

REPLACES THE 2001 ZONING REGULATIONS  
FOR THE CITY OF ALTA  
AND AMENDMENTS THERETO

**ORDINANCE #15-03**  
**ZONING ORDINANCE OF THE CITY OF ALTA, IOWA**

AN ORDINANCE to regulate and restrict the location and use of buildings, structures, and land for trade, industry, residence, and other purposes; to regulate and restrict the height of buildings and structures, the number and size of buildings and other structures; to establish the size of yards and courts and other open spaces; to establish minimum lot areas; to regulate off-street parking; to regulate the location, size and number of signs; to divide the city into districts for such purposes; to provide for the administration and enforcement of its provisions; to create a board of adjustment; to prescribe penalties for the violation of its provisions, all in accordance with Chapter 414, Code of Iowa.

WHEREAS, the City Council of the City of Alta, Iowa, deems it necessary to prevent and to lessen congestion in the streets and highways; to secure safety from fire, flood, panic and other dangers, to protect the public health and general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid concentration of population; to facilitate the adequate provision of transportation, water, sewer, schools, parks and other public requirements; to conserve the value of buildings, and encourage the most appropriate use of land throughout the city; all in accordance with the comprehensive plan.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF ALTA, IOWA:

The Alta Zoning Ordinance was reviewed and updated by the Alta Planning and Zoning Commission. In accordance with Section 380.7 subsection 3 of the Code of Iowa, the following is an accurate and complete synopsis or summary of the essential elements of the updated ordinance. As proposed within the adopted Alta Zoning Ordinance the following articles contain new and revised sections and deletions of text from the previous ordinance.

- ARTICLE 1: BASIC PROVISIONS
- ARTICLE 2: DEFINITIONS
- ARTICLE 3: ZONING DISTRICTS ESTABLISHED
- ARTICLE 4: AGRICULTURE DISTRICT (A-1)
- ARTICLE 5: SINGLE FAMILY RESIDENTIAL DISTRICT (R-1)
- ARTICLE 6: MULTIPLE FAMILY RESIDENTIAL DISTRICT (R-2)
- ARTICLE 7: DOWNTOWN COMMERCIAL DISTRICT (C-1)
- ARTICLE 8: GENERAL COMMERCIAL DISTRICT (C-2)
- ARTICLE 9: INDUSTRIAL DISTRICT (I)
- ARTICLE 10: SITE PLANS

- ARTICLE 11: GENERAL REGULATIONS
- ARTICLE 12: OFF STREET PARKING
- ARTICLE 13: SIGN REGULATIONS
- ARTICLE 14: NONCONFORMING USES
- ARTICLE 15: ZONING ENFORCEMENT
- ARTICLE 16: VIOLATION AND PENALTY
- ARTICLE 17: BOARD OF ADJUSTMENT
- ARTICLE 18: CONDITIONAL USES
- ARTICLE 19: CHANGES AND AMENDMENTS
- ARTICLE 20: EFFECTIVE DATE

Furthermore, in accordance with Chapters 380.6 and 380.7 subsection 3 of the Code of Iowa, the following is a summary of the significant changes made to the Alta Zoning Ordinance. This summary sets forth the main points of the ordinance in a clear and understandable manner intended to provide the public with the desired conduct required by this ordinance.

Written summary of significant changes to the 2015 Alta Zoning Ordinance

**Article I - Basic Provisions:**

- NEW Section 1.2 - Jurisdiction
- NEW Section 1.3 - Repeal and Savings Clause
- NEW Section 1.4 - Validity and Severability Clause
- Section 1.5 - Interpretation of Regulations - New last sentence

**Article II - Definitions:**

- Article II - Definitions - Several new definitions added to this section, and some existing definitions were modified.

**Article III - Zoning Districts Established:**

- Section 3.1 - Zoning Districts - All new language except for the last sentence.
- Section 3.3 - Interpretation of District Boundaries - New language on rules 1, 6, and 7, with completely new rule of #4.
- Section 3.5 - Annexed Territory - Completely new language throughout section.
- NEW Section 3.6 - General Provisions

**Article IV - Agriculture District (A-1):**

- NEW Article IV - Agriculture District (A-1) - New zoning district and all requirements included within.

