

DIVISION 40: "F-1" FLOOD PLAIN DISTRICTS

Sections:

40.1 Statement of Intent	40.4 Required Conditions
40.2 Permitted Uses	40.5 Height Regulations
40.3 Special Use Exceptions	40.6 Bulk Regulations for Dwellings and Accessory Buildings

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**40.1 STATEMENT OF INTENT**

The "F-1" District is designed and intended to be applied by the county to properties which lie within areas where special regulations are necessary in order to minimize the danger to life and property which results from flood waters. These regulations are further intended to protect the floodplain from encroachments or developments that would obstruct, contain, or divert the passage of floodwaters. This district and the regulations herein shall apply to all lands in addition to the regulations of any other zoning districts, which now, or in the future, may lie within the boundaries of this district.

**40.2 PERMITTED USES**

The regulations set forth in this Ordinance which are applicable, shall apply in the "F-1" District. A building or premises shall be used only for the following purposes:

*40.2.1. Permitted Principal Uses.*

1. Agriculture, including customary agriculture buildings, structures and dwellings. Such uses are not subject to the provisions of Sections 60.5 and 60.6.
2. Baseball or football fields provided that the location of such field shall comply with the distance requirements in Section 50.4.
3. Public parks, playgrounds and community center, private recreation areas and facilities, including country clubs, golf courses, riding stables, fishing lakes, boat docks, bed and breakfast homes.
4. All other uses permitted within the A-1 agricultural district when in compliance with the Louisa County Floodplain Ordinance.

*40.2.2. Permitted Accessory Uses.*

1. Accessory uses and structures customarily incidental to a permitted principal use in the "F-1" District.
2. Any other accessory use that is determined by the Board of Adjustment to be necessary and incidental to any aforesaid permitted principal use and located on the same lot therewith, but not including any permanent residence except for a watchman or caretaker employed on the premises.

**40.3 SPECIAL USE EXCEPTIONS**

When authorized by the Board of Adjustment, the following uses may be allowed in this district.

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- 40.3.1. Outdoor rifle or skeet shooting ranges; on premises located as to comply with three times the distance required in Section 50.4 and which premises are suitable for such use, for reason, among others of topography, screening by trees or other features, and also in consideration of the present and potential use of adjacent properties.
- 40.3.2. Gravel pits and stone quarries located as to comply with two times the distance required in Section 50.4.
- 40.3.3. Any other use which, in the opinion of the Board of Adjustment, will not, when located, constructed and operated as proposed, be inconsistent with the purposes intended to be served by the provisions prescribed in this Article for the "F-1" District, among other, or protecting human life, preventing material losses and reducing the cost of the public of relief or rescue efforts occasioned by the unwise occupancy of areas subject to floods; and which use, at the same time, will not impair the present or potential use of adjacent properties.

**40.4 REQUIRED CONDITIONS**

All uses, buildings, or premises, for which compliance with the distance requirement in this section is stipulated in the foregoing sections of this Article, shall be distant at least 200 feet from any lot in a "R" District or any lot occupied by a dwelling or by any school, church, or institution for human care.

**40.5 HEIGHT REGULATIONS**

No principal structure shall exceed two and one-half (2 ½) stories or 35 feet in height, and no accessory structure shall exceed one story or 15 feet in height, except as provided in Article 4.

**40.6 BULK REGULATIONS FOR DWELLINGS AND ACCESSORY BUILDINGS**

The following minimum requirements shall be observed, subject to the additional requirements, exceptions, and modifications in Article 4.

Each lot shall be owned and not leased and shall contain a minimum area of ~~five (5)~~ two (2) net acres exclusive of easement for public roadway purposes, and subject to the following requirements:

40.6.1. 1-2 ½ Stories.

Minimum Lot Width	<del>300 Feet</del> 225 Feet
Minimum Front Yard Depth	Along State and Federal roads: 80 Feet Other public roads: 60 Feet
Minimum Side Yard Width	30 Feet
Minimum Rear Yard Depth	100 Feet

DIVISION 50: "C-1" CONSERVATION DISTRICTS

Sections:

50.1 Statement of Intent	50.4 River Terminals
50.2 Permitted Uses	50.5 Height Regulations
50.3 Special Use Exceptions	50.6 Bulk Regulations for Residential Dwellings

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**50.1 STATEMENT OF INTENT**

The "C-1" District is intended to provide for the retention of unique, scenic or other natural environments; to conserve certain areas of historical value, bluffs, virgin prairie, natural ground cover, and forests; to protect natural spawning grounds, feeding grounds and wildlife habitats; to protect natural watercourses, drainage basins and watershed areas; and to reserve or protect appropriately located public recreation facilities within or proximate to the county's scenic natural recreation areas.

