



PLANNING AND ZONING COMMISSION MEETING
Tuesday, February 28, 2023 • 7:00 p.m.
West Branch City Council Chambers, 110 N. Poplar St.
Council Quorum May Be Present

<https://zoom.us/j/829677991> or
dial in phone number 1-312-626-6799 with Meeting ID 829 677 991

1. Call to Order
2. Roll Call
3. Approve Agenda/Move to action.
 - a. Approve minutes from the January 24, 2023 Planning & Zoning Commission meeting.
4. Public Hearing/Non-Consent Agenda. /Move to action.
 - a. Discuss possible future annexation request and process for proceeding
 - b. Discuss Zoning & Future Land Use Maps
 - c. Discuss Comprehensive Plan objectives
 - d. Review suggested Code update – establishing Front Setback Coverage
 - e. Review suggested Code update – defining Parking space
5. Old Business
 - a. Sign requirements for HCI District. (Terry Goerd)
 - b. Building design standards
 - c. Tree standards
6. City Staff Reports
 - a. Homework - create a 5000 population (by 2040) Future Land Use Map
7. Comments from Chair and Commission Members.
8. Next regular Planning & Zoning Commission meeting (tentative) Tuesday, March 28, 2023.
9. Adjourn

Planning & Zoning Commission Members: Chair John Fuller, Vice Chair Ryan Bowers, Sally Peck, Brad Bower, Matt Van Scoyoc, Jim Hoffman, Madison Conley • **Zoning Administrator:** Terry Goerd

Mayor: Roger Laughlin • **Council Members:** Colton Miller, Nick Goodweiler, Jodee Stoolman, Jerry Sexton, Tom Dean
City Administrator: Adam Kofoed **City Clerk:** Leslie Brick • **Fire Chief:** Kevin Stoolman • **Police Chief:** John Hanna
Parks & Rec: Matt Condon • **Public Works Director:** Matt Goodale

(These minutes are not approved until the next Commission meeting.)

City of West Branch Planning & Zoning Commission Meeting
January 24, 2023
West Branch City Council Chambers, 110 North Poplar Street

Chairperson John Fuller called the Planning & Zoning Commission meeting to order at 7:00 p.m. Roll call: Commission members present: Ryan Bowers, Jim Hoffman, Brad Bower . Absent: Matt VanScoyoc, Sally Peck. City Staff present: Mayor Roger Laughlin and Zoning Administrator Terry Goerdt. Attending via Zoom: City Engineer Dave Schechinger and Public Works Director Matt Goodale.

Public Attendees: Tom Amelon (MMS), Chris Kofoed

APPROVE AGENDA/CONSENT AGENDA/MOVE TO ACTION.

Approve the agenda for the January 24, 2023 Planning & Zoning Commission meeting. /Move to action.
Motion by Bowers, second by Hoffman to approve the agenda.

Approve the minutes from the October 25, 2022 Planning & Zoning Commission meeting. / Move to action.
Motion by Bowers, second by Bower to approve the minutes. Motion carried on a voice vote.

PUBLIC HEARING/NON-CONSENT AGENDA

Nominate _____ for Chairperson for the Planning & Zoning Commission for 2023. /Move to action.
Commission member Ryan Bowers nominated John Fuller as Chairperson. Hoffman seconded the motion. There were no other nominations.
Motion by Bowers, second by Bower. Motion carried on a voice vote.

Nominate _____ for Vice Chairperson for the Planning & Zoning Commission for 2023. / Move to action.
Chair John Fuller nominated Ryan Bowers and Vice Chairperson. Bower seconded the motion. There were no other nominations.
Motion by Fuller, second by Bower. Motion carried on a voice vote.

Nominate _____ for Secretary for the Planning & Zoning Commission for 2023.
Commission member Brad Bower nominated Jim Hoffman as Secretary. Ryan Bowers seconded the motion. There were no other nominations.
Motion by Bowers, second by Bowers. Motion carried on a voice vote.

Review / Approve The Meadows Part 3 Subdivision Preliminary Plat. / Move to action.

Ron Amelon (MMS) provided overview/update on request. R Bowers inquired about the street entrance setback. Amelon confirmed changes were to accommodate larger lots on south side of property. Bowers also inquired about future trail on east side. Amelon stated it was included on different development. Mayor Laughlin confirmed it was on the Outlot and still is the plan. Chair Fuller inquired on lot 4 housing assisted living. Amelon confirmed that was only the plan for now. Bowers inquired about additional paving requirements from entrance to roundabout. Amelon confirmed proposing concrete up to intersection. Discussions started, Mayor Laughlin confirmed, but no update on status. Chair Fuller inquired about addition for a turn lane. Amelon confirmed no plans for a turn lane. Member discussion recollected that turn lane was part of prior developer discussion. No access off of Main Street at this time. Bower inquired on accommodation for tractor trailer. Amelon confirmed plan considers fire truck access, but not actual trailer. Dave S confirmed that code required 80 ft diameter and plan has 89. Matt G confirmed that similar cul des sacs exist within the city currently. Bower stated plan has no street parking, Amelon confirmed. Bowers inquired about stormwater draining. Amelon confirmed all drainage is being handled by existing

water basins. Bowers opened inquiry around sidewalks. Plan directs pedestrian traffic to crosswalk in roundabout. Amelon has reviewed plans for addition of sidewalk in west side, but site grading is cost prohibitive. Mayor Laughlin is aligned with current proposal. Bower added comment to inclusion of walkways to trail on east side. Mayor Laughlin commented on sidewalks on northside of entrance. Terry G confirmed plans include grade for future sidewalks. Amelon confirmed they were including as much as can be accommodated into plan.

