

ORDINANCE NO. 11  
ZONING ORDINANCE OF THE CITY OF  
PAULLINA, 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 other open spaces; to establish minimum lot areas; to regulate the density of population and the percentage of lot that may be occupied; to require 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 confirm the board of adjustment; and 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 Paullina, 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 undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; to conserve the value of buildings, to promote the conservation of energy resources; to promote reasonable access to solar and wind energy resources; and encourage the most appropriate use of land throughout the city, all in accordance with the City of Paullina's comprehensive plan,

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

The Paullina Zoning Ordinance was created by the Paullina 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 ordinance. As proposed within the adopted Paullina Zoning Ordinance the following articles contain zoning regulations and administrative review processes. The following 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.

**ARTICLE 1: BASIC PROVISIONS**

- 1.1. Short Title
- 1.2. Jurisdiction
- 1.3. Repeal and Saving Clause
- 1.4. Validity and Severability Clause
- 1.5. Interpretation of Regulations
- 1.6. General Purpose
- 1.7. Comprehensive Plan Relationship

**ARTICLE 2: DEFINITIONS**

- 2.1. General Zoning Definitions
- 2.2. Specific Land Use Definitions

**ARTICLE 3: ZONING DISTRICTS ESTABLISHED**

- 3.1. Zoning Districts
- 3.2. Boundaries and Official zoning map
- 3.3. Interpretation of District Boundaries
- 3.4. Road or Public Right-of-Way Vacation
- 3.5. Annexed Lands
- 3.6. General Regulations

**ARTICLE 4: AGRICULTURE DISTRICT (AG)**

- 4.1. Intent
- 4.2. Principal Permitted Uses
- 4.3. Conditional Uses
- 4.4. Accessory Uses and Structures
- 4.5. Site Development Regulations
- 4.6. Off-Street Parking
- 4.7. Sign Regulations
- 4.8. Supplemental District Regulations
- 4.9. Zoning Permit Required

**ARTICLE 5: SINGLE FAMILY RESIDENTIAL DISTRICT (R-1)**

- 5.1. Intent
- 5.2. Principal Permitted Uses
- 5.3. Conditional Uses
- 5.4. Accessory Uses and Structures
- 5.5. Site Development Regulations
- 5.6. Off Street Parking
- 5.7. Sign Regulations
- 5.8. Supplemental District Regulations
- 5.9. Zoning Permit Required

**ARTICLE 6: MULTIPLE FAMILY RESIDENTIAL DISTRICT (R-2)**

- 6.1. Intent
- 6.2. Principal Permitted Uses
- 6.3. Conditional Uses
- 6.4. Accessory Uses and Structures
- 6.5. Site Development Regulations
- 6.6. Off-Street Parking
- 6.7. Sign Regulations
- 6.8. Supplemental District Regulations
- 6.9. Zoning Permit Required

**ARTICLE 7: MOBILE & MANUFACTURED HOUSING DISTRICT (MH)**

- 7.1. Intent
- 7.2. Principal Permitted Uses
- 7.3. Conditional Uses
- 7.4. Accessory Uses and Structures

- 7.5. Site Development Regulations
- 7.6. Mobile or Manufactured Home Park Requirements
- 7.7. Additional Mobile/Manufactured Housing Requirements
- 7.8. Nonconforming Mobile or Manufactured Homes or Parks
- 7.9. Mobile or Manufactured Housing Converted to Real Estate
- 7.10. Zoning Permit Required

***ARTICLE 8: DOWNTOWN COMMERCIAL DISTRICT (C-1)***

- 8.1. Intent
- 8.2. Principal Permitted Uses
- 8.3. Conditional Uses
- 8.4. Accessory Uses and Structures
- 8.5. Site Development Regulations
- 8.6. Off-Street Parking
- 8.7. Sign Regulations
- 8.8. Supplemental District Regulations
- 8.9. Zoning Permit Required

***ARTICLE 9: GENERAL COMMERCIAL DISTRICT (C-2)***

- 9.1. Intent
- 9.2. Principal Permitted Uses
- 9.3. Conditional Uses
- 9.4. Accessory Uses and Structures
- 9.5. Site Development Regulations
- 9.6. Off-Street Parking
- 9.7. Sign Regulations
- 9.8. Supplemental District Regulations
- 9.9. Zoning Permit Required

