

## Title V - Property and Land Use

### Chapter 42 Zoning - Supplementary and Qualifying Regulations

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#### **42.01 Construction of Accessory Building Before Principal Building**

In AG (Agricultural) zoned property, a permit for an accessory building may be issued prior to or concurrent with a permit for a principal building. In all other zoning districts, a permit for an accessory building may not be issued prior to the completed construction of the principal building. This provision does not apply to Accessory Dwelling Units (ADUs), which are regulated separately in this Ordinance and in accordance with state law.

#### **42.02 Use of Existing Lots of Record**

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

1. The sum of the side yard widths of the lot or plot shall not be less than thirty percent (30%) of the width of the lot, but in no case less than ten percent (10%) of the width of the lot for any one side yard. For example, on an one hundred (100)-foot-wide lot, combined side yards must equal at least thirty (30) feet, with each side yard no less than ten (10) feet wide.
2. The depth of the rear yard of any such lot need not exceed twenty percent (20%) of the depth of the lot, but in no case less than twenty (20) feet. For example, on an one hundred fifty (150) foot-deep lot, the rear yard must be at least thirty (30) feet; if the lot is only one hundred (100) feet deep, the minimum rear yard would still be twenty (20) feet.

**42.03 Water and Wastewater Requirements**

In any district in which residences are permitted and where public/community water supply and public/community wastewater treatment facilities are not available, each lot shall provide adequate area and frontage to safely accommodate on-site water and wastewater treatment systems. Minimum requirements shall be as follows, or the minimum required for the particular zoning district, whichever is the greater:

1. *Minimum Lot Area and Width.* Each lot shall contain a minimum lot area of twenty thousand (20,000) square feet and a minimum lot width, measured at the building line, of one hundred (100) feet; provided, however, that where a rural water supply is available and used in combination with an on-site wastewater treatment system, the minimum lot area may be reduced to a minimum of fifteen thousand (15,000) square feet, provided the minimum lot width at the building line remains one hundred (100) feet.
2. *Subdivision Developments.* The above lot-area and width requirements shall not apply to subdivision developments that provide private water supply and wastewater collection and disposal systems serving subdivision residences, which have been approved by the County Environmental Health Department and Iowa Department of Natural Resources (IDNR).
3. *On-Site Systems.* In all zoning districts where a proposed building, structure or use will involve the use of wastewater facilities, and public/community water and/or wastewater is not available, the potable water from a rural water supply and on-site wastewater treatment and disposal facility/system shall comply with all of the requirements and standards of the Warren County Environmental Health Department and Iowa Department of Natural Resources (IDNR).
4. *Verification.* Prior to the issuance of a Building Permit, verification of on-site water and wastewater treatment system capacity, design approval, and compliance with local and state regulations shall be submitted to the Zoning Administrator or Environmental Health Administrator, or designee, as applicable.

**42.04 Structure Permitted Above Height Limits**

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

1. *Functional and Architectural Projections.* Chimneys, cooling towers, elevators bulkheads, fire towers, monuments, stage towers or scenery lofts, water towers, grain elevators, silos, places of worship, ornamental towers and spires, communications towers or antennas, rooftop mechanical equipment, wind generators and solar panels for non-commercial, small-scale personal use, and other necessary mechanical appurtenances may be constructed to a height consistent with all applicable regulations adopted by Warren County; provided, however, that no such structure shall be permitted to extend

into the approach zone, clear zone, or other restricted airspace required for the protection of a public airport.

2. *Public and Semi-Public Buildings.* Public, semi-public or public service buildings, hospitals, medical clinics, or schools, when permitted in a district, may be erected to a height not exceeding sixty (60) feet, and places of worship, when permitted in a district, may be erected to a height not exceeding seventy-five (75) feet, if the building is set back from each property line at least one (1) foot for each foot of additional building height above the height limit otherwise provided in the district in which the building is built.
3. *Planned Community Developments.* This section shall not apply to planned community developments, which are permitted only within the Planned Community Development (PCD) zoning district and are subject to the specific requirements of an approved Master Planned Development Plan and the regulations of Chapters 41 and 43.

#### **42.05 Other Exceptions to Yard Requirements**

Every required yard shall be open and unobstructed from the ground to the sky, except as follows:

1. *Accessory Buildings and Structures.* A permitted accessory building or structure may be located within a required rear yard, subject to the applicable provisions of this Ordinance.
2. *Architectural Projections.* Ordinary architectural features, such as eaves, roof overhangs, sills, belt courses, cornices, or other similar projections, may extend into a required yard no more than twenty-four (24) inches.
3. *Accessibility Ramps and Steps.* Steps, landings, and accessibility ramps or lifts designed to provide safe and reasonable access to a permitted building or to a lot from a street, road, or alley may extend into a required yard, provided such features are the minimum necessary for access and do not create a safety hazard or obstruct required sight distances.

Nothing in this section shall be construed to permit parking areas, decks, or habitable space within a required yard unless otherwise authorized by this Ordinance.

#### **42.06 Mixed Use Yard Requirements**

Where a building contains two (2) or more uses arranged vertically, the required side yards for the ground-floor use shall apply to the entire building.

#### **42.07 General Performance Standards**

The following general performance standards shall apply to all uses of land and structures, unless otherwise specified in this Ordinance. These standards represent the minimum requirements intended to protect the health, safety, and welfare of the public and to ensure compatibility among land uses:

1. *Land Use Review and Approvals.* All uses shall be subject to the applicable land use application review and approvals, including but not limited to Site Plan review and approval and Building Permit issuance, where required.
2. *Lighting.* All outdoor lighting shall be fully shielded and directed downward to prevent glare, light trespass, and adverse impacts onto adjacent properties and public rights-of-way, and in compliance with Section 40.23 of the Zoning Ordinance.
3. *Signs.* All signage shall be located, designed, installed, and maintained in accordance with Section 40.22 Signage, including requirements for placement, illumination, height, size, and maintenance. No sign shall be erected or altered except in compliance with this Ordinance and any approved Sign Permit.
4. *Buffering and Screening.* Buffering, landscaping, and screening shall be provided where required to ensure compatible transitions between land uses, to mitigate visual, noise, or operational impacts, and to maintain the rural and visual character of the County. All buffering and screening shall comply with Section 40.24 Buffering, and shall be installed and maintained consistent with any approved landscaping or screening plan.
5. *Parking and Loading.* Off-street parking and loading shall be provided in accordance with Sections 40.25 Off-Street Loading and 40.26 Off-Street Parking, including requirements for location, surfacing, lighting, accessibility, and screening of parking and loading areas.
6. *Refuse and Recycling Areas.* All refuse and recycling collection areas shall be fully enclosed and screened from adjacent properties and public rights-of-way, and shall be located to provide safe and convenient access for service vehicles.
7. *Noise, Odor, and Nuisance Control.* All uses shall be operated in a manner that does not create excessive noise, odor, vibration, or other nuisances that adversely affect adjacent properties. Noise levels shall not exceed limits established by County, state, or federal health and safety regulations.
8. *Foundations and Structural Stability.* Where required by this Ordinance or as a condition of approval, buildings or outdoor use areas shall be located on a permanent concrete foundation or paved pad meeting applicable State Building and Fire Code standards.
9. *Stormwater and Impervious Surface Management.* All site development shall include calculations of total impervious surface coverage, to ensure compliance with any applicable County stormwater management standards and to minimize adverse impacts on adjacent properties.

#### **42.08 Specific Supplemental Standards**

As referenced in the Table of Uses, outlined in Chapter 41, Zoning Districts and Boundaries, supplemental standards are outlined for uses that may have specific requirements to ensure compatibility with surrounding properties, address potential impacts, or meet certain safety or regulatory standards.

**Agricultural Uses with Customary Uses Encouraging Agritourism**

In accordance with Iowa Code § 335, as amended, agricultural uses with customary uses encouraging agritourism are permitted in the AG (Agricultural) and C (Commercial) zoning districts, provided qualify as an “agricultural experience,” incidental to a primary agricultural use in which is actively engaged in “agricultural production,” both as defined in Chapter 40, subject to the following conditions:

1. *Eligibility.* Any activity not meeting this standard shall be prohibited as agritourism and must instead be pursued under the applicable zoning provisions of this Ordinance (i.e., the separate applicable provisions for event centers, campgrounds, etc.).
2. *Site Plan and Review.* A site plan may be submitted to the County Zoning Administrator for coordination with the County Engineer, Environmental Health Department, local fire district, Sheriff’s Office, Emergency Management Department, and other applicable state or insurance authorities regarding access, parking, drainage, water, wastewater, and fire safety. Such submittal is for recordkeeping and coordination purposes only and does not create or imply County regulatory approval of the agritourism use or its design.
3. *Water and Wastewater.* Agricultural uses with customary uses encouraging agritourism shall be served by a water supply and wastewater treatment system designed and approved by the Iowa Department of Natural Resources (IDNR).
4. *Food Service.* Where agricultural experiences include food service, such service shall feature food grown, raised, or produced on site.
5. *Parking.* Off-street parking must be provided. Parking along public roads or in public road right-of-way is prohibited.
6. *Limited Liability Notice.* A notice of limited liability must be posted in a conspicuous location on the premises of an agricultural tourism farm or use in accordance with the language provided in Iowa Code § 673A.6, as amended.
7. *Severe Weather/Shelter Plan.* A Severe Weather/Shelter Plan shall be submitted for review and approval by the County Emergency Management Department.
8. *Fire Safety.* Smoke detectors shall be operable in every room or area occupied by the public, as well as in all corridors or spaces utilized by guests or attendees. A centralized fire alarm system may be substituted for the aforementioned smoke detectors where approved by the authority having jurisdiction.
9. *Emergency Egress.* In any structure providing accommodations, assembly areas, or facilities for the public on the second or higher level, one of the following shall be provided as an area of refuge or secondary egress on each level. A sign shall be posted in each public room denoting the emergency escape route and area of refuge or secondary egress provided:
  - a. One (1) or more balcony areas;
  - b. A fire ladder to the ground level;
  - c. A fire escape to the ground level; and

- d. An interior secondary stairway to the main floor of the structure, remote from the primary stairway.
10. *Restroom Facilities.* Permanent restroom facilities are required. Portable restrooms are prohibited, unless operated by a licensed sanitation vendor with special event permits.
11. *Traffic Impact and Dust Control.* A Traffic Impact Study and/or Dust Control Plan may be required by the County Engineer if deemed necessary to ensure public health, safety, and roadway function.
12. *Applications and Permits.* An Agritourism Compliant Activities Application Form shall be submitted for approval to the Warren County Zoning Department. A Building Permit shall also be obtained prior to construction, expansion, or modification of any structures related to agritourism activities.

### **Hunting and Fishing Areas**

Hunting and fishing areas, as primarily regulated by the Iowa Department of Natural Resources (IDNR) under Iowa Code § 481A, 482, and 484B, as amended, are conditionally permitted in the AG (Agricultural) zoning district and principally permitted in the FPC (Floodplain and Conservation) zoning district, subject to the following conditions:

1. *State and Federal Compliance.* All required licenses, registrations, or authorizations for hunting, fishing, or game preserve operations shall be obtained from the Iowa Department of Natural Resources (IDNR) prior to commencing use. A copy of such documentation shall be provided to the County for recordkeeping.
2. *Site Plan.* A site plan may be submitted to the County Zoning Administrator for coordination with the County Engineer and Environmental Health Department regarding access, drainage, and utilities. The site plan shall identify the location and configuration of existing and proposed structures, access points and internal circulation routes, parking and service areas, trail systems, restrooms, fencing, landscaping, and the manner of providing water supply, wastewater treatment, stormwater management, and site drainage. Such submittal is for recordkeeping and coordination with infrastructure planning.
3. *Water and Wastewater.* Hunting and fishing areas shall be served by a water supply and wastewater treatment system designed and approved by the Iowa Department of Natural Resources (IDNR).
4. *Access and Road Use.* Hunting and fishing areas shall have direct access to a suitable road approved by the County Engineer, and the internal circulation system shall be designed to safely accommodate anticipated traffic volumes, including emergency and service vehicles. The County Engineer may require a Road Use Agreement, Traffic Impact Study, and/or Dust Control Plan to ensure roadway safety, capacity, and maintenance. Driveways shall be designed to accommodate the turning radius of heavy vehicles and minimize tracking of mud or debris onto public roads.



5. *Public Safety and Buffering.* A minimum safety buffer may be required between any designated hunting or shooting area and adjoining property lines, occupied structures, or public rights-of-way, as determined by the County to maintain public health and safety. The appropriate separation distance shall be based on the nature of the activity(s), site conditions, and the Iowa Department of Natural Resources (IDNR) safety guidance. Clear boundary signage (such as “Private Hunting Area” or “No Trespassing”) may be required at all access points and perimeter boundaries. The Sheriff’s Office or local fire district may require additional measures for public safety, including emergency access improvements or communication plans.

#### **Animal Feeding Operations (AFOs)**

Animal feeding operations (AFOs), as defined and regulated by both Iowa Code § 459 and the Iowa Department of Natural Resources (IDNR) under Iowa Administrative Code § 567-65, are principally permitted in the AG (Agricultural) zoning district. Animal feeding operations may be exempt from County zoning regulations under § 40.04 of this Ordinance and Iowa Code §§ 335.2 and 331.304A, as amended. Although zoning-exempt, animal feeding operations are subject to the following County coordination requirements related to public health and safety:

1. *State and Federal Compliance.* Animal feeding operations shall comply with all applicable state and federal regulations and shall not commence until any required Iowa Department of Natural Resources (IDNR) or federal permits have been obtained.
2. *Site Plan.* A site plan may be submitted to the County Zoning Administrator for coordination with the County Engineer and Environmental Health Department regarding access, drainage, and utilities. The site plan shall identify the location and configuration of existing and proposed structures, feed storage and handling areas, manure storage structures, access drives, parking and service areas, fencing, landscaping, and the manner of providing water supply, wastewater treatment, stormwater management, and site drainage. Such submittal is for recordkeeping and coordination with infrastructure planning.
3. *Water and Wastewater.* Animal feeding operations shall be served by a water supply and wastewater treatment system designed and approved by the Iowa Department of Natural Resources (IDNR).
4. *Access and Road Use.* Animal feeding operations shall have direct access to a paved public road, unless otherwise approved by the County Engineer, and the internal circulation system shall be designed to safely accommodate anticipated traffic volumes, including emergency and service vehicles. The County Engineer may require a Road Use Agreement, Traffic Impact Study, and/or Dust Control Plan to ensure roadway safety, capacity, and maintenance. Driveways shall be designed to accommodate the turning radius of heavy vehicles and minimize tracking of mud or debris onto public roads.
5. *Drainage and Stormwater Management.* In addition to any drainage and water management reviews or approvals required by the Iowa Department of Natural Resources

(IDNR), the proposed drainage and stormwater management systems, facilities, or measures may be submitted to the County Engineer for recordkeeping and coordination purposes only. Such submittal is intended to assist with coordination of public drainage infrastructure and best management practices and does not create or imply County regulatory approval of the animal feeding operation or its design.

### **Non-Commercial Livestock**

Non-commercial livestock are principally permitted in the AG (Agricultural) zoning district and in the RR (Rural Residential) zoning districts, subject to the following conditions:

1. *Purpose.* Non-commercial livestock shall be kept only for personal, hobby, or educational purposes by the property owner or occupant. No retail sale of animals or animal products shall occur on the premises.
2. *Animal Density.* In the RR (Rural Residential) zoning district, the feeding or raising of non-commercial livestock provided a premise shall follow the following total maximum animal densities by type:

Size and Type of Animals	Maximum Animal Density
Large animals: horses, cattle, and similar animals	One (1) large animal/ one (1) net acre, with a maximum of five (5) such animals in this category.
Intermediate animals: sheep, swine, goats, llamas, emu, and similar animals	Two (2) intermediate animals/ one (1) net acre, with a maximum of five (5) such animals in this category.
Small animals: poultry, fowl, rabbits, and similar animals*	A maximum of sixteen (16) such animals in this category.

The keeping of roosters shall be prohibited.

In the AG (Agricultural) zoning district, non-commercial livestock may be kept without density limitation, provided the use does not constitute an animal feeding operation as defined in Iowa Code § 459, as amended. Any activity meeting the definition of an animal feeding operation shall be regulated by the Iowa Department of Natural Resources (IDNR) under Iowa Administrative Code § 567-65.

3. *Setbacks.* All livestock housing, including, barns, pens, coops, corrals or shelters shall be located behind any dwelling and at least fifty (50) feet from all property lines and public rights-of-way.
4. *Nuisance Control.* The premises shall be maintained in a clean, sanitary, and odor-free condition. No dust, noise, or runoff creating a nuisance shall be permitted.



5. *Feed and Waste Management.* Feed shall be stored in closed containers or structures. Manure and bedding shall be properly disposed of to prevent odor or pest attraction.
6. *Drainage and Sanitation.* Adequate drainage and sanitary facilities shall be provided to prevent standing water, control runoff, and ensure safe, sanitary site conditions. These systems shall be subject to review and approval by the Warren County Environmental Health Department, County Engineer, Iowa Department of Natural Resources (IDNR), and other applicable authorities having jurisdiction.

### **Commercial Nurseries, Greenhouses, and Truck Gardens**

Commercial nurseries, greenhouses, and truck gardens are principally permitted in the AG (Agricultural) and FPC (Floodplain and Conservation) zoning districts and in the RR (Rural Residential), commercial, and industrial zoning districts, subject to the following conditions:

1. *Retail Sales.* Retail sales of goods produced on-site shall be permitted only in the AG (Agricultural), commercial, and industrial zoning districts. In the RR (Rural Residential) zoning district, retail sales are prohibited, and operations shall be limited to cultivation, propagation, or distribution uses only.
2. *Site Plan.* In addition to the Building Permit, the property owner shall submit a site plan for review and approval prior to the establishment of any commercial nursery, greenhouse, or truck garden. The site plan shall identify all areas to be used for guest accommodations, parking and circulation (including ingress and egress), landscaping and screening, signage, and the manner of providing water supply, wastewater treatment, and stormwater management facilities.
3. *Water and Wastewater.* Commercial nurseries, greenhouses, and truck gardens shall be served by a public/community water and wastewater treatment system whenever available. Where such systems are not reasonably accessible, on-site systems may be permitted if designed and approved in accordance with all applicable requirements of the Warren County Environmental Health Department and the Iowa Department of Natural Resources (IDNR).
4. *Drainage.* Adequate drainage shall be provided to prevent standing water, control runoff, and ensure safe site conditions. These systems shall be subject to review and approval by the Warren County Environmental Health Department, County Engineer, Iowa Department of Natural Resources (IDNR), and other applicable authorities having jurisdiction.
5. *Parking.* Off-street parking shall be provided consistent with County parking requirements. Parking along public roads or in public road right-of-way is prohibited.
6. *Traffic Impact and Dust Control.* A Traffic Impact Study and/or Dust Control Plan may be required by the County Engineer if deemed necessary to ensure public health, safety, and roadway function.
7. *Access and Circulation.* Commercial nurseries, greenhouses, and truck gardens shall have direct access to a paved public road, and the internal circulation system shall be designed

to safely accommodate anticipated traffic volumes, including emergency and service vehicles.

8. *Outdoor Storage.* Outdoor storage of equipment, materials, or vehicles associated with a commercial nursery, greenhouse, or truck garden shall be screened from view of adjacent properties and rights-of-way.
9. *Refuse and Recycling Areas.* All refuse and recycling collection areas shall be fully enclosed and screened from adjacent properties and rights-of-way, and located to provide safe access for service vehicles.
10. *Landscaping and Screening.* Landscaping and screening shall be provided along all property lines abutting residential districts to minimize visual and noise impacts.
11. *Lighting.* All outdoor lighting shall be fully shielded and directed downward to prevent glare, light trespass, and adverse impacts onto adjacent properties and public rights-of-way.

### **Duplexes, Townhomes, and Rowhomes**

Duplexes, townhomes, and rowhomes shall be conditionally permitted in the PR (Planned Residential) and VR (Village Residential) zoning districts, subject to the following conditions:

1. *Bulk Regulations.* Each dwelling unit shall comply with the bulk regulations of the underlying zoning district, unless otherwise modified by the Planned Community Development or site plan review.
2. *Lot and Ownership Configuration.* Each duplex unit may be located on a single lot or on separate lots of record, provided that common walls meet applicable State Building and Fire Code requirements. Townhomes and rowhomes shall each be located on separate lots of record, unless established as a condominium form of ownership with common elements.
3. *Site Plan.* In addition to the Building Permit and Conditional Use Permit, the property owner shall submit a site plan for review and approval prior to the establishment of any duplex, townhome, or rowhome. The site plan shall identify all areas to be developed for the buildings and structures, the areas to be developed for parking, the locations of driveways and the points of ingress and egress, including access roads where required, the location and height of walls, the location and type of landscaping, the location, size and number of signs, and the manner of providing water supply, wastewater treatment, and stormwater management facilities.
4. *Water and Wastewater.* Duplexes, townhomes, and rowhomes shall be served by a public/community water and wastewater treatment system whenever available. Where such systems are not reasonably accessible, on-site systems may be permitted if designed and approved in accordance with all applicable requirements of the Warren County Environmental Health Department and the Iowa Department of Natural Resources (IDNR).

5. *Access and Circulation.* Duplexes, townhomes, and rowhomes shall have direct access to a paved public road, unless otherwise approved by the County Engineer, and the internal circulation system, if applicable, shall be designed to safely accommodate anticipated traffic volumes, including emergency and service vehicles.
6. *Parking.* Adequate off-street parking shall be provided in accordance with County parking requirements, with safe pedestrian connections from parking areas to dwelling units. Parking areas shall be landscaped and screened from adjacent residential properties and public rights-of-way.
7. *Refuse and Recycling Areas.* All refuse and recycling collection areas shall be fully enclosed and screened from adjacent properties and rights-of-way, and located to provide safe access for service vehicles.
8. *Landscaping and Screening.* Landscaping and screening shall be provided along all property lines abutting residential districts to minimize visual and noise impacts.
9. *Lighting.* All outdoor lighting shall be fully shielded and directed downward to prevent glare, light trespass, and adverse impacts onto adjacent properties and public rights-of-way.
10. *Addressing and Mail Delivery.* Each dwelling unit shall be assigned a unique 911 address and mailboxes shall be located in an approved centralized location meeting County and United States Postal Service (USPS) requirements.

### **Multi-Family Dwellings**

Multi-family dwellings, including condominiums, apartments, and other residential buildings containing three (3) or more dwelling units, shall be conditionally permitted in the VR (Village Residential) zoning district, subject to the following conditions:

1. *Bulk Regulations.* The multi-family dwelling must comply with the bulk regulations of the underlying zoning district, unless otherwise modified by the Planned Community Development or site plan review.
2. *Site Plan.* In addition to the Building Permit and Conditional Use Permit, the property owner shall submit a site plan for review and approval prior to the establishment of any multi-family dwelling. The site plan shall identify all areas to be developed for the buildings and structures, the areas to be developed for parking, the locations of driveways and the points of ingress and egress, including access roads where required, the location and height of walls, the location and type of usable common open space, the location and type of landscaping, the location, size and number of signs, and the manner of providing water supply, wastewater treatment, and stormwater management facilities.
3. *Water and Wastewater.* Multi-family dwellings shall be served by a public/community water and wastewater treatment system whenever available. Where such systems are not reasonably accessible, on-site systems may be permitted if designed and approved in accordance with all applicable requirements of the Warren County Environmental Health Department and the Iowa Department of Natural Resources (IDNR).

4. *Access and Circulation.* Multi-family dwellings shall have direct access to a paved public road, unless otherwise approved by the County Engineer, and the internal circulation system, if applicable, shall be designed to safely accommodate anticipated traffic volumes, including emergency and service vehicles.
5. *Open Space and Recreation.* Multi-family dwellings shall provide usable open space or recreation areas for residents, as determined by the Conditional Use Permit or site plan review. Open space and recreation areas shall be suitably improved for resident use and maintained as part of the development.
6. *Parking.* Adequate off-street parking shall be provided in accordance with County parking requirements, with safe pedestrian connections from parking areas to dwelling units. Parking areas shall be landscaped and screened from adjacent residential properties and public rights-of-way.
7. *Refuse and Recycling Areas.* All refuse and recycling collection areas shall be fully enclosed and screened from adjacent properties and rights-of-way, and located to provide safe access for service vehicles.
8. *Landscaping and Screening.* Landscaping and screening shall be provided along all property lines abutting residential districts to minimize visual and noise impacts.
9. *Lighting.* All outdoor lighting shall be fully shielded and directed downward to prevent glare, light trespass, and adverse impacts onto adjacent properties and public rights-of-way.
10. *Addressing and Mail Delivery.* Each dwelling unit shall be assigned a unique 911 address and mailboxes shall be located in an approved centralized location meeting County and United States Postal Service (USPS) requirements.

### **Bed and Breakfast Homes**

Bed and Breakfast Homes shall be conditionally permitted in the AG (Agricultural) and RR (Rural Residential) zoning districts, subject to the following conditions:

1. *Owner-Residence and Character of Dwelling.* Bed and breakfast accommodations shall be provided only within the dwelling in which the property owner resides as the host, and the dwelling shall retain its character and appearance as a private residence.
2. *Bulk Regulations.* Bed and breakfast homes shall comply with the bulk regulations of the underlying zoning district, unless otherwise modified through a Planned Community Development (PCD) or approved site plan review.
3. *Guest Limit.* Lodging shall be limited to no more than four (4) guest families at any one time, as defined in Chapter 40. All guest accommodations shall be under the direct supervision of the property owner/host.
4. *Food Service.* Meals may be provided to overnight guests only. The operation shall not be advertised or operated as a standalone restaurant, hotel, motel, or event center.
5. *Site Plan.* In addition to the Building Permit and Conditional Use Permit, the property owner shall submit a site plan for review and approval prior to the establishment of any

bed and breakfast home. The site plan shall identify all areas to be used for guest accommodations, parking and circulation (including ingress and egress), landscaping and screening, signage, and the manner of providing water supply, wastewater treatment, and stormwater management facilities.

6. *Fire Safety.* Smoke detectors shall be operable in every room occupied by the public, as well as in all corridors of the areas of the structure utilized by the public. A centralized fire alarm system may be substituted for the aforementioned smoke detectors.
7. *Emergency Egress.* In the event the bed and breakfast home provides facilities for the public on the second or higher level of the structure, one of the following shall be provided as an area of refuge or secondary egress on each level. There shall be a sign in each room occupied by the public denoting the emergency escape route and the area of refuge or secondary egress provided:
  - a. One (1) or more balcony areas;
  - b. A fire ladder to the ground level;
  - c. A fire escape to the ground level; and
  - d. An interior secondary stairway to the main floor of the structure, remote from the primary stairway.
8. *Water and Wastewater.* Bed and breakfast homes shall be served by a public/community water and wastewater treatment system whenever available. Where such systems are not reasonably accessible, on-site systems may be permitted if designed and approved in accordance with all applicable requirements of the Warren County Environmental Health Department and the Iowa Department of Natural Resources (IDNR).
9. *Parking.* Off-street parking shall be provided consistent with County parking requirements for a bed and breakfast home.
10. *Traffic Impact and Dust Control.* A Traffic Impact Study and/or Dust Control Plan may be required by the County Engineer if deemed necessary to ensure public health, safety, and roadway function.
11. *Severe Weather/Shelter Plan.* A Severe Weather/Shelter Plan, including a designated shelter space providing adequate heating, ventilation, lighting, and protection from the elements and designed for the maximum number of guests, shall be submitted for review and approval by the County Emergency Management Department. Guests shall be informed of severe weather procedures at the time of check-in.
12. *Access and Circulation.* Bed and breakfast homes shall have direct access to a public roadway. Driveways and internal circulation areas shall be designed and constructed to meet County Engineer standards and to ensure safe ingress and egress for emergency and service vehicles.
13. *Addressing and Mail Delivery.* Bed and breakfast homes shall obtain verification of a 911 address assignment or confirmation from the County and approved location meeting County and United States Postal Service (USPS) requirements.

14. *Refuse and Recycling Areas.* All refuse and recycling collection areas shall be fully enclosed and screened from adjacent properties and rights-of-way, and located to provide safe access for service vehicles.
15. *Landscaping and Screening.* Landscaping and screening shall be provided along all property lines abutting residential districts to minimize visual and noise impacts.
11. *Lighting.* All outdoor lighting shall be fully shielded and directed downward to prevent glare, light trespass, and adverse impacts onto adjacent properties and public rights-of-way.
16. *Change in Ownership.* A change in ownership of the property in which the Bed and Breakfast Home is located shall render any existing approval or registration null and void. The new property owner shall be required to apply for a new Building Permit and obtain approval prior to continuing Bed and Breakfast Home operations.

