

ORDINANCE NO. 015-12

AN ORDINANCE AMENDING CHAPTER 32 OF THE MUNICIPAL CODE OF THE CITY OF CEDAR RAPIDS, IOWA, THE ZONING ORDINANCE, BY DELETING VARIOUS SUBSECTIONS AND ENACTING IN LIEU THEREOF VARIOUS NEW SUBSECTIONS FOR THE PURPOSE UPDATING VARIOUS SECTIONS FOR CLARIFICATION

WHEREAS, the City Planning Commission has reviewed the proposed amendment at their November 10, 2011 meeting and recommended it for approval, and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Chapter 32 of the Municipal Code of the City of Cedar Rapids, Iowa, the Zoning Ordinance is amended as follows:

Section 1. That Subsection 32.02.020.F.3. of Chapter 32 of the Municipal Code, City of Cedar Rapids, Iowa, the Zoning Ordinance is herewith deleted and the following new Subsection 32.02.020.F.3. to change the mailing notice area to 300 feet is enacted in lieu thereof:

- a. Where Table 32.02-1 requires mailed notice, the applicant shall provide mailing labels for properties within 300 feet.

Section 2. That Table 32.04-1: Permitted Uses in Subsection 32.04.020 of Chapter 32 of the Municipal Code, City of Cedar Rapids, Iowa, is herewith deleted and the following new Table 32.04-1: Permitted Uses in Subsection 32.04.020 to add "Outdoor Service Areas" as a conditional use in all commercial districts and change the term "Telemarketer" to "Call Center" is enacted in lieu thereof:

TABLE 32.04-1: PERMITTED USES																							
	Residential Districts									Commercial & Industrial Districts								Special Purpose Districts				Use Specific Standards	
USES	A	R T	R 1	R 2	R 3	R 3 D	R T N	R M F 1	R M F 2	O S	C 1	C M U	C 2	C 3	C 4	I 1	I 2	P U B	A I R	S H W F O	P U D O	R M H O	
PRINCIPAL USES																							
Residential Uses																							
Household Living																					U		
Single-family detached dwelling, including manufactured homes	P	P	P	P	P	P	P	P	P												U	P	32.04.030.A

Single-family attached dwelling, 2 unit maximum						P	P	P	P										U	32.04.030.A
Two family dwelling						P		P	P										U	
Dwelling units located on ground floor	P	P	P	P	P	P	P	P	P		C	P	C	C	C				U	
Dwelling or rooming units located above ground floor	P	P	P	P	P	P	P	P	P		P	P	P	P	P				U	32.04.030.A
Mobile home																			U	P 32.04.030.A
Multiple family dwelling								P	P			P	P	P	P					
Row house								P	P			P	P	P	P				U	
Group Living																				
Assisted Living, Large		C	C	C	C	C	C	P	P			C		C	C	C	C		U	
Assisted Living, Small		P	P	P	P	P	P	P	P			P		P	P	P			U	
Boarding or rooming house									P			P		P	P	P			U	
Continuing Care Community					C	C		P	P											
Emergency residential shelter		C	C	C	C	C	C	C	P			C	C	C	C		P		U	32.04.030.A
Family home	P	P	P	P	P	P	P	P	P		P	P	P	P	P				U	32.04.030.A
Fraternity or sorority house									P			C							U	
Group home	C	C	C	C	C	C	C	P	P		P	P	P	P	P				U	32.04.030.A
Rehabilitation (halfway) house									C			C		C	C	C	C	P	U	32.04.030.A
Civic and Institutional Uses																				
Educational Uses																			U	
Boarding school, private	C	C	C	C	C	C		C	P	P		C	P	P	P				U	
College	C	C	C	C	C	C		C	P	P		C		P	P				U	
Day care center		C	C	C	C	C	C	C	C	P	P	P	P	P	P	C	C	P	U	
Elementary, middle, or high school	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P		U	
School, Music or Dance										P	P	P	P	P	P				U	
Vocational or trade school										P		P	P	P	P	P	P		U	32.04.030.A
Institutional and Assembly Uses																				
Athletic facility, public or nonprofit	P	P	P	P	P	P	P	P	P			P	P	P	P		P		U	P
Clubs or lodge										P		P	P	P	P				U	
Community center, other	C	C	C	C	C	C	C	C	C	P		P	P	P	P				U	32.04.030.A

