free.
- d. Bike racks shall be professionally manufactured and permanently installed.

9. Landscaping.

- a. Landscaping shall be incorporated into site design in order to complement building design and architecture, screen unsightly site characteristics or elements, and enhance the appeal by improving the overall image of the City. In the case of any addition, this provision shall only apply to the added area, not the entire [lot](#) area.
- b. Green space amounts are specified as follows:

Table 17.08.03-1 Green Space Requirements

Lot Area	General Green Space Percentage Required	Interior Green Space Required (Parking Lot Islands/Foundation Plantings)
0 – 49,999	6%	0%
50,000 – 99,999	10%	0%
100,000 – 249,999	12%	1.5%
250,000 or larger	15%	1.5%

- i. Both minimum percentages must be met, except in the case of an industrial use where gravel or asphalt millings are approved, in which case the landscaping requirements stated in [Section 6](#) (Parking, Traffic Circulation & Access Management) apply and the Landscaping Plan requirements only apply to the primary [building](#) and its associated parking.
- ii. Excess interior landscaping may count toward required general open space.
- iii. General green space includes any green space that is planted in conformance with this section. The following areas may be included in the calculation, if location requirements are met: perimeter parking [lot](#) open space, required yards, stormwater management features, sign landscaping, or other as approved by the Director of Business Affairs and Community Growth or their designee.
- iv. Interior green space includes islands of green space that are provided within the parking area or [building](#) foundation plantings. This may include islands extended from a perimeter green space buffer or required yard. Stormwater management features may be counted toward this requirement provided all requirements of this section are met.
- v. Decorative fencing may substitute for half of the required area landscaping in the [Downtown](#) or [Corridor Commercial](#) Overlay Districts provided it is:
 - a. located along the primary road;
 - b. a minimum of 4’ tall;
 - c. black;
 - d. three-rail, as shown in [Figure 17.08.03-2](#);
 - e. industrial strength steel or iron; and

Figure 17.08.03-2. Three-rail fence style.



- c. Location of green space
 - i. General green space shall be located around all parking and drive areas, with a minimum width as specified in [Table 17.08.03-2](#), except driveway entrances or cross access points.
 - ii. Loading and delivery areas that are not adjacent to a public right of way or parking area may not be required to provide a green space buffer.

Table 17.08.03-2 Width of Green Space Requirements

Lot Area	Minimum Width
0 – 99,999	Five (5) feet.
100,000 or larger	Ten (10) feet.

- iii. The width of landscaping in the Downtown or Corridor Overlay Districts may be reduced to three (3) feet wide, if a decorative fence as specified in this Section is located in said space.
 - iv. Cross access points shall be no wider than twenty-four feet (24), unless an illustration based on the property’s regularly visiting vehicles demonstrates a wider cross access point or extended drive aisle is required.
 - v. If a cross access drive is involved, a valid recorded [easement](#) must be in place, then the required perimeter green space may be moved elsewhere on the site. The new location shall be based on the following factors:
 - 1. Adjacency to the required location
 - 2. On-site traffic flow, traffic safety or other safety considerations, with input from the City Engineer
- d. Interior green space
 - i. No more than 50% of the required interior open space area shall be located in any one island.

- ii. Islands shall be of sufficient size to support the plants proposed in it.
- iii. Islands may be placed so as to define parking and driving areas.
- e. Planting amounts shall be calculated as defined in [Table 17.08.03-3](#).
 - i. Living [groundcover](#) shall occupy any remaining portion of required green space areas, excluding any mulch rings provided around bushes, trees or landscaping beds.
 - ii. Tree and Shrub calculations shall be based on the required amount of general green space in square feet (i.e. 1 per X square feet of general green space)

Table 17.08.03-3 – Planting Ratio Requirements

Lot Area	Shrub Calculation	Tree Calculation
0 – 49,999	1 per 100 square feet	1 per 300 square feet
50,000 – 99,999	1 per 200 square feet	1 per 500 square feet
100,000 – 249,999	1 per 300 square feet	1 per 900 square feet
250,000 or larger	1 per 300 square feet	1 per 900 square feet

- f. Substitutions of trees or bushes may be applied for up to 50% of a required planting category as follows:
 - i. Trees
 - a. Three (3) bushes for one (1) required tree, in addition to minimum requirements for bushes.
 - b. No ground cover may be substituted for trees.
 - ii. Bushes
 - 1. Three (3) ground cover plants for one (1) required bush. Seeded ground cover shall not be permitted as a substitute.
 - 2. One (1) tree for three (3) required bushes.
- g. General requirements
 - i. Plant sizes shall conform to the measurements specified below:
 - a. All trees shall be a minimum 1.5 caliper inches at planting. The caliper measurement shall be taken six inches above grade.
 - b. [Evergreen](#) trees shall be a minimum three (3) feet in height at planting.

- c. Multi-stem trees shall be a minimum five (5) feet in height at planting.
 - d. Shrubs shall be a minimum 2-gallon pot.
 - e. [Groundcover](#) may be seeded, however it shall present a finished appearance and cover at least 75% of the ground within two years after planting.
- ii. A mix of tree and bush type and species shall be used.
 - iii. Tree preservation is encouraged. Preserved trees may be part of the required landscaping in a 3:1 (new:existing) ratio if:
 - a. Species that is native to the area or it is a hardwood tree
 - b. Larger than 6 caliper inches.
 - c. Preservation techniques are employed, including the minimum:
 - iii. Pruning the tree, prior to construction, by a certified arborist.
 - iv. Semi-permanent installation of 3 foot or taller fence outside the tree's dripline.
 - iv. Right-of-ways shall be landscaped with living [groundcover](#) such as turf or buffalo grass.
 - a. A 12" concrete mow strip, detailed per the City's Engineering Department, shall be established along any right-of-way that is adjacent to 5th Avenue South in the O-CC District.
 - v. Determining appropriate plantings in a landscaping plan may be done utilizing *Landscape Plans for the Midwest* by Iowa State University, University Extension.
 - vi. Maintenance of required landscaping or fencing is required. Green space, plantings and fencing shall be in healthy and good condition and meet minimum sizes at all times.

10. Waste Enclosures.

- a. When new outside waste unit is proposed or an existing one is relocated by the property owner, it shall be on private property and permanently screened from view to a height of at least six feet (6') or incorporated into the [building](#), except in:
 - i. Downtown zoning districts where existing historic [building](#) does not accommodate and public [alley](#) can accommodate without

- impacting accessibility or public safety. Garbage containers should be grouped and screened to the extent possible.
- ii. [Heavy industrial](#) zoning districts provided it is not located in a required [front yard setback](#) or visible from a public right-of-way.
- b. Outside waste units shall not be located such that they would be:
- i. situated in a required [front yard](#),
 - ii. impeding traffic circulation,
 - iii. located on a required sidewalk, or
 - iv. causing other pedestrian or vehicle safety issues.
- c. Outside waste units shall be fully enclosed, unless it is a public facility in which case three-sided screening is permitted.
- d. Screening shall be fully opaque. The following approaches are permitted:
- i. Landscaping, provided it is 6' tall at installation, or
 - ii. [Solid fence](#), or
 - iii. Materials matching the [primary building façade](#), or
 - iv. Other suitable and durable opaque material.
- e. Chain link fence with or without slats shall not be permitted.

11. Screening.

- a. All commercial and industrial uses, regardless of their [zoning district](#), shall maintain a full screen not less than six feet (6') in height along any abutting property line adjacent to a residential use. Said screening shall be situated as far back or further back from a [street](#) than the main [building](#), unless any parking lot, [outdoor storage](#), waste enclosure or other commercial or industrial exterior feature is established in such area; up to the [front yard setback](#). Said screening can be provided with any combination of solid fencing or landscaping. These requirements supersede fence requirements established in Section [17.08.01.F](#).
- i. A use may request modified compliance to the above screening requirements through a [special exception](#), provided the following are met:
- 1. Neighboring residential property owners are notified of said request.

2. The intensity of the use is such that any adjacent residential property is not anticipated to experience noise, light or other [nuisances](#) as a result of said property's use.
 3. A buffer yard or plantings (trees or bushes) provide an appropriate level of transition from the use of said property to an adjacent residential use.
 4. Lack of full screening will not be contrary to the intent of this ordinance.
- b. All public or private utility substations, regardless of their [zoning district](#) and not to include individual transformer or switch gear units, shall maintain a full screen of not less than six feet (6') in height around the immediate vicinity of the utilities or the property line. Said screening can be provided with any combination of the following:
 - i. Solid fencing,
 - ii. Chain link fencing with hanging screen attached, not to include slats, and
 - iii. Landscaping.
 - c. If landscaping is used, it must achieve a full screen within three (3) years of installation. Information on the approximate height and spread of plantings at the time of planting and within three (3) years must be provided with the site plan submittal. Any fencing utilized for screening or placed along property lines shall be constructed with the posts on the interior side of the fence unless the fence is finished on both sides.
 - d. Screening intended to meet Parking, Traffic Circulation and [Access](#) Management provisions of this ordinance must meet all requirements identified in that section of this ordinance.

12. Lighting.

- a. Any new or replacement exterior lighting shall meet the requirements of this section, unless identified as exempt.
- b. Following uses are exempt from the lighting provisions:
 - i. Public recreational areas, where no residentially zoned properties are adjacent.
 - ii. Temporary lighting, provided a Special Events Permit has been obtained or it is related to a public improvement project.
 - iii. Public right-of-way lighting.
 - iv. Temporary lighting in the interest of law enforcement, public health, safety or welfare.

- v. Lighting required by county, state or federal law.
 - vi. Lights illuminating a public or private flag or public statue if a narrow cone of light is utilized, to illuminate the object of interest.
 - vii. Permanent emergency lighting installed for temporary emergency situations and required by other Municipal Codes. No switch shall be accessible to said lighting for any non-emergency use.
- c. All exterior lighting, not to include [decorative lighting](#); Downtown Historic District lighting; or Light Industrial or [Heavy Industrial](#) District lighting, except where located in a District Overlay; shall meet the following requirements:
- i. Fixture shall be a fixed-position, [full cut-off fixture](#).
 - ii. Tilted fixtures are prohibited.
 - iii. [Luminaries](#) and poles are required to be professionally manufactured and of complementary design for the purpose proposed. Use of wooden poles on private property are only acceptable where an existing wooden pole stands, with no more than one light fixture permitted per pole, and for temporary use during construction.
 - iv. When a photometric plan is required it shall demonstrate the following are met:
 - a. No location on any site shall exceed 30 foot candles;
 - b. the foot candles at the property line shall be 2.0 or lower, when adjacent to a residential use; and
 - c. any existing light levels on the property should be included in the photometric plan.
- d. All exterior lighting in the [Light Industrial](#) or [Heavy Industrial](#) Zoning Districts shall meet the following requirements:
- i. All fixtures located on any [building](#) or wall shall meet the following requirements:
 - a. Fixture shall be a fixed position, [full cut-off fixture](#).
 - b. Tilted fixtures are prohibited.
 - c. [Luminaries](#) are required to be professionally manufactured and complementary designs for the purpose proposed.