**50.2 PERMITTED USES**

The regulations set forth in this Ordinance which are applicable, shall apply in the "C-1" District. A building or premises shall be used only for the following purposes:

50.2.1. *Permitted Principal Uses.*

1. Agriculture and agricultural buildings including farmhouses. Such uses are not subject to the provisions of height or frontage sections.
2. Public parks, playgrounds, and recreational areas.
3. Essential services as defined in Article 1.
4. Dwellings, along any lake, river, or slough, in or bordering Louisa County, provided that the lot size, yard and building height comply with the regulations stipulated in the lot frontage requirements.

50.2.2. *Permitted Accessory Uses.*

1. Real estate signs of a temporary nature not exceeding two in number per lot nor larger than 12 square feet setback 20 feet from any roadway.
2. Signs not exceeding four (4) square feet in area indicating the type of plant being grown or the type of fertilizer being used.
3. Signs not exceeding 20 square feet in area pertaining to a permitted recreation use or areas of scenic beauty provided such signs shall be setback at least 30 feet from any right-of-way and there shall be a distance of 300 feet between any such signs.

**50.3 SPECIAL USE EXCEPTIONS**

When authorized by Board of Adjustment, the following uses may be allowed in this district.

- 50.3.1. Sanitary landfills, in accordance with county and state regulations except that no sanitary landfill shall be operated within 1,320 feet of any "R" District.

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50.3.2. Mining, loading of sand or gravel, including equipment, building or structures for screening, crushing, mixing, washing, or storage located not less than 500 feet from any "R" District.

50.3.3. Privately operated country clubs, golf course, marinas or docking facilities, guest ranches, swimming clubs, riding stables, lakes, resorts, and similar recreational uses provided that any principal or accessory building in connection therewith shall be located not less than 200 feet from any lot in an "R" District.

**50.4 RIVER TERMINALS**

Privately owned and operated river terminals located not less than 500 feet from any dwelling, for the purpose of buying, selling, exporting, importing, and storing agricultural commodities of all kinds, and including, but not limited to, petroleum products, coal and other fuel, fertilizers and other agricultural chemicals, limestone, phosphate, and other materials.

**50.5 HEIGHT REGULATIONS**

No principal structure shall exceed two and one-half stores or 30 feet in height, and no accessory structure shall exceed 15 feet in height, except as provided in Article 4.

**50.6 BULK REGULATIONS FOR RESIDENTIAL DWELLINGS & ACCESSORY BUILDINGS**

The following minimum requirements shall be observed subject to the additional requirements exceptions, and modifications in Article 4. Each dwelling shall be located on a lot containing a minimum of 22,000 square feet with a minimum lot width of 100 feet. Each lot shall be owned and not leased.

50.6.1. 1-2 ½ Stories.

Minimum Front Yard Depth	40 Feet
Minimum Side Yard Width	25Feet
Minimum Rear Yard Depth	40 Feet

DIVISION 60: "A-1" AGRICULTURAL DISTRICTS

Sections:

60.1 Statement of Intent	60.5 Height Regulations
60.2 Permitted Uses	60.6 Bulk Regulations for Dwellings and Accessory Buildings
60.3 Home Occupation	60.7 Temporary Permits
60.4 Special Use Exceptions	

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**60.1 STATEMENT OF INTENT**

The intent of the "A-1" District is to preserve land best suited for agriculture from the encroachment of incompatible uses and to preserve agricultural land suited to eventual development in other uses until such time as streets, utilities, and other community facilities may be provided or programmed as to ensure the orderly and beneficial conversion of these lands to nonagricultural use.

**60.2 PERMITTED USES**

The regulations set forth in this Ordinance which are applicable, shall apply in the "A-1" District. A building or premises shall be used only for the following purposes:

60.2.1. *Permitted Principal Uses.*

1. Any use or structure permitted and as regulated in the "C-1" District except as hereinafter modified.
2. Cemeteries of 10 acres or more in size.
3. Churches, chapels, or parish houses located not less than 20 feet from any side lot line in any "R" District.
4. Any building or structure occupied or used for nursery, elementary, junior high or high schools, public libraries, and similar public cultural uses located not less than 20 feet from any side lot line.
5. Sale of nursery and greenhouse products.
6. Railroad rights-of-way and trackage, not including switching, storage, terminal facilities or freight yards.
7. Single family detached dwellings.
8. Transformer stations and booster or pressure regulating stations, without service yard or storage.
9. Mobile home or mobile home converted to real estate.
10. Dwellings along any lake, river, or slough, in or bordering Louisa County, provided that the lot size, yards and building height comply with the regulations stipulated in the "C-1" District.
11. Private Kennels