Garden supply, tool, or seed store										P	P	P	P	P	P					U	
Grave marker or monuments display and sales													P	P	P	P				U	
Machinery sales — farm, industrial, business, and construction															P					U	
Photography studio									P		P	P	P	P	P					U	32.04.030.A
Secondhand store or rummage shop											C	P	P	P						U	32.04.030.A
Taxidermist													P	P						U	
Rental or Leasing Establishment																					
Rental establishment, general									P		P	P	P	P	P	P		P		U	32.04.030.A
Rental establishment, heavy equipment															P	P				U	32.04.030.A
Personal Services—No Drive-Through Facilities																					
General personal service, not listed separately									P		P	P	P	P	P	P				U	32.04.030.A
Barber or beauty shop									P	P	P	P	P	P						U	
Copying or reproduction store											P	P	P	P	P	P				U	
Funeral home									P		P	P	P	P						U	
Laundromat										P	P	P	P	P						U	
Receiving station for dry cleaning or laundry										P	P	P	P	P	P					U	
Eating and/or Drinking Establishment																					

Recycling collection facility											P			P	P	P	P	P	P		P	U		
Refuse hauling facility																	C	P	P		P	U		32.04.030.A
Salvage yard																		C				U		32.04.030.A
Solid waste facility																					P	U		32.04.030.A
Transportation, Parking and Utility Uses																								
Essential services, not listed separately	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			U	P	32.04.030.A
Airport/Heliport																			P	P		U		
Bus station, terminal or passenger railroad	C	C	C	C	C	C	C	C	C		C	C	C	P	P	P	P	P				U		
Parking lot or structure		C	C	C	C	C	C	C	C	P		C	P	P	P	P	P	P				U		
Taxicab business													P	P	P	P	P					U		
Utility, major																		P	P			U		
Utility office, shop, or yard																	P	P	P			U		
Utility substation	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	P	P			U	C	
Agricultural and Resource Uses																								
Agriculture	P	C	C	C																P		U		32.04.030.A
Aquaculture	C																P	P / C				U		32.04.030.A
Dairy products processing																	P	P				U		
Farm implement store																	P					U		
Feed or seed processing or sale																	P	P				U		
Grain processing and storage																		P				U		
Greenhouse, nursery, orchard or truck farm	P														P	P	P	P				U		32.04.030.A

Mining	C																	P				U	
Quarrying or rock, sand, or gravel production or preparation	C																	P				U	
Raising of Urban Chickens	P	P	P	P	P	P	P	P	P														
Temporary Uses																							
Model homes or garage display	P	P	P	P	P	P	P	P	P			P		P	P	P						U	
Temporary commercial storage container													C	C	C	C	C		P	P	U		32.04.030.B
Temporary construction building	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	U	P	32.04.030.B
Accessory Uses																							
Accessory day care	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				P		U		32/04.030.C
Accessory commercial service								P	P	P	P	P	P	P	P				P		U		32/04.030.C
Antenna	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	U	P	32.04.030.A
Communication tower	P	P / C	P / C	P / C	P / C		P / C	P / C	P / C	P / C	P / C	P / C	P / C	P / C	P / C	P	P	P	P		U	P / C	32.04.030.A
Drive-in and drive-through facility										C		C	P	P	P						U		32.04.030.C
Drugstore or pharmacy										P		P							P		U		32.04.030.C
General offices related directly to Family Homes								C	C			P									U		32.04.030.C
Heliport	C	C	C							C					C	C	C	P	P		U		
Home occupation	P	P	P	P	P	P	P	P	P		P	P	P	P	P						U	P	32.04.030.C
Living quarters for watchmen																P	P				U		32.04.030.C
Outdoor activities, non-profit			P	P	P	P	P	P	P	P	P	P	P	P	P	P			P		U		
Outdoor display and sales											C	C	C	C	C	C					U		32.04.030.C

C. ACCESSORY USES

This Section supplements the regulations contained in this Ordinance as they apply to accessory uses and structures, except for on-premise signs that are governed by the provisions of Section 32.06 *Signs* of this Ordinance.