- ii. All fixtures located on an approved pole shall meet the following requirements:
 - a. Fixtures shall be permanently fixed.
 - b. Bare [Luminaries](#) (light bulbs) are not permitted where viewable from nearby properties or public right-of-ways.
 - c. [Luminaries](#) (light bulbs) shall be directed away from nearby properties and public right-of-ways.
 - d. Fixtures may have a [degree of tilt](#); however, said tilt shall not range between 45° and 135° (see [definition](#) in Section 17.03.01.).
 - e. [Luminaries](#) and poles are required to be professionally manufactured and of complementary design for the purpose proposed. Use of wooden poles on private property are only acceptable where an existing wooden pole stands, with no more than one light fixture permitted per pole.
- iii. When a photometric plan is required, it shall demonstrate the following are met:
 - a. Foot candle at the property line, of any new exterior lighting, shall be 2.0 or lower. Any existing light levels on the private property should be included.
 - b. No location on any site shall exceed 30 foot candles
- e. [Decorative exterior lighting](#), as a non-cut off fixture or up-lighting may be permitted provided the following are met:
 - i. Light is utilized on a [building](#), sign, landscaping around a [building](#), or for low-level internal site illumination.
 - ii. Light is limited to the area or object of interest, to the extent possible.
 - iii. Lighting shall not project across public or private sidewalks, parking lots or driving areas.
 - iv. Permanently installed shields are encouraged to meet the provisions stated above.
- f. Downtown Historic District lighting may be a non-cut off fixture provided the fixture proposed for use meets the following:
 - i. Historic photograph clearly demonstrates similar fixture was used prior to 1930;

- ii. Demonstrated effort to minimize glare and obtrusive lighting by limiting outdoor lighting that is misdirected, excessive or unnecessary;
 - iii. Lighting serves a direct purpose beyond replication of historic elements.
- g. Any new utility service transmission systems related to lighting shall be placed underground, wherever reasonably practical, per [Section G.4](#) of this Ordinance and be concealed inside the posts.

H. Administrative Review and Special Exceptions. Where strict interpretation of this ordinance’s requirements on Private Sidewalks or Landscaping is difficult, flexibility may be appropriate. Administrative approval on modified compliance may be completed under the following circumstances:

- a. Additions to parking lots if the following are met:
 - i. The requirements would cause significant impact to orderly and logical parking layout and [access](#). Redesign does not constitute significant impact; and
 - ii. Other accommodations:
 - a. In case of landscaping: Other areas of the property can accommodate required landscaping can be located such that it will meet the general intent of the parking lot landscaping ordinance, of reducing the visual impact of parking from a right-of-way and the “sea of asphalt” of large expanses of paved surfaces or
 - b. In case of sidewalk: Alternative or sufficient width pedestrian access can be provided such that some means of protected access from moving vehicles is provided to those accessing the [building](#) from the on-site parking.
- b. Reconstructed parking lots if at least three of the following are met:
 - i. No alternative parking lot configuration could meet site plan and [SUDAS](#) requirements;
 - ii. Traffic safety or other safety considerations are involved, with input from the City Engineer and/or Public Works;
 - iii. Stormwater best management practices are implemented;
 - iv. Other accommodations
 - a. In case of landscaping: Other areas of the property can accommodate required landscaping and can be located such that it will meet the general intent of the parking lot landscaping ordinance, of reducing the visual impact of parking from a right-of-way and the “sea of asphalt” of large expanses of paved surfaces or

- b. In case of sidewalk: Alternative or sufficient width pedestrian access can be provided such that some means of protected access from moving vehicles is provided to those accessing the [building](#) from the on-site parking.
- v. Other unique circumstances other than economic considerations or situations that are the result of actions of the applicant/owner.
- c. New parking lots requirements on minimum green space width if the following are met:
 - i. No alternative parking lot configuration could meet site plan and [SUDAS](#) requirements;
 - ii. Reduced width or absence of green space is limited to one side of the [lot](#); and
 - iii. Required amount of green space is met on the [lot](#).

If the owner/applicant does not agree with the administrative decision, then a [special exception](#) may go forward to the [Board of Adjustment](#) to request modified compliance to this ordinance's requirements on Private Sidewalks or Landscaping, utilizing the above listed criteria.

I. Required Procedures For Site Plan Review. The Director of Business Affairs and Community Growth or their designee shall prescribe the forms on which applications for site plan approval are made. No application shall be accepted unless it complies with the submittal requirement as set forth in this ordinance and no application shall be considered complete until all information required by city staff is provided. Applications that are not complete shall not be considered for approval and shall be returned to the applicant.

1. Applicants for site plan review shall meet with the Director of Business Affairs and Community Growth or their designee prior to submission of a site plan. The purpose of this meeting is to acquaint the applicant with site development standards and procedures. This meeting shall also serve to allow the applicant to present the scope and nature of the proposed project to the Director of Business Affairs and Community Growth or their designee.
2. Following the initial meeting with the Director of Business Affairs and Community Growth or their designee, the applicant may submit an application for site plan review, applicable fees, and any additional information required by City staff for submission.
3. Within fourteen (14) working days of receiving a completed application for site plan review, the Director of Business Affairs and Community Growth or their designee shall notify the applicant of any approval, conditional approval or disapproval. In cases of resubmittal, conditional approval or disapproval, written notification shall be given for the reasons of such action. If resubmittal is required the review timeline begins again.

4. The Director of Business Affairs and Community Growth or their designee shall review the site plan for consistency with City planning policies and objectives and compliance with zoning regulations and standards. In the case of a conditional approval, the applicant shall make any necessary changes to the site plan documents and resubmit for final approval within thirty (30) days. Development activity shall not commence until the site plan is approved and all appeals are exhausted.
5. Site plan approvals are valid for a period of two (2) years from the date of approval. Within this two (2) year time frame, a complete [building](#) permit application must be submitted.
6. One copy of the approved site plan shall be returned to the applicant. One copy of the approved site plan shall remain in the records of the Director of Business Affairs and Community Growth or their designee.

J. Appeal Procedure. Shall be as described in [Section 17.06.02 – Board of Adjustment, Powers and Duties](#).

K. Amendments to Approved Site Plans. Any approved site plan may be amended in accordance with the standards and procedures established herein, provided, that the Director of Business Affairs and Community Growth or their designee may waive such procedures for those minor modifications listed in this section. In the case of minor modifications of the site plan, the Director of Business Affairs and Community Growth or their designee may give approval if the decision does not modify the overall theme of the development, affect public safety, or result in the reduction of any minimum standard as provided in this Zoning Ordinance. Minor modifications shall be adequately described in writing with any required supporting information and may include the following:

1. Does not require additional parking spaces.
2. Does not change on-site traffic patterns.
3. Does not increase stormwater runoff.
4. Does not impact more than one Site Development Standard (listed in [Section G](#) of this ordinance).

Any modification that is deemed by the Director of Business Affairs and Community Growth or their designee not to be minor modification shall be required to submit a new application.

L. Applicability to existing development. The requirements of this chapter shall not apply to the placement of any [structure](#) for which [building](#) permits have been issued as of the effective date of this ordinance; provided, that if such [building](#) permit shall expire, then a new [building](#) permit shall not be issued until the requirements of this chapter have been met.

M. Conflict with other ordinances. Where provisions of this ordinance conflict with any district established in the [District Regulations \(17.07\)](#), except provisions found in

[Residential Historical](#) (17.07.16), [Downtown](#) (17.07.11) or Overlay Districts ([17.07.17](#), [17.07.18](#), [17.07.19](#) or [17.07.20](#)) this ordinance supersedes.

N. Maintenance Requirements. Failure to maintain a site, with the exception of landscape requirements, in accordance with an approved site plan shall constitute a violation of this ordinance and a failure to correct such a violation within thirty (30) days following written notice of said violation shall render the site plan subject to cancellation.

Failure to acquire Site Plan/ Site Plan Amendment approval where required, prior to construction, alteration, or otherwise modification of a [building](#), sign, or [structure](#), shall constitute a violation of this ordinance and a failure to correct such a violation within thirty (30) days following written notice of said violation shall render the site plan subject to cancellation. In addition, a stop work order will be issued relating to work in the process of completion outside the requirements of this ordinance.

Maintenance of [landscaped areas](#) is the ongoing responsibility of the property owner. Required landscaping must be continuously maintained in a healthy manner. Plants that die must be replaced in kind within six (6) months after receipt of notice to the owner. Failure to maintain required landscaping shall be enforced in the same manner as any other violation of this Ordinance.

<THIS PAGE LEFT BLANK INTENTIONALLY>

17.08.04 – SIGNS

A. INTENT AND PURPOSES: The purposes of this chapter are: to encourage the effective use of signs as a means of communication in the city; to maintain and enhance the aesthetic environment and the city's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety; to minimize the possible adverse effect of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign restrictions. The intent of this chapter as more specifically set out is:

1. Ensure that the informational needs of sign users are met in a way that is compatible with the surrounding urban environment;
2. Improve the legibility, efficiency and graphic design of individual signs;
3. Provide for the design, location, and maintenance of signs in a manner that does not endanger public safety, or increase the probability of traffic congestion and accidents;
4. Reduce conflict among signs and lights and between public and private information systems;
5. Provide flexibility for sign users to communicate effectively within certain standards;
6. Recognize the special characteristics of specific areas and the impact of signage on urban environmental design.