### **Short-Term Rentals**

The short-term rental of a residential property, dwelling, or portion thereof is an accessory use in the AG (Agricultural) and residential zoning districts, subject to Zoning Administrator approval for a Building Permit, and in accordance with the following conditions:

1. *Location and Bulk Regulations.* Each short-term rental shall comply with the bulk regulations of the underlying zoning district, unless otherwise modified through a Planned Community Development (PCD) or approved site plan review. Only one (1) short-term rental shall be permitted on a parcel, lot, or tract of land.
2. *Owner-Residence and Character of Dwelling.* The property owner shall reside on the premises and serve as the host responsible for the management and operation of the short-term rental. The property, dwelling, or portion thereof shall retain its character and appearance as a private residence.
3. *State and Federal Compliance.* The short-term rental shall comply with all applicable federal, state, and local regulations, including but not limited to any state-mandated taxes to be collected and remitted by the property owner/host.
4. *Site Plan.* In addition to the Building Permit, the property owner shall submit a site plan for review and approval prior to the establishment of any short-term rental showing the shape of the property, location of the short-term rental, location of all other structures, and location of driveway and required parking spaces.
5. *Guest Supervision.* All guest accommodations shall be under the direct supervision of the property owner/host. The property owner/host shall be responsible for the conduct and activities of all guests and shall promptly address any issues or disturbances associated with the short-term rental, regardless of the time of day. If the property owner/host is temporarily unavailable, an emergency contact shall be designated to fulfill these responsibilities.
6. *Contact Information.* The name, email, and telephone number of the property owner/host and any emergency contact shall be conspicuously posted within the short-term rental, as



well as the maximum number of guests. This contact information shall be made available to the County upon request.

7. *Hours of Operation.* There shall be no loud or disturbing outdoor and group activities during the hours of 10:00 p.m. to 7:00 a.m.
8. *Fire Safety.* Smoke detectors shall be operable in every room occupied by guests, as well as in all corridors of the areas of the structure utilized by guests. A centralized fire alarm system may be substituted for the aforementioned smoke detectors.
9. *Emergency Egress.* In the event the short-term rental provides facilities for guests on the second or higher level of the structure, one of the following shall be provided as an area of refuge or secondary egress on each level. There shall be a sign in each room occupied by guests denoting the emergency escape route and the area of refuge or secondary egress provided:
  - a. One (1) or more balcony areas;
  - b. A fire ladder to the ground level;
  - c. A fire escape to the ground level; and
  - d. An interior secondary stairway to the main floor of the structure, remote from the primary stairway.
10. *Water and Wastewater.* Short-term rentals shall be connected to an approved source of water supply and wastewater treatment system in compliance with the County Environmental Health Department, Iowa Department of Natural Resources (IDNR), and other applicable local and state regulations.
11. *Access and Circulation.* The short-term rental shall have direct access to a public roadway. Driveways and internal circulation areas shall be designed and constructed to meet County Engineer standards and to ensure safe ingress and egress for emergency and service vehicles.
12. *Addressing and Mail Delivery.* Short-term rentals shall obtain verification of a 911 address assignment or confirmation from the County and approved location meeting County and United States Postal Service (USPS) requirements.
13. *Parking.* Adequate off-street parking shall be provided on the same property in which the short-term rental is located and consistent with County parking requirements. The minimum number of parking spaces for guests shall be determined by the maximum occupancy divided by two and one-half (2 ½). Parking along public roads or in public road right-of-way is prohibited.
14. *Traffic Impact and Dust Control.* A Traffic Impact Study and/or Dust Control Plan may be required by the County Engineer if deemed necessary to ensure public health, safety, and roadway function.
15. *Severe Weather/Shelter Plan.* A Severe Weather/Shelter Plan, including a designated shelter space providing adequate heating, ventilation, lighting, and protection from the elements and designed for the maximum number of attendees, shall be submitted for

review and approval by the County Emergency Management Department. Guests shall be informed of severe weather procedures at the time of check-in.

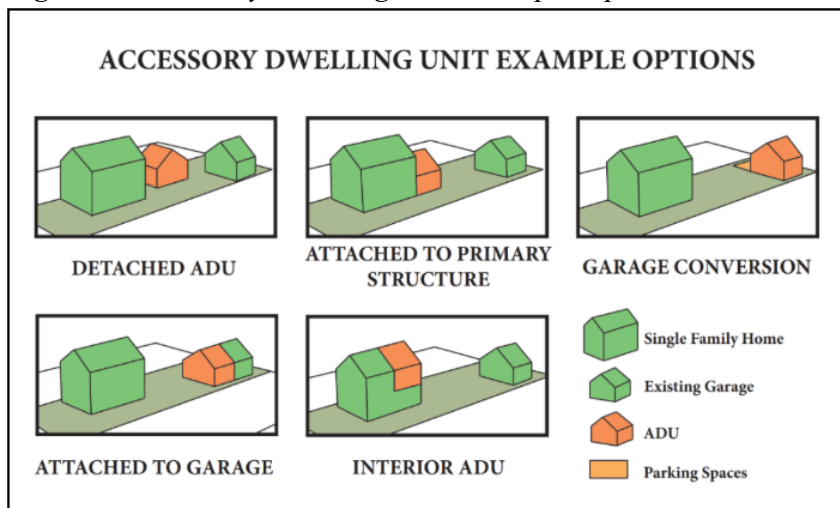
16. *Condition and Maintenance.* The short-term rental shall be managed in a manner that protects the health, safety, and welfare of guests, neighbors, and the general public, and that preserves surrounding property values. The use shall not constitute a public nuisance or health hazard. Failure to properly manage the short-term rental may result in permit denial, suspension, or revocation.
17. *Change in Ownership.* A change in property ownership of the property in which the short-term rental resides shall render any existing approval or registration null and void. The new property owner shall be required to apply for a new Building Permit and obtain Zoning Administrator approval prior to continuing short-term rental operations.

### **Accessory Dwelling Units (ADUs)**

Accessory Dwelling Units (ADUs) shall be a principally permitted accessory use to a primary single-family dwelling in the AG (Agricultural) and residential zoning districts, subject to the following provisions and any applicable requirements of the Iowa Code, as amended:

1. *Number of Units.* Limited to one (1) accessory dwelling unit on the same lot as a single-family dwelling.
2. *Size.* An accessory dwelling unit must not exceed one thousand (1,000) square feet or fifty percent (50%) of the size of the single-family dwelling, whichever is larger. For example, if the single-family dwelling is one thousand six hundred (1,600) square feet, fifty percent (50%) equals eight hundred (800) square feet; therefore, the maximum permitted size of the accessory dwelling unit would be one thousand (1,000) square feet, as one thousand (1,000) square feet is the larger value.
3. *Form.* An accessory dwelling unit may be established in the following forms, and as illustrated in the accompanying figure below:
  - a. An internal unit located entirely within the primary single-family dwelling.
  - b. An attached addition constructed as part of the primary single-family dwelling.
  - c. A detached structure constructed separately from the primary single-family dwelling.
  - d. A unit incorporated within, or structurally attached to, an accessory structure.

Figure 1: Accessory Dwelling Unit Example Options.



4. *Compliance with Zoning District Standards.* The accessory dwelling unit shall comply with the same bulk regulations that apply to the primary single-family dwelling (principal building) within the zoning district in which it is located, as well as any other applicable provisions of the Warren County Code of Ordinances.
5. *Site Plan.* Prior to construction or establishment of any accessory dwelling unit, the property owner shall obtain a Building Permit and submit a site plan for review and approval. The site plan shall identify the location and configuration of the accessory dwelling unit, the areas to be developed or designated for parking, the locations of driveways and the points of ingress and egress, including access roads where required, the location and height of walls or fencing, the location and type of any landscaping or screening, if applicable, and the manner of providing water supply, wastewater treatment, and stormwater management facilities.
6. *Water and Wastewater.* The accessory dwelling unit may be connected to the same individual on-site water supply and wastewater treatment system as the primary single-family dwelling, provided both systems have sufficient capacity to accommodate the occupancy of both dwellings. Verification of system capacity and approval shall be obtained from the Warren County Environmental Health Department prior to Building Permit issuance. If the property is served by Warren County Rural Water, the accessory dwelling unit shall be connected to that system, and written verification of service connection or approval shall be provided by Warren County Rural Water or the applicable service provider prior to Building Permit issuance.
7. *Utilities.* An accessory dwelling unit shall be connected to the same utility service lines as the primary single-family dwelling. Separate utility service lines shall not be required for an accessory dwelling unit, except where separate metering for billing purposes cannot otherwise be provided, in which case a new or separate service line may be installed. For purposes of this section, “public utility” means any person, partnership, business association, or corporation, domestic or foreign, owning or operating facilities

for furnishing gas, electricity, communications services, water by piped distribution, or wastewater or stormwater disposal by piped collection to the public for compensation, consistent with the Iowa Code, as amended.

8. *Public Utility Easements.* No accessory dwelling unit shall be constructed on, above, or within an existing or planned public utility easement, unless the property owner obtains written consent from all applicable utility providers with existing or potential infrastructure within the easement area.
9. *Access and Parking.* All vehicular access and parking serving the accessory dwelling unit shall be accommodated entirely on the same parcel as the single-family dwelling. The lot on which an accessory dwelling unit is located shall have frontage on a public roadway or other access approved by the County Engineer. The accessory dwelling unit shall share the same driveway as the principal single-family dwelling to minimize the number of access points, and any driveway extensions serving the accessory dwelling unit shall be designed and constructed in accordance with the County Engineer's standards for driveways for single-family dwellings. All driveways shall ensure safe ingress and egress for emergency and service vehicles. Parking is prohibited within the public right-of-way or on the street or gravel road.
10. *Exterior Entrance and Egress.* The accessory dwelling unit must have a separate exterior entrance from that of the primary single-family structure. If located in a basement or attached to the primary dwelling, the accessory dwelling unit shall comply with all applicable egress requirements per the State Building Code and Fire Code regulations and International Building Code (2024), as amended.
11. *State and Federal Compliance.* Both the accessory dwelling unit and the principal single-family dwelling shall comply with all applicable state, regional, and federal building codes, including the State Building and Fire Code. The property owner shall be responsible for ensuring that all construction complies with these codes and standards and shall obtain any required inspections, as determined by the applicable building or code enforcement authority.
12. *Prohibited and Permitted Structures.* Recreational vehicles, travel trailers, shipping containers, and other temporary, wheeled, or portable structures shall not be used or occupied as accessory dwelling units. This provision shall not be construed to prohibit the use of a manufactured home, modular home, or mobile home that has been converted to real property and placed on a permanent foundation, when such use is permitted or required to be allowed under the Iowa Code, as amended.
13. *Short-Term Rental Use.* An accessory dwelling unit may be utilized as a short-term rental in accordance with the short-term rental supplemental standards of this Ordinance. Where an accessory dwelling unit is used as a short-term rental, the property owner/host shall reside on the property.

14. *Ownership and Sale.* The single-family dwelling and the accessory dwelling unit shall not be sold, divided, or otherwise segregated in ownership from one another. Both dwellings shall remain under common ownership as part of the same parcel.
15. *Addressing and Mail Delivery.* An accessory dwelling unit shall be assigned a distinct address separate from the principal single-family dwelling, obtained from the County and meeting County and United States Postal Service (USPS) requirements for mail delivery.
16. *Signage.* The property owner (owner/operator of the accessory dwelling unit) shall install and maintain a small, visible directional sign or address marker identifying the location of the accessory dwelling unit (ADU) for emergency response and delivery purposes. The sign shall be clearly visible from the primary access drive or right-of-way, non-illuminated, and consistent with Section 40.22 of this Ordinance and County addressing and emergency service requirements.

### **Tiny Homes**

Tiny homes, permanently affixed to a permanent foundation, shall be conditionally permitted in the PR (Planned Residential) and VR (Village Residential) zoning districts, subject to the following conditions:

1. *Use, Occupancy, and Bulk Regulations.* A tiny home shall be occupied only as a permanent single-family dwelling and located on an individual lot of record meeting the minimum bulk requirements of the underlying zoning district, unless otherwise modified by the Planned Community Development or site plan review. Use of a tiny home for a short-term rental or accessory dwelling unit shall be subject to additional County regulations, where applicable.
2. *State Building Code Compliance.* Tiny homes shall comply with all applicable provisions of the State Building and Fire Codes and the International Residential Code (IRC), including but not limited to standards for minimum living space, fire exits/egress windows, sprinkler systems (where required), smoke alarms, and carbon monoxide detectors.
3. *Site Plan.* In addition to the Building Permit and Conditional Use Permit, the property owner shall submit a site plan for review and approval prior to the establishment of any tiny home. The site plan shall identify all areas to be developed for the buildings and structures, the areas to be developed for parking, the locations of driveways and the points of ingress and egress, including access roads where required, the location and height of walls, the location and type of landscaping, the location, size and number of signs, and the manner of providing water supply, wastewater treatment, and stormwater management facilities.
4. *Water and Wastewater.* Tiny homes shall be served by a public/community water and wastewater treatment system whenever available. Where such systems are not reasonably accessible, on-site systems may be permitted if designed and approved in accordance

with all applicable requirements of the Warren County Environmental Health Department and the Iowa Department of Natural Resources (IDNR).

5. *Access and Circulation.* Tiny homes shall have direct access to a paved public road, unless otherwise approved by the County Engineer, and the internal circulation system, if applicable, shall be designed to safely accommodate anticipated traffic volumes, including emergency and service vehicles.
6. *Addressing and Mail Delivery.* Each tiny home shall be assigned a unique 911 address and an approved location meeting County and United States Postal Service (USPS) requirements.
7. *Parking.* Adequate off-street parking shall be provided consistent with County parking requirements for single-family dwellings.
8. *Outdoor Storage.* Outdoor storage of equipment, materials, or vehicles associated with a tiny home shall be screened from view of adjacent properties and rights-of-way.
9. *Design Compatibility.* Design, materials, and placement of tiny homes shall be compatible with surrounding residential structures, including roof pitch, exterior finish, and building height, unless otherwise approved as part of the Conditional Use Permit.
10. *Clustered Tiny Home Developments.* Tiny homes proposed as part of a clustered arrangement or development that cannot meet the minimum lot area, width, or setback requirements of the applicable PR (Planned Residential) or VR (Village Residential) zoning districts shall be developed as part of a Planned Community Development (PCD) and rezoned accordingly to ensure coordinated site design, shared infrastructure, and compliance with County development standards.

### **Mobile Homes and Mobile Home Parks**

Mobile homes, and mobile home parks, as distinguished from manufactured homes and modular homes, shall be conditionally permitted in the VR (Village Residential) zoning district, subject to the following conditions:

1. *Use, Occupancy, and Bulk Regulations.* Each mobile home shall comply with the bulk regulations of the underlying zoning district unless otherwise modified through a Planned Community Development (PCD) or site plan review. Mobile homes and mobile home parks that cannot meet the minimum lot area, width, or setback requirements of the applicable VR (Village Residential) zoning district shall be developed as part of a Planned Community Development (PCD) and rezoned accordingly to ensure coordinated site design, shared infrastructure, and compliance with County development standards. Use of a mobile home as a short-term rental shall be subject to additional County regulations, where applicable. When permitted as a temporary dwelling under the provision of this Chapter, the mobile home must comply with applicable setback, safety, and utility connection standards.
2. *Existing Mobile Homes and Mobile Home Parks.* Existing mobile homes and mobile home parks lawfully established prior to the effective date of this Ordinance may



continue as legal nonconforming uses. Any replacement, expansion, or alteration of such homes or parks shall require compliance with all applicable local, state, and federal regulations, including but not limited to, the current U.S. Department of Housing and Urban Development (HUD) standards and the provisions of this Ordinance.

3. *Mobile Home Parks.* Mobile home parks shall:
  - a. Be managed as a single parcel under one ownership or management entity, and not platted as individual lots.
  - b. Be located on a site with a minimum lot area of twenty (20) acres.
  - c. Maintain a setback of one hundred (100) feet from all exterior property lines.
  - d. Provide paved internal streets with curb and gutter, designed to safely accommodate anticipated traffic volumes, including emergency and service vehicles.
  - e. Designate at least twenty percent (20%) of the total site as common open space.
  - f. Provide a minimum separation of ten (10) feet between mobile homes side-to-side and twenty (20) feet rear-to-rear.
  - g. Provide and maintain a Severe Weather/Shelter Plan, including a designated shelter space(s) providing adequate heating, ventilation, lighting, and protection from the elements and designed for the maximum number of residents, shall be submitted for review and approval by the County Emergency Management Department.
4. *Site Plan.* In addition to the Building Permit and Conditional Use Permit, the property owner shall submit a site plan for review and approval prior to the establishment or expansion of any mobile home park. The site plan shall include, at a minimum:
  - a. Individual mobile home space layout and dimensions.
  - b. Location and addressing of individual mobile home units.
  - c. Locations for parking, driveways, ingress/egress, and internal street dimensions.
  - d. Utility and easement locations (water, wastewater, stormwater, power).
  - e. Areas designated for landscaping, buffering, and screening.
  - f. Location, size, and number of signs.
  - g. Refuse and recycling collection areas.
  - h. Location of required designated hazard shelter and recreational/common open space.
5. *Water and Wastewater.* Mobile homes shall be served by a public/community water and wastewater treatment system whenever available. Where such systems are not reasonably accessible, on-site systems may be permitted if designed and approved in accordance with all applicable requirements of the Warren County Environmental Health Department and the Iowa Department of Natural Resources (IDNR).
6. *Access and Circulation.* Mobile homes and mobile home parks shall have direct access to a paved public road, unless otherwise approved by the County Engineer, and the internal

circulation system, if applicable, shall be designed to safely accommodate anticipated traffic volumes, including emergency and service vehicles.

7. *Parking.* For a mobile home, off-street parking shall be provided consistent with County parking requirements for single-family dwellings. For a mobile home park, off-street parking shall be provided consistent with County parking requirements for multi-family dwellings.
8. *Addressing and Mail Delivery.* Individual mobile home units shall be assigned a unique 911 address and an approved location meeting County and United States Postal Service (USPS) requirements.
9. *Refuse and Recycling Areas.* All refuse and recycling collection areas shall be fully enclosed and screened from adjacent properties and rights-of-way, and located to provide safe access for service vehicles.
10. *Landscaping and Screening.* Landscaping and screening shall be provided along all property lines abutting residential districts to minimize visual and noise impacts.
11. *Lighting.* All outdoor lighting shall be fully shielded and directed downward to prevent glare, light trespass, and adverse impacts onto adjacent properties and public rights-of-way.

### **Temporary Dwellings**

Temporary dwellings (including travel trailers and portable tiny homes on wheels) shall be conditionally permitted in the AG (Agricultural) and residential zoning districts, subject to the following conditions:

1. *Building Permit and Bulk Regulations.* A temporary dwelling shall be permitted only on a lot with an active Building Permit for the construction of a permanent principal residence. The property owner shall indicate the intent to occupy a temporary dwelling as part of the permanent dwelling's Building Permit application. The temporary dwelling shall comply with the bulk regulations of the underlying zoning district.
2. *Duration of Occupancy.* Occupancy of the temporary dwelling shall be limited to the period during which the permanent principal residence is under active construction and shall terminate upon completion of the residence or expiration of the associated Building Permit, whichever occurs first. Temporary occupancy shall not exceed one hundred eighty (180) consecutive days (six (6) months) and may be renewed for up to two (2) additional periods, not to exceed twenty-four (24) months in total, provided the Building Permit remains active, and as approved by the Zoning Administrator, or designee.
3. *Water and Wastewater.* Temporary dwellings shall be connected to an approved source of water supply and wastewater disposal in compliance with the County Environmental Health Department, Iowa Department of Natural Resources (IDNR), and applicable County ordinances.
4. *Utilities.* Electrical and utility connections shall comply with the Iowa State Building Code and be approved by the appropriate utility or inspection authority.

5. *Access.* The temporary dwelling shall be sited to maintain safe access for emergency vehicles.
6. *Parking.* Adequate off-street parking shall be provided consistent with County parking requirements for single-family dwellings. Parking along public roads or in public road right-of-way is prohibited.
7. *Outdoor Storage.* Outdoor storage of equipment, materials, or vehicles associated with a temporary dwelling shall be screened from view of adjacent properties and rights-of-way.
8. *Design Compatibility.* Design, materials, and placement of a temporary dwelling shall be compatible with surrounding residential structures, including roof pitch, exterior finish, and building height, unless otherwise approved as part of the active Building Permit.
9. *Condition and Maintenance.* The temporary dwelling must be maintained in a roadworthy, habitable condition and shall not constitute a public nuisance or health hazard.
10. *Use Limitations.* Occupancy of a recreational vehicle, camper, or portable tiny home on wheels as a dwelling shall be permitted only as provided in this section or when located in an approved campground or recreational vehicle park. Nothing in this section shall be construed to authorize such units as a permanent single-family dwelling outside of an approved campground or recreational vehicle park.
11. *Hardship Exemptions.* Temporary hardship occupancy (i.e., home destruction by fire, storm, disaster, or verified medical necessity) may be granted by the Zoning Administrator for up to six (6) months, with one (1) extension of up to ninety (90) days, upon written request and approval.

### **Residential Care Facilities**

Residential care facilities, and related buildings and infrastructure, are conditionally permitted in the residential zoning districts, and principally permitted in the commercial zoning district, in compliance with Iowa Code § 135C, as amended, and subject to the following conditions:

1. *Minimum Lot Area.* The facility shall be located on a parcel of no less than twenty (20) acres. The Board of Adjustment may approve a smaller site for a facility with fewer than fifteen (15) residents, provided all other standards are met. Residential care facilities that cannot meet the minimum lot area or bulk regulations of the applicable zoning district shall be developed as part of a Planned Community Development (PCD) and rezoned accordingly to ensure coordinated site design, shared infrastructure, and compliance with County development standards.
2. *Design and Compatibility.* In the applicable residential zoning districts, building design shall be residential in character to the maximum extent practicable. Lighting, signage, and accessory structures shall be consistent with the surrounding neighborhood.
3. *Occupancy and Licensing.* Residential care facilities shall operate in compliance with all applicable provisions of Iowa Code § 135C, as amended. The maximum number of

residents shall not exceed the facility's licensed capacity as established by the State of Iowa.

4. *On-Site Management.* A facility manager or director shall reside on the property or otherwise ensure continuous on-site management during all hours of operation.
5. *Security.* The facility shall provide twenty-four (24)-hour staffing and security measures appropriate to the type of care provided. A security and emergency plan, reviewed by the County Sheriff's Office and Emergency Management Department, shall be submitted with the site plan.
6. *Site Plan.* Prior to construction or establishment of any residential care facility, the property owner shall obtain a Building Permit and submit a site plan for review and approval. The site plan shall identify the location and configuration of existing and proposed structures for the facility, the areas to be developed or designated for parking, the locations of driveways and the points of ingress and egress, the location and height of walls or fencing, the location and type of any landscaping or screening, and the manner of providing water supply, wastewater treatment, and stormwater management facilities.
7. *State Building Code Compliance.* Residential care facilities shall comply with all applicable provisions of the State Building and Fire Codes and the International Residential Code (IRC), including but not limited to standards for minimum living space, fire exits/egress windows, sprinkler systems (where required), smoke alarms, and carbon monoxide detectors.
8. *Water and Wastewater.* Residential care facilities shall be connected to a public or community water and wastewater system whenever available. Where such systems are not reasonably accessible, on-site systems may be permitted if designed by a Professional Engineer licensed in the State of Iowa and approved by the Warren County Environmental Health Department and the Iowa Department of Natural Resources (IDNR).
9. *Severe Weather/Shelter Plan.* A Severe Weather/Shelter Plan, including a designated shelter space providing adequate heating, ventilation, lighting, and protection from the elements and designed for the maximum number of residents, shall be submitted for review and approval by the County Emergency Management Department. Residents shall be informed of severe weather procedures at the time of move in.
10. *Access and Circulation.* Residential care facilities shall have direct access to a paved public road, and the internal circulation system shall be designed to safely accommodate anticipated traffic volumes, including emergency and service vehicles. Accessible pedestrian walkways and building entrances shall also be provided, in compliance with the Americans with Disabilities Act (ADA) and all applicable State Building Code accessibility requirements, ensuring safe and convenient access for residents, staff, and visitors.
11. *Traffic Impact and Dust Control.* A Traffic Impact Study and/or Dust Control Plan may be required by the County Engineer if deemed necessary to ensure public health, safety, and roadway function.

12. *Parking.* Adequate off-street parking shall be provided consistent with County parking requirements for residential care facilities. Parking along public roads or in public road right-of-way is prohibited.
13. *Refuse and Recycling Areas.* All refuse and recycling collection areas shall be fully enclosed and screened from adjacent properties and rights-of-way, and located to provide safe access for service vehicles.
14. *Landscaping and Screening.* Landscaping and screening shall be provided along all property lines abutting residential districts to minimize visual and noise impacts.
15. *Addressing and Mail Delivery.* Residential care facilities shall obtain verification of a 911 address assignment or confirmation from the County and approved location meeting County and United States Postal Service (USPS) requirements.
16. *Change in Ownership.* A change in ownership of the property in which the residential care facility is located shall render any existing approval or registration null and void. The new property owner shall be required to apply for a new Building Permit, and Conditional Use Permit if applicable, and obtain approval prior to continuing operations.

### **Lodging and Boarding Houses**

Lodging and boarding houses are conditionally permitted in the PR (Planned Residential) and VR (Village Residential) zoning districts, and principally permitted in the commercial zoning district, subject to the following conditions:

1. *Minimum Lot Area.* The lodging or boarding house shall be located on a parcel of no less than one (1) acre. Lodging or boarding houses that cannot meet the minimum lot area or bulk regulations of the applicable zoning district shall be developed as part of a Planned Community Development (PCD) and rezoned accordingly to ensure coordinated site design, shared infrastructure, and compliance with County development standards.
2. *Design and Compatibility.* In the applicable residential zoning districts, building design shall be residential in character to the maximum extent practicable. Lighting, signage, and accessory structures shall be consistent with the surrounding neighborhood.
3. *Occupancy and Licensing.* Boarding houses providing care or assistance shall operate in compliance with all applicable provisions of Iowa Code § 135O, as amended.
4. *On-Site Management.* The home owner or operator shall reside on site or provide continuous on-site management to ensure the safety and welfare of residents.
5. *Site Plan.* Prior to construction or establishment of any lodging or boarding house, the property owner shall obtain a Building Permit and submit a site plan for review and approval. The site plan shall identify the location and configuration of existing and proposed structures for the home, the areas to be developed or designated for parking, the locations of driveways and the points of ingress and egress, the location and height of walls or fencing, the location and type of any landscaping or screening, and the manner of providing water supply, wastewater treatment, and stormwater management facilities.

6. *State Building Code Compliance.* Lodging and boarding houses shall comply with all applicable provisions of the State Building and Fire Codes and the International Residential Code (IRC), including but not limited to standards for minimum living space, fire exits/egress windows, sprinkler systems (where required), smoke alarms, and carbon monoxide detectors.
7. *Water and Wastewater.* Lodging and boarding houses shall be connected to a public or community water and wastewater system whenever available. Where such systems are not reasonably accessible, on-site systems may be permitted if designed by a Professional Engineer licensed in the State of Iowa and approved by the Warren County Environmental Health Department and the Iowa Department of Natural Resources (IDNR).
8. *Severe Weather/Shelter Plan.* A Severe Weather/Shelter Plan, including a designated shelter space providing adequate heating, ventilation, lighting, and protection from the elements and designed for the maximum number of residents, shall be submitted for review and approval by the County Emergency Management Department. Residents shall be informed of severe weather procedures at the time of move in.
9. *Access and Circulation.* Lodging and boarding houses shall have direct access to a paved public road, and the internal circulation system shall be designed to safely accommodate anticipated traffic volumes, including emergency and service vehicles.
10. *Traffic Impact and Dust Control.* A Traffic Impact Study and/or Dust Control Plan may be required by the County Engineer if deemed necessary to ensure public health, safety, and roadway function.
11. *Parking.* Adequate off-street parking shall be provided consistent with County parking requirements for lodging and boarding houses. Parking along public roads or in public road right-of-way is prohibited.
12. *Refuse and Recycling Areas.* All refuse and recycling collection areas shall be fully enclosed and screened from adjacent properties and rights-of-way, and located to provide safe access for service vehicles.
13. *Landscaping and Screening.* Landscaping and screening shall be provided along all property lines abutting residential districts to minimize visual and noise impacts.
14. *Addressing and Mail Delivery.* Lodging and boarding houses shall obtain verification of a 911 address assignment or confirmation from the County and approved location meeting County and United States Postal Service (USPS) requirements.
15. *Change in Ownership.* A change in ownership of the property in which the lodging or boarding house is located shall render any existing approval or registration null and void. The new property owner shall be required to apply for a new Building Permit, and Conditional Use Permit if applicable, and obtain approval prior to continuing operations.



