

Title V- Property and Land Use

Chapter 40 Zoning – General Provisions and Regulations

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40.01 Title and Purpose

The chapters numbered 40 through 44 of this Code of Ordinances shall be known and may be cited and referred to as the “Warren County, Iowa, Zoning Ordinance,” and is referred to herein as “the Zoning Ordinance.” The Zoning Ordinance is adopted for the purpose of promoting public health, safety, morals, comfort, and general welfare; to conserve and protect property and property values, to secure and provide the social and economic advantages resulting from an

orderly planned use of land resources; and to facilitate adequate, but economical provisions for public improvements, all in accordance with a comprehensive plan and as permitted by the provisions of Iowa Code §335, as amended.

40.02 General Applicability

All land improvements within the unincorporated area of Warren County are subject to the requirements of this Zoning Ordinance and, where applicable, Chapter 46, Subdivision Regulations. Compliance with all other applicable county, state, and federal regulations is also required.

40.03 Interpretation of Standards

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

40.04 Agricultural Exemption

In accordance with the provisions of Iowa Code §335, as amended, no regulation or restriction adopted under the provisions of the Zoning Ordinance shall be construed to apply to land, farm houses, farm barns, farm outbuildings or other buildings, structures, or erections which are primarily adapted by reason of its physical characteristics and size, for use for agricultural purposes while so used, as defined in this Ordinance. However, this exemption shall not apply to regulations pertaining to any structure, building, dam, obstruction, deposit, or excavation in or on the flood plains of any river or stream, or any structure, building, or use expressly regulated under state or federal law. The burden of demonstrating eligibility for the agricultural exemption rests with the property owner or applicant. The Zoning Administrator may require documentation or other evidence reasonably necessary to establish that the land or structure qualifies as being primarily adapted for agricultural purposes.

40.05 Definitions

For the purpose of the Zoning Ordinance, certain terms and words are herein defined. Words used in the present tense shall include the future; the singular number shall include the plural and the plural number includes the singular; the word “shall” is mandatory, the word “may” is permissive; the word “person” includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual; the words “used” or “occupied” include the words intended, designed, or arranged to be used or occupied.

1. “Accessory Dwelling Unit” means an additional residential dwelling unit located on the same lot as a single family residence that is either attached to or detached from the primary dwelling, in accordance with Iowa Code §331.301(27), as amended. Accessory dwelling

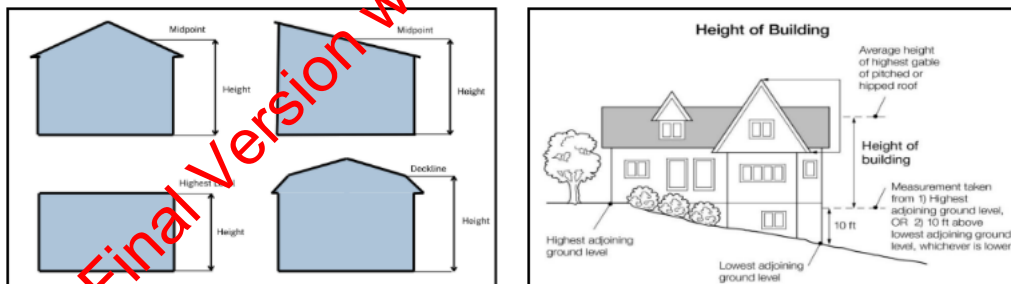
units have a separate kitchen, bathroom, and sleeping facility from the primary single-family residence. Accessory dwelling units must be constructed as permanent structures on a permanent foundation, and shall not include recreational vehicles, campers, trailers or other similar temporary, portable dwellings.

2. “Accessory Use or Structure” means a use or structure subordinate to the principal use of a building on the lot and serving a purpose customarily incidental to the use of the principal building. This shall include accessory storage buildings, garages, carports, and similar accessory and subordinate structures. This does not include accessory dwelling units, including those previously established as an accessory structure converted into an accessory dwelling unit.
3. “Adult Amusement or Entertainment” means an amusement or entertainment which is distinguished or characterized by an emphasis on acts or material depicting, describing, or relating to “Specified Sexual Activities” or “Specified Anatomical Areas”, is defined herein, including, but not limited to, topless or bottomless dancers, exotic dancers, strippers, male or female impersonators or similar entertainment.
4. “Adult Book Store or Adult Gift Shop” means an establishment having as a substantial and significant portion of its stock in trade books, magazines and other periodicals or goods and items held for sale which are distinguished or characterized by their emphasis on matters depicting, describing, or relating to “Specified Sexual Activities” or “Specified Anatomical Areas”, as defined herein.
5. “Adult Hotel or Motel” means a building with accommodations used for the temporary occupancy of one or more individuals and is an establishment wherein a substantial and significant portion of the materials presented are distinguished or characterized by an emphasis on matter depicting, describing, or relating to “Specified Sexual Activities” or “Specified Anatomical Areas” as defined herein, for observation by the individuals therein.
6. “Adult Massage Parlor” means any building, room, place or establishment, where manipulated massage or manipulated exercise is practiced for pay upon the human body with an emphasis on “Specified Sexual Activities” or “Specified Anatomical Areas”, as defined herein, by anyone not a duly licensed physician, osteopath, chiropractor, registered nurse and practical nurse operating under a physician’s direction, physical therapist, chiroprapist, registered speech pathologist and physical or occupational therapist who treat only patients recommended by a licensed physician and operate only under such physician’s direction, whether with or without the use of mechanical, therapeutic or bathing devices, and shall include Turkish bath houses. The term shall not include a regular licensed hospital, medical clinic or nursing home, duly licensed beauty parlors or barber shops.
7. “Adult Photo Studio” means an establishment which, upon payment of a fee, provides photographic equipment and/or models for the purpose of photographing “Specified Anatomical Areas” or “Specified Sexual Activities”, as defined herein.
8. “Adult Theater” means a theater wherein a substantial and significant portion of the materials presented are distinguished or characterized by an emphasis on acts or material

- 113 depicting, describing, or relating to “Specified Sexual Activities” or “Specified Anatomical
114 Areas”, as defined herein, for observation by patrons herein.
- 115 9. “Adult Uses” means adult uses that include Adult Amusement or Entertainment, Adult Book
116 Store or Adult Gift Shop, Adult Hotel or Motel, Adult Photo Studio, Adult Theater and Adult
117 Massage Parlor.
- 118 10. “Agricultural Experience” means any agriculture-related activity, as a secondary use in
119 conjunction with agricultural production, on a farm which activity is open to the public with
120 the intended purpose of promoting or educating the public about agriculture, agricultural
121 practices, agricultural activities, or agricultural products in accordance with Iowa Code §335,
122 as amended.
- 123 11. “Agricultural Production” means any activity performed on land that is used for the growing
124 and harvesting of crops, for the feeding, breeding, keeping, and management of livestock,
125 dairying, or for any other agricultural or horticultural use or combination thereof.
- 126 12. “Agriculture” means the use of land for purposes of growing the usual agricultural or farm
127 products, including vegetables, fruit, trees and grains, pasturage, dairying, animal and poultry
128 husbandry, and the necessary accessory uses for treating or storing the produce, provided that
129 the operation of such accessory uses shall be secondary to that of the regular agricultural
130 activities. A tract of land less than 20 acres shall be presumed that the tract is not primarily
131 used for agricultural purposes.
- 132 13. “Agritourism Farm” means a farm, accessory to crop and/or livestock production, that offers
133 services, products, or experiences, whether seasonal or not, available to the public on-site
134 which are uniquely tied to the heritage or current practice of agriculture in Iowa such that the
135 agricultural setting, crop production, and/or livestock production conducted on the property
136 is indispensable to the activity or product proposed, including (but not limited to): tours,
137 demonstrations, petting zoos and the like, and retail sales of fruits, vegetables, pumpkins and
138 melons, berries, trees, or other agricultural crops. This definition is not applicable to those
139 structures or uses determined to be agriculturally exempt from County zoning authority
140 according to Iowa Code §335, as amended.
- 141 14. “Animal Hospital/Veterinary Clinic” means a building used for the medical treatment,
142 housing or boarding of domestic animals such as dogs, cats, rabbits and birds by a
143 veterinarian licensed by the State of Iowa.
- 144 15. “Apartment” means a room or suite of rooms in a multiple dwelling intended for or designed
145 for use as a residence by a single family.
- 146 16. “Automobile Salvage Yard” – See “Junk Yard”.
- 147 17. “Basement” means a portion of a building, including crawl spaces, where less than one-half
148 (½) of its floor-to-ceiling height is below the average adjoining finished grade. A basement
149 shall not be counted as a story for height purposes unless the finished floor level directly
150 above is more than six (6) feet above grade for more than one-half of the building perimeter.
- 151 18. “Bed and Breakfast Home” means a private residence which provides lodging and meals for
152 guests, in which the host or hostess resides and in which no more than two (2) guest families