B. APPLICABILITY: A sign may be erected, placed, established, painted, created or maintained within the city only in conformance with the standards, procedures, exemptions and other requirements of this chapter. The effect of this chapter as more specifically set out is:

1. To implement a permit system to allow a variety of types of signs in commercial and industrial zones and a limited variety of signs in other zones, subject to the standards and permit procedures of this chapter;
2. To allow certain signs that are small, unobstructive, and incidental to the principal use of respective lots on which they are located, subject to the substantive requirements of this chapter, but without a requirement for permits;
3. To provide for temporary signs without commercial messages in limited circumstances in the public right-of-way;
4. To prohibit all signs not expressly permitted by this chapter;

5. To provide for the enforcement of the provisions of this chapter.

- C. DEFINITIONS AND INTERPRETATIONS: Words and phrases used in this chapter have the meanings set forth in this chapter. Words and phrases not defined in this chapter but defined elsewhere in the zoning ordinance or in the adopted building code shall have the meanings set forth in the zoning or adopted building code, respectively. All other words and phrases shall have their common, ordinary meanings unless the context clearly requires otherwise. Section headings or captions are for reference purposes only and shall not be used in the interpretation of this chapter.
- D. COMPLIANCE AND CONFLICTS: Each sign or part of a sign within the jurisdiction of the City of Fort Dodge, Iowa, must comply with the terms and provisions of this chapter of the Municipal Code of Fort Dodge, Iowa. In the event of conflicts between or among code sections, the most restrictive of these provisions shall apply.
- E. COMPUTATIONS: The following principles shall control the computation of sign area and sign height:
1. Computation of Area of Individual Signs. The area of sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle or combination thereof that will encompass the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, skirting, bracing or decorative fence or wall when such fence or wall otherwise meets zoning regulations and is clearly incidental to the display itself.
 2. Computation of Area of Multi-Faced Signs. The sign area from a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than forty-two (42) inches apart, the sign area shall be computed by the measurement of one of the faces.
 3. Computation of Maximum Total Permitted Sign Area. The permitted sum of the area of all individual signs (attached, detached and on-premise directionals) on a lot shall be limited to the frontage of the premises along a street or private way. For property with frontage on more than one street, the total frontage shall be calculated as the longest frontage plus one-half the length of all additional frontages.

4. For purposes of this chapter, that part of a property line abutting the right-of-way of a divided four-lane highway, including ramps, shall not be considered [street frontage](#) for calculating the maximum [total permitted sign area](#).
5. The maximum allowable area of each [monument sign](#) face will be measured from the finish grade to the top of the structure and from one end of the structure to the other. The maximum allowable square feet per sign face shall not be greater than each property's linear feet of [street frontage](#), as measured on one adjacent [street](#), or one hundred fifty (150) square feet, whichever is less.
6. Properties without [street frontage](#). Any commercial or industrial zoned existing [lot of record](#) that do not have [street frontage](#) shall be permitted wall signage as described in [Section J.1.](#) of this ordinance. The maximum permitted area for any such sign shall be calculated by [building](#) frontage, up to 400 square feet. Such sign shall comply with all provisions of this chapter, except that requirements related to [street frontage](#) shall not apply.

F. [ZONING DISTRICT DESIGNATIONS:](#)

(a) For purposes of this chapter, agricultural/conservation districts shall include the following zoning districts :	
(1) AG	Agricultural District
(2) CN	Conservation District
(b) For purposes of this chapter, residential districts shall include the following zoning districts :	
(1) RS	Residential Single Family District
(2) RM	Residential Multiple Family District
(3) RR	Residential Redevelopment District
(4) MH	Mobile Home District
(5) RH	Residential Historical District
(6) PD	Planned Development District
(7) OC	Office Commercial District
(8) HM	Hospital Medical District
(c) For purposes of this chapter, commercial districts shall include the following zoning districts :	
(1) AC	Arterial Commercial District
(2) D	Downtown District (including the D-1 and D-2 subdistricts)
(3) SC	Shopping Center Commercial District
(d) For purposes of this chapter, industrial districts shall include the following zoning districts :	
(1) LI	Light Industrial District
(2) HI	Heavy Industrial District

G. PROHIBITED SIGNS: All signs not expressly permitted in these regulations or exempt from regulation in [Section 17.08.04\(H\)](#) are prohibited in the city. The following signs are prohibited in all [zoning districts](#):

1. Signs painted on or attached to rocks, trees, or other natural objects;
2. Signs painted directly upon a [building](#) or fence;
3. Signs placed on utility poles (e.g., garage sale signs);
4. Signs on or over public property and right-of-way unless specifically authorized by other sections of this ordinance;
5. Signs or [sign structures](#) which resemble or conflict with traffic control signs or devices any official, directional, or warning sign erected or maintained by the State, County, Municipal or other governmental subdivision; which mislead or confuse persons traveling on public [streets](#), or which create a traffic hazard;
6. Signs or [sign structures](#) which create a safety hazard by obstructing the clear view of pedestrians, vehicles, or railroads, or which obscure official signs or signals;
7. No sign shall be placed so as to impede corner visibility, which shall be determined as established in [Section 17.08.01.C – Supplementary District Regulations](#);
8. Signs which obstruct doors, windows, or public right-of-way;
9. [Flashing](#) signs;
10. Searchlights, [beacons](#), pennants, streamers, inflatable, and suspended signs (including tethered balloons) except for grand opening and/or special events subject to the limitations in [Section 17.08.04\(I\)](#);
11. Signs painted on or attached to parked vehicles, trailers, or other stationary conveyances where the sign is the primary use of the conveyance;
12. [Roof signs](#);
13. [Off-premises directional signs](#);
14. [Abandoned signs](#);
15. Signs in the public right-of-way, except for the following:

- a. Public signs erected by or on behalf of a governmental body limited to public owned [street](#) name signs, traffic control signs, legal notices, railroad crossing signs, danger and temporary warning or emergency signs, and, emblems, names, logos, and symbols on motor vehicles and equipment being used for purposes other than the display of signs or advertising devices;
- b. Bus stop signs erected by the transit authority;
- c. Informational signs of a public utility regarding its poles, lines, pipes or facilities.
- d. Signs permitted by [Section 17.08.04.P.8](#).

H. EXEMPT SIGNS: The following signs are permitted in any [zoning district](#) and are exempt from the provisions of this title, except as otherwise provided for in [Section 17.08.04\(G\)](#):

1. Signs affixed to vehicles and trailers only where the sign is incidental and accessory to the primary use of the vehicle or trailer and the primary purpose of such a vehicle or trailer is not the display of signs and the vehicle or trailer is in operating condition, currently registered and licensed to operate on public [streets](#) when applicable, and actively used or available for use in the daily function of the business to which such signs relate;
2. Signs, not exceeding four (4) square feet in total [sign area](#), which provide direction or instruction to guide persons to facilities intended to serve the public, if such signs contain no advertising of any kind. Such signs include those identifying restrooms, public telephones, public walkways, and other similar signs providing direction or instruction to persons using a facility, but shall not include those signs accessory to parking areas;
3. Flags, emblems and insignia of political, professional, religious, or educational organizations for noncommercial purposes only. Flags of the United States, the state, the city, foreign nations having diplomatic relations with the United States, and any other flag adopted or sanctioned by an elected legislative body of competent jurisdiction, must be flown in accordance with protocol established by the Congress of the United States for the Stars and Stripes. Any flag not meeting any one or more of these conditions shall be considered a banner sign and shall be subject to regulation as such;
4. Governmental signs for control of traffic and other regulatory purposes, [street](#) signs, warning signs, railroad crossing signs, signs of public service companies indicating danger and aids to service or safety which are erected

by, or at the order of a public officer or employee in the performance of the officer's or employee's duties;

5. Traffic control signs on private property, such as stop, yield and similar signs, the face of which meets the Manual on Uniform Traffic Control Devices standards and which contain no commercial message;
 6. Signs or other materials temporarily displayed on or about traditionally accepted civic, patriotic or religious holidays;
 7. Signs which are fully located within the interior of any [building](#) intended solely for the information relating to the interior operation of the [building](#) in which it is located;
 8. Signs which are fully located within the interior of a sports complex or arena intended solely to be viewed by occupants or patrons of the site and not intended to be viewed from any public right-of-way or adjacent property;
 9. Murals as works of graphic art painted or applied to [building](#) walls, which contain no advertising or identification message;
 10. Freestanding works of public art;
 11. [Monument](#) or wall signs for on-premise [religious assembly](#) or school use only; up to a maximum [sign area](#) of thirty-two (32) square feet per sign face and not to exceed one (1) sign per premises, provided other provisions of this ordinance are met;
 12. Memorials, plaques or tablets, grave markers, statuary, or other remembrances of persons or events that are noncommercial in nature;
 13. Non-[illuminated signs](#), not exceeding one (1) square foot in area, denoting only the name and profession/business of an occupant in a commercial [building](#), public [institutional building](#), or dwelling.
 14. [Street](#) and house numbers;
 15. Plaques identifying property on the National Register of Historic Places or recognized as a local landmark, landmark site or historic district;
 16. Temporary signs as defined in [Section 17.08.04\(I\)](#).
- I. **TEMPORARY SIGNS:** The following signs are permitted in any [zoning district](#) and are exempt from the provisions of this title except as provided for in [Section 17.08.04\(G\)](#):

1. Non-illuminated [real estate signs](#) located on private property only and advertising the sale, lease, or rent of a premise subject to the following:
 - a. Maximum of one (1) on-premise [real estate sign](#) for each parcel except where a parcel abuts two (2) or more [streets](#), additional signs, one (1) oriented to each abutting [street](#), shall be permitted;
 - b. Maximum of two (2) off-premise [real estate signs](#) per residential listing providing direction or open house information for said listing only;
 - c. Maximum [sign area](#) of six (6) square feet per sign face in all residential [zoning districts](#);
 - d. Maximum [sign area](#) of thirty-two (32) square feet per sign face in all [agricultural](#)/open space, commercial, and industrial [zoning districts](#);
 - e. Maximum height six (6) feet in all [zoning districts](#);
 - f. All [real estate signs](#) shall be removed within seven (7) days of the sale or lease of the premise upon which the sign is located or refers to.