### **Home-Based Businesses**

This section on home-based business is intended to allow for limited commercial activity that is customarily incidental and subordinate to the principal use as a dwelling, while ensuring compatibility with residential neighborhoods and compliance with Iowa Code §335.35, as amended. Home-based businesses are allowed as follows:

1. *Types of Home-Based Businesses.*

- a. *No Impact Home-Based Business.* No impact home-based businesses where no customers, members of the public, or employees visit the site, and as defined in Chapter 40, are permitted as an accessory use in the AG (Agricultural) and residential zoning districts. No-impact home-based businesses shall not require a permit, registration, or prior approval from the County, provided they meet the following standards in subsection 2 below.
  - b. *Home-Based Business.* Home-based businesses where customers, members of the public, or employees visit the site, and as defined in Chapter 40, are permitted as an accessory use in the AG (Agricultural) and residential zoning districts. Home-based businesses shall require a Home-Based Business Permit issued by the Zoning Administrator, as defined in Chapter 43, subject to review and approval from other applicable authorities, prior to establishment.
2. *Applicable Home-Based Business Standards.* The following standards are applicable to all no impact home-based businesses and home-based businesses:
- a. A home-based business shall be allowable only on a lot, tract, or parcel of land that contains an occupied dwelling and shall be owned and operated by the owner or tenant of the residential property on which the business operates.
  - b. No alteration of the principal residential building shall be made which changes the character and appearance thereof as a dwelling.
  - c. The home-based business activities shall be limited to the sale of lawful goods and services.
  - d. The home-based business activities shall occur entirely inside the residential dwelling or in the yard of the residential property.
  - e. Outdoor storage or display of products, equipment, or materials used in the home-based business is prohibited.
  - f. The home-based business activities shall not be visible from an adjacent property or roadway.
  - g. The home-based business activities do not generate nuisance factors, including but not limited to, exterior appearance, the emission of odor, gas, dust, smoke, or noise. Emissions of odor, gas, dust, smoke, noise, or other nuisance factors shall not be detectable at the property lines.
  - h. The home-based business activities do not generate on-street parking or a substantial increase in traffic in the immediate area.

- i. Parking along public roads or in public road right-of-way is prohibited.
- 3. *Additional Home-Based Business Standards.* Home-based businesses where customers, members of the public, or employees visit the site are subject to the following additional standards:
  - a. In combination, all home-based business activities shall not generate traffic (client, employee, and delivery) substantially greater than ten (10) visits (20 trips) a day. In addition, the business shall not receive more than one (1) freight delivery or send more than one (1) freight shipment each day. Any visit to the premises by off-site employees of the home-based business shall be considered the same as a "client" visit and shall comply with the following requirements:
    - i. No more than five (5) off-street parking spaces shall be provided for clients, employees, and deliveries, and the parking of no more than five (5) client, employee, and delivery vehicles at any one time shall be permitted.
    - ii. Home-based businesses may provide classes; however, classes shall not cause the home-based business to exceed traffic and parking standards.
  - b. In addition to the Home-Based Business Permit application process outlined in Chapter 43, the property owner shall provide the following:
    - i. A site plan identifying all existing and proposed structures, the driveway, parking, and loading/unloading area, and areas used for business operations.
    - ii. A Traffic Impact Study and/or Dust Control Plan may be required by the County Engineer if deemed necessary to ensure public health, safety, and roadway function.
    - iii. A Stormwater Pollution Prevention Plan (SWPPP) must be provided for any proposed home-based business that involves land disturbance of one (1) acre or more, or as otherwise required by the Iowa Department of Natural Resources (IDNR) or the County Engineer. A National Pollutant Discharge Elimination System (NPDES) permit, including coverage under IDNR General Permit No. 2, may also be required as required by federal and state law for qualifying construction activities.
    - iv. An Erosion Control Plan may be required, as determined by the Warren County Engineer, for any use involving ground disturbance, storage of bulk materials, or vehicular circulation beyond residential scale.
    - v. A Severe Weather/Shelter Plan, including a designated shelter space providing adequate heating, ventilation, lighting, and protection from the elements and designed for the maximum number of attendees (including employees and clients), shall be submitted for review and approval by the County Emergency Management Department.

- vi. Comply with all Warren County Environmental Health requirements and all other applicable federal, state, and local regulations.
- vii. Any other information the Zoning Administrator determines necessary to review the application.
- c. At no time shall activities associated with a home-based business occupy more than twenty-five percent (25%), or four hundred (400) square feet, whichever is less, of the total gross floor area of the residential dwelling.
- d. Smoke detectors shall be operable in every room or area occupied by the public (“clients.”). A centralized fire alarm system may be substituted for the aforementioned smoke detectors where approved by the authority having jurisdiction.
- e. In any structure providing accommodations, assembly areas, or facilities for the public (“clients”) on the second or higher level, one of the following shall be provided as an area of refuge or secondary egress on each level. A sign shall be posted in each public room denoting the emergency escape route and area of refuge or secondary egress provided:
  - i. One (1) or more balcony areas;
  - ii. A fire ladder to the ground level;
  - iii. A fire escape to the ground level; and
  - iv. An interior secondary stairway to the main floor of the structure, remote from the primary stairway.
- f. Home-based businesses shall have direct access to a public roadway. Driveways and internal circulation areas shall be designed and constructed to meet County Engineer standards and to ensure safe ingress and egress for emergency and service vehicles.
- g. Areas used for the loading or unloading of goods, deliveries, or passengers shall be designed to prevent obstruction of the public roadway or interference with neighboring driveways. All loading and unloading shall occur entirely on the subject property.
- h. If applicable, home-based businesses shall generally utilize the same 911 address as the dwelling in which they are located. A separate address or verification of address assignment shall be required only if deemed necessary by the County’s addressing authority to ensure adequate emergency response, mail delivery, or location identification in coordination with United States Postal Service (USPS) requirements.
- i. All refuse and recycling collection areas shall be fully enclosed and screened from adjacent properties and rights-of-way, and located to provide safe access for service vehicles.
- j. Landscaping and screening shall be provided along all property lines abutting residential districts to minimize visual and noise impacts.

- k. No sign, other than one (1) unlighted sign not exceeding four (4) square feet in area attached flat against the dwelling.
  - l. Outdoor lighting shall be fully shielded and directed downward to prevent glare, light trespass, and adverse impacts on adjacent properties and public rights-of-way.
  - m. No use which is conditionally permitted in the district in which the property is located may otherwise be permitted as a home-based business.
4. *Nonconforming Home-Based Businesses.* All existing home-based businesses which are not in conformity with one (1) or more of the standards or requirements set forth in this Ordinance shall be removed, or modified to become conforming, upon the occurrence of any of the following events:
- a. The home-based business or the dwelling itself becomes unsafe or constitutes a public nuisance or health hazard;
  - b. The home-based business is abandoned or discontinued for a period of one (1) year or longer; or
  - c. The dwelling in which the home-based business is conducted is destroyed or damaged by more than fifty percent (50%) of its area.

**Animal Hospitals or Veterinary Clinics (Without Kenneling)**

Animal hospitals or veterinary clinics (without kenneling) shall be principally permitted in the commercial and industrial zoning districts, subject to the following conditions:

1. *Setbacks.* The animal hospital or veterinary clinic, parking lot, and any other necessary appurtenances shall be set back a minimum of two hundred (200) feet from all property lines when abutting a residential zoning district, and a minimum of one hundred (100) feet from all property lines when abutting any other zoning district. Setbacks shall be measured from the property line of the lot where the facility is located to the nearest point of any building or structure associated with the animal hospital or veterinary clinic.
2. *Site Plan.* A site plan shall be submitted and reviewed prior to the approval of any animal hospital or veterinary clinic. The site plan shall identify the location and arrangement of all buildings and structures, parking and circulation areas, driveways and points of ingress and egress (including access roads where required), walls and fencing, landscaping, signage, and the manner of providing water supply, wastewater treatment, and stormwater management facilities.
3. *Indoor Operations.* All activities shall take place within a completely enclosed building. Outdoor runs, exercise yards, or kennels are prohibited.
4. *Outdoor Storage.* Outdoor storage of equipment, materials, or vehicles associated with the animal hospital or veterinary clinic shall be screened from view of adjacent properties and public rights-of-way.
5. *Limited Animal Boarding.* The temporary housing or overnight stay of animals shall be permitted only when incidental to medical treatment, surgery, observation, or recovery

under veterinary supervision. Such temporary housing shall not constitute or be operated as a kennel or commercial boarding facility.

6. *Odor, Noise, and Waste Control.* Odor, noise, and waste shall be adequately controlled to ensure that animals do not create a nuisance. All animal waste shall be collected and disposed of in accordance with County health regulations and state law and shall be subject to review and inspection by the County Environmental Health Department or other authorities having jurisdiction.
7. *Drainage and Sanitation.* Adequate drainage shall be provided to prevent standing water, control runoff, and ensure sanitary conditions, and shall be subject to review and approval by the County Environmental Health Department, County Engineer, Iowa Department of Natural Resources (IDNR), or other authorities having jurisdiction.
8. *Traffic Impact and Dust Control.* A Traffic Impact Study and/or Dust Control Plan may be required by the County Engineer if deemed necessary to ensure public health, safety, and roadway function.
9. *Parking.* Adequate off-street parking shall be provided in accordance with County parking requirements for veterinary clinics.
10. *Refuse and Recycling Areas.* All refuse and recycling collection areas shall be fully enclosed and screened from adjacent properties and rights-of-way and located to provide safe access for service vehicles.
11. *Landscaping and Screening.* Landscaping and screening shall be provided along all property lines abutting residential zoning districts to minimize visual and noise impacts.
12. *Lighting.* All outdoor lighting shall be fully shielded and directed downward to prevent glare, light trespass, and adverse impacts onto adjacent properties and public rights-of-way.
12. *Prohibition on Cremation.* No cremation of animals shall occur on-site unless specifically permitted as a separate conditional accessory use in accordance with this Ordinance.

#### **Accessory Pet Cremation Services**

Pet cremation services accessory to an animal hospital or veterinary clinic shall be conditionally permitted in the commercial and industrial zoning districts, subject to the following conditions:

1. *Setbacks.* Pet cremation services shall be set back a minimum of five hundred (500) feet from any property line abutting the AG (Agricultural) zoning district or any residential zoning district. Setbacks shall be measured from the property line of the lot where the facility is located to the nearest point of any building, structure, or equipment associated with the cremation service.
2. *Building Location and Enclosure.* Pet cremation services shall take place entirely within a completely enclosed building, either within the principal animal hospital or veterinary clinic or within a separate accessory structure.
  - a. If located in an accessory building, such structure shall be set back a minimum of fifty (50) feet from the principal building unless a reduced distance is specifically

approved by the State Fire Marshal or other authority having jurisdiction under applicable fire safety standards.

- b. Any accessory building housing the cremation unit shall use building materials, roof pitch, and architectural finishes consistent with the principal building, ensuring a unified site appearance.
3. *Site Plan.* A site plan shall be submitted for review and approval prior to the establishment of any accessory pet cremation service. The site plan shall identify the location and arrangement of buildings and structures, walls and fencing, landscaping, access drives and points of ingress/egress, refuse and recycling areas, outdoor equipment (including chimneys, stacks, or vents), and the manner of providing water supply, wastewater treatment, stormwater management, and fire access.
4. *Fire Prevention and Suppression.* Buildings or structures used for cremation services shall be equipped with automatic fire suppression or sprinkler systems, fire detection and alarm systems, and emergency ventilation as required by the State Building and Fire Code. Such systems shall also be installed, inspected, and maintained in accordance with the manufacturer's specifications.
5. *Emissions and Nuisance Control.* The cremation unit shall be fitted with emissions control equipment and operated to prevent detectable odor, smoke, or noise at the property line. All emissions shall comply with Iowa Department of Natural Resources (IDNR) air quality standards. Operations shall be subject to review and inspection by any applicable authority to ensure compliance with all state and local environmental and health regulations.
6. *Outdoor Equipment and Screening.* Outdoor equipment, including but not limited to chimneys, exhaust stacks, or ventilation units, shall be architecturally integrated with the principal building design or screened from view of adjacent properties and public rights-of-way using parapet walls, enclosures, or other approved methods.
7. *Drainage and Sanitation.* Adequate drainage and sanitary facilities shall be provided to prevent standing water, control runoff, and ensure safe, sanitary site conditions. These systems shall be subject to review and approval by the Warren County Environmental Health Department, County Engineer, Iowa Department of Natural Resources (IDNR), and other applicable authorities having jurisdiction.
8. *Hours of Operation.* Pet cremation services shall be limited to the normal business hours of the associated animal hospital or veterinary clinic, unless otherwise specifically approved by the Board of Adjustment as part of the Conditional Use Permit.
9. *Refuse and Recycling Areas.* All refuse and recycling collection areas shall be fully enclosed and screened from adjacent properties and rights-of-way and located to provide safe access for service vehicles.
10. *Landscaping and Screening.* Landscaping and screening shall be provided along all property lines abutting residential zoning districts to minimize visual and noise impacts.



11. *Lighting.* All outdoor lighting shall be fully shielded and directed downward to prevent glare, light trespass, and adverse impacts onto adjacent properties and public rights-of-way.

### **Pet Cemeteries**

Pet cemeteries shall be conditionally permitted in the AG (Agricultural), commercial, and industrial zoning districts, subject to the following conditions:

1. *Minimum Lot Area.* Pet cemeteries shall be located on a parcel of no less than twenty (20) acres, however, pet cemeteries of ten (10) to fifteen (15) acres may be permitted by the Board of Adjustment through the Conditional Use Permit if shown to be consistent with the intended use, adequately buffered from adjacent properties, and designed with a perpetual care/maintenance plan.
2. *Setbacks.* Pet cemeteries shall be set back a minimum of one hundred (100) feet from any abutting property lines.
3. *Burial Containers.* Any container used to bury a pet shall be biodegradable.

### **Kennels**

Kennels for commercial sale, boarding, or breeding of dogs, cats, or other household pets shall be conditionally permitted in the AG (Agricultural), commercial, and industrial zoning districts, subject to the following conditions:

1. *Location and Setbacks.* Kennels (and all related buildings, including exercise runways, which must be located in line with or behind the principal structure) and at least two hundred (200) feet from all property lines. Setbacks shall be measured from the property line of the lot where the kennel is located to the nearest point of any building, structure, or outdoor run associated with the kennel.
2. *Licensing.* A valid state license is required for the keeping of five (5) or more dogs, cats, or other household pets of the mammal group over the age of six (6) months, in accordance with Iowa Code § 162, as amended.
3. *Site Plan.* A site plan defining the areas to be developed for buildings and structures, the areas to be developed for parking, the locations of driveways and the points of ingress and egress, including access roads where required, the location and height of walls, the location and type of landscaping, the location, size and number of signs and the manner of providing water supply and wastewater treatment facilities shall be submitted and reviewed prior to the approval of any kennel.
4. *Facility Design.* Kennels shall provide indoor facilities with adequate heating, ventilation, and lighting. Outdoor facilities shall include sufficient shelter from the elements, secure enclosures to prevent escape, and shall be maintained in good condition.
5. *Licensing.* A valid state or federal license is required for the keeping of five (5) or more dogs, cats, or other household pets of the mammal group over the age of six (6) months, in accordance with Iowa Code and applicable federal law.

6. *Hours of Operation.* Outdoor exercise and activities shall be limited to the hours of 7:00 a.m. to 9:00 p.m., unless otherwise approved as part of the Conditional Use Permit, in order to minimize noise impacts on adjacent properties.
7. *Parking.* Off-street parking shall be provided consistent with County parking requirements. Parking along public roads or in public road right-of-way is prohibited.
8. *Traffic Impact and Dust Control.* A Traffic Impact Study and/or Dust Control Plan may be required by the County Engineer if deemed necessary to ensure public health, safety, and roadway function.
9. *Landscaping and Screening.* Kennels shall provide landscaping, fencing, berming, or other buffering as needed along all property lines abutting residential zoning districts to minimize visual and noise impacts.
10. *Lighting.* All outdoor lighting shall be fully shielded and directed downward to prevent glare, light trespass, and adverse impacts onto adjacent properties and public rights-of-way.
11. *Odor, Noise and Waste Control.* Odor, noise, dust, and runoff shall be controlled to ensure that animals do not create a nuisance. All animal waste, bedding, and unused feed shall be collected and disposed of in accordance with County health regulations and state law. The operation shall be subject to review and inspection by the Warren County Environmental Health Department or other authority having jurisdiction.
12. *Drainage and Sanitation.* Adequate drainage and sanitary facilities shall be provided to prevent standing water, control runoff, and ensure safe, sanitary site conditions. These systems shall be designed and approved by the County Engineer, County Environmental Health Department, Iowa Department of Natural Resources (IDNR) and other applicable authorities.

#### **Funeral Homes or Mortuaries**

Funeral homes or mortuaries are principally permitted in the C (Commercial) and LI (Light Industrial) zoning districts, subject to the following conditions:

1. *Setbacks.* Buildings and parking areas associated with funeral homes and mortuaries shall be set back a minimum of fifty (50) feet from property lines abutting residential zoning districts, and twenty (20) feet from other property lines unless greater distances are specified by the underlying zoning districts' bulk regulations.
2. *Licensing.* Funeral homes and mortuaries shall comply with all applicable provisions of Iowa Code § 156, as amended, and any state regulations governing funeral establishments, cremation, and mortuary science.
3. *Site Plan.* A site plan shall be submitted prior to approval, identifying buildings/structures, parking and service areas, driveways and ingress/egress, landscaping and screening, signage, and the manner of providing water supply, wastewater treatment, and stormwater management.

4. *Access and Circulation.* Funeral homes and mortuaries shall have access to a paved public road, and the internal circulation system shall be designed to safely accommodate anticipated traffic volumes, including emergency and service vehicles. Driveways shall allow for service vehicles (hearses, limousines) and safe pedestrian access from parking to building entrances.
5. *Landscaping and Buffering.* Where funeral homes and mortuaries abut residential zoning districts or dwellings, screening, landscaping, or decorative fencing shall be provided to minimize visual impact. Parking areas and service entries shall be screened from adjacent residential properties and public rights-of-way.
6. *Parking.* Adequate off-street parking shall be provided consistent with County parking standards for funeral homes and mortuaries. Parking areas shall be paved or surfaced with all-weather material and include designated drop-off zones.
7. *Lighting.* All outdoor lighting shall be fully shielded and directed downward to prevent glare, light trespass, and adverse impacts onto adjacent properties and public rights-of-way.
8. *Signage.* Signage shall conform to the County's sign regulations in Section 40.22 and shall be located so as not to dominate the building façade or adjacent neighborhood.

### **Crematoriums**

Crematoriums shall be conditionally permitted in the industrial zoning districts, subject to the following conditions:

1. *Setbacks.* Crematoriums, and any associated structures, shall be set back a minimum of five hundred (500) feet from any residential zoning district boundary or dwelling. Setbacks shall be measured from the property line of the lot on which the facility is located to the nearest point of any building, structure, stack, or equipment associated with the crematorium.
2. *Building Enclosure.* Cremation services shall take place entirely within a completely enclosed building.
3. *Licensing.* Crematoriums shall comply with all applicable provisions of Iowa Code § 156, as amended, and any state rules applicable to human cremation establishments, as amended.
4. *Site Plan.* A site plan shall be submitted for review and approval prior to the establishment of any crematorium. The site plan shall identify the location and arrangement of buildings and structures, walls and fencing, landscaping, access drives and points of ingress/egress, refuse and recycling areas, outdoor equipment (including chimneys, stacks, or vents), and the manner of providing water supply, wastewater treatment, stormwater management, and fire access.
5. *Emissions and Environmental Control.* The crematorium shall be equipped with emissions control equipment, and operations shall prevent detectable odor, smoke, or

noise at the property line. The facility shall comply with applicable Iowa Department of Natural Resources (IDNR) air quality regulations.

6. *Fire Prevention and Suppression.* Buildings or structures used for cremation services shall be equipped with automatic fire suppression or sprinkler systems, fire detection and alarm systems, and emergency ventilation as required by the State Building and Fire Code. Such systems shall also be installed, inspected, and maintained in accordance with the manufacturer's specifications.
7. *Landscaping and Screening.* Landscaping and screening shall be provided along all property lines to minimize visual and noise impacts.
8. *Parking and Access.* Adequate off-street parking shall be provided consistent with County parking standards for funeral homes and mortuaries. Access shall be from a paved or all-weather public road capable of handling service and delivery traffic.
9. *Refuse and Recycling Areas.* All refuse and recycling collection areas shall be fully enclosed and screened from adjacent properties and rights-of-way and located to provide safe access for service vehicles.
10. *Drainage and Sanitation.* Adequate drainage and sanitary facilities shall be provided to prevent standing water, control runoff, and ensure safe, sanitary site conditions. These systems shall be subject to review and approval by the Warren County Environmental Health Department, County Engineer, Iowa Department of Natural Resources (IDNR), and other applicable authorities having jurisdiction.
11. *Lighting.* All outdoor lighting shall be fully shielded and directed downward to prevent glare, light trespass, and adverse impacts onto adjacent properties and public rights-of-way.
12. *Outdoor Equipment Screening.* Exhaust stacks, chimneys, or ventilation equipment shall be screened or integrated into the building design to minimize views from adjacent properties or public rights-of-way.

### **Cemeteries**

Cemeteries are principally permitted in the AG (Agricultural) and RR (Rural Residential) zoning districts, subject to the following conditions:

1. *Location – Agricultural District.* In the AG (Agricultural) zoning district, cemeteries and all related buildings, including mausoleums, shall be at least one hundred (100) feet from adjacent property lines; and further provided that any new cemetery shall have a minimum lot area of not less than twenty (20) acres; however, cemeteries of ten (10) to fifteen (15) acres may be permitted if shown to be consistent with the intended use, adequately buffered from adjacent properties, and designed with a perpetual care/maintenance plan.
2. *Location – Rural Residential District.* In the RR (Rural Residential) zoning district, cemeteries are permitted if they are adjacent to or an extension of an existing cemetery.

**Private Campgrounds**

Private campgrounds are a permitted interim use in the C (Commercial) zoning district, subject to the following conditions:

1. *Owner-Residence.* The property owner shall reside on the premises and serve as the host responsible for the management and operation of the private campground.
2. *Site Plan.* A site plan and Building Permit shall be required prior to establishment or expansion of a private campground. The site plan shall identify campground layout, individual site locations, circulation roads, access points, open space and recreational areas, sanitary facilities, shelters, refuse disposal, and utility connections.
3. *Guest Supervision.* All accommodations shall be under the direct supervision of the property owner. The property owner shall be responsible for the conduct and activities of all members or invited guests and shall promptly address any issues or disturbances associated with the private campground, regardless of the time of day. If the property owner is temporarily unavailable, an emergency contact shall be designated to fulfill these responsibilities.
4. *Contact Information.* The name, email, and telephone number of the property owner shall be conspicuously posted within the campground, as well as the maximum number of guests. This contact information shall be made available to the County upon request.
5. *State Compliance.* Campgrounds shall obtain a campground license from the Iowa Department of Inspections, Appeals, and Licensing (DIAL) in accordance with Iowa Code Chapter 135I and Iowa Administrative Code 641-Chapter 43, as amended.
6. *Water and Wastewater.* Private campgrounds shall be connected to an approved source of water supply and wastewater treatment system in compliance with the County Environmental Health Department, Iowa Department of Natural Resources (IDNR), and other applicable local and state regulations.
7. *Severe Weather/Shelter Plan.* A Severe Weather/Shelter Plan, including a designated shelter space(s) providing adequate heating, ventilation, lighting, and protection from the elements and designed for the maximum number of attendees, shall be submitted for review and approval by the County Emergency Management Department.
8. *Access and Circulation.* Private campgrounds shall have direct access to a paved public road. Driveways and internal circulation areas shall be designed and constructed to meet County Engineer standards and to ensure safe ingress and egress for emergency and service vehicles.
9. *Parking.* Adequate off-street parking shall be provided on the same property in which the private campground is located and consistent with County parking requirements. Parking along public roads or in public road right-of-way is prohibited.
10. *Traffic Impact and Dust Control.* A Traffic Impact Study and/or Dust Control Plan may be required by the County Engineer if deemed necessary to ensure public health, safety, and roadway function.

11. *Refuse and Recycling Areas.* All refuse and recycling collection areas shall be fully enclosed and screened from adjacent properties and rights-of-way and located to provide safe access for service vehicles.
12. *Landscaping and Screening.* Landscaping and screening shall be provided along all property lines abutting residential zoning districts to minimize visual and noise impacts.
13. *Lighting.* All outdoor lighting shall be fully shielded and directed downward to prevent glare, light trespass, and adverse impacts onto adjacent properties, natural habitats, and public rights-of-way.
14. *Odor, Noise, and Waste Control.* Odor, noise, and waste shall be managed to prevent nuisance conditions on adjacent properties. All solid waste shall be collected, stored, and disposed of in a sanitary manner consistent with County Environmental Health regulations and applicable state laws, and may be subject to inspection by the County Environmental Health Department or other authorities having jurisdiction.
15. *Drainage and Sanitation.* Adequate drainage shall be provided to prevent standing water, control runoff, and ensure sanitary conditions, and shall be subject to review and approval by the County Environmental Health Department, County Engineer, Iowa Department of Natural Resources (IDNR), or other authorities having jurisdiction.
16. *Condition and Maintenance.* The private campground shall be managed in a manner that protects the health, safety, and welfare of guests, neighbors, and the general public, and that preserves surrounding property values. The use shall not constitute a public nuisance or health hazard. Failure to properly manage the private campground may result in permit denial, suspension, or revocation.
17. *Change in Ownership.* A change in property ownership of the property in which the private campground resides shall render any existing approval or registration null and void. The new property owner shall be required to apply for a new Building Permit and obtain Zoning Administrator approval prior to continuing private campground operations.

#### **Private Aircraft Landing Fields**

Private aircraft landing fields are conditionally permitted in the AG (Agricultural) zoning district, and in the FPC (Floodplain and Conservation) zoning district, subject to the following conditions:

1. *Minimum Lot Area.* The minimum lot area for any private landing field shall be forty (40) acres, unless otherwise approved by the Board of Adjustment based on demonstrated Federal Aviation Administering (FAA) and Iowa Department of Transportation (IDOT) safety compliance.
2. *Location and Setbacks.*
  - a. The runway or landing area shall be located entirely within the boundaries of the parcel owned or controlled by the applicant.



- b. Runways, hangars, and aircraft storage areas shall be located a minimum of two hundred (200) feet from all property lines and five hundred (500) feet from any dwelling not owned or controlled by the applicant.
  - c. Setbacks shall be measured from the property line of the lot where the landing field is located to the nearest point of the runway, taxiway, or structure.
  - d. Clear zones and approach surfaces shall be maintained free of obstructions in accordance with Federal Aviation Administration (FAA) and Iowa Department of Transportation (IDOT) requirements.
3. *Site Plan.* A site plan shall be submitted and reviewed prior to approval of any private aircraft landing field. The site plan shall identify: runway/taxiway location, length, and orientation; associated hangars, fueling, and maintenance structures; driveways and access points; fencing, lighting, and navigational aids; landscaping and screening; drainage and stormwater management facilities; and the manner of providing water supply and wastewater treatment facilities.
4. *State and Federal Compliance.* All private landing fields shall comply with applicable regulations of Warren County Chapter 44, Airport Height and Hazard Regulations, the Federal Aviation Administration (FAA), the Iowa Department of Transportation (IDOT) Office of Aviation, and the Iowa Department of Natural Resources (IDNR). The applicant shall obtain FAA Form 7480-1 (Notice for Construction, Alteration, Activation, and Deactivation of Airports) approval and submit a copy of the FAA Determination and Iowa Department of Transportation (IDOT) Office of Aviation acknowledgment prior to County approval. Operations shall comply with all applicable provisions of 14 CFR Part 77.
5. *Noise and Compatibility.* Aircraft operations shall be conducted to minimize noise and overflight of adjacent dwellings or livestock facilities where practicable. No commercial passenger service or aircraft maintenance operations for hire shall be conducted unless specifically authorized by the Conditional Use Permit.
6. *Fuel Storage and Handling.* If fuel is stored on-site, it shall be in an aboveground or underground tank meeting all applicable State Fire Marshal and IDNR regulations for containment, labeling, and spill prevention.
7. *Access and Circulation.* Access shall be provided from a paved or all-weather public road, with adequate internal circulation for emergency and service vehicles. The County Engineer may require a Traffic Impact Study or Road Use Agreement if deemed necessary to ensure roadway function and maintenance.
8. *Drainage and Stormwater Management.* Adequate drainage and stormwater facilities shall be provided to prevent standing water on runways and adjacent areas. All grading and drainage systems shall comply with County Engineer and Environmental Health Department requirements, and if within a floodplain, with IDNR Floodplain Development Permit requirements.

9. *Landscaping and Screening.* Landscaping, berming, or fencing shall be provided along property lines abutting residential uses to minimize visual impacts and noise intrusion. Fencing may also be required around aircraft storage and maintenance areas for safety and security.
10. *Lighting and Obstructions.* All lighting associated with the airfield, including runway and security lighting, shall be fully shielded and directed downward, designed to minimize glare onto adjacent properties and public rights-of-way. No building, structure, tree, or other obstruction shall penetrate approach or transitional surfaces defined by FAA standards.