are lodged at the same time and which, while it may advertise and accept reservations, does not hold itself out to the public to be a restaurant, hotel, or motel, does not require reservations, serves food only to overnight guests, and operates in compliance with applicable Iowa Code.

19. "Beginning of Construction" means the incorporation of labor and materials within the walls of the building or buildings.
20. "Billboard" includes all structures, regardless of the material used in the construction of the same, that are erected, maintained, or used for public display of posters, painted signs, wall signs, whether the structure be placed on the wall or painted on the wall itself, pictures or other pictorial reading matter which advertise a business or attraction which is not carried on or manufactured in or upon the premises upon which said signs or billboards are located.
21. "Boarding House" means a building, other than a hotel, where for compensation, meals and/or lodging are provided for four (4) or more persons, typically by prearrangement on a longer-term or semi-permanent basis, generally more than thirty-one (31) consecutive days.
22. "Building" means any structure designed or intended for the support, enclosure, shelter or protection of persons, animals, or property, but not including signs or billboards. When a structure is divided in separate parts by un-pierced walls extending from the ground up, each part is deemed a separate building.
23. "Building Height" means the vertical distance measured from the highest adjoining ground level at the building, or ten (10) feet above the lowest adjoining ground level (whichever is lower), to the highest point of the coping on a flat roof, to the deck line of a mansard roof, or to the average height between the eaves and the ridge of a pitched roof (including gable, hip, gambrel, or shed roofs).

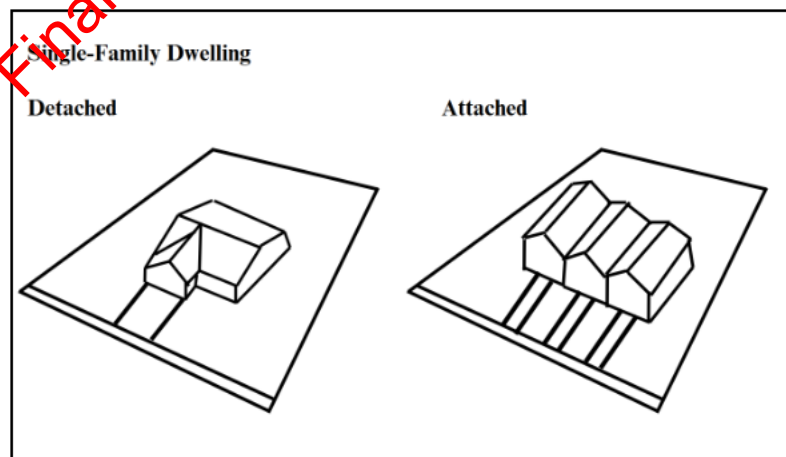


24. "Building Permit" means a written statement issued by the Zoning Administrator authorizing buildings, structures or uses consistent with the terms of the Zoning Ordinance and for the purpose of carrying out and enforcing its provisions.
25. "Bulk Stations" means distributing stations commonly known as bulk or tank stations, used for the storage and distribution of flammable liquids, or liquefied petroleum products where the aggregate capacity of all storage tanks is more than six thousand (6,000) gallons.
26. "Cabin" means a building with walls, a roof, and an entrance used for temporary overnight lodging at a commercial campground. A cabin shall not be considered a dwelling.
27. "Campground" means any lot, parcel, or tract of land on which accommodations for temporary lodging are located or may be placed, including occupied recreational vehicles,

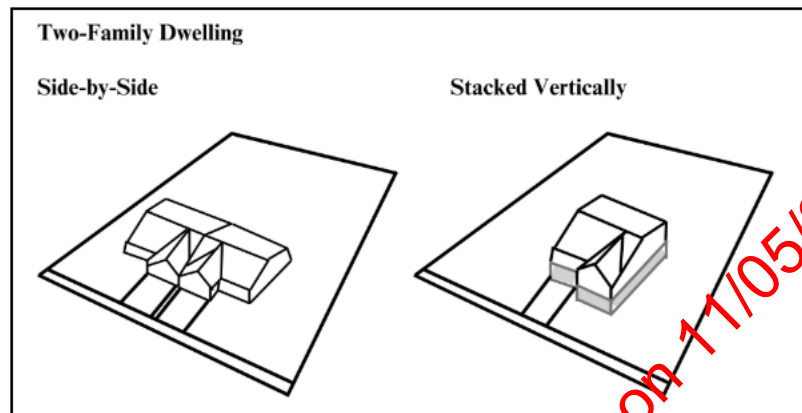
- 186 pickup campers, converted buses, motor homes, cabins, tent trailers, tents, or similar devices
187 primarily used for temporary lodging.
- 188 28. "Campground/Travel Trailer Park, Private" means a parcel of land designed, maintained,
189 and operated as a commercial or for-profit enterprise for use by the general public for
190 camping or temporary lodging in tents, cabins, recreational vehicles, travel trailers, or
191 motorhomes. Such facilities typically provide designated campsites, vehicular access, utility
192 hookups, sanitary facilities, and may include accessory amenities such as picnic areas,
193 bathhouses, camp stores, or recreation features. Occupancy is transient in nature and not
194 intended for permanent residence.
- 195 29. "Campground/Travel Trailer Park, Public" means a parcel of land owned, leased, or
196 operated by a governmental entity or nonprofit organization and open to the general public
197 for recreational camping in tents, cabins, recreational vehicles, travel trailers, or motorhomes.
198 Public campgrounds are typically located in parks, forests, or conservation areas and may
199 provide facilities such as sanitary stations, picnic areas, shelters, or trails.
- 200 30. "Cellar" means a building wholly or primarily below grade, where more than one-half ($\frac{1}{2}$)
201 of its floor-to-ceiling height is below the average adjoining finished grade. A cellar shall not
202 be counted as a story for building height measurement purposes.
- 203 31. "Cemetery" means land used or intended to be used for the burial of the dead and dedicated
204 for cemetery purposes, including columbarium, crematorium, mausoleum, and mortuary
205 when operated in conjunction with and within the boundary of such cemetery.
- 206 32. "Child care center" means a facility providing child care or preschool services for seven (7)
207 or more children at any one time, and which is licensed as a child care center by the Iowa
208 Department of Health and Human Services (DHHS), in accordance with Iowa Code §237A,
209 as amended.
- 210 33. "Child care home, in-home day care" means a person or a program providing child care for
211 six (6) or fewer children at any one time, located in a single-family dwelling and operated by
212 a person residing in that dwelling. The term includes registered Child Development Homes
213 and other applicable child care homes as defined and regulated by Iowa Department of
214 Health and Human Services (DHHS) under Iowa Code §237A, as amended.
- 215 34. "Commercial Livestock" means cattle, sheep, swine, goats, rabbits, poultry, or any other
216 animal which is produced or kept primarily for food or other commodity production, or for
217 weed management. Horses shall be considered livestock for the purpose of this regulation.
- 218 35. "Commission" means the Warren County Zoning Commission.
- 219 36. "Conditional Use Permit" means a permit issued for a use specified in the Zoning Ordinance
220 identifying specific conditions, limitations, or restrictions, and which is subject to review for
221 approval or denial by the Board of Adjustment as outlined in Chapter 43, Enforcement and
222 Administration.
- 223 37. "Corn Suitability Rating 2" (CSR2) means the index used to rate the suitability of soils for
224 row-crop production in Iowa, as developed by Iowa State University. CSR2 provides a
225 relative ranking of all soils mapped in the state, ranging from 5 (least suitable) to 100 (most