Motion by Bowers, second by Fuller. AYES: Bowers, Fuller, Hoffman, Bower. NAYS: None. Absent: Van Scoyoc, Peck. Motion carried.

Consider and approve a one-year extension regarding Parkside Hills, Lot 11 Site Plan (per Chapter 167.09 – Validity of Approval) and recommend forwarding to City Council. / Move to action.

Mayor Laughlin stated activity was not started as lumber prices were too excessive. Waiting for more stable prices to be established. Chair Fuller confirmed that supply changes may influence final design outcomes, and samples submitted. T Goerdt confirmed that nothing changed in codes.

Motion by Bowers, second by Bower. AYES: Bowers, Bower, Hoffman, Fuller. NAYS: None. Absent: Van Scoyoc, Peck. Motion carried.

Review / Approve The Meadows Part 5 Subdivision Final Plat. / Move to action.

Chris Kofoed provide update on request. Timing is main consideration in preparation for spring work. No changes from previous submittal. Dave S updated on written comments around Council previous final plot approval. He proposed P&Z approval with contingencies to become completed prior to council review. Discussion around storm sewer retention and out lots for future developments. Dave S outline plan which includes individual lot site plans for handling future developments. That plan aligns with lots included on northside of roadway.

Motion by Bowers, second by Fuller. AYES: Bowers, Fuller, Hoffman, Bower. NAYS: None. Absent: Van Scoyoc, Peck. Motion carried.

Review suggested Code update – establishing Front Setback Coverage

T Goerdt provided overview. Focus is on front yard, where no restriction on amount of impervious surface exists. Effort to maintain green space in front yard. Proposal is to include maximum allowance of drive/parking surface. Chair Fuller inquired where proposal originated. Goerdt confirmed he provided initial language from combination of inputs. J Hoffman inquired around focus around post construction. Goerdt confirmed that it was forward focused. Zero lot lines may require additional review. Discussions migrated to stormwater runoff concerns. Goerdt inquired about calculations within developments. Dave S. provided background on assumptions with plus/minus on estimates and focus on averages. Bower inquired on parking on side. Goerdt confirm nothing currently exists. Matt G added that Zero and Townhomes do need review. Front yards largely consumed with driveway. Group discussion arrived at need to have different allowance(s) for different lot use. To be tabled until additional internal review completed and reintroduce at a future meeting.

Review suggested Code update – defining Parking space

T Goerdt provided overview that code does not specify hard surface requirement, thus allowing for gravel or other material. Goerdt also confirmed Apron (sidewalk to street) requires concrete. No requirement from sidewalk to garage. Discussions focused on new construction and grandfather existing building/structures. Chair Fuller inquired on inserting two additional words – newly constructed – into the last sentence of code update, would that be agreeable to all. Group agreed. C Kofoed stated to group that KLM developments have the requirements in the covenants. To be tabled until updates can be added and revisit at future meeting.

OLD BUSINESS: Consensus to postpone items 1 - 3 due to missing attendees.

1. Sign requirements for HCI District. (Terry Goerdt)
2. Building design standards
3. Tree standards

DISCUSSION:

4. Other developer requests
5. City Budget challenges
Mayor Laughlin reported on state cuts/changes on property taxes. Budget impact on city is being addressed.
6. Capital Improvement Plan progress
Roundabout has been bid. Good price, starting work in Spring.
Downstream widening – Bids to be out toward March.
East side town water improvement – Focus on potable water, but include other improvements along the way. Focus on multiple streets
7. City Councils Strategic Goals for 2023 and beyond
R Bowers inquired on annexations - multiple areas discussed - cost prohibition and feasibility still exist. Mayor Laughlin focused on larger targets that are candidates for annexation.
Chair Fuller brought up the land use plan. Mayor Laughlin stated that we are following it.
Future additions were identified, and specific additional City requirements were tied to each submittal.

STAFF REPORTS: - None

COMMENTS FROM CHAIR AND COMMISSION MEMBERS: - None

Adjourn

Motion by Bower, second Bowers to adjourn the Planning & Zoning Commission meeting. Motion carried on a voice vote. The meeting adjourned at 8:13 p.m.

Submitted by:

Jim Hoffman

Planning & Zoning Commission

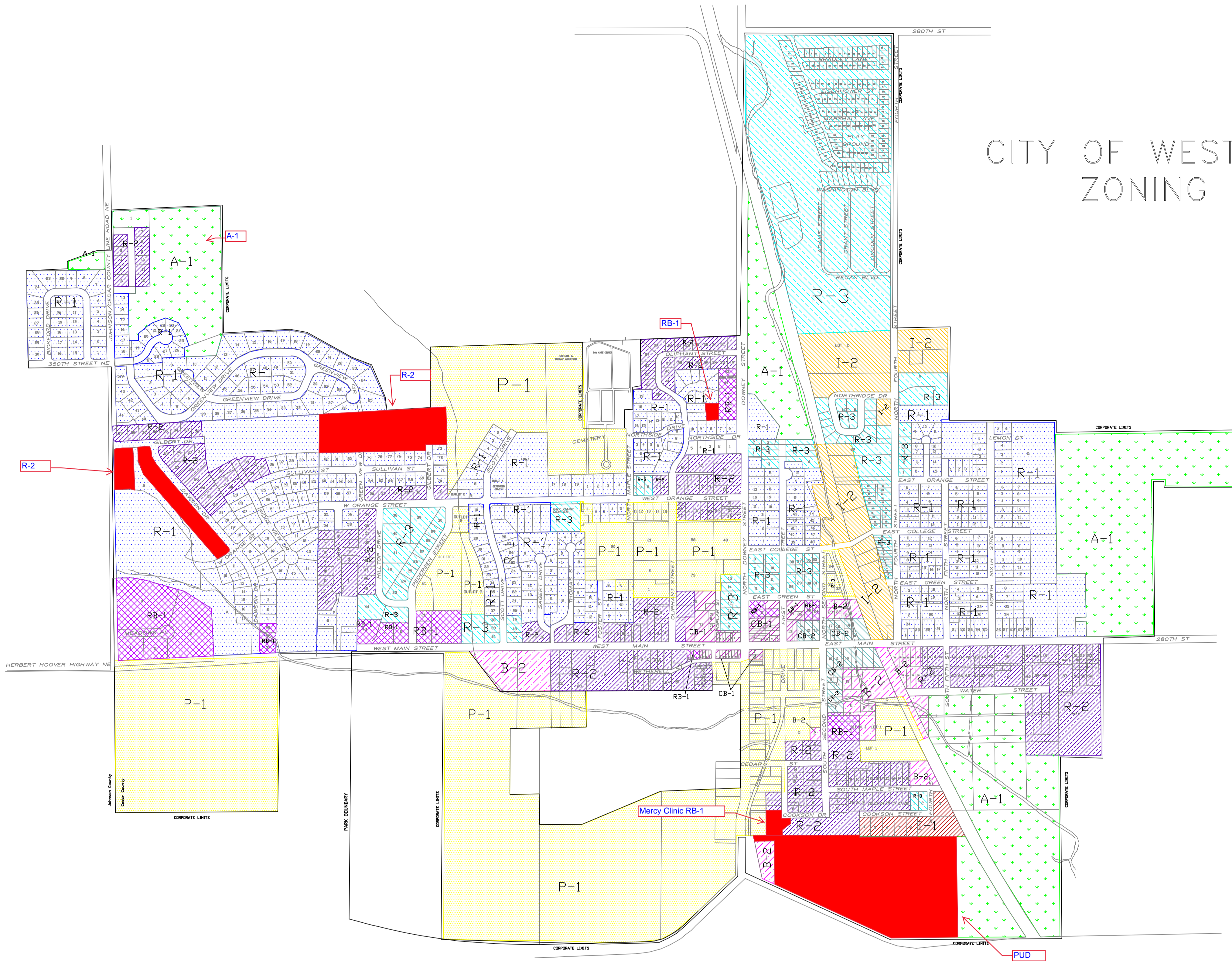
100% VOLUNTARY ANNEXATION NOT IN AN URBANIZED AREA

The City Development Board provides this summary for general informational purposes only and is not intended to serve as a precise statement of Iowa law concerning boundary adjustments. For further information, review Iowa Code chapter 368 and the City Development Board's rules contained in the Iowa Administrative Code. Should you have legal questions concerning the boundary adjustment process, including annexations, city personnel are strongly encouraged to contact their City Attorney.

1. City receives application(s) for voluntary annexation by all the owners of land in territory adjoining the city and that territory is not within two miles of a city other than the city to which the annexation is directed. *See Iowa Code section 368.7(2).*
2. At least **14 business days** prior to any action by the city council on the application, the city shall provide a copy of the application(s) by **Certified Mail** to the board of supervisors of each county that contains a portion of the territory. *See Iowa Code section 368.7(2).*
3. At least **14 days** prior to any action by the city council on an application the City provides **published notice** of application in an official county newspaper of each county that contains a portion of the territory. *See Iowa Code section 368.7(2).*
4. If the city council approves the annexation application by resolution the city clerk:
 - a) **Files** a copy of the resolution, map and legal description of the territory with:
 - i) The Secretary of State
 - ii) The County Board of Supervisors of each county which contains a portion of the territory;
 - iii) Each affected public utility;
 - iv) The Iowa Department of Transportation.
 - b) **Records** a copy of the legal description, map and resolution with the County Recorder of each county that contains a portion of the territory. *See Iowa Code section 368.7(2).*
5. The annexation is complete upon acknowledgement by the Secretary of State that the legal description, map and resolution have been received. *See Iowa Code section 368.7(2).* An optional tool for consideration of smart planning principles is offered by Iowa State University at:
<http://blogs.extension.iastate.edu/planningBLUZ/files/2010/07/Annexation-Checklist.pdf>