### **Event Centers**

Event centers, and all related buildings or structures, that do not meet the criteria of agricultural uses with customary uses encouraging tourism, in accordance with Iowa Code §335, as amended, are conditionally permitted in the commercial zoning district, subject to the following conditions:

1. *Prohibited and Restricted Uses.* Event centers shall not be permitted as home-based businesses. Food and beverage service establishments shall not be used as event centers except to host separately permitted special events.
2. *State and Federal Compliance.* The event center must comply with all other applicable state and federal regulations, including, but not limited to, food service and/or processing requirements.
3. *Site Plan and Review.* A site plan shall be submitted and reviewed prior to the approval of any event center. The site plan shall identify all areas to be used for guest accommodations, parking and circulation (including ingress and egress), landscaping and screening, signage, and the manner of providing water supply, wastewater treatment, and stormwater management facilities. Review and approval shall be subject to all applicable County departments, including the County Engineer, Environmental Health Department, Emergency Management, and Zoning Administrator, as well as the local fire district, Sheriff's Office, and any applicable State or insurance authorities to ensure compliance with safety, accessibility, and operational standards.
4. *Hours of Operation.* No event shall take place during the hours from 12:00 a.m. (midnight) to 9:00 a.m.
5. *Fire Safety.* Smoke detectors shall be operable in every room occupied by the public, as well as in all corridors of the areas of the structure utilized by the public. A centralized fire alarm system may be substituted for the aforementioned smoke detectors.
6. *Emergency Egress.* In the event the event center provides facilities for the public on the second or higher level of the structure, one of the following shall be provided as an area of refuge or secondary egress on each level. There shall be a sign in each room occupied by the public denoting the emergency escape route and the area of refuge or secondary egress provided:
  - a. One (1) or more balcony areas;

- b. A fire ladder to the ground level;
  - c. A fire escape to the ground level; and
  - d. An interior secondary stairway to the main floor of the structure. Said secondary stairway should be remote from the location of the primary stairway.
7. *Safety and Emergency Plan.* A Detailed Safety and Emergency Plan shall be prepared and submitted for review and approval by the State Fire Marshal, to be updated annually, if deemed necessary.
  8. *Restroom Facilities.* Permanent restroom facilities shall be required for all event centers, except when specifically authorized by the County for special events.
  9. *Water and Wastewater.* Event centers shall be required to connect to a public/community water and wastewater treatment system, and such connections shall be subject to review and approval by the Warren County Environmental Health Department, the Iowa Department of Natural Resources (IDNR), and any other applicable local or state agency.
  10. *Parking.* Off-street parking shall be provided consistent with County parking requirements for an event center.
  11. *Traffic Impact and Dust Control.* A Traffic Impact Study and/or Dust Control Plan may be required by the County Engineer to ensure public health, safety, and roadway function.
  12. *Severe Weather/Shelter Plan.* A Storm/Severe Weather Plan shall be submitted for review and approval by the County Environmental Health Department. The plan shall identify designated shelter space sufficient to accommodate the maximum number of guests and shall provide adequate heating, ventilation, lighting, and protection from the elements.
  13. *Access and Circulation.* Event centers shall have direct access to a paved public road, and the internal circulation system shall be designed to safely accommodate anticipated traffic volumes, including emergency and service vehicles. Accessible pedestrian walkways and building entrances shall also be provided, in compliance with the Americans with Disabilities Act (ADA) and all applicable State Building Code accessibility requirements, ensuring safe and convenient access for attendees.
  14. *Refuse and Recycling Areas.* All refuse and recycling collection areas shall be fully enclosed and screened from adjacent properties and rights-of-way, and located to provide safe access for service vehicles.
  15. *Landscaping and Screening.* Landscaping and screening shall be provided along all property lines abutting residential districts to minimize visual and noise impacts.
  16. *Lighting.* All outdoor lighting shall be fully shielded and directed downward to prevent glare, light trespass, and adverse impacts onto adjacent properties and public rights-of-way.
  17. *State Building Code Compliance and Permitting.* All event centers shall comply with the provisions of the International Building Code (2024), as amended, and all other applicable state, regional, and federal building and fire safety codes. The property owner or developer shall be responsible for ensuring that all construction, alteration, or

expansion meets these codes and standards. A Building Permit shall be required prior to the commencement of any construction, alteration, or structural modification associated with an event center.

18. *Inspections and Enforcement.* The property owner or developer shall furnish and facilitate any required inspections by the State Building Code Bureau, State Fire Marshal, Warren County Zoning Administrator, or other applicable authorities having jurisdiction. All construction and ongoing operations shall remain subject to inspection to verify continued compliance with approved plans, safety standards, and permit conditions. Failure to allow or complete required inspections may result in suspension, revocation, or enforcement action under the provisions of this Ordinance.
19. *Existing and Nonconforming Event Centers.* Any event center operating in Warren County prior to the effective date of this Ordinance that does not qualify as an agricultural experience under Iowa Code § 335.2, and is not located within the commercial zoning district, shall be considered a nonconforming use. All such nonconforming event centers shall apply for a Conditional Use Permit and demonstrate compliance with the requirements of this section within one (1) year of the Ordinance's effective date. Failure to obtain the necessary approvals within the specified timeframe shall constitute a violation subject to enforcement action, including but not limited to fines, cease-and-desist orders, or any other remedies available to the County.

#### **Automotive, Mobile Home, Trailer, and/or Farm Implement Sales**

Automotive, mobile home, trailer, and/or farm implement sales are principally permitted in the commercial and industrial zoning districts, subject to the following conditions:

1. *Site Plan and Review.* A site plan shall be submitted and reviewed prior to the approval of an automotive, mobile home, trailer, and/or farm implement sale operation. The site plan shall show: parcel boundaries, building footprints, inventory display/storage areas, customer parking, employee parking, circulation (ingress/egress and internal routes), landscaping and screening, signage locations, and utility connections (water, wastewater, stormwater). Review shall include the County Engineer, Environmental Health Department, Emergency Management, Zoning Administrator, local fire district, Sheriff's Office, and any applicable state or insurance authority.
2. *State Licensing and Compliance.* The operator shall maintain all required state licenses (such as Iowa Department of Transportation (IDOT) vehicle dealer license) and show proof of compliance prior to permit issuance.
3. *Water and Wastewater.* Automotive, mobile home, trailer, and/or farm implement sales shall be required to connect to a public/community water and wastewater treatment system, and such connections shall be subject to review and approval by the Warren County Environmental Health Department, the Iowa Department of Natural Resources (IDNR), and any other applicable local or state agency.

4. *Access and Circulation.* Automotive, mobile home, trailer, and/or farm implement sale operations shall have direct access to a paved public road, unless otherwise approved by the County Engineer, and the internal circulation system, if applicable, shall be designed to safely accommodate anticipated traffic volumes, including emergency and service vehicles.
5. *Surface and Outdoor Display.* Vehicle and equipment display/storage areas shall be paved or surfaced with compacted gravel treated to control dust. Outdoor storage of wrecked, inoperable, or “junk” units shall be prohibited except in a screened and designated area.
6. *Noise, Odor, and Nuisance Control.* The operation shall not produce noise, dust, odor, glare, or vibration perceptible beyond the property line. Inventory movement, delivery, and loading activities shall be limited to the hours of 7:00 a.m. to 9:00 p.m. unless otherwise approved as part of the site plan.
7. *Parking.* Off-street parking shall be provided consistent with County parking requirements. Parking along public roads or in public road right-of-way is prohibited.
8. *Traffic Impact and Dust Control.* A Traffic Impact Study and/or Dust Control Plan may be required by the County Engineer if deemed necessary to ensure public health, safety, and roadway function.
9. *Landscaping and Screening.* A landscaped buffer or opaque screening fence (minimum six (6) feet in height) shall be provided along properties abutting residential zoning districts or public rights-of-way.
10. *Signage.* All signage shall comply with the sign regulations within Section 40.22. No off-site advertising or temporary banners shall be permitted except as specifically authorized.
11. *Lighting.* All outdoor lighting shall be fully shielded and directed downward to prevent glare, light trespass, and adverse impacts onto adjacent properties and public rights-of-way.

#### **Internet Car Sales (Inventory on Site)**

Internet car sales (with inventory on site) are conditionally permitted in the commercial zoning district, subject to the following conditions:

1. *Location and Setback.* Vehicle storage and display areas shall comply with all yard and setback requirements of the underlying zoning district. No inventory, display vehicles, or customer parking shall be located within any required landscaped setback or public right-of-way.
2. *Licensing and State Compliance.* The operator shall maintain a valid Iowa Department of Transportation (IDOT) Motor Vehicle Dealer’s License and comply with all applicable State regulations governing vehicle sales and storage. Proof of license shall be submitted to the County prior to issuance of the Conditional Use Permit.
3. *Building Enclosure and Operations.* The primary business activity, including offices, detailing, photography, or online transaction functions, shall be conducted within an

enclosed building. No on-site automotive repair, painting, or dismantling shall occur unless separately permitted as an accessory use.

4. *Site Plan.* Prior to issuance of a Building Permit or Conditional Use Permit, a detailed site plan shall be submitted for review and approval, identifying parcel boundaries, building locations, drive aisles, parking and loading areas, landscaped setbacks, lighting, signage, drainage, and designated areas for vehicle inventory and customer pickup.
5. *Inventory Limits.* The number of vehicles stored or displayed on-site shall be limited to the capacity shown on the approved site plan. Vehicles shall be arranged in an orderly manner with adequate spacing for emergency access and circulation.
6. *Access and Circulation.* Internet car sales lots shall have direct access to a paved public road. Internal circulation shall safely accommodate delivery trucks, customer vehicles, and emergency response vehicles.
7. *Parking.* Off-street parking shall be provided in accordance with County parking requirements. Customer and employee parking shall be clearly separated from vehicle inventory storage.
8. *Traffic Impact and Dust Control.* A Traffic Impact Study and/or Dust Control Plan may be required by the County Engineer if deemed necessary to ensure public health, safety, and roadway function.
9. *Lighting.* All outdoor lighting shall be fully shielded and directed downward to prevent glare, light trespass, or adverse impacts onto adjacent properties and public rights-of-way.
10. *Signage.* All signage shall comply with the sign regulations within Section 40.22. No off-site advertising or temporary banners shall be permitted except as specifically authorized.
11. *Landscaping and Screening.* A landscaped buffer or opaque screen at least six (6) feet in height shall be provided along any property line abutting a residential district. Landscaping shall also be used to soften the visual appearance of parking and inventory storage areas visible from public roads.
12. *Stormwater and Drainage.* The site shall include adequate stormwater management facilities consistent with County requirements and SUDAS standards. Runoff from vehicle storage and washing areas shall not discharge to surface waters without proper treatment.
13. *Noise, Odor, and Nuisance Control.* All operations shall comply with County nuisance standards. The use shall not produce noise, odor, glare, or vibration perceptible beyond the property line.
14. *Hours of Operation.* Vehicle transport and delivery operations shall be limited to the hours of 7:00 a.m. to 9:00 p.m.
15. *Refuse and Recycling.* All refuse and recycling materials shall be stored within enclosed containers screened from view of adjacent properties and public rights-of-way.
16. *Site Maintenance.* The property shall be maintained in a clean and orderly condition at all times. Junked, wrecked, or inoperable vehicles shall be prohibited on-site except temporarily as part of inventory delivery or removal.



### **Gas Stations**

Gas stations, and related buildings and infrastructure, are conditionally permitted in the commercial and industrial zoning districts, subject to the following provisions:

1. *Setbacks.* No gas station or associated customer or employee parking lot for twenty-five (25) or more motor vehicles, or any automobile repair shop, shall have an entrance or exit for vehicles within two hundred (200) feet along the same side of a road of any educational institution, child care center, residential care facility, place of worship, public park, public playground, community center, public library, hospital, medical clinic, family home, or recreational facility (indoor or outdoor), except where such property is in another block or on another street which the lot in question does not abut.
2. *Related Equipment.* Pump islands, light standards, and related minor accessory equipment not involving repair work or servicing of vehicles (other than for fuel, air, and water) shall be permitted in the required yard areas, provided no fuel pump or fuel dispensing equipment shall be located within twelve (12) feet of any road right-of-way.
3. *Service Bays and Oil Pits.* No oil draining pit or appliance for such purpose shall be located within twenty-five (25) feet of any property line abutting a residential zoning district or road right-of-way line.
4. *Driveway and Access Design.* On all corner lots, all vehicular entrances to, or exits from, and curb openings shall be set back a minimum of fifty (50) feet from the projecting intersection of curb lines and such openings shall not exceed thirty-five (35) feet in width at the curb line, and there shall be a minimum spacing of twenty (20) feet between separate driveway openings. All access points shall be reviewed and approved by the County Engineer for traffic safety, circulation, and sight distance prior to permit approval.
5. *Water and Wastewater.* Gas stations shall be required to connect to a public/community water and wastewater treatment system, and such connections shall be subject to review and approval by the Warren County Environmental Health Department, the Iowa Department of Natural Resources (IDNR), and any other applicable local or state agency.
6. *Utilities and Environmental Compliance.* All underground storage tanks, fuel lines, and dispensers shall comply with the Iowa Administrative Code § 567-135 on underground storage tank regulations and applicable Environmental Protection Agency (EPA) standards for spill prevention, leak detection, and overfill protection (40 C.F.R. Part 280).
7. *Signage.* One (1) permanent, freestanding or building-mounted, is permitted for each road upon which a gas station property abuts, provided that such sign shall not project over the right-of-way line of the abutting road. Said sign shall not exceed fifty (50) square feet in area per face and shall comply with all height, setback, and illumination standards in Section 40.22 of this Ordinance. One (1) non-permanent, portable freestanding sign is also permitted per site, provided that the sign area does not exceed nine (9) square feet

per face and shall comply with all height, setback, and illumination standards in Section 40.22 of this Ordinance.

8. *Landscaping and Screening.* A screening and/or landscaping buffer at least ten (10) feet in width shall be provided along all property lines abutting residential zoning districts to minimize visual, noise, and lighting impacts. All mechanical or utility equipment shall be screened from view with opaque fencing, berming, or vegetation.
9. *Stormwater and Drainage.* A stormwater management plan shall be submitted demonstrating compliance with County standards for surface runoff, grading, and oil/grit separation. On-site drainage systems shall be designed to prevent contamination of stormwater by fuels or automotive fluids.
10. *Refuse and Recycling Areas.* All refuse and recycling collection areas shall be fully enclosed and screened from adjacent properties and rights-of-way and located to provide safe access for service vehicles.
11. *Lighting.* All outdoor lighting shall be fully shielded and directed downward to prevent glare, light trespass, and adverse impacts onto adjacent properties and public rights-of-way. Canopy lighting shall be recessed or flush-mounted to the underside of the canopy structure.

#### **Bag, Carpet, and Rug Cleaning Services**

Bag, carpet, and rug cleaning services are principally permitted in the industrial zoning districts, subject to the following conditions:

1. *Building Enclosure and Ventilation.* All cleaning, drying, or chemical treatment operations shall be conducted entirely within enclosed buildings equipped with adequate ventilation, filtration, and dust-collection systems. Exhaust systems shall be vented in compliance with the Iowa Department of Natural Resources (IDNR) air-quality regulations and the State Building Code.
2. *Site Plan.* Prior to issuance of a Building Permit, a site plan shall be submitted for review and approval, identifying parcel boundaries, structures, access points, parking, drainage, landscaping, outdoor storage, and refuse areas.
3. *Noise, Odor, and Nuisance Control.* The use shall not produce noise, dust, odor, glare, or vibration perceptible beyond the property line. The Zoning Administrator may require certification by a licensed engineer verifying compliance.
4. *Outdoor Storage.* Any outdoor storage of materials, vehicles, or scrap shall be located behind the principal structure and screened by a six (6) foot solid fence or dense vegetation.
5. *Water and Wastewater.* Bag, carpet, and rug cleaning services shall be served by a public/community water and wastewater treatment system whenever available. Where such systems are not reasonably accessible, on-site systems may be permitted if designed and approved in accordance with all applicable requirements of the Warren County

Environmental Health Department and the Iowa Department of Natural Resources (IDNR).

6. *Drainage.* Adequate drainage shall be provided to prevent standing water, control runoff, and ensure safe site conditions. These systems shall be subject to review and approval by the Warren County Environmental Health Department, County Engineer, Iowa Department of Natural Resources (IDNR), and other applicable authorities having jurisdiction.
7. *Parking.* Off-street parking shall be provided consistent with County parking requirements. Parking along public roads or in public road right-of-way is prohibited.
8. *Traffic Impact and Dust Control.* A Traffic Impact Study and/or Dust Control Plan may be required by the County Engineer if deemed necessary to ensure public health, safety, and roadway function.
9. *Access and Circulation.* Bag, carpet, and rug cleaning services shall have direct access to a paved public road, and the internal circulation system shall be designed to safely accommodate anticipated traffic volumes, including emergency and service vehicles.
10. *Refuse and Recycling Areas.* All refuse and recycling collection areas shall be fully enclosed and screened from adjacent properties and rights-of-way, and located to provide safe access for service vehicles.
11. *Landscaping and Screening.* Landscaping and screening shall be provided along all property lines abutting residential districts to minimize visual and noise impacts.
12. *Lighting.* All outdoor lighting shall be fully shielded and directed downward to prevent glare, light trespass, and adverse impacts onto adjacent properties and public rights-of-way.

#### **Carpentry, Sheet Metal, and Sign Painting Shops**

Carpentry, sheet metal, and sign painting shops are principally permitted in the commercial and industrial zoning districts, subject to the following conditions:

1. *Building Enclosure and Ventilation.* All operations, including cutting, sanding, welding, and painting, shall be conducted within enclosed buildings equipped with adequate dust-collection and ventilation systems. Exhaust or flues shall be vented in compliance with applicable State Building Code and Iowa Department of Natural Resources (IDNR) air-quality regulations.
2. *Site Plan.* Prior to issuance of a Building Permit, a site plan shall be submitted for review and approval, identifying parcel boundaries, structures, access points, parking, drainage, landscaping, outdoor storage, and refuse areas.
3. *Noise, Odor, and Nuisance Control.* The use shall not produce noise, dust, odor, glare, or vibration perceptible beyond the property line. The Zoning Administrator may require certification by a licensed engineer verifying compliance.

4. *Outdoor Storage.* Any outdoor storage of materials, vehicles, or scrap shall be located behind the principal structure and screened by a six (6) foot solid fence or dense vegetation.
5. *Water and Wastewater.* Carpentry, sheet metal, and sign painting shops shall be served by a public/community water and wastewater treatment system whenever available. Where such systems are not reasonably accessible, on-site systems may be permitted if designed and approved in accordance with all applicable requirements of the Warren County Environmental Health Department and the Iowa Department of Natural Resources (IDNR).
6. *Drainage.* Adequate drainage shall be provided to prevent standing water, control runoff, and ensure safe site conditions. These systems shall be subject to review and approval by the Warren County Environmental Health Department, County Engineer, Iowa Department of Natural Resources (IDNR), and other applicable authorities having jurisdiction.
7. *Parking.* Off-street parking shall be provided consistent with County parking requirements. Parking along public roads or in public road right-of-way is prohibited.
8. *Traffic Impact and Dust Control.* A Traffic Impact Study and/or Dust Control Plan may be required by the County Engineer if deemed necessary to ensure public health, safety, and roadway function.
9. *Access and Circulation.* Carpentry, sheet metal, and sign painting shops shall have direct access to a paved public road, and the internal circulation system shall be designed to safely accommodate anticipated traffic volumes, including emergency and service vehicles.
10. *Refuse and Recycling Areas.* All refuse and recycling collection areas shall be fully enclosed and screened from adjacent properties and rights-of-way, and located to provide safe access for service vehicles.
11. *Landscaping and Screening.* Landscaping and screening shall be provided along all property lines abutting residential districts to minimize visual and noise impacts.
12. *Lighting.* All outdoor lighting shall be fully shielded and directed downward to prevent glare, light trespass, and adverse impacts onto adjacent properties and public rights-of-way.

#### **Off-Premise Advertising Signs (Billboards)**

Off-premise advertising signs (including billboards) are permitted as an accessory use in the AG (Agricultural) zoning district and principally permitted in the commercial and industrial zoning districts, subject to the following conditions:

1. *Applicability.* These regulations are adopted pursuant to the County's general police powers and the authority granted under Iowa Code §§ 331 and 306C, as amended and are intended to complement the Iowa Department of Transportation's regulations for outdoor advertising contained in Iowa Administrative Code § 761-117, as amended.

2. *Location and Setbacks.* The following locational and setback standards shall apply to all off-premise advertising signs, including billboards:
  - a. *Highways and Thoroughfares.* Off-premise advertising signs and billboards shall be set back from the right-of-way of all State or Federal Highways, designated County Highways (including R57, R63, G14, G24, G76, S23, S31, and S55), and other major thoroughfares a minimum distance equal to the required front yard setback for a principal building in the applicable zoning district.
  - b. *Highway Intersections.* At intersections of State or Federal Highways, no off-premise advertising sign or billboard shall be located closer than one hundred (100) feet from the right-of-way of either highway.
  - c. *Residential and Sensitive Uses.* Off-premise advertising signs and billboards shall be located at least one hundred (100) feet from any residential property line and at least three hundred (300) feet from any public park, school, place of worship, cemetery, or similar institutional use.
  - d. *Limited-Access Corridors.* Off-premise advertising signs and billboards shall not be located adjacent to any interstate, expressway, freeway, or parkway, except where located within a Commercial or Industrial zoning district and in compliance with Iowa Code § 306C, as amended, and Iowa Administrative Code § 761-117, as amended.
  - e. *Public Property and Rights-of-Way.* Off-premise advertising signs and billboards shall not be located on public property or within any public right-of-way unless expressly authorized by the County.
3. *Size, Height, and Spacing.*
  - a. The face of any off-premise advertising sign or billboard shall not exceed one thousand (1,200) square feet per sign face.
  - b. No off-premise advertising sign or billboard shall exceed thirty-five (35) feet in height above grade.
  - c. Off-premise advertising signs and billboards facing the same direction shall be spaced a minimum of five hundred (500) feet apart in rural unincorporated areas and two hundred fifty (250) feet apart in more urban or developed areas.
4. *Illumination.* Lighting shall comply with Iowa Administrative Code § 761-117, as amended, and Sections 40.22 and 40.23 of this Ordinance.
5. *Traffic Safety.* Off-premise advertising signs and billboards that create a traffic hazard or endanger public safety may be ordered removed by the Board of Supervisors based on a documented report by the County Engineer.
6. *Maintenance and Abandonment.* Off-premise advertising signs and billboards shall be maintained in a safe, structurally sound condition and kept free of rust, peeling paint, or damaged panels. Any such sign that remains blank, displays an obsolete message, or advertises a use or activity no longer in operation for a period exceeding six (6) months shall be deemed abandoned. Abandoned off-premise advertising signs and billboards

shall be removed by the property owner within thirty (30) days after written notice from the County. Failure to comply may result in removal by the County and recovery of costs as provided in the enforcement provisions of this Ordinance.

7. *Existing Off-Premise Advertising Signs and Billboards.* Any lawful off-premise advertising sign or billboard existing on the effective date of this Ordinance that does not conform to these provisions shall be considered a legal non-conforming sign and may be continued subject to the provisions of this Section 40.22 of this Ordinance.

### **Electronic Message Centers (EMCs).**

Electronic message centers (EMCs) are conditionally permitted in the commercial and industrial zoning districts subject to the following conditions:

1. *Form and Size.* Electronic message centers shall be of monument-type construction, made of durable, compatible materials. The maximum sign face area shall be thirty-two (32) square feet per street frontage, and the overall height shall not exceed ten (10) feet. The digital display portion shall not exceed fifty percent (50%) of the total sign area.
2. *Location.* Electronic message centers must be located off paved public roads and shall comply with all required setbacks and visibility standards.
3. *Message Duration.* Displayed messages shall remain static for a minimum of eight (8) seconds before changing.
4. *Brightness and Illumination.* Automatic dimming shall adjust illumination in direct response to ambient light levels. Illumination shall not exceed zero point three (0.3) footcandle above ambient light when measured at the property line.
5. *Display Operation.* No flashing, scrolling, rotating, dissolving, or video-display effects are permitted. Upon malfunction, the display shall automatically default to a black or blank screen until repaired.
6. *Landscaping.* A minimum of one (1) square foot of landscaping (shrubs or groundcover) shall be provided and maintained for each one (1) square foot of sign face area at the base of the structure.
7. *Static Identification.* Electronic message centers shall incorporate a static identification panel identifying the business, premises, or institution, with text at least four (4) inches in height.

### **Adult Uses or Specified Sexual Activities**

Adult uses or specified sexual activities shall be conditionally permitted in the commercial zoning district, subject to the following conditions:

1. *Number and Combination of Uses.* No more than one (1) adult use shall be permitted per building or per lot. Adult uses shall not be collocated with, or incorporated into, any residential, lodging, or overnight accommodation use, nor shall any dwelling unit be located within the same building or on the same premises as an adult use.



2. *Setbacks.* An adult use shall not be located within one thousand five hundred (1,500) feet of another adult use, any educational institution, child care center, residential care facility, place of worship, public park, community center, residential zoning district, or any existing dwelling. This required distance shall be measured in a straight line from the nearest property line of the protected use to the nearest property line of the lot on which the adult use is located.
3. *Building Design and Visibility.* All building openings and entrances, including but not limited to, doors and windows, shall be covered or screened in such a manner as to prevent views into the interior from any public or semi-public area, including rights-of-way.
4. *Site Plan.* A site plan shall be submitted for review and approval prior to establishment or expansion of an adult use. The site plan shall identify building layout and internal circulation, entrances, parking, and lighting, landscaping and screening, and security and surveillance measures designed to protect patrons, employees, and the surrounding community. The Board of Adjustment may impose additional conditions if deemed necessary.
5. *State and Federal Compliance.* All adult uses shall comply with Iowa Code § 728, as amended, all applicable state and federal obscenity and public indecency laws; and all other relevant State building, health, and safety codes. Failure to maintain compliance with applicable laws or permit conditions shall be grounds for revocation of approval or enforcement action under Chapter 43.
6. *Hours of Operation.* Adult uses shall operate only between the hours of 10:00 a.m. and 12:00 a.m. (midnight), unless otherwise approved by the Board of Adjustment. The Board may impose more restrictive hours based on site context and proximity to sensitive uses.
7. *Water and Wastewater.* Adult uses shall be connected to a public or community water and wastewater system whenever available. Where such systems are not reasonably accessible, on-site systems may be permitted if designed by a Professional Engineer licensed in the State of Iowa and approved by the Warren County Environmental Health Department and the Iowa Department of Natural Resources (IDNR).
8. *Severe Weather/Shelter Plan.* A Severe Weather/Shelter Plan, including a designated shelter space(s) providing adequate heating, ventilation, lighting, and protection from the elements and designed for the maximum number of attendees, shall be submitted for review and approval by the County Emergency Management Department.
9. *Access and Circulation.* Adult uses shall have direct access to a public roadway. Driveways and internal circulation areas shall be designed and constructed to meet County Engineer standards and to ensure safe ingress and egress for emergency and service vehicles.

10. *Parking.* Adequate off-street parking shall be provided on the same property in which the adult use is located and consistent with County parking requirements. Parking along public roads or in public road right-of-way is prohibited.
11. *Traffic Impact and Dust Control.* A Traffic Impact Study and/or Dust Control Plan may be required by the County Engineer if deemed necessary to ensure public health, safety, and roadway function.
12. *Landscaping and Screening.* Landscaping and screening shall be provided along all property lines abutting residential zoning districts to minimize visual and noise impacts.
13. *Lighting.* All outdoor lighting shall be fully shielded and directed downward to prevent glare, light trespass, and adverse impacts onto adjacent properties and public rights-of-way.
14. *Signage and Advertising.* Advertisements, displays, or promotional materials associated with an adult use shall not be visible from any public or semi-public areas. Exterior signage for an adult use shall comply with all applicable provisions of this Ordinance and Section 40.22 of this Ordinance. One (1) on-premise identification sign, either freestanding or wall-mounted is permitted, not exceeding applicable size, height, and setback limits. Off-premise signs are prohibited. Signs shall contain text only and shall not include images, photographs, depictions, animations of specified sexual activities or anatomical areas, as defined in Chapter 40 of this Ordinance. No visually explicit, derogatory, or obscene images will be allowed on any sign or on the façade of the building. Compliance to other signage requirements as outlined in Section 40.22, is required. Illumination, if provided, shall be steady, fully shielded, and directed downward.

### **Recreation Facilities**

Outdoor recreation facilities are principally permitted in the C (Commercial) zoning districts and conditionally permitted in the AG (Agricultural) and RR (Rural Residential) zoning district, and indoor recreation facilities are principally permitted in the AG (Agricultural), RR (Rural Residential), and C (Commercial) zoning districts and conditionally permitted in the LI (Light Industrial) zoning district, and subject to the following conditions:

1. *Setbacks.* All buildings, structures, and outdoor activity areas shall be set back a minimum of one hundred (100) feet from all property lines when abutting a PR (Planned Residential) or VR (Village Residential) zoning district, and a minimum of fifty (50) feet from all property lines when abutting any other zoning district. Setbacks shall be measured from the property line of the lot where the facility is located to the nearest point of any building or structure associated with the recreation facility.
2. *State and Federal Compliance.* Recreation facilities shall obtain and maintain all applicable local and state permits and licensures, and shall remain subject to inspection by any applicable regulatory authority to ensure ongoing compliance with these standards.

