

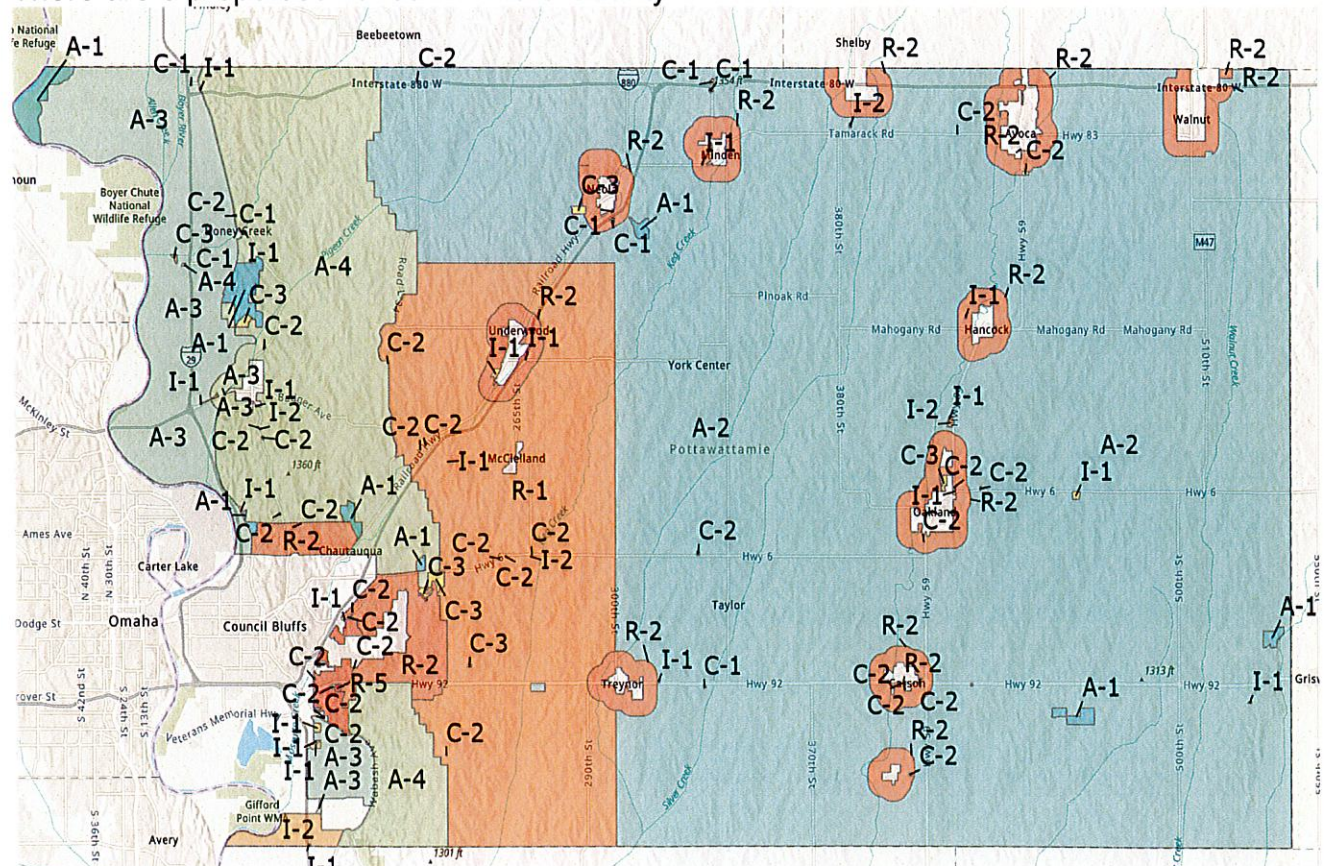
TO: Planning and Zoning Commission
FROM: Matt Wyant, Director
DATE: May 5, 2023
RE: Case #ZTA-2021-01

APPLICANT: Robert Nawojski

REQUEST: Zoning text to amend the Pottawattamie County, Iowa, Zoning Ordinance, Section 8.060.020.01 A., Principal Uses for the Class I-2 (General Industrial) District, by adding C. Automobile, boat, farm implement and equipment, motorcycle, mobile home, trailer and truck sales, rental and service.

