

ARTICLE VII: SPECIAL PERFORMANCE STANDARDS

Section 700. Purpose

The performance standards established in this Section are designed to encourage a high standard of development by providing assurance that neighboring land uses will be compatible. These standards are also designed to prevent and eliminate conditions that cause blight. Before any building permit is approved, the Zoning Administrator shall determine whether the proposed use will conform to the performance standards. An applicant shall supply data necessary to demonstrate such conformance.

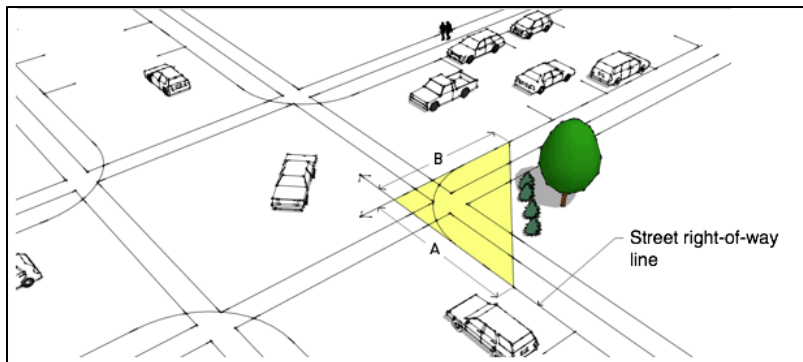
The performance standards shall apply to future development and to existing development within compliance periods as noted in individual sections. Compliance may be waived by the Board of Adjustment or the City Council if a building condition created under prior ordinances physically precludes the reasonable application of the standards

Section 701. Sight Visibility Triangle

Notwithstanding any other provision of this Ordinance, no buildings, structures, permanent or portable signs, parking spaces, fences, utility equipment, landscaping nor any other object may be erected, placed, planted, or allowed to grow in such a manner as to impede vision between a height of three (3) feet and ten (10) feet above curb grade, or street centerline elevation where no curb exists, except for sign support poles less than eight (8) inches in diameter within the required sight visibility triangle of a street intersection or driveway intersection with a street.

Required Corner Visibility	
Speed Limit (miles per hour)	Size of Corner Visibility Triangle
30 or less	25 feet measured from curb or paving
35	30 feet measured from curb or paving
40	25 feet measured from property line
45	33 feet measured from property line
<50	43 feet measured from property line or curb
>55	60 feet measured from property line or curb

At intersections of two streets, the sight visibility triangle for the street with the higher speed limit applies. The size of the triangle may be increased by the City of New Hampton, or road authority, when deemed necessary for traffic safety alignment or other factors that require increased corner visibility. This sight visibility standard shall not apply within the portion of the Downtown Commercial District where development follows the zero-lot line dimensional standards. For purposes of this Section, that “distance measured from curb” at an intersection of two streets or roads shall be determined from a point where the extension of the curb from the two streets or roads meet and, at an intersection of a street or road and a driveway, the distance shall be measured from the point of the curb cut for the driveway.



Section 702. Fences

This Section shall apply to all fences constructed after adoption of this Ordinance. All boundary line fences shall be entirely located upon the property of the person constructing such fence, a minimum of two feet (2') from property line, unless the owner of the property adjoining agrees, in writing, that such fence may be erected on the division line of the respective properties. The City of New Hampton will record this fence agreement with the fence owner paying the recording fee. If such an agreement cannot be obtained, any desired fence along a lot line must comply with the two-foot (2') setback. Fences shall also be setback a minimum of two feet from any sidewalk or projected sidewalk location.

Fences shall not exceed four feet (4') in height within the required front or exterior side yard setback in residential districts, eight (8') feet in height within the required side or rear yards in residential districts. On corner lots in residential districts fences shall not exceed a height of three (3) feet above curb grade, or street centerline elevation where no curb exists within the required sight distance triangle unless the fence is made of open, decorative, or ornamental materials which are a maximum of fifty percent (50%) opaque, and which do not create a site obstruction for drivers. The height of fences shall be measured from the average natural grade at the fence site. Fences shall not exceed ten (10) feet in height in the required side or rear yard setback in non-residential districts. Fences shall not obstruct the required sight distance triangle in non-residential districts and shall not exceed six (6) feet in height in the required front yard setback.

Two (2) fences adjacent to each other along a lot line will not be allowed unless the Board of Adjustment grants a special exception. The finished side of a fence must face outward towards the adjoining property, meaning any posts or similar structural member used in the construction of a solid board fence shall be constructed to face inward towards the property being fenced, so as not to be visible from adjacent properties. Fence designs which partially conceal posts and structural members such as alternating board and basket weave fences are exempt from this requirement. Front yard fence regulations also apply to shrubs, hedges and any other continuous plantings. More restrictive fencing provisions provided for elsewhere in this zoning ordinance shall continue in force and take priority over the provisions in this section. The zoning administrator may deny fence construction where factors such as topography, driveway location, or proposed fence material would create a hazard, or cause site distance problems, or cause safety concerns.

Section 703. Screening

Screening shall be provided on all parcels where:

- A. Any off-street parking area contains more than four (4) parking spaces and is adjoining a residential zone.
- B. Where any business or industrial use (i.e. structure, parking or storage) is adjacent to or within one-hundred (100) feet of property zoned for residential use, that business or industry shall provide screening along the boundary of the residential property. Screening shall also be provided where a business or industry is across the street from a residential zone, but not on that side of business or industry that is considered to be the front. The screening required shall consist of a wall, fence or densely planted compact evergreen hedge not less than five (5) feet or more than eight (8) feet in height that blocks direct vision but shall not extend to within fifteen (15) feet of any street right-of-way. Landscaping shall be required between the screening and pavement. All required screening shall be installed by the owner of property which creates the need for said screening. Compact Evergreen Hedges may initially be planted according to the Landscaping Requirements as a potted or ball and burlap plant measuring a minimum of no less than three (3)

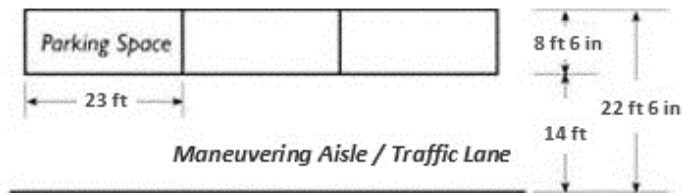
feet in height. While many evergreens are slow growing, others can grow quite quickly once established. Most evergreens, such as pine or spruce trees, and other coniferous landscape approved species are allowed to grow naturally to required minimum heights. Such plantings to meet this definition shall ensure there is enough room on all sides for such trees to spread out and achieve their normal expected maturity height and width. An approved planting plan shall also be defined so as to ensure there is adequate room for roots to spread out. If tree roots are confined to a small area because of buildings, walks, driveways, roads, alleys, adjoining site improvements, etc. (roots will not grow under hard surfaces), the root system will eventually be too small to provide for the size of the tree or hedge. If the trees or hedge then stops growing, declines, or eventually dies, or leaves gaps in the approved screening barrier, then the definition of a compact evergreen tree or hedge for required screening under this Ordinance shall no longer exist and may be subject to compliance or enforcement actions as defined under this Ordinance. For foundation plantings or shrub beds, many dwarf evergreens species shall be defined as meeting this definition. Such species shall include, but not be limited to various common names such as, Arborvitae, Japanese Yew, Hemlock, Junipers, etc.

Section 704. Off-Street Parking, Loading & Surfacing Standards

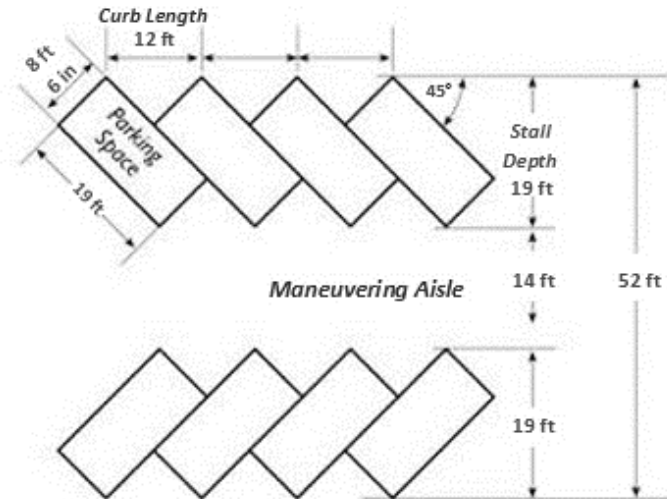
The regulation of off-street parking spaces in this Ordinance is to alleviate or prevent congestion of the public right-of-way and to promote the safety and welfare of the public by establishing minimum requirements for off-street parking of motor vehicles. In all zoning districts, all structures built and uses established hereafter shall provide off-street parking in accordance with the regulations of this Ordinance. When an existing use or structure is expanded, off-street parking shall be provided in accordance with the regulations of this Ordinance for the total area or capacity of such expansion and shall meet all surfacing requirements. Any standards not listed within the Section, shall be subject to the Iowa Statewide Urban Design and Specification (SUDAS) requirements.

