

## DIVISION 90: SPECIAL USES

Sections:

- 090-010 Statement of Intent
  - 090-020 Regulations
  - 090-030 Special Use Permits
  - 090-040 Required Conditions
  - 090-050 Restrictions
  - 090-060 Procedure
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### **SECTION 090-010: STATEMENT OF INTENT**

The regulations set forth in this Division or elsewhere in this Ordinance, which are applicable, shall apply to the Unclassified and Special Uses listed in this Division.

### **SECTION 090-020: REGULATIONS**

It shall be recognized that certain uses possess characteristics of such uniqueness and special form as to make impractical their being included automatically in any classes of use as set forth in the various district established by this Ordinance; therefore, these uses shall be subject to certain conditions and standards set forth in this Division, and the authority for the location thereof shall be subject to review by the Planning and Zoning Commission and the issuance of a special use permit by the Board of Adjustment provided, however, a special use permit may not be granted for a use in a zoning district from which it is specifically excluded by the provisions of this Article.

### **SECTION 090-030: SPECIAL USE PERMITS**

The Board of Adjustment may by special use permit after public hearing, authorize the location of any of the following buildings or uses in any district from which they are prohibited by this Ordinance. Notice of time and place of hearing shall be given to all affected property owners at least 10 days in advance of hearing by placing notices in the United States mail.

Before issuance of any special use permit for any of the below buildings or uses, the Board of Adjustment shall refer the proposed application to the Planning and Zoning Commission, which the Commission shall be given 45 days in which to make a report regarding the effect of such proposed building or use upon the character of the neighborhood, traffic conditions, public utility facilities and other matters pertaining to the general welfare.

No action shall be taken upon any application for a proposed building or use below referred to until and unless the report of the Commission has been filed; provided, however, that if no report is received from the Commission within 45 days, it shall be assumed that approval of the application has been given by the said Commission.

**090-030.A: Exceptions.**

1. Any public building erected and used by any department of the City, Township, County, State, or Federal Government.
2. Airport or Landing Field.
3. Community Building or Recreation Center.
4. Hospitals, non-profit fraternal institutions provided they are used solely for fraternal purposes, and institutions of an educational, religious or philanthropic character, provided that the building is set back from all yard lines a minimum distance of 2 feet for each foot of building height, but not less than the yard requirements for the district in which located.
5. Public and Private Cemeteries, including Mausoleums.
6. Electrical and Natural Gas Substations and Regulating Facilities.
7. Water and Wastewater Treatment Facilities.

**SECTION 090-040: REQUIRED CONDITIONS**

**090-040.A: General Conditions.**

1. A special use permit shall not authorize a use that does not comply with the minimum requirements of the district in which it is located.
2. A special use permit shall not authorize a use that is in conflict with any Ordinance of the city, or law of the State of Iowa regulating nuisance, pollution, or hazardous occupation.
3. A special use permit shall not authorize a use that does not conform to the Comprehensive Plan of Mediapolis.

**090-040.B: Required Site Plan.**

1. A site plan in compliance with Article 5 of this Ordinance shall accompany all requests for authorization of a special permit for special uses.

**SECTION 090-050: RESTRICTIONS**

**090-050.A:** Authorization for a special use permit shall not be granted for failure to comply with the following conditions:

1. Buildings involving the large assemblages of people shall not be located less than 300 feet from any existing dwelling site.

2. Uses involving nuisances such as noise, vibration, pollution, etc., shall not be located less than 500 feet from any "R" District or less than 1,000 feet from an existing dwelling.
3. Uses involving the large assemblages of people shall not be located in vicinity where the arterial traffic system is inadequate to provide for the increased traffic density.
4. Uses involving the extensive use of exterior lighting shall not be located in a vicinity where such lighting may be hazardous to air or ground traffic ways and such uses shall not be located less than a distance required to reduce the light intensity to normal residential street lighting intensity at any "R" District boundary.

**090-050.B:** The following restriction shall be complied with:

1. Uses of a utility or public service, which are located within any "R" or "C" District, for the benefit of improved public service, shall be screened from public view by buffer walls or strip parks in accordance with Article 4, Division 100.

