

## **176.08 A-1 RURAL RESTRICTED.**

1. Intent. The A-1, Rural Restricted District is intended to provide space on the fringes of the developed areas of the City for agricultural, low density residential, and similar non-intensive uses without permitting an intensity of development which would require the provision of urban-type facilities and services. This district is also designed to preserve land suitable for eventual development for other uses until such time as the necessary facilities and services can be economically and reasonably provided to such areas.

2. Principal Permitted Uses. The following principal uses are permitted in the A-1 District:

A. Agricultural Uses. General farming, including general agricultural activities, truck farms, nurseries, greenhouses, orchards, boarding and riding stables, and kennels, provided:

(1) Any sales of products not raised or produced on the premises shall be clearly subordinate to sales of products raised or produced on the premises.

(2) No poultry or livestock shall be housed, kept, or confined within 100 feet of any residence or residential zoning district.

(3) Only animals raised on the premises may be rendered, slaughtered, or dressed.

B. Residential Uses.

(1) Single-family detached dwellings.

(2) Home occupations, subject to the provisions of Section 176.30.

C. Public, Quasi-public, or Governmental Buildings and Facilities:

(1) Golf courses and country clubs when located on at least ten (10) acres, but not including commercial driving ranges, pitch and putt, or miniature golf courses.

(2) Public parks and playgrounds, public and private game and forest preserves, and similar conservation facilities.

(3) Churches, synagogues, chapels, and similar places of religious worship and instruction, when located in a permanent structure or site of at least one acre.

(4) Public elementary, junior high or high schools, and non-boarding schools having curriculum similar to that in the permitted public schools.

3. Conditional Uses. The following conditional uses are permitted in the A-1 District only when authorized by the Zoning Board of Adjustment as provided in Section 176.36.

A. Airports and heliports.

B. Cemeteries.

C. Railroad tracks, yards, and similar railroad facilities.

D. Gas regulator stations, electric distribution substations, pipeline pumping stations, water storage facilities, and similar essential services.

E. Outdoor recreation facilities.

*F. (Repealed by Ord. 05-01 – Feb. 05 Supp.)*

G. Similar and compatible uses to those allowed as principal permitted uses in this district.

3A. School Facilities and School Support Facilities as Conditional Uses.

A. Intent. The intent of this subsection is to insure that schools and school related support facilities are sited in conformance with the Comprehensive Plan and adequate infrastructure is available to support both the new facility and future growth in the area; further, this subsection was developed to identify and address potential impacts to existing neighborhood residents, land owners and public service providers, when locating, constructing, or expanding schools or school related support facilities in primarily residential zoning districts.

B. Applicability. The standards shall apply to all schools, educational and support facilities including public elementary, junior high and high schools, and private non-boarding schools having a curriculum similar to that in the public schools. Regulations shall also apply to all non-educational school support facilities including, but not limited to, bus barns, administrative offices and maintenance buildings.

(1) Applications to site schools, educational and support facilities shall be permitted as a conditional use request in the A-1, R-1, R-2, R-3, R-4, R-5, R-6, R-6A and RT-1 zoning districts.

(2) Applications to site schools, educational and support facilities in zoning districts other than those listed in subsection B(1) shall be regulated by the district in which the use is being proposed.

(3) The granting of a conditional use shall also meet the standards of review per section 176.36 (6)(E) of this Code of Ordinances as stated below:

a. That the conditional use applied for is provided in the zoning district within which the property is located.

b. That the proposed use and development will be in accord with the intent and purpose of the Zoning Ordinance and the Comprehensive Community Plan.

c. That the proposed use and development will not have a substantial adverse effect upon adjacent property; the character of the neighborhood; traffic conditions; parking; utility and service facilities; and other factors affecting the public health, safety, and welfare.

d. That the proposed development or use will be located, designed, constructed, and operated in such a manner that it will be compatible with the immediate neighborhood and will not interfere with the orderly use, development and improvement of surrounding property.

e. That adequate measures have been or will be taken to assure adequate access designed to minimize traffic congestion and to assure adequate service by essential public services and facilities including utilities, storm water drainage and similar facilities.

