

CITY OF OKOBOJI, IOWA

STATE OF IOWA)
COUNTY OF DICKINSON)
CITY OF OKOBOJI)

ORDINANCE NO. 222

AN ORDINANCE AMENDING THE ZONING ORDINANCES OF THE CITY OF OKOBOJI, IOWA 2013.

BE IT ENACTED by the City of Okoboji, Iowa that the 2013 Zoning Ordinances are amended as follows:

SECTION 1. By adding outdoor service area for food and beverage as a conditional use at Section 8.3, Page 52.

SECTION 2. By adding a definition for OUTDOOR ENTERTAINMENT at Article II, definition of terms page 15, as follows: OUTDOOR ENTERTAINMENT: includes, but is not limited to, shows, plays, skits, musical revues, theater, dance, musical concerts, opera and the production of sights or sounds or visual or auditory sensations which are designed to entertain or otherwise appeal to members of the public, which is produced by any means, including radio, phonograph, tape recorder, piano, orchestra, band, musical instrument, slide or movie projector, or computer/digital device, which occurs outdoors or not within any fully enclosed structure.

SECTION 3. By amending Section 11.4, Paragraph 3, page 64, to correct a typographical error as follows: Open patios and other concrete structures, including driveways, sidewalks, and concrete walkways may be permitted, but shall conform to required setback **and** shall not encroach or project into any yard setback.

SECTION 4. By eliminating the following paragraph but leaving the last sentence at Section 11.20 Residential Dwelling Standards, Paragraph 3, page 73: ~~3. Foundation: All dwelling units including attached garages shall be placed on a permanent continuous and complete frost protected perimeter foundation, except that a perimeter foundation shall not be required for a mobile or manufactured home if a perimeter foundation is incompatible with the structural design of the building. For such a mobile or manufactured home, a permanent foundation may be a pier footing foundation system designed and constructed to be compatible with the structure and the conditions of the site. Foundation materials may be masonry, poured concrete, wood or metal and must extend below the normal frost line or be an approved frost free permanent foundation. The structure must be permanently attached to the foundation.~~

SECTION 5. By substituting the current wording of Section 13.4, Paragraph 8, page 89 as follows: ~~8. Political Campaign Signs are allowed by Section 68A.406 yard signs, Code of Iowa. Political campaign signs announcing candidates seeking public office and other data pertinent thereto, up to an area of 2 square feet for each sign. Only one sign per candidate per premises will be permitted. Said sign shall be confined within the private property with the owner's consent, and shall be removed by the owner within 5 days after the election for which they were made.~~

SECTION 6. By amending Section 13.5, Paragraph 12, page 90 General Sign Standards, as follows: Electronic message signs that display time and temperature, or provide a changing message are permitted, provided such signs do not blink, flash or scroll.

SECTION 7. By adding a definition of SCROLL at Article II, page 17, as follows: SCROLL/SCROLLING is the action of moving text or graphics up, down, or across on a screen with less than 10 seconds of still image following the display.

SECTION 8. By amending Section 1.9, page 4, which provides **LOW IMPACT DEVELOPMENT NOT REQUIRED FOR CERTAIN IMPROVEMENTS TO ALREADY IMPROVED LOTS**. Compliance with the low impact development measures of this ordinance is not required for proposed improvements to an already improved lot if the net increase of impervious surface is 500 square feet (500 sq. ft.) or less. By adding the following: “Owners of existing homes constructing an addition to the home are required to comply with Low Impact Development practices only for an addition of a net increase of 500 square feet of impervious surface or more including any unattached structure. Low Impact Development practices in such cases will apply only to the new net increase, not the total of impervious surfaces for the entire property”.

Repealer. All ordinances or part of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Severability. If any section, provision or part of this Ordinance shall be adjudged invalid, unconstitutional or unenforceable for any reason, such adjudication shall not affect the validity or enforcement of the remaining provisions.

EFFECTIVE DATE. This Ordinance shall become effective from and after its final passage, approval and publication as provided by law.

Ayes: *Delpardang, Hertzog, Andres, Robinson, Mendahall*

Nays: *None*

Passed and approved by the City Council on this 12th day of November, 2014.

Mary VanderWoude
Mary VanderWoude, Mayor

ATTEST: Dennis Daly
Dennis Daly, City Administrator

First Consideration: 11/12/14

Second Consideration: Waived 11/12/14

Third Consideration: Waived 11/12/14