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17.30.10 NONCONFORMING USES

17.30.101 Purpose: Within the established districts set forth by this regulation or amendments that may be adopted at a later date, exist lots, uses of land, uses of structures, and structures that were lawful at the time of adoption of these regulations, but are now prohibited, restricted, and regulated under the terms of these regulations and/or future amendments. It is the intent of this regulation to allow these nonconformity's to continue until they are removed or fail to maintain their nonconforming status, but not to encourage their survival.

The objective of this regulation is to set the terms by which all nonconforming uses and lots will ultimately be brought into compliance with the terms of this title as it is adopted and amended. Such nonconformities have been found to be incompatible with permitted uses and structures within the zoning district in which they are found. However, single-family uses shall not, generally, be treated as nonconforming uses.

To avoid undue hardship, nothing in this regulation shall be deemed to require a change in plans, construction, or use of any building in which actual construction was lawfully begun prior to the effective date of adoption or amendment of these regulations. Actual construction is hereby defined as placing or fastening materials in a permanent position, or where excavation, demolition, or removal in preparation for building has occurred, provided that work is carried on in a diligent manner.

17.30.102 Discontinuance: Any nonconforming use of land or nonconforming use of structure that is idle, unoccupied, or vacant for one year or more is conclusively deemed discontinued, abandoned, and terminated, and shall lose its nonconforming rights. Any future uses shall be in compliance with the use regulations of the district in which it exists.

Any nonconforming use or structure that is removed, unlawfully constructed, altered, or operated at any time shall not be allowed to continue existence or use as a nonconforming use or structure. Any such nonconforming use that comes into compliance with the land use and/or zoning regulations of the zoning district in which it is located at any time shall not be allowed to be constructed, altered, or operated as a nonconforming use or structure in the future.

Nothing in this Chapter shall be interpreted as authorization for the continuance of the use of a structure or lot established unlawfully or in violation of the Zoning and Subdivision Regulations in effect prior to the effective date hereof.

All variances or appeals of this regulation shall be submitted to the Zoning Board of Adjustment.

17.30.103 Single-family Uses: Nonconforming single-family uses may be rebuilt or restored if destroyed or damaged to any extent. This only applies to residential structures primarily utilized for housing purposes, including any attached structures. Such repair, reconstruction, or structural alteration shall not increase or extend the degree of nonconformity. Detached structures shall not be allowed to rebuild, except in conformance with all requirements of this Title. Nonconforming structures shall not be repaired, reconstructed, or structural altered except in compliance with all other provisions of this Title.

17.30.104 Nonconforming Lots of Record: In any district in which single-family dwellings are permitted, a single-family dwelling and customary accessory buildings may be erected on any single

legal lot of record at the effective date of adoption or amendment of this regulation not withstanding other provisions of this regulation. This regulation shall apply even though such lot fails to meet the requirements of area, width, or both, that are generally applicable in the district; provided that front yard dimensions and requirements other than those applying to area, width, or both of the lot shall conform to all other regulations for the district in which such lot is located.

17.30.105 Nonconforming Uses of Land: Where at the time of passage of these regulations a lawful use of land exists (preexisting), which would not be permitted by these regulations, the use may be continued as long as it remains lawful, provided:

1. No such nonconforming use shall be enlarged or extended to occupy a greater area of land than was occupied at the effective date of adoption of these regulations unless herein provided.
2. No such nonconforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use on the effective date of adoption or amendment of this section.
3. No additional structures that do not conform to the requirements of this regulation shall be erected in connection with such nonconforming use of land unless herein provided.

17.30.106 Nonconforming Uses of Structures: If lawful use of a individual structure exists at the effective date of adoption or amendment of this regulation that would not be allowed in the district under the terms of this regulation, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No existing structure devoted to a use not permitted by this regulation in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.
2. Any nonconforming use may be extended throughout any part of a building, which was designed for such use at the time of adoption or amendment of this regulation, but no such use shall be extended to occupy any land outside such building.
3. When any structure committed to a nonconforming use is superceded by a permitted use, it shall thereafter conform to the regulations for the district, and the nonconforming use may not thereafter be resumed.

17.30.107 Nonconforming Structures: Where a lawful structure exists at the effective date of adoption or amendment of these regulations that could not be built under the terms of these regulations by reasons of restrictions on area, height, yards, location on lot, or other requirements concerning structures, such structures may be continued so long as it remains otherwise lawful, provided:

1. Where a structural projection of the principal building is located closer to the lot line than allowed by this regulation, the nonconforming side of the structure may be increased provided that the following requirements are met:
 - a. The existing structural projection that is being added onto is no less than 10 feet from the front lot line, 4 feet from the side lot line, and 25 feet from the rear lot line.
 - b. The addition shall not extend beyond the further most structural projection of the nonconforming side.
 - c. The addition shall not exceed 250 square feet in size.
 - d. The addition shall meet all other requirements of this Title.
2. An addition to a principal structure that meets all setback, lot coverage, area, use, and all other applicable requirements of the district in which it is located and this Title may be greater than 250 square feet.

3. A non-conforming accessory structure shall not be increased in size, except to bring the entire structure into conformance with all requirements of this Title.
4. Should such nonconforming structure or nonconforming portion of the structure be destroyed or deteriorated by any means to an extent of more than sixty percent (60%) of its assessed value at time of destruction, such structure shall be allowed to be restored or reconstructed to its previous size, including area, height, and lot coverage; provided all other applicable building and zoning codes are met, including required setbacks. For the purpose of this regulation, the assessed value on record at the Des Moines County Assessors office shall be used as the assessed value of a structure at the time of destruction.

Such reconstruction shall be commenced within one-year of the date of the destruction. An extension up to one-year may be granted by the Development Department upon valid request by the property owner.