2. Construction signs identifying the parties involved in the construction to occur or occurring on the premises on which the sign is placed shall be subject to the following:
 - a. No more than one (1) construction sign for each project or development, except that where a project or development abuts two (2) or more [streets](#), additional signs, one (1) oriented to each abutting [street](#), shall be permitted;
 - b. Maximum of thirty-two (32) square feet per construction sign in all [agricultural](#)/open space and residential [zoning districts](#);
 - c. Construction signs shall be located only upon the premise upon which construction is about to occur or is occurring. Such signs may be located in any required yard but shall not extend over any [lot](#) line or within fifteen (15) feet of any point of vehicular [access](#) from a parcel to a public roadway;
 - d. Maximum height is eight (8) feet in all [zoning districts](#);
 - e. Construction signs shall be permitted only as accessory to an approved [building](#) permit for a project or development;

- f. Construction signs may be erected and maintained for a period not to exceed sixty (60) days prior to the commencement of construction and shall be removed within fourteen (14) days of project or development completion.
3. Political signs announcing political candidates seeking public office, political parties, and/or political and public issues contained on a ballot subject to the following:
 - a. Political signs shall not be placed within a right-of-way, street or on public grounds;
 - b. Political signs may be erected or maintained for a period not to exceed sixty (60) days prior to the date of the election to which such signs are applicable is scheduled to occur and shall be removed within seven (7) days following said election.
4. Event signs announcing a campaign, drive, activity or event of a civic, philanthropic, educational, government or religious organization for noncommercial purposes shall be subject to the following:
 - a. The Zoning Administrator shall determine permitted number, location, and construction of such signs with consideration given to the public safety and the signage reasonably necessary and appropriate for the intended purpose;
 - b. Maximum area of thirty-two (32) square feet is permitted per sign and maximum height of eight feet (8') is permitted per sign in all zoning districts;
 - c. Such signs may be erected and maintained for a period not to exceed thirty (30) days prior to the date of which the campaign, drive, activity, or event advertised is scheduled to occur and shall be removed within three (3) days of the termination of such campaign, drive, activity, or event;
 - d. No more than four (4) permits for such signs shall be issued for the same premises and not more than one hundred and twenty (120) days per calendar year per premise with special permit only.
 - e. Permits may be obtained for either a fifteen (15) or thirty (30) day period.
5. Temporary signs for the advertising of grand openings and special events located on-premise only, under the following conditions:

- a. Such signs shall be limited to no more than five (5) occurrences and not more than one hundred and twenty (120) days per calendar year per premise with special permit only.
 - b. Permits may be obtained for either a fifteen (15) or thirty (30 day period.
 - c. No more than two permit periods may run consecutively.
 - d. Maximum area of thirty-two (32) square feet is permitted per sign and maximum height of eight feet (8') is permitted per sign in all [zoning districts](#);
6. Non-[illuminated signs](#) advertising sales, specials or similar commercially related messages that are less than 12 square feet, under the following conditions:
- a. One per premise.
 - b. The same message may not be displayed more than five (5) days in a row.

J. ON-PREMISE SIGNS – GENERAL PROVISIONS:

1. Wall signs are subject to the following regulations:
 - a. Wall signs may be mounted on all faces of a use.
 - b. A wall sign may not extend beyond the corner of the wall to which it is attached, except where extension permits attachment to another permitted wall sign;
 - c. A wall sign shall not extend more than thirty (30) inches from the wall to which it is attached;
 - d. A wall sign must be parallel to the wall to which it is attached;
 - e. Wall signs may not cover in whole or in part any wall opening or major architectural feature of the [building](#);
 - f. A wall sign may not extend beyond or above the [building](#)'s roofline;
 - g. A wall sign attached to a [building](#) on its front property line may encroach upon public right-of-way by no more than eighteen (18)

inches. Such a wall sign shall provide minimum vertical [clearance](#) of nine (9) feet;

- h. Where permitted, [canopy signs](#) are counted as wall signs when calculating [total permitted sign area](#).
- i. For [buildings](#) with more than one leasable space, the maximum allowable [sign area](#) shall be calculated according to the amount of tenant [frontage](#). Wall sign location must relate to the location of the tenant [frontage](#).

2. Projecting Signs. Projecting signs, including [blade signs](#) where permitted, are subject to the following regulations:

- a. The maximum projection of any projecting sign shall be five (5) feet from a [building](#) with a maximum thickness of two (2) feet;
- b. Each projecting sign must maintain at least the following vertical [clearances](#):
 - i. Nine (9) feet over private sidewalks; except that a canopy may reduce its vertical [clearance](#) to seven (7) feet, six (6) inches;
 - ii. Fourteen (14) feet over parking lots and driveways.
- c. Projecting signs must minimize visible support structure and may not expose guy wires or cables for structural support;
- d. Projecting signs are limited to one (1) per premise.

3. [Pole Signs](#). [Pole signs](#) are subject to the following general regulations:

- a. [Pole signs](#) may be used on a premise if the front wall of the [building](#) or [structure](#) which the sign serves is set back at least twenty-five (25) feet from the right-of-way line of the [street](#), private way, or court to which the sign is oriented;
- b. Maximum height shall not exceed twenty (20) feet;
- c. [Pole signs](#) shall be located a minimum of five (5) feet from any property line;
- d. [Pole sign](#) copy area shall not project beyond the property line;
- e. Each [pole sign](#) must maintain at least the following vertical [clearances](#):

- i. Nine (9) feet over private sidewalks;
 - ii. Fourteen (14) feet over parking lots and driveways.
 - f. Pole signs are limited to one (1) per premise, unless otherwise permitted in that zoning district.
4. Monument Signs.
- a. Monument signs may be used on a premise if the front wall of the building or structure which the sign serves is set back at least fifteen (15) feet from the right-of-way line of the street, private way, or court to which the sign is oriented;
 - b. Monument signs shall be located along the frontage of the premises. On corner lots, the sign may be placed on either frontage;
 - c. Monument signs shall be located a minimum of five (5) feet from any property line;
 - d. Monument signs are limited to one (1) per premise, unless otherwise permitted in that zoning district.
5. Signs may be illuminated, except as otherwise provided in residential districts subject to the following:
- a. All illuminated signs shall have an indirect or diffused light source and be designed so as not to direct rays of light onto public streets or adjacent property, thereby creating a nuisance or safety hazard;
 - b. No sign shall flash;
 - c. No sign shall move, rotate, revolve, or simulate animation by means of spinning, fluttering, or reflective devices or lighting;
 - d. No message on an electronic changeable copy sign shall be animated or flash. Transitions between messages are permitted but such frame effects shall be subject to the following limitations:
 - i. In commercial, industrial, hospital medical or planned development that includes any of the aforementioned uses such signs shall display static images that hold for at least one (1) second before transitioning to another static image. The use of frame effects is permitted so long as the transition does not exceed durations of one (1) second.

- ii. In residential districts such signs shall display static images that hold for at least three (3) seconds before instantaneously transitioning to another static image.
 - e. [Electronic changeable signs](#) shall be permitted in all commercial and industrial districts shall not exceed eighty (80) square feet of [sign area](#) and such [sign area](#) shall be included as part of the maximum [permitted sign area](#) for the premises on which it is located. In all other districts, such signs shall not exceed the maximum sign size allowed by the [zoning district](#) in which the subject property is located; and
 - f. [Electronic changeable signs](#) shall be required to adjust in intensity related to ambient light levels.
6. Special Signage Conditions. The following special conditions apply to stand-alone ATM's, coffee and other kiosks. Where the use is allowed, this signage is excluded from the calculation for [maximum sign area](#) for the premise.
- a. Stand-alone ATM's may have the following:
 - i. One wall sign on each exterior wall not to exceed ten (10) percent of the applicable exterior wall and not to exceed forty (40) square feet in size;
 - ii. Where a canopy is integrated into the ATM, the [canopy signs](#) may be placed on each face of the ATM, provided the overall height of the canopy and sign do not exceed twenty-four (24) inches. In addition, the overall area of all [canopy signs](#) shall not exceed forty (40) square feet or ten (10) square feet per side;
 - iii. [Directional signage](#) shall be contained on the ATM, painted within the drive lane or in any curbing defining a drive lane;
 - iv. All signs are subject to the required permitting process of this chapter;
 - v. Signage shall be incorporated into the lighting plan and backlit to provide greater security for the premises.
 - b. Coffee kiosks and other kiosks may have the following:
 - i. One wall sign on each exterior wall not used for drive-up service, provided each wall sign does not exceed ten (10)

percent of the applicable exterior wall and the total does not exceed forty (40) square feet in size;

- ii. Where a canopy is integrated into the kiosk, a [canopy sign](#) may be placed on each face of the kiosk provided the overall height of the canopy and sign do not exceed twenty-four (24) inches. In addition, the overall area of all [canopy signs](#) shall not exceed forty (40) square feet or ten (10) square feet per side;
 - iii. [Directional signage](#) shall be contained on the kiosk, painted within the drive lane or in any curbing defining a drive lane;
 - iv. Window signs limited to menu boards and daily specials shall not require a sign permit;
 - v. All other signs are subject to the required permitting process of this chapter.
7. Menu signs, order stations, and associated [directional](#) or informational signs designed to display the menu of a [restaurant](#) to customers in the drive through lane of that same [restaurant](#) are permitted as follows:
- a. These signs shall require a permit but will not be included in [total permitted sign area](#).
 - b. These signs are permitted only in commercial or industrial districts.
 - c. The maximum height for these signs is eight (8) feet and the maximum area shall be fifty (50) square feet.
 - d. No more than four (4) of these signs per parcel shall be permitted.
 - e. These signs may be any type of sign ([monument](#), [pole](#), etc.) and do not apply against the total number of permitted [detached signs](#).
 - f. These signs shall have a minimum [setback](#) of five (5) feet from any property line or public right-of-way and shall not be located between the main [building](#) and a [street frontage](#).
 - g. These signs shall be single-sided and oriented in such a manner so that the signs provide information to the patrons using the drive-through facility only, and do not provide supplemental advertising to pass-by traffic.

K. NEIGHBORHOOD IDENTIFICATION SIGNS: Monument signs for the purpose of identifying neighborhoods or subdivisions are permitted in any residentially zoned district subject to the following conditions:

1. When constructed as a landscaping element in an easement or platted lot, the location and dimensioned site plan for the neighborhood sign shall be submitted with the final subdivision plat for approval. All other neighborhood signs shall be limited to the following criteria;
2. Maximum height shall not exceed eight (8) feet;
3. Maximum sign area shall not exceed thirty-two (32) square feet per sign face;
4. Such signs are placed at an entrance to the neighborhood or development;
5. A maximum of two (2) signs may be placed at each entrance to a subdivision or neighborhood.

L. BUSINESS HIGHWAY 20 CORRIDOR: Additional restrictions for detached signage apply in the Business Highway 20 Corridor.

1. Business Highway 20 corridor. The Business Highway 20 corridor for the purposes of this section shall be as defined on the City's adopted Official Zoning Map. The Corridor, in general, applies to any lot or part of a lot which falls within 150 feet of the centerline of Business Highway 20 including P-59/Quail Avenue between 5th Avenue South and Midway Boulevard (on P59), 5th Avenue South, Kenyon Road, or Highway 169 south of its intersection with Avenue O;
2. Detached signs shall be monument signs. No support posts shall be visible on these signs. Monument signs shall not have more than two (2) sign faces. The sides of the monument sign that are not used for signage shall not exceed forty-two (42) inches in width. The maximum allowable square footage shall be calculated as defined within this ordinance. Pole signs as allowed by the underlying base zoning district may be approved by the Board of Adjustment as a special exception if the Board finds all of the following criteria to be true:
 - a. The granting of the special exception will not adversely affect the public interest.
 - b. The granting of the special exception is necessary to allow the site an adequate amount of signage due to site constraints prohibiting the placement of a monument sign in a permitted location.