- A. Design and Maintenance. The design and maintenance of parking spaces shall comply with the following:
 - 1. Parking spaces, aisles and driveway dimensions are listed below. A standard parking space shall not be less than nineteen (19) feet in length and eight and one-half (8 ½) feet in width, exclusive of access drives.
 - a. Parallel parking spaces shall be a minimum of twenty-three (23) feet in length.
 - b. Except in the case of single family, two-family, townhouse, and four-plex dwellings, minimum driveway and traffic lane widths shall be developed in compliance with the dimensions listed below:

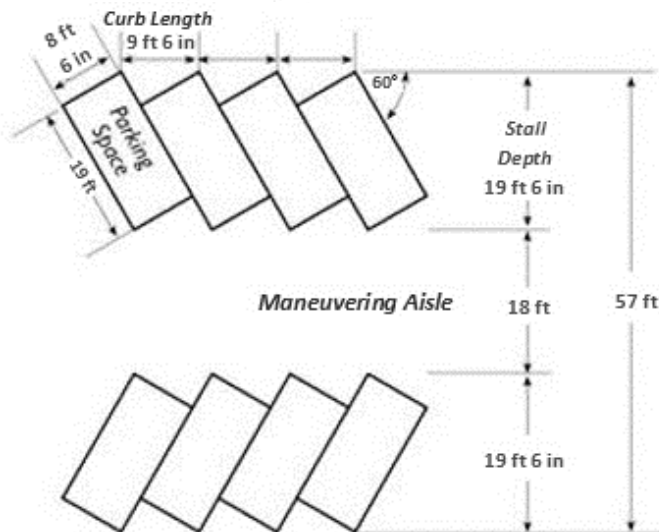
Angle of Parking	Stall Width	Curb Length Per Stall	Stall Depth	Aisle/Driveway Width
Parallel	8'6"	23'0"	8'6"	14'
30°	8'6"	17'0"	19'0"	14'
45° *	8'6"	12'0"	19'0"	14'
60° *	8'6"	9'6"	19'6"	18'
75°	8'6"	9'0"	19'6"	24'
90° *	8'6"	8'6"	19'0"	24'
*Most frequently or commonly used				



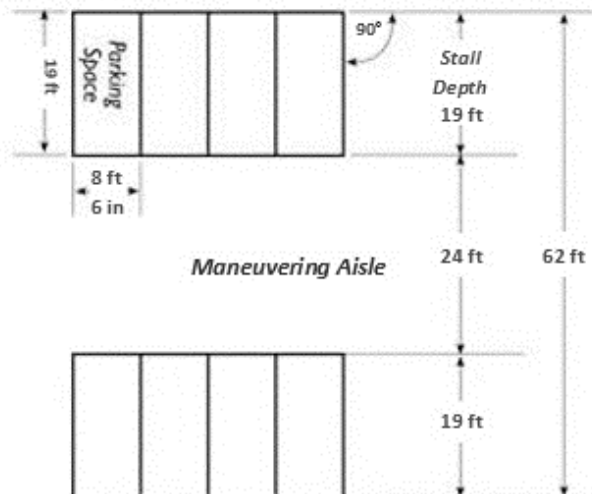
Parallel Parking



45° Parking

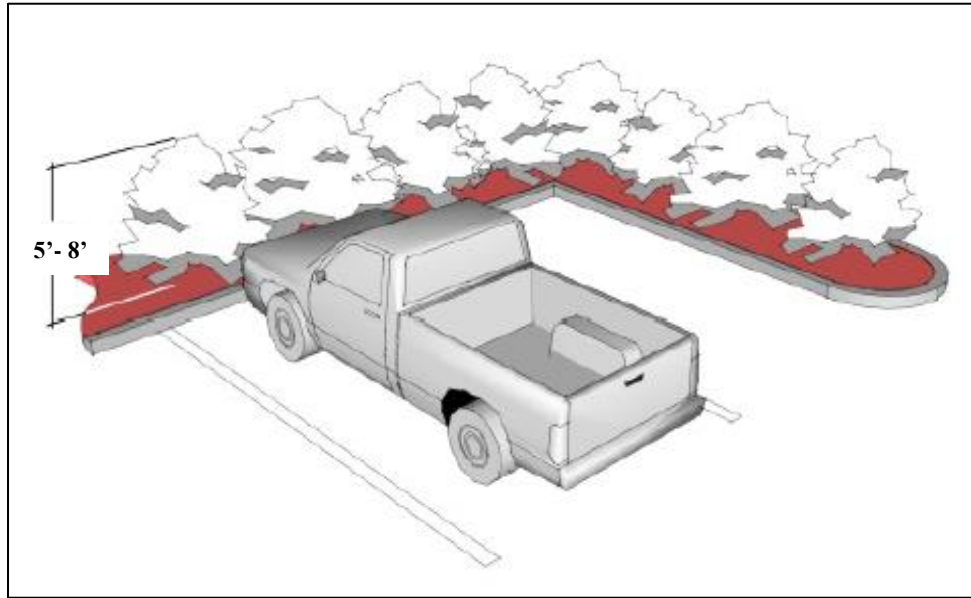


60° Parking



90° Parking

2. Off-street parking, driveways, loading and maneuvering areas shall be improved with a bituminous, concrete, class V aggregate base, crushed rock, pavers or pervious paving/paver system. All surfaces shall be durable and dustless. Pervious paving/paver systems shall only be used provided appropriate soils and site conditions exist for the pervious systems to function adequately. All parking, driveways and loading and maneuvering areas shall be graded and drained so as to dispose of all surface water accumulation within the area. Any off-street parking and/or driveways that have class v aggregate, crushed rock or any other similar surfaces shall be bordered by a hardscape edge to prevent leakage or sprawl and shall not leak out into the city street or will be in violation. Examples of hardscape edging may include the following, but are not limited to landscaping block, railroad ties, bolder rock, or a dense evergreen hedge not to exceed five feet (5') in height. In the Downtown Commercial (DT) District, only concrete, bituminous, pavers or pervious paving/paver system shall be used.
3. In all zoning districts the following limitations shall apply:
 - a. Off-street driving or maneuvering areas shall not cover more than thirty-five percent (35%) of the total parcel area between the street and principal structure in R1, R-2, R-3, MH or TM Districts. In all other districts they shall not cover more than fifty percent (50%) of the required minimum front yard setback areas, except in the DT District which shall be exempt from this requirement.
 - b. Vehicle parking for single- and two-family residences is prohibited between the street and the principal structure along all street frontages of the parcel, except upon a driveway or approved parking surface. Refer to Section 9 below or the City Code for allowed curb cut widths.
 - c. Off-street parking on grass, landscaped areas, or any unapproved driveway surface on the front yard of a parcel is prohibited; except in the A-1 Districts or for parcels one (1) acre in size or greater. May temporarily park in these areas during winter months when City is plowing the streets.
 - d. The public street or alley right-of-way area devoted to driveway purposes shall not be considered in determining whether off-street parking requirements have been met. Parking in alleys or unimproved street rights-of-way shall be prohibited. These areas shall be left in vegetative grass state.
 - e. Enclosed buildings, carports, and any other permanent or temporary structure containing off-street parking shall be subject to structure setback requirements applicable to the district in which located.
4. All open off-street parking areas containing more than four (4) parking spaces shall be effectively screened on each side that adjoins any residentially zoned property by a wall, fence or densely planted compact evergreen hedge not less than five (5) feet, or more than eight (8) feet in height.



5. Any lighting used to illuminate off-street parking areas shall be downward facing and shall be shielded from all residential properties.
6. All parking spaces required to serve buildings or uses shall be located on the same lot or in the same zoning district as the building or use, except that such parking spaces may be provided in an adjacent zoning district if such district allows parking lots or parking garages as a permitted use. In no instance shall required off-street parking be located more than six-hundred (600) feet from the use which it serves, measured along lines of public access. Any parking lots serving a building across the street shall be required to have adequate pedestrian crossings at the developer's expense.
7. Notwithstanding any other provision of this Section, uses located within the Downtown Commercial (DT) District are exempt from all off-street parking and loading requirements.
8. No on-street parking will be allowed at any location within an MP District. All visitor, customer, and employee parking areas shall be hard surfaced with either: Asphalt Cement Concrete (ACC), Portland Cement Concrete (PCC), or permeable concrete within twelve (12) months following completion of construction of a permanent building, structure, or improvement located upon said site.
9. All new or redeveloped parking areas containing four (4) or more spaces requires a parking lot construction permit and shall comply with the following standards below. The cost of the permit shall be set via resolution by the council each year.
 - a. All parking areas shall be marked by durable painted stripes designating the parking spaces. Any parking space that abuts any wall, building, sidewalk or other object shall have some form of a wheel stop or raised curb. Parking areas of gravel or similar material shall use wheel stops/parking stops to delineate car stalls, and signage as necessary for the direction of traffic. The wheel stops/parking stops may be premanufactured stops (typically made of concrete, rubber, or composite

material), six inch (6") tall treated wood timbers, or other functionally comparable items approved by the planning and zoning commission.

- b. Setbacks.
 - i. Front, side and rear setbacks of at least two feet (2') from property lines shall be maintained from parking lot areas in all residential districts and at least five feet (5') in all commercial and industrial districts, except in the A-1 and DT Districts. Setbacks of five (5) feet in the DT Districts shall apply only to those parking areas adjacent to residentially zoned or residentially used property. All setbacks shall be met unless the owner of the property adjoining agrees, in writing, that such parking areas may be erected on the division line of the respective properties. The City of New Hampton will record this parking area agreement with the parking area owner paying the recording fee. If such an agreement cannot be obtained, any desired parking area along a lot line must comply with the necessary setback.
 - ii. No area used by motor vehicles, other than driveways for ingress to and egress from the site, shall be located within the public street right-of-way.
- c. Snow Storage in Parking Stalls. Provision shall be made in the parking area for adequate snow storage or removal in order to ensure that the required numbers of spaces are available at all times during the year. If snow storage is moved from parking areas to a greenspace area, then greenspace areas shall be restored to a satisfactory landscaped condition each spring.
- d. Use of Required Area. Required off-street parking spaces in any district shall not be utilized for open storage, sale or rental of goods, except in accordance with the regulations of Section 705 of this Ordinance, or any storage of inoperable vehicles.
- e. Vehicular traffic generated by a use shall be channeled and controlled in a manner which will avoid congestion or interference with other vehicular transportation systems or pedestrian traffic and which will avoid creating traffic hazards or excessive traffic through residential areas. The adequacy of any proposed traffic circulation system to accomplish these objectives shall be determined by the Zoning Administrator in conjunction with an engineer, which may require such additional measures for traffic control as deemed necessary, including but not limited to: directional signalization, channelization, standby turn lanes, sidewalks, driveway spacing, illumination and other facilities within the site to prevent a backup of vehicles on public streets.
- f. Streets Not Used. Except in the case of single-family, two-family and townhouse dwellings, parking areas shall be designed so that circulation between parking bays or aisles occurs within the designated parking lot and does not depend upon a public street or alley. Except in the case of single, two-family and townhouse dwellings, parking area design which requires backing into the public street is prohibited.

Parking spaces in a public right-of-way cannot be utilized to meeting required off-street parking standards.

10. Curb Cut Location

- a. Curb Cut Proximity to Intersection. No curb cut or other driveway access shall be located less than forty feet (40') from the intersection of two (2) or more street rights-of-way. This distance shall be measured from the intersection of lot lines, not curb lines.
- b. Curb Cut Maximum. Residential curb cuts shall be sixteen feet (16') for single drive, twenty-four feet (24') for a double drive, and thirty-two feet (32') for a triple drive or commercial cuts. A different width may be specifically approved by the Council according to the plans and specifications adopted by resolution. Curb cuts shall be made only after obtaining a driveway permit.
- c. Curb Cut Spacing Minimum. Curb cut openings shall be located at a minimum of two feet (2') from the side yard lot line in all districts, except in DT District where such setbacks shall apply only to those parking areas adjacent to residentially zoned or residentially used property.

