

2) ARTICLE 2 - GENERAL PROVISIONS

2.1 GENERAL REGULATIONS - The regulations set forth in this Article qualify or supplement, as the case may be, the regulations set forth elsewhere in this Ordinance.

2.2 PERMITS PREVIOUSLY ISSUED - Nothing herein contained shall require any change in the overall layout, plans, construction, size, or designated use of any development, building, structure, or part thereof, for which official approvals and required building permits have been granted before the enactment of the regulations, the construction of which, conforming with such plans, shall have been started prior to the effective date of the regulations and completion thereof carried on in a normal manner and not discontinued until completion, except for reasons beyond the builder's control.

2.3 CONFORMANCE REQUIRED - No land, building, structure, or premises shall be located, erected, reconstructed, extended, enlarged, altered, or converted to another use, except in conformity with the provisions of this Ordinance.

2.3.1 Exceptions - No requirement, restriction, or regulation contained in this Ordinance, with the exception of those contained in the Flood Plain Overlay District, shall be construed to apply to state or federally owned land, or to farm land, farm houses, or other farm buildings that are primarily adapted by reason of nature and area for use for agricultural purposes (see Iowa Code Chapter 335) or to control the type or location of any distribution equipment of a public utility or railroad company.

2.4 CONTINUATION OF EXISTING USES - Any use, building, or structure existing at the time of the enactment of this Ordinance may be continued, even though such use, building, or structure does not conform to the provisions of this Ordinance for the District in which it is located. No change of title or right to possession shall affect such continuation of any existing use.

2.5 NON-CONFORMING USES AND BUILDINGS

2.5.1 Enlargement Prohibited - No 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 the adoption of amendment of this Ordinance.

2.5.1.1 Exception – A non-conforming use or building can be enlarged as long as it does not increase the non-conformance or create a new non-conformance.

2.5.2 Replacement - Any non-conforming building, structure, or use that sustains damage, outside the control of the owner and/or occupant, above the foundations, equal to or greater than fifty (50) percent of its value before the damage, shall not be restored, reconstructed, or used as before such damage; but if the building or structure above the foundation is damaged less than fifty (50) percent of its value, it may be restored, reconstructed, or used exactly as it was before the damage, provided that restoration or reconstruction is completed within six (6) months of such occurrence.

2.5.3 Discontinuance - If a non-conforming use is discontinued for one (1) year or more, it shall not be re-established unless specifically approved by the Board of Supervisors after recommendation by the Zoning Commission.

2.5.4 Substitution - If no structural alterations are made, a non-conforming use may be changed to another non-conforming use of the same or more restricted classification. If a non-conforming use is changed to a more restricted use or to a conforming use, it shall not be changed back.

2.6 LOTS OR PARCELS

2.6.1 Access Requirement - Every lot or parcel created after the adoption of this ordinance shall by deed abut at least forty (40) feet on a dedicated public street or road or have a perpetual non-obstructed easement a minimum of forty (40) feet wide connecting the property to a dedicated public street or road and be able to obtain an approved driveway from the Jasper County Secondary Roads Department. All existing driveways must be approved by the Jasper County Secondary Roads Department before being used as residential access.

2.6.2 Lots of Record - Any piece of ground which had been divided by a certified registered land surveyor's plat recorded with the County Recorder at the time of the effective date of the regulations can be used for the purpose for which it was acquired or held, provided such purpose is demonstrated to the reasonable satisfaction of the Zoning Administrator and subject to Jasper County Environmental Health approving the method of sewage disposal and water supply, and the following restrictions.

2.6.2.1 Non-conforming lots of record in any district may have a side yard decreased, with the approval of the Zoning Administrator, but no side yard shall be less than five (5) feet in width.

2.6.2.2 Non-conforming lots of record may have the rear yard reduced, with the approval of the Zoning Administrator, but no rear yard shall be less than ten (10) feet deep.

2.6.2.3 Non-conforming lots of record may have the required front yard reduced to match the average front yard of existing adjoining properties, but no front yard shall be less than fifteen (15) feet deep.

2.6.3 Without Public Sewer or Water - In any district, where either water supply or public sanitary sewer are not accessible, the otherwise specified lot area and width requirements shall be increased where necessary to satisfy all applicable requirements of the County and Jasper County Environmental Health concerning water supply and the disposal of waste materials.

2.6.4 Number of Uses on One Lot - No lot shall contain more than one (1) principal use unless approved by the Zoning Administrator.

2.6.5 Number of Dwellings on One Lot – No lot shall contain more than one single family dwelling unless approved by the Zoning Administrator. A single-family dwelling shall contain not less than seven hundred twenty (720) square feet of usable ground floor area, exclusive of open porches, garages, or steps.