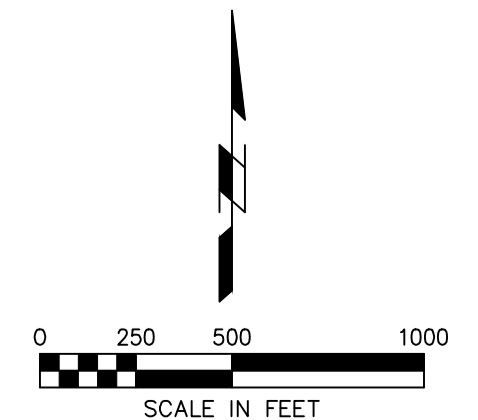
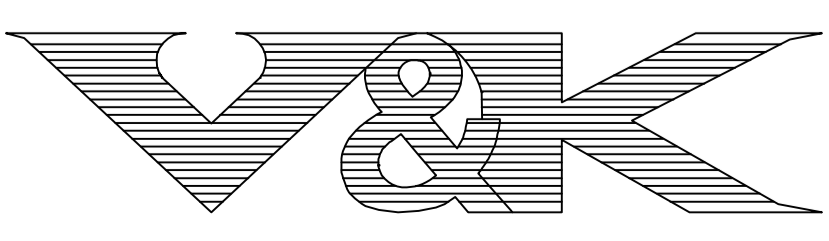
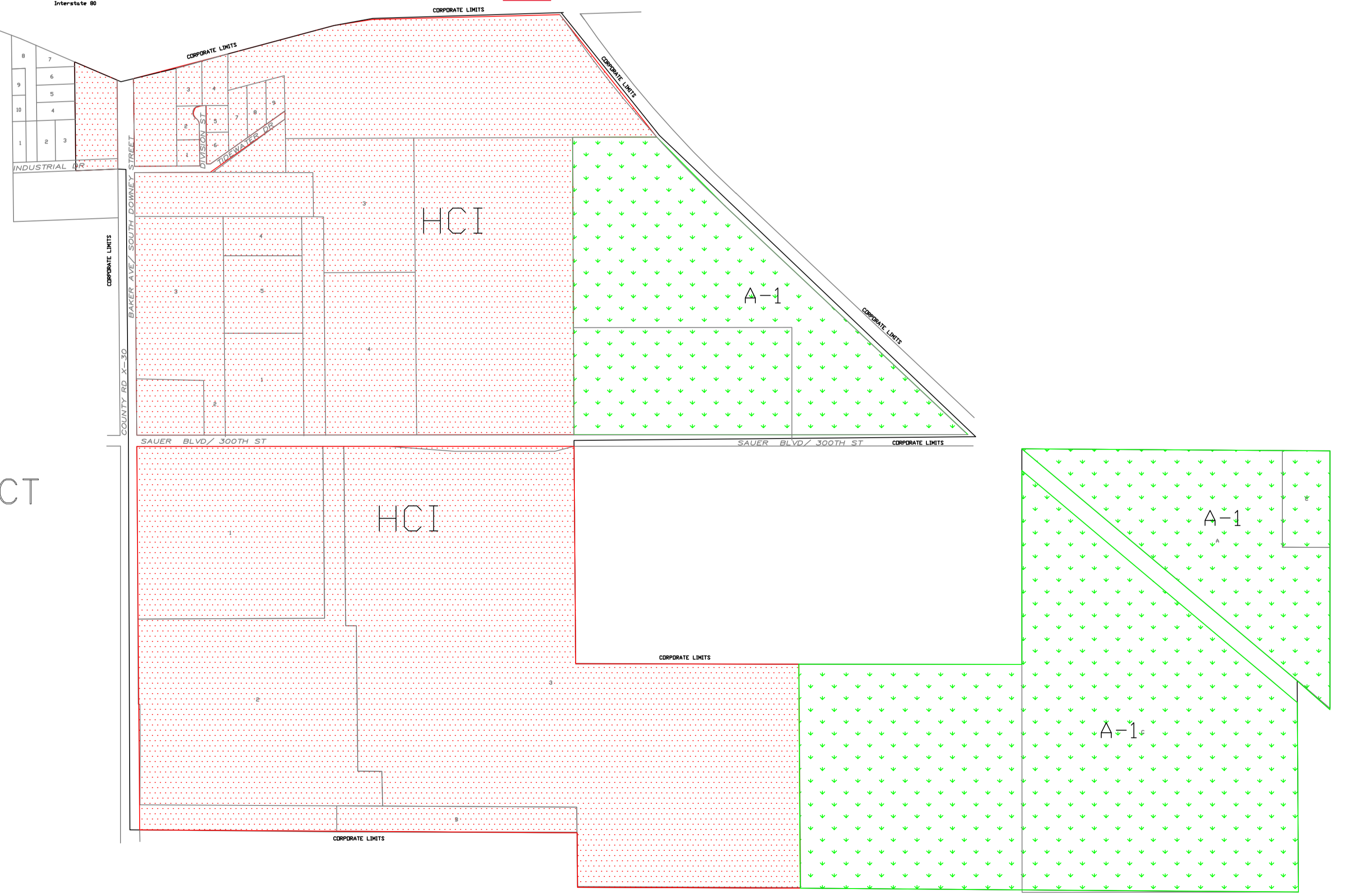
PLEASE NOTE: Pursuant to Section 312.3(4) Iowa Code, the Mayor and Council are required to certify to the State Treasurer the actual population of the annexed area as determined by the last federal census of that area. The certification should be sent to: Treasurer of the State of Iowa, c/o RUT Acctg, 1st Floor Lucas State Office Building, 321 E. 12th Street, Des Moines, IA 50319.