11. Stormwater runoff from parking lots serving other than single- and two-family dwellings should not be discharged directly into the street; such runoff should be collected internally or discharged to an adjacent drainage way. After providing detention, when required, the collected stormwater may be discharged to the public storm sewer, ditch, or other conveyance if approved by the Public Works Director or the City Council. Stormwater runoff discharged to the street over the back of the curb or through a parking lot entrance, should be minimized. Prior to connecting any stormwater to a public stormwater system, approval shall be granted in writing by the Public Works Director. Lots greater than an acre are subject to Article X: Stormwater Management Ordinance.

B. Minimum Off-Street Parking Spaces Required

The minimum parking standards for a standalone business as well as mixed-use businesses must individually comply with the minimum space requirements. If the use cannot comply with the minimum standards but can produce a shared parking model, with an adjoining property, the Zoning Administrator may approve a reduction in onsite requirements. If reduced parking is approved, an executed copy of the parking easement must be provided to the City of New Hampton as a condition of the approval.

<u>Minimum Required Parking Spaces for Residential Uses</u>	
<u>Use</u>	<u>Minimum Number of Spaces Required</u>
One and two-family dwellings (owner occupied)	Minimum of two (2) spaces per unit. Garage space may be included in this calculation.

Multi-Family Dwellings**	Minimum of two (2) space per unit, plus 0.25 additional space per dwelling unit for guest parking. Garage space may be included in this calculation.
Manufactured/Mobile Home Parks	Two (2) Spaces per dwelling unit.
Housing for Seniors and/or Physical Handicapped Persons	One (1) space per dwelling unit for each of the first twenty (20) units, and a total number of spaces not less than seventy-five percent (75%) of the total number of units.
Nursing Homes	Six (6) spaces for the first three thousand square feet of floor area and one (1) space for each additional one thousand (1,000) square feet, with a minimum of six (6) spaces per establishment.
Assisted Livings**	0.5 spaces for each unit, plus one (1) space for each employee on max shift.
Lodging or Rooming Houses	One (1) space per dwelling unit.
Residential Care Facility**	One (1) space per three (3) bedrooms, plus one (1) space for each employee on max shift. There shall be a minimum of three (3) spaces.
<u>Minimum Required Parking Spaces for Commercial Uses</u>	
<u>Use</u>	<u>Minimum Number of Spaces Required</u>
Business and Professional Offices**	One (1) space for each three-hundred (300) square feet of gross floor area, plus one (1) space for each employee on max shift.
Retail and Grocery Stores**	One (1) space for each three-hundred (300) square feet of gross floor area used for the sale of goods, plus one (1) space for each employee on max shift.
Personal Services and Repair**	One (1) space for each four-hundred (400) square feet of gross floor area, plus one (1) space for each employee on max shift.
Restaurants, Bars, Taverns or Cafes	One (1) space per three (3) seats based on maximum fixed seating design capacity for restaurants without liquor service, provided that drive-in restaurants shall have at least ten spaces. For restaurants with liquor service, an additional 30% shall be required in addition to the one (1) space per three (3) fixed seats standard.

Hotels/Motels/Resorts	Two (2) spaces plus one (1) space per rental unit, plus additional spaces required for restaurants, assembly rooms and affiliated facilities
Hospitals	One (1) space for each hospital bed, plus one (1) space for each two (2) employees other than doctors, plus one (1) space for each doctor assigned to the staff.
Clinics – Medical, Dental, Chiropractic, etc.	Two (2) spaces per examination or treatment room, plus one space for each assigned staff.
Theaters	One (1) space for each four (4) seats of design capacity.
Bowling Alleys	At least three (3) spaces per bowling lane, plus such additional spaces as may be required herein for affiliated uses such as restaurants and other similar uses.
Commercial Daycare or Day-Nurseries	One (1) space per six (6) persons of licensed capacity of the facility, plus one (1) space per employee.
Automobile Service Stations	Two (2) spaces for each service bay, plus one space for each employee, but not less than a total of five (5) spaces.
Open Sales Lots – Automobile Showrooms and Sales Facilities (New and Used), Mobile Home and Trailer Sales/Rental Lots, and Boat and Other Recreational Equipment/Vehicle Sales	One (1) space for each four hundred (400) square feet of enclosed floor area and one (1) space for each three thousand (3,000) square feet of open lot area devoted to sales and display.
Fuel and Convenience Stores**	One (1) space for each three-hundred (300) square feet of gross floor area, plus one (1) space per full-time employee. Each fuel station parking space doesn't contribute toward the minimum parking requirement.
Furniture and Appliance Stores	One (1) space for each four hundred (400) square feet of enclosed floor area and one (1) space for each three thousand (3,000) square feet of open lot area devoted to sales and display.
Warehouse, Storage or Wholesaling**	One (1) space for each three (3) employees on maximum shift.
Manufacturing, Fabrication or Processing of Product or Material, Assembly/Disassembly**	One (1) space for each three (3) employees on maximum shift.

Mini-Storage Facilities	Four (4) spaces, two (2) spaces for the manager's office and two (2) for potential customers, if there is a manager's office.
<u>Minimum Required Parking Spaces for Assembly, Institutional and Community Uses</u>	
<u>Use</u>	<u>Minimum Number of Spaces Required</u>
Religious Institutions, Temples, or other places of Assembly	One (1) space for each four (4) seats of design capacity.
Funeral Homes	One (1) space for each four (4) seats maximum capacity, plus one (1) space for each employee and one (1) space for each vehicle garaged on the premise.
Schools – Elementary and Middle School (Primary and Intermediate schools)**	One (1) space per each faculty member of full-employee status.
Schools – High School (Secondary School)**	One (1) space per eight (8) students, based upon the maximum number of students attending classes on the premises at any one time in a twenty-four (24) hour period, plus one space for each faculty or other full-time employee.
Schools – College, Trade and Commercial School**	One (1) space for each three (3) students, and (1) space for each faculty member and other full-time employee.
Sports Arenas, Auditoriums, Gymnasiums, Stadiums and similar places of Assembly	One (1) space for each three (3) persons, based on the maximum design capacity.
Public/Private Clubs and Lodges	One (1) space for each three (3) persons, at maximum design capacity.
Community Center, Library, Museum or Art Gallery	One (1) space per three-hundred (300) square feet of floor area.
Country Club or Golf Course**	Four (4) spaces per green, plus one (1) space per employee on the largest shift.
<p>Proof of Parking: An alternate parking plan shall be discussed and approved by the Zoning Administrator which allows a reduction from the strict interpretation of the minimum parking space standards of this Ordinance as may be appropriate for a specific use of property. An alternative parking plan approval shall be based upon documented parking studies and site-specific analysis that a need exists to reserve for future improvement and/or provide fewer parking stalls than the minimum parking standards. Factors to be considered in such determination include (without limitation) national parking standards, parking standards for similar businesses or land uses, size of building, type of use, number of employees, expected volume and turnover of customer traffic and expected frequency and number of delivery or service vehicles. With valid proof of parking, the applicant may obtain approval without the constitution of a variance.</p>	

* Other Uses not listed above, the Zoning Administrator shall determine the total number of parking spaces required.

- ** Parking for employees shall be based on the maximum number of employees present during the largest work shift.
- *** No parking area shall be allowed to be increased greater than fifty percent (50%) of the minimum standard without approval of a Special Exemption Permit by the Board of Adjustment.
- **** When determining the number of off-street parking spaces required by this Section, a fraction of less than one-half (1/2) may be disregarded, and a fraction of one-half or more shall be counted as one required space.

C. Off-Street Parking for Individuals with Disabilities

In conformance with the Americans with Disabilities Act (ADA) and the Iowa Accessibility Guidelines, if parking spaces are provided for self-parking by employees or visitors, or both, then accessible spaces shall be provided in each parking area in conformance with the table in this section. Spaces required by the table need not be provided in the particular lot. They may be provided in a different, if equivalent or greater accessibility, in terms of distance from an accessible entrance, cost and convenience, is ensured. Access aisles adjacent to accessible spaces shall be sixty inches (60”) wide at a minimum. Parking spaces reserved for persons with disabilities must be sized and designed in accordance with *State of Iowa Administrative Code, 661 IAC 18, "Parking for Persons With Disabilities"*, as amended.

Total Parking Spaces	Required Minimum ADA Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 100	2% of the total

Section 705. Exterior Storage and Outdoor Display of Merchandise

A. Purpose:

The City of New Hampton desires to regulate nuisance exterior storage and outdoor display of merchandise. Encouraging properties to maintain a vibrant community image from the view of public right-of-way, limit conflicts between residential and commercial land uses, and to protect property values.

B. Public Nuisance:

Any exterior storage in violation of this Section constitutes a public nuisance and is a violation of this Ordinance. Upon notice by the City to correct a violation the owner shall bring the property into compliance within thirty (30) days or such other reasonable period as identified in the notice.

C. Exterior Storage:

1. In R-1, R-2, R-3, MH, and TM Districts, all materials (trash, waste, refuse or any other items deemed a nuisance by the Zoning Administrator) and equipment shall be stored within a building or be fully screened so as not to be visible from adjoining properties. Exceptions include:
 - a. Construction and landscaping equipment, materials, etc., currently being used on the premises in connection with an approved building permit. Such items shall not be allowed to remain upon expiration of such permit(s), or when the work is completed, whichever occurs sooner;
 - b. Agricultural equipment and materials if being actively used for farming, and intended for use on, or off of the premises on a regular basis;
 - c. Off-street parking of operable passenger automobiles and pick-up trucks;
 - d. Passenger cars, trucks, or other vehicles in an obviously inoperative state due to age, damage, dismantled or malfunction shall not be parked outside in residential districts for a period exceeding seven (7) consecutive calendar days;
2. For all uses in the TM, C-1, C-2, M-1, M-2, and MP districts, which provide exterior and/or accessory trash, recycling or associated storage incidental to the permitted use, the following standards are recommended:
 - a. Such areas should be completely screened and enclosed on all sides, except the roof, with an enclosure or screening wall a minimum of six (6) feet in height.
 - b. The enclosure should be provided with a secure door and/or opening device to allow regular servicing and pick up of materials.
 - c. The construction materials for the enclosure should be of a durable and fully opaque material which cannot be seen through.
 - d. The enclosure exterior design materials should be compatible or of the same composition and appearance with that of the principal structure.
 - e. The enclosure, if designed as an accessory structure with a roof or located within ten (10) feet of the principal or accessory structure where building code inspections are required, should be permitted in accordance with the requirements of the building code.
3. Exterior storage accessory to a permitted principal use.
 - a. The exterior storage area shall also only be located upon an improved hard surface in accordance with Section 704 of this Ordinance.
 - b. Exterior storage shall not be allowed within the front yard setback.