***ARTICLE 10: GENERAL INDUSTRIAL DISTRICT (GI)***

- 10.1. Intent
- 10.2. Principal Permitted Uses
- 10.3. Conditional Uses
- 10.4. Accessory Uses and Structures
- 10.5. Site Development Regulations
- 10.6. Off-Street Parking
- 10.7. Sign Regulations
- 10.8. Supplemental District Regulations
- 10.9. Zoning Permit Required

***ARTICLE 11: SITE PLANS***

- 11.1. Intent
- 11.2. Scale
- 11.3. Legal Information
- 11.4. Site Plan

***ARTICLE 12: SUPPLEMENTAL DISTRICT REGULATIONS***

- 12.1. Intent
- 12.2. Lot of Record
- 12.3. Relocated Residential Dwellings

- 12.4. Multiple Principal Structures per Lot
- 12.5. Yard Regulations
- 12.6. Steps, Decks, and Patios
- 12.7. Fences, Hedges, and Retaining Walls
- 12.8. Buildings to Have Access
- 12.9. Use of Public Right-of-Way
- 12.10. Lot Frontage Continuity
- 12.11. Height Exemptions

***ARTICLE 13: ADDITIONAL USE REGULATIONS***

- 13.1. Accessory Buildings and Uses
- 13.2. Portable Accessory Buildings and Storage Structures
- 13.3. Temporary Buildings and Uses
- 13.4. Gas Stations, Service Stations, and Convenience Stores
- 13.5. Home Occupations
- 13.6. Minimum Residential Dwelling Standards
- 13.7. Adult Entertainment Businesses
- 13.8. Wind Energy Devices
- 13.9. Communication Towers

***ARTICLE 14: OFF STREET PARKING***

- 14.1. General Parking Area and Surface Requirements
- 14.2. Computation of Parking Spaces
- 14.3. Off Street Parking Requirements
- 14.4. Recreational Vehicle Parking
- 14.5. Off Street Loading Requirements

***ARTICLE 15: SIGN REGULATIONS***

- 15.1. Intent
- 15.2. Sign Definitions
- 15.3. Sign Types
- 15.4. Exempt Signs
- 15.5. Sign Requirements
- 15.6. General Sign Regulations
- 15.7. Conditional Use Signs
- 15.8. Variances for Signs
- 15.9. Nonconforming Signs
- 15.10. Sign Maintenance and Obsolete Signs

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- 16.3. Nonconforming Uses of Buildings or Structures
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- 16.5. Change in Tenancy or Ownership

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- 17.1. Zoning Administrator
- 17.2. Zoning Compliance
- 17.3. Zoning Permits Required
- 17.4. Application for Zoning Permit

- 17.5. Site Plans
- 17.6. Construction and Use as in Application, Plans, and Permit
- 17.7. Fees
- 17.8. Conditional Uses
- 17.9. Administrative Appeals

***ARTICLE 18: VIOLATION AND PENALTY***

- 18.1. Violation and Penalty
- 18.2. Restraining Order

***ARTICLE 19: BOARD OF ADJUSTMENT***

- 19.1. Board of Adjustment
- 19.2. Proceedings of the Board of Adjustment
- 19.3. Stay of Proceedings
- 19.4. Powers and Duties
- 19.5. Decisions of the Board of Adjustment
- 19.6. Appeals from the Board of Adjustment

***ARTICLE 20: VARIANCES***

- 20.1. Intent
- 20.2. Application
- 20.3. Procedures
- 20.4. Lapse of Variance
- 20.5. Revocation of Variance
- 20.6. Appealing a Variance Decision
- 20.7. Variance to Run with the Land or Structure

***ARTICLE 21: CONDITIONAL USES***

- 21.1. Requirements
- 21.2. Responsibilities
- 21.3. Application for a Conditional Use Permit
- 21.4. Procedures
- 21.5. Standards
- 21.6. Revocation
- 21.7. Conditional Use to Run with the Land
- 21.8. Uses Under Conditional Use Provisions
- 21.9. Supplemental Standards