1. Time of Construction or Establishment

No accessory structure or use shall be constructed or established more than one hundred and twenty (120) days prior to the time of completion of the construction or establishment of the principal structure or use to which it is accessory.

2. Use as a Dwelling Restricted

No accessory structure shall be used as watchman's quarters as defined in Sec. 32.09, Definitions, or for living, sleeping, or housekeeping purposes except by domestic employees employed on the premises and the immediate families of such employees and only when said structure has been constructed for residential purposes and meets all city codes relating to residential construction and occupancy. Additionally, no such occupancy shall be permitted prior to issuance of an occupancy permit for the principal structure.

3. Accessory Day Care Facility

Child day care and adult day care facilities, including nursery and preschool, shall be permitted as an accessory use in religious facilities and public or private institutional buildings, subject to compliance with applicable state, county, and city regulations.

4. Accessory Commercial Service Use

a. *General*

An accessory commercial service use may be established as an accessory use within a principal building if the principal use meets the following criteria:

- i. The principal use is a multi-family dwelling containing at least fifty (50) dwelling units or apartments; or
- ii. The principal use is a dormitory containing at least fifty (50) rooms; or
- iii. The principal use is a hospital containing at least fifty (50) patient rooms; or
- iv. The principal use is offices containing at least 12,000 square feet of floor area.

b. *Limited to Convenience of Occupants*

No off premise advertising of any kind shall be allowed in connection with such an accessory use, except that the facility may be listed by name in the telephone directory, if served by a separate telephone(s).

c. *Signs Limited*

No exterior signs shall be placed on the premises indicating to the general public that a portion of the premises is being used for an accessory use. Interior directional signs may be permitted to designate the location of that portion of the premises at which such an accessory use is located.

5. Drive-In or Drive-Through Facility

Must be accessory to a permitted use or an approved conditional use where the conditional use approval specifically permits drive-in or drive-through facilities. Any such facility shall be so located and/or soundproofed to prevent any associated noises exceeding fifty (50) decibels from being transmitted across property lines of any adjacent properties zoned or being used for residential purposes.

6. Drugstore or Pharmacy

In the O-S district, drugstores and pharmacies are only permitted when accessory to medical or dental offices.

7. General Offices Related Directly to Family Homes

This use is permitted when accessory to a permitted Family Home, located on a Family Home site, and used for administration of the Family Home facilities at the same site or different Family Home sites managed by the same or related entities.

8. Home Occupation

a. *Intent*

The regulations of this section dealing with Home Occupations are designed to protect and maintain the residential character of a neighborhood while permitting certain limited commercial activities that have traditionally been carried out in a home. The intent of the section is to allow such very limited uses only in situations where the use will not be discernable, except for allowed signage, from neighboring properties and from adjoining streets. This section is specifically intended to discourage the conversion of residential structures to commercial uses in residentially zoned areas.

b. *License Required*

No home occupation shall be established unless a license has first been obtained pursuant to Sec. 32.02.030.H.

c. *Limitations*

i. No person who is not a member of the immediate family and residing on the premises shall be employed in the activity on the premises.

ii. The activity shall not involve any outside storage nor in any way create, outside the building, any external evidence of the operation.

iii. No alteration of a building shall be made that changes the character and appearance thereof as a residential building.

iv. No more than twenty percent (20%) of floor area of the principal building, and no more than five hundred (500) square feet of floor area of an accessory building, shall be devoted to the activity. All home occupation activities shall be carried out wholly within the principal structure or in an accessory building.

v. Not more than one customer's motor vehicle and additionally one motor vehicle associated with the home occupation shall be permitted in conjunction with the activity.

vi. No mechanical, electrical, or other equipment shall be used except of a type normally used on a residential premises.

vii. No sign other than one unlighted sign not over two (2) square feet in area and stating only the resident's name and occupation shall be allowed.

viii. No activity shall be permitted that is noxious, offensive or hazardous by reason of pedestrian or vehicular traffic, or by creation of noise, odor, refuse, heat, vibration, smoke, radiation or any other objectionable emissions, or by interference with televisions or radio reception.