- c. The exterior storage area shall meet the screening requirements of Section 703 of this Ordinance. For areas where it may be impractical to fully screen with the exact provisions of Section 703, the Zoning Administrator may approve an alternate to allow densely planted evergreen trees.

D. Outdoor Display of Merchandise and Open Sales Lots:

- 1. The following standards shall apply to any outdoor displays of merchandise and open sales lots in all districts where permitted:
 - a. Shall not occupy more than twenty-five percent (25%) of the required front yard setback area.
 - b. Shall be set back a minimum of fifteen (15) feet from any front yard property line, street or alley right-of-way line.
 - c. Shall not occupy any required minimum front yard green space area.
 - d. Shall only be located upon an improved hard surface consisting of bituminous, concrete, pavers or an equally durable and dustless surface.
 - e. Shall not occupy any of the minimum required parking spaces associated with the current use of the property.
 - f. Shall be in compliance with the lighting standards of this Ordinance.
 - g. Shall be in compliance with the sign standards of this Ordinance.
 - h. Merchandise shall be maintained in condition for immediate sale or rent and there shall be no storage of inoperable, dismantled or partially dismantled vehicles, equipment or supplies allowed for display.

Section 706. Exterior Lighting

Exterior lighting shall not be allowed unless such lighting is arranged so that it is hooded or otherwise shielded in order to deflect light away from adjoining property and public streets. Lighting shall be directed downward in order to minimize adverse impact on surrounding properties and rights-of-way. All development which requires a building permit, excluding single and two-family residences, shall be required to submit a lighting plan which, at a minimum, must include the site placement of all exterior lighting components and the specific fixture design features of each light.

Section 707. Temporary Uses or Structures

The following temporary uses of land are allowed, subject to the regulations and time limits identified below, unless a permit is specifically required by this Ordinance. These temporary uses are, however, subject to all other zoning regulations applicable within the specific zoning district in which the use is permitted. In determining whether a Temporary Use Permit shall be granted the City Council or Board of Adjustment shall give consideration to the health, safety, morals, and comfort of area residents, length of time requested for the permit, any adverse impact on neighboring land uses, possibility of traffic

congestion, harm to public roads, erosion of adjacent property and threat to any source of water supply. Conditions and restrictions as determined necessary to protect the public health, safety, morals, and comfort may be attached to the permit. The following uses may be permitted by a Temporary Use Permit per the Zoning Administrator, after review and approval of a completed application by the City Council or Board of Adjustment, if so noted.

- A. Contractors' offices and equipment sheds accessory to an ongoing permitted construction project, provided that no sleeping or cooking accommodations are provided.
- B. Real estate offices incidental to a new housing development, provided that no sleeping or cooking accommodations are provided, until the initial sale or lease of all dwelling units in the development.
- C. Promotional activities of retail merchants involving the display only of goods and merchandise that are for sale within the principal structure, conducted outside of such structure for a period of not more than two (2) consecutive weeks in any three (3) month period, provided that:
 - 1. No portion of the display shall be on publicly owned property unless the applicant shall have first obtained approval for such use from the City of New Hampton;
 - 2. No required off-street parking or loading area will be utilized for such display, storage or dispensing;
 - 3. No food or drink shall be displayed outside the building except in accordance with standards and prior approval of the health department; and,
 - 4. These provisions shall in no way be deemed to authorize the outdoor display of automobiles, trailers, equipment rental, or the sale of used furniture, appliances, plumbing, housewares, building materials, or similar display or sale in any business district except as otherwise permitted by this Ordinance.
- D. Garage or yard sale at a residential dwelling property limited to four (4) consecutive days no more than four (4) times in any twelve (12) consecutive month period. Where such sale is conducted on premises exterior to any structure, all sale items shall be removed from such exterior premises within one day following the day the sale is conducted.
- E. Carnival, circus and/or any type of festivals shall warrant a City Council review and consideration.
- F. Emergency Use and Disaster Recovery Permit: In the event of an emergency, a Factory built/Mobile Home may be used temporarily as living quarters in any Residential District or as a business in a Commercial District under the following conditions:
 - 1. The primary dwelling or building on the lot is unlivable or unusable due to substantial damage as the result of a recent disaster or catastrophe;
 - 2. The unit will be occupied only by the persons or business residing in or owning the lot at the time of the disaster;

3. This exception is for the purpose of allowing the owner to rebuild or repair the residence or business building;
 4. The owner has made arrangements satisfactory to the Zoning Administrator for water and electrical service and disposal of sewage, and for location of the unit on the lot; and
 5. The owner has applied to and been granted a permit under this section by the Zoning Administrator for a period of up to six (6) months for the use and placement of the temporary structure or trailer. The time shall not exceed the time necessary for repair and re-occupancy of the primary structure. The permit may be extended for additional periods not to exceed three (3) months. Each grant and extension is reviewable by City Council at the request of the applicant or the City Council.
- G. Any asphalt or concrete plant that is temporarily used for the duration of construction shall warrant a review and consideration from the Board of Adjustment through a Special Exception Permit.
- H. Temporary storage containers/semi-trailers

The purpose of this section is to regulate the use of temporary storage containers and semi-trailers within the City of New Hampton. These regulations are intended to preserve and protect the visual quality and character of neighborhoods, and promote the safety and health among the residents and businesses of the community by ensuring the use of such storage containers does not become a public nuisance.¹

1. Residential Districts: The use of a temporary storage container/semi-trailer is prohibited in residential districts, except in accordance with the following:
 - a. A temporary storage container/semi-trailer may be used to support construction activities occurring on the same property, subject to the following:
 - i. The temporary storage container/semi-trailer may only be on the property while the construction activities are occurring on the same property;
 - ii. A current building permit has been issued for the construction activities;
 - iii. The temporary storage container/semi-trailer is removed within seven (7) calendar days after completion of construction or the expiration of the building permit, whichever occurs first.
 - b. A temporary storage container/semi-trailer for the limited purpose of temporary storage to accommodate a move, a remodeling project, or the clean-up of a casualty loss may be on a property for no more than fifteen (15) consecutive days in a calendar year. The keeping of a temporary storage container/semi-trailer for more

¹ The scope of this section, with respect to semi-trailers, is limited to the use of such trailers for storage when they are disconnected from a truck tractor. This section does not apply to the handling of semi-trailers when connected to a truck tractor.

than fifteen (15) consecutive days within any twelve (12) month period, shall require a special exception permit.

- c. An enclosed trailer may be parked on a residential property as long as it is stored in the side or rear of the property. However, an enclosed trailer shall not be used for the sole purpose of storage. No more than one (1) enclosed trailer shall be allowed on a property within residential zoning districts.
2. Commercial Districts/Business Areas: In commercial and business districts, up to three (3) temporary storage containers/semi-trailers per property are allowed with the issuance of a temporary use permit. A special exception permit is required if more than a combined total of three (3) temporary storage containers/semi-trailers are located on a property. The use of a temporary storage container/semi-trailer in these districts is subject to the following:
 - a. The temporary storage container/semi-trailer may only be located in the side or rear yard of a property, and shall not be located within the front yard setback, on greenspace, in a right-of-way, or other areas on which the placement of a structure is prohibited;
 - b. The temporary storage container/semi-trailer shall be screened with sight-obscuring fencing or landscaping approved by the Zoning Administrator;
 - c. Any existing unpermitted storage container/semi-trailer shall be brought into compliance with this section by obtaining the required permit within one (1) year of the effective date of this section or it shall be removed from the property.
 - d. Contractor's shops and storage facilities (see definition per Section 108) are exempt from the requirement to obtain building permit for their temporary storage containers and job trailers that are regularly transported to and from the contractor's shop or storage facility as part of its on-going business activities. However, all temporary storage containers and job trailers are subject to screening, impervious surface/greenspace, and setbacks requirements. All storage containers and job trailers shall be parked in the side or rear of the property.
 3. Industrial Districts: In industrial districts a temporary storage container/semi-trailer is allowed without a permit, but shall not be located in the front yard setback, within greenspace areas, or in the right-of-way. All temporary storage containers/semi-trailers shall be properly screened with sight-obscuring fencing or landscaping approved by the Zoning Administrator and placed either in the side or rear yard of a property.
 4. Standards: The following standards apply to an allowed temporary storage container/semi-trailer:
 - a. It must be kept free of nuisances (grass, weeds, trash, vermin, holes, peeling paint, rust, damage, etc.) or it can be deemed a nuisance and be subject to legal action or revocation of the applicable permit;

- b. It shall not be used for any advertising purpose and shall be kept free of all alpha-numeric signage and writing, except for identifying information required by law and job trailers used on a construction site;
- c. It shall not occupy any required off-street parking or loading areas;
- d. It shall be placed so as to comply with setbacks applicable to the zoning district in which it is located;
- e. It shall not be stacked on top of another temporary storage container/semi-trailer;
- f. Materials shall not be piled or stacked on, against, or next to a temporary storage container/semi-trailer;
- g. The maximum height of a temporary storage container/semi-trailer is fifteen (15) feet; and
- h. A temporary storage container/semi-trailer in violation of this section shall be removed from the property within thirty (30) days of notification of the violation by the City of New Hampton. An extension for the removal may be granted by the Zoning Administrator if a building permit is obtained for on-site construction to correct the violation.

I. Temporary construction office, office, or classroom

- 1. Temporary storage containers and construction job trailers incidental to the construction of a permitted use may be allowed on-site for the duration of construction and must be removed within seven (7) days after the completion of construction.
- 2. Temporary office or classroom space may be permitted for one hundred and eighty (180) days or less with a building permit as appropriate. Any time extension shall require a Special Exception Permit.

J. Tents, recreational vehicles (RV), carports and other temporary assembly structures may be located on a property for temporary assembly uses for a period not to exceed two (2) weeks without a permit. A permit is required for any temporary structure erected for more than two (2) weeks.

Section 708. Trucks, Buses & Recreational Vehicles

- A. Truck trailers and buses shall not be parked or stored on any lot occupied by a dwelling.
- B. Recreational Vehicle: A “recreational vehicle” shall only be used as living quarters for a maximum of two (2) weeks. Using a “recreational vehicle” for living quarters beyond two (2) weeks, shall require Planning and Zoning Commission and City Council approval. A “recreational vehicle” shall not be stored on a vacant Residential lot. See Section 707 Temporary Uses or Structures.

