



Date October 20, 2025

**RESOLUTION HOLDING HEARING ON PROPOSED AMENDMENT TO
ZONING ORDINANCE AND APPROVING SAME**

WHEREAS, on April 25, 2016, by Roll Call No. 16-0717, the City Council adopted the PlanDSM: Creating Our Tomorrow Plan as the comprehensive plan for the City of Des Moines; and

WHEREAS, on October 16, 2019, by Roll Call No. 19-1683, the City Council approved Ordinance No. 15,816 adopting the Zoning Ordinance, which repealed and replaced previous Chapter 134 of the Des Moines Municipal Code and Article 5 of which repealed and replaced the City's Wireless Telecommunications Facility Policy adopted on April 8, 2019 by Roll Call No. 19-0580, and certain ordinances amending the City's Zoning Ordinance have been approved by City Council thereafter; and

WHEREAS, the Neighborhood Services Department and the Development Services Department and staff have prepared further amendment to Section 134-3.9.2 of the Zoning Ordinance, which such amendment is intended to clarify and align accessory dwelling units with recent state code changes; and

WHEREAS, the Neighborhood Services Department and the Development Services Department and staff have prepared further amendments to Sections 134-3.5.16, 134-3.9.9, 134-9.15, 134-9.19, 134-9.23, Table 134-3.1-1 and Table 134-3.9-1 of the Zoning Ordinance, which such amendments are intended to clarify the liquor store and tobacco store language; to clarify tobacco product to align with state code; and clarify tobacco store requirements; and

WHEREAS, the Neighborhood Services Department and the Development Services Department and staff have prepared further amendments to Sections 134-6.7.6 and 134-6.7.7 of the Zoning Ordinance, which such amendments are intended to clarify and align variance test for numerical standards with recent state code changes; and

WHEREAS, the Neighborhood Services Department and the Development Services Department and staff have prepared further amendments to Sections 134-7.3.3 and 134-7.3.6 of the Zoning Ordinance, which such amendments are intended to define legal non-conforming pole sign components that are allowed to be replaced or rehabilitated; and

WHEREAS, on September 4, 2025, the City Plan and Zoning Commission voted 10-0 to APPROVE the proposed amendment to the Zoning Ordinance; and

WHEREAS, on September 2nd, 2025, by Roll Call No. 25-1290, it was duly resolved by the City Council that the proposed amendments to the Zoning Ordinance be set down for public hearing on October 20, 2025 at 5:00 p.m. in the City Council Chambers at City Hall; and



Date October 20, 2025

WHEREAS, the proposed amendment to the Zoning Ordinance is on file and available to the public for viewing in the office of the City Clerk; and

WHEREAS, due notice of said hearing was published in the Des Moines Register, as provided by law, setting forth the time and place for hearing on said proposed amendment to the Zoning Ordinance; and

WHEREAS, in accordance with said notice, those interested in said proposed amendment, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

1. Upon consideration of the facts, statements of interested persons and arguments of counsel, any and all objections to said proposed amendment to Sections 134-3.5.16, 134-3.9.9, 134-6.7.6, 134-6.7.7, 134-3.9.2, 134-7.3.3, 134-7.3.6, 134-9.15, 134-9.19, 134-9.23 of the Zoning Ordinance, be and the same are hereby overruled, and the hearing is closed.

2. The City Council hereby makes the following findings in support of the proposed amendment to Sections 134-3.5.16, 134-3.9.9, 134-6.7.6, 134-6.7.7, 134-3.9.2, 134-7.3.3, 134-7.3.6, 134-9.15, 134-9.19, 134-9.23 of the Zoning Ordinance:

- a. Said amendment is necessary to protect and preserve the rights, privileges, and property of the City and of its residents, and to preserve and improve the peace, safety, health, welfare, comfort, and convenience of its residents, for the reasons stated herein.
- b. The amendment is further necessary to promote the health, safety, morals, and general welfare of the community.
- c. Said amendment is consistent with PlanDSM: Creating Our Tomorrow Plan, the comprehensive plan for the City of Des Moines, and meets the multiple goals thereof including but not limited to the following:
 - *Land Use Goal 1* - Develop new land development regulations consistent with this Comprehensive Plan, include development standards, provide for a mixture of land uses, mandate protection of natural resources, and promote flexible approaches to implementing the Plan.
 - *Land Use Goal 2* – Direct new growth and redevelopment to areas with existing infrastructure and nodes and corridors based on proximity to transit, shopping, services, and public amenities.
 - *Land Use Goal 4* – Continue to embrace the district character of Des Moines' neighborhoods while allowing for new development and redevelopment.
 - *Housing Goal 1* – provide a diversity of housing options to accommodate residents of all ages, income levels, household sizes, and cultural backgrounds.



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- *Housing Goal 3* – Promote sustainable housing development that utilizes existing resources and supports compact, walkable, and bikeable neighborhoods.
 - *Community Character and Neighborhood Goal 2* – Further Des Moines' revitalization efforts to improve the strength, stability, and vitality of all neighborhoods.
3. The proposed amendment to Sections 134-3.5.16, 134-3.9.9, 134-6.7.6, 134-6.7.7, 134-3.9.2, 134-7.3.3, 134-7.3.6, 134-9.15, 134-9.19, 134-9.23 of the Zoning Ordinance, in form on file in the office of the City Clerk, is hereby approved, subject to final passage of the enacting ordinance.

