

ARTICLE VI

AGRICULTURAL DISTRICT "A - 1"

SECTION 1. STATEMENT OF INTENT. The A-1 District is intended and designed to provide for the agricultural community and protect agricultural land from encroachment of urban land uses. The County Development Plan designates agricultural land into two categories: Agriculture Areas (AG) and Agricultural/Residential Areas (AR). AG areas are intended to preserve rural character by restricting the development of new rural non-farm dwellings by requiring large lot development. Subdivisions may be created in these areas if they are so allowed in the Marshall County Comprehensive Land Use Plan. Areas designated on the Plan as AR allow development of isolated rural non-farm dwellings and rural residential subdivisions.

SECTION 2. PERMITTED USES.

Subsection A. Only the use of structures and/or land listed in this Section shall be permitted in the A-1 District.

- (1) Agriculture - Crop Production.
- (2) Agriculture - Livestock Production.
- (3) Farmstead.
- (4) Animal hospitals and veterinary clinics, provided however, that such uses not be permitted on parcels where the LESA score is 254-300.
- (5) Seed research facilities including lab facilities, storage and refrigeration.
- (6) City and County buildings and facilities.
- (7) Single Family Residences - Includes single family dwellings, manufactured homes when placed on a permanent foundation, and converted to real property and taxed as site-built dwelling as provided by law; and farmstead which has been severed from the farm and is no longer held and operated in conjunction with an agricultural land use.
- (8) Mobile Homes - Includes homes when the owner converts the mobile home to real estate property on which they own by:
 - (a) Destruction of the vehicular frame.
 - (b) Attaching the mobile home to a permanent foundation.
 - (c) Notifying the Marshall County Assessor who shall inspect for compliance and collect the mobile home vehicle title from the owner and enter the property on the tax roll.
- (9) Churches or other places of worship and Sunday School buildings.
- (10) Public schools and private education institutions having no rooms regularly used for housing or sleeping quarters except custodian's quarters.
- (11) Cemeteries, including mausoleums.
- (12) Kennels for the raising, breeding and boarding of dogs or other small animals; provided that all buildings including exercise runways be at least fifty (50) feet from all property lines and at least two hundred (200) feet from any Residential District or residential property line.
- (13) Stables and riding academies and other structures for housing animals or fowl. Any such structure must be in the rear yard (if there is also a residence) and at least

seventy-five (75) feet from the boundary lines of the property on which it is located.

(14) Specialized horticultural operations including truck gardens, nurseries, greenhouses and orchards.

(15) Forests, wildlife preserves, parks and conservation areas.

(16) Traffic control signs.

(17) Grain bins and buildings for the seasonal or temporary storage of grain.

(18) Public utility structures and accessory equipment; including their transmitting stations and towers to any height. The base of the tower must be a distance equaling the height of the tower from any existing principal or accessory structure, other than the base of the station. The routing of transmission lines shall be restricted to locations which minimize the disruption of agricultural activities and developed residential areas.

(19) Sod farms.

(20) Child day care facilities serving six (6) or fewer children and operating only between the hours of 6:00 a.m. and 7:00 p.m.

(Amend. 98-01)

Subsection B. Other permitted uses after recommendation of the Zoning Commission and approval of the Board.

(1) Grain elevators and the usual accessory structures.

(2) Advertising signs. (Iowa Department of Transportation does not allow advertising signs along state highways unless they are on commercially zoned land and advertise for something off-premises.)

SECTION 3. PERMITTED ACCESSORY USES.

Subsection A. The following are permitted accessory uses:

(1) Use of land and structures customarily incidental and subordinate to a principal use.

(2) Home occupations within the residence.

(3) Seed and feed dealerships, provided however, there is no showroom or other commercial activity. A sign no larger than twenty (20) square feet in area, stating only the names of the owners or proprietors or the business name, may be affixed to the building storing the feed and seed. This shall be the only exterior advertising sign allowed for such a use.

(4) Roadside stands offering for sale only products grown on the premises from any of the above permitted uses. Such stands shall be removed during any season or period when they are not being used for the sale of the aforementioned goods.

(5) Private kennel.

(6) Bed and breakfast homes. A Certificate of Compliance must be applied for and may be issued upon submittal of a \$300.00 application fee and meeting the following requirements:

(a) Accommodations must be in the family home which the host/hostess is in residence.