2.6.6 No temporary structures, including recreational vehicles and campers, shall be used as a permanent dwelling on any parcel. Exceptions: A recreational vehicle or camper may be placed on a property and used as a temporary dwelling if the property has an active building permit for the construction of a permanent dwelling.

2.7 YARDS

2.7.1 Method of Yard Measurement - The setback of the building for front, rear, and side yards shall in all cases be measured at a right angle from the lot line to the nearest point of the building wall, foundation, pile, or footing of the building or structure.

2.7.2 Yards Required for Each Building - No required yard or open space required for any building or structure shall be included as part of any yard or open space required for another building or structure.

2.7.3 Parking Area Included - The space occupied by a parking area may be included as part of any yard or open space required for a principal building except as otherwise specified in this Ordinance:

2.7.4 Corner Lot - The front yard setback shall apply to both street sides of any corner lot. One (1) side yard and one (1) rear yard are required for all corner lots which will be determined by the Zoning Administrator. On any corner lot, no fence, structure, or planting shall be erected or maintained within twenty (20) feet of the front corner of the lot so as to not interfere with traffic visibility across the corner.

2.7.5 Through Lot – The front yard setback shall apply to both street sides of any through lot. Two (2) side yards and no rear yard is required for all through lots.

2.7.6 Projections - Projections from a building, such as a bay window, that are less than one-third (1/3) the area of the side of a building from which they project, and project less than three (3) feet from the building, are allowed in any yard except the minimum yard of a non-conforming lot of record. Required fire escapes shall not be considered a projection.

2.8 SIGNS - GENERAL REGULATIONS

2.8.1 No sign shall be placed or erected without a permit except for temporary real estate signs and political campaign signs.

2.8.2 The total area of all signs permitted shall include:

2.8.2.1 The total area of the faces of all permanent exterior signs visible from a public way.

2.8.2.2 The area of permanent signs placed upon the surface of windows and doors.

2.8.2.3 The area within the outline enclosing the lettering, modeling, or insignia of signs integral with the wall, and not designed as a panel.

2.8.2.4 A building or use having frontage on a second street may include twenty (20) percent of the length of the lot facing the second street.

2.8.3 Existing Sign - Any signs erected and in existence at the time of the enactment of this Zoning Ordinance, or on which substantial materials or labor or both have been expended in the making thereof, no later than October 31, 1980, shall continue in existence notwithstanding any other provisions of this ordinance.

2.8.4 No privately owned signs shall be placed on County, State, or Federal right-of- way.

2.8.5 Illumination of signs shall be arranged so that the illumination will not interfere with the safe operation of vehicles on the right-of-way or the peaceful use and enjoyment of adjoining properties.

2.8.6 All signs associated with any use shall be removed immediately when the use is discontinued.

2.8.7 For purposes of this Article, multiple advertisements on the same structure or device shall constitute one sign.

2.8.8 Jasper County will not issue a permit to erect any sign visible from any Federal Interstate or State Primary Road unless and until any such sign has been approved by the Iowa Department of Transportation.

2.8.8.1 Exception - Official County and City signs, as defined by Iowa Department of Transportation rules, not larger than ninety-six (96) square feet may be placed adjacent to any road with approval of the Zoning Administrator.

2.8.9 Jasper County may remove, or cause to be removed, any sign that is not maintained in good and safe condition thirty (30) days after the sign owner is notified by registered return receipt mail. The cost of said removal will be the responsibility of the sign owner.

2.9 MANUFACTURED HOME DWELLINGS - Manufactured homes placed on private property shall be located and installed according to the same standards which would apply to a site built single family dwelling on the same property. All manufactured homes, regardless of where they are placed, shall be installed on frost protected foundations. Manufactured homes shall only be used as dwellings and cannot be used as an accessory building for storage or any other use.

2.10 CONDITIONAL AND TEMPORARY USE PERMIT REQUIREMENTS

2.10.1 Temporary Non-Conforming Use Permit - The Zoning Administrator may issue to any individual, partnership, firm, corporation, or association, a temporary non-conforming use permit for purposes such as, but not limited to, additional temporary dwellings on property for immediate family medical assistance, out-door recreation events, flea markets, carnivals, charity functions, revival meetings, etc. If the Zoning Administrator determines that all state and county health safety regulations will be complied with, including obtaining all applicable permits, and that the temporary occupancy will not be a nuisance or detrimental to the health, safety, or general welfare of the county. Applications for a temporary non-conforming use permit shall be made to the Zoning Administrator not less than thirty (30) days prior to the start of any non-conforming use, on a form provided by the Zoning Administrator. The Zoning Administrator may give a copy of the application to the Jasper County Sheriff, Jasper County Attorney, Jasper County Environmental Health, and the Jasper County Engineer for their review and recommendations. The Zoning Administrator shall approve, approve with conditions, or deny the temporary non-conforming use permit within ten (10) days of the receipt of the completed application. Temporary non-conforming use permits shall be site specific, issued per occurrence, be for no longer than necessary, shall have a start date and end date, shall not be granted for more than one year, and become null and void if the use is discontinued for any reason prior to the ending date of the permit.