suitable). The system is based on inherent soil properties, average weather conditions, and landscape features. CSR2 ratings are published and maintained by the Iowa Cooperative Soil Survey and can be found in the official Soil Survey Geographic (SSURGO) database maintained by the USDA Natural Resources Conservation Service (NRCS) and Iowa State University Extension. CSR2 replaces the original CSR system (1971) and is the current standard for land evaluation in Iowa.

38. “County Right-of-Way” means the total area of land, whether owned in fee title or held by easement, that is reserved, acquired, or dedicated for the establishment, construction, operation, repair, and maintenance of County roads and related facilities, or as defined in the Warren County Transportation Ordinances, as amended.
39. “Data Center” means a facility primarily engaged in the centralized storage, management, processing, and transmission of digital data. Data centers typically house computer servers, networking equipment, backup systems, and related hardware for high volume or continuous digital operations. This includes, but is not limited to, facilities supporting computationally intensive tasks such as cloud computing, artificial intelligence, scientific modeling, video streaming, and blockchain technologies. Typical accessory components may include uninterruptible power supplies, air handling and cooling equipment, water storage and cooling systems, generators, utility substations, fire suppression systems, and other critical infrastructure required for uninterrupted service.
40. “District” means a section or sections of the County within which structural density is regulated and the regulations governing the use of buildings and premises or the height and area of buildings and premises are uniform.
41. “Dwelling, Single-Family” means a building designed for or occupied exclusively by one (1) housekeeping unit, living independently of each other, having a kitchen and toilet facility for the unit. A single-family dwelling may be detached as a free-standing building located on its own lot, not attached to any other dwelling unit or attached as a single-family dwelling unit attached by one or more common walls to one (1) or more other single-family dwelling units, with each unit located on a separate lot (i.e., townhomes or rowhouses).



- 255 42. “Dwelling, Two-Family” (Duplex) means a building or buildings designed for or occupied
256 exclusively by two (2) households, living independently of each other, having separate
257 kitchen and toilet facilities for each household, and which does not meet the definition or
258 requirements of an accessory dwelling unit (ADU). The two dwelling units may be arranged
259 either side-by-side (horizontally) or stacked one above the other (vertically), as illustrated.
260 This definition does not include mobile homes as defined elsewhere in this Ordinance.



- 261
- 262 43. “Dwelling, Multiple” means a residence designed for or occupied by three (3) or more
263 households, with separate housekeeping and cooking facilities for each.
- 264 44. “Dwelling, Condominium” means a multiple dwelling as defined herein whereby the title to
265 each dwelling unit is held in separate ownership, and the real estate on which the units are
266 located is held in common ownership solely by the owners of the units, with each owner
267 having an undivided interest in the common real estate.
- 268 45. “Dwelling, Row” means any one of three or more attached dwellings in a continuous row,
269 each such dwelling designed and erected as a unit on a separate lot and separated from one
270 another by an approved wall or walls. Also referred to as a “townhouse”.
- 271 46. “Dwelling Unit” means a room or group of rooms within a structure which are arranged,
272 designed, or used as independent living quarters for the occupancy of one (1) household.
273 Each dwelling unit shall provide complete, independent living facilities for one (1) or more
274 persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation,
275 as required by the International Residential Code (IRC), as amended.
- 276 47. “Dwelling, Temporary” means any structure that is placed upon a piece of property that is
277 intended to be occupied while the principal residence of the temporary dwelling occupant is
278 being constructed upon said property.
- 279 48. “Event Center” means a venue intended primarily to house, shelter, transport, facilitate the
280 congregation, and/or accommodate members of the general public for events that include
281 weddings, family reunions, class reunions, company retreats, and picnics, or other similar
282 events or celebrations.
- 283 49. “Feed Lot” means any parcel of land or premises on which the principal use is the
284 concentrated feeding within a confined area of cattle, hogs, or sheep. The term does not

include areas which are used for the raising of crops or other vegetation, and upon which livestock are allowed to graze or feed.

50. "Garage, Storage" means any building or premises, used exclusively for the storage of motor-driven vehicles pursuant to previous arrangements and not for use by transients, and at which automobile fuels, oils, or accessories are not sold, and motor-driven vehicles are not equipped, repaired, hired, or sold.

51. "Grade" means:

A. For buildings having walls adjoining one street only, the elevation of the regularly established sidewalk grade at the center of the wall adjoining the street;

B. For buildings having walls adjoining more than one street, the average of the elevation of the regularly established sidewalk grades at the center of all walls adjoining the streets;

C. For buildings having no wall adjoining the street, the average level of the finished surface of the ground adjacent to the exterior walls of the building. Any wall approximately parallel to and not more than five (5) feet from a street line is to be considered as adjoining the street.

52. "Home Business" means a business operated by the owner or tenant of a residential property that allows limited visits from customers, employees, or members of the public and must meet standards outlined in this Ordinance to ensure it remains compatible with the surrounding residential neighborhood.

53. "Home Business, No Impact" means a business operated by the owner or tenant of a residential property where no customers, employees, or members of the public visit the site and must meet standards outlined in this Ordinance and Iowa Code §335.35, as amended, to ensure it remains compatible with the surrounding residential neighborhood.

54. "Hotel" means a commercial building, or portion of a building, offering lodging to the public for compensation and intended for occupancy by transient guests. A hotel is distinguished from a boarding house or lodging house by typically serving transient rather than long-term guests, and from a motel by typically providing interior corridor access to guest rooms, rather than solely direct exterior access.

55. "Interim Use Permit" means a permit issued for a temporary use of property until a specific date, the occurrence of a particular event, or until the use is no longer allowed by the Zoning Ordinance. The permit identifies specific conditions, limitations, or restrictions and is subject to review for approval or denial by the Board of Adjustment as outlined in Chapter 43, Enforcement and Administration.

56. "Internet Car Sales" means the sale of automobiles conducted primarily through an online platform or e-commerce website, where transactions, including vehicle orders, financing, and sales agreements, are initiated or completed via the Internet. The operation may not involve a customer-facing showroom. Operations engaged in internet car sales may be required to obtain a motor vehicle dealer license from the Iowa Department of Transportation (IDOT), in compliance with state regulations governing vehicle sales.