#### **SECTION 090-060: PROCEDURE**

The procedure for obtaining a special use permit shall be as follows:

1. Written applications on approved forms shall be filed with the Zoning Administrator and shall be accompanied by such plans as required by the provisions of this Article in quadruplicate.
2. The applications shall be referred to the Planning and Zoning Commission. The Commission shall hold a public hearing to review the application for special permit and shall make a report to the Board of Adjustment regarding the recommended disposition of the application within 45 days from the date of such public hearing.
3. The Board of Adjustment shall hold a public hearing within 30 days after receiving the certification of said recommended disposition by the Commission.
4. Notice of hearing by the Commission and Board shall be given to all property owners within 500 feet of the boundary of the property on which the special use is to be located. Such notice shall be by United States mail at least 10 days prior to the hearing and shall contain the time and location of such hearing.
5. The Special Permit issued may include time limits and other conditions or safeguards deemed necessary or appropriate by the Board. Violations of such conditions and safeguards shall be deemed a violation of this Ordinance and punishable under the provisions of this Ordinance.

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6. Whenever an application for Special Permit has been denied by the Board, no new application for Special Permit including the same property or any portion thereof shall be filed or considered by the Board until 6 months shall have elapsed from the date of the official Board denial of the first application.

**DIVISION 95: NON-CONFORMING USES AND STRUCTURES**

Sections:

095-010 Statement of Intent

095-020 Non-Conforming Uses in Any Residential District

095-030 Non-Conforming Uses in Any District Other than Residential

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**SECTION 095-010: STATEMENT OF INTENT**

The lawful use of a building existing at the time of the enactment of this Ordinance may be continued even though such use may not conform with the regulations of this Ordinance for the district in which it is located. Any use in existence at the adoption hereof which was not an authorized "nonconforming use" under previous Zoning Ordinances, shall not be authorized to continue as a nonconforming use pursuant to this Ordinance, or amendments thereto.

**SECTION 095-020: NON-CONFORMING USES IN ANY RESIDENTIAL DISTRICT**

No building or land devoted to a use not permitted by this Ordinance in a residential district in which such building or land is located, except when required by law, shall be enlarged, extended, constructed, reconstructed, substituted or structurally altered, unless the use thereof is changed to a use permitted in the district in which such building, structure or premises is located, except as follows:

**095-020.A: Substitution.**

If no structural alterations are made, a non-conforming use of a building, land, or structure may be changed to another non-conforming use of the same or of a more restricted classification. Whenever a non-conforming use has been changed to more restricted use or to a conforming use, such use shall not be changed back to a less restricted use.

**095-020.B: Discontinuance.**

In the event that a non-conforming use of any building, structure or land is discontinued for a period of 2 years, the use of the same shall conform thereafter to the uses permitted in the district in which it is located. The use of land upon which no building or structure is erected or constructed which does not conform to the provisions of this Ordinance and the use of land upon which no building is erected or constructed which becomes non-conforming by reason of a subsequent change in this Ordinance, shall be discontinued within 1 year from the date of the change.

**095-020.C: Replacing Damaged Buildings.**

Any non-conforming building or structure damaged more than 60 percent of its fair market value, as determined by the Building Inspector, exclusive of the foundations at the time of damage by fire, flood, explosion, war, riot, or act of God, shall not be restored or reconstructed and used as before such happening; but if the damage above the foundation is less than 60 percent it may be restored, reconstructed or used as before provided that it be done within 6 months of such happening.

**SECTION 095-030: NON-CONFORMING USES IN ANY DISTRICT OTHER THAN A RESIDENTIAL DISTRICT**

**095-030.A: Structural Alterations and Enlargements.**

Any building or structure in any district other than a “R” District devoted to a use made nonconforming by this Ordinance may be structurally altered or enlarged in conformity with the lot area, the lot frontage, yard and height requirements of the district in which situated, provided such enlargement or alteration of construction shall be limited to buildings on land owned of record by the owner of the land devoted to the non-conforming use prior to the effective date of this Ordinance.

In the event of such structural alterations or enlargement of buildings, the premises involved may not be used for any non-conforming use other than the use existing on the effective date of this Ordinance, other provisions of this Ordinance not withstanding.