2.10.2 Conditional Use Permits - In addition to listed requirements for the following conditional uses, the Zoning Administrator may place additional requirements on any conditional use permit deemed necessary to protect the safety and welfare of the general public. Applicants for conditional use permits shall provide all the information required by the Zoning Administrator to determine that all the listed requirements are met, and that the safety and welfare of the general public is protected. Other local and state regulations regarding any related permits and licenses are the responsibility of the applicant.

2.10.2.1 Adult Entertainment Businesses

2.10.2.1.1 Shall not be located within one thousand (1,000) feet of any residential use or district, church, school, publicly owned land or building, daycare, hospital, or recreational facility.

2.10.2.1.2 The only word that can be used on outside signage to advertise the nature of an adult entertainment business shall be the word "adult", and there shall not be any sexual content graphically displayed in any form.

2.10.2.2 Home Business

2.10.2.2.1 No more than three (3) persons who are not an immediate family member shall be regularly employed on-site.

2.10.2.2.2 Signs per District regulations.

2.10.2.2.3 All business equipment and materials shall be completely contained inside the building.

2.10.2.2.4 That operation of the business will not create any kind of violation of this ordinance or any other local, state, or federal laws, codes or ordinances.

2.10.2.2.5 Off-street parking as required by these regulations.

2.10.2.3 Home Occupation

2.10.2.3.1 Not more than one (1) person who is not an immediate family member shall be regularly employed on-site.

2.10.2.3.2 There shall be no display of goods, storage of goods, equipment, or materials outside, and no exterior advertising on the premises other than a small sign not to exceed two (2) square feet in area, carrying only the name and occupation of any occupant of the premises.

2.10.2.3.3 The building or premises occupied shall not be objectionable or to the character of the neighborhood due to the exterior appearance.

2.10.2.3.4 That operation of the business will not create any kind of violation of this ordinance or any other local, state, or federal laws, codes or ordinances.

2.10.2.3.5 Off-street parking as required by these regulations.

2.10.2.4 Commercial Kennels

2.10.2.4.1 Must be licensed as required by the Code of Iowa.

2.10.2.4.2 Buildings, including all fences, must be at least fifty (50) feet from any commercial or industrial use property line and two hundred (200) feet from all other property lines.

2.10.2.4.3 All fences shall be screened from view of any adjoining property by plantings that are taller than the fence and at least eighty (80) percent opaque.

2.10.2.5 Non-farm Livestock Facilities - Any livestock kept by any person other than a farmer shall be subject to the following requirements.

2.10.2.5.1 Buildings housing livestock must be located in the rear yard if accessory to a residence and at least two hundred (200) feet from all property lines, except bare land in the Ag District, and then must meet zoning set-back requirements.

2.10.2.5.2 Must have one (1) net acre of fenced area for each animal unit.

2.10.2.6 Bed and Breakfast Homes

2.10.2.6.1 Accommodations must be in a single-family dwelling which is the residence of the host/hostess.

2.10.2.6.2 Accommodation is limited to a maximum of two (2) families at any one time.

2.10.2.6.3 Food shall be served for compensation only to overnight guests and not to the general public.

2.10.2.6.4 A sign not to exceed two (2) square feet in area carrying the name of the bed and breakfast home and host/hostess is permitted on the premises.

2.10.2.6.5 In addition to the required parking spaces for the residence, one (1) additional parking space shall be provided for each family accommodated.

2.10.2.6.6 Upon arrival, guests shall register with the host/hostess their names, address, and license plate number of the vehicle being used by the guests. Records of guests shall be kept for a period of three (3) years and shall be made available for examination by Jasper County, State of Iowa, and Federal officials upon request.

2.10.2.7 Junk Yards

2.10.2.7.1 Shall be required to have all local, state, and federal licenses and permits.

2.10.2.7.2 Shall be located and screened so that nothing stored in the junkyard is visible from any road, highway, or adjoining property.

2.10.2.7.3 Shall not store or display anything outside of a fenced area or a fully enclosed building.

2.10.2.7.4 Shall have all outside storage areas enclosed by a solid fence at least eight (8) feet tall, starting not more than three (3) inches above ground level at any spot. The fence shall be placed inside the property boundary far enough to allow for establishing and maintaining plantings outside the fence to create a screen that is eighty (80) percent opaque year-around between two (2) feet and ten (10) feet above ground level at any given spot.

2.10.2.7.5 All outside storage areas shall be surfaced and kept free of any vegetation.

2.10.2.8 Privately Owned Campgrounds - Operated for free or for revenue.

2.10.2.8.1 Interior road design and layout that provides for the safe ingress and egress of campers and life safety personnel and equipment regardless of weather conditions.