Lot Layout

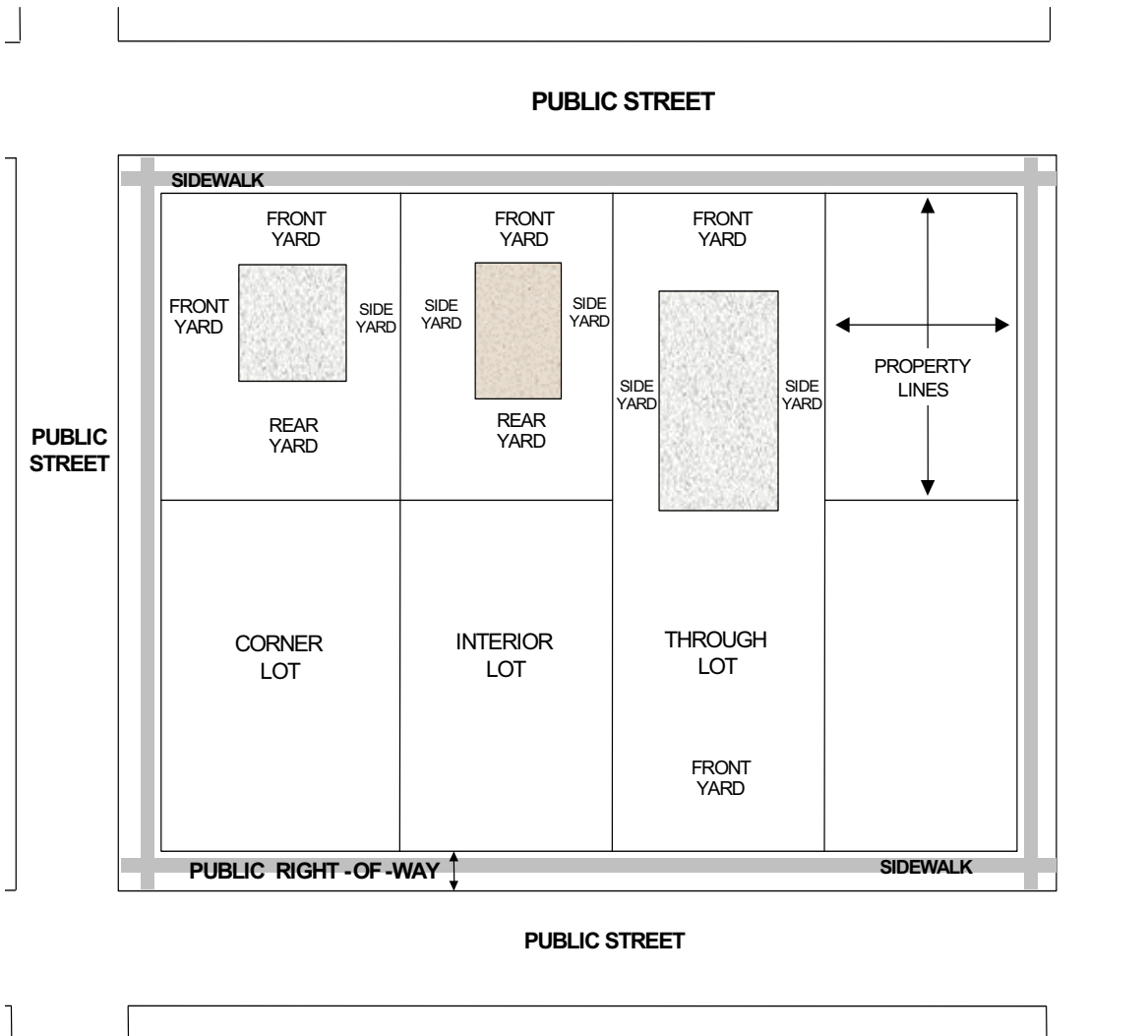


Table 17.30.20		Maximum Height of Building		Minimum Depth of Front Yard in Feet	Minimum Width of Side Yard in Feet	Minimum Depth of Rear Yard in Feet	Minimum Lot Area Per Family in Square Feet	Minimum Lot Width in Feet (h)	Minimum Lot Area in Square Feet	Maximum Lot Coverage by Principal and Accessory Structures
District	Stories	Feet								
R-1 Single Family Residential	2 ½	35	30	7	25	9,000	70	9,000	See 17.30.208	
R-2 Single Family (non-traditional) Residential	2 ½	35	25	5	25	6,000	50	6,000	See 17.30.208	
R-3 Two Family Residential	2 ½	35	25	5	25	1-F 5,000 2-F 3,000	50	1-F 5,000 2-F 6,000	See 17.30.208	
R-4 Multi Family Residential	3 (a)	45 (a)	25	5 (a)	25	1-F 5,000 2-F 3,000 M-F 2,500 (f)	50	1-F 5,000 2-F 6,000 M-F 7,000	See 17.30.208	
C-1 Limited Commercial	2 ½ (a)	35 (a)	25	(b)	25	Same as R-4 (g)	See 17.80.803	See 17.80.803	See 17.30.208	
C-2 General Commercial	5	75	25	(b)	25	Same as R-4 (g)	See 17.80.803	See 17.80.803	See 17.30.208	
C-3 Central Business District	8	100	None	(c)	(e)	_____	_____	_____	See 17.30.208	
M-1 Light Industrial	5	75	25	(d)	25	_____	See 17.80.803	See 17.80.803	See 17.30.208	
M-2 Heavy Industrial	8	100	25	(d)	25	_____	See 17.80.803	See 17.80.803	See 17.30.208	
See attached footnotes for additional height and area restrictions; see section 17.30.202 for restrictions on accessory uses										

FOOTNOTES FOR TABLE 17.30.20

Purpose: These footnotes are intended to act as supplements and/or additional requirements to the height and area requirements stated in Section 17.30.20. Other modifications of height and area regulations may be set forth in this and other chapters of this Code.

- a. Building height levels for multi-family dwellings shall be adjusted as follows: For three-story buildings, each side yard shall not be less than ten feet. For buildings that are more than three-stories in height, the side yard requirement will be increased one (1) foot for each story above the third story.
- b. No side yard is required for nonresidential buildings, except when abutting a residential district there will be a side yard of not less than five (5) feet. Side yards for existing or proposed residential dwellings shall maintain the five-foot setback.
- c. No side yard is required for nonresidential buildings, except when abutting a residential district there will be a side yard of not less than twenty (20) feet. Side yards for existing or proposed residential dwellings shall maintain the five-foot setback.
- d. No side yard is required for nonresidential buildings, except when abutting a residential district there will be a side yard of not less than forty (40) feet.
- e. No rear yard is required for nonresidential buildings, except when abutting a residential district there will be a rear yard of not less than twenty (20) feet. Rear yards for existing or proposed residential dwellings shall maintain the twenty-five-foot setback.
- f. When a proposed multiple family dwelling contains dwelling units with less than two bedrooms per dwelling unit, the required minimum lot area per family may be reduced to the following:
 1. One-bedroom dwelling units: 1,750 square feet per family:
 2. Dwelling units without a separate bedroom; efficiency apartments: 1500 square feet per family.
- g. See lot area requirements, Section 17.30.204
- h. The minimum required lot width may be measured at the building setback line if said lot is located on the outer radius of a street such as a cul-de-sac. In no case shall the lot width measured at the right-of-way line of a cul-de-sac or curved street be less than forty (40) feet.

17.30.20 BULK REGULATIONS

17.30.201 Purpose: In order to maintain the integrity of these regulations certain area exceptions have been allowed by the City of Burlington in order to maintain the health, safety and general welfare of the public.

17.30.202 Accessory Structures: The regulations set forth in this section apply to all accessory buildings unless noted otherwise below.