- 325 57. “Junk Yard” means any area where waste, discarded or salvaged materials are bought, sold,
326 exchanged, baled, or packed, disassembled, or handled, including the dismantling or
327 “wrecking” of automobiles or other vehicles or machinery, house wrecking yards, used
328 lumber yards and places or yards for storage of salvaged house wrecking and structural steel
329 materials and equipment; but not including areas where such uses are conducted entirely
330 within a completely enclosed building. The presence on any property of four (4) or more
331 motor vehicles (as defined by Iowa Code §306C) without current registration which for a
332 period exceeding thirty (30) days have not been capable of operating under their own power,
333 and/or from which parts have been removed for re-use, salvage, or sale, shall constitute
334 prima facie evidence of a junk yard.
- 335 58. “Kennel” means any lot, parcel, tract or premises used for the commercial sale, boarding, or
336 breeding of dogs, cats, or other household pets, including the keeping of five (5) or more
337 dogs, cats, or other household pets of the mammal group over the age of six (6) months, for
338 which a State or federal license is required. Kennels and all related buildings, including
339 exercise runways, must be located in line with or behind the principal structure and at least
340 two hundred (200) feet from property lines.
- 341 59. “Livestock” means animal belonging to the bovine, caprine, equine, ovine, or porcine
342 species, ostriches, rheas, and emus.
- 343 60. “Lodging House” means a building where lodging only is provided for compensation for
344 four (4) or more persons, typically on a longer term or semi-permanent basis, generally more
345 than thirty-one (31) consecutive days, without providing meals or other guest services
346 customarily associated with a hotel or motel.
- 347 61. “Lot” means a tract of land represented and identified by number or designation on an
348 official plat, as defined by Iowa Code §354.2, as amended. “Lot, Corner” means a lot
349 abutting upon two (2) or more streets at their intersection.
- 350 62. “Lot, Depth of” means the mean horizontal distance between the front and rear lot lines.
- 351 63. “Lot, Double Frontage” means a lot having a frontage on two (2) non-intersecting streets, as
352 distinguished from a corner lot.
- 353 64. “Lot, Interior” means a lot other than a corner lot.
- 354 65. “Lot Lines” means the lines bounding a lot, including the right-of-way line of any public
355 road or highway acquired by easement.
- 356 66. “Lot of Record” means a lot which is a part of a subdivision recorded in the office of the
357 County Recorder of Warren County, or a lot or parcel described by metes and bounds, the
358 description of which has been so recorded.
- 359 67. “Lot Width” means the mean horizontal distance between the front and rear lot lines.
- 360 68. “Lumber Yard” means a premise on which primarily new lumber and related building
361 materials are sold.
- 362 69. “Manufactured Home” means a factory-built single-family structure, which is manufactured
363 or constructed under the authority of 42 U.S.C. Sec. 5403, Federal Manufactured Home
364 Construction and Safety Standards, and is to be used as a place for human habitation, but

which is not constructed with a permanent hitch or other device allowing it to be moved other than for the purpose of moving to a permanent site, and which does not have permanently attached to its body or frame any wheels or axles. A mobile home is not a manufactured home unless it has been converted to real property and is taxed as a site-built dwelling. For the purpose of these regulations, manufactured home shall be considered the same as any site built single-family detached dwelling.

70. "Mobile Home" means any structure used for living, sleeping, business, or storage purposes, having no foundation other than wheels, blocks, skids, jacks, horses, or skirtings, and which is, has been or reasonably may be equipped with wheels or other devices for transporting the structure from place to place, whether by motive power or other means. This does not include any mobile home that has had the tongue, wheels and axles removed and placed on a permanent foundation of at least forty-two (42) inches deep, said foundation being constructed out of concrete block with mortar, or a poured concrete foundation used to support the mobile home, and said mobile home being converted to real estate.
71. "Mobile Home Park" means any lot or portion of a lot upon which two (2) or more mobile homes, occupied for dwelling or sleeping purposes, are located, regardless of whether or not a charge is made for such accommodation.
72. "Modular Home" means factory-built housing certified as meeting the State Building Code as applicable to modular housing. Once certified by the State, modular homes shall be subject to the same standards as site-built homes.
73. "Motel" means a commercial building, or portion of a building, offering lodging to the public for compensation and intended for occupancy by transient guests. A motel is distinguished from a boarding house or lodging house by typically serving transient rather than long-term guests, and from a hotel by typically providing direct exterior access, to guest rooms, rather than solely interior access.
74. "Non-commercial Livestock" means cattle, sheep, horses, swine, goats, rabbits, poultry, or any other animal belonging to the owner of the property only for non-commercial, hobby purposes.
75. "Nonconforming Use" means the lawful use of any building or land that was established prior to or at the time of passage of the ordinances codified herein, or amendments thereto, which does not conform, after the passage of said ordinances or amendments, with the use regulations of the district in which it is situated.
76. "Parking Space" means a permanently surfaced area of not less than two hundred fifty (250) square feet either within a structure or in the open, exclusive of driveway or access drives, for the parking of a motor vehicle.
77. "Personal, Non-Commercial Solar Panel" means a Solar Energy Conversion System that produces electricity from solar energy primarily for use on-site.
78. "Personal, Non-Commercial Wind Generator" means a Wind Energy Conversion System that has a rated capacity of up to one hundred (100) kilowatts intended to produce electricity primarily for use on-site.

- 405 79. “Place of Worship” means a facility, building, or space used for people to gather for religious
406 exercise, worship services, or related functions. Typical uses include, but are not limited to,
407 churches, synagogues, mosques, temples, chapels, and other similar places of religious
408 assembly. Accessory uses may include classrooms for religious education, fellowship halls,
409 administrative offices, and on-site housing for clergy, provided such uses are incidental to the
410 primary religious purpose. Also referred to as a “Religious Institution.”
- 411 80. “Plat of Survey” means a survey performed by a licensed surveyor within the past three
412 years (prior to date of application) to define and mark the boundaries of an existing parcel of
413 land.
- 414 81. “Private Aircraft Landing Field” means any lot, parcel, tract of land formally set aside and
415 designated for the landing and takeoff of privately owned aircraft, not intended for public or
416 commercial use.
- 417 82. “Public/Community Water and Sewage Treatment Facilities” means any publicly or privately
418 owned system, facility, or infrastructure that provides centralized water supply or sewage
419 treatment services to multiple users within a designated service area, including, but not
420 limited to, water treatment plants, sanitary sewer treatment plants, pumping stations, and
421 associated distribution or collection systems. These facilities shall be designed, operated, and
422 maintained in compliance with all applicable local, regional, state, and federal regulations.
- 423 83. “Quarter-Quarter Section” means the northeast, northwest, southwest or southeast quarter of
424 a quarter section delineated by the United States Government system of land survey, and
425 which is approximately forty (40) acres in size.
- 426 84. “Recreation Facility, Indoor” means a facility, whether publicly or privately operated and
427 regardless of compensation, designed and used for recreational, cultural, or entertainment
428 purposes conducted primarily within an enclosed building. Typical uses include, but are not
429 limited to, bowling alleys, skating rinks, theaters (including movie theaters and performance
430 venues), assembly halls, health clubs/fitness centers, and studios for music, dance, crafts,
431 performing arts, or martial arts. This definition does not include event centers, which are
432 separately defined and regulated in this Ordinance.
- 433 85. “Recreation Facility, Outdoor” means a facility, whether publicly or privately operated and
434 regardless of compensation, designed and used for recreational, cultural, or entertainment
435 purposes conducted primarily in open or outdoor spaces. Typical uses include, but are not
436 limited to, parks, playgrounds, golf courses, athletic fields, sports arenas or stadiums (not
437 associated with a school), amusement or theme parks, swimming pools, campgrounds,
438 fairgrounds, riding stables and trails, guest ranches, hunting, fishing, and camping areas, boat
439 docks and marinas, outdoor amphitheaters, automobile racetracks, drag strips, snowmobile
440 tracks, and similar outdoor recreation or entertainment activities.
- 441 86. “Shipping Container” means a unit originally used for the transport, shipping, or hauling of
442 materials or goods by land, sea, or air; capable of being moved or mounted by rail, truck, or
443 boat. This definition includes steel sea or oceangoing containers marked with the American
444 Bureau of Shipping’s emblem or meeting the International Standard Organization’s standards

which can be detached from a trailer, chassis or frame, and which were formerly used for transporting sea or oceangoing cargo. This definition includes the terms “portable moving/storage unit/container/pod” and “cargo/oceangoing/transport container”. In addition, this definition applies to any structure designed to imitate the look of a shipping container.