2.10.2.8.2 Adequate sanitary facilities.

2.10.2.8.3 Individual camp sites that are designed to safely support all camping equipment, vehicles, and ancillary equipment placed on them, and large enough that all camping equipment, vehicles, and ancillary equipment are stored off of the campground roads.

2.10.2.8.4 Parking for visitors and guests of the campers.

2.10.2.8.5 That the design will not create any substantial adverse effect to the present and potential future use of adjacent properties.

2.10.2.8.6 Campground rules, regulations, and operating procedures adequate enough in the opinion of the Zoning Administrator to ensure that operation of the proposed campground will not create any nuisance as defined by Iowa Code or interfere with the right of peaceful enjoyment of adjoining property owners.

2.10.2.9 Communication Towers and Facilities

2.10.2.9.1 Co-Location - No new tower/facility shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the Zoning Administrator that no existing tower, structure, or alternative technology can accommodate the applicant's needs. The applicant shall submit evidence that the cost of co-locating exceeds the cost of a new tower, or; documentation by an Iowa Licensed Engineer that:

2.10.2.9.1.1 The planned equipment would exceed the structural capacity of the existing tower, or;

2.10.2.9.1.2 The planned equipment would interfere with existing or planned equipment, or;

2.10.2.9.1.3 The existing tower cannot provide the necessary height, or;

2.10.2.9.1.4 The existing tower cannot provide the required coverage.

2.10.2.9.2 Design Requirements

2.10.2.9.2.1 Height - An Iowa Licensed Engineer must document that the height of the proposed new tower is the minimum necessary to accommodate the proposal's requirements.

2.10.2.9.2.2 Required Setbacks - The center foundation of all towers are required to be set back from all dwellings, buildings, overhead utility lines, and rights-of-way as follows:

2.10.2.9.2.2.1 For all towers, a distance equal to one hundred ten (110) percent the height of the tower, plus one hundred (100) percent of the length of the longest supporting guy wire for guyed towers.

2.10.2.9.2.2.2 Guys and accessory buildings must satisfy the minimum zoning district setback requirements for accessory buildings within the lease area.

2.10.2.9.3 Safety

2.10.2.9.3.1 Towers, guys, and accessory buildings shall be enclosed by fencing not less than six (6) feet in height and equipped with appropriate anti-climbing devices.

2.10.2.9.3.2 Towers shall not be climbable up to fifteen (15) feet above ground level.

2.10.2.9.3.3 All access doors to electrical equipment shall be locked when not being serviced.

2.10.2.9.3.4 Appropriate warning signage shall be placed on towers and electrical equipment.

2.10.2.9.3.5 The manufacturer's engineer or another qualified engineer shall certify that the foundation and tower design is within accepted professional standards, given local soil and climate conditions.

2.10.2.9.3.6 For all guyed towers, visible and reflective objects such as plastic sleeves, reflectors, or tape shall be placed on the guy wire anchor points and along the outer and innermost guy wires up to a height of eight (8) feet above the ground. Visible fencing shall be installed around anchor points of guy wires.

2.10.2.9.4 Aesthetics - Towers/facilities shall meet the following general requirements.

2.10.2.9.4.1 Color - Towers shall maintain a galvanized steel finish unless required to be painted by the FAA.

2.10.2.9.4.2 Lighting - Towers/facilities, including antennas, shall not be artificially lit unless required by the FAA. Unless required as the only option by the FAA, strobe lighting is not permitted. If lighting is required, lighting alternatives and design chosen must cause the least disturbance to the surrounding views.

2.10.2.9.4.3 Signs - No signs shall be allowed on any tower, accessory building, fence, or guy other than safety or warning signs.

2.10.2.9.5 General Requirements - The proposed tower/facility must comply with all other applicable local, state, or federal regulations.

2.10.2.9.6 Removal of Abandoned Towers/Facilities - The owner of a tower is required to notify the Jasper County Zoning Administrator thirty (30) days before use of the tower is discontinued and has ninety (90) days from the time of such notice to remove the tower/facility, foundational supports, and associated appurtenances.

2.10.2.9.7 Commercial - Wind Energy Conversion System (C-WECS) - The requirements of this Ordinance shall apply to all C-WECS proposed after the effective date of this Ordinance. C-WECS for which a required permit has been properly issued prior to the effective date of this Ordinance shall not be required to meet the requirements of this Ordinance; provided, that any such pre-existing C- WECS, which does not provide energy for a continuous period of twelve (12) months, shall meet the requirements of this Ordinance prior to recommencing production of energy. Also, no modification or alteration to an existing C-WECS shall be allowed without full compliance with this Ordinance. All C-WECS must be approved by Jasper County Board of Supervisors.