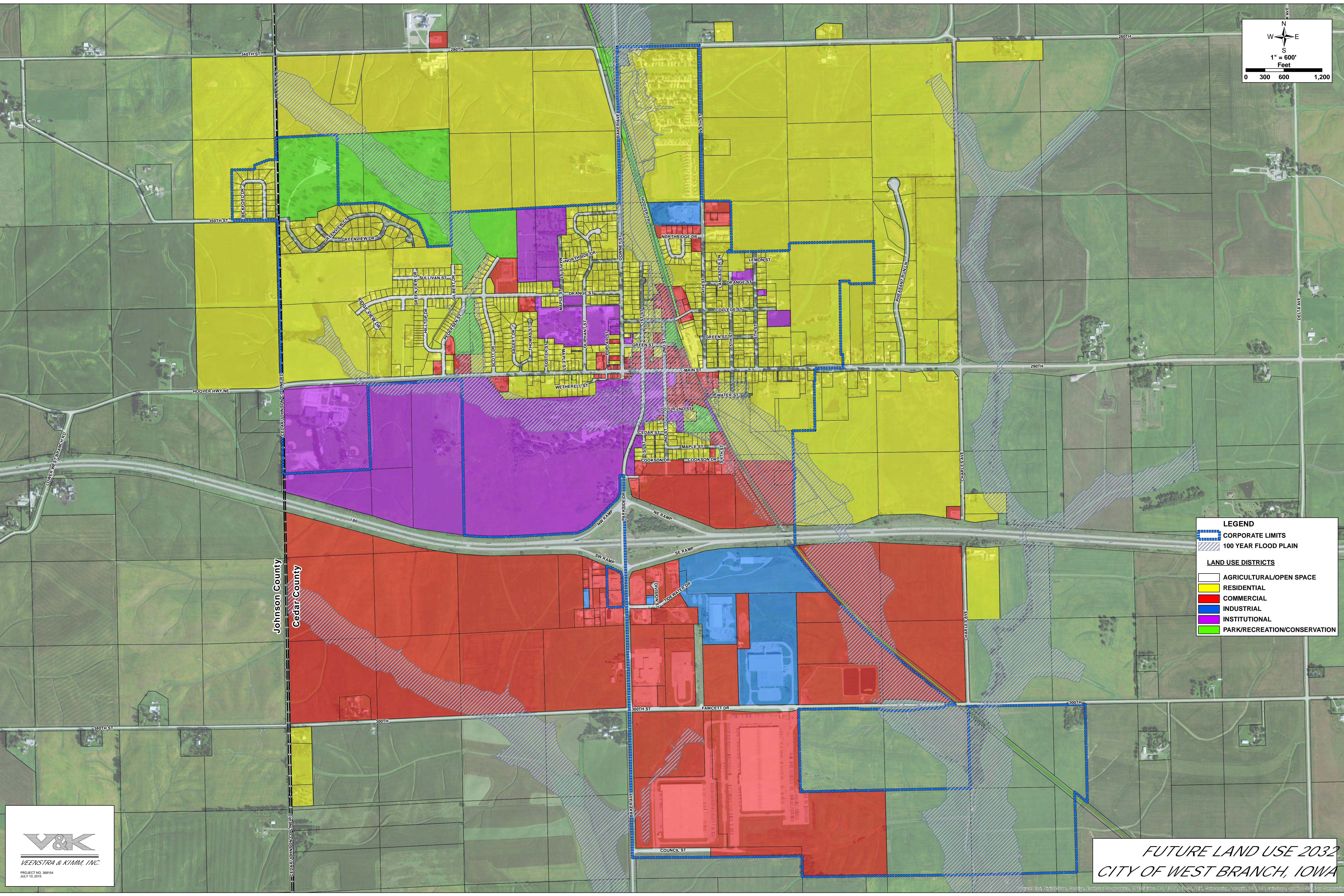
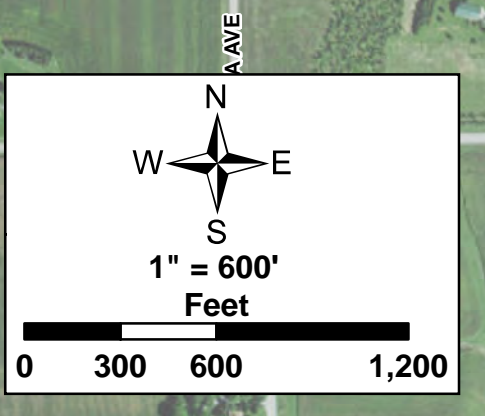
CITY OF WEST BRANCH ZONING MAP



ZONING LEGEND

	A-1	AGRICULTURAL DISTRICT
	R-1	SINGLE FAMILY RESIDENCE DISTRICT
	R-2	TWO FAMILY RESIDENCE DISTRICT
	R-3	MULTIPLE RESIDENCE DISTRICT
	RB-1	RESIDENCE/BUSINESS DISTRICT
	B-1	BUSINESS DISTRICT
	B-2	BUSINESS DISTRICT
	I-1	INDUSTRIAL DISTRICT
	I-2	INDUSTRIAL DISTRICT
	HCI	HIGHWAY COMMERCIAL INDUSTRIAL DISTRICT
	CB-2	CENTRAL BUSINESS DISTRICT
	CB-2	CENTRAL BUSINESS DISTRICT
	CI-2	CENTRAL INDUSTRIAL DISTRICT
	P-1	PUBLIC USE DISTRICT





LEGEND

- CORPORATE LIMITS
- 100 YEAR FLOOD PLAIN

LAND USE DISTRICTS

- AGRICULTURAL/OPEN SPACE
- RESIDENTIAL
- COMMERCIAL
- INDUSTRIAL
- INSTITUTIONAL
- PARK/RECREATION/CONSERVATION

V&K
VEENSTRA & KIMM, INC.
PROJECT NO. 368154
JULY 10, 2015

*FUTURE LAND USE 2032
CITY OF WEST BRANCH, IOWA*

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, AeroGRID, IGN, SITA, IGN, 163 imagery, and the GIS User Community

2. In front yards:

A. Fuel pumps and air and water outlets in conjunction with automobile service stations, provided they shall be set back at least 15 feet from the front lot line;

B. One-story bay windows projecting three feet or less into the yard;

C. Open terraces not over four feet above the average level of the adjoining ground and not projecting over 10 feet into a yard, but not including permanently roofed-over terraces or porches;

D. Signs and nameplates, as regulated therein.

E. In all residential districts there shall be a minimum front yard required for that particular zoning district in this chapter; provided, however, that where lots comprising 30 percent or more of the frontage within 200 feet of either side lot line are developed with buildings at a greater or lesser setback than stated in said particular zoning district, the front yard requirement for an undeveloped lot shall be the average of these building setbacks. In computing the average setback, buildings located on reverse corner lots or entirely on the rear half of lots shall not be counted. However, in no case shall the required front yard setback exceed 50 feet.