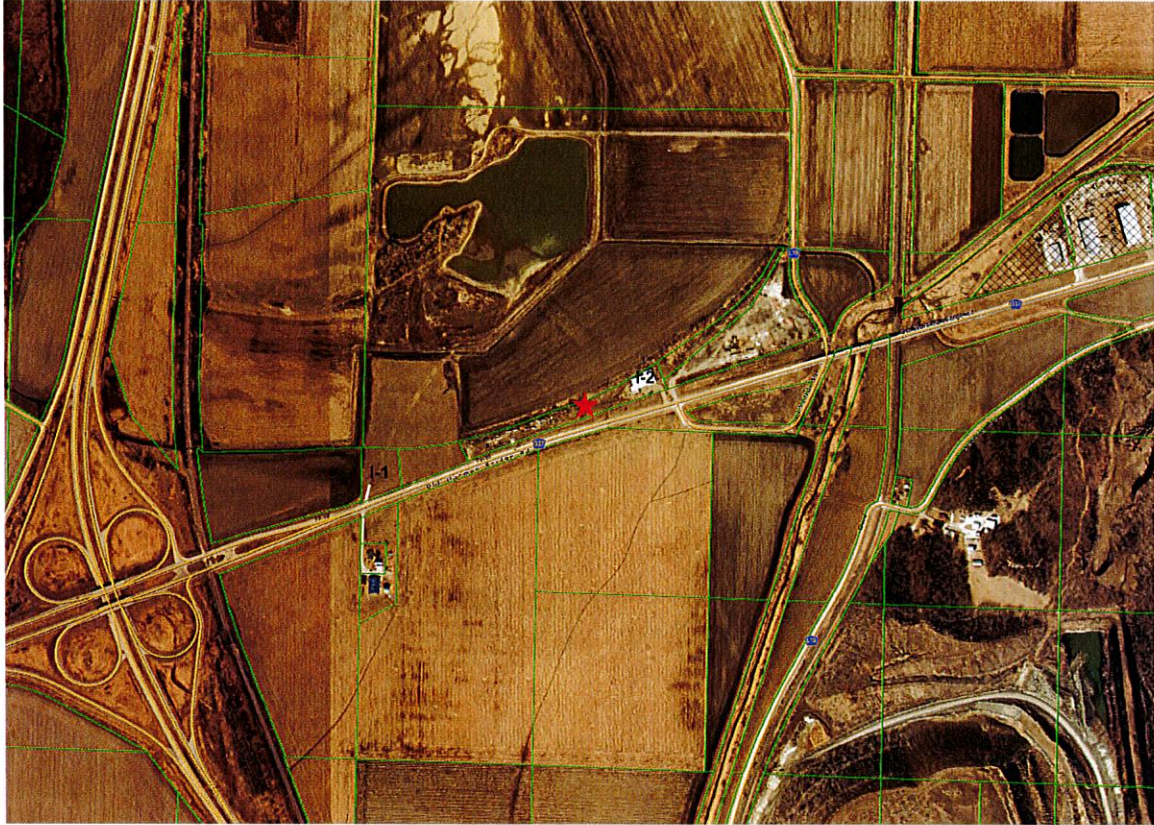
Automobile, boat, farm implement and equipment, motorcycle, mobile home, trailer and truck sales, rental and service is a principal uses in the I-1 (Limited Industrial) Zoning District.

There are 6 properties zoned I-2 in the County.



Attachment #1 is Pottawattamie County's current I-2 (General Industrial) District Zoning Ordinance.

Although you are voting on whether to approve or deny the Zoning Text Amendment and are not approving or denying a specific site, the applicant requesting this amendment proposes truck and equipment sales in conjunction with his manufacturing business located at 15684 Old Mormon Bridge Road approximately $\frac{3}{4}$ of a mile west of Crescent City Limits. Properties in the immediate area are a mixture of industrial and agricultural ground.



CHAPTER 8.060
GENERAL INDUSTRIAL DISTRICT

8.060.010 INTENT: The Class I-2 District is intended primarily for those activities and uses of a heavy industrial nature. Since this is the least restrictive of any *district*, many uses are permissible which involve hazardous operations or circumstances, or create conditions of effects which, if not properly managed, could be unhealthy, offensive or injurious to workers or the public-at-large. For this reason and because of the performance standards set forth in this Ordinance provide only limited control, it is necessary that any application of a Class I-2 District in proper spatial relationship to adjoining *districts* in respect to prevailing winds, traffic routes, railway facilities and similar considerations. Land requirements for most general industrial uses generally dictates its application along major streets and highways, railroad lines, and other major transportation corridors of the County which generally lie close to other commercial and industrial districts. (*Ordinance #2015-05/12-18-2015*)