**095-030.B: Discontinuance.**

In the event that a non-conforming use of any building or premises is discontinued for a period of 2 years, the use of the same shall conform thereafter to the uses permitted in the district in which it is located. The use of land upon which no building or structure is erected or constructed which does not conform to the provisions of this Ordinance, and the use of land upon which no building is erected or constructed, which becomes non-conforming by reason of a subsequent change in this Ordinance, shall be discontinued within 2 years from the date of the change.

**095-030.C: Replacing Damaged Buildings.**

Any non-conforming building or structure damaged more than 70 percent of its then fair market value, as determined by the Building Inspector, exclusive of the foundations at the time of damage by fire, flood, explosion, war, riot, or act of God, shall not be restored or reconstructed and used as before such happening; but if the damage, above the foundation, is less than 70 percent it may be restored, reconstructed or used as before provided that it be done within 6 months of such happening.

## DIVISION 100: BUFFERS REQUIRED

Sections:

- 100-010 Statement of Intent
  - 100-020 Conditions for Requiring a Buffer
  - 100-030 Permissive Buffers
  - 100-040 Waiver of Buffer Requirement
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### SECTION 100-010: STATEMENT OF INTENT

It shall be recognized that the transition from one district to another district of contrasting and conflicting uses, is across a barrier line in theory only. Therefore, it shall be the intent of this Division to require the actual provision of a physical barrier so as to reduce any possible harmful or detrimental influence one district use may have on an abutting and contrasting district use.

### SECTION 100-020: CONDITIONS FOR REQUIRING A BUFFER

The following conditions shall require a buffer between abutting districts:

1. All "I" Districts that abut any "R" District shall be buffered as required in this Division.
2. Any storage or loading yard in any "C" or "I" District that abuts a public thoroughfare shall be restricted from public view by a buffer.

### SECTION 100-030: PERMISSIVE BUFFERS

A buffer 'park' shall accomplish the space required under the provisions of this Division or elsewhere in this Ordinance. Such 'park' shall be not less than 60 feet in width; predominate planting shall be of evergreen type trees, shrubs and plants so as to assure year-round effectiveness; density and height of planting shall be adequate to serve as a solid and impenetrable screen.

### SECTION 100-040: WAIVER OF BUFFER REQUIREMENT

Where the line between two districts requiring a buffer follows a street right-of-way, railroad, stream, or other similar barrier, the requirement for a buffer may be waived, providing such waiver does not permit the exposure of undesirable characteristics of land use to public view.

## DIVISION 105: EXCEPTIONS, MODIFICATIONS AND INTERPRETATIONS

Sections:

- 105-010 Structures Permitted Above Height Limit
  - 105-020 Other Exceptions to Yard Requirement
  - 105-030 Accessory Buildings and Garages
  - 105-040 Corner Lots
  - 105-050 Front Yard
  - 105-060 Fences, Walls and Vision Clearance
  - 105-070 Required Yard cannot be Reduced
  - 105-080 Building Lines on Approved Plats
  - 105-090 Pending Applications for Building Permits
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### SECTION 105-010: STRUCTURES PERMITTED ABOVE HEIGHT LIMIT

The building height limitations of this Ordinance shall be modified as follows:

- 105-010.A:** Chimneys, cooling towers, fire towers, grain elevators, monuments, pent houses, stacks, stage towers or scenery lofts, tanks, silos, water towers, ornamental towers and spires, radio or television towers or essential mechanical appurtenances may be erected to a height in excess of applicable district regulations, by Special Use Permit.
  
- 105-010.B:** Public, semi-public, or public service buildings, hospitals, sanitariums or schools when permitted in a district may be erected to a greater height than otherwise permitted in the district if the building is setback from each property line at least 1 foot in addition to the minimum yard requirements, for each 2 feet of additional building height above the height limit otherwise provided in the district in which the building is constructed.

### SECTION 105-020: OTHER EXCEPTIONS TO YARD REQUIREMENT

Every part of a required yard shall be open to the sky unobstructed with any building or structure, except for a permitted accessory building in a rear yard. All ordinary projections, including overhangs, shall not exceed 24 inches from the structure or building.