87. “Shouse” means a structure with a pole foundation that contains a dwelling unit within or attached to an oversized garage, storage space, personal workshop, or machine shed under a common or connecting roofing system. For purposes of a shouse, these structures, when on a farm, agricultural operation, or acreage, shall not be considered a farm building for zoning purposes.

88. “Sign” means any device designed to inform or attract the attention of persons not on the premises on which the sign is located; provided, however, that the following shall not be included in the application of the regulations herein:

- A. Signs not exceeding one (1) square foot in area and bearing only property numbers, post box numbers, names of occupants of premises, or other identification of premises not having commercial connotations;
- B. Flags and insignia of any government except when displayed in connection with commercial promotion;
- C. Legal notices; identification, informational or directional signs erected or required by governmental bodies;
- D. Integral, decorative or architectural features of buildings, except letters, trademarks, moving parts or moving lights;
- E. Signs directing and guiding traffic and parking on private property and bearing no advertising matter; not exceeding two (2) square feet in area.

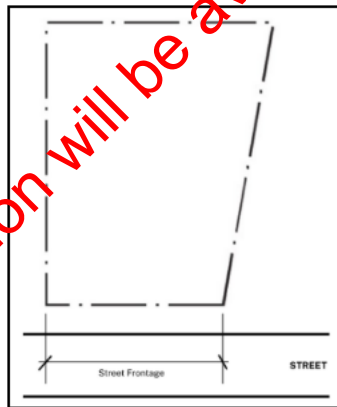
89. “Sign Area” means the surface area of a sign shall be computed as including the entire area within a regular geometric form or combinations of regular geometric forms comprising all of the display area of the sign and including all of the elements of the matter displayed. Frames and structural members not bearing advertising matter shall not be included in computation of the surface area, except where such frames and structural members are used as an integral primary or subsidiary portion of the graphic, literal, or numerical display, such as forming a picture frame to facilitate continuity or providing contrasts to emphasize the intended purpose of the sign.

90. “Sign, Exterior” means a sign which directs attention to a business, profession, service, product, or activity sold or offered upon the premises where such a sign is located. An exterior sign may be a sign attached flat against a building or structure, or projecting out from a building or structure, or erected upon the roof of a building or structure. An exterior sign may include any of the following:

- A. Fascia Sign: A single-faced building or wall sign which is directly attached to and parallel to its supporting wall.
- B. Projecting Sign: A double-faced building or wall sign projecting at right angles to its supporting wall.

- 485 C. Marquee Sign: A sign attached to and contained within the perimeter of the face or
486 valance of a marquee.
- 487 D. Roof Sign: A sign attached upon or above a roof or parapet of a building.
- 488 91. “Sign, Free Standing or Post” means any sign erected or affixed in a rigid manner to one or
489 more poles, posts, or the ground, and which carries any advertisement strictly incidental and
490 subordinate to a lawful use of the premises on which it is located, including signs, or sign
491 devices indicating the business transacted, services rendered, or goods sold or produced on
492 the premises by an occupant thereof. A free standing or post sign may also include a directory
493 of occupancy
- 494 A. Directory Sign: A freestanding or post sign containing the name of a building,
495 complex or center and two or more identification signs or panels of the same size,
496 color, and general design, limited to one identification sign per occupant.
- 497 B. Monument Sign: A structure, built on grade that forms an integral part of the sign or
498 its background.
- 499 92. “Sign, Institutional Bulletin Board” means an on-premises sign containing a surface area
500 upon which is displayed the name of a place of worship, school, library, community center or
501 similar institution and the announcement of its services or activities.
- 502 93. “Sign, Temporary” means a temporary sign is any sign not permanently attached to the
503 ground, wall, or building, and intended to be displayed for a short and limited period of time.
- 504 94. “Special Exception” means permitted a limited deviation from the required front, side, or
505 rear yard setbacks of a zoning district, granted when unique conditions of a property create a
506 practical difficulty in meeting such standards. A Special Exception may only be approved in
507 cases where the deviation allows reasonable use of the property in a manner consistent with
508 other properties in the same zoning district. The standards and review procedures for Special
509 Exceptions are established in Chapter 43, Administration and Enforcement, and all
510 applications are subject to approval or denial by the Zoning Administrator.
- 511 95. “Specified Anatomical Areas” means less than completely and opaquely covered human
512 genital, pubic region, buttocks; and a female breast below a point above the top of the areola;
513 and human male genitals in a discernibly turgid state-even if completely and opaquely
514 covered.
- 515 96. “Specified Sexual Activities” means patently offensive acts, exhibitions, representations,
516 depictions, or descriptions of:
- 517 A. Human genitals in a state of sexual stimulation or arousal;
- 518 B. Fondling or other erotic touching of human genitals, pubic region, buttocks or female
519 breast;
- 520 C. Intrusion, however slight, actual, or stimulated, by any object, any part of an animal’s
521 body, or any part of a person’s body into the genital or anal openings of any person’s
522 body;
- 523 D. Cunnilingus, fellatio, anilingus, masturbation, bestiality, lewd exhibition of genitals or
524 excretory function, actual or simulated;

- E. Flagellation, mutilation, or torture, actual or simulated, in a sexual context.
97. “Stable, Commercial” means a building, structure, or premises where horses not owned by the property owner are housed, boarded, trained, rented, or where riding lessons, clinics, shows, or similar equestrian activities are offered for compensation. May include a riding academy, boarding stable, or other equestrian facility open to the public on a fee basis.
98. “Stable, Private” means a building or structure used for housing horses owned or leased by the property owner or occupant, for personal or recreational use only. No boarding, training, riding instruction, or other commercial activity is permitted.
99. “Story” means that portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling or roof next above it.
100. “Story, Half” means a space under a sloping roof which has the line of intersection of roof decking and wall face not more than four (4) feet above the top floor level. A half-story containing independent apartments or living quarters shall be counted as a full story.
101. “Street or Road Line” means a dividing line between a lot, tract, or parcel of land and a contiguous street or road.
102. “Street or Road, Public” means any thoroughfare or public way which has been dedicated to the public or deeded to the County for street or road purposes.
103. “Street Frontage” means the linear feet of abutting road frontage to any level A County or State Road.



104. “Structural Alterations” means any replacement or changes in the type of construction or in the supporting members of a building, such as bearing walls or partitions, columns, beams, or girders, beyond ordinary repairs and maintenance.
105. “Structure” means anything constructed or erected, the sum of which requires permanent location on the ground or attached to something having a permanent location on the ground.
106. “Subterranean Home” means a home which has all but one wall completely covered and landscaped with earth including the roof.
107. “Tiny Home” a detached residential structure on a permanent foundation up to four hundred (400) square feet in size. A tiny house on wheels must be licensed as a recreational vehicle under the laws and regulations of the state and then can be placed wherever a recreational vehicle can be placed, however, a tiny house on wheels cannot be lived in year

around. To be lived in year around, the tiny house must be taken off wheels and affixed to a permanent foundation.

108. “Tower” means any supporting structure for microwave, radio, television, digital or cellular communication equipment.

109. “Travel Trailer” means a recreational vehicle, with or without motive power; designed as a temporary dwelling, not exceeding eight (8) feet in width and forty (40) feet in length, exclusive of separate towing unit. Such vehicles are customarily and ordinarily used for travel or recreational purposes and not used for permanent habitation.

110. “Short-Term Rental” means a residential property, dwelling, condominium, or portion thereof that is available for use or is used for accommodations or lodging of guests (including online accommodation marketplaces), who pay a fee or other compensation for a period of less than thirty-one (31) consecutive days. The term Short-Term Rental does not include recreational vehicle, hospitals, nursing homes, or other medical accommodations; nor does it include hotels, motels, bed and breakfast homes, or any unit used for retail, restaurants, event centers, or similar uses.