8.060.020 PRINCIPAL USES: The following *principal uses* shall be permitted in a Class I-2 District: (*Ordinance #81-6/10-01-81*)

.01 A

A. *Agricultural* grain and seed and stock feed drying, processing and storage. (*Ordinance #81-6/10-01-81*)

B. Automobile and other vehicle assembly. (*Ordinance #81-6/10-01-81*)

.02 B

A. Bag, carpet and rug cleaning, provided necessary equipment is installed and operated for effective precipitation or recovery of dust. (*Ordinance #81-6/10-01-81*)

B. Boiler shops. (*Ordinance #81-6/10-01-81*)

C. Bottling plants. (*Ordinance #81-6/10-01-81*)

D. Brick, tile or terra cotta manufacture. (*Ordinance #81-6/10-01-81*)

E. Building of marine pleasure craft. (*Ordinance #81-6/10-01-81*)

.03 C

A. Coal combustion residue landfills, which shall be located on property contiguous to the facility where the coal combustion residue is generated, subject to approval by the Iowa Department of Natural Resources and the *County Board*. (*Ordinance #2006/9-15-06*)

B. Commercial parking lots and *structures* for passenger vehicles in accordance with the provisions of Chapter 8.080. (*Ordinance #81-6/10-01-81*)

- C. Convenience stores, including package foods and picnic supplies. (Ordinance #81-6/10-01-81)
 - D. Cooperaage works. (Ordinance #81-6/10-01-81)
 - E. Creameries, including wholesale manufacturing of ice cream. (Ordinance #81-6/10-01-81)
- .04 D
- A. *Demolition rubble waste disposal sites*, provided that no such disposal site shall be located closer than two (2) miles to the corporate limits of any municipality having a population of greater than 25,000, according to the latest federal census. (Ordinance #88-15/12-08-88)
 - B. Drop forge and forming industries manufacturing forgings with power hammers. (Ordinance #81-6/10-01-81)
- .05 E
- A. Electric power generators, including transformer stations or substations. (Ordinance #81-6/10-01-81)
- .06 F
- A. Feed and seed sales and storage, including *grain elevators*. (Ordinance #81-6/10-01-81)
 - B. Flammable liquids, underground storage only, not to exceed fifty thousand (50,000) gallons per storage unit, provided such storage units shall be located not less than three hundred (300) feet from any Class "R" or "C" District. (Ordinance #81-6/10-01-81)
- .07 G
- A. *Garages* for general motor vehicle repair, including major body and fender work, and overall painting and upholstery, but not including motor vehicle wrecking or used parts yards or outside storage of component parts. (Ordinance #81-6/10-01-81)
 - B. Governmental *structures* or uses including fire stations, libraries, police stations, post offices, substations and roadside rest areas; but excluding sanitary landfills or uses similar in their scope or effect. (Ordinance #81-6/10-01-81)
- .08 H
- .09 I
- A. Infectious medical waste incinerators and incinerators, subject to approval of the Iowa Department of Natural Resources and the *County Board*, provided

that all portions of the operation shall be conducted within an enclosed building and further provided that no such use or structure shall be located closer than one thousand three hundred twenty (1,320) feet to any Class "R" District or platted residential subdivision or dwelling other than the lessee or owner of the site (*Ordinance #2004-14/07-01-04*)

B. Iron or steel or fabrication plant and heavyweight casting foundries. (*Ordinance #81-6/10-01-81*)

.10 J

A. *Junk* yards, vehicle and industrial salvage yards, used lumber yards, salvaged wood yards, wrecking yards, and used parts yards; provided the operation is not located closer than three hundred (300) feet from any Class A-1 or "R" District or platted residential subdivision nor closer than two hundred (200) feet from any Class "C" District; and further provided the operation is conducted with a *yard* enclosed on all sides with a *sight obscuring fence*, not less than eight (8) feet high of uniform design and uniform color, which substantially screens the area in which *junk* and material stored or deposited from sight of the nearest *street* or *highway*. The fence must be kept in good repair and it shall not be used for advertising displays or *signs*. Suitable opaque gates are required, which shall be closed and shall be locked after business hours, or when the yard is unattended. Provided, however, a portion of any gate, not to exceed ten (10) feet in length, may be constructed on a non-opaque material to permit observation of the fenced premises after business hours. (*Ordinance #2004-14/07-01-04*)