F. Front Setback Coverage:

1. Purpose: The front setback coverage standard ensures that a certain portion of the front setback area remains free of impervious surface, which helps to maintain a consistent and pleasant environment along neighborhood streets. These standards increase public safety by preventing excessive front yard paving and vehicular storage that may obscure the principal dwelling and the main entrance from view of the street. In addition, this standard helps to prevent neighborhood streets that are dominated by front yard pavement, particularly along frontages with narrow residential lots.

2. Standard: The maximum front setback coverage standard for the single-family residential zones is 50% of the required front yard. This is the maximum percentage of the required front setback that may be covered by impervious surface, including driveways, walkways, patios, decks, and other paved areas.

165.04 DEFINITIONS.

Unless otherwise stated, the following words shall have the meanings herein indicated.

1. "Accessory building" means a detached subordinate building, the use of which is customarily incidental to that of the main building or to the main use of the land and which is located on the same lot with the main building or use. Such a building shall not include dwelling units or living quarters.
2. "Accessory use" means a use subordinate to the main use of land or a building on a lot and customarily incidental thereto.
3. "Agriculture" means an area which is used for the growing of the usual farm products, such as vegetables, fruit, trees and grain, and their storage on the area, as well as for the raising, feeding, or breeding thereon of the usual farm poultry and farm animals, such as horses, cattle, sheep and swine. The term "farming" includes the operating of such an area for one or more of the above uses, including dairy farms with the necessary accessory uses for treating or storing the produce; provided, however, the operation of such accessory uses shall be secondary to that of the normal farming activities, and provided further, "farming" does not include large scale commercial feeding of livestock.
4. "Alley" means minor ways which are used primarily for vehicular service access to the rear or side of properties otherwise abutting on a street.
5. "Alterations, structural" means any change in the building load-bearing members of a building, such as bearing wall, partitions, columns, beams, or girders. The enlargement of the side or height of a building shall be construed to be a structural alteration.
6. "Apartment" means a room or suite of rooms, with toilet and culinary accommodations, used or designed for use as a residence by a family, or any two or more people, located in a building containing two or more such rooms or suites, or located in a building devoted primarily to non-residential use.
7. "Auto laundry" means a building or portion thereof, where automobiles are washed commercially, or equipment is rented for the same purpose.
8. "Automobile sales room" means a building or portion thereof where automobiles and vehicles are sold by a franchised dealer either with or without storage, parts sales, and repair facilities, providing all such repair activities are enclosed within a structure.
9. "Basement" means a story partly or wholly underground. Where more than one-half its height is above the established curb level or above the average level of the adjoining ground where the curb level has not been established, a basement shall be counted as a story for purpose of height measurement.
10. "Boarding house" means a building or place, other than a fraternity or sorority house, where lodging or boarding is provided by pre-arrangement for definite periods of time for compensation, for no more than 10 persons and is not open to transient guests.
11. "Building" means any enclosed space for human use or activities, whether stationary, temporary or movable. When any portion of a building is completely separated from any other portion thereof by a division from any other openings or by a fire wall, then each such portion shall be deemed to be a separate building. "Principal building" means a building, including covered porches, carports and attached garages, in which is conducted the principal use of the lot

on which it is situated. In any residence district the main dwelling shall be deemed to be the principal building on the lot on which the same is situated.

12. “Building, height of” means the vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and to the mean height between eaves and ridge for gable, hip and gambrel roofs.

13. “Building line” means an imaginary line parallel to all lot lines over which no portion of any building may extend and which is a distance from the front lot line equal to the depth of the front yard required for the distance in which such lot is located.

14. “Carport” means a form of private garage providing space for housing or storage of one or more automobiles and enclosed on not more than two sides by walls. The dimensions determining the overall size of the carport shall be measured from the extreme edge or any part of the building.

15. “Centerline” means the true centerline of a street which has been fully dedicated to its required width. Where all of the required width of public right-of-way has not been dedicated or such public right-of-way has not been dedicated or such public right-of-way exists in an offset or angular manner, the City Engineer shall determine the alignment of the centerline.

16. “Clinic” means an establishment where patients are not lodged overnight, but are admitted for examination and treatment by physicians or dentists practicing medicine together.

17. “Club” or “lodge” means an association of persons organized for the promotion of service to others, who are bona fide members paying annual dues, which owns, hires or leases a building, or portion thereof except a fraternity or sorority, the use of such premises being restricted to members and their guests. It is permissible to serve food and beverages to members and their guests on such premises provided adequate dining room space and kitchen facilities are available and are operated in compliance with the State and local laws.

18. “Corner lot” means a lot fronting on two intersecting streets or at the angle in the street where the interior angle formed by the intersection of the street lines is 135° or less and which lot has a frontage of not less than 25 feet on each leg of such angle.