Section 709. Special Provisions for Home Occupations

Customary Type I and Type II home occupations shall be allowed with the issuance of a Home Occupation Permit from the Zoning Administrator provided that they meet the following conditions. Type III home occupations shall only be allowed after approval of special exception permit by the Board of Adjustment and must meet the provisions of this Section in addition to any standards or conditions prescribed in the issuance of said permit. The following standards are subject to all home occupations:

- A. The home occupation shall be clearly incidental and secondary to the use of the dwelling unit as a residence.
- B. Such occupation is carried on in the principal building and may not be conducted in an accessory building other than a private garage.
- C. Not more than twenty-five percent (25%) of the gross floor area of the residence or garage is used for this purpose.
- D. Only articles made or originating on the premises shall be sold on the premises, unless such articles are incidental to a permitted commercial service. Retail sales, including used goods and garage sales are prohibited from being the primary business. No more than four (4) garage sales may occur at a dwelling in any year. A garage sale may not exceed a period of more than four (4) consecutive days.
- E. No articles for sale shall be displayed so as to be visible from the street.
- F. The home occupation shall be conducted by a member(s) of the family residing within the dwelling unit and no more than one (1) non-resident employee.
- G. No mechanical or electrical equipment shall be used if the operation of such equipment violates existing nuisance ordinance controls, creates a public nuisance, or otherwise interferes unreasonably with the desired quiet residential environment of the neighborhood or if the health and safety of the residents is endangered. No equipment shall be used in the home occupation which will create electrical interference to surrounding properties.
- H. Such occupation must provide off-street parking. Parking spaces shall be clearly identified on an approved site plan of the parcel at the time the permit is issued. Parking of vehicles associated with the home occupation on streets or alley ways is prohibited. The on-site parking spaces must be sufficient to accommodate all traffic generated by the home occupation. No more than six vehicles in addition to the vehicles registered to drivers living at the residence may be parked on a parcel at any one time.
- I. There shall be no exterior storage of equipment or materials used in the home occupation, except personal automobiles used in the home occupation may be parked on the site.
 - 1. Fuel tanks and dispensary equipment are prohibited on residential properties within city limits.

- J. One sign no larger than four (4) square feet shall be permitted on site; refer to sign regulations in Article VI.
 - 1. If located along a state or federal highway, an Iowa Department of Transportation permit must be obtained.
- K. No permitted home occupation shall be conducted between the hours of 10:00 PM and 7:00 AM.
- L. No home occupation shall require exterior or significant interior renovation or alteration not customarily found in dwellings except where required to comply with local and state fire and police recommendations.
- M. Home occupations which create noise, odor, dust, electrical glare or vibrations discernible off of the premises shall not be permitted.
- N. Water, sewer, and waste disposal systems shall be subject to approval of the City Council.
- O. Home Occupation Permit Process:
 - 1. An initial application for a home occupation permit shall be completed by the property owner and presented to the City staff for review and consideration. When reviewing the application, the City staff shall consider the provisions of this Ordinance as well as the effect of the proposed home occupation upon the character of the neighborhood, traffic conditions, public utility infrastructure, and other matters pertaining to the general welfare of the City. Staff shall determine whether the home occupation is a Type I, II or III. If a Type I or II, the Zoning Administrator may proceed with the permitting process, subject to all standards and regulation being met. If a Type III home occupation is determined, City Staff shall make a formal recommendation to the Board of Adjustment regarding the application.
 - 2. City Staff will then notify surrounding property owners, within two hundred (200) feet, of the request by mail as a courtesy. If approved by the Board of Adjustment, a home occupation permit will be valid until the home occupation ceases; or the property changes ownership; or it is revoked by the Board of Adjustment after a public hearing.
 - 3. Because operating a home occupation is a privilege, a previously approved application may be revoked by the Board of Adjustment or City Council upon substantiated complaint of the surrounding neighborhood, or upon violation of this Ordinance, or the City of New Hampton Code of Ordinances. Prior to considering revocation of an existing permit, the Board of Adjustment shall hold an additional public hearing, according to the standards established in this Ordinance.
 - 4. If an initial permit application is denied by the Board of Adjustment, or a previously approved permit is revoked by the Board of Adjustment, a property owner must wait for a period of one (1) year before reapplying for a home occupation permit.

Section 710. Mobile Restaurants

Mobile Restaurants are allowed in the City of New Hampton; however, these units shall be required to abide by the following requirements:

- A. All mobile restaurants are required to obtain an annual Mobile Restaurant Permit from the City prior to occupying within corporate limits.
- B. All units shall only operate during hours identified on the mobile restaurant permit. In no case shall a unit be open for more than one hour after the legal closing time of local bars.
- C. All units shall be located on private property, unless approval has been granted by the City Council to where on-street parking may be permitted. On-street parking shall only be allowed during times of operation.
- D. All refuse shall be transported off-site unless an agreement with the property owner is submitted to the City identifying an alternate.
- E. All units shall not be allowed to use intense lights in order to attract customers.
- F. During non-operation hours, these units shall be stored on private property.
- G. All mobile restaurants are required to comply with all state and fire codes and obtain all necessary licenses prior to operating within City Limits, especially from Department of Health.

Section 711. Manufactured Home Park (Mobile Home) Standards

This Section recognizes that manufactured home developments, properly planned, can provide important opportunities for affordable housing. It provides opportunities for manufactured home development within planned parks or subdivisions, along with the supporting services necessary to create quality residential neighborhoods. A manufactured home, also known as a mobile home, shall be parked or stored only in a manufactured home park or manufactured home sales area. A manufactured home shall not be occupied whether temporarily or permanently while it is parked or stored in any area within the incorporated limits except in a manufactured home park authorized under the ordinances of the City of New Hampton. The following performance standards are required for manufactured home parks:

- A. Area and Open Space Requirements:
 - 1. The minimum area for a manufactured housing park connected with city utility services shall be three (3) acres. The park shall have a setback of minimum of thirty feet (30') from any right-of-way. The setback for the remaining outer perimeter of the entire park is twenty-five feet (25'). The minimum lot depth of a manufactured home park shall be two-hundred feet (200').
 - a. Each lot provided for occupancy of a single manufactured home dwelling shall have an area of not less than five thousand (5,000) square feet, excluding streets and rights-of-way, and a width of not less than fifty (50) feet. Each individual lot shall have:
 - 1. Front Yard Setback – Minimum of thirty feet (30')

2. Side Yard Setback – Minimum of eight feet (8')
 3. Exterior Side Yards/Corner Lots – Minimum of twenty feet (20')
 4. Rear Yard Setbacks – Minimum of twenty-five feet (25')
 5. Height – Maximum of twenty-five feet (25')
2. A minimum of five hundred (500) square feet per mobile home shall be provided in a definable play area and/or open space. Lot yards shall not be included in this space, nor shall any areas of less than twenty (20) feet in length or width. All areas not used for access, parking circulation, buildings and service shall be completely landscaped and the entire area maintained in good condition, consistent with the provisions of this Ordinance.

B. Streets:

Streets must follow subdivision requirements concerning grading and must have access to a hard-surfaced drive not less than twenty-four (24) feet in width, excluding parking. The right-of-way width will be a minimum of forty (40) feet. On-street parking is not allowed.

C. Parking:

A minimum and maximum of two (2) off-street parking spaces shall be provided on each lot. These spaces will be clearly defined with a border and gravel or cement surface. A parking compound must be provided by the developer to accommodate one additional parking space for every two (2) manufactured homes.

D. Screening:

All manufactured home parks located adjacent to residential, recreational, commercial or industrial land uses shall provide screening such as fences, shrubs or trees along the property boundary line separating the park and other uses and shall be maintained in a neat and orderly manner. Screening shall be a minimum of five (5) feet in height. Landscaping shall be provided between the screen and property boundary. A landscape plan is required as part of the platting process for a manufactured home park.

E. Accessory Buildings:

One storage building of not more than one hundred and twenty (120) square feet is allowed per lot. A carport may also be allowed on manufactured home lots. All accessory buildings must meet applicable setbacks. Storage and accessory buildings must be maintained and designed to enhance the general appearance of the lot.

F. Manufactured Home Requirements:

All manufactured homes shall be skirted and shall be in accordance with the decor of the manufactured home and in good repair. Each manufactured home shall be anchored to resist

damaging movement by wind or storm. Each manufactured home base shall have a suitable hardstand of durable material capable of supporting the vehicle wheels, stands or jacks. A minimum of five hundred (500) square feet shall be required for all manufactured homes in a manufactured housing park. All homes shall be secured to comply with all State of Iowa Codes.

G. Miscellaneous Requirements:

Owners of the manufactured housing park are responsible for meeting the following standards:

1. Park management shall notify park occupants of all applicable provisions of this Section and inform them of their duties and responsibilities under this Section.
2. Community water and community sewage disposal facilities shall be provided with connections to each lot, in accordance with design standards for the City. The water supply shall be sufficient for domestic use and for fire protection.
3. Service buildings including adequate laundry and drying facilities. Common toilet facilities for mobile homes which do not have these facilities within each unit may be provided.
4. Storm shelters shall be required and shall meet the following criteria:
 - a. Shelter space equivalent to two persons per mobile home lot;
 - b. Designed in conformance with “National Performance Criteria for Tornado Shelters” by the Federal Emergency Management Agency (FEMA) and any other referenced material by FEMA; and
 - c. Shelters shall be sited in order to provide maximum protection to park occupants and so that residents may reach a shelter within the maximum safe time frame as directed by FEMA.
5. The Park Operator shall maintain a record of all mobile home owners and occupants located with the park. The register shall contain the following information: The name and address of each manufactured home occupant, the name and address of the owner of each manufactured home and motor vehicle by which it is towed; the make, model, year and license number of each manufactured home and motor vehicle, the state, territory or country issuing such license; and the date of arrival and departure of each manufactured home. The operator shall make this available to law enforcement officers, public health officers, and other officials whose duty necessitates acquisition of the information in the register. The register record for each occupant registered shall not be destroyed for a period of three (3) years of the registrant moving from the park.
6. No part of any park shall be used for non-residential purposes, except such uses that are required for the direct serving and well-being of park residents and for the management and maintenance of the park.

7. All manufactured home parks shall comply with the State of Iowa Department of Health requirements for manufactured home park licensing.