### SECTION 105-030: ACCESSORY BUILDINGS AND GARAGES

No accessory building or structure that exceeds 6 feet in height shall be erected in a required yard or court, except as provided in this Ordinance.



**105-030.A:** An accessory building or structure which is located entirely within the principal building area of the lot (the lot minus the required yards and courts) whether attached or detached to the principal building shall be subject to the regulations applicable to the principal building.

**105-030.B:** Accessory buildings, except buildings housing animals or fowl, may be erected as a part of the principal building or may be connected thereto by a breezeway or similar structure; provided said building shall comply with all yard requirements for a principal building.

**105-030.C:** The garage for any principal building on a lot abutting an alley may be located in a rear or side yard area which abuts the alley; providing, however, that such garage building shall comply with the following requirements:

1. The garage shall be setback a minimum of 2 feet from the lot line abutting the alley which the garage entrance faces; or shall be located no closer than 30 feet to any garage or principal building which is located on the opposite side of the alley; whichever is the greater requirement.
2. The garage building shall be considered an extension of the principal building and shall comply with all minimum yard requirements for the principal building other than the exception herein permitting the garage entrance to be located near the alley (i.e., a garage facing an alley which abuts a side lot line shall not encroach into the required front or rear yards); a garage facing an alley which abuts a rear lot line shall be setback from the side lot lines no less than the requirements for the principal building.
3. Maximum height for a garage is 1 story or 15 feet.

**105-030.D:** An accessory structure that is adaptable to underground construction (such as a bomb or tornado shelter, garage, wine cellar, etc.) may be constructed beneath the ground surface of any yard area; providing the structure complies with the following requirements:

1. No portion of the structure shall be located less than 2 feet, measured horizontally, from any lot line from which a minimum surface yard area is required.
2. The surface area covering the structure shall be finished in a manner natural to the landscape so as to entirely conceal the underground structure.
3. No portion of the grade of the finished surface area above the structure may exceed a 2 feet height increase above the normal finished grade of any required yard.

4. Ingress - egress to the underground structure shall be located within the allowable surface building area of the lot and shall not be located in any required yard area.

**105-030.E:** Accessory buildings and structures, regardless of height, which are constructed above the normal ground surface in any required yard area shall not occupy more than 30 percent of the yard area in which it is located; however, this regulation shall not prohibit the construction of a two-car garage which has a maximum of 550 square feet gross building area.

#### **SECTION 105-040: CORNER LOTS**

For corner lots, platted after the effective date of this Ordinance, the street side yard shall be equal in width to the minimum required side yard for the district in which it is located, plus 20 feet (e.g., for a minimum required side yard of 10 feet the street side yard shall be a minimum of 30 feet); this regulation shall not be interpreted as to require a side street yard of greater width than the minimum required front yard width.

For corner lots, platted after the effective date of this Ordinance, for minimum required lot width shall be increased by an amount not less than 20 feet to allow for the additional required street side yard (e.g. for a minimum required lot width of 60 feet, the minimum width of a corner lot shall be 80 feet).

On corner lots platted and of record at the time of the effective date of this Ordinance, the same regulations shall apply except this regulation shall not be interpreted as to reduce the buildable width of the corner lot facing an intersecting street and of record or as shown by existing contract of purchase at the time of the effective date of this Ordinance, to less than 28 feet nor to prohibit the erection of an accessory building.

On any corner lot, the depth of a front yard or side street yard abutting a major thoroughfare shall be measured from the proposed right-of-way lines shown on the "Official Major Thoroughfare Plan."

#### **SECTION 105-050: FRONT YARD**

When a lot in any "R" District comprises 30 percent or more of the frontage within 200 feet of either side lot line is developed with buildings at a greater or lesser setback, the front yard requirement shall be the average of these building setbacks and the minimum front yard required for the undeveloped lots. In computing the average setback, buildings located on reverse corner lots or entirely on the rear half of lots shall not be counted. The required front yard, as computed here cannot exceed 50 feet and shall be a minimum of 20 feet in any case.

The front yard depth of any lot abutting a major thoroughfare shall be measured from the proposed right-of-way lines shown on the "Official Major Thoroughfare Plan."