3. *Site Plan.* A site plan shall be submitted and reviewed prior to the approval of any indoor or outdoor recreation facility. The site plan shall define the areas to be developed for buildings and structures, the areas to be developed for parking and circulation (including adequate off-street parking and safe drop-off and pick-up areas consistent with County parking requirements), the locations of driveways and the points of ingress and egress, including access roads where required, the location and height of walls, the location and type of landscaping, the location, size and number of signs and the manner of providing water supply and wastewater treatment facilities.
4. *Guest Supervision.* All guest accommodations shall be under the direct supervision of the property owner/operator. The property owner/operator shall be responsible for the conduct and activities of all guests and shall promptly address any issues or disturbances associated with the recreation facility, regardless of the time of day.
5. *Contact Information.* The name, email, and telephone number of the property owner/operator shall be conspicuously posted on the property, as well as the maximum number of guests. This contact information shall be made available to the County upon request.
6. *Water and Wastewater.* Recreational facilities shall be connected to a public or community water and wastewater system whenever available. Where such systems are not reasonably accessible, on-site systems may be permitted if designed by a Professional Engineer licensed in the State of Iowa and approved by the Warren County Environmental Health Department and the Iowa Department of Natural Resources (IDNR).
7. *Severe Weather/Shelter Plan.* A Severe Weather/Shelter Plan shall be submitted for review and approval by the County Emergency Management Department.
8. *Fire Safety.* Smoke detectors shall be operable in every room occupied by the public, as well as in all corridors of the areas of the structure utilized by the public. A centralized fire alarm system may be substituted for the aforementioned smoke detectors.
9. *Emergency Egress.* In any structure providing accommodations, assembly areas, or facilities for the public on the second or higher level, one of the following shall be provided as an area of refuge or secondary egress on each level. A sign shall be posted in each public room denoting the emergency escape route and area of refuge or secondary egress provided:
  - a. One (1) or more balcony areas;
  - b. A fire ladder to the ground level;
  - c. A fire escape to the ground level; and
  - d. An interior secondary stairway to the main floor of the structure, remote from the primary stairway.
10. *Hours of Operation.* Operating hours shall be limited to 6:00 a.m. to 11:00 p.m., unless otherwise approved as part of the Conditional Use Permit or Site Plan approval, in order to minimize impacts on adjacent properties.

11. *Access and Circulation.* Recreational facilities shall have direct access to a paved public road, unless otherwise approved by the County Engineer, and the internal circulation system shall be designed to safely accommodate anticipated traffic volumes, including emergency and service vehicles.
12. *Parking.* Adequate off-street parking shall be provided consistent with County parking standards for recreation facilities. Parking areas shall be paved or surfaced with an all-weather material and include clearly marked drop-off zones where appropriate. All parking shall be located on the same lot as the recreation facility and designed to provide safe and direct pedestrian access to building entrances. Parking within a public road right-of-way is prohibited.
13. *Traffic Impact and Dust Control.* A Traffic Impact Study and/or Dust Control Plan may be required by the County Engineer if deemed necessary to ensure public health, safety, and roadway function.
14. *Refuse and Recycling Areas.* All refuse and recycling collection areas shall be fully enclosed and screened from adjacent properties and rights-of-way and located to provide safe access for service vehicles.
15. *Landscaping and Screening.* Landscaping and screening shall be provided along all property lines abutting residential zoning districts to minimize visual and noise impacts.
16. *Odor, Noise, and Waste Control.* Odor, noise, and waste shall be managed to prevent nuisance conditions on adjacent properties. All solid waste shall be collected, stored, and disposed of in a sanitary manner consistent with County Environmental Health regulations and applicable state laws, and may be subject to inspection by the County Environmental Health Department or other authorities having jurisdiction.
17. *Drainage and Sanitation.* Adequate drainage shall be provided to prevent standing water, control runoff, and ensure sanitary conditions, and shall be subject to review and approval by the County Environmental Health Department, County Engineer, Iowa Department of Natural Resources (IDNR), or other authorities having jurisdiction.
18. *Lighting.* All outdoor lighting shall be fully shielded and directed downward to prevent glare, light trespass, and adverse impacts onto adjacent properties, natural habitats, and public rights-of-way.

### **Temporary Large Assemblies**

Temporary large assemblies (i.e., carnivals, circuses, rodeos, concerts, music festivals, fairs, etc.) involving an expected attendance of two hundred fifty (250) persons at any one time are permitted as an interim use in the AG (Agricultural), C (Commercial), and LI (Light Industrial) zoning districts, subject to the following conditions:

1. *Minimum Lot Area.* The site shall contain a minimum of twenty (20) acres, or such larger area as required to safely accommodate the expected number of attendees, event facilities, parking, and emergency access without encroaching on adjacent properties or rights-of-way.

2. *Setbacks.* All structures (including tents, stages, and temporary facilities), parking areas, and activity zones shall be set back a minimum of one hundred (100) feet from all property lines abutting a residential district or dwelling and fifty (50) feet from all other property lines or public rights-of-way.
3. *State and Federal Compliance.* Temporary large assemblies must comply with all other applicable state and federal regulations, including, but not limited to, State Building and Fire Codes, alcohol and/or food service regulations administered by the Iowa Department of Inspections, Appeals, and Licensing (DIAL), and any public health, sanitation, or accessibility standards required by the Iowa Department of Natural Resources (IDNR) or other agencies having jurisdiction.
4. *Guest Supervision.* All assembly attendees shall be under the direct supervision of the property owner/operator. The property owner/operator shall be responsible for the conduct and activities of all assembly attendees and shall promptly address any issues or disturbances associated with the temporary large assembly, regardless of the time of day.
5. *Contact Information.* The name, email, and telephone number of the property owner/temporary large assembly operator shall be conspicuously posted on the property, as well as the maximum number of attendees. This contact information shall be made available to the County upon request.
6. *Site Plan.* A site plan shall be submitted and reviewed prior to the approval of any temporary large assembly. The site plan shall identify all areas of the event layout (including stages, tents, vendor areas, restrooms, etc.), parking and circulation (including ingress and egress), landscaping and screening, signage, and the manner of providing water supply, wastewater treatment, and stormwater management facilities. Review and approval shall be subject to all applicable County departments, including the County Engineer, Environmental Health Department, Emergency Management, and Zoning Administrator, as well as the local fire district, Sheriff's Office, and any applicable State or insurance authorities to ensure compliance with safety, accessibility, and operational standards.
7. *Water and Wastewater.* Temporary large assemblies shall be required to connect to a public/community water and wastewater treatment system, and such connections shall be subject to review and approval by the Warren County Environmental Health Department, the Iowa Department of Natural Resources (IDNR), and any other applicable local or state agency.
8. *Hours of Operation.* No event shall take place during of the hours from 12:00 a.m. (midnight) to 9:00 a.m., unless otherwise specifically approved by the Board of Adjustment as part of the Interim Use Permit. The Board may impose more restrictive hours based on site context and proximity to sensitive uses.
9. *Proof of Liability Insurance.* The property owner/operator shall provide proof of adequate liability insurance coverage for the proposed event. Such insurance shall be maintained throughout the duration of the Interim Use Permit for the temporary large assembly and

shall demonstrate coverage sufficient to protect the public, attendees, and governmental agencies from claims arising from the event's operations. Documentation of insurance shall be submitted to the County prior to issuance of the Interim Use Permit.

10. *Safety and Emergency Plan.* A Detailed Safety and Emergency Plan shall be prepared and submitted for review and approval by the State Fire Marshal, to be updated annually, if deemed necessary.
11. *Restroom Facilities.* Permanent restroom facilities are required. Portable restrooms are prohibited, unless operated by a licensed sanitation vendor with special event permits.
12. *Parking.* Off-street parking shall be provided consistent with County parking requirements for a temporary large assembly. Parking along public roads or in public road right-of-way is prohibited.
13. *Access and Circulation.* Temporary large assemblies shall have direct access to a paved public road, and the internal circulation system shall be designed to safely accommodate anticipated traffic volumes, including emergency and service vehicles. Accessible pedestrian walkways and building entrances shall also be provided, in compliance with the Americans with Disabilities Act (ADA) and all applicable State Building Code accessibility requirements, ensuring safe and convenient access for attendees.
14. *Traffic Impact and Dust Control.* A Traffic Impact Study and/or Dust Control Plan may be required by the County Engineer if deemed necessary to ensure public health, safety, and roadway function.
15. *Severe Weather/Shelter Plan.* A Severe Weather/Shelter Plan shall be submitted for review and approval by the County Emergency Management Department.
16. *Refuse and Recycling Areas.* All refuse and recycling collection areas shall be fully enclosed and screened from adjacent properties and rights-of-way, and located to provide safe access for service vehicles.
17. *Landscaping and Screening.* Landscaping and screening shall be provided along all property lines abutting residential districts to minimize visual and noise impacts.
18. *Lighting.* All outdoor lighting shall be fully shielded and directed downward to prevent glare, light trespass, and adverse impacts onto adjacent properties and public rights-of-way.
19. *Noise, Odor, and Nuisance Control.* All uses shall be operated in a manner that does not create excessive noise, odor, vibration, or other nuisances that adversely affect adjacent properties. Noise levels shall not exceed limits established by County, state, or federal health and safety regulations.
20. *Signage.* All signage associated with a temporary large assembly shall conform to the County's sign regulations outlined in Section 40.22 of this Ordinance and be limited to identification, directional, and safety-related signage located on the event site.
21. *Inspections and Enforcement.* The property owner or developer shall furnish and facilitate any required inspections by the State Building Code Bureau, State Fire Marshal, Warren County Zoning Administrator, or other applicable authorities having jurisdiction.



All construction and ongoing operations shall remain subject to inspection to verify continued compliance with approved plans, safety standards, and permit conditions. Failure to allow or complete required inspections may result in suspension, revocation, or enforcement action under the provisions of this Ordinance.

### **Public Campgrounds**

Public campgrounds are conditionally permitted in the AG (Agricultural) and FPC (Floodplain and Conservation) zoning districts, subject to the following conditions:

1. *Occupancy.* Public campgrounds are open to the general public and may operate on a fee, reservation, or first-come basis.
2. *Site Plan.* A site plan shall be required prior to the establishment, expansion, or substantial modification of any public campground.  
The site plan shall identify the campground layout, individual site locations, circulation roads, access points, open space and recreational areas, sanitary facilities, shelters, refuse disposal, utility connections, signage, and stormwater management facilities.
3. *Water and Wastewater.* Water supply and wastewater treatment systems shall be designed to accommodate the maximum intended occupancy, as determined by the Warren County Environmental Health Department, and shall be permitted by the Iowa Department of Natural Resources (IDNR), when applicable.
4. *State Compliance.* Campgrounds shall obtain a campground license from the Iowa Department of Inspections, Appeals, and Licensing (DIAL) in accordance with Iowa Code Chapter 135I and Iowa Administrative Code 641-Chapter 43, as amended.
5. *Access and Circulation.* Public campgrounds shall have direct access to a paved public road, unless otherwise approved by the County Engineer, and the internal circulation system shall be designed to safely accommodate anticipated traffic volumes, including emergency and service vehicles.
6. *Severe Weather/Shelter Plan.* A Severe Weather/Shelter Plan, including a designated shelter space(s) providing adequate heating, ventilation, lighting, and protection from the elements and designed for the maximum number of occupants, shall be submitted for review and approval by the County Emergency Management Department.
7. *Parking.* Adequate off-street parking shall be provided consistent with County parking requirements and designed to accommodate vehicles, travel trailers, and service traffic without obstructing circulation or emergency access.
8. *Traffic Impact and Dust Control.* A Traffic Impact Study and/or Dust Control Plan may be required by the County Engineer if deemed necessary to ensure public health, safety, and roadway function.
9. *Refuse and Recycling Areas.* All refuse and recycling collection areas shall be fully enclosed and screened from adjacent properties and rights-of-way and located to provide safe access for service vehicles.

10. *Landscaping and Screening.* Landscaping and screening shall be provided along all property lines abutting residential zoning districts to minimize visual and noise impacts.
11. *Odor, Noise, and Waste Control.* Odor, noise, and waste shall be managed to prevent nuisance conditions on adjacent properties. All solid waste shall be collected, stored, and disposed of in a sanitary manner consistent with County Environmental Health regulations and applicable state laws, and may be subject to inspection by the County Environmental Health Department or other authorities having jurisdiction.
12. *Drainage and Sanitation.* Adequate drainage shall be provided to prevent standing water, control runoff, and ensure sanitary conditions, and shall be subject to review and approval by the County Environmental Health Department, County Engineer, Iowa Department of Natural Resources (IDNR), or other authorities having jurisdiction.
13. *Lighting.* All outdoor lighting shall be fully shielded and directed downward to prevent glare, light trespass, and adverse impacts onto adjacent properties, natural habitats, and public rights-of-way.
14. *Condition and Maintenance.* Public campgrounds shall be managed in a manner that protects the health, safety, and welfare of guests, neighbors, and the general public, and that preserves surrounding property values. The use shall not constitute a public nuisance or health hazard. Failure to properly manage the public campground may result in permit denial, suspension, or revocation.
15. *Change in Ownership.* A change in property ownership of the property in which the public campground resides shall render any existing approval or registration null and void. The new property owner shall be required to apply for a new Building Permit and obtain Zoning Administrator approval prior to continuing public campground operations

### **Places of Worship**

Places of worship are principally permitted in the AG (Agricultural), residential, C (Commercial), and FPC (Floodplain and Conservation) zoning districts, subject to the following conditions:

1. *Minimum Lot Area.* The place of worship shall be located on a parcel of no less than two (2) acres. The Board of Adjustment may approve a smaller site for a place of worship, provided all other standards are met. Places of worship that cannot meet the minimum lot area or bulk regulations of the applicable zoning district shall be developed as part of a Planned Community Development (PCD) and rezoned accordingly to ensure coordinated site design, shared infrastructure, and compliance with County development standards.
2. *Setbacks.* All principal buildings associated with a place of worship shall be set back a minimum of fifty (50) feet from all abutting property lines.
3. *Purpose and Applicability.* Places of worship shall be permitted and regulated in accordance with this Ordinance and applicable federal and state laws, including the Religious Land Use and Institutionalized Persons Act (42 U.S.C. § 2000cc), as amended.

4. *Site Plan.* A site plan shall be required prior to the establishment, expansion, or substantial modification of a place of worship. The site plan shall identify all buildings/structures, parking and circulation areas, driveways and points of ingress/egress, landscaping and screening, signage, and the manner of providing water supply, wastewater treatment, and stormwater management facilities.
5. *Fire Safety.* Smoke detectors shall be operable in every room occupied by the public, as well as in all corridors of the areas of the structure utilized by the public. A centralized fire alarm system may be substituted for the aforementioned smoke detectors.
6. *Emergency Egress.* In any structure providing accommodations, assembly areas, or facilities for the public on the second or higher level, one of the following shall be provided as an area of refuge or secondary egress on each level. A sign shall be posted in each public room denoting the emergency escape route and area of refuge or secondary egress provided:
  - a. One (1) or more balcony areas;
  - b. A fire ladder to the ground level;
  - c. A fire escape to the ground level; and
  - d. An interior secondary stairway to the main floor of the structure, remote from the primary stairway.
7. *Water and Wastewater.* Places of worship shall be connected to a public or community water and wastewater system whenever available. Where such systems are not reasonably accessible, on-site systems may be permitted if designed by a Professional Engineer licensed in the State of Iowa and approved by the Warren County Environmental Health Department and the Iowa Department of Natural Resources (IDNR).
8. *Outdoor Sound and Amplification.* The use of outdoor amplified sound (i.e., bells, public address systems, or music) shall be limited to the hours of 7:00 a.m. to 9:00 p.m., unless otherwise approved as part of the site plan. This limitation is intended solely to minimize noise impacts on adjacent properties and shall not restrict indoor worship or other activities conducted within enclosed buildings.
9. *Severe Weather/Shelter Plan.* A Severe Weather/Shelter Plan, including a designated shelter space(s) providing adequate heating, ventilation, lighting, and protection from the elements and designed for the maximum number of attendees, shall be submitted for review and approval by the County Emergency Management Department.
10. *Traffic Impact and Dust Control.* A Traffic Impact Study and/or Dust Control Plan may be required by the County Engineer if deemed necessary to ensure public health, safety, and roadway function.
11. *Access and Circulation.* Places of worship shall have direct access to a paved public road or a private road designed to County Engineer standards, and the internal circulation system shall be designed to safely accommodate anticipated traffic volumes, including emergency and service vehicles. Accessible pedestrian walkways and building entrances

shall also be provided, in compliance with the Americans with Disabilities Act (ADA) and all applicable State Building Code accessibility requirements, ensuring safe and convenient access for attendees.

12. *Parking.* Adequate off-street parking shall be provided in accordance with County parking standards for places of worship. Parking shall be located on the same lot as the place of worship, designed to ensure safe pedestrian connections from parking areas to building entrances, and shall not include parking in the public road right-of-way.
13. *Refuse and Recycling Areas.* All refuse and recycling collection areas shall be fully enclosed and screened from adjacent properties and rights-of-way and located to provide safe access for service vehicles.
14. *Landscaping and Screening.* Landscaping and screening shall be provided along all property lines abutting residential districts to minimize visual and noise impacts.
15. *Lighting and Signage.* Outdoor lighting shall be fully shielded and directed downward to prevent glare or light trespass onto adjacent properties in conformance with Section 40.23 Lighting of this Ordinance. Signage shall be in conformance with Section 40.22 of this Ordinance.
16. *Related Uses.* Related uses, such as child care, religious education, community meeting spaces, or similar activities may be permitted in association with a place of worship, provided they are clearly incidental to the principal religious use. Any such use that operates independently, generates additional traffic or occupancy beyond the scope of the principal use, or would otherwise qualify as a separate land use shall require separate approval through the applicable accessory or conditional use review process.

### **Educational Institutions**

Public and parochial schools, elementary and secondary, colleges and universities, and other educational institutions with Warren County public schools curriculum, are principally permitted in the AG (Agricultural), RR (Rural Residential), PR (Planned Residential), and C (Commercial) zoning districts, subject to the following conditions:

1. *Setbacks.* All principal buildings associated with an educational institution shall be set back a minimum of fifty (50) feet from all abutting property lines.
2. *Site Plan and Review.* A site plan shall be submitted for review and approval prior to any construction or expansion. The plan shall identify all buildings/structures, parking and circulation areas, driveways and points of ingress/egress, landscaping and screening, signage, and the manner of providing water supply, wastewater treatment, and stormwater management facilities. Review and approval shall be subject to applicable County departments (Engineering, Environmental Health, Emergency Services), the governing public school district (where applicable), and applicable State agencies.
3. *Fire Safety.* Smoke detectors shall be operable in every room occupied by the public, as well as in all corridors of the areas of the structure utilized by the public. A centralized fire alarm system may be substituted for the aforementioned smoke detectors.

4. *Emergency Egress.* In any structure providing accommodations, assembly areas, or facilities for the public on the second or higher level, one of the following shall be provided as an area of refuge or secondary egress on each level. A sign shall be posted in each public room denoting the emergency escape route and area of refuge or secondary egress provided:
  - a. One (1) or more balcony areas;
  - b. A fire ladder to the ground level;
  - c. A fire escape to the ground level; and
  - d. An interior secondary stairway to the main floor of the structure, remote from the primary stairway.
5. *Water and Wastewater.* Educational institutions shall be connected to a public or community water and wastewater system whenever available. Where such systems are not reasonably accessible, on-site systems may be permitted if designed by a Professional Engineer licensed in the State of Iowa and approved by the Warren County Environmental Health Department and the Iowa Department of Natural Resources (IDNR).
6. *Hours of Operation and Outdoor Activities.* Regular educational activities shall generally occur between the hours of 7:00 a.m. and 9:00 p.m., unless otherwise approved as part of the site plan. Outdoor recreational activities, athletic events, or special functions occurring outside of these hours may be permitted if the use complies with applicable noise, lighting, and traffic management standards and does not create undue impacts on adjacent residential properties.
7. *Severe Weather/Shelter Plan.* A Severe Weather/Shelter Plan, including a designated shelter space(s) providing adequate heating, ventilation, lighting, and protection from the elements and designed for the maximum number of attendees, shall be submitted for review and approval by the County Emergency Management Department.
8. *Traffic Impact and Dust Control.* A Traffic Impact Study and/or Dust Control Plan may be required by the County Engineer if deemed necessary to ensure public health, safety, and roadway function.
9. *Access and Circulation.* Educational institutions shall have direct access to a paved public road or a private road designed to County Engineer standards, and the internal circulation system shall be designed to safely accommodate anticipated traffic volumes, including emergency and service vehicles. Accessible pedestrian walkways and building entrances shall also be provided, in compliance with the Americans with Disabilities Act (ADA) and all applicable State Building Code accessibility requirements, ensuring safe and convenient access for attendees.
10. *Parking.* Adequate off-street parking shall be provided in accordance with County parking standards for schools. Parking shall be located on the same lot as the facility, designed to ensure safe pedestrian connections from parking areas to building entrances, and shall not include parking in the public road right-of-way.

11. *Open Space and Recreation.* Educational institutions shall provide usable open space or recreation areas for residents, as determined by the site plan review. Open space and recreation areas shall be suitably improved for the educational use and maintained as part of the development.
12. *Refuse and Recycling Areas.* All refuse and recycling collection areas shall be fully enclosed and screened from adjacent properties and rights-of-way and located to provide safe access for service vehicles.
13. *Landscaping and Screening.* Landscaping and screening shall be provided along all property lines abutting residential districts to minimize visual and noise impacts.
14. *Lighting and Signage.* Outdoor lighting shall be fully shielded and directed downward to prevent glare or light trespass onto adjacent properties in conformance with Section 40.23 Lighting of this Ordinance. Signage shall be in conformance with Section 40.22 of this Ordinance.
15. *Related Uses.* Related uses, such as athletic fields, playgrounds, gymnasiums, auditoriums, or similar facilities may be permitted in association with an educational institution, provided they are clearly incidental to the principal educational use. Any such use that operates independently, generates additional traffic or occupancy beyond the scope of the principal use, or would otherwise qualify as a separate land use shall require separate approval through the applicable accessory or conditional use review process.

### **Child Care Centers**

Child care centers serving more than six (6) children, are conditionally permitted in the AG (Agricultural) and residential zoning districts and principally permitted in the C (Commercial) zoning district, subject to the following conditions:

1. *Setbacks.* All buildings and outdoor play areas shall be set back a minimum of fifty (50) feet from any abutting residentially zoned property line.
2. *Site Plan.* A site plan shall be submitted and reviewed prior to the approval of any child care center. The site plan shall define the areas to be developed for buildings and structures, the areas to be developed for parking and circulation (including adequate off-street parking and safe drop-off and pick-up areas consistent with County parking requirements), the locations of driveways and the points of ingress and egress, including access roads where required, the location and height of walls, the location and type of landscaping, the location, size and number of signs and the manner of providing water supply and wastewater treatment facilities.
3. *Licensing.* The facility shall obtain and maintain all required state licenses in accordance with Iowa Code § 237A, as amended, and meet any applicable standards of the Iowa Department of Health and Human Services (DHHS).
4. *Hours of Operation.* Operating hours shall be limited to 6:00 a.m. to 9:00 p.m., unless otherwise approved as part of the site plan. Extended-hour or overnight child care



facilities may be permitted when specifically authorized by the County and in compliance with all applicable state licensing requirements.

5. *Fire Safety.* Smoke detectors shall be operable in every room occupied by the public, as well as in all corridors of the areas of the structure utilized by the public. A centralized fire alarm system may be substituted for the aforementioned smoke detectors.
6. *Emergency Egress.* In any structure providing accommodations, assembly areas, or facilities for the public on the second or higher level, one of the following shall be provided as an area of refuge or secondary egress on each level. A sign shall be posted in each public room denoting the emergency escape route and area of refuge or secondary egress provided:
  - a. One (1) or more balcony areas;
  - b. A fire ladder to the ground level;
  - c. A fire escape to the ground level; and
  - d. An interior secondary stairway to the main floor of the structure, remote from the primary stairway.
7. *Water and Wastewater.* Child care centers shall be connected to a public or community water and wastewater system whenever available. Where such systems are not reasonably accessible, on-site systems may be permitted if designed by a Professional Engineer licensed in the State of Iowa and approved by the Warren County Environmental Health Department and the Iowa Department of Natural Resources (IDNR).
8. *Severe Weather/Shelter Plan.* A Severe Weather/Shelter Plan, including a designated shelter space(s) providing adequate heating, ventilation, lighting, and protection from the elements and designed for the maximum number of attendees, shall be submitted for review and approval by the County Emergency Management Department.
9. *Traffic Impact and Dust Control.* A Traffic Impact Study and/or Dust Control Plan may be required by the County Engineer if deemed necessary to ensure public health, safety, and roadway function.
10. *Access and Circulation.* Child care centers shall have direct access to a paved public road or a private road designed to County Engineer standards, and the internal circulation system shall be designed to safely accommodate anticipated traffic volumes, including emergency and service vehicles. Accessible pedestrian walkways and building entrances shall also be provided, in compliance with the Americans with Disabilities Act (ADA) and all applicable State Building Code accessibility requirements, ensuring safe and convenient access for attendees.
11. *Parking.* Adequate off-street parking shall be provided in accordance with County parking standards for child care centers. Parking shall be located on the same lot as the child care center, designed to ensure safe pedestrian connections from parking areas to building entrances, and shall not include parking in the public road right-of-way.
12. *Outdoor Play Areas.* Outdoor play areas shall be provided at a minimum ratio of seventy-five (75) square feet per child in care and shall be enclosed by fencing at least four (4)

feet in height or another suitable safety barrier; located away from parking, driveways, or service areas; designed to include safe surfacing, shade, and drainage; and maintained in a clean, sanitary, and safe condition at all times.

13. *Refuse and Recycling Areas.* All refuse and recycling collection areas shall be fully enclosed and screened from adjacent properties and rights-of-way and located to provide safe access for service vehicles.
14. *Landscaping and Screening.* Landscaping and screening shall be provided along all property lines abutting residential zoning districts to minimize visual and noise impacts.
15. *Lighting and Signage.* Outdoor lighting shall be fully shielded and directed downward to prevent glare or light trespass onto adjacent properties in conformance with Section 40.23 Lighting of this Ordinance. Signage shall be in conformance with Section 40.22 of this Ordinance.

### **Shooting Ranges, Gun Clubs, and Similar Uses**

Outdoor shooting ranges, and similar uses, are conditionally permitted in the AG (Agricultural) zoning district, and indoor shooting ranges, and similar uses, are principally permitted in the commercial and industrial zoning districts, and subject to the following conditions:

1. *State and Federal Compliance.* Both indoor and outdoor shooting ranges shall comply with all applicable state, regional, and federal regulations, including but not limited to Iowa Code § 657.9, as amended, which require review and approval by the County Zoning Commission prior to the establishment or substantial change of such uses; the State Building and Fire Code; and any necessary review or permitting by the Iowa Department of Natural Resources (IDNR) or other relevant regulatory agencies. The property owner shall be responsible for ensuring that all construction complies with these codes and standards and shall obtain any required inspections, as determined by the applicable building or code enforcement authority.
2. *Site Plan and Review.* A site plan shall be submitted and reviewed prior to the approval of any shooting range. The plan shall identify all buildings/structures, parking and circulation areas, driveways and points of ingress/egress, landscaping and screening, location and height of walls, signage, description of the range and operations, including types and calibers of weapons and ammunition to be used and method of storage, proposed rules, safety procedures, and hours of operation, range maintenance procedures, including lead abatement and disposal, and the manner of providing water supply, wastewater treatment, and stormwater management facilities. Review and approval shall be subject to applicable County departments (Engineering, Environmental Health, Emergency Services), and applicable state, regional and federal agencies.
3. *Design Standards.* The National Rifle Association (NRA) design standards for outdoor shooting ranges shall be complied with and include the following as a minimum:

- a. No facility shall be allowed within five hundred (500) feet of an existing residence, measured from the property line of the range site, without the permission of the existing residents.
  - b. A backstop having a minimum height of twenty (20) feet with a top width of at least four (4) feet and side berms having a minimum height of eight (8) feet shall be required unless significant terrain features exist that would take their place.
  - c. For skeet and trap shooting, a three hundred (300) yard shot fall zone to the front and sides of the range as measured from the center of the firing stations, shall be provided. This area shall be contained wholly within the property on which the range is located, or on property leased by the facility or covered by signed agreement of adjacent property owners.
  - d. Gates shall be placed at all road entrances to the property and shall be locked when the facility is not in use.
  - e. Landscaping including the planting of trees shall be provided to screen the range from roads and adjacent residences.
4. *Water and Wastewater.* Shooting ranges shall be served by a public/community water and wastewater treatment system whenever available. Where such systems are not reasonably accessible, on-site systems may be permitted if designed and approved in accordance with all applicable requirements of the Warren County Environmental Health Department and the Iowa Department of Natural Resources (IDNR).
5. *Guest Supervision.* All guest accommodations shall be under the direct supervision of the property owner/operator. The property owner/operator shall be responsible for the conduct and activities of all guests and shall promptly address any issues or disturbances associated with the shooting range, regardless of the time of day.
6. *Contact Information.* The name, email, and telephone number of the property owner/operator shall be conspicuously posted on the property, as well as the maximum number of guests. This contact information shall be made available to the County upon request.
7. *Severe Weather/Shelter Plan.* A Severe Weather/Shelter Plan, including a designated shelter space(s) providing adequate heating, ventilation, lighting, and protection from the elements and designed for the maximum number of attendees, shall be submitted for review and approval by the County Emergency Management Department.
8. *Hours of Operation.* The discharge of firearms is prohibited between sunset and 7:00 a.m., unless otherwise approved as part of the Conditional Use Permit (for outdoor ranges in the AG (Agricultural) zoning district) or site plan (for indoor ranges in the commercial and industrial zoning districts), in order to minimize impacts on adjacent properties.
9. *Environmental Protection, Cleanup, and Liability.* The property owner/operator shall address all environmental considerations associated with the shooting range, including preparation of an Environmental Assessment or Environmental Impact Statement, if requested by the County. A Decommissioning Plan that outlines long-term lead

management, mitigation, and abatement measures may also be requested by the County. The property owner/operator shall identify the party responsible for post-closure cleanup and mitigation of any environmental contamination, and shall demonstrate financial assurance for long-term remediation and maintenance obligations. The County may require a performance bond, surety, or other financial security to ensure adequate funding for future environmental cleanup and site restoration.