2.10.2.10.1 Design Requirements

2.10.2.10.1.1 Aesthetics - C-WECS shall meet the following general requirements.

2.10.2.10.1.1.1 Color and Finish - Wind turbines shall be painted a non-reflective color. Blades may be black in order to facilitate de-icing. Finishes shall be matte or non-reflective. At C-WECS sites, the design of the buildings and related structures shall, to the extent reasonably possible, use materials, colors, textures, screening, and landscaping that will blend the C-WECS to the natural setting and existing environment. Exceptions may be made for meteorological towers where concerns exist relative to aerial spray applicators.

2.10.2.10.1.1.2 If a proposed C-WECS will be located adjacent to publicly owned or managed areas, the Jasper County Conservation Board will be required to determine that the placement will not have an unacceptable impact on any view sheds. They shall make a recommendation to the Board of Supervisors prior to approval of new C-WECS.

2.10.2.10.1.2 Tower configuration - All wind turbines which are part of C- WECS shall be installed with a tubular, monopole type tower. Meteorological towers may be guyed.

2.10.2.10.1.3 Lighting - C-WECS sites shall not be artificially lit, except to adhere to, but not exceed, requirements established by Federal Aviation Administration. Exceptions may be made for meteorological towers where concerns exist relative to aerial spray applicators.

2.10.2.10.1.4 Signage - Signs on C-WECS equipment or sites shall be limited to reasonable identification of the manufacturer or operator of the C-WECS.

2.10.2.10.1.5 Feeder Lines - All communications and feeder lines, equal to or less than 34.5kV in capacity, installed as part of a C- WECS, shall be buried. If the developer can demonstrate the need for an overhead line, and the affected landowners grant a perpetual easement for this line, such an option may be approved by the Zoning Administrator.

2.10.2.10.1.6 Waste Disposal - Solid and hazardous wastes, including but not limited to crates, packaging materials, damaged or worn parts, as well as used oils and lubricants, shall be removed from the site and disposed of in accordance with all applicable local, state, and federal regulations.

2.10.2.10.1.7 Minimum Ground Clearance - The blade tip of any wind turbine shall, at its lowest point, have ground clearance of no less than seventy-five (75) feet.

2.10.2.10.1.8 Signal Interference - The applicant shall minimize and mitigate any interference with electromagnetic communications, such as radio, telephone, or television signals, caused by any C- WECS.

2.10.2.10.1.9 Federal Aviation Administration - All C-WECS shall comply with FAA standards and permits.

2.10.2.10.1.10 Electrical Codes and Standard - All C-WECS and accessory equipment and facilities shall comply with the National Electrical Code (NEC) and other applicable standards.

2.10.2.10.1.11 Setbacks - The following setbacks and separation requirements shall apply to all wind turbines.

2.10.2.10.1.11.1 Inhabited Structures - Each wind turbine shall be set back from the nearest residence, school, hospital, church, or public library, a distance no less than two (2) times its total height or one thousand (1,000) feet, whichever is greater.

2.10.2.10.1.11.2 Property Lines - At no time shall any part of the turbine overhang an adjoining property without securing appropriate easements from adjoining property owners.

2.10.2.10.1.11.3 Public Roads and Utilities - Setbacks from public road right-of-way, railroad right-of way, overhead utility lines and structures, or any easement thereto shall be a minimum of 1.1 times the total tower height.

2.10.2.10.1.12 Noise - When measured at any existing residence, school, hospital, church, or public library, any audible noise due to C-WECS operations shall not exceed sixty (60) dBA for any period of time, and if a C-WECS operation contains a steady pure tone, such as a whine, screech, or hum, the audible noise shall not exceed fifty- five (55) dBA.

2.10.2.10.1.12.1 In the event the noise levels resulting from the C-WECS exceed the criteria listed above, a waiver to said levels may be granted by the Zoning Administrator provided that the affected property owners grant a perpetual noise impact easement recorded in the Office of the Jasper County Recorder which describes the burdened properties.

2.10.2.10.2 Safety

2.10.2.10.2.1 Wind turbine towers shall not be climbable up to fifteen (15) feet above ground level.

2.10.2.10.2.2 All access doors to wind turbine towers and electrical equipment shall be locked when not being serviced.

2.10.2.10.2.3 Appropriate warning signage shall be placed on wind turbine towers, electrical equipment, and C-WECS entrances.

2.10.2.10.2.4 For all C-WECS, the manufacturer's engineer or another qualified engineer shall certify that the turbine, foundation, and tower design of the C-WECS is within accepted professional standards, given local soil and climate conditions.

2.10.2.10.2.5 For all guyed towers, visible and reflective objects such as plastic sleeves, reflectors, or tape shall be placed on the guy wire anchor points and along the outer and innermost guy wires up to a height of eight (8) feet above the ground. Visible fencing shall be installed around anchor points of guy wires.