Section 712: Tiny Houses

Tiny houses shall only be allowed in a tiny house neighborhood/village/community or better known as a tiny house subdivision and shall only be allowed in areas identified within the Land Use Matrix in the Ordinance. This development type contains single-family detached housing units typically arranged in a cluster of four (4) to twenty (20) dwelling units around a common open space, and may include a common building for shared services. Tiny house dwelling structures typically range from one hundred and fifty (150) to eight hundred (800) square feet in size. The purpose of small lot subdivision is to encourage affordable housing, infill development and sustainable practices. All subdivision standards shall apply to Tiny Home Subdivisions. Additional standards are required as follows:

- A. Tiny House subdivisions may only be approved with the review and approval of a plat of survey and a special exception permit.
- B. Tiny house subdivisions can occur in A-1, R-1, R-2, R-3, & MH zoning districts.
- C. Small unit lots may be irregularly shaped, a minimum area of six hundred (600) square feet, and at least thirty (30) feet wide.
- D. There following are the minimum setbacks within the approved tiny house subdivision:
 1. Front yard, including streets and alleys within – ten feet (10')
 2. Exterior side yard/corner lot – ten feet (10')
 3. Side yard – five feet (5')
 4. Rear yard – 10 feet (10')
- E. Maximum building height is twenty (20) feet.
- F. Thirty percent (30%) open space is required per small unit lot.
- G. Tiny houses shall have at least one habitable room with not less than one hundred and twenty (120) sq. ft. of gross floor area.
- H. Other habitable rooms shall have not less than 70 sf of floor area, except for kitchens.
- I. Habitable rooms shall not be less than seven feet in any horizontal dimension.
- J. Ceiling height effect on room area:
 1. Portions of a sloped ceiling measuring less than five feet or a furred ceiling measuring less than seven feet from the finished floor.

2. The finished ceiling shall not be considered as contributing to the minimum required habitable area for the room.
- K. Ceiling heights shall be a minimum of seven feet in habitable spaces, hallways, bathrooms, and toilet rooms.
 - L. Every dwelling shall have toilet facilities-water closet, lavatory, and a bathtub or shower.
 - M. Tiny homes shall have a kitchen area and sink.
 - N. The unit shall provide heating and cooling systems as required by local, state and/or federal codes.
 - O. All electrical shall be in compliance with all local, state and/or federal electrical codes.
 - P. The unit shall meet all egress requirements found in local, state, and/or federal codes.
 - Q. All foundations shall meet local, state, and/or federal building codes.
 - R. Small lot homes must be structurally independent, with no shared foundations or common walls.
 - S. All tiny houses shall be connected to public utility services for both water and sewer.
 - T. Storm shelters shall be required and shall meet the following criteria:
 1. Shelter space equivalent to two persons per tiny house lot;
 2. Designed in conformance with “National Performance Criteria for Tornado Shelters” by the Federal Emergency Management Agency (FEMA) and any other referenced material by FEMA; and
 - U. Shelters shall be sited in order to provide maximum protection to park occupants and so that residents may reach a shelter within the maximum safe time frame as directed by FEMA.



Section 713. Wind Energy Conversion Systems

The purpose of this section is to allow and encourage the safe, effective and efficient use of small wind energy systems; identify locations in areas of the City which would be least adversely impacted by the visual, aesthetic, and safety implications of their siting; and enhance the ability of the providers of wind energy services to provide such services to the community quickly, efficiently, and effectively.

A. General Regulations

1. **General:** wind energy conversion systems shall be allowed as a special use accessory to a permitted use in all zoning districts other than residential zoning districts.
2. **Prohibited:** commercial wind energy conversion systems are prohibited within the City.
3. **Number of systems per property:** no property shall contain more than one wind energy conversion system.
4. **Permit required:** all wind energy conversion systems require a special use permit to be obtained from the Board of Adjustment prior to site grading and installation. The Board of Adjustment can revoke a special permit at any time if the requirements set forth in this ordinance and/or any conditions imposed by the Board of Adjustment are not met. The Board of Adjustment will revoke the special use permit of an abandoned wind energy conversion system.
5. **Insurance:** the owner/operator of a wind energy conversion system unit must demonstrate adequate liability insurance.
6. **FAA Regulations:** wind energy conversion systems must comply with applicable FAA regulations, including any necessary approvals for installations close to airports. The applicant has the responsibility of determining applicable FAA regulations and must provide evidence of securing the necessary approvals.
7. **Maintenance:** all wind energy conversion systems shall be properly maintained in operational condition at all times, subject to reasonable maintenance and repair outages. The owner of any wind energy conversion system deemed unsafe by the zoning official or his/her designee shall repair the structure to meet all federal, state and local safety standards or remove it within six (6) months.

B. Bulk Regulations:

1. **Minimum Lot Size:** two (2) acre minimum lot size required for any tower mounted wind energy conversion systems.
2. **Minimum Setback Requirements:** all wind energy conversion systems shall require a setback of one hundred ten percent (110%) of the total system height from any property line.
3. **Maximum Height:** the maximum height for wind energy conversion system is eighty (80) feet.

4. Number of Systems Allowed: no more than one (1) wind energy system may be placed on any parcel.
 5. Location:
 - i. Tower mounted wind energy conversion systems shall only be located outside of any minimum building setback requirements.
 - ii. No part of a wind energy conversion system shall be located within or over drainage, utility or other established easements, or on or over property lines.
 - iii. A wind energy conversion system shall be in compliance with guidelines of the Federal Aviation Administration (FAA) regulations.
 - iv. No wind energy conversion system shall be constructed within twenty (20) feet laterally of an overhead electrical power line (excluding secondary electrical service lines or service drops). The setback from underground electric distribution lines shall be at least five (5) feet.
 - v. No wind energy conversion system shall be located in a residential zoning district.
 - vi. No roof mounted wind energy conversion system will be allowed.
- C. Minimum System Design Standards. The following standards are required of all wind energy conversion systems and shall be deemed to be conditions of approval for every wind energy system.
1. Color: the wind energy conversion system shall be white or light gray in color. Other neutral colors may be allowed at the discretion of the Board of Adjustment. The surface of the structure shall be non-reflective.
 2. Lighting: no lights shall be installed on the tower, unless required by the Federal Aviation Administration (FAA).
 3. Signs: One sign, limited to four (4) square feet, shall be posted at or near the base of the tower. The sign shall include a notice of no trespassing, a warning of high voltage, and the phone number to the property owner/operator to call in case of emergency. Such sign shall be directly visible from any external fencing and/or landscaping. Brand names or advertising associated with any installation shall not be visible from any public right-of-way.
 4. Clearance of Blade Above Ground: no portion of the tower mounted wind energy conversion system shall extend within thirty (30) feet of the ground. No blades may extend over parking areas, driveways or sidewalks.
 5. Installation: installation must be done by a qualified professional and according to manufacturer's recommendations.
 6. Noise: the wind energy conversion system shall not exceed 65 decibels, except during short term events such as severe wind storms and utility outages. Maximum sound pressures will be measured from the closed point on the closest property line.

7. Use of Electricity Generated: a wind energy conversion system shall be used exclusively to supply electrical power for onsite consumption, except that when a parcel on which a wind energy conversion system is installed also receives electrical power supplied by a utility company, excess electrical power generated by the wind energy system and not presently needed for onsite use may be used by the utility company in accordance with Section 199, Chapter 15.11(5) of the Iowa Administrative Code.
8. Automatic Overspeed Controls: all wind energy conversion systems shall be equipped with manual and automatic over-speed controls to limit the blade rotation speed to within the design limits of the wind energy conversion system.
9. Electromagnetic Interference: all blades shall be constructed of a nonmetallic substance. No wind energy conversion system shall be installed in any location where its proximity with existing fixed broadcast, retransmission, or reception antenna for radio, television, or wireless phone or other personal communication systems would produce electromagnetic interference with signal transmission or reception. No wind energy conversion system shall be installed in any location along the major axis of an existing microwave communications link where its operation is likely to produce electromagnetic interference in the link's operation.
10. Interconnection: the wind energy conversion system, if interconnected to a utility system, shall meet the requirements for interconnection and operation as set forth by the utility and the Iowa Utilities Board.
11. Wind Access Easements: the enactment of this section does not constitute the granting of an easement by the City. The owner/operator shall provide covenants, easements, or similar documentation to assure sufficient wind to operate the wind energy conversion system unless adequate accessibility to the wind is provided by the site.
12. Shadow Flicker: a shadow flicker model demonstrates that shadow flicker shall not fall on, or in, any existing residential structure. Shadow flicker expected to fall on a roadway or a portion of residentially zoned parcel may be acceptable if the flicker does not exceed thirty (30) hours per year; and the flicker will fall more than one hundred (100) feet from an existing residence; or the traffic volumes are less than five hundred (500) vehicles per day on the roadway. The shadow flicker model shall:
 - i. Map and describe within a one thousand (1,000) foot radius of the proposed dispersed wind energy system the topography, existing residences and location of their windows, locations of other structures, wind speeds and directions, existing vegetation and roadways. The model shall represent the most probable scenarios of wind constancy, sunshine constancy, and wind directions and speed;
 - ii. Calculate the locations of shadow flicker caused by the proposed project and the expected durations of the flicker at these locations, calculate the total number of hours per year of flicker at all locations;
 - iii. Identify problem areas where shadow flicker will interfere with existing or future residences and roadways and describe proposed mitigation measures, including, but not limited to, a change in siting of the wind energy conversion system, a change in the operation of the wind energy conversion system, or grading or landscaping mitigation measures.

13. Appearance: the property owner of any wind energy system shall maintain such system in a safe and attractive manner, including replacement of defective parts, painting, cleaning, and other acts that may be required for the maintenance and upkeep of the function and appearance of such a system. The owner shall maintain the ground upon which the system is located in an orderly manner, such that is free of debris, tall grass and weeds, and any structures remain quality in appearance.
- D. Abandonment. Any wind energy system that is not operated for a period of one hundred eighty (180) consecutive days shall be considered abandoned and shall constitute a nuisance. Within the next 180 days, after notice from the City, the owner shall reactivate the tower or it shall be dismantled and removed at the owner's expense. Removal of the system includes the entire structure including foundations, transmission equipment and fencing from the property. If the abandoned wind energy system is not removed in the specified amount of time, the City may remove it and recover its costs from the wind energy conversion system owner or owner of the ground upon which it is located.
- E. New Technologies. Should new technology present itself after construction that is more effective, efficient, and economical, the owner may petition the City to allow the upgrade, provided that the upgrade does not alter the conditions set forth in this chapter.
- F. Liability and Damages. The owner/operator of a wind energy conversion system must demonstrate adequate liability insurance. Upon the granting of a permit, applicant shall assume full responsibility for any and all damages, claims, expenses, liabilities, judgments and costs of any kind, including reasonable attorney's fees related to or caused by the erection, location, use, or removal of a facility, whether on public or private property, and shall agree to hold the City harmless, indemnify and defend it from all such liabilities incurred or judgments entered against it as a result of the erection, location, use or removal of the facility.
- G. Engineer Certification. Applications for wind energy conversion systems shall be accompanied by standard drawings of the wind turbine structure, including the tower, base, and footings. An engineering analysis of the tower showing compliance with the applicable regulations and certified by a licensed professional engineer shall also be submitted.
- H. Utility Notification. A wind energy conversion system shall not be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator.
- I. Application and Approval Requirements. Applications for a special use permit shall be submitted with the following information:
1. A properly completed and signed application.
 2. A statement from the applicant that the wind energy conversion system will be installed in compliance with manufacturer's specifications, and a copy of the manufacturer's specifications.
 3. A statement indicating what hazardous materials will be used or stored on the site and how those materials will be stored.