10. *Traffic Impact and Dust Control.* A Traffic Impact Study and/or Dust Control Plan may be required by the County Engineer if deemed necessary to ensure public health, safety, and roadway function.
11. *Access and Circulation.* Shooting ranges shall have direct access to a paved public road, and the internal circulation system shall be designed to safely accommodate anticipated traffic volumes, including emergency and service vehicles.
12. *Parking.* Off-street parking must be provided in accordance with the County parking requirements for recreation facilities. Parking along public roads or in public road right-of-way is prohibited.
13. *Refuse and Recycling Areas.* All refuse and recycling collection areas shall be fully enclosed and screened from adjacent properties and rights-of-way, and located to provide safe access for service vehicles.
14. *Landscaping and Screening.* Landscaping and screening shall be provided along all property lines to minimize visual and noise impacts. Backstops, berms, bullet impact areas, landscaping, buffering, and perimeter security (such as fencing and gates) shall be addressed in the design.
15. *Lighting.* All outdoor lighting shall be fully shielded and directed downward to prevent glare, light trespass, and adverse impacts onto adjacent properties and public rights-of-way.
16. *Existing Shooting Ranges.* Existing shooting ranges lawfully established prior to the effective date of this Ordinance may continue as lawful existing uses and may continue to operate in accordance with this Ordinance. Any replacement, expansion, or alteration of such facilities shall comply with all applicable County, state, and federal regulations.

### **Appliance De-Manufacturing**

Appliance de-manufacturing is principally permitted in the industrial zoning districts, and subject to the following conditions:

1. *State and Federal Compliance.* Appliance de-manufacturing shall comply with all applicable state, regional, and federal regulations, including but not limited to obtaining and maintaining a valid Appliance Demanufacturer Permit issued by the Iowa Department of Natural Resources (IDNR) pursuant to Iowa Administrative Code § 567-118, as amended. The property owner shall be responsible for ensuring that all construction complies with these codes and standards and shall obtain any required inspections, as determined by the applicable building or code enforcement authority.

2. *Zoning Verification and Floodplain Location.*
  - a. No appliance demanufacturing operation shall be located within the 100-year floodplain, consistent with Iowa Administrative Code § 567-118.6(2), as amended.
  - b. The applicant shall submit the Appliance Demanufacturing DNR Zoning Verification Form 542-0167 to the Warren County Zoning Department confirming that the proposed site is properly zoned for appliance demanufacturing and located above the flood hazard elevation.
3. *Site Plan and Review.* A site plan shall be submitted and reviewed prior to the approval of any appliance de-manufacturing operation. The plan shall identify all buildings/structures, parking and circulation areas, driveways and points of ingress/egress, landscaping and screening, location and height of walls, signage, hours of operation, and the manner of providing water supply, wastewater treatment, and stormwater management facilities. Review and approval shall be subject to applicable County departments (Engineering, Environmental Health, Emergency Services), and applicable state, regional and federal agencies.
4. *Water and Wastewater.* Appliance de-manufacturing shall be served by a public/community water and wastewater treatment system whenever available. Where such systems are not reasonably accessible, on-site systems may be permitted if designed and approved in accordance with all applicable requirements of the Warren County Environmental Health Department and the Iowa Department of Natural Resources (IDNR).
5. *Hours of Operation.* Operations shall be conducted between 7:00 a.m. and 7:00 p.m., unless otherwise approved as part of the site plan.
6. *Traffic Impact and Dust Control.* A Traffic Impact Study and/or Dust Control Plan may be required by the County Engineer if deemed necessary to ensure public health, safety, and roadway function.
7. *Access and Circulation.* Appliance de-manufacturing shall have direct access to a paved public road, and the internal circulation system shall be designed to safely accommodate anticipated traffic volumes, including emergency and service vehicles.
8. *Parking.* Off-street parking must be provided in accordance with the County parking requirements for manufacturing and industrial plants. Parking along public roads or in public road right-of-way is prohibited.
9. *Refuse and Recycling Areas.* All refuse and recycling collection areas shall be fully enclosed and screened from adjacent properties and rights-of-way, and located to provide safe access for service vehicles.
10. *Landscaping and Screening.* Landscaping and screening shall be provided along all property lines to minimize visual and noise impacts.

11. *Lighting.* All outdoor lighting shall be fully shielded and directed downward to prevent glare, light trespass, and adverse impacts onto adjacent properties and public rights-of-way.
12. *Drainage.* Adequate drainage shall be provided to prevent standing water, control runoff, and ensure safe site conditions. In addition to the Iowa Department of Natural Resources (IDNR) drainage is also subject to review and approval by the Warren County Environmental Health Department, County Engineer, and other applicable authorities having jurisdiction.
13. *Environmental Protection, Cleanup, and Liability.* The property owner or operator shall address all environmental considerations associated with appliance demanufacturing, including the proper handling, storage, and removal of hazardous or regulated components such as refrigerants, compressor oils, PCB-containing parts, mercury switches, and fluorescent lamps. The County may require preparation of an Environmental Management Plan or equivalent documentation identifying procedures for hazardous material management, spill prevention, and emergency response. The property owner or operator shall identify the party responsible for post-closure cleanup and site restoration.

#### **Building Material Sales Yards, Retail Lumber Yard, Contractor's Equipment Storage Yard**

Building material sales yards, retail lumber yard, contractor's equipment storage yard are principally permitted in the industrial zoning districts, subject to the following conditions:

1. *Setbacks.* Outdoor storage areas must not occupy required yards and must be set back twenty-five (25) to fifty (50) feet from rights-of-way and residential boundaries.
2. *Site Plan.* Prior to issuance of a Building Permit, a site plan shall be submitted identifying parcel boundaries, structures, outdoor storage, circulation, access, screening, stormwater facilities, and lighting layout.
3. *Traffic Impact and Dust Control.* A Traffic Impact Study and/or Dust Control Plan may be required by the County Engineer if deemed necessary to ensure public health, safety, and roadway function.
4. *Outdoor Storage.* All materials, vehicles, and equipment shall be stored within designated storage areas and organized to allow safe access and circulation. Materials shall not be stacked higher than the height of the required screening fence unless fully screened from view. No outdoor storage shall be permitted within the required front yard.
5. *Landscaping and Screening.* Six (6) feet opaque fence or vegetation is required when adjacent to residential or public areas.
6. *Lighting.* All outdoor lighting shall be fully shielded and directed downward to prevent glare, light trespass, and adverse impacts onto adjacent properties and public rights-of-way.



7. *Access and Circulation.* Building material sales yards, retail lumber yard, contractor's equipment storage yards shall have direct access to a paved public road, and the internal circulation system shall be designed to safely accommodate anticipated traffic volumes, including emergency and service vehicles.
8. *Drainage and Sanitation.* Adequate drainage and sanitary facilities shall be provided to prevent standing water, control runoff, and ensure safe, sanitary site conditions. These systems shall be subject to review and approval by the Warren County Environmental Health Department, County Engineer, Iowa Department of Natural Resources (IDNR), and other applicable authorities having jurisdiction.
9. *Noise, Odor, and Nuisance Control.* All operations shall be conducted in a manner that does not create excessive or perceptible noise, odor, vibration, glare, dust, or other nuisances beyond the property line.
10. *Hazardous Materials and Fire Safety.* Storage and handling of paints, solvents, fuels, or flammable materials shall comply with State Fire Marshal regulations, NFPA standards, and all applicable State Building and Fire Code regulations. A Fire Prevention and Emergency Response Plan shall be provided to the local fire district and Warren County Emergency Management Department prior to Building Permit issuance.

### **Electrical Substations**

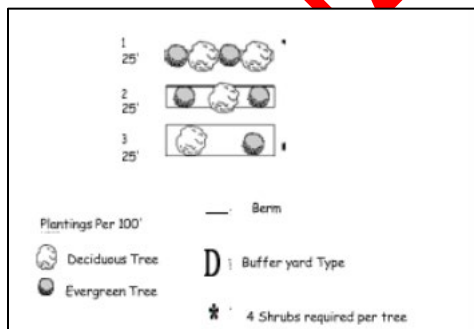
Electrical substations are principally permitted in the commercial and industrial zoning districts and conditionally permitted in the AG (Agricultural) zoning district, subject to the following conditions:

1. *Setbacks.* The fence surrounding the substation equipment shall be built no closer than two hundred (200) feet from any existing residential dwelling with one hundred (100) feet of the required separation being on the utility property.
2. *State and Federal Compliance.* Substations and interconnections shall comply with Iowa Utilities Board (IUB) rules, including the Iowa Electrical Safety Code (Iowa Administrative Code § 199, as amended) and, where applicable, electric line franchise requirements under Iowa Code § 478, as amended. All required state and federal permits, authorizations, and approvals shall be obtained prior to the issuance of a Conditional Use Permit. All components of an electrical substation, including lightning masts, shall comply with FAA Part 77 obstruction standards and any applicable Warren County Chapter 44, Airport Height and Hazard Regulations. Proof of FAA "Determination of No Hazard" shall be submitted when required.
3. *Site Plan.* In addition to the Building Permit and Conditional Use Permit, the property owner shall submit a site plan for review and approval prior to the establishment of any electrical substation. The site plan shall identify all parcel boundaries, fence line and equipment layout, control building(s), lighting, the locations of driveways and the points of ingress and egress, including access roads where required, the location and height of walls, the location and type of landscaping, the location, size and number of signs,

existing/proposed utilities, nearest dwellings with measured separation, manufacturer/structural specs for major equipment supports and fence, and the decommissioning plan. Prior to issuance of a Conditional Use Permit and Building the applicant shall provide documentation from the local fire district and the Warren County Emergency Management Department confirming adequate access, clearances, and emergency shutoff or response measures.

4. *Access and Circulation.* Electrical substations shall have direct access to a paved public road, unless otherwise approved by the County Engineer, and the internal circulation system, if applicable, shall be designed to safely accommodate anticipated traffic volumes, including emergency and service vehicles.
5. *Noise, Odor, and Nuisance Control.* Electrical substations shall be operated in a manner that does not create excessive or perceptible noise, odor, vibration, dust, glare, electrical interference or other nuisances that adversely affect adjacent properties. Noise levels shall not exceed limits established by County, state, or federal health and safety regulations. If deemed necessary to ensure compliance, the Zoning Administrator may require certification from a qualified civil, mechanical, structural, or electrical engineer licensed in the State of Iowa verifying that the facility's operation does not and will not create such adverse effects at the lot boundary.
6. *Landscaping and Screening.* Substations located abutting a residentially zoned or developed property, or visible from public rights-of-way, shall be screened by a combination of fencing, berming, and landscaping to minimize visual impact. The substation must satisfy one (1) of the following buffer yard requirements of the utilities' choice:

*Figure 2: Electrical Substation*



7. *Fencing and Security.* All electrical substations shall be enclosed by a security fence or wall at least eight (8) feet in height, equipped with locked gates, and constructed of non-conductive or grounded material. Warning and No-Trespassing signage shall be posted at all entrances and at intervals not to exceed twenty (20) feet along the perimeter fence.
8. *Lighting.* Outdoor lighting shall be limited to the minimum necessary for security and operational safety, fully shielded, and directed downward to prevent glare or light spill onto adjacent properties or public rights-of-way. Lighting shall utilize motion sensors or automatic dimming controls where practicable.

9. *Abandonment/Decommissioning.* If inactive for twelve (12) consecutive months, the permit holder shall remove all above-grade equipment, fencing, and foundations to three (3) feet below grade and restore the site within twelve (12) months thereafter, per the approved Decommissioning Plan.
10. *Utility Coordination Note.* The County may require relocation or modification of the facility if necessary to accommodate future County infrastructure improvements, subject to coordination with the operator and applicable utility regulations.

### **Data Centers**

Data centers, and related buildings and infrastructure, are conditionally permitted in the HI (Heavy Industrial) zoning district, subject to the following provisions:

1. *General Compliance.* The data center must comply with the applicable requirements for the zoning district in which it is located, and any other applicable provisions of the Warren County Code of Ordinances.
2. *Construction and Materials.* All structures on the site shall have concrete foundations and shall not be defective, decayed, or corroded. The use of shipping containers, railroad cars, semi-truck trailers, and other similar storage containers for any component of the operation is prohibited.
3. *Location and Setbacks.* Data centers shall not be adjacent to a residential zoning district or use (excluding roads and other rights-of-way) or within seventy-five (75) feet from a property line with a dwelling, school, child care center, hospital, or place of worship, or a residential zoning district.
4. *Cooling System.* Data centers shall be required to have a liquid cooling system.
5. *Utility Connections.* Reasonable efforts shall be made to place all utility connections from data centers underground, depending on appropriate soil conditions, shape and topography of the site, distance to the connection, or other conditions or requirements.
6. *Pre-Permit Submittals.* Prior to the issuance of a permit, the property owner must provide the following:
  - a. A Fire Prevention and Emergency Response Plan, subject to review by Warren County Emergency Management and the Sheriff's Office.
  - b. Material Safety Data Sheets (MSDS) or equivalent documentation outlining contents of buildings, to be kept on file with Warren County Emergency Management and the Sheriff's Office.
  - c. Verification from the utility provider that the property owner has calculated the maximum potential electrical consumption of the proposed use and has verified the utility supply equipment and related electrical infrastructure is sufficiently sized and can safely accommodate the proposed use during the power provider's peak consumption hours.
  - d. Verification that all electronic waste generated at the data center be handled by an electronic waste recycling firm.

7. *Enclosures.* All servers, computers, processors, materials, and equipment must be enclosed within buildings.
8. *Landscaping and Buffering.* A landscape buffer may be required to be installed and maintained during the life of the operation. Determination of the screening requirements will be made by the Board of Adjustment as part of the review and approval process and will be based on adjacent or nearby surrounding land uses and topography.
9. *Signage and Identification.* Each data center operation shall provide twenty-four (24)-hour emergency contact signage visible at the access entrance. Signs shall include the company name, owner/representative name, telephone number, and corresponding local utility company and telephone number. All additional signage must adhere to the sign regulations in Section 40.22 of this Ordinance.
10. *Lighting.* All outdoor lighting shall be fully shielded and directed downward to prevent glare, light trespass, and adverse impacts onto adjacent properties and public rights-of-way.
11. *Noise.* Audible noise caused by data centers, including but not limited to cryptocurrency mining operations, not including existing ambient noise, shall not exceed sixty (60) dB (decibels) continuously during daytime hours or a nighttime continuous sound level of fifty (50) dB (decibels). Noise shall be measured from property line.
12. *Heat Emission.* Data centers shall ensure that the amount of heat that is dissipated by the operation shall be monitored with the average daily temperature is forty degrees (40°) Fahrenheit or less to ensure that there is no buildup of ice on neighboring properties and roadways.
13. *Decommissioning Plan.* Following a continuous one (1)-year period in which no activity is generated, or if substantial action on the project is discontinued for a period of one (1) year, the permit holder or successor in interest, will have one (1) year to complete decommissioning of the data center. Decommissioning shall be completed in accordance with the approved decommissioning plan. The landowner or tenant must notify the County when the project is discontinued.
14. *Additional Application Materials.* The Conditional Use Permit application for a data center must include:
  - a. A decommissioning plan that describes the anticipated life of the center and the manner in which the project will be decommissioned.
  - b. The site restoration actions.
  - c. Removal of equipment.
  - d. The estimated costs in current dollars.
  - e. The method for ensuring that funds will be available for decommissioning and restoration.

**Manufacturing – Production/Mixing of Concrete and Concrete Products**

The production, mixing, or batching of concrete, cement, or related products is a permitted interim use in the LI (Light Industrial) zoning district and principally permitted in the HI (Heavy Industrial) zoning district, subject to the following conditions:

1. *State and Federal Compliance.* Concrete batch plants and similar operations shall comply with all applicable state, regional, and federal environmental, safety, and construction regulations, including but not limited to:
  - a. The Iowa Department of Natural Resources (IDNR) air quality permitting requirements under Iowa Administrative Code § 567-22, as amended.
  - b. Stormwater Discharge Permits and Stormwater Pollution Prevention Plans (SWPPP) under the Iowa Department of Natural Resources (IDNR) National Pollutant Discharge Elimination System (NPDES) program and the Clean Water Act (40 CFR Part 122).
  - c. Water and wastewater permits under Iowa Administrative Code § 567-64, where applicable.
  - d. Compliance with Occupational Safety and Health Administration (OSHA) standards for industrial safety and concrete manufacturing (29 CFR Part 1910).The property owner/operator shall maintain all required state and federal permits in good standing and provide proof of such permits to the County prior to commencing operation.
2. *Site Plan and Review.* A detailed site plan shall be submitted and reviewed as part of the Interim Use Permit application and prior to Building Permit issuance. The site plan must include: all existing and proposed buildings, silos, batch plants, conveyors, aggregate bins, and material storage areas, paved and unpaved surfaces, truck scales, washout areas, and internal circulation routes, ingress/egress points, turning radii, sight distances, and access, stormwater management facilities, drainageways, and erosion control measures compliant with Statewide Urban Design and Specifications (SUDAS), screening, landscaping, and buffer areas, utilities, lighting, signage, fire access, security fencing, hours of operation, refuse and recycling areas, water supply/wastewater systems, designated locations for truck washout and containment of process water to prevent discharge to surface waters or drainageways, and proof of compliance with applicable Iowa Department of Natural Resources (IDNR) Air Quality and Stormwater permits prior to operation. Review by the County Engineer, Environmental Health Department, Zoning Administrator, and applicable state or federal agencies is required.
3. *Water and Wastewater.* The facility shall be connected to public or community water and wastewater systems, or demonstrate alternative systems permitted by the Iowa Department of Natural Resources (IDNR).
4. *Access and Circulation.* The facility shall have direct access to a paved public road. Internal circulation areas used by heavy trucks shall be paved or otherwise improved to control dust, mud tracking, and erosion.

5. *Parking.* Off-street parking shall be provided in accordance with County requirements for industrial uses. Parking along public roads or within public rights-of-way is prohibited.
6. *Traffic Impact Study.* A Traffic Impact Study may be required by the County Engineer if deemed necessary to ensure public health, safety, and roadway function.
7. *Dust and Air Quality Control.* Dust, particulate matter, and emissions shall be controlled through use of filters, enclosures, paved surfaces, or other best management practices to prevent adverse impacts to adjacent properties. All applicable Iowa Department of Natural Resources (INDR) air quality permits must be obtained and maintained in good standing. A subsequent Dust Control Plan may be required by the County Engineer if deemed necessary to ensure public health, safety, and roadway function.
8. *Noise, Odor, and Nuisance Control.* The use shall not produce noise, dust, odor, glare, or vibration perceptible beyond the property line. The Zoning Administrator may require certification by a licensed engineer verifying compliance.
9. *Drainage.* Adequate drainage shall be provided to prevent standing water, control runoff, and ensure safe site conditions. In addition to the Iowa Department of Natural Resources (IDNR), drainage is also subject to review and approval by the Warren County Environmental Health Department, County Engineer, and other applicable authorities having jurisdiction.
10. *Hours of Operation.* Operating hours shall be limited to 6:00 a.m. to 9:00 p.m., unless otherwise approved by the Board of Adjustment as part of the Interim Use Permit.
11. *Landscaping and Screening.* Adequate screening, fencing, or landscaping shall be provided along property lines abutting non-industrial uses, as approved through the Interim Use Permit process.
12. *Stockpiles and Raw Materials Storage.* Aggregate, sand, cement, and other raw materials shall be stored on-site in a manner that minimizes dust, erosion, and runoff. Stockpiles shall be located at least fifty (50) feet from property lines and screened from view of public rights-of-way and residential properties through landscaping, berming, or fencing.
13. *Refuse and Recycling Areas.* All refuse and recycling collection areas shall be fully enclosed and screened from adjacent properties and rights-of-way, and located to provide safe access for service vehicles.
14. *Lighting.* All outdoor lighting shall be fully shielded and directed downward to prevent glare, light trespass, and adverse impacts onto adjacent properties and public rights-of-way.
15. *Environmental Protection, Cleanup, and Liability.* The property owner or operator shall address all environmental considerations associated with production, mixing, or batching of concrete, cement, or related products including the proper handling, storage, and removal of regulated materials such as cement dust, fly ash, admixtures, fuels, oils, and wash water. All operations shall implement best management practices to prevent spills, leaks, and discharge of pollutants to air, soil, or water. The County may require preparation of an Environmental Management Plan (EMP) or equivalent documentation



outlining hazardous material handling, spill prevention, containment, and emergency response procedures. The property owner or operator shall maintain all required state and federal environmental permits and shall identify the responsible party for post-closure cleanup, removal of structures and stockpiles, and restoration of the site to a stable, vegetated condition upon cessation of operations.

16. *Decommissioning and Site Restoration.* A Decommissioning Plan shall be submitted with the initial permit identifying the responsible party, procedures for equipment removal, grading, and revegetation, and an estimated completion timeline. Upon cessation of operations for more than twelve (12) months or termination of the use, all above-ground equipment, structures, and stockpiled materials shall be removed within one hundred eighty (180) days. Disturbed areas shall be graded and revegetated to a stable condition compatible with surrounding land uses. Failure to complete decommissioning in accordance with the approved plan may result in County enforcement and cost recovery.
17. *Change in Ownership.* Upon change in property ownership or control, existing approvals shall be reassessed and may require a new Interim Use Permit or site plan review before continuation of operations.

#### **Mining and Extraction of Minerals and Raw Materials**

Mining and extraction of minerals and raw materials (including, but not limited to, sand, gravel, rock, topsoil, and similar resources) are a permitted interim use in the industrial zoning districts, subject to the following conditions:

1. *Minimum Lot Area.* A lot dedicated to the mining and extraction of minerals and raw materials shall contain a minimum of ten (10) acres. A larger minimum lot size may be required based on the scale of extraction, haul-road layout, and necessary buffer areas.
2. *Setbacks.* Mining, extraction, stockpiling, or processing shall observe the following minimum setbacks from the subject property line or right-of-way:
  - a. *Occupied Structures or Applicable Zoning Districts.* No excavation, processing equipment, or stockpiles shall be located within five hundred (500) feet of any AG (Agricultural) zoning district, residential zoning district, existing dwelling or occupied structure on an adjacent property.
  - b. *Surface Waters and Wetlands.* A minimum two hundred (200)-foot undisturbed buffer shall be maintained from any stream, wetland, or surface water body, consistent with Iowa Department of Natural Resources (IDNR) Mined Land Reclamation Program standards (Iowa Administrative Code § 567-60-65).
  - c. *Public Rights-of-Way.* A minimum setback of one hundred (100) feet shall be maintained from any public street or right-of-way to the nearest edge of excavation, quarry wall, or stockpile. Berms, fencing, and/or vegetative buffers shall be installed within this setback for safety and visual screening.
  - d. *Property Lines.* No excavation, processing, or equipment storage shall occur within one hundred (100) feet of the subject property line, except where adjoining

another approved mining or industrial use and written consent is provided by both property owners.

- e. No equipment, excavation, or storage shall occur within these distances.
  - f. *Modification of Setbacks.* The Board of Adjustment may reduce these setbacks if it determines that equivalent protection can be achieved through berming, fencing, topography, or other physical buffers, as demonstrated in the approved site plan and verified by the County Engineer and Environmental Health Department.
3. *State and Federal Compliance.* Operations shall comply with all applicable state and federal laws, including, but not limited to,
- a. Iowa Department of Natural Resources (IDNR) Mined Land Reclamation Program, Iowa Administrative Code § 567-60 through 65, as amended.
  - b. Iowa Department of Natural Resources (IDNR) Air Quality Permits under Iowa Administrative Code § 567-22 and National Pollutant Discharge Elimination System (NPDES) Stormwater Permits under the Clean Water Act (40 CFR Part 122)
  - c. Occupational Safety and Health Administration (OSHA) and Mine Safety and Health Administration (MSHA) safety regulations (including 29 CFR Parts 1910 and 1926).
  - d. Any applicable federal Environmental Protection Agency (EPA) and Army Corps of Engineers requirements for wetlands or waters of the U.S.

All required permits shall be maintained in good standing and filed with the County prior to operation.

4. *Site Plan and Review.* A detailed site plan shall be submitted and reviewed as part of the Interim Use Permit application and prior to Building Permit issuance. The plan shall identify all existing and proposed mining areas, type and location of processing and crushing equipment, haul roads, drainageways, stormwater facilities, screening, fencing, and buffers, limits of excavation and phasing schedule, overburden, topsoil, and product stockpile locations, ingress/egress points and haul routes to paved public roads, dust and erosion control measures, reclamation areas and final grading contours, proof of compliance with all Iowa Department of Natural Resources (IDNR) mining, air, and water quality permits. The site plan shall be reviewed and approved by the County Engineer, Environmental Health Department, Zoning Administrator, and applicable state and federal agencies.
5. *Water Use and Process Containment.* All process water, wash water, and stormwater from disturbed areas shall be contained on-site and recycled, treated, or otherwise managed in accordance with Iowa Department of Natural Resources (IDNR) regulations. No process water, silt, or sediment shall be discharged to surface waters, drainageways, or adjacent properties.
6. *Access, Haul Routes, and Road Maintenance.* Each mining or extraction site shall have direct access to a paved public road or designated haul route approved by the County

Engineer. Internal haul roads shall be constructed, maintained, and treated to control dust and mud tracking. The County Engineer may require a Road Use or Haul Route Maintenance Agreement as a condition of approval.

7. *Dust and Air Quality Control.* Dust, particulate matter, and emissions shall be controlled through water application, enclosures, or other best management practices to prevent off-site impacts. All operations shall comply with Iowa Department of Natural Resources (IDNR) Air Quality standards, including a particulate emission limit not exceeding 0.10 grains per dry standard cubic foot or the applicable standard under Iowa Administrative Code § 567-23, as amended.
8. *Hours of Operation.* Operating hours shall be limited to 6:00 a.m. to 9:00 p.m., unless otherwise approved by the Board of Adjustment through the Interim Use Permit.
9. *Noise, Vibration, and Blasting.* Blasting, if used, shall occur only between the hours of 8:00 a.m. and 6:00 p.m. and shall comply with applicable state and federal safety regulations. No vibration or concussion from blasting or processing shall be perceptible at the property line. Written notice of planned blasting shall be provided to property owners within five hundred (500) feet of the site at least twenty-four (24) hours prior to detonation.
10. *Screening and Berming.* Where a mining or extraction site abuts a residential or the AG (Agricultural) zoning district, a continuous earthen berm not less than six (6) feet in height, a solid fence of equal height, or an equivalent combination of both shall be installed and maintained along the shared boundary. Berms shall be graded and seeded to prevent erosion.
11. *Stockpile Management.* Stockpiles of excavated materials or overburden shall be contained with berms or barriers to prevent runoff, sediment discharge, or erosion. Dust suppression measures shall be applied during dry or windy conditions.
12. *Waste Materials.* The disposal of refuse, debris, or other non-mineral waste materials on-site is prohibited unless specifically approved as part of a decommissioning or reclamation plan and consisting of clean, inert fill such as uncontaminated soil, rock, or concrete rubble.
13. *Environmental Protection, Cleanup, and Liability.* The operator shall implement best management practices to prevent contamination of air, soil, or water from fuels, lubricants, explosives, or mineral residues. The County may require submission of an Environmental Management Plan (EMP) identifying responsible parties, spill prevention, and emergency response procedures.
14. *Decommissioning and Site Restoration.* A Decommissioning Plan shall be submitted with the initial permit identifying the responsible party, procedures for equipment removal, grading, and revegetation, and an estimated completion timeline. Upon cessation of operations for more than twelve (12) months or termination of the use, all above-ground equipment, structures, and stockpiled materials shall be removed within one hundred eighty (180) days. Disturbed areas shall be graded and revegetated to a stable condition

compatible with surrounding land uses. Failure to complete decommissioning in accordance with the approved plan may result in County enforcement and cost recovery.

15. *Change in Ownership.* Upon change in property ownership or control, existing approvals shall be reassessed and may require a new Interim Use Permit or site plan review before continuation of operations.