ix. No product sales of any kind shall occur on the premises.

x. No more than one customer at any one time.

xi. Improvements necessary to bring a residence into compliance with commercial building code requirements shall not be allowed. The practical consequence of this restriction is that businesses requiring commercial building code improvements are considered not allowed as home occupations.

d. *Occupations Prohibited*

The following occupations are prohibited from being operated as home occupations.

i. Adult Entertainment establishments

ii. Automobile-oriented businesses

iii. Barber, beauty, tanning and/or nail shops

iv. Renting of rooms by a resident owner to more than two (2) roomers

v. Taxicab and/or limousine businesses

vi. Any occupation that creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses outside the dwelling unit.

9. Outdoor Display or Sales

Outdoor display and sales area are not allowed in required parking spaces and not exceeding ten percent (10%) of the total gross square footage of the principal permitted building. In addition to the ten percent (10%) outdoor display and sales area, store front sidewalks excluding any public sidewalks, shall be allowed for outdoor display and sales provided these outdoor display and sales areas comply with all provisions of applicable zoning ordinances, building codes, and other city codes and regulations. All outdoor display and sales areas shall be maintained in a neat, clean, orderly fashion to assure that no adverse impacts will be caused to adjoining properties due to lack of poor maintenance.

10. Outdoor Alcohol Service Area

An area not including primary circulation space or any public right of way, or public street, located outside of a building or in a courtyard which is provided for the use of serving alcoholic beverages.

11. Pad Mounted Transformer

In the Commercial and Industrial zone districts, this use shall be a conditional use if located on property adjoining (a) a residentially zoned lot or parcel, or (b) a lot or parcel developed with a residential use, or (b) a lot or parcel designated for residential use on the Future Land Use Map. If the pad mounted transformer is located on a

parcel that is not adjacent to any lot so zoned, developed, or designated for residential use, then it shall be permitted use.

12. Parking Lot or Structure

- a. In the residential districts and the C-1 district, parking lots are only permitted to provide accessory parking for uses located on a lot within three hundred (300) feet of the lot.
- b. In the residential districts, approval shall be subject to approval of a Site Development Plan that provides adequate screening, landscaping and similar techniques to minimize impacts on the surrounding properties.
- c. In the residential districts, access driveways to an adjacent nonresidential property are allowed only if approved as a conditional use.

13. Vehicle Service, Repair, or Maintenance

a. *Residential Districts*

- i. Vehicle repair, service, or maintenance, when done for compensation, shall be limited to only:

(A) Emergency services as defined in Section 32.09 Definitions; and

(B) Oil change, filter replacement, chassis lubrication, adding or removal of fluids, vacuuming interiors, washing windows, windshield wiper blade replacement, washing of vehicles, engine tune-ups limited only to spark plugs and wires, points, distributor cap, and carburetor adjustment.

- ii. All persons providing the services described in subsection i.(B) above shall be required to first register with the City, and at the time of registration also file a copy of any waste oil disposal permit required by the Department of Natural Resources; have a permanent place of business in a commercial and industrial or other district authorizing such use; restrict the service and repair activities on all residential lots to a maximum of four (4) consecutive hours to be conducted only between the hours of 8:00 a.m. and 9:00 p.m. Compliance with this subsection shall not relieve the person providing the services of compliance with all other provisions of applicable federal, state, and local laws and regulations.

- iii. A property owner/occupant shall be permitted to perform vehicle repair, service or maintenance only upon vehicles owned by him/her, and also only when such vehicle repair, service or maintenance is done on a property owned or occupied by such vehicle owner, and also subject to the following conditions:

(A) When outside an enclosed structure, activities shall be limited to washing, lubrication, replacement of tires, filters, fluids, plugs, points, lights, battery, windshield wipers, fuses, spot body repair and spot painting. Once such activities are commenced, the same shall be completed within forty-eight (48) hours, and shall be limited to only one vehicle during such period of time. Parts, machinery, equipment, fluid, or debris associated with the repair shall be kept within an enclosed structure.