**Article V - Single Family Residential District (R-1):**

- Section 5.1 - Intent - New language on part of the first sentence and the entire last sentence.
- Section 5.2 - New language and almost all new uses with the exception of the residential uses.
- Section 5.3 - Conditional Uses - New title and new language throughout majority of the section. Removed twelve conditional uses and added nine new items.
- Section 5.4 Permitted Accessory Uses - New language in #2, 9, and 10. Completely new #3, 5, 6, 7, and 8.
- Section 5.5 - Site Development Regulations - New Language throughout majority, no change on setback numbers.

- Section 5.6 - Off-Street Parking - New language.
- NEW Section 5.7 - Sign Regulations

**Article VI - Multiple Family Residential District (R-2):**

- Article VI Multiple Family Residential District (R-2) - New language in title
- Section 6.1 Intent - New language in middle of sentence.
- Section 6.2 - Principal Permitted Uses - New language and uses added and removed.
- NEW Section 6.3 - Conditional Uses - Old uses removed and new added to table.
- NEW Section 6.4 - Permitted Accessory Uses.
- Section 6.5 - Site Development Regulations - New Language throughout majority, no change on setback numbers.
- Section 6.6 - Off-Street Parking - New language.
- NEW Section 6.7 - Sign Regulations

**Article VII - Downtown Commercial District (C-1):**

- Section 7.1 - Intent - New language in first sentence and new last sentence.
- Section 7.3 - Conditional Uses - New title; new description; removed old uses and added some new ones as well.
- NEW Section 7.4 - Permitted Accessory Uses.
- Section 7.5 - Site Development Regulations - New Language throughout majority, no change on setback numbers.
- NEW Section 7.6 - Additional Regulations.
- Section 7.7 - Off-Street Parking - New language.
- NEW Section 7.8 - Sign Regulations

**Article VIII - General Commercial District (C-2)**

- NEW Article VIII - General Commercial District (C-2) - New zoning district and all requirements included within.

**Article IX - Industrial District (I)**

- Section 9.1. INTENT - New language.
- Section 9.2. Principal permitted uses - New language and new uses added some old uses removed in table.
- Section 9.3 - Conditional Uses - New title; new description; added new uses to table.
- NEW Section 9.4 - Permitted Accessory Uses.
- Section 9.5 - Site Development Regulations - New Language throughout majority, no change on setback numbers.
- NEW Section 9.6 - Industrial Buffers.
- Section 9.7 - Off-Street Parking - New language.
- NEW Section 9.8 - Sign Regulations

**New Section - Quick Reference Guide - Setback regulations for every district in Alta on page 48**

**DELETED SECTION - Additional Area and Height Regulations (Moved to Article XII - General Regulations)**

**DELETED SECTION - Additional Use Regulations (Moved to Article XII - General Regulations)**

**Article XI - Site Plans**

- Section 11.1. INTENT - New language.
- DELETED SECTION - Preliminary Site Plan
- Section 11.4 - Site Plan - New language added new parts and removed certain sections.
- NEW Sample Site Plan on Page 63

#### **Article XII - General Regulations**

- NEW Article XII - General Regulations- Almost all new regulations, with the exception of 12.13 and 12.15, including all the requirements within.
- Section 12.13 - Gas Stations/Convenience Stores/Electric Charging Station - New language on majority of section.
- Section 12.15 - Home Occupations - New language on 1, 2, 5, and 7. Completely new on 6 and 9.

#### **Article XIII - Off Street Parking**

- Title, language removed and simplified
- Section 13.1. INTENT - All new language.
- NEW Section 13.2 - General Parking Area and Surface Requirements.
- Section 13.3 - Off Street Parking Requirements - New item 2, 15, and 16; new language and/or new space requirements in 1, 3, 4, 6, 7, 8, 9, 11, 12, 13, and 14.
- Section 13.4 - Computation of Parking Spaces - New language in first paragraph, everything except for the first part of the first sentence.
- Section 13.5 - Location and Type of Parking - Simplified section by removing first paragraph.
- Section 23.6 - Off Street Loading Spaces Requirements - Removed first paragraph and added new language with new first sentence, to simplify section.

#### **Article XIV - Sign Regulations**

- Section 13.1. INTENT - Removed language in first part of paragraph; new language in last sentence of paragraph.
- NEW Section 14.2 - Definitions.
- Section 14.3 - Exempt Signs - Title change; new language in opening paragraph; New language on 1, 3, and 9; completely new 2, 4, 5, 6, 7, 8, 10, 11, and 12.
- Section 14.4 - Sign Requirements - Removed first paragraph; New language in #1, new language in first paragraph of #2
- NEW Section 14.5 - Conditional Uses for Signs.
- Section 14.6 - General Sign Regulations - New language in last sentence of #1; almost all new language in #2 and 6; all new language in #3 and 10; Removed seven items in section, moved them elsewhere.
- Section 14.7 - Sign Permits - New language in first paragraph; all new sections 1-4.
- NEW Section 14.8 - Unsafe Signs and Removal of Signs.