2.10.2.10.3 Avoidance and Mitigation of Damages to Public Infrastructure.

2.10.2.10.3.1 Applicants, in coordination with the Jasper County Engineer, shall document the existing conditions of, and identify any improvements necessary to, all Jasper County roads and other public infrastructure to be used or affected by the construction, operation, or maintenance of the C-WECS.

2.10.2.10.3.2 The Jasper County Engineer shall prepare an estimate of the costs for any required improvements to, and increased maintenance of, public infrastructure.

2.10.2.10.3.3 The applicant shall enter into an agreement with the Jasper County Board of Supervisors to pay all actual costs of any required improvements, increased maintenance during construction, and damage repair to any public infrastructure, and to provide financial surety in a manner approved by the Jasper County Attorney in an amount equal to one hundred thirty (130) percent of all such costs as estimated by the Jasper County Engineer.

2.10.2.10.4 Discontinuation and De-commissioning - Applicants shall enter into a de-commissioning agreement with the Jasper County Board of Supervisors outlining the anticipated means and cost of removing C-WECS at the end of their serviceable life or upon discontinuation of use. The plan and cost estimates shall be documented by a professional engineer licensed in the State of Iowa. The agreement shall require the applicant to completely remove the tower, accessory buildings, and appurtenances, including any foundation to four (4) feet below grade within one hundred eighty (180) days of discontinuation of use. The agreement will not be approved by the Board of Supervisors until the applicant has provided Jasper County with financial surety in a manner acceptable to the Board of Supervisors and approved by the Jasper County Attorney.

2.10.2.10 Individual - Wind Energy Conversion System (I-WECS) - Subject to the following standards:

2.10.2.11.1 Tower Height - I-WECS total tower height shall be limited so that no part of the tower would fall on any property owned by others in the event of a collapse unless a perpetual fall zone easement is granted by the owner of the affected property(s), and except as imposed by FAA regulations.

2.10.2.11.2 Setback - No part of the I-WECS structure, including guy wire anchors, may extend closer than ten (10) feet to the property boundaries of the installation site.

2.10.2.11.3 Noise - I-WECS shall not exceed sixty (60) dBA, as measured at the closest neighboring inhabited dwelling. The level, however, may be exceeded during short-term events such as utility outages and/or severe windstorms.

2.10.2.11.4 Engineer Certification - Applications for I-WECS shall be accompanied by standard drawings of the wind turbine structure, including the tower, base, and footings. An engineering analysis of the tower showing compliance with the applicable regulations and certified by a licensed professional engineer shall also be submitted. This analysis is frequently supplied by the manufacturer.

2.10.2.11.5 Compliance with FAA Regulations - I-WECS must comply with applicable FAA regulations, including any necessary approvals for installations close to airports.

2.10.2.11.6 Compliance with National Electric Code - Applications for I-WECS shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the National Electrical Code. This information is frequently supplied by the manufacturer.

2.10.2.11.7 Utility Notification - No I-WECS shall be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator. Off- grid systems shall be exempt from this requirement.

2.11 OFF-STREET PARKING AREAS AND LOADING SPACES

2.11.1 Development Standards - All off-street parking areas shall be of a usable shape, surfaced and dust free, and graded and drained as to dispose of all surface water accumulation within the area. Any lighting used to illuminate off-street parking areas shall be arranged so that it does not interfere with the safe operation of vehicles on the right-of-way or the peaceful use and enjoyment of adjoining properties. All required off-street parking for any dwelling shall be located on the property served. Required off-street parking for uses other than dwellings shall be on the premises intended but may be extended to adjoining property within one hundred (100) feet of any part of the use if in the same or less restricted district.

2.11.2 Units of Measurement

2.11.2.1 Parking Space - Each parking space shall be rectangular in shape, shall not be less than eight and one-half (8 1/2) feet wide and twenty (20) feet long in an area exclusive of access drives or aisles.

2.11.2.2 Floor Area - In the case of merchandising or service types of uses, "floor area" shall mean the gross floor area used or intended to be used by tenants, or for service to customers, patrons, or clients, but shall not include areas used principally for non-public purposes such as toilet or rest rooms, utilities, or dressing rooms.

2.11.2.3 Hospital Bassinets - In hospitals, bassinets shall not be counted as beds.

2.11.2.4 Benches in Place of Public Assembly - In stadiums, sports arenas, churches, and other places of public assembly in which patrons or spectators occupy benches, pews, or other similar seating facilities, each twenty (20) inches of such seating facilities shall be counted as one (1) seat for the purpose of determining requirement for off-street parking facilities under the regulations.