1. No accessory building and/or structure may be erected in any required front yard.
2. Any accessory structure erected, altered or constructed within ten (10) feet of the principal building and/or structure shall be considered part of and maintain the same setbacks as the principal building and/or structure. This distance is measured from the furthest architectural projection of each structure. These structures shall count towards the total number of allowed accessory structures in residential districts.
3. Accessory structures shall be considered along with the principal structure in regards to lot coverage. The square footage of the principal structure combined with the square footage of the accessory structure(s) shall not exceed the maximum lot coverage allowed by the District regulations.
4. In any residential district, there may be a maximum of three (3) accessory structures allowed per lot as long as the maximum lot coverage is not exceeded.
5. The total area of all accessory structures on a single residential lot or property shall not exceed a maximum of two thousand (2,000) square feet, except that lots in excess of two acres in size shall be allowed up to three thousand (3,000) square feet of accessory structures.
6. The total of all garages on a residential property, whether attached, detached, or a combination of both, shall not be constructed, erected, and/or altered to exceed a six (6) vehicle storage capacity.
7. Accessory structures shall not exceed eighteen (18) feet in height measured from grade to the highest peak of the roof, in any residential district.
8. Accessory structures that are erected, altered, or constructed further than ten (10) feet from the principal building and/or structure shall maintain a minimum setback of three (3) feet from any rear or side lot line, measured from the furthest architectural projection.
9. Where a garage is facing and being entered from the alley, it must be located a minimum of five (5) feet from the alley line, measured from the furthest architectural projection.
10. No accessory structure shall be used or constructed upon a lot unless construction of the principal structure is scheduled to commence within three (3) months.
11. No accessory structure shall be occupied for dwelling purposes.
12. Gas pumps and associated canopies shall not be subject to the requirements in this section; however, in no case shall gas pumps, canopies and/or associated projections encroach into the clear zone and/or closer than five (5) feet to the property line.

17.30.203 Height Regulations: The regulation set forth in this section apply to all buildings unless noted otherwise in these regulations.

1. In any district, uses listed under schools, community facilities, and religious institutions may be erected to a height not to exceed eighty-five (85) feet, provided an additional one (1) foot of depth in the front and rear yards is allowed for every one foot above the district height regulations in which it is located.
2. The height regulations prescribed by these regulations shall not apply to grain elevators, church spires, belfries, monuments, tanks, water, fire, cooling, and ornamental towers and

spires, chimneys, elevator bulkheads, smoke stacks, conveyors and flagpoles, however, this regulation shall not include cellular towers disguised to look like the uses listed above as they are not essential to the principal structure and are subject to Chapter 17.70.

17.30.204 Area Exceptions and Modifications:

1. Where a lot or tract is used for educational, commercial, industrial, or airport purposes, more than one principal building may be erected upon the lot or tract, provided that all other requirements of this Title are met.
2. Only where a lot or tract is zoned for multi-family residential use (R-4) may more than one single-family, two-family, and/or multi-family principal building be erected upon such lot or tract; provided all other requirements of this Title are met.
3. Every part of the required open space per lot (Lot area minus the maximum lot coverage by structures), including the required yard setbacks shall be open to the sky, unobstructed by a structure. This regulation does not include decks, sidewalks, driveways, parking lots, landscaping, uncovered porches, terraces and/or accessory structures that are not covered by a roof.
4. Architectural projections may project into a required yard for the principal structure and will not be considered when determining the maximum lot coverage and building setback of the principal structure.
5. Where required by law, open or lattice enclosed fire escapes may project no more than five (5) feet into a required yard and ordinary projections of chimneys and pilasters shall be permitted by the Development Department as long as they do not obstruct light and ventilation.
6. Terraces, unenclosed porches, decks, and ornamental features that do not extend more than three (3) feet above the ground floor level, may project into a required yard provided that these structures do not extend closer than three (3) feet to a side property line, and project no further than ten (10) feet into the required front or rear yard. At no time shall such structure project closer than five (5) feet to a front property line. The required front yard is the district minimum depth or the established line, as allowed under Table 17.30.20 and Section 17.30.205.
7. Ramps required for ADA accessibility into residential structures shall not project into the City right-of-way unless an encroachment agreement has been granted.

17.30.205 Front Yards: These front yard regulations are supplement to the required distances for each district and may be adjusted as follows:

1. Where 40 percent or more of the frontage on one side of the street between two intersecting streets is developed with buildings that have not observed the front yard depth herein required, new structures shall not be erected closer to the street than the average front yard so established by the existing structures. The minimum front yard setback for any new structure shall be no less than ten (10) feet.
 - a. At no time will these regulations require a front yard that is greater than what is required for each district.
2. On corner lots, accessory structures may be allowed in the front yard that is parallel to the street upon which the lot has its greatest dimension, provided that the accessory use maintains the requirements of subsection 1, and no accessory structure shall be located less than ten (10) feet from any front yard property line.
3. On corner lots, the front yard shall be observed on all of the yards having street frontage, provided that the front yard that is parallel to the street in which the lot has its greatest dimension may be allowed to decrease to a distance no less than ten (10) feet.
4. Interior lots abutting two streets shall provide the required front yard on both streets.

5. In any zoning district except the C-3 (Central Business District), no fence, structure, or non-vegetative object shall be maintained within the required clear zone. No vegetation within the clear zone shall exceed 2½ feet in height.
6. Filling station pumps and pump islands may be located within a required yard provided that they are no less than fifty feet from any residential district, and no less than five (5) feet from the property line.

17.30.206 Side Yards: These side yard regulations are supplement to the required distances for each district and may be adjusted as follows:

1. Commercial or industrial structures used in part for dwelling purposes and or abutting a residentially zoned area shall maintain a side yard of no less than five (5) feet, except when located in the C-3 Central Business District.
2. Two-family and multiple family dwellings shall be considered as one principal structure on one lot for the purpose of the side yard requirements.
3. When a lot of record exists, according to these regulations, that is less than fifty (50) feet of width, the side yard requirements may be reduced to a distance of no less than four (4) feet.

17.30.207 Rear Yards: These rear yard regulations are supplement to the required distances for each district and may be adjusted as follows:

1. Where a lot abuts an alley, one half of the alley may be used as part of the required rear yard for the twenty-five (25) foot rear yard setback. This requirement only applies to accessory structures that require location closer than ten (10) feet to the principal structure.

17.30.208 Maximum Lot Coverage:

1. The maximum lot coverage (as defined by these regulations) by structures in single-family residential zoning districts (R-1 and R-2), or by single-family residential structures in any other district, shall not exceed thirty-five percent (35%) of the total lot area.
2. The maximum lot coverage (as defined by these regulations) by structures in the two-family residential zoning districts (R-3), or by two-family residential structures in any other district, shall not exceed forty percent (40%) of the total lot area.
3. The maximum lot coverage (as defined by these regulations) by structures in the multi-family residential zoning districts (R-4), or by multi-family residential structures in any other district, shall not exceed forty-five percent (45%) of the total lot area.
4. The C-3, Central Business District (Downtown Mixed Use) may cover one hundred percent (100%) of the total lot area, provided all other requirements of this Title are met.
5. The maximum lot coverage (as defined by these regulations) by structures in commercial and industrial zoning districts (C-1, C-2, M-1 and M-2) shall not exceed forty percent (40%) of the total lot area, provided that the maximum lot coverage may be increased by the Development Department for commercial and industrial zones when landscaping is provided by the landowner in sufficient quantity and as stated in Section 17.35 Landscape Regulations.
 - a. In C-1, C-2, M-1, and M-2 zoning districts, an additional one percent (1%) of lot coverage may be allowed above forty percent (40%) for each one hundred (100) square feet of additional landscaping that is provided in addition to that which is required in Chapter 17.35 Landscape Regulations. This total may increase to a maximum lot coverage of sixty percent (60%) in such zoning districts. All landscaping shall be in conformance with Chapter 17.35. All development shall meet all other requirements of this Title.