- c. The granting of the [special exception](#) will not adversely affect the purposes and intent of this ordinance.
3. [Vehicle Display Lots](#). Multiple [detached signs](#), at a maximum of four, may be approved by the [Board of Adjustment](#) as a [special exception](#) for [Vehicle Display Lots](#) located in the Business Highway 20 corridor, so long as the Board finds all of the following to be met:
 - a. The number of [detached signs](#) does not exceed the following
 - i. One sign for up to 250 linear feet of [frontage](#);
 - ii. Two signs for 251-500 linear feet of [frontage](#);
 - iii. Three signs for 501-750 linear feet of [frontage](#); and
 - iv. Four signs for 751-1,000 linear feet of [frontage](#).
 - b. The need for multiple [detached signs](#) shall be demonstrated so as to discourage sign clutter and unnecessary signs. Supporting evidence may include:
 - i. Franchise or contract requirements;
 - ii. Multiple entrances logically spaced;
 - iii. A large [frontage](#); or
 - iv. Other supporting evidence as deemed reasonable by the Board, proving the multiple signs to be necessary.
 - c. All proposed [detached signs](#) shall be [monument](#).
 - d. All existing [detached signs](#) shall be [monument](#), unless all of the following are demonstrated or established as a condition by the [Board of Adjustment](#):
 - i. The existing sign(s) shall be legal;
 - ii. The existing sign(s) shall be in good repair; meaning free of rust, no fading, no cracks, all light fixtures are lit, and other acceptable maintenance requirements as intended by this requirement are met;
 - iii. Repairs to existing signs shall not result in more than 50% of the signs' value, per [Section 17.08.04.T.1.b.](#) of this

Ordinance.

4. No [off-premises](#) sign shall be located within a one thousand (1,000) foot radius of any other existing [off-premises sign](#) whether conforming or not;
 5. [Refacing](#) existing [signs](#) is permitted.
- M. [MULTI-TENANT SIGNS](#): [Multi-tenant monument signs](#) are the encouraged form of [detached signage](#).
1. Signage Guidelines. [Multi-Tenant](#) Signs are used to provide a directory of tenants occupying a [building](#), located on a parcel(s), or within an approved subdivision. These signs should be compatible with the design of the development and the [sign structure](#) should contain elements of the design theme of the [building](#), or [buildings](#), within the development.
 2. Tenants. [Multi-tenant](#) signs shall be located within the [business complex](#) for which they advertise and only tenants of that [business complex](#) or properties within an approved subdivision may advertise on the sign.
 3. Zoning. [Multi-tenant](#) signs are permitted in Commercial and Industrial districts as defined in this chapter. [Multi-tenant](#) signs in [Office Commercial](#), [Planned Developments](#), or [Hospital Medical](#) districts provided as a [monument sign](#) are permitted.
 4. Height. The maximum [sign height](#) shall not exceed the permitted maximum height for the sign type (i.e. [monument sign](#), pole sign, etc.).
 5. Area. The maximum area expressed in square feet for a sign shall be calculated by multiplying the [frontage](#) of the parcel on which the sign will be placed by two and a half (2.5).
 6. Density. One [detached sign](#) per [business complex](#) or approved subdivision may be permitted.
 7. [Multi-tenant](#) signs not meeting the above requirements may be approved by the [Board of Adjustment](#) as a [special exception](#) if the Board finds all of the following criteria to be true:
 - a. The granting of the [special exception](#) will not adversely affect the public interest or the purposes and intent of this ordinance.
 - b. The granting of the [special exception](#) will not negatively impact neighboring properties.

- c. The granting of the [special exception](#) will not permit more than the [maximum allowable sign area](#).
 - d. The granting of the [special exception](#) will encourage a reduction in number of signs for a [business complex](#), conversion of a non-conforming use to a conforming use, assist in creating an identity of a [business complex](#), or meet goals and objectives of other city policies, plans, or design guidelines.
- N. AGRICULTURAL AND CONSERVATION DISTRICT SIGNS: In addition to the exempt signs in [Section 17.08.04\(H\)](#) and temporary signs in [Section 17.08.04\(I\)](#), the following types of signs are permitted, subject to the following limitations:
- 1. [AG Agricultural District](#) and [CN Conservation District](#) signs requiring permits.
 - a. One (1) non-illuminated on-premise sign of either type with maximum area of eight (8) square feet identifying a [permitted use](#) in the [zoning district](#);
 - b. Detached [monument sign](#) - maximum height – five (5) feet;
 - c. Attached wall sign.
- O. RESIDENTIAL DISTRICT SIGNS: Only the exempt signs in [Section 17.08.04\(H\)](#), temporary signs in [Section 17.08.04\(I\)](#) and neighborhood identification signs in [Section 17.08.04\(K\)](#) are permitted in [RS](#), [RM](#), [RR](#), [MH](#), and [RH](#) districts. In addition to the exempt signs in [Section 17.08.04\(H\)](#), temporary signs in [Section 17.08.04\(I\)](#) and neighborhood identification signs in [Section 17.08.04\(K\)](#), the following types of signs are permitted in the residential districts listed below, subject to the following limitations:
- 1. [Monument signs](#) for the purpose of identifying a [multiple family dwelling](#) are permitted in the [RM Residential Multiple Family district](#) subject to the following conditions:
 - a. Maximum height shall not exceed three (3) feet;
 - b. Maximum [sign area](#) shall not exceed twenty-four (24) square feet per sign face.
 - 2. Additional signage types allowed in [PD Planned Development](#), [OC Office Commercial](#), and [HM Hospital Medical](#) districts:
 - a. Attached wall, [awning](#) or [canopy signs](#);

- b. Detached [monument signs](#);
 - c. [On-premise directionals](#).
3. [PD Planned Development](#), [OC Office Commercial](#) and [HM Hospital Medical](#) district sign regulations. In case of conflicts between these conditions, the most restrictive condition shall apply.
- a. [Total permitted sign area](#) shall not exceed one (1) square foot per lineal foot of [street frontage](#);
 - b. [Detached signs](#) shall not exceed thirty-two (32) square feet and three (3) feet in height;
 - c. [On-premise directionals](#) shall not exceed three (3) square feet per face or exceed three (3) feet in height.
- P. **COMMERCIAL DISTRICT SIGNS:** In addition to the exempt signs in [Section 17.08.04\(H\)](#), and temporary signs in [Section 17.08.04\(I\)](#), the following types of signs are permitted in commercial districts, subject to the following limitations. In case of conflicts between these conditions, the most restrictive condition shall apply.
- 1. Permitted sign types as limited below:
 - a. Detached.
 - i. [Monument signs](#);
 - ii. [Pole signs](#);
 - iii. [Multi-tenant signs](#);
 - iv. [On-premise directionals](#).
 - b. Attached.
 - A. Wall, [awning](#) or [canopy signs](#);
 - B. Projecting signs, including [blade signs](#).
 - 2. Total [permitted maximum sign area](#) is limited as follows.

- a. For corner or [double frontage](#) premises, [total sign area](#) is based on the longest abutting [street frontage](#) plus one-half the length of the other [street frontage](#).
- b. No site shall exceed four hundred (400) square feet in [total sign area](#) (excluding [multi-tenant](#) signs) unless the following applies:
 - 1. Sites in the [AC](#), [SC](#), [LI](#), or [HI](#) District that exceed 5 acres and have a minimum of 700 linear feet of [frontage](#) are permitted up to one thousand (1,000) square feet in [maximum total sign area](#); and
 - 2. Sites in the [SC District](#) that exceed 20 acres in size and abut more than two [frontages](#) are not subject to a maximum [total sign area](#).

District	Maximum Sign Area
AC	2 x street frontage
D	1.5 x street frontage for the D-1 subdistrict 1 x street frontage for the D-2 subdistrict
SC	1.5 x street frontage

- 3. [Detached Signs](#) are permitted as follows. [Multi-tenant monument signs](#) are the encouraged form of [detached signage](#). One [detached sign](#) is permitted per premise (excluding [directional signs](#)) unless meeting requirements of [17.08.04.P.3.d.](#) or [17.08.04.L.3.](#) Additional regulations apply if the property lies within the Business Highway 20 corridor, as defined in [Section 17.08.04\(L\)](#).
 - a. [Monument signs](#), subject to the limitations in Section [17.08.04\(J\)](#) and [17.08.04\(L\)](#).

District	Maximum Size	Maximum Height	Maximum Number
AC	1.5 x street frontage	12 feet	1 per premise
D-1	1.5 x street frontage	6 feet	1 per premise
D-2	1 x street frontage	8 feet	1 per premise
SC	1 x street frontage	12 feet	1 per premise

- b. [Pole signs](#), subject to the limitations in [Section 17.08.04\(J\)](#).
- c. [On-premise directional signs](#), which are included in the calculations for [total permitted sign area](#) for the premises, shall not exceed the following in each commercial district:

District	Maximum Size	Maximum Height	Maximum Number
AC	3 square feet	3 feet	2 per entrance drive
D-1 & D-2	3 square feet	3 feet	2 per entrance drive
SC	3 square feet	3 feet	2 per entrance drive

- d. One [detached sign](#) is permitted per premise (excluding [directional signs](#)). Properties with more than 250 linear feet of [frontage](#) may request a [special exception](#) from the [Board of Adjustment](#) to be allowed up to a maximum of two [detached signs](#) (excluding [directional signs](#)), so long as the Board finds all of the following to be met:
- i. The need for multiple [detached signs](#) shall be demonstrated so as to discourage sign clutter and unnecessary signs. Supporting evidence may include:
 - a) Franchise or contract requirements;
 - b) Multiple entrances logically spaced;
 - c) A large [frontage](#); or
 - d) Other supporting evidence as deemed reasonable by the Board, proving the multiple signs to be necessary.
 - ii. All proposed [detached signs](#) shall be [monument](#).
 - iii. All existing [detached signs](#) shall be [monument](#), unless all of the following are demonstrated or established as a condition by the [Board of Adjustment](#):
 - a) The existing sign(s) shall be legal;
 - b) The existing sign(s) shall be in good repair; meaning free of rust, no fading, no cracks, all light fixtures are lit, and other acceptable maintenance requirements as intended by this requirement are met;
 - c) Repairs to existing signs shall not result in more than 50% of the signs' value, per [Section 17.08.04.T.1.b.](#) of this Ordinance.

