<table>
<thead>
<tr>
<th>Section</th>
<th>Subject</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Preamble</td>
<td>1</td>
</tr>
<tr>
<td>2</td>
<td>Interpretation of Standards</td>
<td>2</td>
</tr>
<tr>
<td>3</td>
<td>Definitions</td>
<td>2</td>
</tr>
<tr>
<td>4</td>
<td>Establishment of Districts: Provisions for Official Zoning Map</td>
<td>16</td>
</tr>
<tr>
<td>5</td>
<td>Rules for Interpretation of District Boundaries</td>
<td>17</td>
</tr>
<tr>
<td>6</td>
<td>Application of District Regulations</td>
<td>18</td>
</tr>
<tr>
<td>7</td>
<td>Non-Conforming Uses of Land, and Non-conforming Uses of Structures and Premises</td>
<td>19</td>
</tr>
<tr>
<td>8</td>
<td>General Regulations</td>
<td>21</td>
</tr>
<tr>
<td>9</td>
<td>&quot;A-1&quot; Agricultural District</td>
<td>23</td>
</tr>
<tr>
<td>10</td>
<td>&quot;R-1&quot; Single Family Residential District</td>
<td>25</td>
</tr>
<tr>
<td>11</td>
<td>&quot;R-2&quot; One- and Two-Family Residential District</td>
<td>27</td>
</tr>
<tr>
<td>12</td>
<td>&quot;R-3&quot; Multi-Family Residential District</td>
<td>29</td>
</tr>
<tr>
<td>13</td>
<td>&quot;R-4&quot; Mobile Home Residential District</td>
<td>31</td>
</tr>
<tr>
<td>14</td>
<td>&quot;R-5&quot; Planned Unit Development District</td>
<td>33</td>
</tr>
<tr>
<td>15</td>
<td>&quot;C-1&quot; Community Commercial District</td>
<td>37</td>
</tr>
<tr>
<td>16</td>
<td>&quot;C-2&quot; Central Business District</td>
<td>41</td>
</tr>
<tr>
<td>17</td>
<td>&quot;C-3&quot; Highway Commercial District</td>
<td>42</td>
</tr>
<tr>
<td>18</td>
<td>&quot;M-1&quot; Light Industrial District</td>
<td>44</td>
</tr>
<tr>
<td>19</td>
<td>&quot;M-2&quot; Heavy Industrial District</td>
<td>50</td>
</tr>
<tr>
<td>20</td>
<td>Exceptions, Modifications and Interpretations</td>
<td>52</td>
</tr>
<tr>
<td>21</td>
<td>Parking and Loading Areas</td>
<td>55</td>
</tr>
<tr>
<td>22</td>
<td>Signage</td>
<td>59</td>
</tr>
<tr>
<td>23</td>
<td>Site Plans</td>
<td>68</td>
</tr>
<tr>
<td>24</td>
<td>Administration and Enforcement - Certificates of Zoning Compliance</td>
<td>73</td>
</tr>
<tr>
<td>25</td>
<td>Board of Adjustment - Procedure, Powers and Duties</td>
<td>74</td>
</tr>
<tr>
<td>26</td>
<td>Duties of Administrative Official, Board of Adjustment, City Council, and Courts on Matters of Appeal</td>
<td>79</td>
</tr>
<tr>
<td>27</td>
<td>Schedule of Fees</td>
<td>79</td>
</tr>
<tr>
<td>28</td>
<td>Changes and Amendments</td>
<td>80</td>
</tr>
<tr>
<td>29</td>
<td>Application for Change in Zoning District Boundaries</td>
<td>80</td>
</tr>
<tr>
<td>30</td>
<td>Complaints Regarding Violations</td>
<td>82</td>
</tr>
<tr>
<td>31</td>
<td>Enforcement, Violations and Penalties</td>
<td>82</td>
</tr>
<tr>
<td>32</td>
<td>Severability Clause</td>
<td>83</td>
</tr>
<tr>
<td>33</td>
<td>Effective Date</td>
<td>83</td>
</tr>
<tr>
<td>Section</td>
<td>Subject</td>
<td>Page</td>
</tr>
<tr>
<td>------------------------------</td>
<td>--------------------------------</td>
<td>-------</td>
</tr>
<tr>
<td>ATTACHMENT A - ILLUSTRATIONS</td>
<td>Building Heights</td>
<td>A-1</td>
</tr>
<tr>
<td></td>
<td>Lot and Yard Definitions</td>
<td>A-2</td>
</tr>
<tr>
<td></td>
<td>Sign Area and Sign Types</td>
<td>A-3</td>
</tr>
<tr>
<td></td>
<td>Building Setback Lines</td>
<td>A-4</td>
</tr>
<tr>
<td></td>
<td>Typical Parking Lot Layout</td>
<td>A-5</td>
</tr>
<tr>
<td>ZONING MAP</td>
<td>Envelope</td>
<td></td>
</tr>
</tbody>
</table>
ZONING ORDINANCE NO. 269
CITY OF WOODWARD

SECTION 1 - PREAMBLE

AN ORDINANCE ESTABLISHING COMPREHENSIVE ZONING REGULATIONS FOR THE CITY OF WOODWARD, IOWA, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, AND PROVIDING CRIMINAL PENALTIES FOR VIOLATIONS THEREOF, IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 414, 1975 CODE OF IOWA, AS AMENDED, AND FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, Chapter 414, 1995 Code of Iowa as amended, empowers the City of Woodward to enact a zoning ordinance and to provide for its administration, enforcement, and amendment, and

WHEREAS, the City Council deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City of Woodward to enact such an ordinance, and

WHEREAS, the City Council, pursuant to the provisions of Chapter 414, 1995 Code of Iowa as amended, has appointed a Planning and Zoning Commission to recommend the boundaries of the various original districts and appropriate regulations to be enforced therein, and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, flood, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewage, schools, parks, and other public requirements, and

WHEREAS, the Planning and Zoning Commission has given reasonable consideration, among other things, to the character of districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the municipality, and

WHEREAS, the Planning and Zoning Commission has made a preliminary report and submitted its final report to the City Council, and

WHEREAS, the City Council has given due public notice of hearings related to zoning districts, regulations, and restrictions, and has held such public hearings, and
WHEREAS, all requirements of Chapter 414, 1995 Code of Iowa as amended, with regard to the preparation of the report of the Planning and Zoning Commission and the subsequent action of the City Council have been met;

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF WOODWARD, IOWA:

SECTION 2 - INTERPRETATION OF STANDARDS

In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements. Where this Ordinance imposes a greater restriction than is imposed or required by other provisions of law or by other rules or regulations or ordinances, the provisions of this Ordinance shall control.

SECTION 3 - DEFINITIONS

For the purpose 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.

The word lot includes the words plot or parcel.

Abutting. Having property or district lines in common.

Access. Having a way of approaching or entering a property from a public street.

Accessory Buildings. Any 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 principal building in a substantial manner, as by a wall or roof, such accessory building shall be considered a part of the main building.

Accessory Use. To use a customarily incidental and subordinate to the principal 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. As used in this ordinance refers to a person who has attained the age of eighteen (18) years.

Adult Entertainment Businesses. A business which as a part of or in the process of delivering goods and services displays to its patrons specified sexual activities or specified anatomical areas in printed from or through any form of photographic medium or by use of male or female models. In reference to the above, the following definitions shall apply:

A. Specified sexual activities means any sexual contact, actual or simulated, either natural or deviate, between two or more persons, or between a person and an animal, by penetration of the penis into the vagina or anus, or by contact between the mouth or tongue and genitalia or anus, or by contact between a finger of one person and the genitalia of another person or by use of artificial sexual organs or substitute therefor in contact with the genitalia or anus.

B. Specified anatomical areas include the following: human genitals, pubic region, buttocks, and female breasts below a point immediately above the top of the areola.

C. Substantial means more than twenty-five (25) percent of the book, magazine, film or video tape inventory are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.

D. Adult Art or Adult Modeling Studio: An establishment or business which provides the services of modeling for the purpose of viewing and/or reproducing the human body wholly or partially in the nude by means of photography, painting, sketching, drawing or otherwise; provided entrance to such establishment and such services are available only to adults.

E. Adult Artist - Body Painting Studio: An establishment or business which provides the services of applying paint or other substance whether transparent or nontransparent to or on the human body when such body is wholly or partially nude; provided entrance to such establishment and such services are available only to adults.

F. Adult Bath House: An establishment or business which provides the services of baths of all kinds, including all forms and methods of hydrotherapy; provided entrance to such establishment and such services are available only to adults; and not including such services provided by a medical practitioner or professional physical therapist licensed by the State of Iowa.
G. Adult Book Store: An establishment or business having a substantial part of its stock in trade, books, magazines, photographs, pictures and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" as defined herein and limited in sale of such sexual materials to adults.

H. Adult Cabaret: A cabaret which features go-go dancers, exotic dancers, strippers, male or female impersonators, or similar entertainers.

I. Adult Motel: A motel wherein material is presented which is distinguished or characterized by an emphasis on depicting or describing "specified sexual activities" or "specified anatomical areas."

J. Adult Motion Picture Arcade: Any place to which the public is permitted or invited wherein coin or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five (5) or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis on matter depicting or describing "specified sexual activities" or "specified anatomical areas."

K. Adult Motion Picture Theater: An enclosed building used for presenting material distinguished or characterized by an emphasis on matter depicting or describing "specified sexual activities" or "specified anatomical areas" for observation by patrons therein.

L. Adult Mini Motion Picture Theater: An enclosed building with a capacity for less than fifty (50) persons used for presenting motion pictures, slides or photographic reproductions distinguished or characterized by an emphasis on matters depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" as defined herein for observation by patrons therein.

M. Juice Bar: Any establishment where alcoholic beverages are prohibited and where for any form of consideration or gratuity, models, dancers, strippers, and similar entertainers perform in nude or semi-nude for observation by patrons therein.

N. Massage: Any method of treating the external parts of the human body by rubbing, stroking, kneading, tapping or vibrating with the hand, other parts of the body, or any instrument, for any consideration or gratuity.

O. Massage Establishment: Any establishment having a fixed place of business where massages are administered for any form of consideration or gratuity, including but not limited to, massage parlors, health clubs, sauna baths, and steam baths. This definition shall not be constructed to include an establishment employing: (1) persons licensed by the State of Iowa under the provisions of Chapters 148,
148A, 148B, 150, 150A, 151, 152, 157 or 158 of the Iowa Code, when performing massage services as a part of the profession or trade for which licensed; (2) persons performing massage therapy or massage services under the direction of a person licensed as described in (1) above; (3) persons performing massage therapy or massage services upon a person pursuant to the written instruction or order of a licensed physician; (4) nurses, aides, technicians and attendants at any hospital or health care facility licensed pursuant to Chapter 135B, 135C or 145A of the Iowa Code, in the course of their employment and under the supervision of the administrator thereof or of a person licensed as described in (1) above; (5) an athletic coach or trainer (i) in any accredited public or private secondary school, junior college, college or university, or (ii) employed by a professional or semi-professional athletic team or organization, in the course of his or her employment as such coach or trainer. This definition shall not be construed to include a volunteer fire department, a volunteer rescue squad or a nonprofit organization operating a community center, swimming pool, tennis court, or other educational, cultural, or recreational and athletic facilities, and facilities for the welfare of the residents of the area.

P. Model Studio: Any establishment where for any form of consideration or gratuity, models who display specified anatomical areas are provided to be observed, or subject to lawful tactile conduct, sketched, drawn, painted, sculptured, photographed, or similarly depicted by persons paying such consideration or gratuity, or where for any form of consideration or gratuity, nude or semi-nude dancing, readings, counseling sessions, body painting and other activities that present materials distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas are provided for observation by or communication to persons paying such consideration or gratuity.

Q. Model: Any person who for consideration or gratuity appears either nude or semi-nude to be either viewed, photographed, sketched, drawn, sculptured; to dance; to provide reading or counseling sessions; for body painting; to deliver a service or in connection with the sale of merchandise; or to present materials distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.

R. Nude Encounter Parlor: An establishment having a fixed place of business where any person, therein engages in, conducts, or carries on, or permits to be engaged in, conducted or carried on, any business of viewing any person or persons or the actual encounter of any person or persons depicting, describing or relating to "specified sexual activities" as defined herein.
5. **Nude Photographic Parlor**: An establishment having a fixed place of business, where any person, association, firm or corporation therein engages in, conducts, or carries on, or permits to be engaged in, conducted or carried on any business of photographing any person or persons depicting, describing or relating to "specified sexual activities" or "specified anatomical areas," as defined herein.

**Agriculture.** The production, keeping or maintenance, for sale, lease, or personal use, of plants and animals useful to humans, including but not limited to: forages and sod crops; grains and seed crops; dairy animals and dairy products; poultry and poultry products; livestock, including beef cattle, sheep, swine, horses, mules, or goats, or any mutations or hybrids thereof including the breeding and grazing of any or all such animals; bees and apiary products; fur animals; trees and forest products; fruits of all kinds; vegetables; or lands devoted to a soil conservation or forestry management program.

**Alley.** A public way, other than a street, twenty (20) feet or less in width, affording secondary means of access to abutting property.

**Apartment Unit.** A suite of rooms containing bathroom and kitchen facilities in a multiple dwelling intended or designated for use as a residence by a single family.

**Basement.** That portion of a building having part but not more than one-half (1/2) its height below grade. A basement shall be counted as a story if the vertical distance from the average adjoining grade to its ceiling is over five (5) feet.

**Bed and Breakfast.** A private residence which provides lodging and meals for guests, in which the host and/or hostess resides and in which no more than two guest families are lodged at the same time and which, while it may advertise and accept reservations, does not hold itself out to the public to be a restaurant, hotel or motel, does not require reservations and serves food only to overnight guests.

**Billboard.** "Billboard" as used in this Ordinance shall include all structures, regardless of the material used in the construction of the same, that are erected, maintained or used for public display of posters, painted signs, wall signs, whether the structure be placed on the wall or painted on the wall itself, pictures or other pictorial reading matter which advertise a business or attraction which is not carried on or manufactured in or upon the premises upon which said signs or billboards are located.

**Board.** The Board of Adjustment of the City of Woodward.

**Boarding House.** A building (other than a hotel) where for compensation, meals and/or lodging are provided for four (4) or more persons.

**Building.** Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, or property, but not including signs or billboards.
Building, Height of. The vertical distance from the average natural grade at the building line to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the mean height level between eaves and ridge for gable, hip, and gambrel roofs. On a corner lot, the height is the mean vertical distance from the average natural grade at the building line, from the higher of the two (2) grades.

Bulk Stations. Distributing stations, commonly known as bulk or tank stations, used for the storage and distribution of flammable liquids or liquefied petroleum products, where the aggregate capacity of all storage tanks is more than twelve thousand (12,000) gallons.

Cellar. That portion of a building having more than one-half (1/2) of its height below grade. A cellar is not included in computing the number of stories for the purpose of height measurement.

Dish-type or Parabolic Antenna. A concave, circular or dish-shaped device designed for receiving communications or television signals from a satellite.

District. A section or sections of the City of Woodward within which the regulations governing the use of buildings and premises or the height, area and yards of buildings and premises are uniform.

Dwelling. Any building, or portion thereof, which is designed or used exclusively for residential purposes, but not including a tent, cabin, trailer, or trailer coach.

Dwelling, Condominium. A multiple dwelling as defined herein whereby the title to each dwelling unit is held in separate ownership, and the real estate on which the units are located is held in common ownership solely by the owners of the units with each owner having an undivided interest in the common real estate.

Dwelling, Row. Any one of three or more attached dwellings in a continuous row, each such dwelling designed and erected as a unit on a separate lot and separated from one another by an approved wall or walls. Also referred to as a "townhouse".

Dwelling, Single-family. A building designed for or occupied exclusively for residence purposes by one family.

Dwelling, Single-Family Semi-Detached. A dwelling designed for or occupied by one family only which is erected on a separate lot and is joined to another such residence on one side only by a wall located on the lot line and which has yards on the remaining sides.