60.2.2. *Permitted Accessory Uses.*

1. Any "C-1" District accessory uses.

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2. Buildings, structures, and uses accessory to agricultural uses including roadside stands, selling produce grown on the premises, provided such roadside stands are located not less than 20 feet from a street or highway right-of-way line.
  - a) Signs accessory to roadside stands shall be limited to two signs per lot with no sign being larger than 10 square feet in area and setback 10 feet from the right-of-way of a street, highway or road.
3. Real estate signs of a temporary nature, not exceeding two in number per lot nor larger than 12 square feet, setback 20 feet from any highway, street or road.
4. Small announcement or professional signs, not over 8 square feet in area, except that an announcement sign or bulletin board, not over 18 square feet in area, setback 20 feet from any highway, street or road, may be erected in connection with any of the permitted principal uses of a nonresidential nature. Private directional signs, not over 150 square feet in area, set back 20 feet from any highway, street or roadway, may be erected along a state or federal highway.
5. Private garages or parking areas.
6. Living quarters of persons employed on the premises for agricultural/labor purposes.
7. Office of a physician, dentist, lawyer, architect, engineer, clergyman or accountant or any other licensed professional designation within his/her dwelling.
8. Commercial Storage and distribution of liquid petroleum, anhydrous ammonia, dry fertilizer, and agricultural chemicals, coal, lime or other minerals, located not less than 500 feet from any dwelling.

### **60.3 Home Occupations** (*Home Business and Home Industry*)

The intent is to allow home businesses in a A-1 district, if they do not conflict or distract from adjacent landowners enjoyment of their land or cause unnecessary damage to public roads.

If the zoning districts permit it as a accessory use, these uses are allowed for the current occupants only if in compliance with the following procedure and restrictions:

#### **60.3.1 Home Business**

##### A. Application

1. The home business person must apply in writing to the Zoning Administrator for approval of his/her home business.
2. The applicant shall provide information showing how the proposed business will comply with all of the restrictions stated within this sub-section.
3. The application shall be accompanied by a non-refundable filing fee of \$50.00.
4. If the application complies with the restriction of this sub-section, the zoning administrator will confirm the approval in writing to the applicant.

##### B. Renewal: The approval will not require renewal unless:

1. A new family/occupant intends to run the business
2. The business person intends to substantially change the home business
3. The business has ceased operations for more than 12 consecutive months.
4. Legal pre-existing home occupations are not required to apply for approval.

C. Restrictions

1. The home business must be conducted entirely within the home if it is a home business and must be occupied by the deed holder of the dwelling located at the business site.
2. No home business shall have retail sales of any products not prepared on site.
3. One advertising sign is permitted on the premises with the following requirements:
  - (a) Not larger than twenty (20) square feet: and
  - (b) Posted within two (2) feet and parallel with the dwelling; or
  - (c) Posted no closer than twenty (20) feet of the road right-of-way if the dwelling is located behind the sixty (60) foot dwelling setback line; and
  - (d) The sign may be illuminated.
4. For home business, no more than one (1) non-resident assistant is allowed, whether full time or part time. In addition, only one (1) employee vehicles are allowed on the dwelling site at one time and all on-site work must occur inside the dwelling.
5. The home business shall have no evidence of such business being conducted in or on the premises due to outdoor displays or storage, excessive noise, obnoxious odors, electrical disturbances, or considerable increase in vehicular traffic. Junk materials, supplies, unassembled parts and equipment shall be stored entirely within the home business.
6. The home business shall provide no more than four (4) designated, yet inconspicuous parking spaces on the premises, outside the road right-of-way. The application may be denied if the type of vehicular activity using the County or private road leading to the site will cause increased dust problems or damage to the roads, as determined by the County Engineer and the County Zoning Administrator.

**60.3.2 Home Industry**

The intent is to allow industries in an A-1 district if they do not conflict or distract from adjacent landowners enjoyment of their land or cause unnecessary damage to public roads.

A. Application

1. The home industry person must apply in writing to the Zoning Administrator for the approval of his/her home industry
2. The applicant shall provide information showing how the proposed industry will comply with all the restrictions stated within this sub-section
3. The application shall be accompanied by a non-refundable filing fee of \$100.00
4. If the application complies with the restrictions of this sub-section the Zoning Administrator will confirm the approval in writing to the applicant
5. For a home industry, the Administrator will also notify in writing all land owners within 500 feet of the business facility of the approved home industry. The approval will not require renewal unless:
  - A. A new family/ occupant intends to run the business,
  - B. The business person intends to substantially change the home industry, or
  - C. The business has ceased operations for more than 12 consecutive months.
6. Legal pre-existing home industries are not required to apply for approval.