4. Attached wall, [awning](#), or [canopy signs](#).

District	Maximum Sign Area
AC	1.5 square feet per lineal foot of the building frontage
D	1.5 square feet per lineal foot of the building frontage for the D-1 subdistrict 1 square feet per lineal foot of the building frontage for the D-2 subdistrict
SC	1.5 square feet per lineal foot of the building frontage

5. Projecting signs, where permitted, are treated as wall signs for calculating [maximum sign area](#). [Blade type signs](#) are permitted in the [D District](#), subject to the limitations in [Section 17.08.04\(J\)](#).
6. Design regulations for [Detached Signage](#) in the [Downtown District](#). If the property lies within the [D – Downtown District](#), additional regulations apply.
- b. [Monument signs](#):
- i. Are not subject to provisions of [Section 17.08.04.J.4.a](#) and may be located between the [structure](#) and right of way line which it serves regardless of the [structure](#)'s [setback](#) distance.
- c. [Pole signs](#) are prohibited in the [Downtown District](#).
- d. Projecting signs are prohibited, except where a sign has been granted classic sign status in accordance with [Section 17.08.04.W](#) of this ordinance.
7. [Sandwich Boards](#) on private property are permitted provided requirements of [Section 17.08.04.I.6](#) of this Ordinance are met.
8. [Sandwich Boards](#) in the sidewalk area of the public right-of-way are permitted in [Downtown Zoning Districts](#) (D1 & D2), and are excluded from the calculations for [total permitted sign area](#) for the premises, so long as a Downtown Sidewalk Sign Permit is obtained annually from the City. Said permit application shall include an agreement indemnifying the City and demonstrate that insurance requirements of the City are met. Further, all [sandwich boards](#) proposed in the sidewalk area of the public right-of-way shall meet the following requirements:
- a. A maximum of one [sandwich board](#) is permitted per storefront or entrance;

- b. [Sandwich board](#) shall be displayed immediately adjacent to the main entrance of the property employing the sign, and shall not extend more than four (4) feet into the right-of-way from the property line;
- c. [Sandwich board](#) shall not have a sign face greater than six (6) square feet and shall not be taller than four (4) feet, measured from at grade;
- d. An unobstructed sidewalk clearance of at least five (5) feet must be maintained;
- e. No [sandwich board](#) shall be internally or externally illuminated;
- f. The same message may not be displayed more than five (5) days in a row;
- g. [Sandwich board](#) shall not be permanently attached to any public sidewalk or public fixtures at any time, but must be adequately weighted to ensure safety;
- h. [Sandwich board](#) may be displayed during business hours only and shall be removed at the end of each day;
- i. [Sandwich board](#) shall not block intersections or cause a public safety hazard;
- j. [Sandwich board](#) shall be adequately maintained in accordance with the City's [Downtown Sandwich Board Sign Guidelines](#).
- k. A [sandwich board](#) that does not comply with the requirements of this section will be removed immediately by City personnel.

Q. INDUSTRIAL DISTRICT SIGNS: In addition to the exempt signs in [Section 17.08.04\(H\)](#) and temporary signs in [Section 17.08.04\(I\)](#), the following types of signs are permitted in industrial districts, subject to the following limitations. In case of conflicts between these conditions, the most restrictive condition shall apply:

- 1. Permitted sign types as limited below:
 - a. Detached.

- i. [Monument signs](#);
 - ii. [Pole signs](#);
 - iii. [Multi-tenant signs](#);
 - iv. [On-premise directionals](#).
- b. Attached.
- i. Wall, [awning](#) or [canopy signs](#);
 - ii. Projecting signs.
2. [Total permitted sign area](#) is limited by the following conditions. In case of conflicts between these conditions, the most restrictive condition will apply.

District	Maximum Number
LI	1.5 x street frontage
HI	1.5 x street frontage

3. Design Regulations for [Detached Signage](#). If the property lies within the Business Highway 20 corridor as defined in [Section 17.08.04\(L\)](#), additional regulations apply. One [detached sign](#) per premise is permitted, excluding [directional signs](#). [Multi-tenant monument signs](#) are the encouraged form of [detached signage](#).
- a. [Monument signs](#), maximum of one (1) per premise, exclusive of [directional signs](#), subject to the limitations in [Section 17.08.04\(J\)](#).

District	Maximum Size	Maximum Height	Maximum Number
LI	1.0 x street frontage	12 feet	1 per premise
HI	1.0 x street frontage	12 feet	1 per premise

- b. [Pole signs](#), maximum of one per premise and subject to the limitations in [Section 17.08.04\(J\)](#). [Pole signs](#) are not permitted within the Business Highway 20 corridor as defined in [Section 17.08.04\(L\)](#).
- c. [On-premise directional signs](#) shall not exceed the following in each industrial district:

District	Maximum Size	Maximum Height	Maximum Number
LI	3 square feet	3 feet	2 per entrance drive
HI	3 square feet	3 feet	2 per entrance drive

4. Attached wall, [awning](#) or [canopy signs](#).

District	Maximum Sign Area
LI	1.5 square feet per lineal foot of the building frontage
HI	1.5 square feet per lineal foot of the building frontage

R. [OFF-PREMISES SIGNS \(BILLBOARDS\)](#): This section contains the regulations for signs directing attention to a business, profession, commodity or service which is not located on the same property on which the sign is located. For purposes of this section, [off-premises signs](#) shall include billboards, [bulletin boards](#) and advertising signs as defined within this ordinance. [Off-premises signs](#) shall be subject to the provisions of this section, notwithstanding any other applicable regulation of the [zoning district](#) in which the [off-premises sign](#) is located.

1. Zoning. [Off-premises signs](#) may be placed on property zoned [AC](#), [LI](#), and [HI](#), subject to all other restrictions in this section.
2. Spacing.
 - a. Unless otherwise provided, no [off-premises sign](#) shall be located within a three hundred (300) foot radius of any other existing [off-premises](#) sign whether conforming or not. On-premises signs shall not be counted nor shall measurements be taken from them for the purpose of determining compliance with the [off-premises](#) spacing requirements;
 - b. No more than one (1) [off-premises sign](#) may be erected at any one (1) sign location, each sign may have not more than two (2) sign faces, provided that:
 - i. The sign faces are oriented in opposite directions; and
 - ii. The maximum perpendicular distance between parallel sign faces is five (5) feet; or
 - iii. Nonparallel sign faces must be connected at one point and must have an angle of separation no greater than thirty (30) degrees.

- c. The minimum distance between any two (2) [off-premises signs](#) with [electronic changeable copy](#) shall be five thousand (5,000) feet measured in all directions.
3. [Setbacks](#).
 - a. [Off-premises signs](#) shall meet the minimum [setback](#) requirements for principal [structures](#) in the underlying [zoning district](#);
 - b. No portion of any [off-premises](#) sign shall encroach into any required [front yard](#), [rear yard](#), or [side yard](#);
 - c. No portion of any [off-premises sign](#) shall project beyond the average distance of the actual [building](#) line of all [structures](#) along the [street frontage](#) in the same block where the [off-premises sign](#) is to be located. However, this shall not be construed to require a distance of more than fifty (50) feet from the property line, subject to all other applicable regulations in [Section 17.08.04\(J\)](#);
 - d. No portion of any [off-premises sign](#) shall be placed or maintained in such a manner as to cover or obscure the front of any adjacent [building](#) or [structure](#) fronting on the same [street](#).
4. Sign Size. [Off-premises signs](#) up to a maximum [sign area](#) of three hundred (300) square feet are permitted, subject to all other provisions of this section.
5. Ground [Clearance](#). [Off-premises signs](#) shall be no less than eight (8) feet above the natural level of the ground upon which it is located, exclusive of foundation.
6. Roof Mounted Signs. [Off-premises signs](#) shall not be installed upon or against a roof or on top of or above the [parapet](#) of any [building](#).
7. Illumination. [Off-premises signs](#) may be illuminated by indirect and internal lighting, subject to the following:
 - a. Signs shall not contain or be illuminated by [flashing](#) lights. Neon or incandescent illumination, which is integral to the design of the sign, shall be permitted provided the illumination does not cause glare or impair vision;
 - b. [Digital billboards](#) shall be permitted subject to the following limitations:

- i. [Digital billboards](#) shall display static images that hold for at least ten (10) seconds before instantaneously transitioning to another static image;
 - ii. [Animation](#), [frame effects](#) and [flashing](#) are prohibited;
 - iii. Such signs shall be required to adjust to intensity related to ambient light levels; and;
 - c. Lighting shall be shielded to direct light away from [streets](#) and surrounding property and shall not cause glare or impair vision when viewed from any public right-of-way.
8. Conflicts with Traffic Control. [Off-premises signs](#) shall not resemble an official marker erected by any governmental body nor shall it obstruct or conflict with the proper functioning of any traffic sign or signal. [Off-premises](#) signs shall not create a safety hazard by obstructing the clear view of pedestrians or vehicles.
9. Measurement and Design Standards.
 - a. [Setback](#). The [setback](#) of the sign is measured from the nearest portion of any part of the sign or [sign structure](#) to the property line;
 - b. [Sign Size](#). The sign size is the area including the dimensions of the sign face and the supporting frame surrounding the sign face.
10. Installation After Approval. [Off-premises signs](#) shall be installed within six (6) months of the date of issuance of the sign permit. The permit becomes invalid six (6) months from the date of issue. An extension of time is not permitted. A new application with all fees and reviews is required.
11. Sign Maintenance. All [off-premises signs](#) shall be continuously maintained in safe structural condition.
12. [Abandoned Signs](#). In addition to all other applicable regulations, an [off-premises sign](#) which contains no sign copy on all faces for a continuous period of ninety (90) days shall be considered an [abandoned sign](#) and shall be removed. Removal shall include the sign face, along with all of the supporting structure. Removal shall be complete within thirty (30) days of the abandonment.

S. SIGNAGE PERMIT APPLICATION:

1. If a [sign](#) requiring a permit under the provisions of this chapter is to be placed, constructed, erected or modified, the owner or authorized

representative shall secure a [sign](#) permit prior to the construction, placement, erection or modification of such [sign](#). All [signs](#), except for [Sandwich Boards](#), as identified and permitted by [Section 17.08.04.P.](#), shall be installed by a licensed sign erector, per Municipal Code.

2. Modification shall include a change of the sign face while retaining the existing frame or support structure. [Off-premises signs](#) are exempt from the permitting requirements for refacing, except for initial placement and any change incorporating [electronic changeable copy](#).
3. No permit shall be issued for an individual sign requiring a permit unless and until a sign permit for the [lot](#) upon which the sign will be erected has been submitted to the city and approved by the [Zoning Administrator](#) as conforming to the requirements of this chapter.
4. All signage permit applications shall be submitted on forms provided by the City and shall include all information necessary to evaluate compliance with the provisions of this ordinance.