Dwelling, Two-family (Duplex). A building designed for or occupied exclusively by two (2) families with separate housekeeping and cooking facilities for each.

Dwelling, Multiple. A building or portion thereof designed for or occupied by more than two (2) families with separate housekeeping and cooking facilities for each.

Rev. 1/15/98
Family. One or more persons related by blood, marriage or adoption occupying a single dwelling unit. A family may, include not more than four (4) persons not related by blood, marriage or adoption, but further provide that domestic employees employed on the premises may be housed on the premises without being counted as a family or families.

Family Home. A community-based residential home which is licensed as a residential care facility under Chapter 135C or as a child foster care facility under Chapter 237 to provide room and board, personal care, habilitation services, and supervision in a family environment exclusively for not more than eight (8) developmentally disabled persons and any necessary support personnel. However, family home does not mean an individual foster care facility home licensed under Chapter 237.

Fences, Walls, and Hedges. Decorative and/or enclosing devices used along boundary lines of lots. Fences, walls, and hedges may be constructed up to the lot line in accordance with the height rules set out in this ordinance.

Frontage. All the property on one side of a street between two (2) intersecting streets (crossing or terminating) measured along the line of the street, or if the street is dead-ended, then all of the property abutting on one (1) side between an intersecting street and the dead-end of the street.

Garage, Private. An accessory building, or an accessory portion of the principal building, designed and/or used for the shelter or storage of vehicles owned or operated by the occupants of the principal building, except that a one (1) or two (2) car capacity garage may be rented for the private vehicles of persons not residents on the premises.

Garage, Public - Automobile. Any building or premises (other than a private garage) used for equipping, refueling, servicing, repairing, hiring, selling or storing automobiles, excluding body and fender repair shops.

Garage, Public - Trucks. Any building or premises, (other than a private garage) used for equipping, refueling, servicing, repairing, hiring, selling or storing trucks.

Garage, Public - Farm Tractors, and Other Mobile Machinery. Any building or premises, (other than a private garage) used for equipping, refueling, servicing, repairing, hiring, selling, or storing farm tractors, and other mobile machinery.

Grade. The average elevation of the finished ground at the exterior walls of the main building.

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 twenty-four (24) consecutive hours accommodation, board, personal assistance and other essential daily living activities to three (3) 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 twenty-four (24) consecutive hours accommodation, board, and nursing services, the need for which is certified by a physician, to three (3) 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 or a licensed practical nurse.

C. Skilled Nursing Facility: Any institution, place, building, or agency providing for a period exceeding twenty-four (24) consecutive hours accommodation, board, and nursing services, the need for which is certified by a physician, to three (3) 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 twenty-four (24) hour per day basis.

**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, except by special exception by the Board of Adjustment which may allow one (1) person other than family members not residing on the premises to be employed;

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 twenty-five (25) percent of one (1) floor 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, nor shall there be any outdoor storage associated with the home occupation or other visible evidence of the conduct of such home occupation other than one (1) sign, not exceeding two (2) square feet in area, nonilluminated, and mounted flat against the wall of the principal building;
D. No home occupation shall be conducted in any accessory building, except by special exception of Board of Adjustment.

E. 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. Further, no off-street parking resulting from the home occupation shall interfere with the off-street parking of surrounding properties.

F. 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, 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 causes fluctuations in line voltage off the premises.

Hospital. An institution licensed by state law providing health services primarily for human in-patient medical or surgical care for the sick or injured, and including related facilities such as laboratories, out-patient departments, training facilities, central services facilities, and staff offices that are an integral part of the facilities.

Hotel. A building in which lodging is provided and offered to the public for compensation and which is open to transient guests, in contradistinction to a boarding house or lodging house.

Junk Yard. Any area where waste, discarded or salvaged materials are bought, sold, exchanged, baled or packed, disassembled or handled, including the dismantling or “wrecking” of automobiles or other vehicles or machinery, house wrecking yards, used lumber yards and places or yards for storage of salvaged house wrecking and structural steel materials and equipment; but not including areas where such uses are conducted entirely within a completely enclosed building. The presence on any property of four (4) or more motor vehicles (as defined by Chapter 321.1 of the Code of Iowa) without current registration which for a period exceeding thirty (30) days have not been capable of operating under their own power, and/or from which parts have been removed for re-use, salvage, or sale, shall constitute prima facie evidence of a junk yard.

Kennel (Commercial). An establishment in which four (4) or more dogs or domestic animals more than six (6) months old are housed, groomed, bred, boarded, trained, or sold.

Living Space. That part of the building which is enclosed and supported upon the main foundation system of the structure excluding garages and cellars.
**Lodging House.** A building where lodging, only, is provided for compensation for four (4) or more persons.

**Lot.** For zoning purposes, as covered by this ordinance, a lot is a parcel of land at least sufficient in 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 a lot shall have frontage on a dedicated or 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 Measurement.**

A. Depth - the mean horizontal distance between the front and rear lot lines.

B. Width - The width of a lot shall be considered to be the distance between straight liners connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard.

**Lot of Record.** A lot which is part of a subdivision or a plat of survey, the deed of which is recorded in the office of the County Recorder of Dallas County, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

**Lot Types.** Terminology used in this Ordinance with reference to "corner" lots, "interior" lots, "reversed frontage" lots, and "through" lots. (See Attachment A for illustrations.)

In Attachment A (Yard and Lot Definitions):

A. Corner lot: a lot located at the intersection of two or more streets.

B. Interior lot: a lot other than a corner lot with only one frontage on a street other than an alley.
C. Double frontage lot: a lot other than a corner lot with frontage on more than one street other than an alley. Through lots with frontage on two streets may be referred to as "double frontage" lots.

D. Reversed frontage lot: a corner lot, the side street line of which is substantially a continuation of the front lot line of the first lot to its rear.

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

Mini-Warehouse. A building or group of buildings not more than one (1) story and twenty (20) feet in height and not having any other dimension greater than two hundred (200) feet per building, containing varying sizes of individualized, compartmentalized, and controlled stalls or lockers for the dead storage of customers’ goods or wares, excluding junk, explosive, or flammable materials, and other noxious or dangerous materials, including if any, caretaker or supervisor’s quarters as an accessory use. No business activities other than rental of storage units shall be conducted on the premises.

Mobile Home. Any vehicle without motive power used or so manufactured or constructed as to permit its being used as a conveyance upon the public streets and highways and so designed, constructed, or reconstructed as will permit the vehicle to be used as a place for human habitation by one (1) or more persons; but shall also include any such vehicle with motive power not registered as a motor vehicle in Iowa. A "mobile home" is not built to a mandatory building code, contains no state or Federal seals, and was built before June 15, 1976. If a mobile home is placed outside a mobile home park, the home is to be assessed and taxed as real estate.

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

The term "mobile home park" shall not be construed to include mobile homes, buildings, tents or other structures temporarily maintained by any individual, educational institution, or company on their own premises and used exclusively to house their own labor or students.

A "mobile home park" must be classified as to whether it is a residential mobile home park or a recreational mobile home park or both. The mobile home park residential landlord tenant Act (Chapter 562B) only applies to residential mobile home parks.
Modular Home. A factory-built structure which is manufactured to be used as a place of human habitation, is constructed to comply with the Iowa state building code for modular factory-built structures, and must display the seal issued by the state building code commissioner. If a modular home is placed in a mobile home park, the home is subject to the annual tax as required by Section 435.22. If a modular home is placed outside a mobile home park, the home shall be considered real property and is to be assessed and taxed as real estate.

Motel. A building or group of attached or detached buildings containing individual sleeping or living units for overnight guests, with garage attached or parking facilities conveniently located to each such unit. A swimming pool, restaurant, meeting rooms, management offices and other such accessory facilities may be included.

Non-conforming Use. Use of a building or of land that does not conform to the regulations as to use for the district in which it is situated.

Nursing or Convalescent Home. A building or structure having accommodations and where care is provided for invalid, infirm aged, convalescent, or physically disabled persons, not including insane and other mental cases, inebriate, or contagious cases.

Parking Space. A permanently surfaced area of not less than 9' x 19' including one hundred seventy-one (171) square feet either within a structure or in the open, exclusive of driveway or access drives, for the parking of a motor vehicle.

Principal Building. Any structure designed and used, or intended to be used, for one of the "Principal Permitted Uses" listed in each of the zoned districts as set out in this Ordinance.

Principal Use. The main use of land and structure as distinguished from an accessory use.

Projections. Parts of buildings such as architectural features that extend beyond the building's exterior wall.

Service Station (Gas Station). A building or premises used for dispensing or offering for sale at retail any automobile fuels, oils, or having pumps and storage tanks therefor, or where battery, tire or any similar services are rendered, and where vehicles are not parked for purposes of inspection or sale.

Setback. The required distance between every structure and lot line on the lot in which it is located.

Sign. Any device designed to inform, or attract the attention of persons not on the premises on which the sign is located; provided, however, that the following shall not be included in the application of the regulations herein:
A. Signs not exceeding one (1) square foot in area and bearing only property
numbers, post box numbers, names of occupants of premises, or other
identification of premises not having commercial connotations.

B. Flags and insignias of any government except when displayed in connection with
commercial promotion.

C. Legal notices; identification, information, or directional signs erected or required
by governmental bodies.

D. Integral decorative or architectural features of buildings, except letters, trademarks,
moving parts, or moving lights.

E. Signs directing and guiding traffic and parking on private property, but bearing no
advertising matter.

Sign, Free Standing. A sign which is supported by one or more uprights or braces in or
upon the ground and not attached to any building or wall.

A. Sign, Portable. A free standing sign not permanently anchored or secured.

B. Sign, Monument. A free standing sign affixed to a structure, built on grade, that
forms an integral part of the sign or its background and is in conformance with the
zoning requirements of the district in which it is located.

C. Sign, Pole. A free standing sign other than a portable sign or monument sign.

Signs, Number and Surface Area. For the purpose of determining number of signs, a sign
shall be considered to be a single display surface or display device containing elements
organized, related, and composed to form a unit.

The surface area of a sign shall be computed as including the entire area within a regular
geometric form or combinations of regular geometric form or combinations of regular
geometric forms, comprising all of the display area of the sign and including all the
elements of the matter displayed. Frames and structural members not bearing advertising
matter shall not be included in computation of the surface area.

Sign, On-Site. A sign relating in its subject matter to the premises on which it is located,
or to products, accommodations, services, or activities on the premises. On-site signs do
not include signs erected by the outdoor advertising industry in the conduct of the
outdoor advertising business.

Sign, Off-Site. A sign other than on-site sign. (See also: Billboard).
Statement of Intent. Statement preceding regulations for individual districts intended to characterize the districts and their legislative purpose.

Story. That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between the floor and the ceiling or roof next above it.

Story, Half. A space under a sloping roof which has the line of intersection of roof decking and wall face not more than four (4) feet above the top floor level. A half-story containing independent apartments or living quarters shall be counted as a full story.

Street. A public or private thoroughfare which affords the principal means of access to abutting property.

Street Line. A dividing line between a lot, tract, or parcel of land and a contiguous street.

Structural Alterations. Any replacement or changes in the type of construction or in the supporting members of a building, such as load bearing walls or partitions, columns, beams or girders, beyond ordinary repairs and maintenance.

Structure. Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground. Among other things, structures include buildings, walls, fences, billboards, and poster panels.

Townhouse. A one-family dwelling 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 (1) or more common fire resistant walls.

Use. The purpose or activity for which a place of land or its buildings is designed, arranged, or intended, or for which it is occupied or maintained.

Yard. An open space on the same lot with a building, unoccupied and unobstructed by any portion of a structure from thirty (30) inches above the ground level of the graded lot upward, excepting as otherwise provided herein. In measuring a yard for the purpose of determining the depth of a front yard or the depth of a rear yard, or width of a side yard, the least distance between the lot line and the main building shall be used, except that in no case shall any eave or overhang (or any other projection) extend into the said front side, or rear yard by more than twenty-four (24) inches. If eaves or overhangs exceed twenty-four (24) inches, then the building shall be set back into the permissible building area as necessary to eliminate any eaves or overhangs from extending more than twenty-four (24) inches. Fences and walls are permitted in any yard, subject to height limitations as indicated herein.
Yard, Front. A yard extending across the full width of the lot and measured between the front lot line and the front of the building other than the projection of the usual steps or unenclosed porches. On corner lots, the front yard shall be considered as the yard adjacent to the street upon which the lot has its least dimension. See "Yard" for eave or overhang limitations.

Yard, Rear. A yard extending across the full width of the lot and measured between the rear lot line and the building other than steps, unenclosed balconies or unenclosed porches. On both corner lots and interior lots, rear yard is the opposite end of the lot from the front. See "Yard" for eave or overhang limitations.

Yard, Side. A yard extending from the front yard to the rear yard and measured between the side lot lines and the nearest building or any projections other than steps, unenclosed balconies or unenclosed porches.

Zoning District. A section the City designated in the text of the Zoning Ordinance 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 are uniform.

SECTION 4 - ESTABLISHMENT OF DISTRICTS:
PROVISIONS FOR OFFICIAL ZONING MAP

For the purpose of this ordinance, the following ten classes of districts are hereby established within the City of Woodward as shown on the Official Zoning Map which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this Ordinance.

A-1 Agricultural District
R-1 Single Family Residential District
R-2 One and Two Family Residential District
R-3 Multi-family Residential District
R-4 Mobile Home Park Residential District
R-5 Planned Unit Development
C-1 Community Commercial District
C-2 Central Business District
M-1 Light Industrial District
M-2 Heavy Industrial District
The Official Zoning Map is identified by the signature of the Mayor under the following words: "This is to certify that this is the Official Zoning Map referred to in Ordinance 141 of the City of Woodward Code adopted on the eleventh day of November, 1995." If, in accordance with the provisions of this Ordinance and Chapter 414, 1997 Code of Iowa as amended, changes are made in district boundaries or other matter portrayed in the Official Zoning Map, copies of such changes shall be filed with the Official Zoning Map promptly after the amendment has been approved by the City Council.

Regardless of the existence of purported copies of the Official Zoning Map which may from time to time be made or published, the Official Zoning Map, together with amending ordinances, shall be the final authority as the current zoning status of land in the City.

In the event that the Official Zoning Map becomes damaged, destroyed, lost, or difficult to interpret because of use, the City Council may be resolution adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map. The new Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no such correction shall have the effect of amending the original zoning ordinance or any subsequent amendment thereof. The new Official Zoning Map shall be identified by the signature of the Mayor attested by the City Clerk, under the following words: "This is to certify that the Official Zoning Map supersedes and replaces the Official Zoning Map adopted (date of adoption of map being replaced) by the City of Woodward, Iowa.

SECTION 5 - RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES

In cases where the exact location of a district boundary is not clear as shown on the Official Zoning Map, the following rules shall be used in determining the location of said district boundary:

A. Boundaries indicated as approximately following the centerlines of streets, highways, or alleys shall be construed to follow such centerlines.

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 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 shore line shall be construed as moving with the actual shore line; boundaries indicated as approximately following the centerlines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such centerlines.

F. Boundaries indicated as parallel to or extensions of features indicated in subsections A. through E. 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 E. above, boundaries shall be as dimensioned on the Official Zoning Map or if not dimensioned, shall be determined by the scale shown on the Official Zoning Map.

SECTION 6 - 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, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, or structurally altered unless in conformity with all of the regulations herein specified for the district in which it is located.

B. No building or other structure shall hereafter be erected or altered:

1. to exceed the height;

2. to accommodate or house a greater number of families;

3. to occupy a greater percentage of lot area;

4. to have narrower or smaller rear yards, front yards, side yards, or other open spaces:

than herein required; or in any other manner contrary to the provisions of this Ordinance.
C. No part of a yard, or other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this Ordinance, shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building.