**SECTION 105-060: FENCES, WALLS AND VISION CLEARANCE**

**105-060.A: Corner Lots.**

1. On a corner lot, nothing shall be erected, placed, planted, or allowed to grow in such a manner as to impede vision between a height of 2 1/2 feet and 10 feet above the centerline grades of the area described as follows:
  - a.) The area bounded by the street right-of-way lines on a corner lot and a straight line joining points on said right-of-way lines 25 feet from the point of intersection of said right-of-way lines. This regulation shall not apply to the "C-2" District.
2. In any district, the maximum height for fences and walls in side and rear yards is 6 feet. The maximum height for a fence or wall in front yards is 4 feet. In the case of retaining walls, the above requirements shall apply only to the part of the wall above the ground surface of the retained embankment.
  - a) In any district where a fence or wall is required by a section of this Ordinance, the Subdivision Ordinance, or other Ordinance, to serve as a screening wall, buffer wall or other separating or protective wall, the height restrictions of the specific Ordinance shall apply.
  - b) Grade for determining the maximum height above grade for fences and walls:
    - (1) For a fence or wall along a street right-of-way the grade shall be the highest point of the pavement lying between the intersection of the centerline and a projection of the side lot lines.
    - (2) For a fence or wall between the front lot line and the front building line grade shall be pro-rated between the grade at the front lot line and the grades at the building.
    - (3) For a fence or wall along the rear lot line or between the front building line and the rear lot line, grade shall be the grade at the building.
  - c) Fences and walls on a corner lot shall comply with the vision clearance requirements of Section 105-060.A.1 in this Ordinance.

**SECTION 105-070: REQUIRED YARD CANNOT BE REDUCED**

No lot shall be reduced in size to make the width or total area of the lot, or any yard, or any other open space, less than the minimum required by this Ordinance. Off-street parking and loading areas may occupy all or part of any required yard or open space, except as otherwise specified in the Ordinance.

**SECTION 105-080: BUILDING LINES ON APPROVED PLATS**

Whenever the plat of a land subdivision is approved by the Commission and on record in the Office of the County Recorder, shows a setback building line along any frontage for the purpose of creating a front yard or side street yard line, the building line thus shown shall apply along such frontage in place of any other yard line required in this Ordinance unless specific yard requirements in this Ordinance required a greater setback.

**SECTION 105-090: PENDING APPLICATIONS FOR BUILDING PERMITS**

There will be no changes in the overall layout, plans, construction size or designated use of any building, or part thereof, for approvals and required building permits have been granted before the enactment of this Ordinance.

## DIVISION 110: OFF-STREET PARKING AND LOADING REGULATIONS

Sections:

- 110-010 Statement of Intent
  - 110-020 Street Frontage Requirement
  - 110-030 Off-Street Loading Space Requirements
  - 110-040 Off-Street Parking Schedule Requirements
  - 110-050 Handicapped Parking Requirement
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### **SECTION 110-010: STATEMENT OF INTENT**

It shall be the intent of this Division to prevent traffic congestion and to provide for proper traffic safety by preserving the public thoroughfares for the unimpaired movement of pedestrian and vehicular traffic. Therefore, it shall be recognized that the requirements of this Division are minimum and that in certain uses of land, these requirements may be inadequate. Where review of the site plans and intended land use indicate through the application of proven standards or experienced statistics that the requirements herein are inadequate for the specific land use adaptation, a greater requirement for off-street parking space is justified and may be required to preserve the intent of this Division.

### **SECTION 110-020: STREET FRONTAGE REQUIREMENT**

Lots containing any building used in whole or in part for residence purposes shall have a minimum of 40 feet on at least one street, or it has an exclusive unobstructed private easement of access or right-of-way with a minimum width of 20 feet to a street. There is a maximum of one single-family dwelling per frontage or easement, except that a common easement of access with a minimum width of 50 feet shall be provided for two or more such single-family or for one or more two-family or multiple dwellings.