(B) When done within an enclosed structure the following additional activities are permitted: engine rebuilding; repair or replacement of drive train, body and frame components; upholstery; painting, undercoating; repair or replacement of mufflers, tail and exhaust pipes; and similar heavier service and repairs not authorized in subsection iii (A), above.

(C) Repair, service, and maintenance on a vehicle with a maximum gross weight of 10,000 pounds or more is prohibited.

b. *Mixed Use, Office, and Commercial Districts*

No vehicular repair, service, or maintenance shall be permitted in unenclosed accessory parking facilities or any other unenclosed area in any mixed use or commercial zoning district, except emergency service and repairs defined in Section 32.09 Definitions, and except washing of vehicles. No motor fuel or oil shall be sold in conjunction with any accessory parking facilities provided in an O/S District. A property owner/occupant of a lot within a mixed use or commercial zoning district, whose principal use is residential, will be permitted to perform repair, service, and maintenance authorized under Sec. 32.04.030.C.12.a.iii. notwithstanding other provisions prohibiting the same.

c. *Industrial Districts*

Unless otherwise permitted, no vehicular repair, service, or maintenance shall be permitted in or in conjunction with any unenclosed accessory parking facilities or any other unenclosed area in an industrial district, except emergency service and repairs defined in Section 32.09 Definitions, and except washing of vehicles. A property owner/occupant of a lot within an industrial zoning district, whose principal use is residential, will be permitted to perform repair, service, and maintenance authorized under Sec. 32.04.030.C.12.a.iii, provided that the service is provided in compliance with all other portions of subsections a. and b. above, notwithstanding other provisions prohibiting such activities. (033-06, 001-10, 007-10, 032-10, 045-10, 007-11)

Section 6. That Table 32.05-3 of Chapter 32 of the Municipal Code, City of Cedar Rapids, Iowa, is herewith deleted and the following new Table 32.05-3 to allow "Hot Tubs" as a permitted encroachment is enacted in lieu thereof:

TABLE 32.05-3: PERMITTED ENCROACHMENTS IN REQUIRED YARDS	
Structure or Feature	Conditions or Limitations
Accessory structures	See Sections. 3.04.010.B and 3.04.030.C [Accessory Structures]
Air conditioner	4 feet, but not closer than 2 feet from side or rear yard property lines
Air conditioner, window	No more than 2 feet into the yard, as measured from the building; except when the yard is 9 feet or more in depth they may encroach no more than 3 feet
Architectural features (i.e., sills, eaves, and cornices)	
Awnings and canopies that do not contain signage. (Those with signage are governed by the standards in Section 32.06	
Bay Windows	
Chimneys not greater than 6' in width	
Gutters and downspouts	
Stairs and fire escapes (unenclosed)	
Solar energy collectors and heat storage units of up to 200 square feet of collector surface area	
Customary play equipment	May extend into any rear yard
Clothes lines and poles	
Trash Containers	
Underground shelters	
Unenclosed breezeways	
Steps or ramp necessary to provide access to the first floor of lawful building or for access to a lot	No closer than 3 feet to any adjacent property

from a street or alley.	
TABLE 32.05-3: PERMITTED ENCROACHMENTS IN REQUIRED YARDS	
Open deck including steps, but not including a permanently roofed-over or enclosed deck.	May extend no more than 10 feet into the required front yard or the required rear yard and shall maintain a minimum 10 foot distance from a street right-of-way and rear lot line, except in the Core Area, where it may extend to within 7.5 feet of the street right-of-way. The floor of an open deck in a required yard shall not exceed 3 feet in height above the average ground level.
Swimming Pools and Hot Tubs including mechanical equipment and deck	Not permitted in front setback and no closer than 10 feet from any side or rear property line.
Fence, wall, dense shrubs, landscaping, vegetation, arbors, trellises, and similar items or combinations of such items	See the following subsection b.

Section 7. That Subsection 32.05.010.A.2.e of Chapter 32 of the Municipal Code, City of Cedar Rapids, Iowa, is herewith deleted and the following new Subsection 32.05.010.A.2.e to clarify code language is enacted in lieu thereof:

e. Number of Principal Buildings Permitted on a Lot

More than one principal institutional, public or semi-public, multi-family, commercial, or industrial building may be located on a lot provided that no such building or portion of such building is located outside the buildable area of the lot. However, except in the case of Planned Unit Developments, not more than one detached single family or two family residential building shall be located on a lot, nor shall any such type of building be located on the same lot with any other principal building.