17.30.209 Fence Requirements: In order to maintain consistency in the application of this Code, the following provisions have been established to maintain safety standards for the general public.

1. Maximum height of rear and side yard fence lines is six (6) feet, and no fence line that extends beyond the front building line shall be constructed above four (4) feet, except if setback the minimum distance as required by code in Table 17.30.20. The front building line shall include the front portion of the principal building, including allowed enclosed porches, but shall not include those features listed under 17.30.204, # 6.
2. Corner posts and support posts may extend no more than six (6) inches above the allowed height of a fence.
3. No fence line shall be constructed in the front yard that is more than 75 percent solid or opaque. Clear vision must not be completely obstructed by such fence. It shall have a minimum height of thirty (30) inches and a maximum height of four (4) feet.
 - a. Any fence located in a front yard area shall be of sturdy construction. A wire fence (not including chain link) or snow fence shall not be located in a front yard unless during winter months for snow protection or during active construction on site.
4. Corner lots with two front yards shall be allowed to have a six (6) foot high fence located in the front yard with the longest frontage. Such fence shall be set back a minimum of ten (10) feet from the property line or adjacent sidewalk (if one exists); or in line with the home on the side with the longest street frontage. All other requirements of this section apply to such fence.
5. All fences may be constructed up to, but not over the property or lot line. At no time shall a fence be less than one foot inside a public sidewalk.
6. In any Zoning District, no fence shall be constructed within the clear zone.
7. All fences shall conform to the construction standards of the Building Code.
8. Fences constructed for protection on school grounds, parks, and playgrounds and for commercial or industrial properties located in M (Industrial) or C (Commercial) Districts may be constructed to a height of no more than eight (8) feet, excluding backstops or similar recreational uses as determined by the Development Department.
 - a. Fences located in the side or rear yard areas of residential (R) zoning districts may be constructed to a height of no more than eight (8) feet if such fence is located adjacent to a commercial (C) or industrial (M) zoning district use. Such fence shall not extend beyond the front of a house and shall be a minimum of 10-feet back from the property line, whichever is greater.
9. It is unlawful for any person to erect, construct and/or maintain any electrically charged fence within the City limits, except when used by an existing farm operation for the well being of livestock (as defined by Chapter 65) and is located no closer than 75 feet to the property line.
10. It is unlawful for any person to erect, construct and/or maintain any fence containing barb wire in the City limits, except:
 - a. Any lot, parcel and/or tract of land located in an "M-1" Light Industrial, "M-2" Heavy Industrial District and the "A-1" Airport District may be allowed to construct one foot of barbed wire fencing above the top line of an eight (8) foot chain link fence. Any fence meeting the criteria stated in subsection (a) of this section will have to maintain a twenty (20) foot wide landscaped buffer zone between such fence and any lot, tract and/or parcel of land zoned for commercial or residential uses.
11. No fence shall be erected, constructed, and/or maintained without first submitting a fence permit along with a minor site plan to the Development Department for approval.

12. Fences used solely for the purpose of housing animals (ex. dog kennels) shall be exempt from these regulations, provided the kennel is not located within any front yard and is less than 150 square feet in size.

17.30.210 Pool Requirements: In order to maintain consistency in the application of this Code and to prevent the presence of a public nuisance, the following provisions have been established, which maintain safety standards for the general public for the placement and requirements of outdoor pools.

1. Pools must be located a minimum of five (5) feet from the principle building and three (3) feet from all other buildings and property lines (pool is measured from the edge of the water-line).
2. No pool over six (6) feet in diameter shall be located in any required front yard. Corner lots may place a pool on the longest front side, provided it is located a minimum of ten (10) feet off of the property line.
3. Outdoor swimming pools shall follow the barrier requirements of the adopted building code.
 - a. Any fence that is required to be constructed (as per the adopted building code) shall follow the requirements of Section 17.30.209 Fence Requirements.
4. Any existing pool that does not meet the requirements of this section shall be required come into compliance with this section, remove the pool, or drain the pool within 90 days of adoption of this Code section.

17.30.30 SPECIAL USE PERMITS

17.30.301 Purpose: These regulations are intended to allow qualified uses the opportunity to be placed in districts that otherwise prohibit these activities. These uses have special or unique characteristics, which require a careful review of their location, design, configuration and special impact to determine the desirability of permitting their establishment on any given site.

17.30.302 General Regulations: The regulations set forth in this chapter or set forth elsewhere in this Zoning Code, when referred to in this chapter, are the regulations for Special Use Permits in all districts. An affirmative vote of three (3) members of the Zoning Board of Adjustment is needed to grant a special use permit in the City of Burlington.

17.30.303 Application Process: Applications to permit new construction, alterations of extensions existing uses and uses authorized by this section will be accompanied by site plans and any additional information required by the Zoning Board and the Development Department.

The Development Department shall place the application on the docket agenda for a public hearing before the Zoning Board of Adjustment. All meetings of the Zoning Board of Adjustment shall conform to the procedures prescribed in Chapter 17.50 for hearings and amendments. No public hearing shall be set for the special use permit application prior to the submission of a nonrefundable fee set at reasonable rate by the City of Burlington.

17.30.304 Findings: In considering any application for a special use permit hereafter, the Zoning Board shall give consideration to the Comprehensive Plan, the health, safety, morals, comfort, and general welfare of the inhabitants of the community including, but not limited to, the following:

1. Substantially increase traffic hazards or congestion.
2. Substantially increase fire hazards.
3. Adversely affect the character of the neighborhood.
4. Overtax public utilities.
5. Be in direct conflict with the comprehensive plan

Should the Board's findings be negative to all subjects listed in this section, the permit may be granted; if affirmative to all subjects listed, then the permit shall be denied. The Board may impose such restrictions, terms, separation distances, time limitations, landscaping, and other appropriate safeguards to protect adjoining property as may be necessary.

If the proposed special use permit application will cause additional environmental problems to the City, then staff shall have the right to obtain a written opinion from the Board of Health. Should this opinion indicate that there is potential for environmental problems beyond reasonable limits, then the special use permit application shall be denied.