D. No yard or lot existing at the time of passage of this Ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance.

SECTION 7 - NON-CONFORMING USES OF LAND, AND NON-CONFORMING USES OF STRUCTURES AND PREMISES

Intent. Within the districts established by this Ordinance or amendments that may later be adopted, there exist lots, structures, and uses of land and structures which were lawful before this ordinance was passed or amended, but which would be 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 ground for adding other structures or uses prohibited elsewhere in the same district.

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 or amendment of this Ordinance and upon which actual building construction has been diligently carried on. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner; except that where demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such demolition or removal shall be deemed to be actual construction, provided that such work shall be diligently carried on until completion of the building involved.

Non-Conforming Lots of Record. In any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of this Ordinance, a single-family dwelling and customary accessory buildings may be erected on any single lot of record. This provision shall apply even though such lots fail to meet the requirements for area or width or both that are generally applicable in the district, provided that yard dimensions and other requirements not involving area or width or both, of the lot shall conform to the regulations for the district in which such lot is located. Variance of structure floor area, width and yard requirements shall be obtained only through action of the Board of Adjustment.
If two or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this Ordinance and if all or part of the lots do not meet the requirements for lot width and are established by this Ordinance, the land involved may be considered to be an undivided parcel for the purpose of this Ordinance, and no portion of said parcel shall be used which does not meet lot width and area requirements established by this Ordinance, nor shall any division of the parcel be made which leaves remaining any lot with width or area below the requirements stated in this Ordinance.

**Non-Conforming Use of Structures.** If a lawful use of a structure, 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, 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, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.

B. Any non-conforming use may be extended throughout any of the 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 alternations are made, any non-conforming use of a structure, or structure and premises, may be changed to another non-conforming use of the same or a more restricted classification.

D. When a non-conforming use of a structure, or structure and premises in combination, is discontinued or abandoned for one (1) year, the structure, or structure and premises in combination, shall not thereafter be used except in conformance with the regulations of the district in which it is located.

E. Where 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.

**Repairs and Maintenance.** On any building devoted in whole or in part to any non-conforming use, work may be done on ordinary repairs, or on repair or replacement of non-bearing walls, fixtures, wiring or plumbing, provided that the cubic content of the building as it existed at the time of passage or amendment of this Ordinance shall not be increased.
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.

Uses Under "Exceptions to Prohibited Uses" Non-Conforming Uses. Any use for which a special exception is permitted as provided in Section 20 of this Ordinance shall not be deemed a non-conforming use, but shall, without further action, be deemed a conforming use in such district.

Registration of Non-Conforming Uses. See Section 24, Paragraph B.

SECTION 8 - GENERAL REGULATIONS

Visibility at Intersections in Residential Districts. On a corner lot in any residential district, nothing shall be erected, placed, planted, or allowed to grow in such a manner as materially to impede vision between a height of two and one-half (2-1/2) and ten (10) feet above the centerline grades of the intersecting streets in the area bounded by the street lines of such corner lots and a line joining points along said street lines twenty-five (25) feet from the point of intersection of right-of-way lines.

Fences, Walls, and Hedges. Notwithstanding other provisions of this Ordinance, fences, walls, and hedges may be permitted in any required yard, or along the edge of any yard; subject to the following provisions:

A. In any district, fences and walls not exceeding six (6) feet height are permitted within the limits of side and rear yards. A fence or wall not exceeding four (4) feet in height is permitted within the limits of front yards. In the case of retaining wall supporting embankments, the above requirements shall apply only to that part of the wall above the ground surface of the retained embankment.

1. Grade for determining the maximum height above grade for fence and walls:

   a. For a fence or wall along a street right-of-way grade shall be the highest point of the pavement lying between the intersection of the center line and a projection of the side lot lines.

   b. For a fence or wall between the front lot line and the front building line grade shall be pro-rated between the grade of the front lot line and the grades of the building.

   c. 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 of the building.
2. Fences and walls on a corner lot shall comply with the vision clearance requirements of this ordinance.

Street Frontage Required. No lot shall contain any building used in whole or in part for residence purposes unless such lot abuts for at least forty (40) feet on at least one street, and there shall not be more than one (1) single-family dwelling for such frontage. The City Council may also allow, at its own discretion, the construction of a building to be used in whole or in part for residence purposes on a lot which has an exclusive unobstructed private easement of access at least twenty (20) feet wide to a street, for one (1) single family dwelling, if the Council determines that such construction is not in conflict with the intent of this Ordinance.

Accessory Buildings. No accessory building shall be erected in any yard other than a rear yard, except as provided hereinafter. Accessory buildings shall be distant at least two (2) feet from alley lines or easement lines, and two (2) feet from lot lines of adjoining lots which are in any "R" district, and on a corner lot they shall conform to the setback regulations on the side street; however, in no case shall any eave or overhang extend closer than twelve (12) inches to a rear or side yard line, or an easement line. Accessory buildings must be erected separately from and ten (10) feet distant (into the rear yard) from the principal building, and may not be connected by a breezeway or similar structure. Any building so connected to the principal building shall be considered a part of the said principal building and must meet the space requirements thereof. Accessory buildings may be erected separately from and ten (10) feet distant into the side yard from the principal building, however, they shall meet the space requirements of the principal building. An accessory building shall not occupy more than thirty (30) percent of the rear yard and shall not exceed fourteen (14) feet in height in any "R" district. This regulation shall not be interpreted to prohibit the construction of a four hundred forty (440) square foot garage on a minimum rear yard.

No accessory building shall be constructed upon a lot until the construction of the principal building has actually commenced, and no accessory building shall be used unless the principal building on the lot is also being used.

Corner Lots - Side Yards. For corner lots platted after the effective date of this Ordinance, the street side yard shall be equal in width to the setback regulation of the lots to the rear having frontage on the intersecting street.

Building Lines on Approved Plats. Whenever the plat of a land subdivision approved by the Planning Commission and on record in the office of the County Recorder shows a 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 require a greater setback.
SECTION 9 - "A-1" AGRICULTURAL DISTRICT

The "A-1" District is intended to retain land suited for eventual development for urban uses in a productive agricultural use until the community can feasibly extend its urban services and thus grow in an orderly manner.

A. Principal Permitted Uses. Only the uses of structure or land listed in this section shall be permitted in the "A-1 District.

1. Agriculture and usual agricultural buildings and structures; but not including commercial livestock feed lots, poultry farms, grain storage and drying facilities.

2. One-family dwellings.

3. Churches, cathedrals, temples and similar places of worship.

4. Public and parochial schools, elementary and secondary, and other educational institutions having established current curriculum the same as ordinarily given in the Woodward-Granger public school system, but excluding boarding schools, nursery schools, and child care centers; provided that all principal buildings be set back a minimum of thirty-five (35) feet from all property lines.

5. Publicly-owned parks, playgrounds, golf courses and recreation areas.

6. Private noncommercial recreation areas and centers including country clubs, swimming pools, golf courses and riding stables.

7. Cemeteries, including mausoleums.

8. Nurseries, greenhouses, truck gardens.

9. Public water supply and sewage treatment facility.

10. Electrical and liquefied product transmission and regulating facilities.

B. Permitted Accessory Uses

1. Uses of land and/or structures customarily incidental and subordinate to one of the principal uses, unless otherwise excluded.

2. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of the construction work.
3. Signs, on site. See Section 22.

4. Dish-type or parabolic antennas larger than eighteen (18) inches in diameter shall be placed in the rear yard and must be a minimum of ten (10) feet from all property lines. The antenna shall not be larger than eight (8) feet in diameter if of opaque construction or ten (10) feet in diameter if of wire or mesh construction. All such dish-type or parabolic antennas shall be mounted at ground level. The erection and construction of a dish-type or parabolic antenna shall require obtaining a building permit from the Administrative Official prior to the commencement of any work.

C. Bulk Regulations

The following minimum requirements shall be observed, subject to the modifications contained in Section 20.

1. Lot Area:
   Dwelling: 1 acre, no minimum required for other permitted uses.

2. Minimum Floor Area:
   1,050 square feet for dwelling; if building is two or more stories, first floor shall be a minimum of 800 square feet.

3. Minimum Width:
   The minimum dimension of the principal residential building shall not be less than 24 feet.

4. Lot Width:
   150 feet.

5. Front Yard:
   75 feet.

6. Side Yards:
   Dwellings: Total side yard - 30 feet; minimum on one side - 10 feet; corner lot adjacent to street - 75 feet. Other permitted uses 50 feet on each side; unless otherwise indicated herein.

7. Rear Yard:
   50 feet.

8. Maximum Height:
   Principal Building - 40 feet.
   Accessory Building - 14 feet.

9. Maximum Number of Stories:
   Principal Building - 3 stories.
   Accessory Building - 1 story.
D. Off-street Parking and Loading

See Section 21.

SECTION 10 - "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT

The "R-1" District is established to provide for single-family residential uses and areas where similar residential development seems likely to occur.

A. Principal Permitted Uses


2. Churches, cathedrals, temples, and similar places of worship; provided that all principal buildings be set back a minimum of thirty-five (35) feet from all property lines.

3. Public and parochial schools, elementary and secondary, and other educational institutions having established current curriculum the same as ordinarily given in the Woodward-Granger public school system, but excluding boarding schools, nursery schools, and child care centers; provided that all principal buildings be set back a minimum of thirty-five (35) feet from all property lines.

4. Museums, libraries, parks and playgrounds, community centers, and similar uses operated by the City of Woodward.

5. Golf courses, country clubs, tennis courts and similar recreational uses, provided that any such use not be operated primarily for commercial gain.

6. Crop and tree farming; truck gardening, provided that any such use not be operated primarily for commercial gain.

B. Permitted Accessory Uses

1. Private plant nurseries and greenhouses not to exceed two hundred and forty (240) square feet and not involving retail or wholesale sales.

2. Private swimming pools when enclosed with a non-climbable fence at least six (6) feet in height.

3. Private garage or carport.

4. Uses of land or structures customarily incidental to and subordinate to one of the permitted uses, unless otherwise excluded.
5. Signs, on site. See Section 22.

6. Dish-type or parabolic antennas larger than eighteen (18) inches in diameter shall be placed in the rear yard and must be a minimum of ten (10) feet from all property lines. The antenna shall not be larger than eight (8) feet in diameter if of opaque construction or ten (10) feet in diameter if of wire or mesh construction. All such dish-type or parabolic antennas shall be mounted at ground level. The erection and construction of a dish-type or parabolic antenna shall require obtaining a building permit from the Administrative Official prior to the commencement of any work.

C. Bulk Regulations

The following minimum requirements shall be observed, subject to the modifications contained in Section 20.

1. Lot Area: 10,000 square feet for each dwelling plus its accessory building.

2. Minimum Floor Area: 1,050 square feet for dwelling; if building is two or more stories, first floor shall be a minimum of 800 square feet.

3. Minimum Width: The minimum dimension of the principal residential building shall not be less than 24 feet.

4. Lot Width: 80 feet.

5. Front Yard: 35 feet; when fronting on the right-of-way of a major thoroughfare shown on the Official Major Street Plan, the front yard shall be measured from the proposed right-of-way line.

6. Side Yards: A total of 15 feet; one side may be reduced to not less than 6 feet; 15 feet for any other principal buildings.

7. Rear Yards: Dwelling - 30 feet.
Any other principal building - 40 feet.

8. Maximum Height: Principal Building - 40 feet.
Accessory Building - 14 feet.

9. Maximum Number of Stories: Principal Building - 3 stories.
Accessory Building - 1 story.
D. Off-Street Parking and Loading

See Section 21.

SECTION 11 - "R-2" ONE- AND TWO-FAMILY RESIDENTIAL DISTRICT

The "R-2" District is established to provide for single and two-family residential uses and areas where similar residential development seems likely to occur.

A. Principal Permitted Uses

Only the uses of structures or land listed in this section shall be permitted in the "R-2" District.

1. Uses permitted in the "R-1" District.

2. Two-family dwellings.


4. Alterations and conversions of single-family dwellings into two-family dwellings in accordance with the lot area, frontage and yard requirements as set forth in this section.

5. Nursing, convalescent, and retirement homes.


B. Permitted Accessory Uses

1. Accessory uses as permitted in the "R-1" District.

2. Customary home occupation such as handicraft, dressmaking, millinery, laundering, preserving and home cooking, provided that such occupations shall be conducted solely by resident occupants in their bona fide and primary place of residence provided that not more than one-quarter (1/4) of the area of one (1) floor shall be used for such purpose, provided further, that such occupation shall not require external or internal alteration.

3. Beauty parlor and barber shop when conducted as a home occupation solely by resident occupants in their bona fide and primary place of residence provided that not more than one-quarter (1/4) of the area of one (1) floor shall be used for such purpose.
4. Signs, on site. See Section 22.

C. Bulk Regulations

The following minimum requirements shall be observed subject to the modifications contained in Section 20.

1. Lot Area: 8,000 square feet for each single-family dwelling; 10,000 square feet for each two-family dwelling; 5,000 square feet for each semi-detached dwelling.

2. Minimum Floor Area: Single-family - 950 square feet. Two-family - 750 square feet per unit. If building is two or more stories, minimum first floor area shall be 700 square feet for single-family and 550 square feet for semi-detached and two-family or greater.

3. Minimum Width: The minimum dimension of the principal residential building shall not be less than 24 feet.


5. Front Yard: 30 feet; when fronting on the right-of-way of a major thoroughfare shown on the Official Major Street Plan, the front yard shall be measured from the proposed right-of-way line.

6. Side Yards: A total of 15 feet; one side may be reduced to not less than 6 feet; 15 feet for any other principal building.


D. Off-Street Parking and Loading

See Section 21.
SECTION 12 - "R-3" MULTI-FAMILY RESIDENTIAL DISTRICT

The "R-3" District is established to provide for single, two family and multiple family residential uses and areas where similar residential development seems likely to occur.

A. Principal Permitted Uses

Only the uses of structures or land listed in this Section shall be permitted in the "R-3" District.

1. Any use permitted in the "R-2" District.

2. Multiple dwellings, including row dwellings, consisting of not more than six (6) units in a continuous row, cooperative apartment houses, and condominium dwellings.

3. Boarding and rooming houses.

B. Permitted Accessory Uses

1. Accessory uses permitted in and as limited to the "R-2" District.

2. Storage garages, where the lot is occupied by a multiple dwelling.

3. Signs, on site. See Section 22.

C. Bulk Regulations

The following minimum requirements shall be observed subject to the modifications contained in Section 20.

1. Lot Area: Single-family dwelling - 7,500 square feet. Two-family dwelling - 9,000 square feet. Multiple family or other permitted uses - 10,000 square feet.

2. Lot Area per Dwelling Unit: Row housing and multiple dwellings - 2,500 square feet.

3. Minimum Floor Area: Single-family - same as "R-2". Two-family - same as "R-2". Multiple family - no living space requirement.

4. Minimum Width: The minimum dimension of the principal residential building shall not be less than 24 feet.

6. Front Yard: 30 feet; when fronting on the right-of-way of a major thoroughfare shown on the Official Major Street Plan, the front yard shall be measured from the proposed right-of-way line.

7. Side Yards: Same as in "R-2" District.

8. Rear Yards: Same as in "R-2" District.

9. Maximum Height: Same as in "R-2" District.

10. Maximum Number of Stories: Same as in "R-2" District.

D. Off-Street Parking and Loading

See Section 21.

E. Minimum Open Space. The total land area devoted to open space and landscaping shall not be less than twenty (20) percent of the gross land area included in the building lot. Such open space shall be maintained as grassed and landscaped area and shall not include access drives, parking areas, structures or buildings; except ornamental structures included as part of the landscaping theme.

F. Site Plan Requirements

See Section 23.
SECTION 13 - "R-4" MOBILE HOME RESIDENTIAL DISTRICT

The "R-4" District is intended and designed to provide for certain medium density residential areas of the City, which by reason of their design and location, are suitable for mobile home development and which are compatible with surrounding residential areas.