#### **DELETED SECTION - BUFFERS REQUIRED**

#### **DELETED SECTION - OPEN SPACE REQUIREMENTS**

#### **Article XV - Nonconforming Uses**

- Section 15.1 - Intent - New language in second sentence of paragraph.
- DELETED SECTION - Nonconforming Uses of Land
- Section 15.2 - Nonconforming Lots of Record - New language in last sentence of first paragraph and all new language in second paragraph.
- Section 15.3 - Nonconforming Uses or Structures in all Zoning Districts - New language in last portion of sentence in first paragraph; all new language in 1-6.
- Section 15.5 - Repairs or Replacing Damaged Buildings - All new language

#### **Article XVI - Zoning Enforcement**

- Section 16.2 - Zoning Permit Required - New Language throughout entire paragraph
- Section 16.4 - Application for Zoning Permit - Some new language in first sentence and completely new language in the rest of the paragraph.
- Section 16.6 - Fees - New language in second sentence.
- NEW Section 16.8 - Administrative Appeals

- NEW Section 16.9 - Interpretation

**Article XVII - Violation and Penalty**

- Section 17.1 - Violation and Penalty - All new language.

**Article XVIII - Board of Adjustment**

- Section 18.1 - Confirmation of the Existing Board of Adjustment - New language after the first sentence.
- Section 18.2 - Proceedings of the Board of Adjustment - New language throughout most of the section.
- Section 18.3 - Hearings, Appeals and Notice - New language in last three sentences in paragraph.
- Section 18.4 - Stay of Proceedings - New language in last two sentences.
- Section 18.5 - Powers and Duties - #2 and 5 completely new
- Section 18.6 - Variances - New language in A-G; New sections #2, 5, 6, 7, 8, 9, 10, and 11; new language in #3.
- DELETED SECTION - Decisions of the Board of Adjustment
- Section 18.7 - Court Appeals - New title; new language in last two sentences.

**Article XIX - Conditional Uses**

- Section 19.1 - Requirements - New language replacing special exception with condition use.
- NEW Section 19.2 - Jurisdiction
- Section 19.3 - Application for Conditional Use Permit - New language/condensation to simplify.
- Section 19.3 - Procedures - New language in #1, 2, 3, 4, 5, and 6.
- Section 19.5 - Standards - New language in #12, 15, 16; all new sections #17 and 18.
- NEW Section 19.6 - Revocation
- Section 19.7 - Supplemental Standards - New language in last sentence of #1 letter B, #2 letter A, New section #3
- DELETED SECTION - Planned Unit Development (PUDs)

**Article XX - Changes and Amendments**

- Section 20.1 - Procedures - All new language throughout section.
- NEW Section 20.2 - Initiation
- Section 20.3 - Application for Change in Zoning District Boundaries - All new language throughout section.
- NEW Section 20.4 - Protest Provision
- NEW Section 20.5 - New Application

**DELETED SECTION - Appendix A: Child Care Home Size Limits**

**Article XXI - Effective Date**

- Section 21.1 - Effective Date - New language throughout with the exception of signature areas.

A complete copy of 2015 Alta Zoning Ordinance in its entirety may be reviewed for public inspection in the Alta City Hall at 223 S. Main Street, Alta, Iowa 51002. Copies of the proposed 2015 Zoning Ordinance or portions thereof, are available for inspection at the City Clerk's office at the above listed address on Monday-Friday between the hours of 7:30a.m. and 4:30p.m.

Additionally, since the 2015 Alta Zoning Ordinance has proposed changes to the provisions of imposing fines and penalties, in accordance with Section 380.7 subsection 3 of the Code of Iowa, the following is a narrative of the full text of the section that applies to such fines or penalties.

### **Section 16.1. VIOLATION AND PENALTY**

Unless provided elsewhere in this ordinance or the city's Code or Ordinances, any person or corporation who shall violate any of the provisions of this ordinance or fail to comply therewith, or with any of the requirements thereof, or who shall build or alter any building in violation of any detailed statement or approved plan shall be guilty of a municipal infraction. Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or resists enforcement of this ordinance, with the exception of those provisions specifically provided under State law as a felony, an aggravated misdemeanor, or a serious misdemeanor; or a simple misdemeanor under Chapters 687 through 747 of the Code of Iowa, is a municipal infraction and punishable by civil penalty as provided herein (*Code of Iowa, Sec. 331.307[3]*). Each day that a violation is permitted to exist constitutes a separate violation.