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### B. Restrictions

1. The home industry must be conducted entirely within the home and /or accessory building, so there is no evidence of such industry being conducted on the premises due to outdoor displays or storage, excessive noise, obnoxious odors, electrical disturbances, or considerable increase in vehicular traffic. Home industries are allowed in A-1 zoning districts and may include assembly, processing, fabrication, agricultural equipment, household appliances, warehousing, and distribution, lawn service, contractors equipment storage, and sales of products prepared on site.
2. The industry shall provide no more than four (4) designated, yet inconspicuous parking spaces on the premises outside the road right-of-way. An application may be denied if the type of vehicular activity using the County or private roads leading to the site will cause increased dust problems or damage the roads, as determined by the County Engineer and the County Zoning Administrator.
3. For the home industry, two (2) advertising signs will be permitted on the premises with the following requirements:
  - (a.) First sign
    - (1) Not larger than twenty (20) square feet: and
    - (2) Posted within two (2) feet and parallel with the building; or
    - (3) Posted no closer than twenty (20) feet of the road right-of-way if the building is located behind the sixty (60) foot dwelling setback line; and
    - (4) The sign may be illuminated.
  - (b.) Second Sign
    - (1) Placed flat against any one side of the building not larger than 32 square feet.
4. For home industries no more than four (4) non-resident employees is allowed, whether they are full or part time. In addition, only four (4) employee vehicles are allowed on the site at one time and all on site work must occur inside the home or accessory building.
5. For a home industry, no more than 2400 square feet of an accessory building can be devoted to the business.
6. The home industry accessory building shall be located within 300 feet of the dwelling at the facility.
7. No home industry shall be allowed in an accessory building that is less than 2 years old at the time of the application.
8. No home industry shall have retail sales of any products not prepared on site.
9. The owner-operator of the home industry shall also be the deed holder of the dwelling located at the industry site.
10. The home industry facility must be located on a hard surface road made of concrete or asphalt within a two (2) mile radius of any incorporated city within the county, and must be located more than 500 feet from the nearest neighbor's residence, or business operation
11. Junk materials, supplies, unassembled parts and equipment shall be stored entirely within the home industry's building
12. All hazardous wastes, by-products and emissions must be stored and/or disposed of in conformance with Federal, State, local regulations



**60.4 SPECIAL USE EXCEPTIONS**

When Authorized by Board of Adjustment, the following uses may be allowed in this district:

- A. Any use as regulated in a “C-1” District, except as hereafter modified.
- B. Airports and landing fields.
- C. Public sanitary landfills, when authorized by the Board of Supervisors.
- D. Commercial Kennels

**60.5 HEIGHT REGULATIONS**

No principal structure shall exceed two and one-half stories or 30 feet in height, and no accessory structure shall exceed 15 feet in height, except as provided in Division 110.11.

**60.6 BULK REGULATIONS FOR DWELLINGS AND ACCESSORY BUILDINGS**

Each lot shall be owned and not leased and shall contain a minimum area of ~~five (5)~~ two (2) net acres exclusive of easement for public roadway purposes, and subject to the following requirements:

60.6.1. 1-2 ½ Stories.

Minimum Lot Width	<del>300 Feet</del> 225 Feet
Minimum Front Yard Depth	Along State and Federal roads: 80 Feet Other public roads: 60 Feet
Minimum Side Yard Width	30 Feet
Minimum Side Yard width on all interior roads within Major and Minor Subdivisions for accessory buildings	30 Feet
Minimum Rear Yard Depth	100 Feet

60.6.2. LESA System - In any “A-1” district, the land evaluation site assessment (LESA) system shall be one of the tools used to help designate land areas that may be suitable for development into a major subdivision. The LESA system will not be the only tool for such determination and will not be the final arbiter of whether land should be developed to a higher density use.

**60.7 TEMPORARY PERMIT**

Upon application to the Zoning Administrator and when such application is accompanied by a recommendation of the County Health Nurse or some other certified medical professional, a temporary permit may be issued to allow a family member to locate and occupy a mobile home near the dwelling, where as either the family member or owner has a medical condition which requires attention. Such permit must be renewed annually. In the event said family member shall no longer occupy said mobile home, the permit shall expire immediately and the mobile home must be removed from the premises within six (6) months. No application shall be approved on any tract of land less than ~~five (5)~~ two (2) acres in size.

DIVISION 70: "R-1" ONE & TWO-FAMILY RESIDENCE DISTRICTS

Sections:

70.1 Statement of Intent	70.4 Height Regulations
70.2 Permitted Uses	70.5 Bulk Regulations for Dwellings and Accessory Buildings
70.3 Special Use Exceptions	

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**70.1 STATEMENT OF INTENT**

The "R-1" District is intended to provide the limited opportunity for development of non-farm dwellings on land in the unincorporated area of the County.

**70.2 PERMITTED USES**

The regulations set forth in this Ordinance which are applicable, shall apply in the "R-1" District. A building or premises shall be used only for the following purposes:

70.2.1. *Permitted Principal Uses.*

1. Any use or structure permitted and as regulated in an "A-1" District, except as hereinafter modified.
2. Two-family residences.

70.2.2. *Permitted Accessory Uses.*

1. Any "A-1" Agricultural District accessory uses.
2. A sign or signs flat against a building appertaining to a nonconforming use on the premises, not exceeding in the aggregate 50 square feet in area.