A. Principal Permitted Uses

1. Mobile Home Parks, in accordance with regulations of the State of Iowa and minimum requirements contained herein, but not including mobile home sales and display areas. No part of any park shall be used for non-residential purposes except such uses that are required for the direct servicing and well being of park residents and for the management and maintenance of the park. This shall in no way prohibit the sale by a resident owner of a mobile home located on a mobile home stand and connected to the pertinent utilities.

B. Accessory Uses

1. Accessory uses may include common facility service buildings which provide laundry facilities, accessory supplies, vending machines, etc. also park management buildings, maintenance buildings, community buildings, and other uses of a similar nature. All such buildings shall be located within the central "park" area, and shall be restricted to the use of the park occupants.

2. One permanent identification sign shall be permitted at any entrance to a Mobile Home Park. Such sign shall be of ornamental metal, stone, masonry, or other permanent material and shall indicate only the name of such Mobile Home Park. Such sign shall not exceed twenty (20) square feet in surface area.

C. Height Regulations

1. No mobile home or accessory building shall exceed twenty (20) feet in height.

D. Plan Submittal

Each petition for a change to the "R-4" zoning classification shall be accompanied by a mobile home park plan. Said plan shall show each mobile home space, the water, electrical and sewer lines serving each mobile home space, the location of garbage receptacles, water hydrants, service buildings, driveways, walkways, recreation areas, required yards, existing and proposed grading, parking facilities, lighting, landscaping, and the location of existing trees, buildings, or other significant features. The required plan shall be considered by the Commission and Council, who may approve or disapprove said plan or require such changes thereto, as are deemed necessary.
E. Lot Area, Lot Frontage and Yard Requirements

1. The minimum area proposed for a Mobile Home Park shall have a minimum of five (5) acres. The maximum density allowed for the gross development area shall be seven (7) mobile home units per gross acre.

2. All Mobile Home Park perimeter yard requirements shall be not less than thirty (30) feet.

3. No part of any mobile home space shall be closer to any public street upon which the park adjoins than seventy-five (75) feet; however, interior park streets may be located within the setback area.

4. The individual mobile home lot shall contain not less than three thousand eight hundred (3,800) square feet and shall measure at least forty (40) by ninety-five (95) feet. Each lot shall have a front yard not less than twenty (20) feet in depth measured from the edge of the surfaced private street to the closest point of the mobile home. Side and rear yards shall be provided and maintained so as to provide a minimum separation at the nearest point between mobile homes, and other buildings and structures on adjoining lots, of at least twenty-five (25) feet; however, side yards as so described shall not be less than seven (7) feet, and rear yards as so described shall not be less than eight (8) feet, for any structure.

5. A minimum of two hundred fifty (250) square feet for each lot shall be provided for one or more recreational areas which shall be easily accessible to all park residents. The required recreational area shall be computed in addition to the minimum lot area specified herein.

F. Streets

1. The entrance road connecting the park streets with a public street shall have a minimum road pavement width of thirty-one (31) feet, measured back to back of curbs. All interior streets shall be not less than twenty-six (26) feet in width measured back to back of curbs. Parking shall be allowed on one side only. All streets shall be constructed in accordance with appropriate ordinances and specifications of the City of Woodward.

G. Anchorage and Skirting

1. Tie-downs or anchors shall be provided on every mobile home stand. Each tie-down or anchor must be able to sustain a minimum tensile strength as required by the State of Iowa Building Code.
2. Skirting of a permanent-type material and construction shall be installed within ninety (90) days to enclose the open space between the bottom of a mobile home floor and the grade level of the mobile home stand. The skirting shall be maintained in an attractive manner consistent with the exterior of the mobile home and to preserve the appearance of the mobile home park.

H. Utilities

1. Sewer and water facilities shall be provided for each Mobile Home Park space in accordance with the requirements of the Iowa State Department of Natural Resources. All mobile home developments must be connected to the municipal water system. All electrical and telephone lines shall be placed underground.

SECTION 14 - "R-5" PLANNED UNIT DEVELOPMENT DISTRICT

The "R-5" District is intended and designed to provide a means for the development of large tracts of ground on a unit basis, allowing greater flexibility and diversification of land uses and building locations than the conventional single lot method provided in other sections of this Ordinance. It is the intent of this section that the basic principles of good land use planning including an orderly and proper relationship between various types of uses be maintained and that the sound zoning standards as set forth in this Ordinance and statutes concerning population density, adequate light and air, recreation and open space, and building coverage be preserved.

A. Procedure

1. The owner or owners of any tract of land comprising an area of not less than five (5) acres, may submit to the City Council a petition requesting a change to the "R-5" zoning district classification. The petition shall be accompanied by a plan for the use and development of the entire tract of land. The development plan shall be referred to the Planning and Zoning Commission for study and report. The Planning and Zoning Commission shall review the conformity of the proposed development with the standards of the Comprehensive Plan, and with recognized principles of architectural design, land use planning and landscape architecture. The Commission may approve the plan as submitted or, before approval, may require that the applicant modify, alter, adjust, or amend the plan as the Commission deems necessary to the end that it preserves the intent and purpose of this Ordinance to promote public health, safety, morals and general welfare. The development plan as approved by the Commission shall then be reported to the City Council, whereupon the City Council may approve or disapprove said plan as reported or may require such changes thereto as it deems necessary to effectuate the intent and purpose of this Ordinance.
B. The final development plan shall be accompanied by the following required documents:

1. If the proposed development includes common land which will not be dedicated to the City, and the proposed development will not be held in single ownership, proposed by-laws of a homeowner’s association fully defining the functions, responsibilities and operating procedures of the association. The proposed by-laws shall include but not be limited to provisions: (a) automatically extending membership in the association to all owners of dwelling units within the development; (b) limiting the uses of the common property to those permitted by the final development; (c) granting to each owner of a dwelling unit within the development the right to the use and enjoyment of the common property; (d) placing the responsibility for operation and maintenance of the common property in the association; (e) giving every owner of a dwelling unit voting rights in the association; and (f) if the development will combine rental and for sale dwelling units, stating the relationship between the renters and the homeowner’s associations and the rights renters shall have to the use of the common land.

2. Performance bond which shall insure to the City that the dedicated public streets, utilities, and other common development facilities shall be completed by the developer within the time specified in the final development plan.

3. Covenant to run with the land, in favor of the City and all persons having a proprietary interest in any portion of the development premises, that the owner of the land or successors in interest will maintain all interior streets, parking areas, sidewalks, common land, parks and plantings which have not been dedicated to the City in compliance with the City ordinances.

4. Any additional agreements required by the Council at the time of preliminary plat approval.

5. A final plat shall be submitted with each stage of the final development plan. The plat shall show building lines, lots and/or blocks, common land, streets, easements, and other applicable items required by the subdivision ordinance. Following approval of the final plat by the Commission and Council, the plat shall be recorded with the County Auditor and Recorder.

C. The final development plan and required documents shall be reviewed by the Commission, for compliance with the "R-5" standards and substantial compliance with the preliminary plan. The Commission’s recommendations and report on the final development plan shall be referred to the Council for final approval. The final development plan and final plat shall be approved by the Council before any building permit is issued.
D. Permitted principal and accessory land uses, lot area, yard and height requirements shall be as set out below, which shall prevail over conflicting requirements of this Chapter or the subdivision ordinance.

1. Buildings shall be used only for residential purposes; occupant garages, occupant storage and similar accessory uses; non-commercial recreational facilities; and community activities including churches and schools.

2. The minimum lot and yard requirements of the zoning districts in which the development is located shall not apply, except that minimum yards specified in this district shall be provided around the boundaries of the development. The Council may require open space or screenings be located along all or a portion of the development boundaries. The height requirements of the zoning district in which the development is located shall apply within one hundred twenty-five (125) feet of the development boundary.

3. All public streets, water mains, sanitary sewer and storm sewer facilities shall comply with appropriate ordinances and specifications of the City.

4. "Common land" as used in this section refers to land retained in private ownership for the use of the residents of the development, or to land dedicated to the general public.

5. Any land gained within the development because of the reduction in lot sizes, below minimum zoning ordinance requirements, shall be placed in common land to be dedicated to the City or retained in private ownership to be managed by a homeowner's association.

6. The requirements of this Ordinance relating to off-street parking and load, shall apply to all "R-5" Districts.

7. The final development plan shall comply with the density requirements.

E. The maximum number of dwelling units permitted in an "R-5" District shall be determined by dividing the net development area by the minimum lot area per dwelling unit required by the zoning district or districts in which the area is located, then multiplied by one hundred fifteen (115) percent. (In the R-2 District, the one-family dwelling requirement shall apply.) Net development area shall be determined by subtracting the area set aside for churches and schools, if any, and deducting the area actually proposed for streets from the gross development area. The area of land set aside for common land, open space, or recreation shall be included in determining the number of dwelling units permitted.
The maximum number of multiple dwelling units permitted in the R-5 development shall be determined by the zoning district in which the development is located as follows:

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Percentage of Total Dwelling Units Permitted as Multiples</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1</td>
<td>25</td>
</tr>
<tr>
<td>R-2</td>
<td>50</td>
</tr>
<tr>
<td>R-3</td>
<td>100</td>
</tr>
<tr>
<td>R-4</td>
<td>100</td>
</tr>
</tbody>
</table>

If the development area contains two (2) or more different zoning classifications, the number of dwelling units permitted shall be determined in the direct proportion to the area of each zoning classification contained in the entire tract.

F. The Council may make the approval of the development plan contingent upon the completion of construction and improvements within a reasonable period of time; provided, however, that in the determination of such period, the Council shall consider the scope and magnitude of the development project and any schedule of construction and improvements submitted by the developer. Failure to complete all construction and improvements within said period of time shall be deemed sufficient cause for the Council to rezone the unimproved property to the classification effective at the time of original submission of the development plan, unless an extension as recommended by the Commission and approved by the Council for due cause shown. Any proposed change in the development plan after approval by the Council shall be resubmitted and considered in the same manner as the original proposal. The term "unimproved" property shall mean all property situated within a stage or stages of the final development plan upon which the installation of improvements has not been commenced.

G. In no event shall the installation of any improvements be commenced in the second or subsequent stages of the final development plan until such time as ninety (90) percent of all construction and improvements have been completed in any prior stage of such plan.
SECTION 15 - "C-1" COMMUNITY COMMERCIAL DISTRICT

The "C-1" District is designed to provide space for the general retail and professional office uses, and efficient development of major retail shopping areas. The uses permitted are intended to accommodate both the general retail consumer and the needs and services of the automobile traveling consumer.

A. Principal Permitted Uses

Only the uses of structures or land listed in this section shall be permitted in the "C-1" District.

1. Hospitals, clinics, group medical centers, or the office of a doctor, dentist, osteopath, or similar profession.

2. Business and professional offices including the following: law, engineering, real estate, insurance, and similar uses.

3. Funeral homes or mortuaries.

4. Personal service businesses such as beauty and barber shops, shoe repair and similar uses.

5. Retail business or service establishments such as the following:
   a. Animal hospital
   b. Antique shops
   c. Apparel shops
   d. Art shops
   e. Baby and childrens’ stores
   f. Bakeries or bakery outlets - retail sales only
   g. Bicycle shops, sales and repairs.
   h. Book stores
   i. Bowling alleys
   j. Camera stores
k. Clothes cleaning and laundry pickup stations
l. Clubs and lodges
m. Collection office of public utility
n. Confectionery stores, including ice cream or snack bars
o. Dairy stores - retail only
p. Delicatessens
q. Dance studios
r. Drug stores
s. Dry goods stores
t. Florist shops and greenhouses
u. Furniture store
v. Funeral homes
w. Gas stations
x. Gift shop
y. Golf driving range and miniature golf course
z. Grocery stores including supermarkets
aa. Hardware stores
bb. Hobby shops
cc. Hotel/Motel
dd. Household appliances - sales and repair
e. Jewelry stores and watch repair shops
ff. Key shops
gg. Launderettes, coin-operated dry cleaning establishments, and dry cleaning or pressing establishments

hh. Meat market for storage and retail sales only

ii. Leather goods store

jj. Medical, dental, osteopathic and clinics

kk. Music stores

ll. Music studios

mm. Paint and wallpaper stores

nn. Photographic studios

oo. Plumbing, heating and air conditioning shops

pp. Postal substations

qq. Public buildings and utilities including administrative and sales offices, equipment storage buildings, and enclosed storage

rr. Professional offices

ss. Printing shops

tt. Radio and television sales and repair shops

uu. Real estate, insurance and financial institutions

vv. Restaurants, night clubs, cafes, taverns

ww. Shoe and hat repair shops

xx. Sporting goods stores

yy. Tailor and dressmaking shops

zz. Toy stores

aaa. Variety stores

bbb. Wholesale display and sales room
B. Permitted Accessory Uses

1. Storage of merchandise incidental to the principal use, but not to exceed forty (40) percent of the floor area utilized for such use.

2. Signs, on site. See Section 22.

C. Bulk Regulations

The following minimum requirements shall be observed subject to the modifications contained in Section 20.

1. Lot area: No minimum.

2. Lot Width: No minimum.

3. Front Yard: 30 feet; when fronting on the right-of-way of a major thoroughfare shown on the Official Major Street Plan, the front yard shall be measured from the proposed right-of-way line.

4. Side Yards: No minimum shall apply except where side yard is adjacent to an "R" District in which case the yard shall be at least 15 feet.

5. Rear Yard: 30 feet

6. Maximum Height: 40 feet

7. Maximum Number of Stories: 3 stories

D. Off-Street Parking and Loading

See Section 21.

E. Minimum Open Space

The total land area devoted to open space and landscaping shall not be less than ten (10) percent of the gross land area included in the building lot. Such open space shall be maintained as grassed and landscaped area and shall not include access drives, parking areas, structures or buildings; except ornamental structures included as part of the landscaping theme.
F. Site Plan Requirements

See Section 23.

SECTION 16 - "C-2" CENTRAL BUSINESS DISTRICT

The "C-2" District is intended to accommodate the variety of retail stores and related activities which occupy the prime area within the Central Business District. No property shall be zoned "C-2" Commercial unless it lies adjacent to property zoned "C-2" Commercial as a part of the Central Business District.

A. Principal Permitted Uses

1. Any use permitted in the "C-1" District.

2. Dwelling unit(s) in principal structure provided the dwelling unit(s) occupies the upper story of the principal structure only. No dwelling unit(s) are allowed on the main floor of the principal structure.

B. Permitted Accessory Uses

1. Accessory uses permitted in the "C-1" District.

2. Signs, on site. See Section 22.

C. Bulk Regulations

The following minimum requirements shall be observed subject to the modifications in Section 20.

1. Lot Area: None

2. Front Yard: None

3. Side Yard: None except where side yard is adjacent to an "R" District, in which case the yard shall be at least 15 feet.

4. Rear Yard: None

5. Maximum Height: 40 feet.

6. Maximum Number of Stories: 3 stories.
D. Off-street Parking and Loading

None required.

E. Site Plan Requirements

See Section 23

SECTION 17 - "C-3" HIGHWAY COMMERCIAL

The "C-3" District is intended to provide for general commercial areas that serve the highway traveling public. The uses permitted are intended to accommodate both the local consumer and the automobile traveling public.

The district regulations for the C-3 Highway Commercial District are as follows:

A. Permitted Principal Uses and Structures.

1. Animal hospital, veterinary clinics/kennels.
2. Automotive display, sales, service and repair.
3. Boats, motors, travel trailers and mobile home display, sales, service and repair.
5. Bus terminal.
6. Car sales.
7. Car washes.
8. Dance hall and skating rink.
9. Drive-in eating and drinking establishment.
10. Drive-in bank.
11. Dry cleaners or laundry.
12. Dwelling unit above a store or shop.
13. Farm implement display, sales, service and repair.

15. Greenhouse and plant nursery.


17. Monument sales.

18. Miniature golf courses and driving ranges.

19. Motel, hotel or tourist campground.

20. Printing, publishing and engraving.

21. Railroads and public utilities but not including storage or maintenance yards and buildings.

22. Restaurant, night club, cafe or tavern.

23. Retail businesses.

24. Truck stops.

B. **Permitted Accessory Uses and Structures.** Following are the permitted accessory uses and structures allowed in the C-3 Highway Commercial District:

1. Uses and structures clearly incidental and necessary to their permitted principal uses or structures of this district.