4. A description of the wind energy conversion system's height and design, including a cross section, elevation, and diagram of how the wind energy conversion system will be anchored to the ground, prepared by a professional engineer licensed in the State of Iowa.
 5. A site plan including the following information:
 - i. Legal description of the property
 - ii. Parcel boundaries
 - iii. Existing buildings
 - iv. Easements
 - v. Fencing
 - vi. Proposed location of wind energy conversion system
 - vii. Setbacks
 - viii. Travel ways
 - ix. Overhead utility lines
 - x. Contour map with contours at intervals of two feet, if the general slope is less than ten (10) percent, and at vertical intervals of five feet if the general slope is greater than ten (10) percent.
 - xi. If connection to the publicly regulated utility grid is proposed, a copy of the contract between applicant and utility verifying the proposed connection is acceptable, and/or other evidence making clear that the utility is aware of the proposed connection and finds it acceptable.
 - xii. Shadow flicker model.
 6. The City may require that the application and site plan be reviewed by a City Engineer before the Board of Adjustment schedules a hearing on the application for a special use permit.
- J. Accessory Use. A wind energy conversion system shall only be allowed as an accessory use to a permitted principal use.

Section 714. Farm Animals

- A. Animal Units: An animal unit is a unit of measure used to compare the manure generated on a regular basis from different animal types. To calculate animal units, the number of animals of the same type is multiplied by the animal unit factor shown in the table below. The size of a feedlot or feeding operation is determined by its number of animal units. Per *Iowa Chapter 459, Animal Agriculture Compliance Act*, the following animal units are broken down for each type of animal.

Animal	Animal Units (AU)
Dairy & Beef	
Slaughter or Feeder Cattle	1.0 AU
Immature Dairy Cattle	1.0 AU
Mature Dairy Cattle	1.4 AU
Butcher or Breeding Swine (weighing fifty-five (55) pounds or less)	0.4 AU
Swine (weighing between fifteen (15) and fifty-five (55) pounds)	0.1 AU
Horse	
Horse	2.0 AU
Sheep or Lamb	
Sheep or Lamb	0.1 AU
Chickens	
Over three (3) pounds	0.010 AU
Under three (3) pounds	0.0025 AU
Turkeys	
Over seven (7) pounds	0.018 AU
Under seven (7) pounds	0.0085 AU
Fish	
Over twenty-five (25) grams	0.001 AU
Under twenty-five (25) grams	0.00006 AU

Example: The Applicant has 0.84 acres. The area that is being designated as a “confined area” is roughly one-quarter (0.25) of an acre. Per Section 714 D. of this Ordinance, up to fifty percent (50%) of one (1) animal unit is allowed and may be permitted on the property less than two (2) acres. If the Applicant is wanting chickens that are all three (3) pounds or more, the following equations shows the rational:

One (1) chicken = 0.010 animal units (AU)

- One (1) chicken / 0.010 AU = 100 hundred (100) chickens x fifty percent (50%) = fifty (50) chickens per acre
- Fifty (50) chickens per acre x one-quarter (0.25) of an acre in confined space = twelve and a half (12 ½) total chickens allowed

B. Animal Feeding Operation

1. A lot, yard, corral, building, or other area in which animals are confined and fed and maintained for forty-five days or more in any twelve-month period, and all structures used for the storage of manure from animals in the operation. Except as required for a national pollutant discharge elimination system permit required pursuant to the federal *Water Pollution Control Act, 33 U.S.C. Ch. 26*, as amended, an animal feeding operation does not include a livestock market.

C. Allowed without a permit: Domestic farm animals shall be an allowed accessory to a residential use without a permit, subject to the following standards: (All other situations shall require a permit.)

1. The parcel contains a minimum of two (2) contiguous acres.

2. The standard shall be one (1) animal unit per acre of fenced pasture, according to “animal unit factor” calculation methods.
 3. Adequate fencing to contain domesticated farm animals shall be provided and maintained to insure safe confinement on the owner’s property.
 4. Electric or barbed wire fence installed within city limits shall be prohibited within one hundred and fifty (150) feet of an adjacent residential dwelling.
 5. Covered shelter from winds and other weather shall be available.
- D. Allowed with a permit: A permit may be issued to allow domestic farm animals on residentially zoned Property which contains less than two (2) acres, subject to the following standards:
1. Issuance of Permit. If the Zoning Administrator or designee concludes because of the information contained in the application that the requirements below for a permit have been met, then the permit shall be issued. An animal permit shall be renewed annually and the fee shall be established by Council resolution and all permits shall expire on June 30th of the issuance year.
 2. All animals and confinement area shall be maintained in a healthy and sanitary condition.
 3. The applicant shall provide a written management plan. The plan shall include a diagram of the confinement area drawn to scale on a parcel site plan.
 4. The confinement area is required to meet twice the required side and rear yard setback requirements of Article IV of this Ordinance.
 5. The total number of Animal Units allowed under this Section shall be determined according to the size of the available confinement area, but in all cases the number shall not exceed fifty percent (50%) of one animal unit.
 - a. For chickens, a minimum of two (2) square feet per chicken is required for coop size. For chicken confinement area, a minimum of twenty-five (25) square feet is required.
 1. Roosters are not allowed.
 2. Maximum number of chickens allowed is thirty (30) per tract of land less than two (2) acres in size.
 6. Typical animal adult weight may not exceed fifty (50) pounds with less than one (1) acre in total parcel size, and one-hundred (100) pounds on parcels which contain one to one and nine-tenths (1.0-1.9) acres in total parcel size.
 7. Animals shall be confined in an appropriate structure and/or fenced area.

8. The animal confinement area shall not be located between a principal structure and any street, with the exception of a platted alley.
9. The confinement area shall not consist of any type of vehicle or equipment, whether or not operative.
10. The animal owner shall prevent animal noise from occurring on the property which is audible on adjacent or nearby property.
11. Animal odors shall not be detectible on adjacent or nearby properties.
12. The animal owner shall prevent conditions which constitute a public nuisance.

E. Non-domestic, exotic, or game animals.

The keeping of Non-Domestic, Exotic, or Game Animals may only be allowed upon approval of a Special Exception Permit in accordance with Section 301 of this Ordinance. The Board of Adjustment may impose any requirements of this Ordinance, state and federal laws, and any other appropriate conditions to assure the safe keeping or harboring of such animals on the property. Non-domestic animal owners shall be required to mitigate any potential impacts to neighboring properties with conditions imposed with an approved Special Exception Permit. A yearly inspection of approved exotic animal permits shall be conducted. This is meant to ensure that these permits are complying with the conditions placed upon the permit.

F. Beekeeping.

1. Allowed with a permit: A permit may be issued to allow beekeeping.
2. All beekeeping in the City of New Hampton shall employ the best management practices as prescribed by the *Iowa Chapter 459, Animal Agriculture Compliance Act*, and are additionally subject to the following standards:
 - a. Setback of hives must be set back ten (10) feet from all property lines and at least twenty-five (25) feet from a principle building on an abutting lot. Hives will be no closer than fifteen (15) feet from a public sidewalk.
 - b. A flyway barrier at least six (6) feet in height shall shield any part of a property line that is within twenty-five (25) feet of a hive. The flyway barrier shall consist of a wall, fence, dense vegetation or a combination thereof.
 - c. Each beekeeper shall ensure that a convenient source of water is available at all times to the honey bees so that the honey bees are discouraged from congregating at swimming pools, bibcock, pet water bowls, birdbaths or other water sources where they may cause human, or domestic pet contact.
 - d. Any hive which has been abandoned by the beekeeper, is unlawful and may be summarily destroyed or removed from the municipality by an appropriate designee. The beekeeper will have thirty (30) days from the time of the complaint to bring the hive/hives into compliance.

- e. Beekeeping shall be prohibited on residentially zoned properties that contain a use greater than a single-family dwelling including, but is not limited to, multi-family units, duplex units, triplex units, quad units, residential facilities, etc. Unless a Special Exception Permit has been obtained and the surrounding property owners and renters have signed a bee keeping approval agreement.
- f. No person is permitted to keep more than the following numbers of colonies on any lot within New Hampton, based upon the size of the lot:
 - 1. One-half (1/2) acre lot or smaller: three (3) colonies;
 - 2. Lot larger than one-half (1/2) acre but smaller than three-quarters (3/4) acre: four (4) colonies;
 - 3. Lot larger than three-quarters (3/4) acre lot but smaller than one (1) acre: six (6) colonies;
 - 4. One (1) acre lot but smaller than five (5) acres: eight (8) colonies;
 - 5. Larger than five (5) acres: no restriction.

3. Honey Production

Each beekeeper is allowed to make in person sales of honey from the beekeeper's residence as long as a permit has been applied for, approved, and the following standards are met:

- a. The beekeeper must live on the apiary lot.
- b. All honey sold in person on the residential premise must be produced by the beekeeper's hives that are located on the subject residential premise.
- c. An application for a home occupation must be applied for and a home occupation permit approved prior to sale of product, signage or commercial production commences.

Section 715. Architectural Standards

The requirements, guidelines and standards set forth in the Section shall apply to all property within the zoning districts and within the City of New Hampton.

A. Statement of Intent

In the interest of promoting the general welfare of the community and to protect the value of buildings and property, the image and character of a community is considered important. It is recognized that the community should be visually attractive, as well as financially prosperous and the manner in which a use is accomplished is as important as the use. The quality of architecture and building construction is important to the preservation and enhancement of

building and property values, prevention of the physical deterioration of buildings, the promotion of the image of the community and the general welfare of its citizens. In the event that a building or facility does not meet the standards set forth in subsections B and C, then an appeal to the denial of the permit application may be reviewed by the City Council.

B. Architectural Standards by Zoning District and Use

Architectural plans for construction of new buildings and additions to and exterior alterations of existing buildings to the architectural appearance shall be submitted simultaneously with an application for a Zoning/Building Permit as required in this Ordinance. However, ordinary maintenance to and repair of existing buildings need not comply with this Section.

Documentation to be submitted shall include building elevations showing the building's design and exterior materials and any other information as deemed necessary to make a determination. Detailed information relating to any lighting or signage on the structure shall be provided, including backlit material or accent lighting. The architectural design shall be in accordance with the standards as contained in this section.