### **Non-Combustible Materials Landfills**

Non-combustible materials landfills (including, but not limited to, facilities for the disposal or storage of inert or non-putrescible materials such as concrete, brick, stone, glass, soil, asphalt, or similar materials that do not readily burn, decompose, or produce leachate) are a permitted interim use in the LI (Light Industrial) zoning district and principally permitted use in the HI (Heavy Industrial) zoning district, subject to the following conditions:

1. *Minimum Lot Area.* A lot for a non-combustible materials landfill shall contain a minimum of twenty (20) acres. Larger areas may be required by the Board of Adjustment or other applicable authority based on the scale of operation, required buffers, and access requirements.
2. *Setbacks.* Landfilling, excavation, or material storage shall observe the following minimum setbacks, measured from the edge of active fill or excavation:
  - a. *Occupied Structures or Zoning District Lines.* Five hundred (500) feet from any AG (Agricultural) or residential zoning district, or any existing dwelling or occupied structure on an adjacent property.
  - b. *Public Rights-of-Way.* Two hundred (200) feet from any public road or right-of-way.
  - c. *Property Lines.* One hundred fifty (150) feet from any property line, except where adjoining another approved industrial or landfill use and written consent is provided by both property owners.
  - d. *Surface Waters and Wells.* Two hundred (200) feet from any stream, wetland, or potable water supply well, consistent with Iowa Administrative Code § 567-103 (Groundwater Protection Systems).
  - e. No disposal, excavation, or material storage shall occur within these distances unless reduced by the Board of Adjustment upon demonstration that equivalent environmental protection and buffering are achieved through berming, fencing, or topographic separation.
3. *State and Federal Compliance.* All non-combustible materials landfills shall comply with applicable state and federal solid waste management and disposal regulations, including but not limited to:
  - a. Iowa Department of Natural Resources (IDNR) Solid Waste Permitting and Operating Requirements under Iowa Administrative Code § 567-100 et seq., as amended.

- b. Iowa Code §§ 455B.301-455B.310 (Solid Waste Disposal and Environmental Protection Act), as amended.
- c. U.S. Environmental Protection Agency (EPA) Subtitle D non-hazardous waste landfill standards, where applicable.

The operator shall obtain and maintain all required state and federal permits and provide proof of such permits to the County prior to commencement of operations.

- 4. *Site Plan and Review.* A detailed site plan shall be submitted and reviewed as part of the Interim Use Permit or Building Permit process. The plan shall include the limits of the disposal area, phasing schedule, and fill sequence, proposed stormwater and leachate control systems, screening, berming, and fencing details, ingress/egress points, haul routes, and internal circulation, soil borings and groundwater data, final grading and post-closure contours, and a decommissioning plan. The site plan shall be reviewed by the County Engineer, Environmental Health Department, Zoning Administrator, and applicable state and federal agencies.
- 5. *Waste Acceptance and Prohibited Materials.* Only clean, inert, non-combustible materials such as concrete, brick, stone, glass, uncontaminated soil, or similar materials shall be accepted. The disposal of hazardous, industrial, or combustible materials, including any waste regulated under Iowa Administrative Code § 567-120, as amended, is prohibited.
- 6. *Hours of Operation.* Operating hours shall be limited to 6:00 a.m. to 9:00 p.m., unless otherwise approved by the Board of Adjustment as part of the Interim Use Permit.
- 7. *Noise, Odor, and Nuisance Control.* The use shall not produce noise, dust, odor, glare, or vibration perceptible beyond the property line. The Zoning Administrator may require certification by a licensed engineer verifying compliance.
- 8. *Erosion, Drainage, and Leachate Control.* Erosion and sediment control measures shall comply with Statewide Urban Design and Specifications (SUDAS) and Iowa Department of Natural Resources (IDNR) National Pollutant Discharge Elimination System (NPDES) stormwater requirements. Leachate shall be contained, collected, and managed consistent with Iowa Administrative Code § 567-103, as amended. Drainage improvements shall prevent off-site sedimentation, ponding, or pollution of surface and groundwater.
- 9. *Access and Circulation.* Each landfill shall have direct access to a paved public road or designated haul route approved by the County Engineer. Internal haul roads shall be constructed and maintained to control dust, mud tracking, and erosion. The County Engineer may recommend a Road Use or Haul Route Maintenance Agreement as a condition of approval.
- 10. *Screening and Berming.* Non-combustible material landfills shall be screened and contained to minimize visual, noise, and dust impacts. Screening may consist of earthen berms constructed to a height sufficient to visually screen the active fill area from adjacent properties and roadways. Berms shall be sloped, compacted, and stabilized with vegetation or other erosion-resistant material.

11. *Environmental Protection, Cleanup, and Liability.* The operator shall implement best management practices to prevent contamination of air, soil, or water. The County may require submission of an Environmental Management Plan (EMP) identifying responsible parties, spill prevention, and emergency response procedures. The operator shall maintain all required Iowa Department of Natural Resources (IDNR) and federal environmental permits and remain responsible for post-closure environmental performance.
12. *Decommissioning and Site Restoration.* A Decommissioning Plan shall be submitted with the initial permit identifying the responsible party, procedures for equipment removal, cover systems, grading, and revegetation, and an estimated completion timeline. Upon cessation of operations for more than twelve (12) months or termination of the use, all above-ground equipment, structures, and stockpiled materials shall be removed within one hundred eighty (180) days. Disturbed areas shall be graded and revegetated to a stable condition compatible with surrounding land uses. Failure to complete decommissioning in accordance with the approved plan may result in County enforcement and cost recovery.
13. *Change in Ownership.* Upon change in property ownership or control, existing approvals shall be reassessed and may require a new Interim Use Permit or site plan review before continuation of operations.

#### **Temporary Asphalt or Concrete Plants**

Temporary asphalt or concrete plants may be established for public or private construction projects (including, but not limited to highways, bridges, or large developments, etc.), as a permitted interim use in the HI (Heavy Industrial) zoning district, subject to the following conditions:

1. *State and Federal Compliance.* Temporary asphalt or concrete batch plants shall comply with all applicable state, regional, and federal environmental, safety, and construction regulations, including but not limited to:
  - a. The Iowa Department of Natural Resources (IDNR) air quality construction permitting requirements under Iowa Administrative Code § 567-22, as amended.
  - b. Stormwater Discharge Permits and Stormwater Pollution Prevention Plans (SWPPP) under the Iowa Department of Natural Resources (IDNR) National Pollutant Discharge Elimination System (NPDES) program and the Clean Water Act (40 CFR Part 122).
  - c. Water and wastewater permits under Iowa Administrative Code § 567-64, where applicable.
  - d. Occupational Safety and Health Administration (OSHA) standards for industrial and construction operations (29 CFR Part 1910 and Part 1926).

The operator shall maintain all required state and federal permits in good standing and provide proof of such permits to the County prior to commencing operation.



2. *Setbacks.* Temporary asphalt or concrete batch plants shall be set back a minimum of five hundred (500) feet from any dwelling unit, occupied structure (including relating to civic, educational, or religious institutions) or residential zoning district, and one hundred (100) feet from any property line, public right-of-way, or waterway.
3. *Site Plan.* A site plan shall be submitted and reviewed as part of the Interim Use Permit application. The plan shall identify all components and operational areas of the temporary asphalt or concrete plant, including but not limited to the plant setup and layout, including equipment, silos, conveyors, tanks, and fuel storage, aggregate and material stockpile areas, mix pads, and truck loading/unloading zones, access drives, haul roads, ingress/egress points, and internal circulation patterns, stormwater controls, erosion prevention, and dust control measures consistent with Statewide Urban Design and Specifications (SUDAS), washout and containment areas for process water, screening and buffer treatments, fencing, and security measures, lighting, signage, utilities, on-site temporary water and wastewater treatment facilities, and designated parking and staging areas, and the associated construction project name, duration, and estimated completion/removal date. The plan shall be reviewed and approved by the County Engineer, Environmental Health Department, Zoning Administrator, and any applicable state or federal agencies prior to issuance of a permit.
4. *Water and Wastewater.* The plant shall have an adequate water supply for production and dust control and shall utilize wastewater and washout management systems approved by the Iowa Department of Natural Resources (IDNR). All process water and washout shall be contained on-site in lined or impervious areas and shall not discharge into drainageways, waterbodies, or storm sewers.
5. *Access and Circulation.* The plant shall have direct access to a paved public road or approved haul route approved by the County Engineer. Internal circulation areas used by trucks shall be surfaced or otherwise treated to prevent dust, mud tracking, and erosion. Haul routes shall be designed to minimize conflict with residential areas and local traffic.
6. *Parking and Staging.* Adequate off-street parking and staging areas shall be provided for employees, equipment, and delivery vehicles. Parking or staging along public roads or within public rights-of-way is prohibited.
7. *Traffic Impact Study.* A Traffic Impact Study may be required by the County Engineer if the operation is expected to generate significant truck traffic or adversely affect the capacity or safety of nearby roads. The applicant may also be required to implement dust control, signage, or road maintenance measures as conditions of approval.
8. *Dust and Air Quality Control.* Dust, particulate matter, and air emissions shall be controlled through best management practices such as water sprays, enclosures, or dust suppression agents. All operations shall comply with Iowa Department of Natural Resources (IDNR) Air Quality Construction Permit requirements under Iowa Administrative Code §567-22, and any other applicable federal or state air quality

regulations. The County Engineer may also require a Dust Control Plan if deemed necessary.

9. *Noise, Odor, and Nuisance Control.* The temporary plant shall not create excessive noise, odor, glare, or vibration detectable beyond the property boundaries. All operations shall be conducted in a manner that minimizes nuisance impacts on adjacent uses. The Zoning Administrator may require certification by a licensed engineer verifying compliance with noise or vibration standards.
10. *Drainage and Erosion Control.* Adequate drainage shall be provided to prevent standing water, erosion, or discharge of pollutants. All drainage improvements shall comply with Statewide Urban Design and Specifications (SUDAS) and applicable Iowa Department of Natural Resources (IDNR) National Pollutant Discharge Elimination System (NPDES) stormwater requirements. Temporary erosion control measures (berms, silt fencing, or filter socks) shall be installed prior to operation and removed upon site restoration, consistent with Iowa Department of Transportation (IDOT) temporary diversion berm standards. The County Engineer and Environmental Health Department shall review drainage plans prior to permit issuance.
11. *Hours of Operation.* Operating hours shall be limited to 6:00 a.m. to 9:00 p.m., unless otherwise approved by the Board of Adjustment through the Interim Use Permit. Night operations may be allowed where necessary for public infrastructure projects, subject to noise and lighting mitigation measures.
12. *Landscaping and Screening.* Temporary fencing, berming, or vegetative screening shall be provided along property boundaries that abut residential or agricultural uses, or public rights-of-way. Screening shall remain in place and maintained for the duration of the operation.
13. *Material Storage and Stockpiles.* Temporary asphalt or concrete plants may maintain on-site stockpiles of aggregates and storage of materials necessary for the associated project. Aggregate, sand, gravel, and similar materials shall be stored in a manner that minimizes dust, erosion, and runoff. Stockpiles shall be located at least fifty (50) feet from property lines and shall be bermed, tarped, or otherwise contained to prevent discharge to adjacent properties or drainageways. Liquid materials, including asphalt binders, fuels, and admixtures, shall be stored in approved, leak-proof tanks with secondary containment in accordance with Iowa Department of Natural Resources (IDNR) and fire safety standards. All storage areas shall be removed upon completion of the project or cessation of operation.
14. *Refuse and Recycling Areas.* All refuse, debris, and recyclable materials shall be stored in enclosed containers and screened from view of adjacent properties and public rights-of-way. Refuse collection areas shall be located to allow safe access for service vehicles.
15. *Lighting.* All lighting shall comply with Section 40.23 of this Zoning Ordinance, including that fixtures shall be fully shielded, directed downward, and designed to prevent glare, light trespass, or illumination of adjacent properties or roadways.

16. *Environmental Protection, Cleanup, and Liability.* The operator shall ensure proper handling, storage, and disposal of all fuels, oils, asphalt binders, and washout materials to prevent spills or contamination of soil and water. Best management practices shall be implemented for hazardous material handling, spill prevention, and emergency response. The County may require submission of an Environmental Management Plan (EMP) identifying responsible parties, spill response procedures, and cleanup protocols. The operator shall maintain all required Iowa Department of Natural Resources (IDNR) and federal environmental permits and remain responsible for post-operation cleanup and restoration.
17. *Decommissioning and Site Restoration.* A Decommissioning and Restoration Plan shall be submitted with the Interim Use Permit application identifying the responsible operator, removal procedures, and restoration timeline. Upon completion of the project or cessation of operation for more than sixty (60) days, all portable equipment, tanks, stockpiles, and materials shall be removed, and the site shall be graded and revegetated to a stable, vegetated condition. Failure to complete restoration within the required timeframe may result in County enforcement and cost recovery.
18. *Change in Ownership.* If ownership or control of the operation changes during the approved permit term, the new owner or operator shall submit documentation of continued compliance and obtain written approval from the Zoning Administrator before resuming operation. A new Interim Use Permit may be required at the County's discretion.

#### **Public Water Supply and Wastewater Treatment Facilities**

Public water supply and wastewater treatment facilities are conditionally permitted in the AG (Agricultural) and industrial zoning districts, subject to the following conditions:

1. *Minimum Lot Area.* The site shall contain a minimum of five (5) acres, or such larger area as required to safely accommodate all treatment structures, lagoons, pumping stations, storage tanks, access roads, and required buffers without encroaching on adjacent properties or rights-of-way.
2. *Setbacks.* All principal treatment structures, tanks, and lagoons shall be set back a minimum of two hundred (200) feet from any dwelling unit on an adjacent property; one hundred (100) feet from any public right-of-way or property line; and five hundred (500) feet from any potable water well or community water supply, unless otherwise approved by the Iowa Department of Natural Resources (IDNR) or County Environmental Health Department. Accessory structures (i.e., control buildings, generators, fences) shall meet the accessory structure setbacks of the underlying zoning district. Setbacks shall be measured from the property line of the lot where the facility is located to the nearest point of any building or structure associated with the public water supply and wastewater treatment facility.

3. *State and Federal Compliance.* All public water supply and wastewater treatment facilities shall comply with the Iowa Wastewater Facilities Design Standards (Iowa Administrative Code § 567-62), Iowa Administrative Code § 43 (Public Water Supply), applicable Iowa Department of Natural Resources (IDNR) construction and operating permits; and any relevant provisions of the Federal Clean Water Act and Safe Drinking Water Act. No facility shall commence operation until all State and Federal approvals are secured and documentation is provided to the County.
4. *Site Plan.* A detailed site plan shall be submitted with any Conditional Use Permit application and shall identify the location, dimensions, and height of all existing and proposed buildings, tanks, lagoons, basins, and appurtenances; access points, driveways, and internal circulation for maintenance and emergency vehicles; utility connections, fencing, landscaping, and screening; grading, drainage, and stormwater management facilities; the location of nearby wells, surface waters, and wetlands; and provisions for odor and noise control. All plans shall be reviewed by the County Engineer, Environmental Health Department, and Zoning Administrator, and must demonstrate compliance with Iowa Department of Natural Resources (IDNR) construction and operation standards prior to issuance of a permit.
5. *Access and Circulation.* Each facility shall have direct access to a paved public road. Driveways and internal circulation areas shall be designed and constructed to meet County Engineer standards and to ensure safe ingress and egress for emergency and service vehicles.
6. *Traffic Impact and Dust Control.* A Traffic Impact Study and/or Dust Control Plan may be required by the County Engineer if deemed necessary to ensure public health, safety, and roadway function.
7. *Parking.* Off-street parking shall be provided consistent with County parking requirements. Parking along public roads or in public road right-of-way is prohibited.
8. *Drainage and Stormwater Management.* Facilities shall be designed and graded to prevent standing water, control runoff, seepage, or discharge of untreated effluent onto adjoining properties or into public drainageways, and ensure sanitary conditions, and shall be subject to review and approval by the County Environmental Health Department, County Engineer, Iowa Department of Natural Resources (IDNR), or other authorities having jurisdiction. A Stormwater Pollution Prevention Plan (SWPPP) may also be required by the County Engineer or Iowa Department of Natural Resources (IDNR).
9. *Refuse and Recycling Areas.* All refuse and recycling collection areas shall be fully enclosed and screened from adjacent properties and rights-of-way and located to provide safe access for service vehicles.
10. *Landscaping and Screening.* All treatment or processing areas, mechanical equipment, and storage tanks shall be screened from public rights-of-way and adjacent properties with a combination of fencing, berming, and landscaping to provide year-round visual buffering.

11. *Security and Fencing.* All treatment structures, lagoons, and mechanical equipment shall be enclosed by fencing not less than six (6) feet in height with locked gates.
12. *Lighting.* All outdoor lighting shall be fully shielded and directed downward to prevent glare, light trespass, and adverse impacts onto adjacent properties and public rights-of-way.
13. *Odor, Noise, and Environmental Control.* The operation of the facility shall not create offensive odors, noise, vibration, or glare detectable beyond the property boundaries. Odor and noise mitigation systems shall be maintained in good working order. All operations shall comply with the Iowa Department of Natural Resources (IDNR) Water and Wastewater Facility Design Standards and any applicable Federal Clean Water Act or Safe Drinking Water Act requirements.
14. *Decommissioning and Site Restoration.* When a facility or component is permanently discontinued or replaced, all above-ground structures and equipment shall be removed within one hundred eighty (180) days, unless otherwise approved by the County. The site shall be restored to a stable, vegetated condition consistent with surrounding land uses.

### **Shipping Containers**

Shipping containers are conditionally permitted in the AG (Agricultural), commercial and industrial zoning districts, subject to the following conditions:

1. *Number and Location.* Only one (1) shipping container permitted on a parcel, lot, or tract of land and must be located behind the principal building and shall not be placed in any required front yard. Stacking of containers is prohibited, unless engineered plans are submitted and stamped by a licensed professional engineer in Iowa and approved by the County Engineer. All containers shall comply with the bulk regulations of the underlying zoning district, particularly accessory structure standards, if available.
2. *Utilities and Occupancy.* Shipping containers shall not be connected to water, sanitary sewer, or electrical service, except as specifically approved for limited storage lighting or security purposes, and as approved as part of the Building Permit and Conditional Use Permit. Shipping containers shall not be used for human habitation, commercial operations, or as living, office, or classroom space.
3. *Building Permit and Code Compliance.* In addition to a Conditional Use Permit, shipping containers must also submit a Building Permit and must comply with all applicable provisions of the Iowa State Building Code regarding structural stability, fire safety, and wind load requirements.
4. *Foundation and Anchoring.* Shipping containers shall be anchored to a permanent or semi-permanent foundation and placed on a hard-surfaced or gravel base to prevent shifting, settling, or drainage impacts.
5. *Design.* The color of the shipping container shall be a non-reflective, unobtrusive color that blends in with the surrounding environment. Shipping containers shall not include branding.

6. *Screening and Landscaping.* Shipping containers shall be screened from view by a screening fence or landscaping.

### **Communication Towers/Facilities**

Communication towers/facilities, as primarily regulated by the Federal Communications Commission (FCC), are conditionally permitted in the commercial and industrial zoning districts, and the AG (Agricultural) zoning district, subject to the following conditions:

1. *Setbacks.* Communication towers/facilities shall be set back from all property lines and occupied structures at a minimum distance equal to the total height of the communication tower, as measured from the finished grade at the base of the structure to the highest point of the tower. The Board of Adjustment may approve a reduced setback to property lines where the applicant has obtained an easement on neighboring properties to ensure any new occupied structures will be set back a minimum distance at least equal to the tower height from the finished grade at the base of the structure to the highest point of the tower. All guy-wire anchors, support structures, and associated equipment shall comply with the minimum setback requirements of the zoning district in which they are located.
2. *Height.* The total height of a communication tower/facility shall be measured from the finished grade at the base of the structure to the highest point of the tower/facility. The total height of a communication tower/facility shall not exceed the maximum height determined to present no hazard to air navigation by the Federal Aviation Administration pursuant to 14 C.F.R. pt. 77, as amended.
3. *State and Federal Compliance.* All communication towers/facilities, monopoles, and antennas, and associated support structures and wiring, shall comply with this Ordinance, Warren County Chapter 44 Airport Height and Hazard Regulations, and all applicable provisions of the Iowa State Building Code, National Electrical Code (NEC), National Electrical Safety Code (NESC), Federal Communications Commission (FCC) regulations, Federal Aviation Administration (FAA) regulations, and any other State or Federal standards in effect at the time of construction. All structures shall be designed and certified in accordance with EIA/TIA-222 Structural Standards for Steel Antenna Towers and Antenna Support Structures, and all required licenses, registrations, and authorizations shall be obtained from applicable agencies prior to commencing construction or operation.
4. *Site Plan.* In addition to the Building Permit and Conditional Use Permit, the tower owner shall submit a site plan for review and approval prior to the establishment of any communication tower/facility. The site plan shall identify the location, type, and height of the proposed tower/facility (including name of tower manufacturer and specifications of materials used for structural elements of the tower); type and location of all antennas, cables, anchors, and other appurtenances to be installed initially or in the future; existing structures, easements, rights-of-way, and distances to property lines and occupied buildings within one hundred fifty (150) feet of the tower base; existing and proposed



land uses, zoning designations, and Comprehensive Plan designations for the site and properties within five hundred (500) feet; a landscaping plan showing existing and proposed vegetation, fencing, and screening; FAA documentation, including the Notice of Proposed Construction or Alteration and FAA's written response; a statement regarding co-location potential and evidence of efforts to co-locate on existing towers within the search ring; identification of all other tower/facility sites owned or operated by the applicant within Warren County (including incorporated cities); elevation drawings showing exterior materials and colors; a signed lease agreement with the property owner; and a proof of liability insurance.

5. *Electrical and Wiring.* All electrical and signal wiring shall conform to accepted engineering practices and the NEC. Horizontal conductors extending above the ground shall maintain at least eight (8) feet of clearance, unless placed underground. No part of any tower, cable, brace, or equipment shall extend into or across any public right-of-way or property line, except for service lines approved by the County.
6. *Fall Area.* A defined fall area shall be required on all towers over one hundred (100) feet in height. The fall area must be equal to the height of the tower as measured from the base to all tower site boundaries. Monopoles and antennas mounted on existing structures such as silos or buildings are exempt from this requirement, provided a engineer licensed in Iowa certifies and demonstrates that the structure is engineered to collapse within its own footprint in the event of failure.
7. *Design.* Towers one hundred (100) feet or less in height must be stealthed or camouflage in design to minimize visual impact, such as architecturally screened or integrated antennas, or towers designed to resemble light poles, trees, or other structures. Towers not required by the FAA to be painted or marked shall have a non-reflective, galvanized, or dull blue, gray, or black finish.
8. *Safety and Security.* All towers shall include anti-climbing devices, fencing, or barriers to discourage unauthorized access. Ground equipment compounds shall be enclosed by a minimum six (6) foot solid or security fence with lockable gates.
9. *Signage.* Warning/No Trespassing signage shall be posted at intervals not exceeding twenty (20) feet along the fence or site perimeter. Such signs shall also indicate that trespassing or vandalism is prohibited and may be punishable under applicable County, state, or federal regulations and be in conformance with the County sign regulations set forth in Section 40.22 of this Ordinance.
10. *Landscaping and Screening.* Landscaping and screening shall be provided along all property lines to minimize visual impacts.
11. *Lighting.* No permanent lighting is allowed on communication towers except as required by the Federal Communications Commission (FCC) or the Federal Aviation Administration (FAA).
12. *Interference.* Any signal interference complaints associated with communication towers or related equipment shall be addressed in accordance with FCC rules and procedures.

13. *Access and Circulation.* Communications towers/facilities shall have direct access to a paved public road, and the internal circulation system shall be designed to safely accommodate anticipated traffic volumes, including emergency and service vehicles.
14. *Independent Inspection.* An independent expert shall inspect all communication towers in accordance with American National Standards Institute (ANSI) standards. The report shall be provided to the Zoning Administrator. Deficiencies shall be remedied within ninety (90) days of their discovery.
15. *Non-Ionizing Electromagnetic Radiation (NIER).* A source of non-ionizing electromagnetic radiation (NIER), when combined with existing sources of NIER, shall not expose the general public to ambient radiation exceeding standards established by ANSI C-95.1, as amended, or any applicable Environmental Protection Agency (EPA) or Federal Communication Commission (FCC) regulations.
16. *Co-Location.* An applicant shall provide a certification by a registered engineer licensed in the State of Iowa that the proposed communication tower is designed, structurally and electrically, to permit at a minimum three (3) antenna systems of comparable size to be added to the original tower.
17. *Proof of Liability Insurance.* The property owner/operator shall provide proof of adequate liability insurance coverage for the communication tower/facility. Such insurance shall be maintained throughout the duration of the Conditional Use Permit and shall demonstrate coverage sufficient to protect adjacent properties and governmental agencies from claims arising from the tower's construction, operation, or maintenance. Documentation of insurance shall be submitted to the County prior to permit issuance and updated as required to ensure continuous coverage.
18. *Decommissioning Plan.* The applicant shall include a Decommissioning Plan. If the tower is unused for a continuous one (1) year period, the permit holder will have one (1) year to implement the approved Decommissioning Plan. The permit holder shall notify the Zoning Administrator when the tower is fully decommissioned.
19. *Structurally Unsafe or Unused Towers.* Any tower found to be decommissioned, or deemed structurally unsafe and which cannot be brought into compliance within one hundred eighty (180) days, must be removed at the expense of the responsible party.
20. *Removal of Abandoned or Discontinued Towers/Facilities.* Any communication tower/facility that is abandoned or discontinued for a period of one (1) year shall be removed by the owner of the tower and/or property at the owner's expense. Removal shall include the tower, foundation, and all associated appurtenances, and the site shall be restored to a condition consistent with the surrounding landscape. Failure to remove the structure within the required timeframe shall be grounds for revocation of approval or enforcement action under Chapter 43.
21. *Existing Communication Towers/Facilities.* Existing communication towers/facilities lawfully established prior to the effective date of this Ordinance may continue as lawful existing uses and may continue to operate in accordance with this Ordinance. Any

replacement, expansion, or alteration of such facilities shall comply with all applicable County, state, and federal regulations.

### **Personal Renewable Energy Systems**

Personal renewable energy systems (including personal solar energy conversion systems (P-SECS), personal wind energy conversion systems (P-WECS), and accessory battery energy storage systems (A-BESS) for non-commercial, small-scale personal use) are permitted as an accessory use in the AG (Agricultural) and residential zoning districts, subject to the following conditions:

1. *Personal Solar Energy Conversion Systems.*

a. *Structure-Mounted.*

- i. Structure-mounted personal solar energy conversion systems shall be installed no closer than three (3) feet from any roof edge, ridge, or valley, unless otherwise permitted by State Building and Fire Codes.
- ii. Structure-mounted personal solar energy conversion systems on pitched roofs must run parallel to the roof.
- iii. The maximum allowable system size of a structure-mounted personal solar panel shall be limited to the available roof area, excluding any portions required for setbacks, access pathways, or other spacing standards required by State Building and Fire Codes. The system size shall be calculated based on the total surface area of all collector panels in the system, regardless of mounting orientation.

b. *Ground-Mounted.* Ground-mounted personal solar energy conversion systems shall be permitted on a lot provided they are located a minimum of fifty (50) feet from the right-of-way and comply with the applicable setback requirements for accessory structures in the zoning district where the personal solar energy conversion system is located.

c. *Height.*

- i. The surface and mounting system of a structure-mounted personal solar energy conversion system may exceed the maximum allowable height of any structure within the zoning district in which the solar panel is to be installed by up to four (4) feet, measured at the system's maximum tilt.
- ii. Ground-mounted personal solar energy conversion systems shall be at least two (2) feet off the ground and shall not exceed twenty (20) feet in height at maximum tilt of the solar panel(s) in any zoning district.

d. *Safety.*

- i. Control equipment must be enclosed and secured from unintentional access.
- ii. All personal solar energy conversion systems shall provide a visible sign including a notice of no trespassing, a warning of high voltage, and the

phone number of the owner/operator to call in case of emergency at all locked entrances.

iii. All State Building and Fire Codes shall be followed.

e. *Applicable Standards.*

i. Personal solar energy conversion systems shall be designed to minimize visual impacts from the public right-of-way to the extent that doing so does not affect the cost or efficacy of the system.

ii. All power transmission lines from a ground-mounted personal solar energy conversion system to any structure must be located underground.