T. [NONCONFORMING SIGNS – LEGAL:](#)

1. Any sign lawfully existing or under construction on the effective date of this chapter which does not conform to one or more provisions of the municipal code may be continued in operation and maintained indefinitely as a legal [nonconforming sign](#) subject to the following:
 - a. Normal maintenance of legal, [nonconforming signs](#), including necessary nonstructural repairs, and incidental alterations which do not extend or intensify the nonconforming features of the sign shall be permitted;
 - b. No structural alteration, enlargement, or extensions shall be made to a legal, [nonconforming sign](#) unless the alteration, enlargement, or extension will eliminate the nonconforming features of the sign. If a legal, [nonconforming sign](#) is damaged or destroyed by any means to the extent of fifty (50) percent or more of its replacement value at that time, the sign may not be rebuilt or used thereafter unless it conforms to all applicable sign regulations. If the damage or destruction of the [nonconforming sign](#) is less than fifty (50) percent of its replacement value at that time, the sign may be rebuilt to its original condition and may continue to be displayed.

U. [NONCONFORMING SIGNS – ILLEGAL:](#)

1. Any sign installed or erected after the effective date of this chapter which does not conform with one or more provisions of the municipal code shall be considered an illegal [nonconforming sign](#).
 2. An illegal [nonconforming sign](#) shall be removed within ten (10) days after receipt of written notice from the building official. If such sign is not removed after the conclusion of said ten (10) day period, the building official is authorized and empowered to declare such sign a [nuisance](#) for purposes of this chapter, and to cause the sign to be removed, pursuant to the terms and conditions of the codes and ordinances of the City of Fort Dodge.
 3. Any sign installed or placed on public property, except in conformance of this section, shall be forfeited to the public and subject to confiscation. In addition to other remedies in the municipal code, the city shall have the right to recover from the owner or person placing such sign the full costs of removal and disposal of such sign.
- V. [ABANDONED SIGNS](#): If a business ceases operation for a period of time in excess of thirty (30) calendar days, the sign owner or lessee, or the property owner, shall immediately remove any sign identifying or advertising the business or any product or service sold thereby; provided however, this requirement shall not apply where under the provisions of this chapter an existing conforming sign may be altered to advertise a new business, product, or service sold thereby, and there is evidence that a new business will be in operation on the premises within thirty (30) calendar days.

If a business ceases operation for a period of time in excess of ninety (90) days, the sign owner or lessee, or the property owner, shall remove all posts, columns, or supports of a freestanding sign and all supporting structures of “projecting”, “roof”, or “wall” signs.

Upon failure of the sign owner or lessee, or property owner, to comply with this section, the [Zoning Administrator](#) shall issue a written notice by certified mail to the sign owner and any lessee and to the property owner, which notice shall state that such sign/supports shall be removed within thirty (30) calendar days. If the sign owner or lessee, or property owner fails to comply with the written notice to remove said sign/supports, the [Zoning Administrator](#) is authorized to cause removal of the sign/supports, and any expense incidental to its removal shall be charged to the owner of the property upon which the sign/supports is located and shall constitute a lien upon the property.

W. [CLASSIC SIGNS](#)

1. Eligibility

- a. Any person or the City may apply for designation of an existing sign, as of the date of adoption of this Code, as a “classic sign.” Classic signs are exempt from area, [setback](#), height, lighting, placement, type, content, placement and construction materials requirements of this Code.
- b. To qualify for designation as a classic sign, the sign must comply with one of the following:
 - i. Existing classic signs must:
 - a) Be sympathetic to the [building](#)’s period of construction.
 - b) Possess unique physical design characteristics, such as configuration, message, color, texture, etc.
 - c) Be of extraordinary significance to the City, regardless of the use identified by the sign.
 - ii. Classic sign status may be granted for proposed new signs that replicate previously existing signs no longer in place, provided:
 - a) The new sign is sympathetic to the [building](#)’s period of construction.
 - b) The new sign is proposed for the [building](#) to which the original sign was attached.
 - c) The applicant provides historic documentation regarding the dimensions, placement, materials and aesthetic character of the original sign.
 - d) The new sign replicates the original sign in terms of its dimensions, placement, materials and aesthetic character. Any variation from the original design shall result in a denial of classic sign status.
 - e) Sign materials are compatible with those of the historic [building](#).
 - f) The new sign, as well as its proposed location, will neither compromise nor obscure significant architectural characteristics of the [building](#) to which the sign is attached.

2. Application

- a. An application for classic sign status must include plans for sign

maintenance, renovation or possible reconstruction, acceptable to the Director of Business Affairs and Community Growth, or his/her designee.

- b. Application for classic sign status must be made to the Director of Business Affairs and Community Growth, or his/her designee, who schedules a public hearing of the Historic Preservation Commission and presents his/her recommendations to the Historic Preservation Commission at a public hearing.
 - c. The Historic Preservation Commission shall approve or deny the application.
 - d. The applicant may [appeal](#) a decision of the Historic Preservation Commission to the [Board of Adjustment](#) within thirty (30) days of the decision.
3. Maintenance
- a. The owner of a classic sign must ensure that the sign is not structurally dangerous, a fire hazard, an electrical shock hazard, or any other kind of hazard. Classic signs may be rebuilt if damaged.

17.09 - ADMINISTRATION

17.09.01 - DUTIES OF ADMINISTRATIVE OFFICIAL, BOARD OF ADJUSTMENT, CITY COMMISSION AND COURTS ON MATTERS OF APPEAL.

All questions of interpretation and enforcement shall be first presented to the Administrative Official, or his Assistant, and that such questions shall be presented to the [Board of Adjustment](#) only on appeal from the decision of the Administrative Official, and that recourse from the decisions of the [Board of Adjustment](#) shall be to the courts as provided by law and particularly by Chapter 414, Code of Iowa.

17.09.02 – AMENDMENTS.

The regulations, restrictions, and boundaries may, from time to time, be amended, supplemented, changed, modified, or repealed, provided that at least seven days notice of the time and place of such hearing shall be published in a paper of general circulation in the City. In no case shall the notice be published more than 20 days prior to the hearing. In case, however, of a written protest against a change or repeal which is filed with the city clerk and signed by the owners of 20% or more of the area of the [lots](#) included in the proposed change or repeal, or by the owners of 20% or more of the property which is located within 200 feet of the exterior boundaries of the property for which the change or repeal is proposed, the change or repeal shall not become effective except by the favorable vote of at least three-fourths of all the members of the [council](#). The protest, if filed, must be filed before or at the public hearing.

17.09.02 – AMENDMENTS (TEXT)

ORDINANCE	DATE PASSED	SECTION CHANGES
1563	March 31, 1981	Redefines Family (17.03-2)
1627	June 7, 1983	Zero lot line (17.03-2, 17.03-12, 17.07-12, 17.07-13, 17.07-18, 17.07-19, 17.08-3)
1647	March 6, 1984	RM to allow non-profits (17.07-19)
1655	September 4, 1984	Allowing convenience stores, nursery schools, and taverns in the OC District through special exception approval (17.07-42)
1670	November 13, 1984	Repeal ordinance 980 & 994 and add to zoning
1707	January 12, 1987	LI Blend food products
1708	January 19, 1987	Supplement front/rear yard and satellites

1709	April 13, 1987	OC- sale and service in building
1720	November 30, 1987	Signs
1724	April 25, 1988	Healthcare Facilities
1806	October 14, 1991	Added temporary signs to districts
1830	March 22, 1993	Supplement accessory buildings
1831	April 12, 1993	Define dwelling
1845	September 27, 1993	Supplement well
1860	March 14, 1994	Family/Elderly Homes and Nursery/Daycares
1890	December 18, 1995	BOA Duties (17.06-1, 17.06-2)
1891	December 18, 1995	Define adult uses and add to supplement. (17.03, 17.08-1)
1901	November 4, 1996	Add daycare to definition
1909	May 5, 1997	Add municipal infraction subject to civil penalty
1916	September 22, 1997	Allow waste tire in HI
1937	July 26, 1999	(17.03, 07.07.01, 07.07.16)
1961	February 5, 2001	To allow off-site parking (17.07.04, 17.07.05, 17.07.06, 17.07.08, 17.07.09, 17.07.10, 17.07.16)
1972	May 7, 2001	Allow trails, boat ramps, etc. in CN (17.03, 17.07.03)
1974	July 2, 2001	Allow outdoor sale/cons. In CN District (17.07.03)
1975	September 24, 2001	New definition of adult use (17.03, 17.08.01)
1979	October 1, 2001	Split wireless communication towers out into separate section (17.07.02, 17.07.03, 17.07.04, 17.07.05, 17.07.06, 17.07.07, 17.07.08, 17.07.09, 17.07.10, 17.07.11, 17.07.12, 17.07.13, 17.07.14, 17.07.15, 17.07.16, 17.08.02)
1981	November 26, 2001	Wireless communication (17.08.02)

2061	July 3, 2006	Allow SE to allow lodging/dorms in OC (17.07.09)
2064	August 7, 2006	Added site plan ordinance (17.08.03)
2113	November 9, 2009	Full update to signs (17.08.04)
2114	December 21, 2009	O-CG District (17.07.17)
2114	December 21, 2009	O-CR Overlay District (17.07.17)
2114	December 21, 2009	O-CC Overlay District (17.07.17)
2124	June 14, 2010	O-CG Overlay District Setbacks (17.07.17.F.1.a)
2124	June 14, 2010	O-CC Overlay District Setbacks (17.07.19.F.1.a)
2129	January 24, 2011	Repeal BC & replace with D-Downtown District. Add O-DG. Sign ordinance: update to D and add classic sign. Nonconforming address D District
2148	August 8, 2011	Amend RS District to permit non-profit offices in existing non-residential structures by Special Exception
2152	February 13, 2012	Add retail showroom parking requirements to AC and definition
2155	March 26, 2012	Amend off-site parking Special Exception criteria in OC and AC
2156	April 23, 2012	Amend sign ordinance/definitions; Add multi-tenant and menu sign sections; amend wall signs & lots without frontage
2157	May 21, 2012	Amend site plan ordinance/definitions; Add three review levels, modify vision triangle, gravel, sidewalk, bike rack, landscaping, waste enclosures, lighting and special exception requirements
2167	August 27, 2012	Amend sign ordinance to exempt properties in the Shopping Center (SC) District from certain sign size and location requirements
2172	January 28, 2013	O-CC amended to incorporate performance standards with increases in maximum setbacks