**70.3 SPECIAL USE EXCEPTIONS**

When authorized by Board of Adjustment, the following uses may be allowed in this district.

70.3.1. Any use as regulated in an "A-1" District, except as hereinafter modified.

70.3.2. Transformer stations and booster or pressure regulating stations, without service yard or storage.

70.3.3. Mobile home parks or mobile home courts subject to the following conditions:

1. The mobile home park shall be located on a parcel of ground at least five acres in size and each boundary line of the park shall be at least 200 feet from any residential structure located outside the park unless separated there from by a natural or artificial barrier.
2. The park shall be located on a well-drained site, property graded to ensure rapid drainage and freedom from stagnant pools of water.
3. Each mobile home space shall be large enough to provide a distance of 10 feet between any mobile home or structure on the space and the lot line, a front yard of 15 feet and a rear yard of 10 feet.

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4. All mobile home spaces shall abut upon a driveway of not less than 20 feet in width which shall have unobstructed access to a public street.
5. Walkways not less than two feet wide shall be provided from the trailer spaces to the service buildings.
6. All driveways and walkways in the park shall be hard surfaced and lighted at night with electric lamps of not less than 25 watts each, spaced at intervals of not more than 100 feet.
7. Each mobile home park shall provide service buildings, which include a toilet room and other sanitary facilities and laundry facilities.
8. An electrical outlet supplying at least 110 volts shall be provided for each mobile home space.
9. Adequate sanitary facilities and supply of pure water shall be provided to each mobile home space.
10. Each mobile home park shall comply with the regulations set forth by the General Assembly of Iowa.

### 70.3.4 Commercial Kennels

### 70.3.5 Home Businesses

## **70.4 HEIGHT REGULATIONS**

No principal structure shall exceed two and one-half stories or 30 feet in height, and no accessory structure shall exceed one story or 15 feet in height, except as provided in Article 4.

## **70.5 BULK REGULATIONS FOR DWELLINGS AND ACCESSORY BUILDINGS**

Each ("R-1") District shall contain a minimum area of twenty (20) net acres and subject to the following additional requirements. The following minimum requirements shall be observed, subject to the additional exceptions and modifications in Division 110.12-110.14 inclusive. Each one-family residence shall be located on a lot containing at least 40,000 square feet exclusive of easement for public roadway purposes. Each structure containing more than one family shall be located on a lot having an area of at least 30,000 square feet for each family exclusive of easement for public roadway purposes. Larger lots may be required where results of percolation tests indicate the need for a larger disposal field. Such tests shall be submitted to the County Health Board prior to construction.

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70.5.1. 1-2 ½ Stories.

Minimum Lot Width	165 Feet
Minimum Front Yard Depth	Along State and Federal Roads: 80 Feet Other Public Roads: 50 Feet
Minimum Side Yard Width	30 Feet
Minimum Side Yard width on all interior roads within Major and Minor Subdivisions for accessory buildings	30 Feet
Minimum Rear Yard Depth	100 Feet Depth

70.5.2. *LESA System:* The land evaluation site assessment (LESA) system shall be one of the tools used to help designate land areas that may be suitable for development into (“R-1”) Districts. The LESA system will not be the only tool for such determination and will not be the final arbiter of whether land should be rezoned to a higher density residential (“R-1”) land use.

DIVISION 80: "B-1" BUSINESS DISTRICTS

Sections:

80.1 Statement of Intent

80.3 Height Regulations

80.2 Permitted Uses

80.4 Bulk Regulations

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**80.1 STATEMENT OF INTENT**

This district is intended to provide convenient commercial goods and services to specific areas of the county where sufficient population exists, to economically support such uses.

**80.2 PERMITTED USES**

The regulations set forth in this Ordinance which are applicable, shall apply in the "B-1" District. A building or premises shall be used only for the following purposes:

80.2.1. *Permitted Principal Uses.*

1. Any use or structure permitted and as regulated in "R-1", except as hereinafter modified.
2. Any retail business establishment including but not limited to:
  - Air Conditioning and Heating Sales and Service Shops
  - Auto Accessory Stores
  - Auto and Farm Implement Sales
  - Automobile Motor Repair and Service Shops
  - Bakery Shops
  - Candy and Ice Cream Shops
  - Department Stores
  - Drive-ins
  - Drug Stores
  - Dry Goods Stores
  - Electrical Appliance Sales and Repair
  - Florist Shops
  - Food Stores
  - Furniture Stores
  - Hardware Stores
  - Heating and Roofing Supply Shops
  - Limited to Minor Repair
  - Liquor Stores
  - Mini-warehouse
  - Motor Fuel Stations
  - Plumbing Shops
  - Restaurants
  - Second-Hand Stores and Rummage Shops
  - Taverns
  - Theaters
  - Variety Stores
  - Wearing Apparel Shops
3. Any service establishments, such as:
  - Bank or Financial Enterprise