2. *Personal Wind Energy Conversion Systems.*

a. *Setbacks.* The following setback requirements shall apply to all personal wind energy conversion systems provided that the site distance shall be measured from the center of the system foundation to the nearest point of the abutting dwelling, occupied structure, community building, non-participating property, overhead utility line, electric substation, public road right-of-way, railroad right-of-way, or unoccupied structure. All other structures shall comply with the applicable setbacks as defined by the underlying zoning district. Each personal wind generator system and components shall be sited as follows:

i. Setback a minimum required distance of the total height of the system from any abutting dwelling, occupied structure, community building, non-participating property, overhead utility line, electric substation, public road right-of-way, railroad right-of-way, or unoccupied structure, unless a variance waiving property line setback is obtained from the Board of Adjustment.

ii. No setback shall be required between a personal wind energy conversion system and any existing abutting dwelling, occupied structure, or unoccupied structure located on the property owner's property.

b. *Height.* The maximum height of a personal wind energy conversion system shall be eighty (80) feet. The total height of a system shall be measured as the distance from ground level to the tip of the system's blade at its highest vertical point. Each personal wind energy conversion system shall not exceed the height allowed under the determination of no hazard for that system from the Federal Aviation Administration obstruction evaluation under 14 C.F.R. pt. 77, as amended.

c. *Color and Finish.* Personal wind energy conversion systems shall be painted a non-reflective color, such as gray, white, or off-white. Blades may be black in order to facilitate de-icing. Finishes shall be matte or non-reflective. The design of the buildings and related structures shall, to the extent reasonably possible, use materials, colors, textures, screening, and landscaping that will blend the personal wind generator into the natural setting and existing environment. Exceptions may

be made for meteorological towers, where concerns exist relative to aerial spray applicators.

- d. *Tower Configuration.* All wind turbines that are part of a personal wind energy conversion system shall be installed with a tubular, monopole-type tower. Meteorological towers may be guyed.
- e. *Lighting.* Personal wind energy conversion systems shall not be artificially lighted, except to the extent required by the Federal Aviation Administration (FAA) or other applicable authority. Lighting, including lighting intensity and frequency of strobe, shall adhere to but not exceed requirements established by FAA permits and regulations. Lighting shall use the Aircraft Detection Lighting System (ADLS) to minimize flashing lights. Techniques shall be implemented to prevent casting glare from the site. Red strobe lights are preferred for night-time illumination to reduce impacts on migrating birds. Red pulsating incandescent lights should be avoided. Exceptions may be made for meteorological towers, where concerns exist relative to aerial spray applicators.
- f. *Utility Connections.* All utility connections from the personal wind energy conversion system must be underground unless the landowner can demonstrate the need for an overhead line. An overhead line may be approved by variance by the Board of Adjustment.
- g. *Safety.*
  - i. Control equipment must be enclosed and secured from unintentional access.
  - ii. All personal wind energy conversion systems shall provide a visible sign including a notice of no trespassing, a warning of high voltage, and the phone number of the owner/operator to call in case of emergency at all locked entrances.
  - iii. Every personal wind energy conversion system shall be equipped with manual (electronic or mechanical) and automatic over speed controls to limit the blade rotation speed within the design limits of the specific system.
  - iv. Shadow flicker shall be limited to a total of thirty (30) hours in any consecutive twelve (12) month period under planned operating conditions as indicated by industry-standard computer modeling measured from an abutting dwelling or community building.
- h. *Noise.* Audible noise due to personal wind energy conversion system operations shall not exceed forty-seven (47) dBA for any period of time, from the system when measured at an abutting dwelling or community building.
- i. *Additional Standards.*

- i. Personal wind energy conversion systems shall be designed to minimize visual impacts from the public right-of-way to the extent that doing so does not affect the cost or efficacy of the system.

3. *Accessory Battery Energy Storage Systems.*

- a. *Setbacks.* The following setback requirements shall apply to all accessory battery storage systems provided that the site distance shall be measured from the nearest storage container edge to the nearest point of the abutting dwelling, occupied structure, community building, overhead utility line, electric substation, non-participating property, public road right-of-way, railroad right-of-way, or unoccupied structure. All other structures shall comply with the applicable setbacks as defined by the underlying zoning district. Each accessory battery storage system and components shall be sited as follows:
  - i. One hundred (100) feet from any abutting dwelling, occupied structure, or community building.
  - ii. One hundred (100) feet from any existing non-participating property.
  - iii. Fifty (50) feet from any overhead utility line, electric substation, public road right-of-way, railroad right-of-way, or unoccupied structure.
  - iv. No setback shall be required between an accessory battery energy storage system and any existing abutting dwelling, occupied structure, or unoccupied structure located on the property owner's property.
- b. *Height.* The height of an accessory battery energy storage system shall not exceed the maximum height permitted for accessory structures within the applicable zoning district.
- c. *Location.* An accessory battery energy storage system may be installed indoors (i.e., garage, utility room) or outdoors (i.e., exterior wall, pad), subject to location limits and separation distances in the adopted codes and the manufacturer's instructions.
- d. *State and Federal Compliance.* Accessory battery energy storage systems shall be designed, installed, and operated in accordance with National Fire Protection Association (NFPA) 855 (as adopted), the National Electrical Code (NFPA 70), and applicable State Building and Fire Codes. Systems shall be listed to Underwriters Laboratories (UL) 9540, with UL 9540A test data/evaluation where required by NFPA 855, as amended. Ventilation, thermal management, electrical protection, clearances, and fire-resistance/separation shall meet the adopted codes and the manufacturer's instructions.
- e. *Signage and Labeling.* Signage and labeling shall comply with recognized national safety standards, including American National Standards Institute (ANSI) Z535 for hazard signage and the National Electrical Code (NEC) for disconnect and shutoff labeling, as applicable. At a minimum, a visible placard shall be installed at the primary building entrance identifying the presence and



type of energy storage system and any special hazards. All service disconnects and emergency shutoffs shall be clearly labeled in accordance with manufacturer specifications and nationally recognized electrical safety practices. If applicable, high-voltage warning signage shall be posted at any pad-mounted transformer or substation associated with the accessory battery energy storage system.

- f. *Enclosure and Fencing.* Listed, locked cabinet-type accessory battery energy storage systems or wall-mounted units in a secured area do not require security fencing. Stand-alone outdoor containers accessible to the public shall be enclosed by a minimum six (6) foot fence with a lockable gate.
  - g. *Utility Connections.* To the extent reasonably practicable, exterior interconnections shall be installed underground; surface raceways may be used where code-compliant and appropriate due to site conditions or short runs.
  - h. *Emergency Information.* At permit review, the applicant shall provide to the local fire department and the Zoning/Building Official: a site diagram showing equipment locations and access; manufacturer cut-sheets; and emergency procedures for shutdown/de-energization/isolation.
  - i. *Noise.* Accessory battery energy storage systems shall comply with the applicable property-line noise limit of forty-seven (47) dBA, measured at any existing abutting dwelling or community building.
  - j. *Waste and Replacement.* Removal and disposal of equipment, damaged cells/modules, and associated materials shall comply with all applicable local, state, and federal requirements for solid and hazardous waste.
4. *Permits and Coordination.* A Building Permit shall be required for any personal solar energy conversion system, personal wind energy conversion system, or accessory battery energy storage system. The Building Permit application shall include a site plan clearly showing the location of all proposed system components, including panels, towers, batteries, disconnects, inverters, and wiring routes, all setbacks, property lines, and nearby structures, and the location of any on-site battery storage system (if included for wind or solar systems). The application shall be routed to the local fire district and the Warren County Emergency Management Coordinator for review and comment prior to permit issuance. Where a personal renewable energy system includes on-site battery storage, such storage shall be shown on the same site plan and reviewed as part of the same Building Permit unless the storage is installed independently from an existing approved system, in which case a separate Building Permit shall be required. The owner/operator must also obtain any other required permits from applicable federal, state, or local agencies or departments prior to issuance of the Building Permit. The County may require the submission of manufacturer specifications, installation instructions, or emergency shutdown procedures to assist in review and emergency response coordination.

5. *Interconnection and Net Metering.* Personal wind and solar energy conversion systems may be connected to the electrical grid when a parcel on which the system is installed also receives electrical power supplied by a utility company. Excess electrical power generated and not presently needed for on-site use may be used by the utility company in accordance with the Iowa Administrative Code § 199-15.11(5) on net metering, as amended.
6. *Existing Systems.* Personal renewable energy systems, including personal solar, wind, or accessory battery energy storage systems, that were legally established prior to the effective date of this Ordinance shall be considered lawful nonconforming uses or structures and may continue to operate, provided they remain in good working order and in compliance with any conditions of their original approval.
7. *Maintenance and Repair.* Routine maintenance, repair, or replacement of system components with like-kind materials or technology is permitted and does not require a new Building Permit, provided the system's overall size, height, location, and rated capacity are not increased.
8. *Discontinuance and Abandonment.* If a personal renewable energy system does not produce energy for a continuous period of twelve (12) months, it shall be deemed abandoned. Before resuming operation, the system shall be brought into full compliance with the current provisions of this Ordinance. The County may require removal of an abandoned or unsafe system in accordance with the applicable enforcement provisions of this Ordinance.

### **Commercial Renewable Energy Systems**

Commercial renewable energy systems (including commercial solar energy conversion system (C-SECS), commercial wind energy conversion system (C-WECS), and commercial battery energy storage system (C-BESS) for large, utility-scale use) are a permitted interim use in the AG (Agricultural) and industrial zoning districts, subject to the following conditions:

1. *Exceptions (State-Sited Facilities).* This section does not apply to any wind or solar energy conversion facility with a nameplate capacity of twenty-five (25) megawatts or more that has applied for certification under Iowa Code § 476A, as amended, to a facility currently operating or that has applied for certification before the effective date of this Ordinance, or to the repowering of a facility existing on or before the effective date, subject to applicable conditions.
2. *Commercial Solar Energy Conversion Systems.*
  - a. *Setbacks.* The following setbacks and separation requirements shall apply to all commercial solar energy conversion systems provided that the site distance shall be measured from the nearest aboveground point of a commercial solar energy conversion system, not including any fencing, to the nearest point of the abutting dwelling, occupied structure, community building, overhead utility line, electric substation, non-participating property line, public road right-of-way, railroad

right-of-way, or unoccupied structure. Each commercial solar energy conversion system and components shall be sited as follows:

- i. One hundred twenty (120) feet from any abutting dwelling, occupied structure, or community building.
  - ii. One hundred twenty (120) feet from any existing non-participating properties.
  - iii. Fifty (50) feet from any existing overhead utility line, electric substation, public road right-of-way, railroad right-of-way, or unoccupied structure.
- b. *Height.* Solar panel(s) shall be at least two (2) feet off the ground and shall not exceed twenty (20) feet in height at maximum tilt of the solar panel(s).
- c. *Fencing.* Commercial solar energy conversion systems shall be fenced with a minimum eight (8) foot tall security fence, “Warning/No Trespassing” signs, as well as contract information of electric utility provider(s) and site operator(s) for emergency purposes, shall be posted within sight of all points of fence line or no greater than one hundred fifty (150) feet apart. The security fence must be equipped with a minimum of one (1) gate and locking mechanism on the primary access side. At the discretion of the approving authority, critical electrical and communications equipment may be fenced with a chain-link fence topped with barbed wire when such measures are deemed necessary to ensure public safety.
- d. *Emergency Response.* The site operator will coordinate with the local fire district and Emergency Management to provide training on an annual basis for the first five (5) years the commercial solar energy conversion system is complete and in operation. Said training will commence within six (6) months prior to the completion of the commercial solar energy conversion system. After that, offered on an annual basis for the life of the project. The applicant or developer shall be responsible for all costs associated with these trainings. All emergency responding agencies will sign off that said training was completed or offered.
- e. *Screening.* A landscape buffer may be required to be installed and maintained during the life of the operation. Determination of screening requirements will be made by the Board of Adjustment as part of the Interim Use Permit review and approval process and will be based on adjacent or nearby surrounding land uses and topography.
- f. *Lighting.* If lighting is provided for the commercial solar energy conversion system, lighting shall be shielded and downcast such that the light does not project directly onto the adjacent parcels nor into the night sky in accordance with Section 40.22 of this Ordinance.
- g. *Outdoor Storage.* Only the outdoor storage of materials, vehicles, and equipment that directly support the operation and maintenance of the commercial solar energy conversion system shall be allowed.

- h. *Utility Connections.* Reasonable efforts shall be made to place all utility connections from the solar installation underground, depending on appropriate soil conditions, shape and topography of the site, distance to the connection, or other conditions or requirements.
- i. *Endangered Species and Wetlands.* Applicant shall seek natural resource consultation with the Iowa Department of Natural Resources (IDNR).
- j. *Ground Cover, Buffer Areas, and Weed Control.* Ground around and under solar arrays and in project site buffer areas shall be planted and maintained in perennial vegetated cover and meet the following standards:
  - i. Top soils shall not be removed during development, unless part of a remediation effort.
  - ii. Soils shall be planted and maintained in perennial vegetation to prevent erosion, manage runoff, and build soil. Seeds should include a mix of grasses and wildflowers, ideally native to the region of the project site that will result in a short stature prairie with a diversity of forbs or flowering plants that bloom throughout the growing season. Blooming shrubs may be used in the buffer areas as appropriate for visual screening.
  - iii. Seed mixes and maintenance practices should be consistent with the recommendations made by qualified natural resource professionals such as those from the Iowa Department of Natural Resources (IDNR), County Soil and Water Conservation District, or USDA Natural Resources Conservation Service.
  - iv. Applicant must present an acceptable weed control plan for property inside and outside fenced area for the entire property to be in compliance with Iowa's Noxious Weed Law, § 317, Iowa Code, as amended. The operating company during the operation of the project must maintain the fence and adhere to the weed control plan.
- k. *Waste.* All solid wastes, whether generated from supplies, equipment parts, packaging, operation or maintenance of the commercial solar energy conversion system, shall be removed from the site and disposed of in an appropriate manner. All hazardous waste generated by the operation shall be removed from the site immediately and disposed of in a manner consistent with all local, state, and federal requirements.
- l. *Road Use Agreements.* All routes on county roads that will be used for the construction and maintenance purposes shall be identified on the site plan. All routes for either ingress or egress shall be shown. The commercial solar energy conversion system developer must complete and provide a pre- construction baseline survey to determine existing road conditions for assessing potential future damage due to development-related traffic. The developer shall provide a road repair plan to ameliorate any and all damage, including installation or

replacement of roads that might be required of the developer. The developer shall provide a letter of credit or surety bond in an amount and form approved by the appropriate highway authority official(s) when warranted. The provision of this subsection shall be subject to the approval of the County Engineer.

- m. *Soil Erosion and Sediment Control*. The applicant agrees to conduct all roadwork and other site development work in compliance with a National Pollutant Discharge Elimination System (NPDES) permit as required by the Iowa Department of Natural Resources (IDNR) and comply with requirements as detailed by local jurisdictional authorities during the plan submittal. If subject to NPDES requirements, the applicant must submit the permit for review and comment, and an erosion and sediment control plan before beginning construction. The plan must include both general "best management practices" for temporary erosion and sediment control (both during and after construction), and permanent drainage and erosion control measures to prevent both damage to local roads/adjacent areas and sediment-laden runoff into waterways.
  - n. *Stormwater Management Plan*. For the purposes of pollutant removal, stormwater rate and runoff management, flood reduction and associated impacts, the applicant shall provide a detailed storm water management plan with analysis of pre- and post-development stormwater runoff rates for review by local jurisdictional authorities.
3. *Commercial Wind Energy Conversion Systems*.
- a. *Form*. Commercial wind energy conversion systems shall be ground-mounted only.
  - b. *Setbacks*. The following setback requirements shall apply to all commercial wind energy conversion systems, including meteorological towers associated with the project, provided that the site distance shall be measured from the center of the system foundation to the nearest point of the abutting dwelling, occupied structure, community building, non-participating property, overhead utility line, electric substation, public road right-of-way, railroad right-of-way, or unoccupied structure. All other structures shall comply with the applicable setbacks as defined by the base zoning district. Each commercial wind energy conversion system and components shall be sited as follows:
    - i. Two and two-tenths (2.2) times the total height of the system from any existing abutting dwelling, occupied structure, or community building.
    - ii. One and five-tenths (1.5) times the total height of the system from any existing non-participating property.
    - iii. One and five-tenths (1.5) times the total height of the system from any existing overhead utility line, electric substation, railroad right-of-way, or unoccupied structure.

- iv. One and one-tenth (1.1) times the height of the system from any public road right-of-way
- c. *Height.* The maximum height of a commercial wind energy conversion system shall be seven hundred (700) feet. The total height of a system shall be measured as the distance from ground level to the tip of the systems' blade at its highest vertical point. Each commercial wind energy conversion system shall not exceed the height allowed under the determination of no hazard for that system from the Federal Aviation Administration obstruction evaluation under 14 C.F.R. pt. 77.
- d. *Color and Finish.* Commercial wind energy conversion systems shall be painted a non-reflective color, such as gray, white, or off-white. Blades may be black in order to facilitate de-icing. Finishes shall be matte or non-reflective. At commercial wind energy conversion system sites, the design of the buildings and related structures shall, to the extent reasonably possible, use materials, colors, textures, screening, and landscaping that will blend the commercial wind energy conversion system into the natural setting and existing environment. Exceptions may be made for meteorological towers, where concerns exist relative to aerial spray applicators.
- e. *Tower Configuration.* All wind turbines that are part of a commercial wind energy conversion system shall be installed with a tubular, monopole-type tower. Meteorological towers may be guyed.
- f. *Lighting.* Commercial wind energy conversion system sites shall not be artificially lighted, except to the extent required by the Federal Aviation Administration (FAA) or other applicable authority. Lighting, including lighting intensity and frequency of strobe, shall adhere to but not exceed requirements established by FAA permits and regulations. Lighting shall use the Aircraft Detection Lighting System (ADLS) to minimize flashing lights. Techniques shall be implemented to prevent casting glare from the site. Red strobe lights are preferred for night-time illumination to reduce impacts on migrating birds. Red pulsating incandescent lights should be avoided. Exceptions may be made for meteorological towers, where concerns exist relative to aerial spray applicators.
- g. *Safety Signage.* Commercial wind energy conversion systems shall be signed at the access easement with "Warning/No Trespassing" signs, as well as contact information of electric utility provider(s) and site operator(s) for emergency purposes. For all guyed towers, visible and reflective objects, such as plastic sleeves, reflectors or tape, shall be placed on the guy wire anchor points and along the outer and innermost guy wires up to a height of eight (8) feet above the ground. Visible fencing shall be installed around anchor points of guy wires.
- h. *Emergency Response.* The site operator will coordinate with the local fire district and Warren County Emergency Management Department to provide training on an annual basis for the first five (5) years the commercial wind energy conversion



system is complete and in operation. Said training will commence within six (6) months prior to the completion of the commercial wind energy conversion system. After that, offered on an annual basis for the life of the project. The applicant or developer shall be responsible for all costs associated with these trainings. All emergency responding agencies will sign off that said training was completed or offered.

- i. *Waste.* All solid wastes, whether generated from supplies, equipment parts, packaging, operation or maintenance of the commercial wind energy conversion system, shall be removed from the site and disposed of in an appropriate manner. All hazardous waste generated by the operation shall be removed from the site immediately and disposed of in a manner consistent with all local, state, and federal requirements.
- j. *Speed Control.* Every commercial wind energy conversion system shall be equipped with manual (electronic or mechanical) and automatic over speed controls to limit the blade rotation speed within the design limits of the specific system.
- k. *Shadow Flicker.* Shadow flicker shall be limited to a total of thirty (30) hours in any consecutive twelve (12) month period under planned operating conditions as indicated by industry-standard computer modeling measured from an abutting dwelling or community building.
- l. *Noise.* Audible noise due to commercial wind energy conversion system site operations shall not exceed forty-seven (47) dBA for any period of time, from the commercial wind energy conversion system when measured at an existing abutting dwelling or community building.
- m. *Utility Connections.* Reasonable efforts shall be made to place all utility connections from the wind installation underground, depending on appropriate soil conditions, shape and topography of the site, distance to the connection, or other conditions or requirements.
- n. *Endangered Species and Wetlands.* Applicant shall seek natural resource consultation with the Iowa Department of Natural Resources (IDNR).
- o. *Road Use Agreements.* All routes on county roads that will be used for construction and maintenance purposes shall be identified on the site plan. All routes for either ingress or egress shall be shown. The commercial wind energy conversion system developer must complete and provide a pre-construction baseline survey to determine existing road conditions for assessing potential future damage due to development-related traffic. The developer shall provide a road repair plan to ameliorate any and all damage, including installation or replacement of roads that might be required of the developer. The developer shall provide a letter of credit or surety bond in an amount and form approved by the

appropriate highway authority official(s) when warranted. The provision of this subsection shall be subject to the approval of the County Engineer.

- p. *Soil Erosion and Sediment Control*. The applicant agrees to conduct all roadwork and other site development work in compliance with a National Pollutant Discharge Elimination System (NPDES) permit as required by the Iowa Department of Natural Resources (IDNR) and comply with requirements as detailed by local jurisdictional authorities during the plan submittal. If subject to NPDES requirements, the applicant must submit the permit for review and comment, and an erosion and sediment control plan before beginning construction. The plan must include both general "best management practices" for temporary erosion and sediment control (both during and after construction), and permanent drainage and erosion control measures to prevent both damage to local roads/adjacent areas and sediment-laden runoff into waterways.
  - q. *Stormwater Management Plan*. For the purposes of pollutant removal, stormwater rate and runoff management, flood reduction and associated impacts, the applicant shall provide a detailed storm water management plan with analysis of pre- and post-development stormwater runoff rates for review by local jurisdictional authorities.
4. *Commercial Battery Energy Storage Systems*
- a. *Setbacks*. The following setback requirements shall apply to all commercial battery energy storage systems and associated components. The setback distance shall be measured from the nearest battery container edge to the nearest point of an abutting dwelling, occupied structure, community building, non-participating property line, overhead utility line, electric substation, public road right-of-way, railroad right-of-way, or unoccupied structure. All other structures shall comply with the applicable setbacks as defined by the underlying zoning district. Each commercial battery energy storage system and its components shall be sited as follows:
    - i. Two hundred feet (200) from any existing abutting dwelling, occupied structure, or community building.
    - ii. Five hundred (500) feet from any existing non-participating property.
    - iii. One hundred (100) feet from any existing overhead utility line, electric substation, public road right-of-way, railroad right-of-way, or unoccupied structure.
  - b. *Height*. The height of a commercial battery energy storage system shall not exceed the maximum height permitted for principal structures within the applicable zoning district.
  - c. *Design and Construction*. All commercial battery energy storage systems shall be designed, constructed, and operated in accordance with National Fire Protection Association (NFPA) 855, including requirements for fire suppression systems,

ventilation, thermal management, spacing of battery containers, and other applicable provisions. Systems shall be listed to UL 9540 and evaluated using UL 9540A test data where required by NFPA 855.

- d. *Safety Signage.* Commercial battery energy storage systems shall be signed at the access easement with “Warning/No Trespassing” signs and the contact information of the electric utility provider(s) and site operator(s) for emergency purposes. All signage shall comply with American National Standards Institute (ANSI) Z535 for hazard communication and include the type of technology and energy storage chemistry used, identification of any special hazards and suppression systems, emergency disconnect and shutoff labeling in accordance with the National Electrical Code (NEC), a high-voltage warning sign at the base of all pad-mounted transformers and substations, and all required signage shall be displayed on a light-reflective surface and maintained in good condition.
- e. *Fencing.* All commercial battery energy storage systems shall be enclosed by a minimum eight (8) foot tall security fence with “Warning/No Trespassing” signage and contact information of the electric utility provider(s) and site operator(s) for emergency purposes posted within sight of all points of the fence line or spaced no greater than one hundred fifty (150) feet apart. The security fence shall include at least one (1) lockable gate at the primary access point. At the discretion of the approving authority, critical electrical and communications equipment may be fenced with chain-link topped with barbed wire when necessary to ensure public safety.
- f. *Emergency Response.* The site operator shall coordinate with the local fire district and Warren County Emergency Management Department to provide emergency response training prior to project completion. Refresher training shall be offered annually for the life of the facility. The applicant or developer shall be responsible for all costs associated with such training. All emergency response agencies shall confirm in writing that training was completed or offered. Training shall include, at a minimum procedures for safe shutdown, de-energizing, or isolation of equipment under emergency conditions, inspection and testing procedures for associated alarms, interlocks, and controls, and response procedures for system alerts or potential failure conditions that may pose hazards, including notification and coordination with emergency services.
- g. *Screening.* A landscape buffer may be required and maintained during the life of the operation. Determination of screening requirements shall be made by the Board of Adjustment as part of the Interim Use Permit review and shall be based on surrounding land uses and site topography.
- h. *Lighting.* All commercial battery energy storage systems sites shall not be artificially lighted, except as required for safety or maintenance purposes in accordance with Section 40.22 of this Ordinance.

- i. *Outdoor Storage.* Only outdoor storage of materials, vehicles, or equipment directly supporting the operation and maintenance of the commercial battery energy storage system shall be permitted.
  - j. *Utility Connections.* All utility and interconnection lines shall be placed underground to the extent reasonably practicable, considering soil conditions, site topography, and distance to the point of interconnection.
- 5. *Interim Use Permit.* An Interim Use Permit shall be required for all commercial renewable energy systems, and such permit shall be issued prior to the issuance of any Building Permit for structures or equipment associated with the system. The Interim Use Permit application shall include, at a minimum, a site plan drawn to scale showing all proposed and existing structures, property boundaries, public rights-of-way, access points, fencing, and setbacks, parcel reports identifying all participating and non-participating properties and ownership information, GPS coordinates for all proposed turbines, panels, battery containers, substations, transmission lines, and other principal components, a decommissioning and reclamation plan meeting the requirements of this Ordinance, including financial assurance of responsibility for decommissioning and site restoration; and any other supporting materials or studies deemed necessary by the Zoning Administrator or the Board of Adjustment, such as noise, glare, shadow-flicker, drainage, or road-use impact analyses. The Zoning Administrator shall review the application for completeness and refer it to the Board of Adjustment for consideration in conjunction with any required public hearing. Approval of the Interim Use Permit shall constitute authorization to proceed with detailed construction plans and subsequent Building Permit review.
  - a. Following issuance of the Interim Use Permit, a Building Permit shall be required for each structure associated with the system, including turbines, inverter stations, battery containers, substations, and any operations or maintenance buildings. Building Permit review shall confirm compliance with the conditions of the IUP and applicable construction and safety standards.
  - b. The Interim Use Permit may be revoked by the Zoning Administrator at any time the approved system is found to be out of compliance with the provisions of this Ordinance or the conditions imposed at the time of approval.
  - c. The owner or operator shall obtain all other permits or approvals required by federal, state, and local agencies or departments prior to the issuance of the Interim Use Permit. This may include, but is not limited to, permits related to electrical interconnection, environmental protection, stormwater management, and road use.
- 6. *Modifications to Approved Systems.* Any physical modification to an existing and permitted commercial renewable energy system that materially alters the size, type, or configuration of the system or its components shall require an Interim Use Permit modification under this Ordinance. Like-kind replacements of equipment or components

that do not increase overall size, height, or rated capacity shall not require an Interim Use Permit modification.

7. *Decommissioning and Site Reclamation.* A Decommissioning and Reclamation Plan shall be submitted with the Interim Use Permit (IUP) application for any commercial renewable energy system (including C-WECS, C-SECS, or C-BESS). The plan shall describe the method and schedule for removal of all structures and equipment upon cessation of operation and restoration of the site to a safe and stable condition. At a minimum, the plan shall include the anticipated useful life of the facility, a description of decommissioning activities, including removal of structures, foundations, and electrical equipment to a minimum depth of four (4) feet below grade, a description of site restoration actions, including soil stabilization, grading, reseeding, and vegetation management to return the site to its prior or other approved land use, an estimate of decommissioning costs in current dollars, prepared by a qualified engineer, accounting for salvage or resale value; and a description of environmental protection measures, including management of erosion, sediment, invasive species, and debris removal during decommissioning.
8. *Financial Assurance.* The applicant shall provide a financial surety instrument to ensure the completion of decommissioning and site restoration in accordance with the approved plan. The surety amount shall equal the net decommissioning cost plus a ten percent (10%) contingency and may be in the form of cash, performance bond, escrow account, letter of credit, or other security acceptable to the County. The financial surety shall remain in effect for the life of the facility and may only be released upon County inspection and confirmation that all decommissioning conditions have been met.
9. *Re-estimation of Costs.* Every five (5) years, the owner or operator shall retain a licensed professional engineer to update the decommissioning cost estimate and verify that the financial surety remains sufficient. Adjustments shall be made within ninety (90) days of filing the updated estimate with the County.
10. *Transfer of Ownership.* The terms of the approved decommissioning plan shall be binding on the owner, operator, and any successors or assigns, and shall constitute a continuing obligation until full decommissioning and restoration are complete.
11. *Abandonment.* If a commercial renewable energy system fails to produce energy for a continuous period of twenty-four (24) months, it shall be presumed abandoned. The County may require removal of the facility and restoration of the site in accordance with the approved decommissioning plan and may draw upon the financial surety if necessary to complete such work.
12. *Release of Liability.* The applicant, owner, and/or operator shall defend, indemnify, and hold harmless the County and its officials from any and all claims, losses, or damages arising out of the construction, operation, or decommissioning of a commercial renewable energy system.

13. *Access Easements.* Property owners may voluntarily grant renewable energy access easements for wind, solar, or battery systems to ensure continued access to resources and maintenance areas. Such easements shall be recorded and include legal descriptions, duration, and any applicable restrictions consistent with Iowa Code § 564A, as amended.

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