***ARTICLE 22: CHANGES AND AMENDMENTS***

- 22.1. Application for Rezoning or Text Amendment
- 22.2. Procedures
- 22.3. Initiation
- 22.4. Protest Provision
- 22.5. New Application

***ARTICLE 23: EFFECTIVE DATE***

- 23.1. Effective Date

## Section 2.1. GENERAL ZONING DEFINITIONS.

For interpreting this ordinance certain words, terms and expressions are hereby defined:

- words used in the present tense shall include the future
- singular shall include the plural and the plural includes the singular
- the word "may" is discretionary and the word "shall" is always mandatory
- the word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual
- the words "used" or "occupied" include the words intended, designed, or arranged to be used or occupied
- the word "lot" includes the words plot or parcel and all other words or phrases used to denote an individual building site that complies with the minimum requirements of this ordinance
- the word "includes" means including but is not limited to

for purposes of interpreting terms and words in the Paullina zoning ordinance, the following words are defined in the ordinance: accessory building (or structure), accessory use, addition, alley, alteration (structural), apartment, attached, attic, basement, block, buildable area, building, building height, building line, building (principal), building wall, business, carport, city, commission (or planning commission), contiguous, council, curb level, deck, detached, domesticated animals, driveway, dwelling, dwelling (single family), dwelling (two family), dwelling (multiple-family), dwelling unit, easement, encroachment, engineer (city), essential services, facade, factory-built structure, factory-built housing, family, fence, floor area, frontage, garage, garage (attached), grade, home occupation, household, housing unit, impervious surface, incidental, institution, junk (or salvage), junk vehicle or junk machinery, junk yard (or salvage yard), land use, landscaped, loading space, lot, lot area, lot coverage, lot (corner), lot (interior), lot (through), lot depth, lot lines, lot line (front), lot line (rear), lot line (side), lot of record, lot width, manufactured home, manufactured home community, mobile home, mobile home park, mobile or manufactured home converted to real estate, mobile or manufactured home subdivision, modular home, nonconforming use, nonconforming structure (or building), nuisance, occupancy (or occupied), open space, parking lot, parking facility, parking space, patio, permanent foundation, porch (open), prohibited use, property, public notice, recreational vehicle, recreational vehicle park, residential purposes, road or street line, roadside stand, setback line, sight triangle, site development regulations, site plan, spot zoning, steps, story, story (half), street, street line, structure, substandard lot (or nonconforming lot), swimming pool, temporary building or structure, townhouse, travel trailer, use (principal), use (permitted), use (conditional), use (accessory), utility, valuation, variance, yard, yard (front), yard (rear), yard (side), yard (street side), zoning, zoning administrator, zoning compliance permit, zoning district, zoning lot, zoning map.

# PAULLINA, IOWA

## ZONING DISTRICT SITE DEVELOPMENT REGULATIONS

Zoning District	Maximum Height	Minimum Lot Area	Minimum Lot Width	Required Front Yard	Required Rear Yard	Required Side Yard	Street Side Yard (corner lot)
AG Agriculture	35 ft. (dwellings) None for ag uses	1 acre	150 ft.	50 ft.	50 ft.	20 ft.	50 ft.
R-1 Single Family Residential	35 ft.	8,000 SF 9,000 TF 10,000 OU	80 ft.	25 ft.	25 ft.	7 ft.	25 ft.
R-2 Multiple Family Residential	35 ft.	8,000 SF 9,000 TF +1,500/DU 10,000 OU	80 ft.	25 ft.	25 ft.	7 ft.	25 ft.
MH Mobile & Manufactured Housing	35 ft.	4,000 sq.ft. (lot) 2 acres (park)	40 ft. (lot) 150 ft. (park)	15 ft.	25 ft.	7 ft.	25 ft. (Park Boundary)
C-1 Downtown Commercial	35 ft.	No Minimum	No Minimum	none	none 25 ft. if next to res.	none	none
C-2 General Commercial	35 ft.	10,000 sq.ft.	80 ft.	35 ft.	25 ft.	10 ft.	35 ft.
GI General Industrial	35 ft.	20,000 sq.ft.	100 ft.	35 ft.	25 ft. 50 ft. if next to res.	10 ft. 25 ft. if next to res.	35 ft.