### **SECTION 110-030: OFF-STREET LOADING SPACE REQUIREMENTS**

In any district, except the "C-2" District, in connection with every building or part thereof hereafter erected, having a gross floor area of 10,000 square feet or more, which is occupied by manufacturing, storage, warehouse, goods display, retail store, wholesale store, market, hotel, hospital, mortuary, laundry, dry cleaning or other uses similarly requiring the receipt or distribution by vehicles of material or merchandise, there shall be a minimum of one off-street loading space plus one additional loading space for each 20,000 square feet or major fraction thereof of gross floor area used in excess of 10,000 square feet on the same lot as the building.

**110-030.A:** The minimum measurement for each loading space is 10 feet in width and 60 feet in length.

**110-030.B:** Such space may occupy all or any part of any required yard or court space, except required open space and planting screens under Article 4 of this Ordinance.

**SECTION 110-040: OFF-STREET PARKING SCHEDULE REQUIREMENTS**

In all districts, except the “C-2” and “C-1” Districts, in connection with every industrial commercial, business, trade, institutional, recreational, or dwelling use, and similar uses, space for parking and storage of vehicles shall be provided in accordance with the following schedule; however, no parking area required here shall be less than 1,000 square feet in area except in the case of dwellings and retail stores and shops under 500 square feet.

**110-040.A: Parking Schedule For General Uses.**

<i>General Uses</i>	<i>Parking Spaces Required</i>
Automobile Sales & Service Garages	1 per 300 square feet of floor area and 1 per 4 persons regularly employed on the premises.
Banks, Business & Professional Offices	1 per 200 square feet of floor area and 1 per office in the principal building or 1 1/4 per person regularly employed on the premises, whichever is greater.
Bowling Alley	5 per alley and 1 per 5 spectator seats
Churches	1 per 4 seats and 1 per classroom.
Dance halls, Assembly Halls	1 per 100 square feet of floor area or 1 per 4 seats of maximum seating capacity, whichever is the greater.
Schools & Other Places of Education or Instruction	1.) Elementary, junior high and other places for under driving age students - 1 per person regularly employed on the premises. In addition, 1 per 20 student desks or classroom seating facilities. 2.) High schools – 1 per person regularly employed on the premises. In addition 1 per 10 student desks or classroom seating facilities. 3.) Colleges, trade schools and other places of young adult learning - 1 per person regularly employed on the premises. In addition, 1 per 4 student desks or classroom seating facilities. 4.) Parking spaces required by 1, 2, & 3 above shall be in addition to requirements for sports arenas, auditorium, etc.
Sports Arenas, Theaters, Auditoriums & Other Similar Places of Public Assembly	1 per 4 persons of maximum standing and seating capacity.
Industrial or Manufacturing Plants	1 per 2 employees on the maximum working shift; or 1 per 1,000 square feet of floor area up to 10,000 square feet and then 1 per additional 1,500 square feet thereafter; whichever is greater.

**110-040.B: Parking Schedule For Dwellings.**

<i>Dwellings</i>	<i>Parking Spaces Required</i>
Residential: One & Two-Family Dwellings	2 per dwelling unit, exclusive of private garages.
Residential: Multi-Family Dwellings	2 for each of the first 12 dwelling units and 1 1/4 spaces for each additional dwelling unit. 1 garage parking space per dwelling unit may be counted as a portion of the parking requirement; or each garage parking space may be counted as a portion of the parking requirement when a separate visitor parking area equal to 1 parking space for each dwelling unit is provided.
Funeral homes, Mortuaries	15 spaces or 1 per 4 seats in the principal auditorium, or 4 per service or viewing room; whichever is greater. In addition, 1 per 2 persons regularly employed on the premises shall be provided.
Hospitals, Sanatoriums & Rest Homes	1 per 4 patient beds and 1 per 2 persons regularly employed on the premises.
Hotels, Motels, & Lodging Houses	1 per room or suite of rooms offered for tourist accommodations and 1 per 2 persons regularly employed on the premises.