2. Storage warehouses in conjunction with the permitted principal uses or structures of this district.

3. Temporary buildings used in conjunction with construction work, provided that such buildings are removed promptly upon completion of the construction work.

4. Signs, on site. See Section 22.

C. **Bulk Regulations.** The following minimum requirements shall be observed subject to the modifications contained in Section 20.

1. Lot Area: No minimum.

2. Lot Width: No minimum.
3. Front yard: 30 feet; when fronting on the right-of-way of a major thoroughfare shown on the Official Major Street Plan, the front yard shall be measured from the proposed right-of-way line.

4. Side Yard: 10 feet, except where side yard is adjacent to an "R" District in which case the yard shall be at least 15 feet.

5. Rear Yard: 30 feet.

6. Maximum Height: 40 feet.

7. Maximum Number of Stories: 3 stories.

D. Off-Street Parking and Loading.

See Section 21.

E. Minimum Open Space. The total land area devoted to open space and landscaping shall not be less than ten (10) percent of the gross land area included in the building lot. Such open space shall be maintained as grassed and landscaped area and shall not include access drives, parking areas, structures or buildings; except ornamental structures included as part of the landscaping theme.

F. Site Plan Requirements.

See Section 23.

SECTION 18 - "M-1" LIGHT INDUSTRIAL DISTRICT

The "M-1" District is intended and designed to provide for increased flexibility in the location of certain manufacturing and industrial uses while maintaining protection for nearby residential districts. It allows selected industries of a non-nuisance character to locate in areas within reasonable proximity of residential uses. The "M-1" District is characterized by large lots, with landscaped grounds and ample provisions for off-street parking and loading spaces, and structures generally one or two stories in height.

A. Principal Permitted Uses

Only the uses of structures or land listed in this section shall be permitted in the "M-1" District, provided, however, that all manufacturing, assembling, compounding, processing, packaging or other comparable treatment, including storage of any and all materials and equipment shall take place within completely enclosed buildings, except for parked motor vehicles and off-street parking and
loading as required by Section 21. No dwelling or dwelling unit is permitted except those for employees having duties in connection with any premises requiring them to live on said premises, including families of such employees when living with them. In addition, all open areas not used for off-street parking or loading shall be planted with grass, shrubs and trees, properly maintained, and kept free from refuse and debris.

1. Assembly of small electrical appliances, small industrial and electronic instruments and devices, radios, phonographs and television sets, including the manufacture of small accessory parts only, such as coils, condensers, transformers, crystal holders and similar products.

2. Automotive and farm implement display, sales, service and repair.

3. Commercial trade schools.

4. Compounding and packaging of drugs, pharmaceuticals, cosmetics, perfumes and toiletries.

5. Laboratories, research, experimental and testing.

6. Manufacturing, assembling, compounding, processing, packaging, or other comparable treatment of the following:

   a. Bakery goods, candy and food products.

   b. Cameras and other photographic equipment.

   c. Electric and neon signs, outdoor advertising signs.

   d. Medical, dental and drafting instruments.

   e. Musical instruments, toys, novelties, and rubber and metal hand stamps.

   f. Pottery and other ceramic products using only previously pulverized clay, and kilns fired only by electricity or gas.

   g. Products from the following previously prepared materials: bone, canvas, cellophane, cloth, rope, cord, twine, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, cardboard, plastics, natural and synthetic rubber, precious or semi-precious metals or stones, shells, textiles, tobacco, wax, wood yarns, light metal mesh, pipe, rods, strips or wire.

   h. Small precision instruments such as barometers, clocks, watches and compasses.
7. Office buildings.

8. Printing, lithographing or film processing plants.

9. Radio and television broadcasting stations and studios, but not including antennas or towers.

10. Warehouses for storage of merchandise or material in connection with the uses permitted in this District only.

11. Adult Entertainment Businesses. It is the purpose of this Ordinance to regulate adult entertainment businesses to limit their inherent adverse impact in the community while at the same time permitting lawful businesses to conduct operations in the community. The City Council finds as evidenced in other cities that the number of adult entertainment businesses is increasing and that, because of their very nature, are recognized as having serious, objectionable operational characteristics, which are magnified when located in close proximity to dwellings, churches, schools, and parks. Special regulation of adult entertainment businesses is necessary to ensure that these adverse affects will not contribute to the blighting or downgrading of the surrounding neighborhood. The City Council further finds that these regulations are necessary to protect the youth of this community from the objectionable operational characteristics of such businesses by restricting their location. The City Council further finds that these regulations are necessary to protect the health, safety and general welfare of all residents of the community.

a. Limitations on Adult Entertainment Businesses: Adult entertainment businesses shall be subject to the following restrictions and no person shall cause or permit the establishment of any adult entertainment business contrary to said restrictions:

1) No adult entertainment business shall be open for business between the hours of twelve (12) midnight and six (6) a.m.

2) An adult entertainment business shall not be allowed within five hundred (500) feet of another existing adult entertainment business.

3) An adult entertainment business shall not be located within five hundred (500) feet of any residentially zoned district.

4) An adult entertainment business shall not be located within one thousand (1,000) feet of a pre-existing school, public park, or church.
5) Measurements shall be made in a straight line, without regard to intervening structures or objects, from the main entrance of such adult entertainment business to the point on the property line of such other business, school, church, public park or areas zoned for residential use which is closest to the said main entrance of such adult entertainment business.

b. Prohibited Activities of Adult Entertainment Businesses:

1) No adult entertainment business shall employ any person under eighteen (18) years of age.

2) No adult entertainment business shall furnish any merchandise or services to any person who is under eighteen (18) years of age.

3) No adult entertainment business shall be conducted in any manner that permits the observation of any model or any material depicting, describing or relating to specified sexual activities or specified anatomical areas by display, decoration, sign, show window or other opening from any public way or from any property not licensed as an adult use. No operator of an adult entertainment business or any officer, associate, member, representative, agent, owner, or employee of such business shall engage in any activity or conduct or permit any other person to engage in any activity of conduct in or about the premises which is prohibited by this Ordinance or any laws of the State.

4) No part of the interior of the adult entertainment business shall be visible from any pedestrian sidewalk, walkway, street, or other public or semi-public area.

5) An adult entertainment business shall post a sign at the entrance of the premises which shall state the nature of the business and shall state that no one under the age of eighteen (18) years is allowed on the premises. This Section shall not be construed to prohibit the owner from establishing an older age limitation for coming on the premises.

6) Except as hereinafter provided no person shall intentionally expose those parts of his or her body hereinafter listed to another in any public place, or in any place where such exposure is seen by another person or persons located in any public area.

a) A woman's nipple, the areola thereof, or any portion of the female breast at or below the nipple thereof, except as necessary in the breast feeding of a baby.
b) The pubic hair, pubes, perineum, or anus of a male or female, the penis of scrotum of a male, or the vagina of a female, excepting such body parts of prepubescent infants of either sex.

c. Establishment of adult entertainment businesses shall include the opening of such business as a new business, the relocation of such business, or the conversion of an existing business location to any of the uses described in Section 3.

d. Special Use Permit: The adult entertainment businesses may be permitted subject to approval by the City Council after public hearing. In its determination upon the particular use at the location requested, the Council shall consider all of the following provisions:

1) That the proposed location, design, construction and operation of the particular use adequately safeguards the health, safety and general welfare of persons residing or working in adjoining or surrounding property;

2) That such use shall not impair an adequate supply of light and air to surrounding property;

3) That such use shall not unduly increase congestion in the streets or public danger of fire and safety;

4) That such use shall not diminish or impair established property values in adjoining or surrounding property; and

5) That such use shall be in accord with the intent, purpose and spirit of this Ordinance and the Comprehensive Plan of the City of Woodward.

6) Applications for an adult entertainment business under the terms of this Section shall be accompanied by evidence concerning the feasibility of the proposed request and its effect on surrounding property and shall include a site plan defining the areas to be developed for buildings and structure, the areas to be developed, for parking, the locations and driveways and the points of ingress and egress, the location and height of walls, the location and type of landscaping, the location, size and number of signs and the manner of providing water supply and sewage treatment facilities.

B. Permitted Accessory Uses

1. Accessory uses of land or structures customarily incidental and subordinate to any of the above principal uses.
2. Dwellings for watchman or caretaker.

3. Employee cafeteria or other food concession in conjunction with permitted use.

C. Bulk Regulations

The following minimum requirements shall be observed subject to the modifications contained in Section 20.

1. Front Yard: 30 feet; when fronting on the right-of-way of a major thoroughfare shown on the Official Major Street Plan, the front yard shall be measured from the proposed right-of-way line.

2. Side Yard: None required except when adjacent to an "R" or "C" District or street right-of-way line, a side yard of 25 feet shall be required.

3. Rear Yard: 30 feet, unless the rear lot line adjoins a railroad right-of-way, in which case, none required.

4. Maximum Height: 30 feet

5. Maximum Number of Stories: 2 stories

D. Off-Street Parking and Loading

See Section 21.

E. Minimum Open Space

The total land area devoted to open space and landscaping shall not be less than ten (10) percent of the gross land area included in the building lot. Such open space shall be maintained as grassed and landscaped area and shall not include access drives, parking areas, structures or buildings; except ornamental structures included as part of the landscaping theme.

F. Site Plan Requirements

See Section 23.
SECTION 19 - "M-2" HEAVY INDUSTRIAL DISTRICT

In the "M-2" District, the following regulations shall apply, except as otherwise provided herein:

A. Principal Permitted Uses

1. Uses permitted in the "M-1" District, provided that no dwelling unit is permitted except those for employees having duties in connection with any premises requiring them to live on said premises, including families of such employees when living with them.

2. Any other use not otherwise prohibited by law; provided, however, that the following uses shall be permitted subject to approval by the City Council after public hearing, and after report and recommendation by the Planning and Zoning Commission. The City Council shall consider all the following provisions in its determination upon the particular use at the location requested:

   a. That the proposed location, design, construction and operation of the particular use adequately safeguards the health, safety and general welfare of persons residing or working in any adjoining or surrounding property;

   b. That such use shall not impair an adequate supply of light and air to surrounding property;

   c. That such use shall not unduly increase congestion in the streets, or public danger of fire and safety;

   d. That such use shall not diminish or impair established property values in adjoining or surrounding property; and

   e. That such use shall be in accord with the intent, purpose, and spirit of this Ordinance and the Comprehensive Plan of the City. No permit will be issued in "M-2" District, other than the requirements listed in "M-1", except as specifically approved by the City Council.

3. Signs, on-site. See Section 22.

B. Required Conditions

1. The best practical means known for the disposal of refuse matter or water-carried waste, the abatement of obnoxious or offensive odor, dust, smoke, gas, noise, or similar nuisance shall be employed.
2. All principal buildings and all accessory buildings or structure, including loading and unloading facilities, shall be located at least one hundred (100) feet from any "R" District boundary, except where adjoining a railroad right-of-way. In addition to the above separation, there shall be maintained between said use and adjoining "R" District, a wall or fence or landscape buffer of evergreen plants in combination with or without an earthen berm.

C. Bulk Regulations

The following requirements shall be observed subject to the modifications contained in Section 20.

1. Lot Area: No minimum

2. Lot Width: No minimum

3. Front Yard: 30 feet; when fronting on the right-of-way of a major thoroughfare shown on the Official Major Street Plan, the front yard shall be measured from the proposed right-of-way line.

4. Side Yard: None required except adjacent to an "R" District in which case not less than 100 feet as specified in paragraph (B) of this section.

5. Rear Yard: 30 feet; unless adjoining a railroad in which no rear yard is required.

6. Maximum Height: No limit

D. Off Street Parking and Loading

See Section 21.

E. Minimum Open Space

The total land area devoted to open space and landscaping shall not be less than ten (10) percent of the gross land area included in the building lot. Such open space shall be maintained as grassed and landscaped area and shall not include access drives, parking areas, structures or buildings; except ornamental structures included as part of the landscaping theme.

F. Site Plan Requirements

See Section 23.
SECTION 20 - EXCEPTIONS, MODIFICATIONS AND INTERPRETATIONS

A. Structures Permitted Above Height Limit

No permit will be issued for any structure above district height limits, except as specifically approved by the City Council.

B. Double Frontage Lots

Buildings on through lots and extending through from street to street shall provide the required front yard on both streets.

C. Rear and Side Yards Adjacent to Alleys

In computing the depth of a rear yard or the width of a side yard where the rear or side yard opens to an alley, one-half (1/2) of the alley width may be included as a portion of the rear or side yard as the case may be.

D. 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, and except for ordinary projections not to exceed thirty (30) inches, including roof overhang.

E. Billboards

No permit will be issued for any billboards except as specifically approved by the City Council.

F. Front Yard - Exceptions

In areas where some lots are developed with a front yard that is less than the minimum required for the district by this Ordinance or where some lots have been developed with a front yard greater than required by this Ordinance, the following rule shall apply. Any new building or addition in front thereof shall not be closer to the street right-of-way than the average of the front yard of the first building on each side within a distance of two hundred (200) feet measured from building to building, except as follows:

1. Buildings located entirely on the rear half of a lot shall not be counted.

2. No building shall be required to have a front yard greater than fifty (50) feet.
3. If no building exists on one side of a lot within two hundred (200) feet of the lot in question, the minimum front yard shall be the same as the building on the other side.

G. Zoning and Annexed Areas

Any land annexed to the City after the effective date of this Ordinance shall be zoned "A-1" Agricultural until the Planning and Zoning Commission and City Council shall have studied the area and adopted a final zoning plan for the area in accordance with Section 27 of this Ordinance.

H. Exceptions to Prohibited Uses

The City Council of Woodward, Iowa may, by special 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 in accordance with Section 363.3 Code of Iowa, in advance of hearing by placing notices in the United States mail.

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 shall be set back from all yard lines a distance of not less than two (2) feet for each foot of building height but not less than the yard requirements for the district in which located.

5. Public cemetery.

Before issuance of any special permit for any of the above buildings or uses, the City Council shall refer the proposed application to the Planning and Zoning Commission, which Commission shall 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 above referred to until and unless the report of the Planning and Zoning Commission has been filed.
1. **Water and Sewer Requirements**

   In any district in which residences are permitted, except the A-1 District, and where neither public water supply nor public sanitary sewer is available, the minimum lot area and frontage requirements shall be as follows:

   1. Lot area - one acre (43,560 square feet): lot width at building line - one hundred fifty (150) feet, provided, however, that where a public water supply system is available these requirements shall be twenty thousand (20,000) square feet and one hundred (100) feet, respectively.

   2. The above requirements shall not apply in subdivision developments providing private water supply and sewage collection and disposal systems which have been approved by the Iowa Department of Natural Resources.

   3. In all districts where a proposed building, structure or use will involve the use of sewage facilities, and public sewer and/or water is not available, the sewage disposal system and domestic water supply shall comply with all of the requirements and standards of the Dallas County Board of Health.

J. **Use of Existing Lots of Record**

   In any district where dwellings are permitted, a single family dwelling may be located on any lot of record as of the effective date of this ordinance irrespective of its area or width; provided however:

   1. The sum of the side yard widths of any such lot or plot shall not be less than twenty (20) percent of the width of the lot, but in no case less than ten (10) percent of the width of the lot or five (5) feet, whichever is greater, for any one side yard.

   2. The depth of the rear yard of any such lot need not exceed twenty (20) percent of the depth of the lot, but in no case less than twenty (20) feet.