17.30.305 Special Use Permits Required: All special use permits that are allowed in each district are indicated in each of the district regulations under approval required. The following requirements are considered supplemental to the district requirements and must be adhered to prior to approval of the application by the Zoning Board of Adjustment. All distances of separation listed below shall not involve caretaker's quarters or applicants residing on the property. All special use permits are subject to any additional conditions that the Zoning Board of Adjustment feels necessary in order to protect surrounding areas.

1. Medical Centers: Any use listed under Medical Centers shall not occupy more than 10 percent of the total lot area when placed in the R-1, R-2, or R-3 Districts.
2. Cell towers, radio or television broadcasting towers, antennas, or similar use shall conform to Chapter 17.70 in addition to requirements set forth by the special use permit.
3. Tea/coffee room establishments shall meet the following minimum standards:

- a. May be allowed in combination with a bed and breakfast establishment with approval of the Board.
- b. Hours shall be limited from 8:00 a.m. to 7:00 p.m., seven days a week.
- c. There shall be no alcoholic beverages served on premise, and meals will be limited to baked goods, soups, salads, sandwiches and casseroles.
- d. The maximum number of customers on premise is limited to twelve (12).
- e. Tea/coffee room special use permits are non-transferable to subsequent owners or to other properties.
- f. These establishments are subject to all applicable codes of the City and State and are required to show compliance with the Development Department prior to opening for business.

17.30.306 Performance: Requests for special use permits and renewals of such, if approved, shall be granted in five (5) year increments with a ten (10) year maximum approval, unless otherwise stated within this Code. Special Use Permits for home occupations shall require an initial one (1) year trial period; after such time renewals may be granted for a period up to five (5) years, provided that no violations have been recorded by the Development Department.

The Development Department can at any time throughout the life of a permit request that any special use permit be reviewed by the Zoning Board of Adjustment, due to a number of complaints and/or violations of these regulations. The Zoning Board may at that time vote to approve, place additional conditions upon, or revoke the special use permit.

17.30.40 HOME OCCUPATIONS

17.30.401 Purpose: This section is intended to protect residential areas from potential adverse impacts of activities defined as home occupations without eliminating certain businesses and occupations that may be compatible with residential areas. These regulations establish criteria to permit residents of the community a broad choice in the use of their homes as a place of livelihood in the production or supplementation of personal/family income. Home occupations apply only to the residents that are living in the home where the occupation is taking place.

17.30.402 Permitted Home Occupations: The following operations and/or uses are considered permitted in any district that allows household living, provided that they are registered with the Development Department:

1. Home sewing or tailoring.
2. Studios for painting, sculpting, ceramics or other similar arts.
3. Writing or editing.
4. Office activities (scheduling, telephone answering, etc.) requiring a limited number of trips to the home.
5. Production of crafts such as handiwork, model-making, weaving, lapidary, and wood working for the purpose of selling a product off-premises.
6. Tutoring to no more than four (4) students at any one time.
7. Home-cooking, preserving and baking for the purpose of selling a product off-premises.
8. Computer programming, repair, internet services and similar activities.
9. Mail order business where products are shipped directly from an off-site supplier to the customer.
10. Offices for architects, engineers, realtors, accountants, or similar occupations.
11. In-home childcare (daycare), provided the following requirements are met:
 - a. All childcare homes shall be registered with the Iowa Department of Human Services (DHS) and shall be in current, good standing.
 - b. Shall provide care for no more than 5 children age 2 ½ years or less.
 - c. Shall follow all other requirements of this chapter, applicable zoning codes, and applicable building codes.
 - d. No in-home childcare shall be allowed that does not meet items a., b., and c., above.
12. Other uses and/or activities that are similar to the uses stated above as determined by the Development Department.

17.30.403 Special Home Occupations: The following operations and/or uses are considered to have some impact on surrounding residential areas and therefore must obtain Zoning Board of Adjustment approval (Special Use Permit) before operation begins:

1. Barber shops and beauty parlors.
2. Small repair shops, including small appliances, mower repair, blade sharpening and similar uses.
3. Catering businesses.
4. Private construction contractors, provided there shall be no storage of machinery, construction equipment, and similar products except in an enclosed private garage.

5. Bed and breakfast establishments.
6. State licensed massage therapists having no age requirement for admittance.
7. Repair or auto detailing of motor vehicles done at the residence, provided all vehicles shall be parked off-street, on a surface as required by Section 17.30.50 Parking Regulations and all work shall take place in an enclosed garage.
8. Other uses and/or activities that are similar to the uses stated above as determined by the Development Department, however no use and/or activity listed as a prohibited home occupation shall be considered.

17.30.404 Prohibited Home Occupations: The following operations and/or uses are not considered compatible in a residential dwelling setting and shall not be allowed as a home occupation:

1. Taxi cab/limousine service.
2. Animal hospitals.
3. Dancing or exercise studios.
4. Private clubs.
5. Restaurants, excluding tea and coffee rooms.
6. Stables and kennels.
7. Retail in which items or goods are displayed from the home and/or customers or individuals go to the home to purchase such items or goods on a regular basis, whether this is seasonal or year-round.
8. Other uses and/or activities that are similar to the uses stated above as determined by the Development Department.

17.30.405 Permit Review:

1. Permitted home occupations: Site plan submittal of the business and residence for staff approval.
2. Special home occupations: A Special Use Permit application with a site plan of the business and residence. The Zoning Board of Adjustment will make a determination based on the requirements of this regulation and all other regulations required for a special use permit.

17.30.406 Criteria for All Home Occupations: The following regulations shall be used for both permitted and special home occupations

1. The home occupation should not alter the normal residential characteristic of the premises, and in no way cause a nuisance to surrounding property.
2. When located in the principal structure, the home occupations shall not occupy more than 25 percent of the floor area of the home.
3. When located in an accessory structure, the home occupation shall not occupy more than six hundred (600) square feet.
4. Each home occupation is allowed one wall mounted sign or one ground sign not to exceed four feet in height. In order to maintain the residential quality these signs shall not be lighted and should be made of nonreflective material. The maximum size for a sign shall not exceed two (2) square feet in area and four (4) feet in height.
5. At no point through the life of the home occupation shall materials or machinery be stored outside the structure, and no repairs shall be made to equipment outside the principal or accessory structures. Automobiles that are owned and operated by the receiver of a home

occupation may be parked outside, provided the vehicles and parking area meet all other requirements of this Chapter and City Code.

6. Employment for home occupations shall be limited to family members residing in the principal structure.
 - a. One additional employee that is not a family member residing in the principal structure may be allowed for home occupations.
 - b. Home occupations that involve an exterior activity, where work done in conjunction with the home occupation does not take place within the confines of the structures on the premises or otherwise at the specified property, may employ an unlimited number of individuals. Such employees shall not gather, work, park, or otherwise associate at the actual residential home and/or property where the permit is issued.
7. Home occupations are limited to one operation per lot, and rental property must have landlord approval prior to operation.
8. Special Use Permits that are granted for all home occupations shall only be valid for the owner (operator) and property stated on the resolution and are non-transferable to subsequent property owners (operators) and/or to other properties.
9. Sale of goods which are incidental to an approved Permitted or Special Home Occupation is permitted.