A municipal infraction for a zoning violation in Alta, Iowa is punishable under the following civil penalties: (*Code of Iowa, Sec. 331.307[1]*)

First offense – not less than \$100 and not to exceed \$750.00, plus court costs

Second and repeat offenses – not less than \$100 and not to exceed \$1,000.00, plus court costs

The owner or tenant of any building, structure, premises or part thereof, and any architect, builder, contractor, agent or other person who commits, participates in, assists in, or maintains such violation, may each be found guilty of a separate offense and suffer the penalties herein provided. Nothing herein contained shall prevent the city from taking such other lawful action as is necessary to prevent or remedy any violation.

### **JURISDICTION.**

In accordance with the provisions of Chapter 414, Code of Iowa and amendatory acts thereto, this ordinance is adopted by the City of Alta, Iowa governing the zoning of all lands within the corporate limits of the city and within a two mile extraterritorial zoning area.

### **REPEAL AND SAVINGS CLAUSE.**

Effective on the effective date of this ordinance, the previous zoning ordinance (Chapter 165 of the Alta municipal Code of Ordinances) and amendments thereto are hereby repealed. The repeal of said ordinance shall not have the effect to release or relinquish any penalty, forfeiture or liability incurred under said ordinance or any part thereof, and such ordinance and all parts thereof shall be treated as still remaining in force for the purpose of instituting or sustaining any proper action or prosecution for the enforcement of such penalty, forfeiture or liability.

### **VALIDITY AND SEVERABILITY CLAUSE.**

Should any section or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, such ruling shall not affect the validity of the ordinance as a whole or any part thereof not specifically included in said ruling. If any court of competent jurisdiction shall declare invalid the application of any provision of this ordinance to a particular land, parcel, lot, district, use, building or structure, such ruling shall not affect the application of said provision to any other land, parcel, lot, district, use, building or structure not specifically included in said ruling.

**INTERPRETATION OF REGULATIONS.**

In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements. Where this ordinance imposes a greater restriction than is imposed or required by other provisions of law, other rules, regulations, or ordinances, the provisions of this ordinance shall govern. This ordinance is not intended to abrogate or annul any easement, covenant or other private agreement provided that where any provision of this ordinance is more restrictive or imposes a higher standard or requirement than such easement, covenant or other private agreement, the provision of this ordinance shall govern.

**EFFECTIVE DATE.**

This ordinance shall be in full force and effect from and after its adoption and publication as required by law and as provided for in Chapter 380.6 and 380.7 of the Code of Iowa.  
*(Code of Iowa, Sec. 380.6[1]; Sec. 380.7[3]; and Sec. 362.3)*

ZONING ORDINANCE OF THE CITY OF ALTA, IOWA

Passed and approved of the first consideration on Dec. 9, 2015

Passed and approved of the second consideration Dec. 9, 2015

Passed and approved of the third and final consideration Dec. 9, 2015

Adopted on Dec. 9, 2015

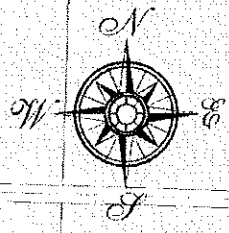
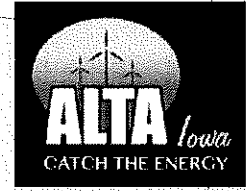
Published on Dec. 17, 2015

  
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Mayor, City of Alta

Attest:

  
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Alta City Clerk/Administrator

# CITY OF ALTA 2015 ZONING MAP



<b>AG</b> - Agriculture	- Downtown Commercial	- City Limits
<b>R-1</b> - Single Family Residential	- General Commercial	- Streets/Roads
<b>R-2</b> - Multi Family Residential	- Industrial	- IA Highway 7
		- Water/Ponds



**NWIPDC GIS & Mapping Services**

Map Prepared: November 18, 2015  
 Amendment #1  
 Amendment #2

Map Prepared By:  
 100 SOUTH IOWA PLANNING AND DEVELOPMENT COMMISSION  
 CENTRAL IOWA SERVICES CENTER  
 21 WEST 5TH STREET, SUITE 4100 GREENBERG, IOWA 51501  
 (712) 282-7222 FAX: (712) 282-7656 WWW.NWIPDC.ORG