19. “Driveway” means a surface designed to provide access from the street to, across or onto private property.

20. “Dwelling” means a building used exclusively for permanent residential occupancy or portion thereof, including one-family dwellings, two-family dwellings, and multiple-family dwellings, but not including a mobile home designed or used primarily for residential occupancy, or hotel, motel, apartments, boarding, lodging or rooming house, tents, cottage camps, or other structures designed or used primarily for transient residents.

A. “Dwelling, single-family” means a detached building, designed or used exclusively for occupancy by one family.

B. “Dwelling, two-family” means a building designed or used exclusively for occupancy by two families.

C. “Dwelling, multiple-family” means a building, or portion thereof, containing three dwelling units or more.

D. “Dwelling unit” means one or more rooms in a dwelling which are arranged, designed, used or intended for use as living quarters for one family. This includes permanent kitchen and bathroom facilities.

21. “Family” or “household” means one or more persons related by blood, marriage or adoption, occupying a dwelling unit as an individual housekeeping entity; and as such may include no more than two persons not related by blood, marriage or adoption.

22. “Feedlot” means a commercial venture under corporate partnership or individual ownership involving the assemblage of livestock for the express purpose of preparation for market in the least time possible, purchasing over 75 percent of its feed, and characterized by rapid turnover of livestock; the absence of dwelling unit or structure for housing livestock and presence of other uses normally associated with a farm.

23. “Fence” means a self-supporting manmade structure extending above ground designed to define, restrict, or prevent movement across a boundary.

24. “Floor area” means the total number of square feet of floor space as determined by the outside dimensions of the building, not including space in basements; however, if the basement is used for business or commercial purposes, it shall be counted as floor area in computing off-street parking requirements.

25. “Garage, private” means an enclosed space for the storage of one or more motor vehicles, provided that no business, occupation or service is conducted for profit therein or space therein for more than two vehicles is rented to non-residents of the premises.

26. “Garage, repair” means any garage other than a private garage, available to the public, operated for gain, and which is used for storage, repair, rental, greasing, washing, servicing, parts sales, and adjusting or equipping of automobiles or other motorized equipment.

27. “Grade” means:

A. For buildings having walls adjoining one street only, the elevation of the sidewalk at the center of the wall adjoining the street;

B. For buildings having walls adjoining more than one street, the average of the elevation of the sidewalks at the centers of all walls adjoining streets; or

C. For buildings having no wall adjoining the street, the average level of the finished surface of the ground adjacent to the exterior walls of the building.

Any wall approximately parallel to and not more than five feet from a street line is to be considered as adjoining the street. Where no sidewalk exists, the grade shall be established by the City Engineer.

28. “Hedge” means a row of closely planted shrubs or low-growing trees that may serve as a fence.

29. “Home occupation” means an occupation or a profession which:

A. Is customarily carried on in a dwelling unit or a building or other structure accessory to a dwelling unit or in a building or other structure accessory to a dwelling unit, and

B. Is carried on by a member of the family residing in the dwelling unit for residential purposes, and

C. Is clearly incidental and secondary to the use of the dwelling unit for residential purposes, and

D. Which conforms to the following additional conditions:

(1) The occupation or profession shall be carried on wholly within the principal building or within a building or other structure accessory thereto – and shall not occupy more than 50 percent of the floor area of one story.

(2) Not more than one person outside the family shall be employed in the home occupation;

(3) There shall be no display or indication visible from the exterior storage of materials and no other exterior indication of the home occupation or variation from the residential character of the principal building except as permitted by Section [165.37](#).

(4) No noise, vibration, smoke, dust, odors, heat or glare shall be produced which is detrimental to the residential character of the zoning district in which it is located.

30. “Hotel” means a building occupied as the more or less temporary abiding place of individuals who are lodged, with or without meals, and in which there are more than 10 sleeping rooms usually occupied independently.

31. “Inn” means a building occupied as the more or less temporary abiding place of individuals who are lodged with or without meals, and in which there are fewer than 10 sleeping rooms.

32. “Junk yard” means an area of land with or without buildings used for or occupied by a deposit, collection, or the storage, outside of a completely enclosed building, of used or discarded materials, house furnishing, machinery, vehicles, or parts thereof with or without the dismantling, processing, salvage, sale, or other use of disposition of the same. Junk yards are prohibited within the City limits.

33. “Kennel” means any lot or premises on which four or more domestic animals or pets at least four months of age are harbored.

34. “Lot” means a parcel of land legally described as a district portion or piece of land of record.

A. “Lot area” means the area of a horizontal plane bounded by vertical planes containing the front, side and rear lot lines.

B. “Lot, corner” means a lot situated at the junction of and abutting on two or more intersecting streets or adjoining a curved street at the end of a block.

C. “Lot coverage” means the area of a zoning lot occupied by the principal building or buildings and accessory buildings.

D. “Lot depth” means the mean horizontal distance between the front and rear lot lines of a lot measured within the lot boundaries.

E. “Lot frontage” means that boundary of a lot along a public street; for a corner lot the owner may elect either street line as the front lot line.

F. “Lot line: means a property boundary line of any lot held in single or separate ownership, except that where any portion of the lot extends to the abutting street or alley, the lot line shall be deemed to be the street or alley line.