17.30.407 Existing Home Occupations:

1. Existing home occupations as stated in Section 17.30.402 and 17.30.403 shall be required to register and/or obtain a special use permit within one year from adoption of this Zoning Code (2008) from the City.
3. For the purpose of this section, existing home occupations are defined as home occupations in existence and conforming to all applicable regulations prior to the adoption of this zoning ordinance.

17.30.408 Garage Sales: Garage sales are allowed in residential areas provided that they meet the following requirements (such uses are not required to register as a home occupation):

1. No more than six (6) garage sales per calendar year for each property.
2. Each individual garage sale shall not exceed four (4) consecutive days.

17.30.409 Violations: Any violation of this section shall be grounds for a cease and desist order and possible fines as determined by the Development Department.

17.30.50 PARKING REGULATIONS

17.30.501 Purpose: The regulations set forth in this chapter provide for adequate and safe parking areas, establish minimum design criteria and hold a collective regard for the health, safety and general welfare of the public.

17.30.502 General Regulations: When a use is not specifically stated herein, it shall meet the requirements of a similar use listed as determined by the Development Department. Applicable parking lots shall meet the requirements of Chapter 17.35 Landscape Regulations. A site plan shall be required detailing the layout and dimensions of any parking lot containing more than 5 spaces.

17.30.503 Off-Street Parking Requirements: In all districts, except the C-3 central business district, there shall be provisions determined at the time any building or structure is erected or structurally altered (except as otherwise provided in this chapter) or at the time a change in use for a property occurs for minimum off-street parking spaces, based on land or building use, in accordance with the following table:

USE CATEGORIES	PARKING SPACES REQUIRED
RESIDENTIAL USES	
Household living	
Single family dwellings	2 parking spaces
Two-family dwellings	4 parking spaces
Multi-family dwellings	2 spaces per dwelling unit
Home Occupations/Business	Unless specifically stated, a maximum of 3 additional parking spaces beyond what is required for the residence
Mobile home parks	2 parking spaces per unit
Group Living	1 space for every 6 beds, or 1 space for every 2 rooms, which ever is greater
Short-term lodging	
Hotel, Motel	1 space for every room
Bed and breakfast	1 space per guest room plus 2 spaces per dwelling unit
COMMERCIAL USES	
Office Commercial	3 parking spaces plus on 1 additional space for every 400 square feet over 1,000 square feet
Automotive and marine craft	1 parking space for every 2 employees plus 1 space for every 200 square feet of show area
Assembly, entertainment and restaurant	1 parking space for every 150 square feet of floor area
Retail, personal, business, repair, sales and service	1 parking space for every 250 square feet of floor area
General Commercial	1 parking space for every 250 square feet of floor area
Wholesale Trade	1 parking space for every 2 employees at maximum capacity per shift
LIGHT INDUSTRIAL USES	1 parking space for every 2 employees at maximum capacity per shift
HEAVY INDUSTRIAL USES	1 parking space for every 2 employees at maximum capacity per shift

INSTITUTIONAL USES	
Community facilities	10 parking spaces plus 1 space for every 300 square feet over 2,000 square feet
Religious institutions	1 for every 4 seats in main auditorium
Social service providers	3 parking spaces plus 1 additional parking space for every 400 square feet over 1000 square feet
Schools	1 space for every 8 seats in the main auditorium or 1 space for every 3 classrooms, whichever number is greater
Medical centers	1 space for every 4 beds
Child day care facilities	1 space for every 2 employees at maximum capacity per shift, plus one for every 5 th child
TRANSPORTATION, COMMUNICATIONS & ESSENTIAL SERVICES USES	
Parks and open areas	
Swimming Pools	Determined by Development Department or ZBA during site plan or SUP review, at no time shall the number of required spaces be less than ½ of the maximum capacity
Marinas	
MISCELLANEOUS USE CATEGORIES	
Adult entertainment facilities	Maximum capacity allowed by City regulations divided by 4 equals the number of required spaces
Commercial outdoor recreation	Maximum capacity allowed by City regulations divided by 4 equals the number of required spaces
Major event entertainment	Maximum capacity allowed by City regulations divided by 4 equals the number of required spaces
Vehicle service facilities	1 parking space for every 2 employees plus 1 additional space for every garage or bay area

17.30.504 Computation: In computing the number of such parking spaces required, the following rules shall govern:

1. "Floor area" means the gross floor area of the specific use.
2. Where fractional spaces result, the parking spaces required shall be construed to be the nearest whole number.
3. Whenever a building or use existing prior to the effective date of this Zoning Code is enlarged to the extent of fifty percent or more in floor area or in the area used, the building or use shall then and thereafter comply with the parking requirements set forth in this chapter.
4. Whenever a land or building use, existing prior to the effective date of this Zoning Code, is changed to a different land or building use, the building or use shall then and thereafter comply with the parking requirements set forth in this chapter.
5. In the case of mixed or joint uses the total number of parking spaces required for each individual use may be reduced by the Development Department up to twenty-five percent (25%) based on the type of uses. Such reduction in parking shall increase the amount of landscaping required by 25 square feet for each one percent (1%) reduction in number of parking spaces required.
6. Maximum capacity shall be determined by the total occupancy per the adopted building code.

17.30.505 Location: All parking spaces required in this chapter shall be located on the same lot with the building or use served, except that where an increase in the number of spaces is required by a change or enlargement of use or where such spaces are provided collectively or used jointly by two or more buildings or establishments, the required spaces may be located and maintained not to exceed three hundred feet from an institutional or other nonresidential building served.

1. Up to fifty percent of the parking spaces required for theaters, public auditoriums, bowling alleys, dancehalls, nightclubs or cafes, and up to one hundred percent of the parking spaces required for a church or school auditorium may be provided and used jointly by banks, offices, retail stores, repair shops, service establishments and similar uses not normally open, used or operated during the same hours; provided, however, that written agreement thereto is properly executed and filed as specified below.
2. In any case where the required parking spaces are not located on the same lot with the building or use served, or where such spaces are collectively or jointly provided and used, a written agreement thereby assuring their retention for such purposes shall be properly drawn and executed by the parties concerned, approved and filed with City staff.
3. Off-street parking space may be located within the required front yard of any C or M district, but shall not be permitted in any R district except upon a driveway providing access to a garage, carport or parking area for a dwelling or if the drive meets the requirements of section 17.30.508.
4. Driveways, for the purpose of these regulations, shall be considered as service drives and shall follow all surfacing requirements from the public right-of-way line to the garage or parking area, in addition to those requirements set forth in Chapter 141.
5. Parking spaces shall be designed such that vehicles do not encroach onto adjacent property or over public sidewalks.

17.30.506 Off-Street Loading Requirements: The following requirements for off-street parking shall be provided at the time any building is erected or structurally altered, unless otherwise stated in this chapter.