2.11.3 In all districts, every building with up to five thousand (5,000) square feet of gross floor area to be occupied by uses requiring the regular receipt or distribution, by vehicles, of materials or merchandise, there shall be provided and maintained on the same property with such building at least one (1) off-street loading space accessible from a street, alley, or access easement, plus one (1) additional such loading space for each additional ten thousand (10,000) square feet or major fraction thereof. Each loading space shall not be less than ten (10) feet wide, sixty (60) feet in length, and fourteen (14) feet in height, exclusive of access and turning area.

2.11.4 In all districts, off-street parking areas, in the open or in a garage, shall be in addition to any required loading and unloading spaces and provided as follows:

Use	Parking Spaces Required
Automobile or Machinery Sales and Service Garage	One (1) for each thousand (1,000) square feet of floor area plus one (1) for each full-time employee.
Banks, Business, and Professional Offices	One (1) for each two hundred (200) square feet of floor area.
Bowling Alleys	Six (6) for each alley.
Churches and Schools	One (1) for each four (4) seats in the principal auditorium.
Convenience Stores - Drug, Grocery, Hardware, and Similar Stores	One (1) for each three hundred (300) square feet of floor area devoted to sales plus one (1) for each full-time employee.
Dance Halls and Assembly Halls without fixed seats	One (1) for each fifty (50) square feet of floor area used for assembly or dancing.
Drive-In Eating Establishment	Not less than one-half (1/2) of the total ground area to be devoted exclusively to parking and accessways.
Dwellings	Two (2) for each dwelling unit.
Food Pick-up Establishments	Minimum of two (2) plus one (1) for each one hundred (100) square feet of floor area.
Funeral Homes, Mortuaries	Six (6) per chapel room or parlor or one (1) per fifty (50) square feet of rooms used for services, whichever is greater.
Hospitals, Nursing Homes	One (1) for each five (5) beds plus one (1) for each two (2) doctors and employees.
Manufacturing Plants, Research, or Testing Laboratories, Bottling Plants	Two (2) for each three (3) employees on maximum working shift.
Medical or Dental Clinics	One (1) for each two hundred (200) square feet of floor area plus one (1) for each full-time employee and one (1) for each doctor.
Motels and Motor Hotels	One (1) for each unit, plus one (1) for each two (2) employees on maximum shift.

Motor Fuel Stations	One (1) for each employee on duty plus two (2) for each service bay.
Service Establishments –	
Barber Shops	Two (2) for each chair plus one (1) for each two (2) employees on maximum shift.
Beauty Shops	One (1) for each dryer plus one (1) for each two (2) employees on maximum shift.
Coin-Operated Laundries and/or Dry-Cleaning Establishments	One (1) for each three (3) washers and/or cleaning machines plus one (1) for each two (2) employees on maximum shift
Restaurants	One (1) for each three (3) seats plus one (1) for each two (2) employees on maximum shift.
Shoppers Goods - Appliance, Household Equipment, Furniture, and Similar Stores	One (1) for each five hundred (500) square feet of floor area plus one (1) for each full-time employee.
Taverns or Bars	One (1) for each two (2) seats plus one (1) for each two (2) employees on maximum shift.
Theaters	One (1) for each four (4) seats.
Wholesale Establishments	One (1) for each four (4) employees on maximum work shift.

In the case of any use which is not specifically mentioned herein, the provisions for a similar use which is mentioned shall apply.	
Coin-Operated Laundries and/or Dry-Cleaning Establishments	One (1) for each three (3) washers and/or cleaning machines plus one (1) for each two (2) employees on maximum shift
Restaurants	One (1) for each three (3) seats plus one (1) for each two (2) employees on maximum shift.

2.12 SITE PLANS REQUIRED - A site plan is required for every use and structure regulated by the Zoning Ordinance. No building permit shall be issued until the required site plan is approved. Applicants for site plan approval shall provide all the information required by the Zoning Administrator to determine that all the listed standards are met, and that the safety and welfare of the general public is protected.

2.12.1 Surfacing Requirements - All off-street parking, loading areas, and access roadways in the "C" District or any "R" district shall have a durable and dustless surface paved with asphaltic or Portland cement concrete pavement designed to handle the anticipated loads. The submitted design must be approved by the Jasper County Engineer.

2.12.2 All drawings and documentation for a site plan, except detached single family dwellings and duplexes, shall be prepared and certified by a design professional and demonstrate that the proposed development:

2.12.2.1 Will not increase the danger of erosion, flooding, landslide, or other endangerment of adjoining or surrounding property.

2.12.2.2 Will not overload existing public utilities.

2.12.2.3 Will not overload or create undue congestion on adjacent or surrounding public roads.

2.12.2.4 Will not endanger any underground water supply.

2.12.2.5 Will not diminish or impair the current use or enjoyment of adjoining property or any permitted future use if the adjoining property is vacant.