- G. "Lot, interior" means a lot other than a corner or reversed corner lot.
- H. "Lot line, front" means the front property line of a zoning lot.
- I. "Lot line, interior" means a side lot line common with another lot.
- J. "Lot line, rear" means the lot line or lot lines most nearly parallel to and most remote from the front lot line.
- K. "Lot of record" means a lot which is part of a subdivision the map of which has been recorded in the office of the County Recorder of Deeds of Cedar County or a parcel of land the deed of which was recorded in the office of the County Recorder of Cedar County prior to the adoption of the Zoning Ordinance.
- L. "Lot line, side" means a lot line other than front or rear lot lines.
- M. "Lot, reversed corner" means a corner lot, the rear of which abuts upon the side of another lot, whether across an alley or not.
- N. "Lot, through" means a lot having frontage on two parallel streets, or approximately parallel streets and which is not a corner lot. On a through lot, both street lines shall be deemed front lot lines.
- O. "Lot width" means the mean horizontal distance between the side lot lines measured within the boundaries, or between the side lot lines within the buildable area.
35. "Mobile home or trailer" means a vehicle with or without motive power used or adaptable for living, sleeping, business or storage purposes, having no foundation other than wheels, blocks, skids, jacks, horses, or skirting, which does not meet the Building Code requirements and has been or reasonably may be equipped with wheels or other devices for transporting the structure from place to place. The term "trailer" includes "camper" and "house car." A permanent foundation shall not change its character, nor shall the erecting of additions to said trailer, unless the trailer itself and any additions thereto conform to all City laws.
36. "Hotel, motor court, motor lodge or tourist court" means any building or group of buildings containing guest rooms or dwelling units, some or all of which have a separate entrance leading directly from the outside of the building with garage or parking space conveniently located on the lot, and designed, used, or intended wholly or in part for the accommodation of automobile transients.
37. "Nonconforming use" means any building or land lawfully occupied by a use at the time of passage of the Zoning Ordinance or amendment thereto which does not conform after the passage of such ordinance or amendment thereto, with the use regulation of the district in which it is situated.
38. "Nursing home" means a home for the aged or infirm, in which three or more persons not of the immediate family are received, kept or provided with food and shelter or care, for compensation, but not including hospitals, clinics, or similar institutions.
39. "Parking space" means an off-street space accessible and available for the parking of one motor vehicle and having an area of not less than 180 square feet, together with a driveway connecting the parking space with a street, road, or alley and permitting ingress and egress of an automobile. All parking and stacking spaces, drives and aisles must be constructed of asphaltic cement concrete, portland cement concrete or manufactured paving materials.

40. “Public right-of-way” means all streets, roadways, sidewalks, alleys, and other areas reserved for present or future use by the public, as a matter of right for the purpose of vehicular or pedestrian travel or utility installation.
41. “Retaining wall” means a wall not laterally supported at the top that resists lateral soil load and other imposed loads.
42. “Screen” means a class of fence intended to provide a visual buffer (e.g., hide utility boxes or trash containers).
43. “Service stations” means any area of land, including structures thereon, that is used or designed to be used primarily for the sale of gasoline or oil or other fuel for the propulsion of motor vehicles and which may include facilities used or designed to be used for polishing, greasing, washing, dry cleaning or otherwise cleaning, or servicing such motor vehicles.
44. “Sign” means any structure or part thereof or device attached thereto or painted or represented thereon, which shall display or include any letter, work, model, banner, flag, pennant, insignia, device or representation used, as, or which is in the nature of an announcement, direction or advertisement. The word “sign” includes the word “billboard,” but does not include the flag, pennant or insignia or authentic reproduction thereof of any nation, state, city or other political unit, or of any political, educational, charitable, philanthropic, civic, professional, religious or like campaign, drive, movement or event.
45. “Story” means that portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it, or, if there is no floor above it, then the space between the floor and the ceiling next above it. A basement is considered a story if used for dwelling purposes.
46. “Street” means a traveled portion of the public right-of-way between curb faces, if curb exists, which affords the principal means of access to abutting property.
47. “Structure” means anything constructed or erected which requires location on the ground, but not including fences or walls used as fences less than six feet in height, poles, lines, cables or other transmission or distribution facilities of public utilities.
48. “Use, principal” means the specific purpose for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained.
49. “Yard” means the space on a lot extending along a lot line between such “lot line” and a principal building or buildings, or non-building use occupying such lot. Yard measurements shall be taken from the building line to the lot line.
- A. “Front yard” means a yard extending the full width of the lot and situated between the front lot line and the building line. The depth of front yard shall be measured between the building line and the front lot line. Covered porches and garages, whether enclosed or unenclosed, shall be considered as part of the main building and shall not project into a required front yard.
- B. “Rear yard” means a yard extending the full width of the lot and situated between the rear line of the principal building and the rear lot line.
- C. “Side yard” means a yard situated between the building line and the side lot line and extending from the front yard to the rear yard.

D. For corner lot yard definitions refer to section [165.12](#).

50. “Zero lot line units” means two single-family dwelling units joined together on either side of a common boundary line with a common wall between such units, and which have:

A. Separate or divided ownership of each single-family unit resulting from the division of the lot or parcel of land into two separate parcels done in such a manner as to result in a single-family unit being located on either side of the common wall.

B. A standard fire wall between the separate units that is built in such a manner as to allow no connection other than the wall itself between the units.

C. Restrictive and protective covenants providing that any owners of the two-unit family dwelling shall be jointly and severally liable for the maintenance and repair of the common wall, as well as all other common aspects. Separate water and sewer lines shall be furnished to each unit. The covenants, after approval by the City, shall be recorded in the Office of the County Recorder and shall be covenants running with the land.