- (b) Accommodations are limited to a maximum of two families at any one time.
- (c) Food shall be served for compensation only to overnight guests and not to the general public.
- (d) A sign not to exceed two (2) square feet in area carrying the name of the bed and breakfast home and host/hostess is permitted on the premises.
- (e) In addition to the required parking spaces for the residence, one (1) additional parking space shall be provided for each family accommodated.
- (f) Upon arrival, guests shall register with the host/hostess their names, address, and license plate number of the vehicle being used by the guests. Records of guests shall be kept for a period of three (3) years and shall be made available for examination by Marshall County, State of Iowa, and Federal officials upon request.
- (g) Compliance with the above certifies conformance to zoning regulations only. Other local and state regulations regarding any related permits and licenses are the responsibility of the applicant.
- (7) Temporary asphalt and concrete mixing plants, where applicant can show the plant will be temporary, will be completely removed when vacated, will serve a clear public need, and will not disturb the adjoining property owners.
- (8) All wind turbines must set-back the height of the turbine (base to tip of the blades full extended upward) from any lot line or right-of-way lines.
- (8) Non-Commercial WECS, subject to the following standards:

1. **Tower Height:** Parcels smaller than one acre are not recommended for the placement of WECS, and must seek a special use permit. For property sizes between one acre and two acres the tower height shall be limited to 80 ft. For property sizes of two acres or more, there is no limitation on tower height, except as imposed by FAA regulations.
2. **Setback:** No part of the wind system structure, including guy wire anchors, may extend closer than ten (10) feet to the property boundaries of the installation site.
3. **Noise:** Non-Commercial WECS shall not exceed 60 dBA, as measured at the closest neighboring inhabited dwelling. The level, however, may be exceeded during short-term events such as utility outages and/or severe wind storms.
4. **Engineer Certification:** Applications for Non-Commercial WECS shall be accompanied by standard drawings of the wind turbine structure, including the tower, base, and footings. An engineering analysis of the tower showing compliance with the applicable regulations and certified by a licensed professional engineer shall also be submitted. This analysis is frequently supplied by the manufacturer.
5. **Compliance with FAA Regulations:** Non-Commercial WECS must comply with applicable FAA regulations, including any necessary approvals for installations close to airports.
6. **Compliance with National Electric Code:** Applications for Non-Commercial WECS shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the National Electrical Code. This information is frequently supplied by the manufacturer.

7. **Utility Notification:** No Non-Commercial WECS shall be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.

SECTION 4. LOT AREA, FRONTAGE AND YARD REQUIREMENTS

The following minimum requirements shall be observed:

<u>Use</u>	<u>Lot Area</u>	<u>Frontage/Lot Width</u>	<u>Lot Area per Family</u>
Dwelling (farm)	35 acres	-----	35 acres
Single family dwelling	25 acres	100 ft.	25 acres
All other permitted uses	25 acres	200 ft.	25 acres

SET-BACK REQUIREMENTS

<u>Use</u>	<u>Front</u>	<u>Side</u>	<u>Flag</u>	<u>Rear</u>
Single family dwelling	35 ft.	25 ft.	25 ft.	35 ft.
All other permitted uses	35 ft.	15 ft.	15 ft.	35 ft.

Subsection A. A minimum 25 acre lot area is required for any development, building or house in A-1 areas with the following exceptions:

- (1) If the lot is a legally established lot of record, filed in the Marshall County Recorder's office prior to March 18, 1996, a minimum 1 acre (exclusive of the area in the road easement) is required.
- (2) If it is a farmstead, it can be split from the farm land with a minimum of 1 acre (exclusive of the area in the road easement). In order to qualify as a farmstead there must be evidence that the farmhouse, outbuildings, windbreak, etc. were on the piece to be split. It can not have been converted to crop production.
- (3) If it is an area designated on the county development plan as ***Agricultural/Residential***, a minimum of one acre (exclusive of the area in the road easement) is required.
- (4) If it is evaluated by the L.E.S.A. system as being low to moderate value agricultural land (a score of less than 254 on the L.E.S.A. scale). A minimum of one acre (exclusive of the area in the road easement) is required.

SECTION 5. PROHIBITED USES. The following uses are prohibited in this district:

Subsection A. Adult book stores, adult motels, adult movie arcades/theaters, friendship clubs, dating clubs or services, escort services, nude modeling studios, establishments for nude encounter sessions, massage parlors or any other business oriented toward titillation or gratification of sexual feelings or desires of patrons.

Subsection B. Junkyards. Except with approval by the Board of Adjustment under a two-year renewable Special Use Permit, provided however, that such uses not be permitted on parcels where the LESA score is between 254-300.