2.12.2.6 Will conform to all applicable local, state, and federal rules, regulations and codes.

2.12.2.7 Will provide all improvements necessary to accomplish the stated Standards including approved buffers, and off-street parking as required.

2.12.3 Buffer Required

2.12.3.1 An approved buffer shall be required between any industrial use and/or "I" District and all other abutting Districts except the "A" District.

2.12.3.2 An approved buffer shall be required between "R-I" Districts and all other Districts except the "A" District.

2.12.3.3 An approved buffer shall be required between "C" Districts and all other abutting Districts except the "A" District.

2.12.3.4 Any area outside of a fully enclosed building used for storage, garbage storage, junk storage, or loading docks and loading areas in any District shall be screened from view by a buffer.

2.12.4 Approved Buffers

2.12.4.1 Buffer Wall - A buffer wall shall not be less than six (6) feet in height; shall be constructed of a permanent low maintenance material such as concrete block, cinder block, brick, concrete, precast concrete, tile block, etc.; designed by an architect or engineer for both structural adequacy and aesthetic quality. Wood shall not be used in a buffer wall.

2.12.4.2 Landscape buffer - A landscape buffer shall not be less than twenty-five (25) feet in width, designed and landscaped with an earth berm (optional) and predominant plantings of evergreen type trees, shrubs, and plants so as to assure year around effectiveness. A landscape buffer must be designed, installed, and maintained to create a one hundred (100) percent opaque screen to a height not less than six (6) feet above average grade of any properties required to be separated within three (3) years.

2.12.5 Provision of Buffer - The provision and selection of the buffer shall be as follows:

2.12.5.1 Where one (1) of two (2) different Zoning Districts requiring a buffer between them is partly developed, the developer of the vacant land shall assume the burden, unless otherwise specified herein.

2.12.5.2 Where both Zoning Districts, requiring a buffer between them, are vacant or undeveloped, the burden shall be assumed by the developer of the land that is improved or developed first.

2.12.5.3 Where the line between two (2) districts requiring a buffer follows a street, right-of-way, railroad, stream, or other similar barrier, the requirement for a buffer may be waived by the Zoning Administrator, provided such waiver does not permit the exposure of undesirable characteristics of land use to public view.

2.12.6 Surfacing Requirements - All off-street parking, loading areas, and access roadways in a "C" or "R-1" District shall have a durable and dustless surface paved with asphaltic or Portland cement concrete pavement designed to handle the anticipated loads. The submitted design must be approved by the Jasper County Engineer.

2.12.7 Property Maintenance Standards - It shall be the responsibility of the equitable owner and the person in possession of any property and/or structure regulated by this Ordinance to keep the property free of the following declared nuisances:

2.12.7.1 Any nuisance as defined herein or described as such by Chapter 657 of the CODE OF IOWA, 2020.

2.12.7.2 Any structure which is in such a dilapidated condition that it is unfit for human habitation or the use for which it was constructed; kept in such an unsanitary condition that it is a menace to the health of people residing therein or in the vicinity thereof; or any building that is defined as abandoned or a public nuisance by Chapter 657A, CODE OF IOWA, 2020.

2.12.7.3 Facilities for the storage or processing of sewage which do not comply with the Jasper County Environmental Health regulations.

2.12.7.4 Fences or retaining walls that are not structurally sound or which are deteriorating, as may be evidenced by leaning or loose elements.

2.12.7.5 Junk or inoperable vehicles outside of a completely enclosed building, unless located on the premises of a lawfully operated junkyard.

2.12.7.6 An accumulation of refuse, to the prejudice of others.

2.12.7.7 Conditions which are conducive to the harborage or breeding of vermin.

2.13 BUILDING MAINTENANCE - Every building shall be maintained to be weather and watertight, and free from excessively peeling paint or other conditions suggestive of deterioration or inadequate maintenance. Exterior surfaces shall not have any holes or broken glass; loose, cracked, or damaged shingles or siding; or other defects in the exterior finish which admit rain, cold air, dampness, rodents, insects, or vermin. Basements, cellars, and crawl spaces shall be free of standing water and hazards. All wood, including floorboards, subfloors, joists, bridging, roof rafters, and sheathing, and all other wood in any interior or exterior floor, wall, roof, or other part of the structure, shall be maintained to be free of conditions adversely affecting structural integrity, including but not limited to, cracking, splitting, termite damage, infestation, or rot. Any and all damaged or deteriorating materials shall be replaced. If infestation exists in any basement, cellar, or crawl space, such infestation shall be remedied in accordance with industry standards.

2.14 INOPERABLE VEHICLES - Inoperable vehicles shall be stored within a fully enclosed building or shall be removed from the premises.

2.15 REFUSE - All refuse shall be contained in suitable collection containers, kept free from infestation, and shall be removed weekly.