1. **Wall Area Defined.** In the application of these requirements, some standards are based upon a percentage of the wall area. The wall area is defined as the total square feet of the exterior elevation of the building in a single plane that is perpendicular to the point-of-view and vertical to the ground. It may contain a gable end or dormer in the same plane of view. It does not contain the elevated area of a pitched roof, but would include the area of a parapet wall. Each elevation must comply with the standards unless otherwise provided for herein, or as approved by the council.
2. **Residential Districts.** All accessory buildings in residential districts shall have the same siding or exterior finish, including color, as the principal building, except for accessory buildings of two hundred and fifty (250) square feet or less.
3. **Multiple Family Dwellings in All Districts.** Multiple-family buildings shall be designed in a manner compatible with residential uses in the vicinity. Architectural design for multiple-family buildings shall attempt to lessen the plainness of appearance which can be characteristic of large residential buildings. Multiple-family buildings with plain walls and boxy appearance are not acceptable. Their architectural design shall use a combination of the following design techniques as appropriate.
 - a. Exterior building materials shall employ a variety of textures and colors and window and door details.
 - b. The roof shall be principally of gable, hip style or similar residential roof design.
 - c. The structures perimeter shall be varied when multiple buildings are proposed.
 - d. Multiple buildings shall be located at angles with one another.
4. **Downtown District.** All existing buildings and new buildings within the district shall be designed or have an appearance of a main street that preserves the historic identity. A style may include such elements as form, method of construction, building materials and regional character. Buildings shall maintain a boxy appearance, similar to a maintain district.

Section 716: Propane Tanks

A. Tanks Allowed.

All properties currently using LP gas tanks may continue to do so until such time as the City of New Hampton approved natural gas franchise utility becomes reasonably available to the property owner. Upon determination of the reasonable availability the property owner at the owner's expense shall connect to the City of New Hampton national gas franchise utility or contracted company within two (2) years of that availability. For the use of a LP gas tank, following proper application to the Fire Chief and compliance with all requirements of the regulations adopted herein, propane gas storage tanks (hereinafter "propane tanks" or "tank") not exceeding five-hundred (500) gallons water capacity may be installed above ground within the City limits.

B. Permits.

1. The Fire Chief will maintain permit forms for installation of propane tanks. Only liquefied petroleum gas may be stored in such tanks. The application shall be signed by all of the owners of the lot upon which the tank is to be installed. No tank shall be installed until a permit application has been submitted to the Fire Chief, the Fire Chief has received all information required under this Section, and a Propane Tank Permit has been issued by the Fire Chief.
2. The permit applicant shall provide a legible site diagram proportionally drawn and to scale. The plan shall include the site business name, address, tank size, company performing the installation, distances to streets nearby, distances to all buildings and property lines, electrical power lines, flammable and combustible liquid storage tanks, and any other information as required by the Fire Prevention Division UFC 105.3.
3. A permit shall be obtained for each installation of liquefied petroleum (LP) gas employing a container or an aggregate of interconnected containers of over one-hundred and fifty (150) gallons water capacity. Only one tank shall be permitted on any lot.

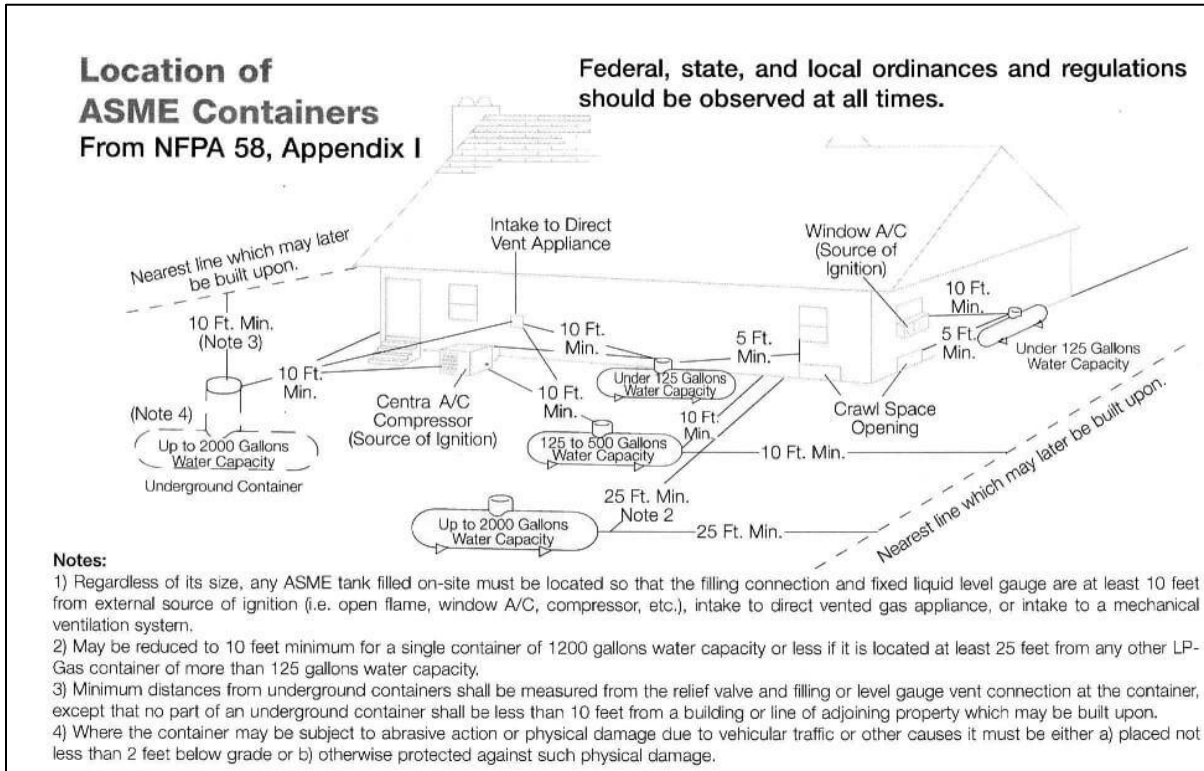
C. Installers and Distributors.

Any party who installs tanks in the City shall have attained certification in NFPA (National Fire Protection Association) 58 (Basic Principles) and 54 (Distribution Systems Operations). These certifications must be current and updated regularly based upon the accepted schedule for re-certification. Prior to making such an installation, the installer shall submit plans showing the location of the tank as it relates to the specific property and any adjacent property lines. If in compliance with the requirements of this Section is shown, a permit may be issued. The installer shall install a liquid propane detection device within the residence or business served by the propane tank.

D. Tank Restrictions.

1. The maximum tank size in any area of the City shall not exceed five-hundred (500) gallons water capacity.

2. All liquefied petroleum gas equipment shall be installed in accordance with the laws of the State of Iowa and nationally accepted standards including the latest version of NFPA Standards 58 and 54 for the Storage and Handling of Liquefied Petroleum Gases.
3. Containers for compressed or liquefied gases shall be constructed in accordance with approved requirements and shall be so identified.
4. The City hereby adopts by this reference NFPA Standards 58 and 54. City Hall shall maintain a copy of said regulations for inspection.



E. Location of Tanks.

Each propane tank shall be located with respect to the nearest important building and the boundary line of all adjoining property, in accordance with the following table:

Water Capacity	Minimum Distance to Building	Distance to Property Line
Up to 500 gallons	10 feet	10 feet

1. Regardless of tank size, any liquid propane tank filled on site must be located so that the filling connection and fixed liquid level gauge are at least ten (10) feet from any external source of ignition (i.e., open flame, window air conditioning compressor, central air conditioning unit, and intakes to direct vented gas appliances or intakes to a mechanical ventilation system).
2. All propane tanks shall be set on concrete pads or footings of sufficient size to prevent tipping. Concrete blocks or bricks shall not be used. Weeds, grass, brush, trash, and other

combustible materials shall be kept not less than ten (10) feet from LP gas tanks or containers.

3. When exposed to vehicular traffic, such as an alley, suitable protection of the regulators, containers, and piping shall be provided. Signage complying with Iowa law shall be posted in location as required by Iowa law. All tanks installed in residential areas shall be placed perpendicular to the street or avenue where the residence is located.

Section 717: Above-Ground Tanks Containing Class II or Class III Liquids (Including Diesel Fuel) for Retail or Private Use

Aboveground storage tanks (ASTs) are regulated by the Iowa Department of Public Safety, State Fire Marshal Division. Before installing aboveground tanks storing flammable or combustible liquids, construction plans must be submitted to the Fire Marshal Division for approval. Environmental Health & Safety can assist you with this application. A site plan shall also be submitted to the City of New Hampton Fire Chief for review and approval following approval from the Fire Marshal Division. Storage tanks or fuel barrels are prohibited in all residential districts within the city limits of New Hampton. The following are the requirements and standards within the City of New Hampton:



- A. Maximum Capacity Fuel Tank Allowed.
 1. The maximum capacity of an individual fuel tank shall be less than 1,100 gallons.
 2. The maximum capacity of aggregated tanks shall not exceed 3,000 gallons.
- B. Design and Construction of Tanks. Above-ground tank design and installation shall meet the requirements of NFPA 30, the International Fire Code, and the Iowa Administrative Code with its referenced code amendments.
- C. Location of Above-Ground Tanks for Private Use or Retail Use.
 1. Above-ground fuel storage tanks of this section may be allowed, with a permit, in the following locations only:
 - a. All Industrial (M-1, M-2, and MP) Zoning Districts.
 - b. Suburban Agricultural (A-1) Zoning District.
 - c. Low Density and General Commercial (C-1 and C-2) Zoning Districts.
 - d. Existing school, county and city premises in its current zoning district.
 2. Location with respect to property lines, public ways, and buildings on the same property.
 - a. The minimum distance from a property line shall be at least fifteen feet (15'), except that if the adjacent property is zoned Residential (R), the distance from that property

line shall be at least fifty feet (50'). A setback of fifty feet (50') shall still apply for any residential structure located within an approved zoning district stated above.

- b. The minimum distance from the nearest side of any building on the same property shall be at least five feet (5').
- D. Approved Plans for Permit Required. Upon application for permit and location of a tank whose location is governed by provisions of this section, there shall be submitted a site layout drawing and approved engineered drawings. Said documents shall clearly specify the name, address, and telephone number of the individual, firm, or corporation submitting the same and shall clearly designate the location of the proposed tank as well as a showing of all adjacent property lines within three hundred feet (300') of the property site upon which the tank is to be located. The zoning classification within areas of said three hundred feet (300') shall be provided upon said documents.
- E. Vehicle Protection Required.
- 1. All above-ground tanks as regulated in this section shall be protected from vehicles and other potential damage with approved barriers such as approved bollards or approved concrete barriers.
- F. Floodplain Requirements. All structures shall comply with floodplain standards enacted by the City.