Barber or Beauty Shop  
Business or Professional Office  
Clothes Cleaning or laundry Pick-up Station  
Funeral Home  
Theater  
Self-Service Laundry

4. Any recreation use, such as bowling alleys, billiard and poolrooms, dance halls, and gymnasiums.
5. Meeting and lodging halls, and fraternal organizations and clubs.
6. Hotels and motels including dining and meeting rooms subject to the provisions of Division 130.8.
7. Wholesale Businesses.
8. Public parking lots, customers and other accessory parking areas subject to the applicable provisions of Division 130.
9. Other business, professional or service establishments.
10. Billboards and signboards subject to the following restrictions:
  - a) No billboard or signboard shall be located within 100 feet in any direction of an "R" District.
  - b) No billboard or signboard shall contain more than 400 square feet of surface area.
  - c) No billboard or signboard shall be located within 300 feet of an exit or entrance to a controlled access route.
  - d) Billboard and signboards may have constant illumination. Where a sign is illuminated by light reflected upon it, direct rays of light shall not project upon any part of any federal or state highway, or upon any existing residential building in an "R" District.

80.2.2. *Permitted Accessory Uses.*

1. "R-1" Residence District accessory uses.
2. Other accessory uses customarily incidental to a permitted principal use, including signs integral with or attached flat against a building. Elevated signs not extending past any lot line. Projecting signs located not more than 10 feet above average grade and not extending more than 5 feet from the building to which they are attached.
  - a) The total area of all signs including billboards and signboards shall not exceed three times the lineal frontage of the lot on which such signs are located.

**80.3 HEIGHT REGULATIONS**

No principal structure shall exceed three (3) stories or 40 feet in height, and no accessory structure shall exceed 30 feet in height, except as provided in Article 4.

**80.4 BULK REGULATIONS**

The following minimum requirements shall be observed, subject to the additional requirements, exceptions, and modifications in Article 4.

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80.4.1. *Permitted Uses.*

Minimum Front Yard Depth	Along State and Federal Roads: 80 Feet Other Public Roads: 40 Feet
Minimum Side Yard Width	10 Feet
Minimum Rear Yard Depth	50 Feet

DIVISION 90: "I-1" INDUSTRIAL DISTRICTS

Sections:

90.1 Statement of Intent	90.4 Height Regulations
90.2 Permitted Uses	90.5 Bulk Regulations
90.3 Prohibited Uses	90.6 Adult Oriented Business

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**90.1 STATEMENT OF INTENT**

The "I-1" District is intended and designed to accommodate industrial uses only, except those incidental to the specific industry, such as residences for night watchmen and caretakers and commercial services for employees.

**90.2 PERMITTED USES**

The regulations set forth in this Ordinance which are applicable, shall apply in the "I-1" District. A building or premises shall be used only for the following purposes:

90.2.1. *Permitted Principal Uses.*

1. Any use or structure permitted and as regulated in a B-1 District, except as hereafter modified.
2. Building or contractor's plant or storage yard, building material sales and storage yard including concrete mixing, lumber yard including mill work, open yard for storage and sale feed, fuel or fertilizer provided any such operations are enclosed by a solid wall or fence not less than 6 feet in height, located not less than 200 feet from an "R" District and 30 feet from any "B" District.
3. Automobile wrecking yard, industrial and waste salvage operations and junk yards provided all operations are conducted within an area enclosed on all sides with a solid wall or fence not less than 8 feet in height, located not less than 200 feet from any "R" District and 100 feet from any "B" District and 660 feet from any county, state or federal highway. No pile of salvage, scrap, or other material shall be higher than 8 feet.
4. Any use of land or of structures engaged in the production, processing cleaning, servicing, testing, repair or storage of materials, goods or products not previously allowed, located not less than 200 feet from any "R" District and 50 feet from any "B" District.

90.2.2. *Permitted Accessory Uses.*

1. Any "B-1" District accessory uses.
2. Other Accessory uses customarily incidental to a permitted principal use.

**90.3 PROHIBITED USES**

The following uses are prohibited in the "I-1" district.

- 90.3.1. Dwellings and mobile homes, except for watchman or caretaker, (limited to one dwelling) on the premises.



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90.3.2. Schools, hospitals, clinics, and other institutions for human care, except where incidental to a permitted principal use.

**90.4 HEIGHT REGULATIONS**

No structure shall exceed 3 stories or 50 feet in height.

**90.5 BULK REGULATIONS**

The following minimum requirements shall be observed, subject to the additional requirements, exception and modifications in Article 4.