111. “Yard” means an open space on the same lot with a building, unoccupied and unobstructed by any portion of a structure from thirty (30) inches above the general ground level upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the depth of a front yard or the depth of a rear yard, the least distance between the lot line and the main building shall be used. In measuring a yard for the purpose of determining the width of a side yard, the least distance between the lot line and the nearest permitted building shall be used.

112. “Yard, Front” means a yard extending across the full width of the lot and measured between the front lot line and the building or any projection thereof, other than the projection of the usual steps or unenclosed porches; the narrow frontage on a corner lot.

113. “Yard, Rear” means a yard extending across the full width of the lot measured between the rear lot line and the building or any projections other than steps, unenclosed balconies, or unenclosed porches. On corner lots the rear yard shall be considered as parallel to the street upon which the lot has its least dimension. On both corner lots and interior lots the opposite end of the lot from the front yard.

114. “Yard, Side” means a yard extending from the front yard to the rear yard and measured between the side lot line and the nearest building.

115. “Zoning Administrator” means the administrative officer designated or appointed by the Board of Supervisors to administer and enforce the regulations contained in the Zoning Ordinance. In the absence of the Warren County Zoning Administrator, the Assistant Warren County Zoning Administrator is authorized to perform all acts empowered to the Warren County Zoning Administrator herein.

40.06 Official Zoning Map

The boundaries of districts are indicated upon the Official Zoning Map of Warren County, Iowa, which map is made a part of the Zoning Ordinance by reference hereto. The digital copy of the Official Zoning Map shall be on file in the office of the Warren County, Iowa, Zoning Administrator, under the certification that it is the Official Zoning Map referred to in Section 40.05 of the Zoning Ordinance.

40.07 Vacated Streets

Whenever any street, road, alley, or other public way is vacated by official action as provided by law, the Zoning Districts adjoining the side of such public way shall be automatically extended, depending on the side or sides to which such lands revert, to include the right-of-way of the public way thus vacated, which shall thenceforth be subject to all regulations of the extended district of districts.

40.08 Disincorporation

All territory which may hereafter become part of the unincorporated area of Warren County, Iowa, that is regulated by the Zoning Ordinance, by the Disincorporation of any city, or any part thereof, shall automatically be classed as lying and being in the AG Agricultural District until such classification shall have been changed by amendment to the Zoning Ordinance, as provided by law.

40.09 Interpretation of District Boundaries

In cases where the exact location of a district boundary is unclear as shown on the Official Zoning Map in the office of the Zoning Administrator, the following rules shall be used in determining the location of said district boundary.

1. Boundaries indicated as approximately following the centerline of streets, highways, or alleys shall be construed to follow such center lines.
2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
3. Boundaries indicated as approximately following city limits shall be construed as following city limits.
4. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
5. Boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the event of change in the shore line shall be construed as moving with the actual shore line; boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such center lines.

6. Boundaries indicated as approximately following section lines, quarter section lines, or quarter-quarter section lines shall be construed as following such lines.
7. Boundaries indicated as parallel to or extensions of features indicated in subsections 1 through 6 above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.
8. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, or in other circumstances not covered by subsections 1 through 7 above, the Board of Adjustment shall interpret the district boundaries.

40.10 Application of District Regulations

The regulations set by the Zoning Ordinance within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, and particularly, except as hereinafter provided:

1. No building, structure, or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, or structurally altered unless in conformity with all of the regulations specified in the Zoning Ordinance for the district in which it is located.
2. No building or other structure shall hereafter be erected, or altered:
 - A. To exceed the height;
 - B. To accommodate or house a greater number of families;
 - C. To occupy a greater percentage of lot area; or
 - D. To have narrower or smaller rear yards, front yards, side yards or other open spaces than herein required or in any other manner contrary to the provisions of the Zoning Ordinance.
3. No part of a yard, or other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with the Zoning Ordinance shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building.
4. No yard or lot existing at the time of passage of the ordinance codified herein shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of the Zoning Ordinance shall meet at least the minimum requirements established by the Zoning Ordinance.

40.11 Nonconforming Uses

Within the districts established by the Zoning Ordinance, or amendments that may later be adopted, there exist lots, structures, and uses of land and structures which were lawful before the Zoning Ordinance was passed or amended, but which would be prohibited, regulated, or restricted under the terms of the Zoning Ordinance or future amendment. It is the intent of the Zoning Ordinance to permit these non-conformities to continue until they are removed, but not to

encourage their survival. It is further the intent of the Zoning Ordinance that non-conformities shall not be enlarged upon, expanded, or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district. To avoid undue hardship, nothing in the Zoning Ordinance shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of the Zoning Ordinance and upon which actual building construction has been diligently carried on. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner; except that where demolition or removal of an existing building has been substantially begun preparatory to rebuilding; such demolition or removal shall be deemed to be actual construction, provided that work shall be diligently carried on until completion of the building involved.

1. Nonconforming Lots of Record. In any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of the Zoning Ordinance, a single-family dwelling and customary accessory buildings may be erected on any single lot of record which was established prior to August 5, 2023. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district.
2. Nonconforming Use of Land. Where, at the effective date of adoption or amendment of the Zoning Ordinance, lawful use of land exists that is no longer permissible under the terms of the Zoning Ordinance as enacted or amended, such use may be continued, subject to the following provisions:
 - A. No such nonconforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of the Zoning Ordinance.
 - B. No such nonconforming use shall be moved in whole or part to any other portion of the lot or parcel occupied by such use at the effective date of adoption or amendment of the Zoning Ordinance.
 - C. If any such nonconforming use of land ceases for any reason for a period of more than six (6) months, any subsequent use of such land shall conform to the regulations specified by the Zoning Ordinance for the district in which such land is located.
3. Nonconforming Use of Structures. If a lawful use of a structure, or of a structure and premises in combination, exists at the effective date of adoption or amendment of the Zoning Ordinance that would not be allowed in the district under the terms of the Zoning Ordinance, the lawful use may be continued, subject to the following provisions:
 - A. No existing structure devoted to a use not permitted by the Zoning Ordinance in the district in which it is located shall be enlarged, extended, constructed, reconstructed, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.

- 704 B. Any nonconforming use may be extended throughout any parts of a building which were
705 manifestly arranged or designed for such use at the time of adoption or amendment of the
706 Zoning Ordinance, but no such use shall be extended to occupy any land outside such
707 building.
- 708 C. If no structural alterations are made, any nonconforming use of a structure, or structure
709 and premises, may be changed to another nonconforming use of the same or of a more
710 restricted classification.
- 711 D. When a nonconforming use of a structure, or structure and premises in combination, is
712 discontinued or abandoned for two (2) years, the structure, or structure and premises in
713 combination, shall not thereafter be used except in conformance with the regulations of
714 the district in which it is located.
- 715 E. Where nonconforming use status applies to a structure and premises in combination,
716 removal or destruction of the structure shall eliminate the non-conforming status of the
717 land.
- 718 F. Any structure devoted to a use made nonconforming by the Zoning Ordinance that is
719 destroyed by any means to an extent of sixty percent (60%) or more of its replacement
720 cost at the time of destruction, exclusive of the foundations, shall not be reconstructed
721 and used as before such happening. If the structure is less than sixty percent (60%)
722 destroyed above the foundation, it may be reconstructed and used as before provided it is
723 done within six (6) months of such happening and is built of like or similar materials.
- 724 4. Nonconforming Structures. Where a structure exists at the effective date of adoption or
725 amendment of the Zoning Ordinance that could not be built under the terms of the Zoning
726 Ordinance by reason of restrictions on area, lot coverage, height, yards, or other
727 characteristics of the structure or its location on the lot, such structure may be continued so
728 long as it remains otherwise lawful, subject to the following provisions:
- 729 A. No such structure may be enlarged or altered in a way which increases its nonconformity.
- 730 B. Should such structure be destroyed by any means to an extent of sixty percent (60%) or
731 more of its replacement cost at time of destruction, it shall not be reconstructed except in
732 conformity with the provisions of the Zoning Ordinance.
- 733 5. Registration of Nonconforming Use. The owner of any use of land or use of land and
734 structure in combination in existence at the time of passage of the Zoning Ordinance and
735 made nonconforming by the provisions of the Zoning Ordinance shall apply for a Zoning
736 Certificate from the Zoning Administrator within twelve (12) months after the effective date
737 of the Zoning Ordinance.
- 738 6. Repairs and Maintenance. On any building devoted in whole or in part to any
739 nonconforming use, work may be done on ordinary repairs, or on repair or replacement of
740 non-bearing walls, fixtures, wiring or plumbing provided that the cubic content of the
741 building as it existed at the time of passage or amendment of the Zoning Ordinance shall not
742 be increased. Nothing herein shall be deemed to prevent the strengthening or restoring to a

safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

40.12 Visibility at Intersections in Residential Districts

On a corner lot in any residential district, nothing shall be erected, placed, planted, or allowed to grow in such a manner as materially to impede vision between a height of two and one-half (2 ½) and ten (10) feet above the centerline grades of the intersecting streets in the area bounded by street lines of such corner lots and a line joining points along said street lines twenty-five (25) feet from the point of the intersection.

40.13 Permanent Perimeter Foundation Required

A permanent perimeter foundation shall be required for all principal buildings in all zoning districts.

40.14 Minimum Principal Building Width

The minimum dimension of the main body of the principal building shall not be less than twenty-four (24) feet in all zoning districts.

40.15 Accessory Buildings

No accessory building shall be erected in any required court or yard other than a rear yard except in the AG Agricultural District except as provided hereinafter. Accessory buildings shall conform to all minimum setback requirements, and on a corner lot they shall conform to the setback regulations on the side street. Accessory buildings, except buildings housing animals or fowl, may be erected as a part of the principal building, or may be connected thereto by a breezeway or similar structure, provided all yard requirements for a principal building are complied with. An accessory building which is not part of the main building shall not exceed the maximum accessory height restriction in the specified zoning district. This section shall not apply to accessory dwelling units (ADUs), which as defined in this Chapter and regulated separately under Chapters 41 and 42.

40.16 Street Frontage Required

Every lot shall have adequate street frontage as a condition of development, as defined in this Chapter. The minimum frontage requirement shall be as specified for each zoning district in Chapter 41, Zoning Districts and Boundaries.

40.17 Flag Lots Discouraged

The creation of flag lots in the unincorporated areas of Warren County are generally discouraged; however, the County recognizes that unique site conditions, natural features, or existing

development patterns may occasionally necessitate their use. In such cases, proposed flag lots may be subject to additional conditions or design requirements deemed necessary by the County to ensure safe access, including emergency service access, and to promote compatibility with surrounding development.

40.18 Corner Lots

For corner lots, platted or of record after the effective date of this ordinance, the front yard regulations shall apply to each street side of the corner lot. Side and rear yard requirements are determined by direction of front of principal building. The 'front' of a building shall be considered that portion of the building fronting on the street from which the building's address is derived.

40.19 Building Line on Approved Plats

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

40.20 Zoning Districts Dividing Property

Where one (1) parcel of property is divided into two (2) or more portions by reason of different zoning district classifications, each of these portions shall be used independently of the others in its respective zoning classification, and for the purpose of applying the regulations of the Zoning Ordinance, each portion shall be considered as if in separate and different ownership.

40.21 Prohibited Storage of Motor Vehicles

Outdoor storage of not more than three (3) motor vehicles with storage licenses or not currently licensed shall be prohibited in all zoning districts, except motor vehicles held for sale by a licensed motor vehicle dealer at the owner's place of business in a zoning district where motor vehicle sales are permitted.

40.22 Signs Permitted in All Zoning Districts

Signs hereinafter designated shall be permitted in all zoning districts.

1. *Temporary Signs.*

- A. *Real Estate Signs.* Signs advertising the sale, rental, or lease of the premises or part of the premises on which the signs are displayed. One non-illuminated sign, not to exceed eight (8) square feet, shall be permitted on each premises. Such signs shall not extend higher than four (4) feet above grade level or be closer than ten (10) feet to

 any property line unless located on the wall of a building. Such signs shall be removed within seven (7) days after the disposition of the premises.

- B. Construction Signs. Signs identifying the architect, engineer, contractor or individuals involved in the construction of a building and such signs announcing the character of the building enterprise or the purpose for which the building is intended but not including product advertising. One non-illuminated sign not to exceed fifty (50) square feet, shall be permitted per street frontage. Such sign shall not extend higher than ten (10) feet above grade level or be closer than ten (10) feet to any property line unless located on the wall of a building on the premises or on a protective barricade surrounding the construction. Such signs shall be removed within one week following completion of construction.
- C. Political Campaign Signs. Signs announcing candidates seeking public political office or pertinent political issues. Such signs shall be confined to private property and shall be removed within one week following the election to which they pertain.
- D. Street Banners. Signs advertising a public event providing that specific approval is granted under regulations established by the Board of Supervisors.
- E. Seasonal Decorations. Signs pertaining to recognized national holidays and national observances.
2. Public Signs. Signs of a non-commercial nature and in the public interest, erected by or upon the order of a public officer in the performance of public duty, such as safety signs, danger signs, trespassing signs, traffic signs, memorial plaques, signs of historical interest and other similar signs, including signs designating hospitals, libraries, schools and other institutions or places of public interest or concern.
3. Integral Signs. Signs for places of worship, or names of buildings, dates of erection, monumental citations, commemorative tablets, and other similar signs when carved into stone, concrete or other building material or made of bronze, aluminum, or other permanent type of construction and made an integral part of the structure to which they are attached.
4. Window Signs. Such signs which are displayed inside of a window or within a building, provided however, that lighted window signs shall be permitted only in those districts where lighted signs are permitted.

40.23 Prohibited Signs

Signs hereinafter designated shall be prohibited in all zoning districts.

1. Obsolete Signs. Signs that advertise an activity, business, product, or service no longer conducted on the premises on which the sign is located.
2. Banners, Balloons, Posters, etc. Signs which contain or consist of banners, balloons, posters, pennants, ribbons, streamers, spinners, or other similarly moving devices, except

as specifically provided in Section 40.19 (1.d.) hereof. These devices when not part of any sign shall also be prohibited.

3. Portable Signs. Signs that are not permanently anchored or secured to either a building or the ground.
4. Off-Premises Signs on Public Property. Off-premise signs located on public property which is being used for public purposes.
5. Flashing Signs. No flashing, blinking, or rotation lights shall be permitted for either permanent or temporary signs.
6. Moving Signs. No sign shall be permitted any part of which moves by any mechanical or electronic means.
7. Painted Wall Signs. Off-premise signs painted on building walls.
8. Semi-trailers. Semi-trailers and other vehicles used primarily for permanent signage shall be prohibited in all zoning districts.

40.24 General Sign Regulations

1. Conformance Required. Except as may be hereinafter specified, no sign shall be erected, placed, maintained, converted, enlarged, reconstructed, or structurally altered which does not comply with all of the regulations established by this ordinance.
2. Maintenance. All signs shall be maintained in a good state of repair, including, but not limited to, the structural components, the lighting if any, the portion attaching the sign to the ground or structure, and the surface features.
3. Non-Conforming Signs. Where a sign exists at the effective date of adoption or amendment of this ordinance that could not be built under the terms of this ordinance by reason of restrictions on area, use, height, setback, or other characteristics of the sign or its location on the lot, such sign may be continued so long as it remains otherwise lawful, subject to the following provisions:
 - A. No such sign may be enlarged or altered in a way which increases its non-conformity; however, reasonable repairs and alterations may be permitted.
 - B. Should such sign be destroyed by any means to an extent of fifty (50) percent or more of its replacement cost at time of destruction, it shall not be reconstructed except in conformity with the provisions of this ordinance.
4. Permit Required. A sign permit, approved by the Zoning Administrator, shall be required before the erection, construction, alteration, placing, or locating of all signs conforming with this ordinance.
5. Permit Not Required. A permit shall not be required for temporary signs repainting without changing permanent wording, composition, or colors; or for non-structural repairs.
6. Plans. A copy of plans and specifications shall be submitted to the Zoning Administrator for each sign regulated by this ordinance. Such plans shall show sufficient details about

size of the sign, location, and materials to be used and such other data as may be required for the Zoning Administrator to determine compliance with this ordinance.