A complete copy of 2017 Paullina Zoning Ordinance in its entirety may be reviewed for public inspection in the Paullina City Hall at 127 S. Main Street, Paullina, Iowa 51046. Copies of the proposed zoning ordinance or portions thereof, are available for inspection at City Hall at the above listed address between the hours of 7:30 a.m. to 12:00 p.m. and 1:00 p.m. to 4:30 p.m. or by contacting the City Clerk at 712-949-3499.

Additionally, 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 associated with this ordinance.

## ARTICLE 18. VIOLATION AND PENALTY

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### Article 18: Violation and Penalty

Section 18.1. Violation and Penalty

Section 18.2. Restraining Order

#### Section 18.1. VIOLATION AND PENALTY.

Unless provided elsewhere in this ordinance or the city's municipal code, any person, firm, corporation or agent responsible for such building or land who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance or amendment thereof; or who shall build or alter any building in violation of any detailed statement or approved plan 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. Each day that a violation is permitted to exist constitutes a separate offense.

A municipal infraction for a zoning violation in Paullina, Iowa is punishable under the following civil penalties: (*Code of Iowa, 2016, Sec. 455A.22 and Sec. 123.49*)

First offense - no less than \$250 and not to exceed \$750.00, plus court costs

Second and repeat offenses - no less than \$250 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.

#### Section 18.2. RESTRAINING ORDER.

In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure or land is used in violation of this ordinance, the city attorney, in addition to other remedies, may institute any proper action or proceed in the name of the City of Paullina, to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, conduct, business or use in or about said premises.



## JURISDICTION.

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

## REPEAL AND SAVINGS CLAUSE.

Effective on the effective date of this ordinance, the previous Paullina Zoning Ordinance 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 remaining in force for 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 in its entirety 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 or other rules or 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 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.

## GENERAL PURPOSE.

The various zoning districts, created by this ordinance and the various articles and sections of this ordinance, are adopted for the purpose among others to:

1. Promote public health, safety, morals, comfort, general welfare, and preserving the natural resources, and historically significant areas of the city.
2. Help achieve greater efficiency and economy of land development by promoting the grouping of those activities which are compatible.
3. Encourage classification of land use and distribution of land development within the city to facilitate adequate and economic provision of transportation, communication, water supply, drainage, sanitation, education, recreation, and other public requirements.
4. Ensure all residential, commercial, and industrial structures as well as other types of structures will be accessible to firefighting and other emergency equipment.
5. Promote the development of residential neighborhoods in which each dwelling is assured the provision of light, air, and open spaces.
6. Discourage nonconforming uses of land, buildings, and structures which negatively affect the character and value of development in each district.
7. Minimize the effects of nuisance producing activities.
8. Preserve the taxable value of the land and buildings throughout the city.
9. Define the powers and duties of city council, board of adjustment and zoning administrator.

COMPREHENSIVE PLAN RELATIONSHIP.

These regulations are designed to implement and support various elements of the city's comprehensive plan as required by Iowa Code. Any amendment to the district regulations or zoning map should conform to the Paullina Comprehensive Plan or the city's general plan for development.