   3. Where such a lot is a corner lot, the width on the longer street side of the corner lot shall not be less than seventy-five (75) percent of the front yard required on the lot to the rear if there is a reverse frontage of the corner lot.
SECTION 21 - PARKING AND LOADING AREAS

A. Off-Street Loading Spaces Required

In any C or M District, in connection with every building or part thereof hereafter erected, having a gross floor area of ten thousand (10,000) square feet or more, which is to be occupied by manufacturing, storage, warehouse, goods display, retail store, wholesale store, market, hotel, hospital, mortuary, laundry, dry cleaning or other uses similarly requiring the receipt of distribution by vehicles or material or merchandise, there shall be provided and maintained on the same lot with such building, at least one (1) additional such loading space for each twenty thousand (20,000) square feet or major fraction thereof of gross floor area so used in excess of ten thousand (10,000) square feet.

1. Each loading space shall be not less than ten (10) feet in width and twenty-five (25) feet in length.

2. Such space may occupy all or any part of any required yard or court space.

B. Off-Street Parking Area Required

In all 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:

1. Automobile sales and service garages - one (1) parking space for each six hundred (600) square feet of gross floor area.

2. Banks, business and professional offices - fifty (50) percent of floor area.

3. Barber shops and beauty parlors - Two (2) spaces per operator.


5. Churches and schools - one (1) space for each eight (8) seats in a principal auditorium. When no auditorium is involved, one (1) space for every two (2) employees.

6. Dance halls, assembly halls, skating rinks - one (1) parking space for each one hundred fifty (150) square feet of floor area used for dancing or assembly or one (1) space for every four (4) seats.

7. Day care centers, nursery schools - one (1) parking space for every two (2) staff members, plus stacking space for three (3) vehicles.
8. Drive-up financial offices - with no walk-up facilities, one (1) parking space per two (2) employees plus three (3) staking spaces per teller.

   Duplex family dwelling - four parking spaces accessible to the street.
   Multi-family dwelling - for each 1 bedroom unit - 1-1/2 parking spaces; for each 2 bedroom unit or larger - 2 parking spaces.

10. Financial, business and professional offices - one (1) parking space for each four hundred (400) square feet of gross floor area, but in no case less than five (5) parking spaces.

11. Fraternity or sorority houses - one (1) parking space for each two (2) persons residing on the premises.

12. Funeral homes, mortuaries - one (1) parking space for each five (5) seats in the principal auditorium.

13. Furniture and appliance stores, tailors, household equipment, furniture, TV and radio, and shoe repair shops - one (1) parking space for each six hundred (600) square feet of gross floor area, with a minimum of three (3) spaces.

14. Game rooms, pool halls and billiard parlors - one and one-half (1-1/2) parking spaces for each one hundred (100) square feet of gross floor area for any establishment other than one with a liquor license or beer permit.

15. Hospitals - one (1) space for each four (4) beds.

16. Hotels, lodging houses - one (1) space for each two (2) bedrooms.

17. Housing for the elderly or handicapped - one (1) space for every two (2) units.

18. Kennels, animal grooming shops - one (1) space per doctor plus one (1) space per employee, plus one (1) space for every four Hundred (400) square feet excluding dog confinement area.

19. Manufacturing plants - one (1) space for each two (2) employees on the maximum working shift.

20. Mini-warehouse - one (1) space for each ten (10) storage spaces, stalls or lockers equally distributed throughout the storage area; plus (1) one space for any caretaker’s quarters; plus five (5) spaces located at or near the project office for the use of prospective customers.
21. Nursing care homes, supervised group residences and correctional placement residences - one (1) space per eight (8) beds, plus one (1) space per two (2) non-resident supervisors or employees, plus one (1) space per resident supervisor or employee.

22. Printing and plumbing shops - three (3) spaces plus one (1) space per two (2) employees.

23. Restaurants, taverns and night clubs - one (1) parking space for each one hundred fifty (150) square feet of gross floor area.

24. Retail stores, shops, super markets, etc.

<table>
<thead>
<tr>
<th>Size in Square Feet</th>
<th>Parking Space Required per Square Foot of Gross Floor Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-4000 (without gas sales)</td>
<td>1 space per 400</td>
</tr>
<tr>
<td>0-4000 (with gas sales)</td>
<td>1 space per 300</td>
</tr>
<tr>
<td>4,001-25,000</td>
<td>1 space per 200</td>
</tr>
<tr>
<td>25,001-400,000</td>
<td>1 space per 250</td>
</tr>
<tr>
<td>400,001-600,000</td>
<td>4.5 spaces per 1,000</td>
</tr>
<tr>
<td>Over 600,000</td>
<td>1 space per 200</td>
</tr>
</tbody>
</table>

25. Schools
   a. Elementary and intermediate - one (1) space for each two (2) employees, plus ten (10) spaces for visitors.
   b. High school - one (1) space for each two (2) employees, plus one (1) space for every ten (10) students.
   c. Business, trade, and others - one (1) space for every two (2) employees, plus one (1) space for every five (5) students.

26. Sports arenas, auditoriums, other than in schools - one (1) parking space for each six (6) seats.

27. Theaters, assembly halls with fixed seats - one (1) parking space for each six (6) seats.

28. Wholesale establishments or warehouses - one (1) space per five thousand (5,000) square feet of gross floor area for the first one hundred thousand (100,000) square feet plus one (1) space per ten thousand (10,000) square feet of gross floor area over one hundred thousand (100,000) square feet, or one (1) space for each three (3) employees, whichever is greater.

Handicapped parking shall be provided in accordance with state requirements.
In case of any building, structure, or premises, the use of which is not specifically mentioned herein, requirements for a use which is so mentioned and to which said use is similar shall apply.

Every parcel of land hereafter used as a public or private parking area, including a commercial parking lot, shall be developed and maintained in accordance with the following requirements:

a. No part of any parking space shall be closer than five (5) feet to any established street right-of-way or alley line. In case the parking lot adjoins an "R" District, it shall be set back at least twenty-five (25) feet from the "R" District boundary and shall be effectively screen planted.

b. Any off-street parking area, including any commercial parking lot shall be surfaced with an asphaltic or portland cement binder pavement.

c. Any lighting used to illuminate any off-street parking area including any commercial parking lots, shall be so arranged as to reflect the light away from adjoining premises in any "R" District.

Off-street parking areas may be established in any "R" District that immediately joins a "C" or "M" District, provided such parking shall be accessory to and for use of one or more business or industrial establishments located in the adjoining "C" or "M" District; provided, however, that such transitional use shall not extend more than one hundred (100) feet from the boundary of the less restricted zone.

A twenty-five (25) foot screen planted or wood fenced landscaped yard shall be maintained between said parking areas and adjoining lots in residential districts. Said screen planting or wood fence shall be located between the parking area and the landscaped yard, shall obscure the activity, be at least six (6) feet in height and be maintained in good condition. A masonry wall or other suitable fence may be substituted for the wood fence.

When visible from a public street or land zoned for residential use, the interior of such parking areas shall be developed as follows:

a. Not less than five (5) percent shall be landscaped and continuously maintained.

b. Planting along the perimeter of a parking area, whether required for screening or general beautification will not be considered as part of the five (5) percent interior landscaping.
Parking spaces required shall be provided in accordance with the following requirements:

a. Each required parking stall shall not be less than nine (9) feet in width and not less than nineteen (19) feet in length.

b. Maneuvering space required is the aisle width necessary to permit the safe and convenient parking of a motor vehicle and is based on the degree of angle parking provided. Aisles shall be provided as shown in Attachment A illustrations.

If the degree of angle of parking provided is not listed above, the aisle width required shall be the next largest angle of parking shown above.

SECTION 22 - SIGNAGE

For the purpose of this Ordinance, sign area shall be interpreted and used as follows:

Signs Permitted in All Zoning Districts: Signs hereinafter designated shall be permitted in all zoning districts:

A. Temporary Signs:

1. Real Estate Signs: Signs advertising the sale, rental, or lease of the premises or part of the premises on which the signs are displayed. One non-illuminated sign, not to exceed eight (8) square feet, shall be permitted on each premises. Such signs shall not extend higher than four (4) feet above grade level or be closer than ten (10) feet to any property line unless located on the wall of a building. Such signs shall be removed within seven (7) days after the disposition of the premises.

2. Construction Signs: Signs identifying the architect, engineer, contractor or other individuals involved in the construction of a building and such signs announcing the character of the building enterprise or the purpose for which the building is intended but not including product advertising. One non-illuminated sign not to exceed fifty (50) square feet, shall be permitted per street frontage. Such sign shall not extend higher than ten (10) feet above grade level or be closer than ten (10) feet to any property line unless located on the wall of a building on the premises or on a protective barricade surrounding the construction. Such signs shall be removed within one week following completion of construction.
3. **Political Campaign Signs**: Signs announcing candidates seeking public political office or pertinent political issues. Such signs shall be confined to private property and shall be removed within one week following the election to which they pertain.

4. **Street Banners**: Signs advertising a public event providing that specific approval is granted under regulations established by the City Council.

5. **Seasonal Decorations**: Signs pertaining to recognized national holidays and national observances.

6. **Personal Announcement and Celebration Signs**: Signs announcing births, anniversaries, weddings and similar celebrations.

7. Banners, balloons and posters advertising an opening or closing of business and for special events providing that specific approval is granted by the City Council.

B. **Public Signs**: Signs of a non-commercial nature and in the public interest, erected by or upon the order of a public officer in the performance of public duty, such as safety signs, danger signs, trespassing signs, traffic signs, memorial plaques, signs of historical interest and other similar signs, including signs designating hospitals, libraries, schools and other institutions or places of public interest or concern.

C. **Integral Signs**: Signs for churches or temples, or names of buildings, dates of erection, monumental citations, commemorative tablets and other similar signs when carved into stone, concrete or other building material or made of bronze, aluminum, or other permanent type of construction and made an integral part of the structure to which they are attached.

D. **Window Signs**: Such signs which are displayed inside of a window or within a building, provided however, that lighted window signs shall be permitted only in those districts where lighted signs are permitted.

**Prohibited Signs**: Signs hereinafter designated shall be prohibited in all zoning districts:

A. **Obsolete Signs**: Signs that advertise an activity, business, product or service no longer conducted on the premises on which the sign is located.

B. **Banners, Balloons, Posters, etc.**: Signs which contain or consist of banners, balloons, posters, pennants, ribbons, streamers, spinners, or other similarly moving devices, except as specifically provided in Section 22.A.4. hereof.

C. **Portable Signs.** Commercial signs that are not permanently anchored or secured to either a building or the ground.
D. **Off-Premise Signs on Public Property:** Off-premise signs located on public property which is being used for public purposes.

E. **Flashing Signs:** No flashing, blinking, or rotation lights shall be permitted for either permanent or temporary signs, except time and temperature signs and brief public announcement signs.

F. **Moving Signs:** No sign shall be permitted any part of which moves by any mechanical or electronic means except as approved by the City Council.

G. **Painted Wall Signs:** Off-premise signs painted on building walls for commercial purposes.

**General Sign Regulations:**

A. **Conformance Required:** Except as may be hereinafter specified, no sign shall be erected, placed, maintained, converted, enlarged, reconstructed or structurally altered which does not comply with all of the regulations established by this ordinance.

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

C. **Non-Conforming Signs:** Where a sign 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, use, height, setback, or other characteristics of the sign or its location on the lot, such sign may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No such sign may be enlarged or altered in any way which increases its non-conformity; however, reasonable repairs and alterations may be permitted.

2. Should such sign be destroyed by any means to an extent of fifty (50) percent or more of its replacement cost at time of destruction, it shall not be reconstructed except in conformity with the provisions of this ordinance.

D. **Permit Required:** A sign permit, signed by the owner and tenant, and approved by the Administrative Official, shall be required before the erection, construction, alteration, placing, or locating of all signs conforming with this ordinance.

E. **Permit Not Required.** A permit shall not be required for repainting without changing permanent wording, composition, or colors; or for non-structural repairs.
F. **Plans:** A copy of plans and specifications shall be submitted to the Administrative Official for each sign regulated by this ordinance. Such plans shall show sufficient details about size of the sign, location and materials to be used and such other data as may be required for the Administrative Official to determine compliance with this ordinance.

G. **Appeal:** Any person or persons aggrieved by the decision of the Administrative Official to approve or disapprove a sign permit, as provided by this ordinance, may appeal such decision to the Board as provided by Section 25 of this ordinance.

**Sign Area:** The area using actual dimensions, excluding air space, painted background, or the supporting structure which does not form a part of the sign proper or the display. The area of a sign composed of characters or words attached directly to a building or wall surface shall be the sum of the smallest rectangles which enclose the individual characters, numerals, or letters.

"A-1" Agricultural District

**Signs:** As listed and in accordance with the provisions of the schedule and general regulations below:

A. One (1) portable sign per street front not to exceed a total of eighteen (18) square feet in area, with a maximum of two (2) sides of nine (9) square feet each per side, appertaining only to the lease, hire or sale of the building or premises on which such sign is located, and one (1) nameplate only not exceeding one (1) square foot in area, provided that no such sign or nameplate shall emit any flickering, flashing or glaring light. Outdoor bulletin boards for churches, schools, and other public buildings will be permitted on the premises of such use, subject to approval of the Planning and Zoning Commission. One permanent identification sign shall be permitted on the premises of any residential subdivision. Such sign shall not exceed one hundred (100) square feet in surface area with a maximum of two (2) sides of fifty (50) square feet per side.

B. Political campaign signs not to exceed twelve (12) square feet in area will be permitted. The signs shall be removed within one week following election to which they pertain.
"R-1" Single Family Residential District

Signs.: As listed and in accordance with the provisions of the schedule and general regulations below.

A. One (1) portable sign per street front not to exceed a total of eighteen (18) square feet in area, with a maximum of two (2) sides of nine (9) square feet each per side, appertaining only to the lease, hire or sale of the building or premises on which such sign is located, and one (1) nameplate only not exceeding one (1) square foot in area, provided that no such sign or nameplate shall emit any flickering flashing or glaring light. Outdoor bulletin boards for churches, schools, and other public buildings will be permitted on the premises of such use, subject to approval of the Planning and Zoning Commission.

B. Political campaign signs not to exceed twelve (12) square feet in area will be permitted. The signs shall be removed within one (1) week following election to which they pertain.

"R-2" One And Two Family Residential District

Signs. As listed and in accordance with the provisions of the schedule and general regulations below.

A. One (1) portable sign per street front not to exceed a total of eighteen (18) square feet in area, with a maximum of two (2) sides of nine (9) square feet each per side, appertaining only to the lease, hire or sale of the building or premises on which such sign is located, and one (1) nameplate only not exceeding one (1) square foot in area, provided that no such sign or nameplate shall emit any flickering, flashing or glaring light. Outdoor bulletin boards for churches, schools, and other public buildings will be permitted on the premises of such use, subject to approval of the Planning and Zoning Commission. One permanent identification sign shall be permitted on the premises of a subdivision development. Such sign shall be of ornamental metal, stone, masonry, or other permanent material and shall indicate only the name of such a development. Such sign shall not exceed one hundred (100) square feet in surface area with a maximum of two (2) sides of fifty (50) square feet per side. One permanent identification sign shall be permitted on the premises of a subdivision development. Such sign shall be of ornamental metal, stone, masonry, or other permanent material and shall indicate only the name of such a development. Such sign shall not exceed one hundred (100) square feet in surface area with a maximum of two (2) sides of fifty (50) square feet per side.

B. Political campaign signs not to exceed twelve (12) square feet in area will be permitted. The signs shall be removed within one (1) week following election to which they pertain.
C. One identification sign appertaining to customary home occupations will be permitted. Such sign shall not exceed nine (9) square feet in surface area.

"R-3 Multi-family Residential District"

Signs: As listed and in accordance with the provisions of the schedule and general regulations below.

A. One (1) portable sign per street front not to exceed a total of eighteen (18) square feet in area, with a maximum of two (2) sides of nine (9) square feet each per side, appertaining only to the lease, hire or sale of the building or premises on which such sign is located, and one (1) nameplate only not exceeding one (1) square foot in area, provided that no such sign or nameplate shall emit any flickering, flashing or glaring light. Outdoor bulletin boards for churches, schools, and other public buildings will be permitted on the premises of such use, subject to approval of the Planning and Zoning Commission. One permanent identification sign shall be permitted on the premises of any multiple-family dwelling complex. Such sign shall be of ornamental metal, stone, masonry, or other permanent material and shall indicate only the name of such multiple-family complex. Such sign shall not exceed one hundred (100) square feet in surface area with a maximum of two (2) sides of fifty (50) square feet per side.