USE CATEGORIES	SQUARE FEET OF GROSS FLOOR AREA	LOADING SPACES REQUIRED
Short term Lodging and Limited Commercial Uses		
C-1 and/or C-2 District	5,000 to 50,000 50,000 to 200,000 Each 75,000 in excess of 200,000	1 space 2 spaces 1 additional space
C-3, M-1 and/or M-2 District	20,000 to 50,000 50,000 to 200,000 Each 75,000 in excess of 200,000	1 space 2 spaces 1 additional space
General Commercial, Institutional, and/or Miscellaneous Uses		
C-1 and/or C-2 District	2,000 to 20,000 20,000 to 100,000 Each 75,000 in excess of 100,000	1 space 2 spaces 1 additional space
C-3, M-1 and/or M-2 District	4,000 to 20,000 20,000 to 100,000 Each 75,000 in excess of 100,000	1 space 2 spaces 1 additional space
Light Industrial and Heavy Industrial Uses		
C-3, M-1 and/or M-2 District	5,000 to 25,000 Each 75,000 in excess of 25,000	1 space 1 additional space

No building or part thereof in the commercial or industrial districts which is used for any of the purposes specified above, shall hereafter be enlarged or extended unless off-street loading space is provided in accordance with this chapter.

17.30.507 Off-Street Stacking Requirements: The following requirements for off-street stacking shall be provided at the time any building is erected, structurally altered, or the use changes, unless otherwise stated in this chapter. Stacking spaces are required to prevent vehicles from extending into the public right-of-way or interfering with pedestrian circulation.

1. Stacking spaces are required to be located entirely on the property for which they serve and shall not count as a required parking space.
2. A stacking space shall be an area measuring eight (8) feet by eighteen (18) feet with direct forward access to a service window of a drive-through facility, service stall, pump, bay, or menu / order board.

USE CLASSIFICATION	STACKING SPACES REQUIRED
Gas Station	1 space per pump
Car Wash	2 spaces per wash bay
Service Station	1 space per stall
Drive-up ATM / Financial Institution	2 spaces per lane or teller
Restaurant	5 spaces per service window
Retail Sales / Service	2 spaces per service window
Other Uses	As determined by Development Department

17.30.508 Parking and Roadway Surface and Width Requirements: The following requirements for roadway, surfacing, parking areas, and travel way widths shall be provided at the time any building is erected or structurally altered, the property use is changed, or an existing unpaved area is to be used for the parking of vehicles or equipment, unless otherwise stated in this chapter.

1. Service drives and parking lot travel ways shall be paved with a dust-free, all weather driving surface material that is hard and reasonably smooth, such as concrete, asphalt or brick.
2. Parking areas in all districts shall be maintained in a sound capacity during periods of use, covered with a dust-free surface that is hard and reasonably smooth, such as concrete, asphalt or bricks, and clearly designated for parking use.
3. Parking areas associated with public parks, schools, or major event entertainment purposes shall be allowed to remain natural grass and unpaved (gravel not allowed), provided such parking is seasonal or limited in timeframe. Parking on such surface shall not be daily or regular in use. Drives or primary travel ways may be required to be paved if the travel levels necessitate such paving.
4. The entire portion of parked vehicles, including any associated equipment required to be licensed or tagged by the State of Iowa or Des Moines County, shall be located upon a required parking area. No vehicles shall be parked within any yard that is covered by grass, soil, or other natural vegetative materials.
5. A paving plan will be required for any property not meeting these specifications during any development application process.
6. Parking areas and driveways shall be maintained appropriately, such that the paved surface shall remain in good repair. Parking areas and driveways shall be patched or resurfaced to eliminate potholes or breakup in the material and parking lot striping shall remain solid in color and shall be repainted as needed.
7. Parking lots shall meet the minimum standards for travelways and parking areas, as follows:

PARKING AREA		TRAVELWAY WIDTH	
Angle	Depth (feet)	One-Way	Two-Way
Parallel	8	10	20
30 Degrees	16	10	20
45 Degrees	19	11	22
60 Degrees	20	17	22
90 Degrees	18	25	25

- a. For angles other than those listed, travelway width and parking area depth requirements are calculated by interpolating between requirements for the nearest given angles.
- b. Parking depth is measured from the travelway to the parking bay edge and may be reduced by the amount of parking bay overlap resulting from a herringbone pattern.

8. Parking Spaces
 - a. Minimum size requirements shall be as follows:

Public Parking or garage parking	8 ½ feet by 18 feet
Public Parallel Parking	8 feet by 22 feet
Public Angle parking	8 ½ feet by 18 feet
 - b. Parking space size requirements may be adjusted by the Development Department for special parking needs such as buses, trucks, boat trailers, RV's, bicycles, motorcycles or similar uses.
9. Service drives shall be a minimum of ten feet wide per travel lane with an additional width required if the drive functions as a travelway for adjacent parking.

17.35.509 Front Yard Parking: Parking may be allowed within a residential front yard if the proposed parking drive, existing lot and home meet specific criteria. Any front yard parking exception must meet the following requirements in order to be considered for approval by the Development Department.

1. Parking in the front yard shall not be allowed unless the existing home orientation does not allow for off-street parking as required by this regulation. The homeowner or resident should not create the need for this front yard parking exception by the orientation or construction of a home or addition.
2. A front yard drive shall provide a minimum of two (2) off-street parking spaces.
3. The parking area shall be located between two (2) feet and four (4) feet from one side property line.
4. The parking drive shall be a maximum of ten (10) feet wide.
5. No parking shall occur past or over the middle line of the lot (measured between side property lines).
6. No parking shall be allowed upon any public right-of-way, including existing sidewalks.
7. No front yard parking shall be allowed if a home has direct access to an alley right-of-way that provides space for off-street parking or if a home is located upon an alley right-of-way that was previously vacated by petition of the current owner or any previous owners.
8. No front yard parking shall be allowed in the established local, state, or federal historic preservation districts.
9. A parking drive shall complement the character of the neighborhood. Front yard parking shall only be allowed in areas where forty percent (40%) or more of the lots on one side of the street meet the required criteria for front yard parking. *(i.e. – two out of five lots on one side of one block must meet the requirements of this section.)*
10. Any front yard parking drive and surface must meet all other applicable requirements of the parking regulations.

17.35.510 Residential Parking Lots: Parking lots on land located within or directly adjacent to a residential zoning district shall follow the following standards:

1. Incidental signs not to exceed two (2) square feet in area or five (5) feet in height shall be allowed on the parking lot.
2. A minimum five (5) foot separation shall be required where parking lots adjoin other residential uses; this shall include any service drives and/or driveways.
3. The parking area shall be suitably screened. Screening shall include landscaping, a berm, and/or fencing to minimize the appearance of the parking lot from adjacent residential properties.
4. The parking area located within residential zoning districts shall be used for parking patrons' private vehicles only and no charge shall be established for parking on such premises.
5. The parking area shall be paved, drained, properly lighted, and maintained free of debris.