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 PAULLINA, IOWA

Passed and approved of the first consideration on February 20, 2018

Passed and approved of the second consideration on March 5, 2018

Passed and approved of the third and final consideration on March 19, 2018

Adopted on March 19, 2018

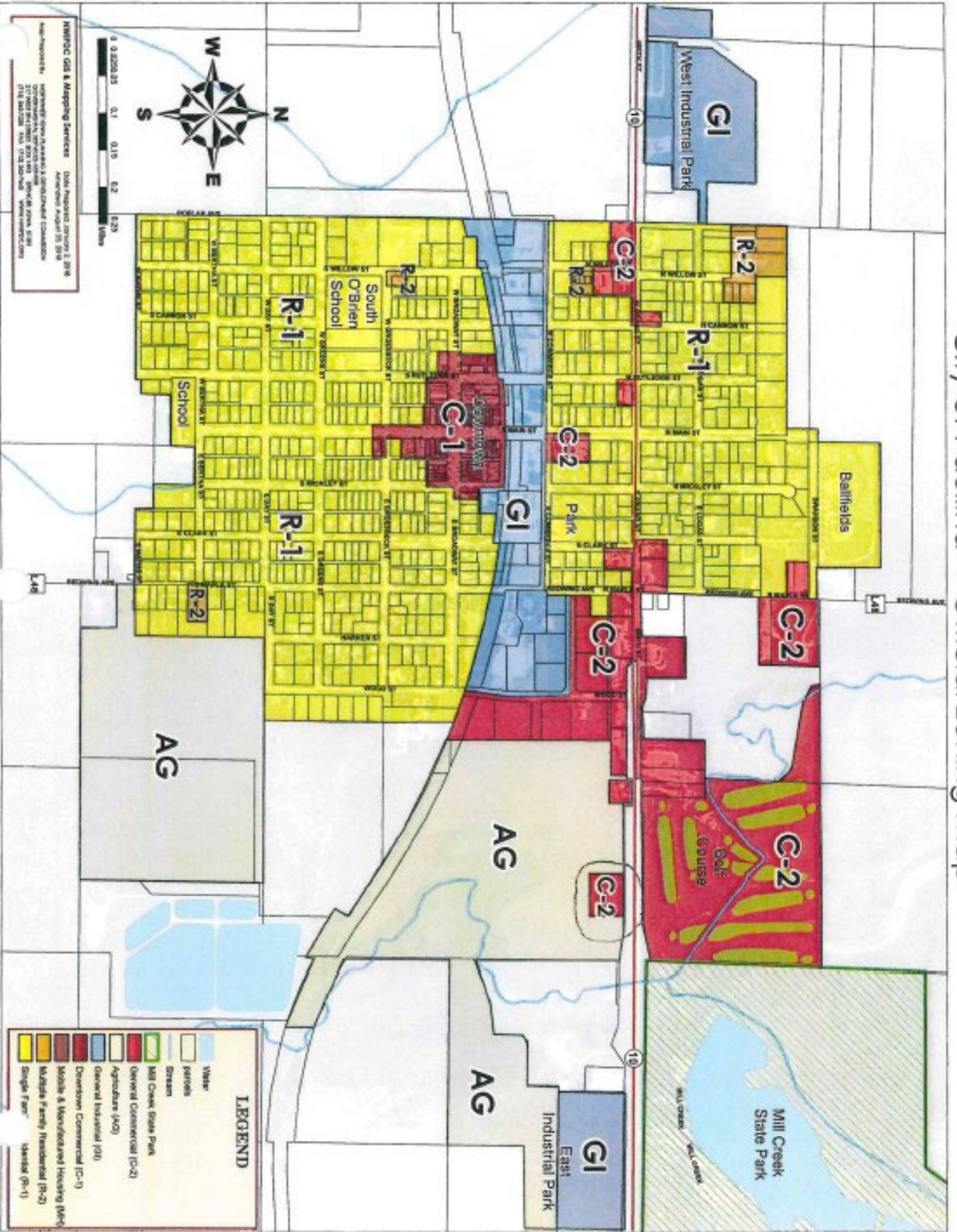
Published on March 29, 2018

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Mayor, City of Paullina

Attest:

\_\_\_\_\_  
Paullina City Clerk

# City of Paulina ♦ Official Zoning Map



NINTECH GIS & Mapping Services      DONALD HARRISON, JUNIOR, L.P. 2018  
 PROJECT: CITY OF PAULINA'S OFFICIAL ZONING MAP  
 APPROVED: AUGUST 25, 2018  
 DATE: AUGUST 25, 2018  
 CITY OF PAULINA, MISSOURI      214 W. MAIN ST., PAULINA, MISSOURI 64601  
 TEL: 816.833.2800      FAX: 816.833.2801      WWW.CITYOFPAULINA.COM

### LEGEND

	Water
	parking
	Drainage
	Mill Creek State Park
	General Commercial (C-2)
	Agriculture (AG)
	Downtown Commercial (C-1)
	Multiple-Family Residential (R-2)
	Single-Family Residential (R-1)