**110-040.C: Parking Schedule For Service & Retail Establishments.**

<i>Service/Retail Establishments</i>	<i>Parking Spaces Required</i>
Restaurants, Taverns, Night Clubs or Similar places dispensing food, drink or refreshments	1 per 50 square feet of floor area devoted to patron use within the establishment. In addition, 1 space must be provided for each 4 persons regularly employed or intended to be regularly employed on the premises.
Retail stores, Super Markets, Drug & Sundry stores, Department stores, etc.	1.) For stores over 2,000 square feet floor area - 1 for each and every 100 square feet of floor area. 2.) For stores and shops under 2,000 square feet - 1 for each and every 500 square feet of floor area, and 1 for each person regularly employed on the premises; provided, however, there shall not be less than 5 parking spaces.
Furniture, Appliance & other retail stores displaying large & bulky merchandise	1 per 400 square feet of floor area.
Wholesale Establishments or Warehouses	1 per person regularly employed on the premises.

- 110-040.D:** In case of any building, structure or premises, the use of which is not specifically mentioned herein, the provisions for a use, which is mentioned and to which said use is similar, shall apply.
- 110-040.E:** Where a lot does not abut on a public or private alley or easement of access, there shall be an access drive with a minimum width of 10 feet for a dwelling, and a access with a minimum width of 20 feet leading to the loading or unloading spaces and parking or storage areas required in this Ordinance to secure the most appropriate development of the property in question; except where provided in connection with a use permitted in a residential district, such easement of access or access drive shall not be located in any residential district.
- 110-040.F:** Every parcel of land used as a public or private parking area, including a commercial parking lot, shall be developed and maintained in accordance with the following requirements:
1. No part of any parking space shall be closer than 5 feet to any established street right-of-way or alley line. In case the parking lot adjoins a “R” District, it shall be setback a minimum of 5 feet from the residential district boundary and shall be effectively screen-planted.
  2. Any off-street parking area and service drives, including any commercial parking lot for more than 2 vehicles shall be surfaced with an asphalt or portland cement binder pavement or such other surface approved by the Public Works Director to provide a durable and dustless surface. It shall be graded and drained to dispose of all surface water accumulation within the area; and arranged and marked to provide for orderly and safe loading or unloading and parking and storage or self-propelled vehicles.
  3. Any lighting used to illuminate any off-street parking area including any commercial parking lot, will be arranged to reflect the light away from adjoining premises in any “R” District.
- 110-040.G:** Off-street parking facilities for all uses, except one and two-family dwellings fronting on a residential street, will be designed to permit entrance and exit by forward movement of the vehicle. The backing or backward movement of vehicles from an off-street parking facility onto a major thoroughfare, including all thoroughfares designated in the “Major Thoroughfare Plan” other than residential streets, shall be strictly prohibited, regardless of land use type.



**SECTION 110-050: HANDICAPPED PARKING REQUIREMENTS**

Parking spaces for persons with disabilities are required as defined and outlined in the *Code of Iowa*, Chapter 321L.5.

**110-050.A:** Handicapped parking spaces and access loading zones for handicapped persons that serve a particular building shall be located on the shortest route to the nearest accessible entrance to the building.

**110-050.B:** Off-street parking facilities or an entity providing non-residential parking in off-street public facilities shall provide a minimum of 2 percent of the total parking spaces in each parking facilities for handicapped parking space rounded to the nearest whole number. However, such parking facilities having 10 or more parking spaces shall set aside at least one handicapped parking space.

**110-050.C:** All new non-residential parking facilities that have been completed on or after July 1, 1991, which provides parking for the general public shall provide handicapped parking spaces as designated below:

<i>Total Parking Spaces in Lot</i>	<i>Required Minimum # of Handicapped Parking Spaces</i>
10 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2% of Total
1,001 and Over	20 Spaces plus 1 for each 100 over 1,000

## DIVISION 115: SIGN GUIDELINES

Sections:

- 115-010 Statement of Intent
  - 115-020 Outdoor Advertising Signs and Billboards
  - 115-030 Sign in Residential Districts
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### **SECTION 115-010: STATEMENT OF INTENT**

The intent of these guidelines is to protect and promote health, safety, general welfare and order within the City of Mediapolis through the establishment of comprehensive and uniform standards, regulations and procedures of devices, signs, or symbols serving as a visual communications media to persons situated within or upon public rights-of-way or private properties. The provisions in this Division are intended to encourage opportunity for effective, aesthetically compatible, and orderly communication by reducing confusion and hazards resulting from unnecessary or indiscriminate use of communications facilities.