.11 K

.12 L

.13 M

A. Manufacturing, assembling, packaging or comparable treatment of electric, electronic or gas appliances, instruments and devices of any kind, including kitchen appliances; small industrial instruments and devices; radios, phonographs, and television sets; cameras and other photographic equipment; musical instruments, toys, novelties, and rubber and metal hand stamps; medical, dental and drafting instruments; small precision instruments, such as barometers, clocks, watches and compasses; and including the manufacturing of small accessory parts, such as coils, condensers, transformers, crystal holders and similar products. (*Ordinance #81-6/10-01-81*)

B. Manufacturing, assembling, painting and repair of electric and neon signs, and outdoor advertising signs and structures. (*Ordinance #81-6/10-01-81*)

C. Manufacturing, compounding, processing, assembling, packaging, or other comparable treatment of articles or merchandise derived from previously prepared materials, specifically listed as follows: bone, canvas, cardboard,

cellophane, cloth, cord, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, natural or synthetic rubber, paper, plastic, precious or semi-precious metals or stones, shell, textiles, tobacco, wax, wood, yarns; and light metal mesh, pipe, rods, strips or wire. (*Ordinance #81-6/10-01-81*)

D. Manufacturing, processing, packaging, or other comparable treatment of drugs, general pharmaceutical products, cosmetics, perfume, and toiletries. (*Ordinance #81-6/10-01-81*)

E. Manufacturing, processing, packaging, or other comparable treatment of pottery, figurines or other similar ceramic products, using only previously pulverized clay and kilns fired only by electricity or gas. (*Ordinance #81-6/10-01-81*)

.14 N

.15 O

.16 P

A. Plastic manufacturing. (*Ordinance #81-6/10-01-81*)

B. Processing, packaging, or other comparable treatment of bakery goods, candy, canned foods, processed dairy products, and other food products, except fish and meat products, sauerkraut, vinegar, yeast, and the rendering of refining of fats and oils. (*Ordinance #81-6/10-01-81*)

.17 Q

.18 R

A. Railroad and freight stations, including freight classifications yards and repair shops; provided no such station, yard or shop shall be closer than two hundred (200) feet from any Class "R" District or platted residential subdivision. (*Ordinance #2004-14/07-01-04*)

B. Restaurants, cafes, and drive-in eating and dining places. (*Ordinance #81-6/10-01-81*)

C. Rolling mills. (*Ordinance #81-6/10-01-81*)

.19 S

A. Sawmills, planing mills, including lumber yards and the manufacture of wood products not involving chemical treatment. (*Ordinance #81-6/10-01-81*)

B. Service stations, including dispensing of diesel fuels and complete truck service. (*Ordinance #81-6/10-01-81*)

C. Sexually oriented businesses, subject to the terms of Chapter 3.55, Sexually Oriented Businesses Ordinance, Pottawattamie County, Iowa. (Ordinance #2003-12/10-03-03)

D. Soap manufacture. (Ordinance #81-6/10-01-81)

E. Stone polish manufacture. (Ordinance #81-6/10-01-81)

.20 T

A. Towers with a height not exceeding two hundred (200) feet, subject to the requirements of Section 8.004.220. (Ordinance #2007-09/10/12/07)

B. Transformer stations, booster stations, and utility stations; including utility yard and *garage* for service or storage. (Ordinance #81-6/10-01-81)

.21 U

.22 V

.23 W

A. Welding, blacksmithing, or other metal working shops, employing reciprocating hammers and other noise producing machine-operated tools. (Ordinance #81-6/10-01-81)

.24 X

.25 Y

.26 Z

8.060.030 CONDITIONAL USES: The following *conditional uses* shall be permitted in a Class I-2 District, when authorized in accordance with the requirements of Chapter 8.096: (Ordinance #81-6/10-01-81)