C. Revisions of Approved Site Development Plans. Minor changes from the approved plan in the location and siting of building and structures may be authorized by the Zoning Official. No change authorized by this subsection may cause the following:

- (1) A change in use of the development.
- (2) A 10% increase in the overall coverage of structures.
- (3) A change in the location of any building or structure by more than 10 feet.
- (4) An increase in the intensity of use.
- (5) A reduction of approved open space.
- (6) A reduction in approved off-street parking space.

D. Pre-Existing Uses. Any school or school support facility that was in existence prior to adoption of the ordinance codified in this subsection shall be considered lawful and may continue without approval of the Zoning Board of Adjustment. However, any expansion or extension of such pre-existing use shall be considered as a conditional use and shall comply with the provisions of this subsection with the following exception:

- (1) Proposed future additions previously approved by the Zoning Official and/or the Zoning Board of Adjustment as a part of the conditional use approval process.

E. Applicable Standard. When determining the issue of whether to approve a conditional use permit for the location of a school educational facility or a school support facility and in determining conditions attached to any such approval, the Zoning Official, Planning Commission and the Zoning Board of Adjustment shall apply the balancing of interests test set out in *City of Ames v. Story County, Iowa*, 392 N.W.2d 145 (Iowa 1986) to wit: The legitimate public interests of both the City and school district must be recognized and weighed in the balance. The City can have no absolute veto over the construction and placement of a school or school support facilities. On the other hand the school district cannot proceed oblivious of the City's authority to zone all land inside corporate boundaries. To the extent they can be, all conflicting governmental interests must be accommodated. Where they cannot be accommodated the Zoning Official, Planning Commission and the Board are to resolve the dispute, after weighing the interests, on the basis of the greater public good.

F. Pre-acquisition Site Approval Option. In order that a school district not be put in the position of having purchased or acquired a site by condemnation only to have the site subsequently disapproved for a conditional use permit, a school may apply for prior site or vicinity approval conditioned on submission of a full conditional use permit application thereafter if the district acquires the property and upon possession of the information necessary for the final application submittal and approval. In this pre-acquisition submission the school district shall

submit so much of an application as will allow the Zoning Official, Planning Commission and the Board of Adjustment to determine that the site or vicinity has or will have sufficient infrastructure sufficient to allow generally for the location of the proposed school or facility.

When requested by the school district and accompanied by a written opinion of the school district attorney to the effect that section 21.5(j) of the Code of Iowa is applicable, the Zoning Official, Planning Commission and the Zoning Board of Adjustment, subject to the provisions of Chapter 21 of the Code of Iowa, may meet with representatives of the school district in a closed session or may redact such portion of the written record as would otherwise disclose the identity of the particular property under consideration and shall treat the property identity as confidential information until the same becomes public under section 21.5(j) of the Code of Iowa.

*(Ord. 09-07 – May 09 Supp.)*

4. Site and Structure Measurements.
  - A. Minimum lot area - 1 acre.
  - B. Minimum lot width - 150 feet. A lot of record on the effective date of this Ordinance that has less width than herein required may be used for any purpose permitted in this district, provided all other provisions of this Ordinance are met.
  - C. Front yard setback - 50 feet.
  - D. Side yard setback - 10 feet; corner side yard setback - 50 feet.
  - E. Rear yard setback - 50 feet.
  - F. Maximum height - 2½ stories or 35 feet.

5. Other Provisions.

A. Accessory Uses. Uses and structures accessory to a principal permitted use or a conditional use are permitted subject to the provisions of Section 176.32 of this chapter.

B. Temporary Uses. Temporary uses are permitted subject to the provisions of Section 176.35(13) of this chapter.

C. Signs. Signs are permitted subject to the provisions of Section 176.31 of this chapter.

D. Off-street Parking and Loading. Off-street parking and loading facilities shall be provided according to the provisions of Section 176.29 of this chapter.

E. Commercial Feedlots. Commercial feedlots are specifically prohibited in the A-1 District.

F. Cluster Development Option. The Cluster Development Option is permitted subject to the provisions of Section 176.28 of this chapter.