B. Political campaign signs not to exceed twelve (12) square feet in area will be permitted. The sign shall be removed within one (1) week following election to which they pertain.

C. One identification sign appertaining to customary home occupations will be permitted. Such sign shall not exceed nine (9) square feet in surface area.

"R-4" Mobile Home Residential District

Signs. As listed in accordance with the provisions of the schedule and general regulations below.

A. One (1) portable sign per street front not to exceed a total of eighteen (18) square feet in area, with a maximum of two (2) sides of nine (9) square feet each per side, appertaining only to the lease, hire or sale of the building or premises on which such sign is located. One permanent identification sign shall be permitted on the premises of any mobile home park. Such sign shall be of ornamental metal, stone, masonry, or other permanent material and shall indicate only the name of such multiple-family complex. Such sign shall not exceed one hundred (100) square feet in surface area with a maximum of two (2) sides of fifty (50) square feet per side.
B. Political campaign signs not to exceed twelve (12) square feet in area will be permitted. The signs shall be removed within one (1) week following election to which they pertain.

"R-5" Planned Unit Development District

Signs. As listed in accordance with the provisions of the schedule and general regulations below.

A. One (1) portable sign per street front not to exceed a total of eighteen (18) square feet in area, with a maximum of two (2) sides of nine (9) square feet each per side, appertaining only to the lease, hire or sale of the building or premises on which such sign is located, and one (1) nameplate only not exceeding one (1) square foot in area, provided that no such sign or nameplate shall emit any flickering, flashing or glaring light. Outdoor bulletin boards for churches, schools, and other public buildings will be permitted on the premises of such use, subject to approval of the Planning and Zoning Commission. One permanent identification sign shall be permitted on the premises of a planned unit development. Such sign shall not exceed one hundred (100) square feet in surface area with a maximum of two (2) sides of fifty (50) square feet per side.

B. Political campaign signs not to exceed twelve (12) square feet in area will be permitted. The signs shall be removed within one (1) week following election to which they pertain.

"C-1" Community Commercial District

Signs. As listed in accordance with the provisions of the schedule and general regulations below.

A. One monument sign on each street on which a business abuts shall be permitted. An exterior sign shall pertain only to a use conducted within the building. No sign may project over a street right-of-way line (or extend more than six (6) feet over any building setback line) whether fixed to the building or any other structure. In no case shall any sign project more than four (4) feet above the roof line, or parapet wall.

B. One "free standing or post sign" on each street on which a business abuts; provided, however, that said "pole sign" shall not have a surface area greater than fifty (50) square feet on any one side thereof and not more than two (2) sides of said "post sign" shall be used for advertising purposes. The term "post sign" as herein defined shall not be deemed to include any sign advertising the trade name, merchandise or service of any person, firm, or corporation who pays a consideration for the privilege of placing, maintaining, or using any portion of said sign to the owner or occupant of the premises upon which said sign is erected or
placed. Said "pole sign" shall not extend over street right-of-way lines nor otherwise obstruct or impair the safety or pedestrian or motorists.

C. On premises roof signs shall be permitted to a maximum of one hundred fifty (150) square feet. The back of said sign shall be effectively shielded from public view by a building wall, by backing the sign against another sign face, by grouping such signs in clusters to conceal the exposed backs or by painting the exposed back a neutral color. All roof signs must adhere to the height limitations of this district.

D. The total area of all signs pertaining to the business conducted in any building shall not exceed a total area of one hundred fifty (150) square feet.

"C-2" Central Business District

Signs: As listed and in accordance with the provisions of the schedule and general regulations below.

A. One monument sign on each street on which a business abuts shall be permitted. An exterior sign shall pertain only to a use conducted with the building. No sign may project closer than four (4) feet to street curb line (or extend more than six (6) feet over any building setback line) whether fixed to the building or any other structure. In no case shall any sign project more than four (4) feet above the roof line, or parapet wall.

B. One "free standing or post sign" on each street on which a business abuts; provided, however, that said "post sign" shall not have a surface greater than fifty (50) square feet on any one side thereof and not more than two (2) sides of said "post sign" shall be used for advertising purposes. The term "post sign" as herein defined shall not be deemed to include any sign advertising the trade name, merchandise or service of any person, firm, or corporation who pays a consideration for the privilege of placing, maintaining, or using any portion of said sign to the owner or occupant of the premises upon which said sign is erected or placed. Said "post sign" shall not extend over street right-of-way lines nor otherwise obstruct or impair the safety of pedestrians or motorists.

C. On premises roof signs shall be permitted to a maximum of one hundred fifty (150) square feet. The back of said sign shall be effectively shielded from public view by a building wall, by backing the sign against another sign face, by grouping such signs in clusters to conceal the exposed backs or by painting the exposed back a neutral color. All roof signs must adhere to the height limitations of this District.

D. The total area of all signs pertaining to the business conducted in any building, shall not exceed a total area of one hundred fifty (150) square feet.
"C-3" Highway Commercial

Signs: As listed and in accordance with the provisions of the schedule and general regulations below.

A. One monument sign on each street on which a business abuts shall be permitted. An exterior sign shall pertain only to a use conducted with the building. No sign may project closer than four (4) feet to street curb line (or extend more than six (6) feet over any building setback line) whether fixed to the building or any other structure. In no case shall any sign project more than four (4) feet above the roof line, or parapet wall.

B. One "free standing or post sign" on each street on which a business abuts; provided, however, that said "post sign" shall not have a surface greater than fifty (50) square feet on any one side thereof and not more than two (2) sides of said "post sign" shall be used for advertising purposes. The term "post sign" as herein defined shall not be deemed to include any sign advertising the trade name, merchandise or service of any person, firm, or corporation who pays a consideration for the privilege of placing, maintaining, or using any portion of said sign to the owner or occupant of the premises upon which said sign is erected or placed. Said "post sign" shall not extend over street right-of-way lines nor otherwise obstruct or impair the safety of pedestrians or motorists.

C. On premises roof signs shall be permitted to a maximum of one hundred fifty (150) square feet. The back of said sign shall be effectively shielded from public view by a building wall, by backing the sign against another sign face, by grouping such signs in clusters to conceal the exposed backs or by painting the exposed back a neutral color. All roof signs must adhere to the height limitations of this District.

D. The total area of all signs pertaining to the business conducted in any building, shall not exceed a total area of one hundred fifty (150) square feet.

"M-1" Light Industrial District

Signs: As listed and in accordance with the provisions of the schedule and general regulations below.

A. One monument sign on each street on which a business abuts; provided however, that said "free standing or post sign" shall not have a surface area greater than one hundred (100) square feet on any one side thereof and not more than two (2) sides of said "pole sign" shall be used for advertising purposes. The term "post sign" as herein defined shall not be deemed to include any sign advertising the trade name, merchandise or service of any person, firm or corporation who pays a consideration for the privilege of placing, maintaining, or using any portion of said
sign to the owner or occupant of the premises upon which said sign is erected or placed. Said "post sign" shall not extend over street right-of-way lines nor otherwise obstruct or impair the safety of pedestrians or motorists.

B. One (1) premises roof sign shall be permitted to a maximum of two hundred (200) square feet. The back of said sign shall be effectively shielded from public view by a building wall, by backing the sign against another sign face, by grouping such signs in clusters to conceal the exposed backs or by painting the exposed back a neutral color. All roof signs must adhere to the height limitations of this District.

C. The total area of all signs pertaining to the business conducted in any building, shall not exceed a total area of three hundred (300) square feet.

"M-2" Heavy Industrial District

Signs: As listed and in accordance with the provisions of the schedule and general regulations listed below:

A. One "free standing or post sign" on each street on which a business abuts; provided, however, that said "post sign" shall not have a surface area greater than one hundred (100) square feet on any one side thereof and not more than two (2) sides of said "pole sign" shall be used for advertising purposes. The term "post sign" as herein defined shall not be deemed to include any sign advertising the trade name, merchandise or service of any person, firm, or corporation who pays a consideration for the privilege of placing, maintaining, or using any portion of said sign to the owner or occupant of the premises upon which said sign is erected or placed. Said "post sign" shall not extend over street right-of-way lines nor otherwise obstruct or impair the safety of pedestrians or motorists.

B. On-premises roof signs shall be permitted to maximum of two hundred (200) square feet. The back of said sign shall be effectively shielded from public view by a building wall, by backing the sign against another sign face, by grouping such signs in clusters to conceal the exposed backs or by painting the exposed back a neutral color. All roof signs must adhere to the height limitations of this District.

C. The total area of all signs pertaining to the business conducted in any building, shall not exceed a total area of three hundred (300) square feet.

SECTION 23 - SITE PLANS

A. Intent. To assure that the design and location of residential, commercial and industrial areas will be in conformance with the zoning standards of this ordinance and are properly related to and in harmony with the existing and future residential, business and industrial development of the city, including generally accepted principles of commercial, industrial, and urban design, a detailed site plan shall be
submitted showing the proposed use and development of all multiple family
residential, non-residential, commercial and industrial sites for approval by the
City Council after review and recommendation by the Planning and Zoning
Commission.

B. Procedure

1. Whenever any person, firm, corporation or other group wishes to develop any
tract, lot, or parcel of land within the City of Woodward, located in any zoning
district for all uses except single-family and two-family dwellings, such person
shall cause to be prepared a site plan of such development and shall submit ten
(10) copies of said site plan to the zoning administrator. The provisions of this
section shall also be applicable to the redevelopment, enlargement, or
extension of more than twenty-five (25) percent of any commercial or
industrial uses and structures existing at the time of adoption of this ordinance
and for all uses including single-family and two-family dwellings subject to the
R-5 regulations. The site plan shall contain such information and data as
outlined herein.

2. The zoning administrator shall review the site plan for compliance with this
ordinance and shall refer a copy of the site plan to the city engineer, or such
other person as shall be designated from time to time by the City Council, who
shall review said site plan as to its compliance with other ordinances of the city
and its effect upon public utilities and the public street system and submit
findings as soon as possible to the Planning and Zoning Commission.

3. The zoning administrator shall also forward a copy of the site plan to each
member of the Planning and Zoning Commission. The Planning and Zoning
Commission shall, after receiving the report of the engineer and the zoning
administrator, review the site plan for conformity with the regulations and
standards contained herein and may confer with the developer on changes
deemed advisable in such site plan.

4. The Planning and Zoning Commission shall forward its recommendation,
either for approval or disapproval of the site plan, to the City Council within
forty-five (45) days of the date of the submission of said site plan. If the
commission does not act within forty-five (45) days, the site plan shall be
deemed to be approved by the commission, unless the developer agrees to an
extension of time.

5. The commission may, in its discretion, hold a public hearing on the site plan of
the proposed development and prescribe the notice thereof and to whom such
notice shall be given.

-69-
6. The City Council shall, upon receipt of the recommendation of the Planning and Zoning Commission, either approve or disapprove the site plan for the proposed development.

7. No building permit or certificate of zoning compliance for any structure within any district in which a site plan is required shall be issued until the site plan has been approved as provided herein.

8. Upon final action by the Planning and Zoning Commission on any site plan, a copy of said site plan, with the action of the Planning and Zoning Commission noted thereon and signed by the chairperson of the commission, shall be filed with the city clerk.

9. If the zoning administrator finds that any construction or proposed construction or occupancy of a development on a tract of land for which a site plan has been approved will not substantially comply with the site plan as approved, or if the administrator finds that the construction and development of the tract is not being carried out in accordance with the development schedule filed with the site plan, the administrator shall suspend all building permits for the development and order all construction stopped until such time as the owner of the project, or the successors in interest, shall have provided satisfactory proof that the site plan will be complied with. The zoning administrator shall not issue a certificate of zoning compliance for any structure within the development while the permit for the development has been suspended pursuant to this paragraph. Any person aggrieved by any decision or action of the zoning administrator under this paragraph may appeal such action or decision to the Board of Adjustment.

10. If the owner or developer of a tract of land for which a site plan has been approved determines that an extension of time is necessary or that a modification of the site plan would provide for a more appropriate or more practicable development of the site, the owner may apply for an amendment of the site plan. The Planning and Zoning Commission may grant an extension of time or a modification of a previously approved site plan if it determines that such modification of the site plan would provide for a more appropriate development of the site.

C. Site Plan Review. In reviewing a proposed site plan, the City Council and the Planning and Zoning Commission shall consider the location of the buildings on the site with respect to vehicular and pedestrian traffic to and from the buildings, traffic between the site and abutting streets, suitable layout and adequate provisions for off-street parking and loading, with due consideration given to the provision of traffic islands, pedestrian ways, and landscaping within the parking area, provision for necessary screening between adjacent properties and the site, location and display of traffic signs to promote traffic patterns, location and display
of business signs so as not to distract or confuse motorists, and location and display of outdoor advertising so as to provide adequate visibility within the site during hours of night operation but not to have adverse effects on surrounding properties.

D. Site Plan Requirements. All site plans shall be drawn at a scale not less than 1" = 50'. Ten (10) copies of the site plan shall be submitted to the zoning administrator. The purpose of the site plan is to show all information needed to enable the zoning administrator, the Planning and Zoning Commission, the city engineer, and the City Council to determine if the proposed development meets the requirements of this ordinance.

E. Information Required. The site plan required shall include the following information concerning the proposed development:

1. Names of all persons having an interest in the property, legal description of the property, point of compass, scale, and date.

2. Applicant's name, planned land use, and present zoning.

3. If the applicant is other than the legal owner, the applicant's interest shall be stated.

4. Name and address of person who prepared the site plan.

F. Required Illustrations. The site plan shall clearly set forth the following information concerning the proposed development:

1. Property boundary lines, dimensions, and total area of the proposed development.

2. Contour lines of the proposed development at intervals of not more than five (5) feet. If substantial topographic change is proposed, the existing topography of the development and of the surrounding area shall be illustrated on a separate map, and the proposed finished topography shall be shown on the site plan.

3. The availability, location, size, and capacity of existing utilities and of proposed utilities.

4. The proposed location, size, height, shape, use, and architectural theme of all buildings or structures in the proposed development.

5. The total square footage of building floor area, both individually and collectively, in the proposed development.
6. Existing buildings, rights-of-way, street improvements, railroads, easements, drainage courses, streams, and wooded areas.

7. Location, number, dimensions, and design of off-street parking in the proposed development, including the following features:
   a. Driveways, islands, and planters.
   b. Striping and safety curbs.
   c. Loading facilities.
   d. Type and location of lighting.
   e. Surface treatment.

8. Open spaces, yards, recreational areas, walkways, driveways, outside lighting, walls, fences, monuments, statues, signs, and other man-made features to be used in the landscape of the proposed development.

9. Facilities for the collection and disposal of garbage and trash.

10. Location and type of all plants, grasses, and trees to be used in the landscape of the proposed development. Landscaping to be used for screening purposes shall be illustrated in elevation as well as plan, with the approximate size and names of plants, shrubs, or trees to be planted clearly indicated.

11. Location of entrances and exits from the proposed development onto public streets, and interior drives and proposed sidewalks in the development.

12. Proposed drainage facilities and provisions for flood control, if applicable.

13. The location, height, and area of all signs (directional signs, identification signs, or temporary signs) in the proposed development.

G. Expiration of Approval. All site plan approvals shall expire and terminate one hundred eighty (180) days after the date of City Council approval unless a compliance permit has been issued for the construction provided for in the site plan. The City Council may, upon written request by the developer, extend the time for the issuance of a compliance permit for sixty days. In the event the permit for the construction provided for in a site plan expires or is canceled, then such site plan approval shall thereupon terminate.
H. **Filing Fees.** Before any action shall be taken as provided in this section, the person or persons or agent filing a site plan shall pay to the city clerk a filing fee as established in Section 27. Under no conditions shall said fee or any part thereof be refunded for failure of said site plan to be approved.