90.5.1. *Maximum of 50 feet in height or 3 Stories.*

Minimum Front Yard Depth	60 Feet
Minimum Side Yard Width	Equal to building height
Minimum Rear Yard Depth	Height of building, but not less than 20 Feet

**90.6 ADULT ORIENTED BUSINESS**

**90.6.1 STATEMENT OF INTENT**

This division is intended and designed to accommodate adult oriented business within certain areas of the County that comply with the following regulations.

**90.6.2 CLASSIFICATION**

The term “adult oriented business” shall mean, include, and are classified as follows:

1. Adult Bookstore
2. Adult Motion Picture Theater
3. Adult Mini-Motion Picture Theater
4. Sexual Activity Establishment
5. Adult Relaxation Center

**90.6.3 LICENSE REQUIRED**

A. It is unlawful:

1. For any person to operate an adult oriented business without a valid adult oriented business license issued by the Zoning Administrator.

B. Application

1. An application for an adult oriented business license must be made on a form provided by Louisa County. Each employee must be 21 years old.
2. All applicants may be required to provide such information as to enable the County Zoning Administrator to determine whether the applicant meets the qualifications established in this section.

3. If the applicant wishes to operate an adult oriented business is an individual, the person must sign the application for the license as applicant. If a person who wishes to operate an adult oriented business is other than an individual, each individual who has ownership interest in the business must sign the application for license as applicant. Each applicant must be qualified under the following Section and each applicant shall be considered a licensee if a license is granted.
4. The completed application for an adult oriented business license shall contain the following information and shall be accompanied by the following documents:
  - (a) An individual shall state his/her legal name and any aliases and submit proof that he/she is 21 years of age.
  - (b) A partnership shall state its complete name, and the names of all partners, whether the partnership is general or limited, and a copy of the partnership agreement, if any.
  - (c) A corporation shall state its complete name, the date of its incorporation, evidence that the corporation is in good standing under the laws of the state of incorporation, the names and capacity of all officers, directors and stockholders, and the name of the registered corporate agent and address of the registered office for service of process.
  - (d) If the applicant intends to operate the adult oriented business under a name other than that of the applicant he or she must state (a) the adult oriented business's name and (b) submit the registration documents required to operate under a business name.
  - (e) The single classification of license for which the applicant is filing.
  - (f) The location of the proposed adult oriented business, including a legal description of the property, street address, and telephone number(s), if any.
  - (g) The applicants mailing address.
  - (h) The applicant's drivers license number, social security number, and/or his/her/its state, federal issued tax identification number.
  - (i) A sketch or diagram showing the configuration of the premises, including a statement of total floor space occupied by the business.
  - (j) A plat prepared within (30) days prior to application by a registered land surveyor and/or professional engineer depicting the property lines and any structures on the property.

#### **90.6.4 ISSUANCE OF LICENSE**

- A. Upon the filing of said application for an adult oriented business, the County Zoning Administrator shall conduct an investigation within thirty (30) days from the date the application was filed. After completing the investigation, the county shall approve or deny the application. If approved, the license will be issue within thirty (30) days of approval. If denied, written notice of denial will be sent to the applicant within thirty (30) days of the County Zoning Administrators decision to deny. Grounds for denial:

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1. The applicant has failed to provide the information reasonably necessary for issuance of the license or has falsely answered a question or request for information on the application form
  2. The applicant is under the age of twenty-one (21).
  3. The adult oriented business license is to be used for employment in a business prohibited by local or state law, statute, rule or regulation, or prohibited by a particular provision of the ordinance.
- B. A license granted pursuant to this section shall be subject to annual renewal upon the written application of the applicant as stated herein.
- C. Within 30 days after receipt of a completed adult oriented business application, the County Zoning Administrator shall approve or deny the issuance of a license to an applicant.
- D. The license, if granted, shall state on its face the name of the person or persons to whom it is granted, the expiration date, the address of the business.
- E. All licenses shall be posted in a conspicuous place at or near the entrance to the adult oriented business so that it may be read at any time.

### **90.6.5 FEES**

- A. Every application for an adult oriented business license shall be accompanied by a Five Hundred Dollar (\$500.00) non-refundable application and investigation fee.
- B. In addition to the application and investigation fee required above, every adult oriented business that is granted a license (new or annual) shall pay to the County Zoning Administrator an annual non-refundable license fee of One Thousand Dollars (\$1000.00) within thirty (30) days of license issuance or renewal.

### **90.6.6 EXPIRATION OF LICENSE**

- A. Each license shall expire one year from the date of issuance and may be renewed only by making application. Application for renewal shall be made at least thirty (30) days before the expiration date. The County Zoning Administrator shall notify the applicant within thirty (30) days of his/her decision to renew or deny the application.
- B. When the County Zoning Administrator denies renewal of a license, the applicant shall not be issued a license for one year from the date of denial.