Section 8. That Subsection 32.05.010.B.3.a of Chapter 32 of the Municipal Code, City of Cedar Rapids, Iowa, is herewith deleted and the following new Subsection 32.05.010.B.3.a to clarify code language is enacted in lieu thereof:

3. Contextual Development for Residential Primary Structures

a. Front Setback

Regardless of the minimum front setback requirements imposed in Table 32.05-1, applicants for single or two-family residential development in the Residential zone districts shall be allowed to use a "contextual" front setback. A contextual front setback may fall at any point between the required front setback and the front setback that exists on a lot that is oriented to the same street as the subject lot. This provision shall not be interpreted as requiring a greater front setback than that imposed in Table 32.05-1. A contextual front setback shall not be used to reduce the length of a front driveway to less than twenty (20) feet, measured from the front face of the structure to the inner edge of the sidewalk (or to the right-of-way if there is no sidewalk) unless the applicant has provided off-street parking sufficient to satisfy the requirements of Sec. 32.05.020 without the need to park two vehicles in the driveway. In addition, please see the provisions of Sec. 32-07, Nonconformities.

Section 9. That Subsection 32.05.010.D.2.b.i of Chapter 32 of the Municipal Code, City of Cedar Rapids, Iowa, is herewith deleted and the following new Subsection 32.05.010.D.2.b.i to clarify code language is enacted in lieu thereof:

i. Height in Side and Rear Yards

No fence or wall, exceeding a height of seven (7) feet above ground level shall be erected in a required side or rear yard or along a side or rear lot line if said yard or lot line is within, or abuts, a Residential District. For land use districts other than residential, those within or abutting all other districts, the maximum height of such fence items within a required side or rear yard or along a side or rear lot line shall be ten (10) feet.

Section 10. That Subsection 32.05.010.D.3 of Chapter 32 of the Municipal Code, City of Cedar Rapids, Iowa, is herewith deleted and the following new Subsection 32.05.010.D.3 to clarify code language is enacted in lieu thereof:

3. Corner Visual Clearance Area

Notwithstanding the provisions of Table 32.05-2, in areas except portions of the C-3, C-4, I-1, and I-2 districts located within the Core Area, as defined in this Ordinance, nothing shall be erected, placed, planted, or allowed to grow on a corner lot in such a manner as to significantly impede vision between a height of two and one-half (2.5) feet and ten (10) feet above the center line street grades of the area described as follows: That triangular shaped area bounded by the street or road right-of-way lines of a corner lot or tract and a straight line joining points on said right-of-way lines that are thirty (30) feet from the point of intersection of said right-of-way lines. No more than two pole or post supports of no more than ten (10) inches shall be permitted within such unobscured area unless approved by the Public Works Department.

Section 11. That Table 32.06-1: ON-PREMIS SIGNS in C-2 (Community Commercial) District and C-3 (Regional Commercial) District of Chapter 32 of the Municipal Code, City of Cedar Rapids, Iowa, is herewith deleted and the following new Table 32.06-1: ON-PREMIS SIGNS in C-2 (Community Commercial) District and C-3 (Regional Commercial) District to correct a scrivener error is enacted in lieu thereof:

TABLE 32.06-1: ON-PREMISE SIGNS						
	Maximum Surface Area (SA = Surface Area)	Location & Setbacks (If Applicable)	Height	Maximum Number Permitted	Illumination	Other Conditions
C-2 (Community Commercial) District and C-3 (Regional Commercial) District						
Permanent Signs						
Wall Sign	Primary occupancy frontage = up to 2 Sq ft per foot of occupancy frontage; Secondary occupancy frontage(s) = 2 sq ft per foot of occupancy up to 50% of the area allowed for the primary occupancy frontage.	To be located within the outline of the wall to which it is attached and flush mounted on the wall, projecting no more than 24 inches	Cannot extend above the wall to which it is attached by more than 5 ft	No maximum; subject to the total maximum area allowed per occupancy frontage	Permitted	
Projecting Sign		Projecting from wall of primary occupancy frontage	Cannot extend above the wall to which it is attached by more	1 per primary or secondary occupancy frontage	Permitted	Cannot project more than 10 ft.