.01 A

A. Abattoirs and slaughter houses or stock yards. (Ordinance #81-6/10-01-81)

B. Alfalfa drying, processing and storage and sales. (Ordinance #81-6/10-01-81)

C. Asbestos, cement, gypsum, lime or plaster of paris manufacture. (Ordinance #81-6/10-01-81)

.02 B

.03 C

- A. Chemical and acid manufacturing, processing and wholesale storage. (Ordinance #81-6/10-01-81)
- .04 D
- A. *Demolition rubble waste sites*, which such disposal site may be located closer than two (2) miles to the corporate limits of any municipality having a population of greater than 25,000, according to the latest federal census. (Ordinance #88-15/12-08-86)
- .05 B. Distillation of bones. (Ordinance #81-6/10-01-81)
E
- A. Explosive manufacture or storage. (Ordinance #81-6/10-01-81)
- .06 F
- A. Fat rendering. (Ordinance #81-6/10-01-81)
 - B. Fertilizer and/or agricultural chemical manufacture, blending and storage. (Ordinance #81-6/10-01-81)
- .07 G
- A. Glue, size or gelatin manufacture. (Ordinance #81-6/10-01-81)
 - B. Garbage, offal or dead animal reduction or dumping. (Ordinance #81-6/10-01-81)
 - C. Gas manufacture and cylinder recharging. (Ordinance #81-6/10-01-81)
- .08 H
- .09 I
- .10 J
- .11 K
- .12 L
- .13 M
- .14 N
- .15 O
- .16 P
- A. Paper and pulp manufacture. (Ordinance #81-6/10-01-81)

- B. Petroleum and minerals or their products, exploration, extraction, refining, or wholesale storage of, including asphalt manufacturing or refining plants. (Ordinance #81-6/10-01-81)
- .17 Q
- .18 R
- A. Rubber goods manufacture. (Ordinance #81-6/10-01-81)
- .19 S
- A. Sand and gravel pits, or quarries. (Ordinance #81-6/10-01-81)
- B. Smelting and alloying of tin, copper, zinc or iron ores. (Ordinance #81-6/10-01-81)
- C. Solid waste transfer stations. (Ordinance #81-6/10-01-81)
- .20 T
- A. Tannery or the curing or storage of raw hides. (Ordinance #81-6/10-01-81)
- B. Transmitting stations and towers, exceeding two hundred (200) feet, subject to the requirements of Section 8.004.220. (Ordinance #2007-09/10-12-07)
- .21 U
- .22 V
- .23 W
- A. Wholesale fuel supply outlet or distributor. (Ordinance #81-6/10-01-81)
- .24 X
- .25 Y
- .26 Z

8.060.040 ACCESSORY USES: The following *accessory uses* shall be permitted in a Class I-2 District: (Ordinance #81-6/10-01-81)

- .01 *Accessory uses and structures* normally incidental and subordinate to one of the permitted *principal or conditional uses*, unless otherwise excluded. (Ordinance #81-6/10-01-81)
- .02 Display *signs*, subject to the provisions of Chapter 8.090. (Ordinance #81-6/10-01-81)

.03 Outdoor advertising signs and billboards, subject to the provisions of Chapter 8.090.

8.060.050 OFF-STREET PARKING AND LOADING: *Off-street parking and loading spaces* shall be provided in accordance with Chapter 8.080 for permitted *principal and conditional uses* in a Class I-2 District. (Ordinance #81-6/10-01-81)

8.060.060 HEIGHT REQUIREMENTS: The maximum height of *buildings and structures* in a Class I-2 District shall be seventy-five (75) feet, provided that no *building or structure* within two hundred (200) feet of any Class "R" District or platted residential subdivision shall exceed forty-five (45) feet in height. (Ordinance #2004-14/07-01-04)

8.060.070 SETBACK REQUIREMENTS: The *setback* requirements for *buildings and structures* in a Class I-2 District shall be as follows: (Ordinance #81-6/10-01-81)

.01 The *front yard setback* shall be a minimum of twenty-five (25) feet. (Ordinance #81-6/10-01-81)

.02 The *side yard setback* shall be a minimum of fifty (50) feet when such *yard* abuts a Class "A" District and shall be a minimum of seventy-five (75) feet when such *yard* abuts a Class "R" District or platted residential subdivision. (Ordinance #2004-14/07-01-04)

.03 The *rear yard setback* shall be a minimum of fifty (50) feet when such *yard* abuts a Class "A" District and shall be a minimum of seventy-five (75) feet when such *yard* abuts a Class "R" District or platted residential subdivision. No *rear yard setback* shall be required when the *rear yard* adjoins a railroad *right-of-way*. (Ordinance #2004-14/07-01-04)

.04 The minimum *setback* between *buildings* situated on the same site shall be ten (10) feet. (Ordinance #81-6/10-01-81)

8.060.080 LOT SIZE AND COVERAGE REQUIREMENTS: The minimum *lot* size and maximum *lot* coverage for uses in a Class I-2 District shall be as follows, except as provided in Section 8.004.030 for *lots not having common water and/or sewer facilities*: (Ordinance #81-6/10-01-81)

	USE	MINIMUM LOT			MAXIMUM LOT
		AREA	WIDTH	DEPTH	COVERAGE
.01	Any Permitted Use	1.0 Acres	80'	100'	70%

(Ordinance #81-6/10-01-81)