

AMENDMENT No.2 TO ORDINANCE No. 29
“THE MONROE COUNTY UNIFIED DEVELOPMENT CODE”

BE IT ENACTED by the Board of Supervisors of Monroe County, Iowa:

SECTION 1. PURPOSE The purpose of this amendment to Ordinance No. 29 – The Monroe County Unified Development Code is to amend Chapter 1.13, Section A.17 Responsibilities for Application of Code; amend Chapter 2.2, Section F.2.g Temporary Use Permits; amend Chapter 3.1 Establishment of Zoning Districts, adding RS – Recreational Subdivision; amend Chapter 3.3, Section F – R-1 Low Density Residential and add Section K – RS-Recreational Subdivision; amend Exhibit 3.4 Use Matrix Chart; amend Chapter 5.15, Section B – Development Standards; amend Chapter 5.20, Section B – Review Criteria for Exempt Temporary Uses; amend Exhibit 6.1 – Density and Dimensional Standards to include RS District; amend Chapter 7.8, Section A - Off Premise Sign Design, Construction, Installation and Maintenance Standards; amend Exhibit 7.1 Off Premise and Billboard Signs; and amend Chapter 10.2 – Definitions, Revising the Definition of Travel Trailer.

SECTION 2. The Code of Ordinances of Monroe County, Iowa shall include the following Amendment to Ordinance No. 29:

Amendment to Ordinance No. 29 – Monroe County Unified Development Code

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Code Amendments

1.13 Responsibilities for Application of Code

Section A.17. is hereby amended as follows.

17. If the Zoning Administrator shall find that one of the provisions of this Code is being violated, the Zoning Administrator shall notify in writing the person(s) responsible for such violation, indicating the nature of the

violation and ordering action necessary to correct it. The Zoning Administrator shall order:

- a. the discontinuance of the illegal use of land, buildings or structures;
- b. the removal of illegal buildings or structures, or additions, alterations or structural changes thereto;
- c. the discontinuance of any illegal work being done;
- d. or shall take any other action authorized by this Code and the Board of Supervisors to ensure compliance and to prevent violation of its provisions including the issuance of a citation as provided by Section 9.4 of this Code and authorized by Section 331.307 of the Code of Iowa.

2.2 Administrative Permits

Section F.2.g is hereby amended as follows:

- F. Temporary Use Permits
 4. Exempt Temporary Uses. The following temporary uses shall be exempt from the requirements of this section subject to the conditions established in Chapter 5 and the review criteria established in Section 2.2.F.6.
 - g. Travel trailers located outside of a travel trailer park and placed for less than fourteen (14) days;

3.1 Establishment of Zoning Districts

The list of zoning districts is hereby amended to add the following district:

R-S Recreational Subdivision

3.3 Zoning District Regulations

Section 3.3 hereby amended as follows:

F. R-1 Low Density Residential

2. **Authorized Uses.** Exhibit 3.4 lists the uses authorized in this district. No accessory use or structure may be established unless a permanent residence exists.
3. **Performance Standards.** Development shall conform to the standards established in Chapter 6 of this Code. Adequate public facilities shall conform to the standards established in Chapter 8 of this Code. The County Sanitarian may require centralized water and wastewater provisions based upon lot size, environmental conditions or proximity to existing or planned utilities. All accessory structures, including travel trailers shall be located behind the front building line of the primary residence and shall be located at least eight (8) feet away from the primary structure. Accessory storage of a travel trailer shall be allowed only for an unoccupied trailer belonging to the occupant of the primary residence.

K. R-S – Recreational Subdivision

R-S - Summary	
Primary Uses	Low density single-family uses and seasonal parking of travel trailers
Max. Density	6 single-family dwelling units/acre

1. **Purpose.** R-S District is intended for low density residential living and seasonal use of travel trailers on individual lots. Any land rezoned to R-S shall be located on adequately constructed roads.
2. **Authorized Uses.** Exhibit 3.4 lists the uses authorized in this district. No accessory use or structure may be established unless a permanent residence exists except as allowed for a travel trailer.

3. **Performance Standards.**

- a. Development shall conform to the standards established in Chapter 6 of this Code.
- b. The County Sanitarian may require centralized water and wastewater provision based upon lot size, environmental conditions or proximity to existing or planned utilities.
- c. The occupancy of a travel trailer shall be subject to the standards established in Chapter 5; Section 5.15.
- d. All accessory structures, including travel trailers shall be located behind the front building line of the primary residence and shall be located at least eight (8) feet away from the primary structure.
- e. Accessory storage of a travel trailer shall be allowed only for an unoccupied trailer belonging to the occupant of the primary residence.
- f. Mini-warehouses or travel trailer parking areas may be authorized subject to the issuance of a conditional use permit that includes adequate provisions for landscaping, screening and establishing a durable all weather surface for parking areas and driveways.