**90.6.7 SUSPENSION**

The County Zoning Administrator shall suspend a license for a period not to exceed thirty (30) days if the County determines that a licensee has:

1. Violated or is not in compliance with any section of this ordinance
2. Refused to allow an inspection of the adult oriented business premises

**90.6.8 REVOCATION**

- A. The County Zoning Administrator shall revoke a license if a suspension occurs and the license has been suspended within the proceeding twelve (12) months.
- B. The County shall revoke a license if the County Zoning Administrator determines that:
  1. A licensee gave false or misleading information in the material submitted during the application process
  2. A licensee has knowingly allowed possession, use, or sale of a controlled substances or alcoholic beverages on the premises
  3. A licensee has knowingly allowed prostitution on the premises
  4. A licensee knowingly operated the adult oriented business during a period of time when the licensee's license was suspended
  5. A licensee has knowingly allowed any act of sexual intercourse, sodomy, oral copulation, masturbation, or other sex act to occur in or on the licensed premises
- C. When the County Zoning Administrator revokes a license, the revocation shall continue for one (1) year, and the licensee shall not be issued a adult oriented business license for One (1) year from when the revocation became effective.

**90.6.9 TRANSFER OF LICENSE**

A license granted under this ordinance shall be deemed non-transferable.

**90.6.10 LOCATION OF ADULT ORIENTED BUSINESSES AND SIGNAGE**

Adult oriented businesses are prohibited from operating, locating, or otherwise conducting business in any zoning district other than the "I-1", as defined and described in the Louisa County Zoning Ordinance, as amended from time to time.

- A. Adult oriented businesses are prohibited from operating, locating, or otherwise conducting business within 1000 feet of:
  1. A church, synagogue, mosque, temple, or building which is used primarily for religious worship and related religious activities;
  2. A public or private school or educational facility, including but not limited to child day care facilities, nursery schools, preschools,

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- kindergartens, elementary schools, private schools, intermediate schools, junior high schools, middle schools, high schools, vocational schools, secondary schools, continuation schools, special education schools, community colleges, and universities; school includes school grounds
3. Of any "R-1" district
  4. A public park or recreational area which has been designated for park or recreational activities including but not limited to park, playground, nature trails, swimming pools, reservoir, athletic field, basketball or tennis courts, bicycle paths, wilderness areas, or other similar public land within Louisa County
  5. The property line of a lot devoted to a residential use.
  6. Any premises licensed pursuant to the alcoholic liquor control regulations of the State of Iowa and Louisa County
  7. Place of public accommodation or restaurant
  8. Another adult oriented business
- B. Adult oriented business are prohibited from operating, establishing, locating, or maintaining more than one adult oriented business in the same building, structure, or portion thereof.
- C. For the purposes of this section, the distance between any two Adult Oriented Businesses shall be measured in a straight line, without regard to the intervening structures or objects or political boundaries, from the closest exterior wall of the structure in which each business is located.
- D. All signs shall be permanent, flat wall signs attached to the exterior walls of the premises only.
- E. The amount of allowable sign area shall be no larger than fifty (50) square feet.
- F. No sign shall be equipped with lighting mechanisms capable of flashing.
- G. No merchandise or pictures of the products or entertainment on the premises shall be displayed on any sign, or in any window areas or any area where they can be viewed from the sidewalk in front of the building. A one (1) square foot sign shall be placed on the entrance to the premises stating the hours of operation of the adult oriented business and admittance to adults only.

### **90.6.11 RESTRICTIONS**

- A. Adult oriented businesses shall not allow touching as defined in specified sexual activities between employees and between employees and patrons. All building openings, entries, windows, etc., for any of the above uses, shall be located, covered, or screened in such a manner to prevent a view into the interior from any public or semi-public areas and such display shall be

considered as signs. Any of the above activities which do not conform to the provisions set forth in this subparagraph shall be considered in violation of the Zoning Ordinance.

- B. Any adult oriented business who allows a person under the age of 21 years on the premises shall be punishable by a fine of \$500.00.

**90.6.12 HOURS OF OPERATION**

No adult oriented business may remain open at any time between the hours of One o'clock (1:00) A.M. and eight o'clock (8:00) A.M. on weekdays and Saturdays, and one (1:00) A.M. to noon (12:00) P.M. on Sundays.

**90.6.13 INJUNCTION**

A person who operates or causes to be operated an adult oriented business without a valid license of this ordinance is subject to a suit for injunctive and /or declaratory relief in a court of competent jurisdiction, as well as prosecution for criminal violations. Such violations shall be punishable by a fine of \$500.00. Each day such violation continues shall constitute a separate offense.

**90.6.14 SEVERABILITY**

If any section, subsection, portion or clause of this section shall be deemed by a Court of competent jurisdiction to be unconstitutional, unlawful or otherwise invalid, the validity of the remaining sections, subsections, portions and clauses shall not be affected, and shall be construed to be valid and enforceable and shall continue in full force and effect.