

## NOTICE OF PUBLIC HEARING

You are hereby notified that Marion County is proposing the adoption of a revised zoning ordinance and the Zoning Commission will review the proposal and make a recommendation to the Board of Supervisors following the public hearing. The full proposed zoning ordinance can be viewed online at: [https://www.marioncountyiowa.gov/zoning/2022\\_zoning\\_ordinance\\_updates/](https://www.marioncountyiowa.gov/zoning/2022_zoning_ordinance_updates/)

Below is a brief abbreviated description of the changes.

### **55.04 – Definition changes**

16. **ADDITION** - Build-to line” is a line created by existing principal building lines of neighboring properties”.

22. **CHANGE** - Cabin” means a dwelling that is utilized primarily for recreational purposes. Such structure is not to be utilized as a primary residence nor will it be occupied for more than 182 days in a calendar year.”

37. **ADDITION** - “Concentrating solar power system (CSP)” means an energy system that use lenses/mirrors and tracking systems to focus or reflect a large area of sunlight onto a small area. The concentrated energy is absorbed by a thermal medium, such as water, salt, or a permanently gaseous fluid, and used as a heat source for a conventional power plant, such as a steam power plant, or for a power conversion unit, such as a sterling engine. Although several concentrating solar technologies exist, the most common types are the solar trough, parabolic dish and solar power tower. Energy storage technologies used by concentrating solar thermal devices (e.g. molten salt storage) are also included within this definition.

52. **CHANGE** - "Dwelling" a structure or portion thereof that is used exclusively for human habitation.

63. **CHANGE** - "Fall zone" means the area of land centered beneath the tower and circumscribed by a circle with a radius equal to a length of one foot (1') for every ten feet (10') of tower structure height. No structures other than fences shall be constructed or permitted with any required fall zone. The area within any required fall zone shall be owned, leased, or in an easement running to the benefit of the tower owner.

75. **CHANGE**- "Foundation" means the part of the structure that supports the weight and transfers the load to the underlying soil or rock.

164. **ADDITION** - “Shipping Container” means a metal sided container typically used for multimodal shipping, not placed on a foundation. Shipping containers shall also include portions or enclosures removed from a chassis and no longer with wheels or axels like a semi-trailer box, panel truck enclosure, or box trailer. Defined in the allowed zoning districts and number allowed.

180. **CHANGE** - “Sign, highway” interstate high rise” means an on-premises pole sign which is constructed to attract the attention of highway interstate travelers and is located within one thousand two hundred (1,200) feet of a state or county highway.

199. **ADDITION** “Small wireless facility” means a wireless facility that meets the following requirements: (1) Each antenna is no more than six cubic feet in volume. And (2) All other equipment associated with the small wireless facility is cumulatively no more than twenty-eight cubic feet in volume. For purposes

of this definition, volume shall be measured by the external displacement of the primary equipment enclosure, not the internal volume of such enclosure. An associated electric meter, concealment, telecommunications demarcation box, ground-based enclosures, battery backup power systems, grounding equipment, power transfer switch, cutoff switch, cable, conduit, and any equipment that is concealed from public view within or behind an existing structure or concealment may be located outside of the primary equipment enclosure and shall not be included in the calculation of the equipment volume. Small wireless facility does not include any structure that supports or houses equipment described in this definition.

200. **ADDITION** - “Solar Array” means a grouping of photovoltaic solar panels and any necessary hardware used to assemble and connect them. This definition encompasses all styles installation including but not limited to structure mounted, ground mounted, or integrated as a mechanical or structural component of a structure.

201. **ADDITION** - “Solar Energy System, Private” means an energy system that uses one or more solar arrays to convert energy for immediate onsite use and/or storage or to be fed back to the electrical grid. Private solar energy systems are an accessory use on the lot or parcel.

202. **ADDITION** - “Solar Energy System, Utility Scale” means an energy system, commonly referred to as a solar farm, which uses one or more solar arrays to convert energy for transmission through the electrical grid for offsite use or wholesale and/or retail sale. Utility scale solar energy systems are the principal use on the lot or parcel.

222. **ADDITION** - “Utility pole” means a pole or similar structure owned or utilized in whole or in part by a public utility, municipality, wireless service provider, or electric utility that is designed specifically for and used to carry lines, cable, transmission equipment, or wires for telephone, wireless service, cable television, or electricity service, or for lighting, the vertical portion of support structures for traffic control signals or devices, signage, information kiosks, or other similar functions.”

**Omittance of 55.29 Small Scale Solar chapter.** Small scale solar added to each allowed zoning district with updated requirements.

## **UPDATES TO EXISTING ORDINANCES**

55.10 Non-conforming Lot of Record language clarification

55.14 Corner Lot language clarification

55.20 Sign Regulations addition for miscellaneous signs

55.22 Off Street Parking Area requirement updates

55.24 Agricultural Zoning District Regulation A-1; C-A; A-R changes

- Recreation – Public and Private event centers allowance for cabins
- Mini indoor storage units as an accessory use in Commercial Ag
- Utility- Small wireless
- Utilities – Substation, telephone, sanitary, lagoons, well water, gas
- Utilities – Microwave, radio, television and cell towers

- Utility Scale Solar
- Other retail businesses or service establishments determined by the zoning administrator to be equivalent to others permitted

#### 55.24 Bulk regulation changes

- 4 buildable parcels replacing 4 dwellings
- C-A zoning will now require 1 acre
- Foundation for dwelling shall now be defined as permanent foundation.

#### 55.25 Residential Zoning District Regulations

- Pursuant to the Marion County Board of Supervisors resolution adopted 9/28/2021 unincorporated Marion County land located within the unincorporated town of Pershing, as identified on the Official Zoning Map of Marion County, Iowa, shall now be zoned R-1; Single Family Residential under the Marion County zoning regulations. Any structures in existence prior to the adoption of the ordinance change January 1, 2023 shall be considered a non-conforming use as defined in section 55.10 of this Zoning Code.
- Utility pole mounted small wireless
- Foundation for dwelling shall now be defined as permanent foundation.

#### 55.26 Commercial Zoning District

- Utility pole mounted small wireless
- Additional allowance for Microwave, radio, television and cell in C-1 zoning

#### 55.26 Bulk Regulations

- C-1 lot size 1 acre
- C-2 lot size 1 acre
- Foundation for primary structure shall now be defined as permanent foundation.

#### 55.27 Industrial Zoning District

- Utility pole mounted small wireless
- Utility Scale Solar
- Wind Energy Conversion Systems

#### 55.26 Bulk Regulations

- M-1 lot size 1 acre
- M-2 lot size 1 acre
- Foundation for primary structure shall now be defined as permanent foundation.

#### 55.30 Site Plan Regulations updates

You are hereby notified that the **Zoning Commission has fixed Tuesday, October 18, 2022, at 5:00 p.m. in the Marion County Public Health Building, 2003 North Lincoln Street, Knoxville, Iowa**, as the time when and the place where the said request will be heard by the Zoning

Commission, a public hearing will be held, and a recommendation will be made to the Board of Supervisors. Any and all objections may be made in writing and filed with the Zoning Administrator, 214 E Main Street, Knoxville prior to the time fixed for hearing on said request or may be made orally or in writing before the Zoning Commission at the time fixed herein. To all of which take due notice and be governed accordingly.

Dated at Knoxville, Iowa, this 30th day of September 2022.

Melissa Poffenbarger, Zoning Administrator  
Marion County, Iowa