			than 5 ft.; subject to min. clearance.			
Canopy or Awning Sign		Wall surface of the primary or secondary occupancy frontage	Bottom of the second story window; subject to min. clearance	No maximum; subject to location and height standards	Permitted	
Freestanding Sign	Primary lot frontage = 2 sq ft per foot of lineal foot of lot frontage to a maximum of 400 sq ft; Secondary lot frontage(s) = 1 sq ft per foot frontage not exceeding 50% of the area allowed for the primary lot frontage. The total size for these types of signs cannot exceed the maximum allowed.	Five ft. setback from property line; subject to required sight lines per Traffic Engineering Dept.	Up to 45 feet to top of sign structure.	No limit.	Permitted	Must provide a 100 ft. separation between Freestanding Signs on the same lot.
Roof Sign		Above building roof line	Not higher than the maximum structure height allowed in the district	1 per building face	Permitted	Maybe Subject to approval of a Conditional Use Permit AND, if the sign faces a Residential District, a 1000 ft. buffer must be provided from the nearest Residential District (as measured from the building face to the District lot line).
Marquee Sign	Total sign area to be determined as part of a Conditional Use Permit.	To be located within the outline of the wall to which it is attached	Top edge of the wall to which it is attached; subject to min. clearance	1 per primary and/or secondary occupancy frontage	Permitted	Subject to approval of a Conditional Use Permit.

Section 12. That Subsection 32.06.020.C.5 of Chapter 32 of the Municipal Code, City of Cedar Rapids, Iowa, is herewith deleted and the following new Subsection 32.06.020.C.5 to clarify code language is enacted in lieu thereof:

5. Works of art and murals that have been referred to the Cedar Rapids Visual Arts Commission pursuant to chapter 33E of the Cedar Rapids Municipal Code and have been reviewed pursuant to criteria addressing the time, place, and manner (rather

than the content) of the work of art or mural and have been determined to be exempt from the regulations of this Section 32.06

Section 13. That Subsection 32.09.020.16P of Chapter 32 of the Municipal Code, City of Cedar Rapids, Iowa, is herewith deleted and the following new Subsection 32.09.020.16P to clarify code language is enacted in lieu thereof:

16P. A container designed and rented or leased for the temporary storage of commercial, industrial, or residential household goods, and that does not contain a foundation or wheels for movement, and that is located on a lot or parcel for thirty (30) or more consecutive days in a calendar year. This use includes but is not limited to piggyback containers that can be transported by mounting on a chassis, as well as "POD"-type boxes that can be transported on a flatbed or other truck, but does not include (a) pre-fabricated sheds that are not designed for transport after erection, or (b) commercial trailers used by construction or industrial uses in the regular performance of their business (as opposed to simply for on-site storage). Containers that are located on a lot or parcel for periods of less than thirty (30) days in a calendar year for purposes of storage of goods during the relocation of a household, intuition.

Section 14. SEPARABILITY OF PROVISIONS

It is the intention of the Council that each section, paragraph, sentence, clause and provision of this Ordinance is separable and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this ordinance, nor any part thereof other than that affected by such decision.

Section 15. The changes as provided in this Ordinance shall be made part to the replacement pages of the Municipal Code, City of Cedar Rapids, Iowa, and made a part of said Code as provided by law.

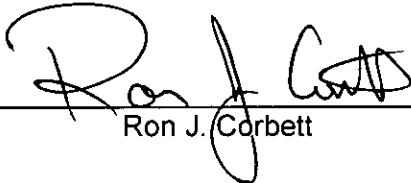
Section 16. All ordinances or parts of ordinances in conflict with any provision of this Ordinance are hereby repealed.

Section 17. WHEN EFFECTIVE

This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Introduced this 28th day of February 2012.

Passed this 13th day of March, 2012


_____, Mayor
Ron J. Corbett

Attest:


_____, City Clerk
Amy Stevenson