17.30.60 AIRPORT APPROACH REGULATIONS

17.30.601 Purpose: The regulations set forth in this chapter are considered supplements to the A-1 Airport District. All parking, height and area, definitions, and allowable uses are set forth in this chapter and shall be adhered to prior to permit approval.

17.30.602 Adoption of Plan: The "Burlington Municipal Airport Approach Plan," numbered B-1 and dated May 1, 1946, on file in the office of the Engineer, is made part of this Zoning Code.

17.30.603 Definitions: For the purpose of this chapter, unless otherwise expressly stated, the following terms shall have the meanings indicated in this section:

1. Airport: - The Burlington Municipal Airport.
2. Airport Hazard - Any structure, landscaping or use that obstructs air space required for the flight of aircraft and can be considered hazardous in the approach areas.
3. Airport Hazard Area - Any area of land or water restricting establishment of Airport hazards.
4. Approach Area - Any area on the ground extending the length of the runways and the two-mile area measured from the centerline of the runways in all directions.
5. Horizontal Surface Plane - The invisible surface plane located one hundred fifty (150) feet above the approach area.
6. Landing Area - The area of the airport used for take off, landing or taxiing of the aircraft.
7. Landscaping: - Any object of natural or artificial growth including, but not limited to trees, shrubs or similar object.
8. Nonconforming Use - Any structure, landscaping or use that does not conform to the regulations prescribed in this chapter.
9. Obstruction - Any tangible, inanimate object, that is natural or artificial, protruding above the surface of the ground.
10. Person - Any individual, corporation, stakeholder or similar representative.
11. Structure - Anything constructed or erected which requires location on the ground or attached to something having location on the ground, including signs and billboards.

17.30.604 Zones Established: All of the land within the boundaries of the airport and the two-mile approach area are divided into zones designating approach and turning areas. The boundaries of the zones are established and shown on the airport approach plan referred to in Section 17.20.01.

17.30.605 Height and Area Requirements: The following regulations shall prescribe all of the building requirements set forth in the Airport District. Except as otherwise provided in this chapter, no structure or landscaping shall be erected, altered, allowed to grow or maintained in any airport approach zone or airport turning zone to a height in excess of the height limit established in this section for such zone.

1. Approach Zone for an Instrument Runway: From each end of the northwest and the southeast runway, and from each end of the north and the south runway, the height limits of obstructions shall not exceed a one-foot raise above the runway and elevation for each forty-foot distance from the runway and until the angle forty to one intercepts a horizontal plane one hundred fifty feet above the airport, a distance approximately six thousand feet from the runway end. The lateral dimensions of the approach zone perpendicular to the extended centerline of the runway shall be one thousand feet at the runway end and four thousand feet at the approach end. (see Instrument Runway Graph)
2. Approach Zone for a Noninstrument Runway: From each end of the northeast and the southwest runway, the height limit of obstructions shall not exceed a one-foot raise above the runway and elevation for each thirty-foot distance from the runway end until the angle thirty to one intercepts a horizontal plane one hundred fifty feet above the airport, a distance of approximately four thousand five hundred feet from the runway end. The lateral dimensions of the approach zone perpendicular to the extended centerline of the runway shall be runway width at the runway end, runway width plus two thousand feet at the approach end, except that in no case shall the width at the runway end be less than five hundred feet and the width at the approach end be less than two thousand five hundred feet. (see Noninstrument Runway Graph)

3. Airport Turning Zone: The approach zones and the usable landing area shall be jointed to the horizontal surface by turning zones sloping upward and outward from the approach zones and from the boundaries of the usable landing area in common with the approach area and the slope of these transitional surfaces shall be in the ratio of seven feet of the surface to one foot in elevation until the angle seven to one intercepts a horizontal plane one hundred fifty feet above the airport. (see Airport Turning Zone Graph)
4. The maximum height, notwithstanding the above, is one (1) story or twenty-five (25) feet.
5. The minimum depth for the front yard is twenty-five (25) feet.
6. There is no minimum side yard requirement, except for a lot that abuts a residential district. The side yard in this instance shall be no less than twenty-five (25) feet.
7. The minimum depth for the rear yard requirement is twenty-five (25) feet.

17.30.606 Certain Uses Prohibited: Notwithstanding any other provisions of this chapter, no use may be made of land within any airport approach zone or airport turning zone in such a manner which may impair visibility in the vicinity of the airport, create electrical interference with radio communication, make it difficult to distinguish between airport lights, or result in glare for the eyes of flyers endangering the landing, taking off or maneuvering of aircraft.

17.30.607 Nonconforming Uses and Structures: The regulations prescribed in Sections 17.30.605 and 17.30.606 shall not be construed to require the removal or alteration of any structure or landscaping not conforming to the regulations as of the effective date of this chapter, or otherwise to interfere with the continuance of any nonconforming use. Nothing herein contained shall require any change in the construction, alteration or intended use of any structure, in which the construction or alteration has begun prior to the effective date of this chapter.

17.30.609 Permits:

1. Future Uses: No use shall be made of land other than that use being made on the effective date of this chapter, and no structure shall be erected or otherwise established, and no tree shall be planted in any airport approach zone or airport turning zone unless a permit has been applied for and granted. Each such application shall indicate the purpose for which the permit is desired and shall show sufficient information to allow the determination of whether the resulting use, structure, or landscaping would conform to the regulations herein.
2. Existing Uses: Before any existing use of land is altered or replaced so as to result in a greater height of such structure in any airport approach zone or airport turning zone, a permit must be secured, authorizing such change. No such permit shall be granted that would allow the establishment or creation of an airport hazard by virtue of such change, replacement, replanting, alteration, repair or reconstruction or permit a nonconforming use or structure to be made greater hazard to air navigation, than provided in this code.

17.30.610 Parking and Loading: The following regulations are the minimum requirements for parking and loading spaces located within the Airport Zoning District.

1. Off-street parking requirements: for airport terminals shall be one parking space for each one hundred (100) square feet of floor area.
2. Off-street loading requirements: shall be as follows,
 - a. One loading space for the first 25,000 square feet of gross floor area.
 - b. One additional loading space for every 75,00 sq ft of gross floor area over the initial 25,000.
 - c. Long term parking - one space for every three boardings allowed on a daily basis.

17.30.612 Administrator: The Airport Manager is charged with the duty of administering and enforcing the regulations prescribed in this chapter, and all amendments hereto. The Airport Manager shall likewise administer and enforce such regulations as may be laid down by the Airport Zoning Commission. The duties of the Airport Manager, as such Administrator, shall include that of hearing and deciding all applications for permits under Section 17.30.609, but shall not have or exercise any of the powers delegated to the Board of Adjustment.

17.30.613 Applicable Regulations: Where this chapter imposes a greater or more stringent restriction upon the use of land than is imposed by any other provision of this code, other ordinance or applicable regulation, the provisions of this chapter shall govern.