### **SECTION 115-020: OUTDOOR ADVERTISING SIGNS AND BILLBOARDS**

In all districts where permitted, billboards shall be setback to at least the required front yard depth for a principal building along any street or highway in such district. At the intersection of streets and/or highways the setback of any outdoor advertising sign or billboard (not including business identification and directional and other incidental signs other wise permitted under the provisions of this Ordinance), shall not be less than the required front yard depth for a principal building in such district from each street and/or highway.

### **SECTION 115-030: SIGNS IN RESIDENTIAL DISTRICTS**

- 115-030.A:** In the “R” Districts, real estate signs not exceeding 6 square feet in area, advertising the sale, lease or rental of buildings or land on which said signs are located are permitted. These signs shall be placed a minimum distance of 25 feet from the street lot line and not more than 5 feet in front of the main building.
- 115-030.B:** In the “R” Districts, announcement signs or bulletin boards may be erected upon the premises of a charitable, religious, or public institution for its own use.
- 115-030.C:** In the “R” Districts, signs not exceeding 2 square feet in area on which is displayed only the occupant's name and home occupation shall be placed a minimum of 25 feet to the front lot line and not more than 5 feet in front of the main building.

**115-030.D:** Boarding, lodging houses, in any “R” District may have one advertising sign not exceeding 12 square feet in area. The sign shall be placed a minimum distance of 25 feet from the street lot line and not more than 5 feet in front of the main building.

**115-030.E:** Signs for service clubs and semi-public institutions are permitted within the public right-of-way, provided they are not more than 500 feet inside the corporation limit, and do not exceed 3 square feet in area. These signs are for the purpose of displaying the emblem of the club or institution, and information on time and location of meetings.

## DIVISION 120: OPEN SPACE REQUIREMENTS

Sections:

120-010 Statement of Intent

120-020 Open Space Requirements

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### SECTION 120-010: STATEMENT OF INTENT

It is recognized that the extensive use and excessive congestion of land induces the natural elements to become hazardous to the general health and welfare of the community. Therefore, the intent of this Division is to require not less open space than which is necessary to preserve the basic qualities and beauty of nature.

### SECTION 120-020: OPEN SPACE REQUIREMENTS

**120-020.A: All buildings and land uses in any “R” or “C” District shall comply with the following:**

1. Each lot shall provided an open space equal to at least 25 percent of the total lot area in “R” Districts, and 20 percent in “C” Districts; this space shall be unencumbered with any structure or off-street parking and landscaped and well maintained with grass, trees and shrubbery, except for areas used as pedestrian walks and ingress-egress drives; and ingress-egress drives shall not exceed two 20 feet lanes which are separated by open space.
2. Each individual and unattached principal structure of an apartment or office complex shall be separated from any other principal structure in the complex by an open space of not less than 16 feet in width.
3. Where door and windows in the exterior walls of a living unit face a wall of the same building and/or a wall of another building in the same complex site, there shall be a minimum open space of 30 feet provided. This distance is measured on a line projected at right angles from the opening of the wall containing the opening to the opposite wall.
4. Cantilevers and open porches may project from the building wall into the required open space (court only) a maximum of 4 feet; open stairways may project from the building wall into the required open space (court only) a maximum of 7 1/2 feet. Stairways when located in the required open space (court) shall be cantilevered or supported by the necessary columns only; support by a wall other than the exterior building wall is strictly prohibited.
5. Any commercial use in the “C-2” District shall be exempt from these regulations.

**120-020.B: All buildings and land uses in any “I” District shall comply with the following:**

1. Each lot shall provide an open space equal to at least 20 percent of the total lot area. This space shall be unencumbered with any structure or off-street parking and landscaped and well maintained with grass, trees and shrubbery, except for areas used as pedestrian walks and ingress-egress drives. Ingress-egress drives shall not exceed two 20 foot lanes that are separated by open space.
2. Each individual and unattached principal structure of an industrial or office complex shall be separated from any other principal structure in the complex by an open space at least 16 feet in width.