Exhibit 3.4 Use Matrix:

The use matrix is hereby amended to add a column for the R-S District and to authorize uses in the R-S district as follows:

Single Family Residence	Permitted
Home Occupation	Permitted
Fraternal Lodges, Meeting Hall	Permitted
Community Active Building	Permitted
All Other Community Service	Permitted
Day Care 1-5 clients	Permitted
Day Care 6-12 clients	Conditional Use
Nursery or Pre-School	Conditional Use
Transmission Lines	Conditional Use
Miniature Golf	Conditional Use
Mini Warehouse	Conditional Use
Travel Trailer Storage	Conditional Use
Small Animal Care/Sales	Conditional Use
Kennel Indoors	

5.15 Single Family Residential Design Standards

Section 5.15 is hereby amended as follows:

B. Development Standards.

- 1. One (1) Residence Per Lot or Parcel. There shall only be one (1) residence allowed per lot or parcel, subject to adequate water and wastewater availability as provided in Chapter 8 of this Code
- 2. Potable Water ...
- 3. (Pre-HUD) Mobile Home ...
- 4. **Accessory Building.** Except as otherwise provided, in this section, no accessory building allowed prior to the establishment of the primary residence. No modular or manufactured home shall be used as an accessory building.
- 9. Travel Trailer Standards
 - a. General
 - (1) Travel trailers are authorized if they comply with the applicable requirements of this section.
 - (2) Travel trailers may not be parked on any street for more than twenty-four (24) hours.
 - (3) No travel trailer may be occupied or stored on a lot in an agricultural or residential district unless it is road worthy and has a current license and registration.
 - (4) Travel trailers shall not be permitted as permanent residence(s) in Monroe County.
 - (5) The travel trailer shall be located outside of the required setback areas and parked on an approved pad site. The pad site must be level, well drained,

at least twelve (12) feet wide by thirty (30) feet long, and surfaced with at least six (6) inches of compacted gravel, four (4) inches of concrete reinforced with 3/8 inch rebar, or two (2) inches of macadam on four (4) inches of compacted gravel. The travel trailer shall meet required setbacks when all slides, extensions and pop-outs are fully extended.

- (6) Any travel trailer that is not exempt from temporary use permit shall obtain a permit from the Zoning Administrator.
 - a. A permit for the temporary travel trailer will be issued at a cost of \$25.00;
 - b. The permit must be issued to the property owner(s) of the real estate;
 - c. The current registration of the travel trailer to be placed shall be presented to the Zoning Administrator (Note – the current license plate number AND the 911 address of the property will serve as the permit number);
 - d. The permit shall be placed on the travel trailer so that it may be clearly visible from the road;
 - e. The travel trailer shall meet the requirements of the County Sanitarian as outlined in the Monroe County Board of Health Rules and Regulations and Monroe County Ordinance 12;
 - f. As part of the permitting process, both the property owner and the registered owner of the travel trailer must sign a notarized affidavit agreeing to abide by the conditions of the permit and other applicable requirements.
 - g. The travel trailer shall be served by 100 amp electrical service and shall not use a generator for power except for emergency power supply when service to the subdivision is interrupted.

- b. Travel trailers located in a R-1 District may be used on a temporary basis if they meet and comply with the provisions of paragraph A of this section and the following criteria:
 - (1) Only one (1) temporary travel trailer will be allowed for each permanent residence.
 - (2) The property owner must own a minimum of two (2) adjoining lots or have sufficient area within the residential lot to park the travel trailer outside of the required building setback areas. In no case shall a travel trailer subject to a temporary use permit be parked in front of the primary residence. The travel trailer shall meet required setbacks when all slides, extensions and pop-outs are fully extended.
 - (3) A temporary travel trailer may be placed for a period not to exceed one hundred twenty (120) calendar days.
 - (4) Before a temporary travel trailer is placed, a temporary use permit shall be secured subject to the requirements of this code.
 - (5) The permit will be issued for up to one hundred twenty (120) calendar days. When the permit is issued, the property owner is required to return the temporary permit at the end of the one hundred twenty (120) days. If not returned the Zoning Administrator shall charge a \$25.00 re-inspection fee and pick up the temporary permit and administer enforcement as outlined in Chapter 9. There will be a system in place to track these permits. Only one (1) temporary permit will be allowed per calendar year. The cost for failure to return a temporary permit shall be paid prior to issuance of any additional permits for the lot or parcel.

- c. Travel trailers in a R-S District may be used on a seasonal basis subject to issuance of a temporary use permit in compliance with this code if they meet the provisions of paragraph A of this section and the following criteria:
 - (1) One (1) travel trailer may be located on a lot as a primary or accessory use from the Friday at the beginning of Memorial Day Weekend through Labor Day subject to issuance of a permit. Only one (1) permit is required per season, regardless of whether the travel trailer is removed from the site during the season.