7. Appeal. Any person or persons aggrieved by the decision of the Zoning Administrator to approve or disapprove a sign permit, as provided by this ordinance, may appeal such decision to the Board of Adjustment as provided by Chapter 43 of this ordinance.

40.25 Off-Street Loading Spaces Required

In any district in connection with every building or part thereof hereafter erected, having a gross floor area of ten thousand (10,000) square feet or more, which is to be occupied by manufacturing, storage, warehouse, goods display, retail store, wholesale store, market, hotel, hospital, mortuary, laundry, dry cleaning or other uses similarly requiring the receipt or distribution by vehicles of material or merchandise, there shall be provided and maintained on the same lot with such building at least one (1) off-street loading space plus one (1) additional such loading space for each twenty thousand (20,000) square feet or major fraction thereof gross floor area so used in excess of ten thousand (10,000) square feet. Each loading space shall be not less than twelve (12) feet in width and forty (40) feet in length. Such space may occupy all or any part of any required yard or open space, except where adjoining a residential zoning district, it shall be set back at least twenty (20) feet and effectively screen planted.

40.26 Off-Street Parking Area Required

In all zoning districts, in connection with every industrial, commercial, business, trade, institutional, recreational, or residential use, and similar uses, spaces for the parking and storage of vehicles shall be provided in accordance with the requirements of this section. Required off-street parking facilities shall be used primarily for the parking of private passenger automobiles of occupants, patrons, and employees of the principal use served.

Accessible Parking. Off-street parking facilities shall also include the number, size, and design of accessible parking spaces as required by the Americans with Disabilities Act (ADA) and the most current standards of the U.S. Department of Justice and the State Building Code, as amended. Accessible parking shall be provided in addition to, and not in lieu of, the minimum number of required spaces set forth in this section.

Table 1: Required Off-Street Parking Spaces.

Use	Minimum Number of Spaces Required
Single-family dwelling, duplex, townhome, and rowhomes	One (1) space for each dwelling unit
Multi-family dwelling (≥ 3 households and including condos)	Two (2) spaces per dwelling unit, plus one (1) space for each nonresident employee

Bed and breakfast home	One (1) space per rental room/suite
Boarding and lodging houses	Two (2) parking spaces for each three (3) residents accommodated, plus one (1) space for each employee
Residential care facilities	One (1) space for each three (3) beds for residents accommodated, plus one (1) space for each employee
Hotels and motels	One (1) space per guest room/rental unit plus one (1) space per employee on the largest shift; additional spaces required for accessory uses (restaurant, meeting rooms, etc.)
Clubs and lodges	One (1) space for each three (3) persons, at maximum design capacity
Event centers	One (1) space per four (4) patrons at maximum capacity, plus one (1) space per employee on the largest shift
Places of worship, dance halls, assembly halls, theaters, auditorium	One (1) parking space for each four (4) seats based on the design capacity of the main assembly hall
Schools— elementary and middle school (primary and intermediate schools)	Two (2) spaces per classroom, plus one (1) space per each faculty or staff member of full-time equivalent status
Schools— high school, college, university and trade/specialty schools	One (1) space per seven (7) students in attendance at any one time, plus one (1) space per faculty or staff member of full-time equivalent status
Child care centers	One (1) space per six (6) persons of licensed capacity of the facility, plus one (1) space per employee, plus one (1) drop-off space per ten (10) children
Hospitals	One (1) space per every two (2) beds, plus one (1) space per employee on the largest shift
Clinics – medical, dental, chiropractic, etc.	Three (3) spaces per one thousand (1,000) square feet of floor area
Funeral homes and mortuaries	One (1) space for each four (4) seats maximum capacity, plus one (1) space for each employee, plus one (1) space per funeral vehicle

Sports arenas and stadiums (non-school)	One (1) space per four (4) seats at maximum capacity
Recreation facilities—indoor and outdoor	One (1) space for each three (3) persons, at maximum design capacity, or one (1) per five hundred (500) square feet of activity area (whichever is greater)
Businesses and professional offices	Three (3) spaces for each one thousand (1,000) square feet of floor area
Financial institutions	One (1) space per two hundred fifty (250) square feet of floor area, plus five (5) stacking spaces per drive-thru lane
Food services (restaurants, coffee shops, and similar uses)	One (1) space per two hundred (200) square feet of floor area
Retail stores and service establishments under two thousand (2,000) square feet of floor area	One hundred percent (100%) of gross floor area
Retail stores and service establishments over two thousand (2,000) square feet of floor area	Two hundred fifty percent (250%) of gross floor area
Furniture and appliance stores, household equipment stores, or repair shops	One (1) space per four hundred (400) square feet of display/sales area
Car sales and service establishments	One (1) space per four hundred (400) square feet of gross floor area devoted to sales and display, plus one (1) space per service stall, and one (1) space per employee on the largest shift
Filling stations	Four (4) spaces, plus two (2) spaces for each service stall; additional spaces required for accessory convenience service (other than strictly automotive products, parts and/or service)
Wholesale or warehouse establishments	One (1) space for each two (2) employees
Manufacturing and industrial plants	One (1) space per three (3) employees on the maximum shift

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1. For any use not specifically listed in this section, the Zoning Administrator shall apply the parking requirement for the listed use deemed most similar in trip generation and

functional characteristics. If no similar use exists, the Zoning Administrator may require a parking study to establish the minimum number of spaces.

2. Where a lot does not abut on a public or private street, road, alley, or easement of access, there shall be provided an access drive of not less than ten (10) feet in width in the case of a dwelling, and not less than twenty (20) feet in width in all other cases, leading to the loading or unloading spaces and parking or storage areas required hereunder in such manner as to secure the most appropriate development of the property in question. Except where provided in connection with a use permitted in a residence district, such easement of access or access drive shall not be located in any residential district.
3. Every parcel of land hereafter used as a public or private parking area, including a commercial parking lot, shall be developed and maintained in accordance with the following requirements.
 - A. No part of any parking space shall be closer than five (5) feet to any established highway, street right-of-way or alley line. In case the parking lot adjoins a residential zoning district, it shall be set back at least five (5) feet from the residential zoning district boundary and shall be effectively screen-planted.
 - B. Any off-street parking area, including any commercial parking lot for more than five (5) vehicles, shall be surfaced with an asphaltic or Portland cement binder pavement or such other surface as shall be approved by the County Engineer, so as to provide a durable and dustless surface; shall be so graded and drained as to dispose of all surface water accumulation within the area, and shall be so arranged and marked as to provide for orderly and safe loading or unloading and parking and storage of self-propelled vehicles.
 - C. Any lighting used to illuminate any off-street parking area, including any commercial parking lot, shall be so arranged as to reflect the light away from adjoining premises in any residential zoning district.
4. Off-street parking areas in agricultural and residential districts shall be provided on the same lot with the principal use. Off-street parking and loading areas may occupy all or part of any required yard or open space, subject to the provisions of this section, except that no required off-street parking or loading areas shall be located in any required front yard in an agricultural or residence district.

40.27 Towers

Tower permit fee is \$1,000.00 per tower paid to the Warren County Treasurer.