**SECTION 24 - ADMINISTRATION AND ENFORCEMENT - CERTIFICATES OF ZONING COMPLIANCE**

A. **Administration and Enforcement**

   An administrative official designed by the City Council shall administer and enforce this Ordinance. He may be provided with the assistance of such other persons as the City Council may direct.

   If the administrative official shall find that any of the provisions of this Ordinance are being violated, he shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures or of additions, alterations or structural changes thereto; discontinuance of any illegal work being done; or shall take any other action authorized by this Ordinance to insure compliance with or to prevent violation of its provisions.

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

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

   No non-conforming structure or use shall be maintained, renewed, changed, or extended until a certificate of zoning compliance shall have been issued by the administrative official. The certificate of zoning compliance shall state specifically wherein the non-conforming use differs from the provisions of this Ordinance, provided that upon enactment or amendment of this Ordinance, owners or occupants of non-conforming uses or structures shall have one (1) year to apply for certificates of zoning compliance. Failure to make such application within one (1) year shall be presumptive evidence that the property was in conforming use at the time of enactment of amendment of this Ordinance.
Certificates of zoning compliance may be applied for coincidentally with the application for a building permit, and shall be issued within ten (10) days after request by the owner for the lawful erection or alteration of the building is completed in conformity with the provisions of this Ordinance.

A temporary certificate of zoning compliance may be issued by the administrative official for a period not exceeding six (6) months during alterations or partial occupancy of a building pending its completion, provided that such temporary certificate may require such conditions and safeguards as will protect the safety of the occupants and the public.

The administrative official shall maintain a record of all certificates of zoning compliance, and copies shall be furnished upon request to any person.

Failure to obtain a certificate of zoning compliance shall be a violation of this Ordinance and punishable under Section 31 of this Ordinance.

See Section 27 for schedule of fees.

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

Certificates of zoning compliance issued on the basis of plans and applications, approved by the administrative official authorize only the use, arrangement and construction set forth in such approved plans and applications, and no other use, arrangement, or construction. Use, arrangement, or construction at variance with that authorized shall be deemed violation of this Ordinance, and punishable as provided by Section 31 hereof.

SECTION 25 - BOARD OF ADJUSTMENT - PROCEDURE, POWERS AND DUTIES

A. Board Created

A Board of Adjustment is hereby established which shall consist of five (5) members. The terms of office of the members of the Board and the manner of their appointment shall be as provided by state statute.
B. Meetings

Meetings of the Board shall be held at the call of the chairperson, and at such other times as the Board may determine. Such chairperson, or in the chairperson’s absence the acting chairperson, may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member on each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record. The presence of three (3) members shall be necessary to constitute a quorum.

C. Appeals

Appeals to the Board may be taken by any person aggrieved, or by any officer, department, board of bureau of the City of Woodward affected by any decision of the administrative officer. Such appeal shall be taken within a reasonable time as provided by the rules of the Board by filing with the administrative officer and with the Board a notice of appeal specifying the grounds thereof. The administrative officer shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from is taken.

An appeal stays all proceedings in furtherance of the action appealed from, unless the administrative official certifies to the Board after notice of appeal shall have been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. In such case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board or by a court of record on application on notice to the administrative officer, and on due cause shown.

D. Fee for Appeal

See Section 27 for schedule of fees.

E. Hearings, Notice

The Board shall fix a reasonable time for the hearing on the appeal, give public notice thereof as well as due notice to the parties in interest, and decide the same within a reasonable time. At the hearing, any party may appear in person or by agent, or by attorney. Before an appeal is filed with the Board, the appellant shall pay a fee in accordance with Section 27.
F. Powers - 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 officer in the enforcement of this Ordinance.

G. Powers - Special Exceptions

To permit the following exceptions to the District regulations set forth in this Ordinance subject to the requirements of this Section:

1. To permit erection and use of a building or the use of premises or vary the height and the regulations in any location for a public service corporation for public utility purposes or for purposes of public communication, which the Board determines is reasonably necessary for the public convenience or welfare.

2. To permit the extension of a use into a district where it would be otherwise prohibited in a case where a district boundary line is so located that a lot or plot is in more than one district.

To hear and decide only such other special exceptions as the Board 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 the 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 unless and until:

1. A written application for 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 required.

2. Notice of public hearing shall be given at least ten (10) days in advance of public hearing. The owner of the property for which special exception is sought or his agent and any other affected property owners shall be notified by mail. Notice of hearing shall also be posted on the property for which special exception is sought.

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

4. The Board shall make a finding that it is empowered under the section of this Ordinance described in the application to grant the special exception will not adversely affect the public interest.
In granting any special exception the Board may prescribe appropriate conditions and safeguards in conformity with this Ordinance. Violations of such conditions and safeguard, when made a part of the terms under which the special exception is granted, shall be deemed a violation of this Ordinance and punishable under Section 31 of this Ordinance. The Board may prescribe a time limit within which the action for which the special exception is required shall be begun or completed, or both. Failure to begin or complete, or both, such action within the time limit set shall void the special exception.

H. Powers - Variances

To authorize upon appeal in specific cases such variance from the terms of this Ordinance as well 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, and so that the spirit of the ordinance shall be observed and substantial justice be done. A variance from the terms of this Ordinance shall not be granted by the Board unless and until:

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

   a. That special conditions and circumstances exist which are peculiar to the 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 use of land, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

2. Notice of public hearing shall be given in advance of public hearing. The owner of the property for which the variance is sought or his agent any other affected property owners shall be notified by mail.

3. The public hearing shall be held. Any party may appear in person, or by agent or by attorney.
4. The Board shall make findings that the requirements of this section have been met by the applicant for a variance.

5. The Board shall further make a finding that the reason set forth in the application justifies 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 shall further make a finding that the grant 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 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 31 of this Ordinance.

Under no circumstances shall the Board 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.

1. Decisions of the Board of Adjustment

In exercising the above mentioned powers, the Board 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, requirements, decision, or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and to that end shall have powers of the administrative official from whom the appeal is taken.

The concurring vote of three (3) 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 on any matter upon which it is required to pass under this Ordinance, or to effect any variation in this Ordinance.
J. Appeals from Decision of the Board of Adjustment

Any person or persons jointly or severally aggrieved by any decision of the Board of Adjustment or a taxpayer, or any officer, department, board or bureau of the City of Woodward may present to a court of record a petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality. Such petition shall be presented to the court within thirty (30) days after the filing of the decision in the office of the Board. The court may reverse or affirm, wholly or in part, or may modify the decision brought up for review.

SECTION 26 - DUTIES OF ADMINISTRATIVE OFFICIAL, BOARD OF ADJUSTMENT, CITY COUNCIL, AND COURTS ON MATTERS OF APPEAL

It is the intent of this Ordinance that all questions of interpretation and enforcement shall be first presented to the administrative official, 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 Statute.

It is further the intent of this Ordinance that the duties of the City Council in connection with this Ordinance shall not include hearing and deciding questions of interpretation and enforcement that may arise. The procedure for deciding such questions shall be as stated in this section and this Ordinance. Under this Ordinance, the City Council shall have only the duties of (1) considering and adopting or rejecting proposed amendments or the repeal of this Ordinance, as provided by law, (2) of establishing a schedule of fees and charges as stated in Section 27 below, and (3) considering applications for special permits for exceptions to prohibited uses as specified in Section 19 of this Ordinance.

SECTION 27 - SCHEDULE OF FEES

The City Council shall establish a schedule of fees, charges, and expenses, and a collection procedure for certificates of zoning compliance, appeals, and other matters pertaining to this Ordinance. The schedule of fees shall be posted in the office of the administrative official, and may be altered or amended by the City Council.

No certificate, special exception, or variance shall be issued unless or until such costs, charges, fees, or expenses listed below have been paid in full, nor shall any action be taken on proceedings before the Board of Adjustment unless or until preliminary charges and fees have been paid in full.
SECTION 28 - CHANGES AND AMENDMENTS

The City Council may, from time to time, on its own action or on petition, amend, supplement, or change the boundaries or regulations herein or subsequently established. However, no such amendment, supplement, or change of boundaries or regulations shall become effective until after a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. Such amendment, supplement, or change shall not become effective except by favorable vote of a majority of all the members of the City Council. In case, however, of a protest against such change signed by the owners of twenty (20) percent or more either of the area of the lots included in such a proposed change, or by the owners of twenty (20) percent or more of the property which is located within two hundred (200) feet of the boundaries of the property for which the change is proposed, such change shall not become effective except by the favorable vote of at least three-fourths (3/4) of all the members of the Council.

Whenever any person, firm or corporation desires that any amendment or change be made in this Ordinance, including the text and/or map, as to any property in the City, and there shall be presented to the Council a petition requesting such change or amendment and clearly describing the property and its boundaries as to which the change or amendment is desired, duly signed by the owners of fifty (50) percent of the area of all real estate included within the boundaries of said tract as described in said petition, and in addition, duly signed by the owners of fifty (50) percent of the area of all real estate lying outside of said tract but within two hundred (200) feet of the boundaries thereof, (intervening streets and alleys not to be included in computing such two hundred (200) feet) it shall be the duty of the Council to vote upon such petition within a reasonable time after the filing of such petition with the city clerk.

The City Council shall, by resolution, establish a schedule of fees, charges, and expenses and a collection procedure for amendment to this zoning ordinance. The schedule of fees shall be posted in the office of the administrative official, and may be altered or amended only by resolution of the City Council.

SECTION 29 - APPLICATION FOR CHANGE IN ZONING DISTRICT BOUNDARIES

Any person, firm or corporation may submit to the Council, an application requesting a change in the zoning district boundaries as shown on the official zoning map or the text of this Ordinance.

A. Such application shall be filed with the Administrative Officer accompanied by a fee in accordance with Section 27 and shall contain the following information:

1. The legal description and local address of the property.
2. The present zoning classification and the zoning classification requested for the property.

3. The existing use and proposed use of the property.

4. A petition requesting such change or amendment and clearly describing the property and its boundaries as to which change or amendment is desired, duly signed by the owners of fifty (50) percent of the area of all real estate included within the boundaries of said tract as described in said petition and in addition, duly signed by the owners of fifty (50) percent of the area of all real estate lying outside of said tract but within two hundred (200) feet of the boundaries thereof, (intervening streets and alleys not to be included in computing such two hundred (200) feet), it shall be the duty of the Council to vote upon such petition.

5. A statement of the reasons why the applicant feels the present zoning classification is no longer valid.

6. A plat showing the locations, dimensions and use of the applicant’s property and all property within two hundred (200) feet thereof, including streets, alleys, railroads, and other physical features.

All fees shall be deposited to the General Revenue Fund of the City. Failure to approve the requested change shall not be deemed cause to refund the fee to the applicant.

B. Upon receipt of the application by the Administrative Officer a copy shall be forwarded immediately to the Commission for study and recommendation. The Commission shall, prior to making a recommendation, determine the following:

1. Whether or not the current district classification of the property to be rezoned is valid.

2. Whether there is a need for additional land zoned for the purpose requested.

3. Whether the proposed change is consistent with the current land use plan, considering such factors as:

   a. Whether the rezoning would result in a population density or development which would in turn cause a demand for services and utilities in excess of the capacity planned for the area.

   b. Whether the rezoning would result in the generating of traffic in excess of the capacity of existing or planned streets in the vicinity.
4. Whether there is an intent on the part of the applicant to develop the property
to be rezoned diligently and within a reasonable time.

C. The Commission shall report its determinations and recommendations to the
Council. The Council shall then hold a public hearing as provided in Section 28
above.

D. Whenever any petition for an amendment, supplement, or change of the zoning
regulations herein contained or subsequently established shall have been denied
by the City Council, then no new petition covering the same property, or the same
property and additional property, shall be filed with or considered by the
Commission until one (1) year shall have elapsed from the date of the filing of the
first petition.

SECTION 30 - 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 the 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.

SECTION 31 - ENFORCEMENT, VIOLATIONS AND PENALTIES

A. Enforcement

All departments, officials, and employees of the City of Woodward who are vested
with the duty or authority to issue permits or licenses shall issue no such permit or
license for any use, structure, or purpose if the same would not conform to the
provisions of this Ordinance.

B. Penalties for Violation

Violation of the provisions of this Ordinance, or failure to comply with any of its
requirements, shall constitute a misdemeanor. Any person who violates this
Ordinance or fails to comply with any of its requirements shall, upon conviction
thereof, be fined not more than one hundred (100) dollars or imprisoned for not
more than thirty (30) days, or both, and in addition shall pay all costs and
expenses involved in the case. Each day such violation continues shall be
considered a separate offense.

The owner or tenant of any building, structure, premises, or part thereof, and any
architect, builder, contractor, agent, or other person who commits, participates in,
assists in, or maintains such violation may each be found guilty of a separate
offense and suffer the penalties herein provided.
Nothing herein contained shall prevent the City from taking such other lawful action as necessary to prevent or remedy any violation.

SECTION 32 - SEVERABILITY CLAUSE

Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION 33 - EFFECTIVE DATE

This Ordinance shall be in force and effective after its passage, approval and publication as provided by law.

PASSED BY THE COUNCIL ON THE 11th DAY OF January 1999, AND

APPROVED ON THE 11th DAY OF January 1999, AT WOODWARD, IOWA.

/s/ Richard Dunnihoo
Richard Dunnihoo, Mayor

/s/ Shirley Hass
Shirley Hass, City Clerk

I, Shirley Hass, the duly appointed and acting Clerk of the City of Woodward, Iowa, do hereby certify that the foregoing is a true and authentic copy of Ordinance No. 269 as passed and adopted by the Woodward City Council and approved by the Mayor on the 11th day of January 1999, and the said Ordinance was duly published in the NE Dallas County News, a newspaper of general circulation within the City on the 11th day of May 2000, as shown by the publisher's affidavit filed with the office of the Clerk of the City of Woodward, Iowa.

/s/ Shirley Hass
Shirley Hass, City Clerk

-83-
CELLAR, BASEMENT, HALF STORY, STORY

END VIEW

SIDE VIEW

MANSARD ROOF

PITCH (GABLE) ROOF

HIP ROOF

FLAT ROOF

BUILDING HEIGHTS

ATTACHMENT A
LOT & YARD DEFINITIONS

ATTACHMENT A
SIGN TYPES

A x B = SIGN AREA

SIGN AREAS
MINIMUM SETBACK

A = MINIMUM SETBACK LINE
3/4A = MINIMUM SETBACK LINE

AVERAGE SETBACK

X = BLDGS. ENTIRELY ON THE REAR HALF OF LOTS SHALL NOT BE COUNTED
Y = REVERSE CORNER LOTS SHALL NOT BE COUNTED
S = MINIMUM SETBACK OF PROPOSED BLDG.
S = A + B + C + D
4

BUILDING SETBACK LINES

ATTACHMENT A
### Parking Stall Requirements

<table>
<thead>
<tr>
<th>Degree of Angle</th>
<th>Stall to Curb (A)</th>
<th>Aisle Width (B)</th>
<th>Curb Length (C)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>9.0'</td>
<td>12.0'</td>
<td>20.0'</td>
</tr>
<tr>
<td>45</td>
<td>19.83'</td>
<td>13.0'</td>
<td>12.75'</td>
</tr>
<tr>
<td>60</td>
<td>21.0'</td>
<td>18.0'</td>
<td>10.5'</td>
</tr>
<tr>
<td>90</td>
<td>19.0'</td>
<td>24.0'</td>
<td>9.0'</td>
</tr>
</tbody>
</table>

### C District

**Vehicular Maneuvering Area**

15' when A, C or M District abuts an R District

**2' Vehicular Overhang**

**Wheel Barrier Setback**

**9' x 19' Rectangular Parking Stall**

Asphaltic Concrete or Portland Cement Concrete Pavement

**Permeable Material and Landscaped**

**2' Vehicular Overhang**

**5' Vehicular Front Yard Setback Area**

### Typical Parking Lot Layout

**Attachment A**