- (2) One (1) travel trailer may be located on a lot on a temporary basis for up to four (4) weeks between Labor Day and Memorial Day weekend subject to issuance of a temporary use permit. Up to two (2) off-season permits may be issued for any lot or parcel between Labor Day and Memorial Day weekend in any year. If the applicant wishes to use the off-season permits to extend the season, the Zoning Administrator may note this on a single permit.
- (3) When a permit is issued, the property owner is required to return the temporary permit at the end of the permit period. If not returned the Zoning Administrator shall charge a \$25.00 re-inspection fee, pick up the temporary permit and administer enforcement as outlined in Chapter 9. There will be a system in place to track these permits. The cost for failure to return a seasonal or off-season permit shall be paid prior to issuance of any additional permits for the lot or parcel.

B.10 More Than One Lot Used for Set-Backs. In R-1 and R-S areas where more than one (1) lot is used and developed to meet minimum required setbacks when obtaining a zoning placement permit a notarized affidavit will be signed by the property owner with assurances that the property owner will maintain the lots as one (1) parcel to preserve the setbacks established and recorded in the Office of the Recorder.

B. 11 Floor Area. A dwelling unit shall be not less than six hundred forty (640) square feet and at least 75% of its narrow dimension shall have a minimum width of twenty (20) feet. In the R-S District, the minimum square footage for a dwelling unit is three hundred fifty (350) square feet and the narrowest horizontal dimension shall be twelve (12) feet. For the purposes of this section the floor area square footage shall be based on the exterior main level dimension.

5.20 Temporary Uses

Section 5.20 is hereby amended as follows:

B. Review Criteria for Exempt Temporary Uses

- 8. Travel trailers located outside a travel trailer park, R-1 District or R-S District shall not be used as a place of human habitations for more than one hundred twenty (120) days in any twelve month period, or it shall be classified as a mobile home. Monroe County shall not enforce temporary use permit requirements for a single travel trailer parked for two (2) or fewer nights on any lot or parcel in the R-1 or R-S Zoning District.

Exhibit 6.1: Density and Dimensional Standards

Exhibit 6.1 is hereby amended to include standards for the R-S District as follows:

Zoning District	Maximum Density Units/Acre	Min. Lot Size (net) Lot Area Per Dwelling Unit in Square Feet				Minimum Setbacks ¹			Max. Height (ft.)
		Lot Area (Sq ft.)	Single Family Dwelling	Two Family Dwelling	Lot Width Ft.	Front (ft.)	Side ² (ft.)	Rear ² (ft.)	
RS	6/acre	6,000	6,000	-	60	20	10/10	20/10	35/15

Section 7.8 Off-Premise Sign Design, Construction, Installation and Maintenance Standards

Off-premise signs shall not be erected or structurally modified prior to issuance of a permit.

- A. Generally. Off-premise signs shall be limited to the (C) Commercial Service District, I-1 and I-2 Districts.

Off-Premise and Billboard Signs						
Commercial I-1, I-2	Off-Premise signs: Identification of off-premise, product, material or equipment for sale/use off-premise/one sign	200 square feet	25 feet	Direct or indirect	Permanent	Yes

Chapter 10

Section 10.2 Definitions

Revise the definition of Travel Trailer as follows:

Travel Trailer or Camping Trailer. A vehicle with or without motive power that is or was initially used, designed or constructed to be used as a conveyance upon the public streets and highways and so designed to permit the vehicle to be used as a place of human habitation by one or more persons. This definition includes recreational vehicles.

In all sections of the Unified Development Code when the R-1 area is referenced R-S shall be added where applicable and appropriate.

SECTION 3. REPEALER CLAUSE. All Ordinances in conflict herewith are hereby repealed.

SECTION 4. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 5. An official copy of Ordinance No. 29, including a certificate of the County Auditor as to its adoption and the effective date, and a copy of this amendment is on file in the Office of the County Auditor, 10 Benton Ave. East, Albia, Iowa, Monday through Friday, 8:00 a.m. to 4:00 p.m. and shall be kept available for public inspection.

SECTION 6. All provisions of this amendment to Ordinance No. 29 shall be in effect from and after its final passage, approval and publication as provided by law, Section 331.302 Code of Iowa.

Passed and approved by the Board of Supervisors the 7th day of April, 2009.

MONROE COUNTY, IOWA

Dennis J. Ryan

DENNIS J. RYAN, Chairman
Monroe County Board of Supervisors

ATTEST:

Jeannie Bettis

By: Rhonda J. Kness

JEANNIE BETTIS, Monroe Co. Auditor

I, Jeannie Bettis, Monroe County Auditor, certify the foregoing Amendment to Ordinance No. 29 "The Monroe County Unified Development Code" was published April 9 and April 14, 2009.

Jeannie Bettis

JEANNIE BETTIS, Monroe Co. Auditor

Passage of Amendment to Ordinance No. 29
First Reading - April 7, 2009
Second Reading – *waived April 7, 2009*
Third Reading – *waived April 7, 2009*
Final Consideration & Passage – April 7, 2009

Proposed Amendment to Ordinance No. 29 – published March 19, 2009 and March 24 2009.