2180	May 20, 2013	Downtown District amended to allow sidewalk cafes through a permit process, meeting conditions
2202	May 27, 2014	Minor text amendments to clarify: Administration (17.09.02), Downtown Mechanicals (17.07.11.F.1.c.), Definition of a Lodging House (17.03.01), Site Plan Screening (17.08.03.11.a., 17.08.01.F., & 17.07.09.H.4.), Accessory Uses in the Downtown (17.07.11), Undefined Terms (17.03.01), Corridor Overlay Landscaping (17.07.18.F.3.b. & 17.07.20.G.2.), Site Plan (17.08.03.G.9.g.iv), Tree & Shrub calculations (17.08.03.G.9.e.ii.), and Tree Preservation (17.08.03.G.9.g.iii).
2216	August 25, 2014	Allow wall signs on all sides (17.08.04.J.1.a)
2228	June 8, 2015	Wireless Communications Facilities; and also minor text amendments to Site Plan (lighting, areas of impact), 1 parking stall per multi-family dwelling unit in AC
2238	April 25, 2016	Removed unused definitions from Section 17.03, Updated Section 17.08.04 to allow for sandwich board signs in certain districts.
2241	July 25, 2016	Minor text amendments to Sections 17.03.01, 17.07.04, 17.07.05, 17.07.17, 17.07.18, 17.07.19, 17.08.01, 17.08.03, and 17.08.04.
2258	May 8, 2017	Added/amended 19 definitions listed in Section 17.03; Repealed and replaced Section 17.07.11 in its entirety.
2259	May 8, 2017	Amending Section 17.08.04.P.2.b.1 to allow for 5 acre sites in the AC, SC, LI, or HI Districts with at least 700 linear feet of frontage to have up to 1,000 SF of maximum total sign area.
2273	October 23, 2017	Amending Section 17.07.12 (SC District)
2298	April 22, 2019	Added provisions for outdoor display and sale of fireworks.
2303	July 22, 2019	Repealed and replaced Section 17.08.01 (Supplementary), added associated definitions to Section 17.03.

17.09.02 – AMENDMENTS (BOUNDARY)

ORDINANCE	DATE PASSED	SECTION CHANGES
1993	September 23, 2002	Amended Official Zoning Map 1491
1994	September 23, 2002	Amended Official Zoning Map 1491
2030	June 27, 2005	Amended AC District boundaries
2033	September 19, 2005	Amended RS District boundaries
2034	September 19, 2005	Amended RM District boundaries
2035	September 19, 2005	Amended CN District boundaries
2036	September 19, 2005	Amended LI District boundaries
2037	September 19, 2005	Amended RS District boundaries
2038	September 19, 2005	Amended LI District boundaries
2039	October 28, 2005	Amended D District boundaries
2125	June 14, 2010	Changes zoning classification with reference to certain properties on Official Zoning Map
2139	June 13, 2011	Amended 2RM District boundaries
2144	July 25, 2011	Amended LI District boundaries
2145	July 25, 2011	Amended 4RS District boundaries
2151	November 28, 2011	Amend boundaries of O-CG to remove Overlay south of Midway Blvd on P59
2153	March 12, 2012	Amended AC District boundaries
2160	June 11, 2012	Amended AC District boundaries
2166	September 10, 2012	Amended 6RS District boundaries

2176	February 11, 2013	Amended AC District boundaries
2173	January 14, 2013	Amended 6RS-ZL District boundaries
2175	February 11, 2013	Amended AC District boundaries
2183	October 14, 2013	Amended 6RS District boundaries
2184	October 14, 2013	Amended 4RM District boundaries
2185	November 12, 2013	Amended AC District boundaries
2192	October 28, 2013	Amended OC District boundaries
2191	November 25, 2013	Amended AC District boundaries
2190	November 25, 2013	Amended OC District boundaries
2195	November 25, 2013	Amended 6RS-ZL District boundaries
2197	December 9, 2013	Amended CN District boundaries
2199	January 27, 2014	Amended 4RS District boundaries
2220	November 10, 2014	Amended D2 District boundaries
2225	February 9, 2015	Amended LI District boundaries
2228	May 11, 2015	Amended AC District boundaries
2230	December 30, 2015	Amended LI District boundaries
2237	March 28, 2016	Amended HM District boundaries
2239	June 13, 2016	Amended 2RM District boundaries
2244	October 24, 2016	Amended AC District boundaries
	November 28, 2014	Amended AC District boundaries
2253	April 10, 2017	Amended 6RS, ZLL District boundaries
2261	May 22, 2017	Amended 6RS District boundaries
2263	June 12, 2017	Amended PD District boundaries

2275	October 16, 2017	Amended 6RS, ZLL District boundaries
2274	October 23, 2017	Amended 2RM District boundaries
2283	March 26, 2018	Amended 6RS, ZLL District boundaries
2288	August 13, 2018	Amended LI District boundaries
2289	August 13, 2018	Amended 6RS, ZLL District boundaries
2290	August 13, 2018	Amended AC District boundaries
2307	March 9, 2020	Rezoned property south of middle school from AG to 1RM
2312	July 13, 2020	Rezoned property north of aquatic center from AG to 6RS
2314	August 12, 2020	Rezoned old mall and sears property from SC to PD
2316	September 14, 2020	Repeal and Replace Legal Description of Ordinance 2314
2319	January 25, 2021	Repeal and Replace Exhibit B of Ordinance 2314 and 2316 to include Sign Regulations for Corridor Plaza
2331	November 22, 2021	Amendment to Downtown Windows and Fencing

17.09.03 – PENALTIES FOR VIOLATION.

Violations of the provisions of this Ordinance with any of its requirements (including violations of conditions and safeguards established in connection with grants of [variances](#) or [special exceptions](#)) shall constitute a misdemeanor. Or in the alternative may be charged with a municipal infraction and upon conviction be subject to a civil penalty and/or relief authorized by Section 364.22 of the code of Iowa. ([Ord. 1909](#)) Any person who violates this Ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$100 or imprisoned for more than 30 days. Each day such violation continues shall be considered a separate offense.

Nothing herein contained shall prevent the City from taking such other legal action as is necessary to prevent any violation.

17.09.04 – SCHEDULE OF FEES, CHARGES AND EXPENSES.

The [City Council](#) shall establish a schedule of fees, charges, and expenses and a collection procedure for [zoning district](#) changes, zoning permits, appeals, and other matters pertaining to this Ordinance. The schedule of fees shall be posted in the office of the Administrative Official, City Planner, City Clerk and may be altered or amended only by the [City Council](#), as amended by the [Commission](#). Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

17.09.05 – COMPLAINTS REGARDING VIOLATIONS.

Whenever a violation of this Ordinance occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint, stating fully the causes and basis thereof, shall be filed with the Administrative Official. He shall record properly such complaint, immediately investigate, and take action thereon as provided by this Ordinance.

17.09.06 – REPEAL OF CONFLICTING ORDINANCES: EFFECTIVE DATE.

All Ordinances or parts of Ordinances in conflict with this Zoning Ordinance, are hereby repealed to the extent necessary to give this Ordinance full force and effect. This Ordinance shall become effective upon publication.

Repealed in particular are Ordinances Nos.:

1160	752A	1242	1298
1202	802	1243	1301
1214	814	1247	1302
1231	871	1248	1305
1310	876	1252	1306
1315	942	1253	1308
1342	944	1255	1312
1351	952	1256	1316
1384	952A	1259	1325
1387	993	1268	1327
1393	1042	1270	1329
1394	1068	1273	1338
1402	1073	1276	1343
656	1074	1277	1344
660	1181	1278	1345
661	1116	1283	1347
675	1191	1284	1350
703	1205	1287	1352
737	1206	1289	1357
738	1215	1291	1362
739	1217	1293	1366

745	1230	1294	1368
748	1240	1295	1373
1374	1392	1411	1449
1375	1400	1414	1453
1379	1406	1422	1454
1380	1407	1442	1455
1391	1408	1444	1482

17.09.07 – SEVERABILITY CLAUSE.

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.

EFFECTIVE DATE: December 19, 1978

ADOPTED AND APPROVED by the Governing Body of City of Fort Dodge, Iowa, this 17th day of October, 1978.
(Seal)

Herbert S. Conlon, Mayor

ATTEST:

Dennis W. Milefchik, City Clerk

Published in the Fort Dodge Messenger on the 19th day of December, A.D., 1978.

ORDINANCE NO. 1491

AN ORDINANCE ADOPTING AN [OFFICIAL ZONING MAP](#) FOR THE CITY OF FORT DODGE, IOWA, AND ESTABLISHING DISTRICTS, AS SHOWN ON THE [OFFICIAL ZONING MAP](#) OF THE CITY.

BE IT ENACTED by the [City Council](#) of the City of Fort Dodge, Iowa:

17.10 – OFFICIAL DISTRICT MAP

17.10.01 – PURPOSE

The purpose of this Ordinance is to adopt an [official zoning map](#) of the City of Fort Dodge, Iowa, and establish by reference to the [official zoning map, zoning districts](#), as created in [Ordinance No. 1489](#) of the Ordinances of the City of Fort Dodge, Iowa.

17.10.02 – ADOPTION

As established by [Ordinance No. 1489, Section 17.02.02](#).

The City of Fort Dodge is divided into 14 classes of districts. The boundaries of these districts are hereby established, as shown on the [official zoning map](#) of the City of Fort Dodge, Iowa, and said map and all notations, references and information shown thereon shall be, and are hereby made a part of this Ordinance by reference. The [official zoning map](#) signed by the Mayor and properly attested by the signature of the Clerk, and the date of adoption, shall be and remain on file with the City of Fort Dodge, Iowa, as provided in [Ordinance No. 1489, Section 17.02.02](#).

17.10.03 – AMENDING [OFFICIAL ZONING MAP](#).

Amendments, supplements or changes of the boundaries of districts, as provided in [Ordinance No. 1489 Section 17.09.02](#) shall be shown on the [official zoning map](#), and said map shall be changed by an Ordinance amending this Ordinance. The amending Ordinance shall refer to this Ordinance and to the [official zoning map](#), and shall set out the identification of the area affected by legal description, and identifying the [zoning district](#), as the same exists, and the new district designation applicable to said property.

17.10.04 – REPEALER.

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

17.10.06.

If any section, provision, or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole, or any section, provision, or part thereof not adjudged invalid or unconstitutional.

This Ordinance shall be in effect from and after its final passage and approval and publication, as by law provided.

PASSED AND APPROVED by the [City Council](#) of the City of Fort Dodge, Iowa, the 17th day of October, A.D., 1978.

Herbert S. Conlon, Mayor

ATTEST:

Dennis W. Milefchik, City Clerk