Moved by _____ to adopt. Second by _____

APPROVED AS TO FORM:

/s/ Chas M. Cahill

Chas M. Cahill

Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
COLEMAN				
GATTO				
MANDELBAUM				
SIMONSON				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED		APPROVED		

CERTIFICATE

I, Laura Baumgartner, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Mayor

City Clerk

Date September 29, 2025
Agenda Item 28
Roll Call # 25-1290

September 9, 2025

Communication from the City Plan and Zoning Commission advising that at their September 4, 2025 meeting, the following action was taken for consideration of the following amendments to Chapter 134 and Chapter 135 of the Des Moines Municipal Code:

- A) Amendments to Chapter 134 modifying Accessory Household Unit regulations, Liquor and Tobacco Sales regulations, Variance test language, and nonconforming provisions for Pole Signs.
- B) Amendments to Chapter 135 modifying Accessory Household Unit Building regulations and the definition of a Single Housekeeping Unit.

COMMISSION RECOMMENDATION: 10-0

After public hearing, the members voted as follows:

Commission Action:	Yes	Nays	Pass	Abstain	Absent
Francis Boggus	X				
Leah Rudolphi					X
Chris Draper	X				
Laura Kessel	X				
Todd Garner	X				
Johnny Alcivar					X
Carolyn Jenison	X				
William Page	X				
Andrew Lorentzen	X				
Emily Webb	X				
Katie Gillette	X				
Rick Trower					X
Jane Rongerude					X
John Erpelding	X				

Approval of the proposed amendments to the Zoning Ordinance (City Code Chapter 134) and the Planning and Design Ordinance (City Code Chapter 135).

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the proposed amendments to the Zoning Ordinance (City Code Chapter 134) and the Planning and Design Ordinance (City Code Chapter 135).

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

The following tables summarize the proposed amendments. A redline version of the relevant code sections and tables are included in the Commission's packet, except for the pole sign language, which is being finalized and will be provided prior to the meeting.

Chapter 134 Amendments:

SUBJECT	CODE SECTION	ACTION/PURPOSE
Accessory Household Unit regulations	Article 3 Table of Contents 134-3.9.2	Align city code with recent state code changes that limit local regulation of accessory dwelling units.
Liquor & Tobacco Sales regulations	Table 134-3.1-1 Table 134-3.9-1 134-3.5.16.D 134-3.5.16.E 134-3.9.9.B 134-3.9.9.C 134-3.9.9.D 134-9.15 134-9.19 134-9.23	The proposed amendments do the following: (1) eliminate overlap in the definitions of liquor stores and tobacco stores, (2) match the tobacco sales definition to the state code which includes vapor products, (3) requires more than one employee at all businesses selling liquor, (4) clarifies regulations associated with "Other Uses" selling alcohol, and (5) adds a 500-foot separation requirement for tobacco stores that is required regardless of whether they sell alcohol. These changes are based on discussions from the July 14, 2025, City Council workshop.
Variance test language	134-6.7.6 134-6.7.7	Align city code with recent state code changes that are aimed at making it easier to grant any variance for numerical standards.
Pole Sign, non-conforming provisions	134-7.3	Allow legal non-conforming pole sign components to be replaced regardless of the value of the work.

Chapter 135 Amendments:

SUBJECT	CODE SECTION	ACTION/PURPOSE
Accessory Household Unit Building regulations	135-2.22.2.F Table 135-2.22-1	Align city code with recent state code changes that limit local regulation of accessory dwelling units.
Single House Keeping Unit definition	135-12.21	Amend definition in Chapter 135 to match the definition in Chapter 134, which was amended in May of this year.

ANALYSIS

- 1. Amendments:** Recently enacted State legislation limits the ability of local governments to regulate accessory dwelling units (ADU). They must be permitted anywhere that a detached single-family dwelling is permitted. Design standards and bulk regulations that can be applied are also impacted. Additionally, ownership and minimum parking requirements are prohibited.

The State legislation also altered the criteria that local governments must use when considering Variance requests for numerical zoning standards. In short, an applicant must demonstrate that they face a “practical difficulty” now and can no longer be held to the higher “hardship” test language that focuses on losing all economic use of the land in question. Use Variance requests are still held to the “hardship” test. The proposed amendments to City Code Section 134-6 address this change.

Changes to how liquor and tobacco sales are regulated by the Zoning Ordinance are proposed to address concerns raised by the City Council and to provide greater clarity to ease code implementation. The most significant amendments include requiring a minimum number of employees for all businesses selling alcohol for off-premises consumption and establishing a 500-foot separation requirement for tobacco store uses. Currently, smaller operators must keep liquor in a locked case or behind a counter accessible to employees only. Larger operators must choose between always having more than one employee on duty, utilizing an electronic security cap/tag system, or displaying liquor in a locked case or behind a counter. The proposed changes would require all operators of businesses selling liquor to have more than one employee on duty at any given time. Smaller operators would also have to keep liquor in a locked cabinet, behind a counter, or utilize an electronic tag system. Existing legally established businesses would have non-conforming rights to continue to operate in accordance with the standards in place at the time they were established.

The draft language for the proposed changes to the nonconforming rights for pole signs was not ready at the time this Staff report was issued. Pole signs are prohibited by the Zoning Code. Components of an existing pole signs cannot be replaced if the work would match or exceed 50% of the replacement cost of the sign, exclusive of the foundation and supporting element. The intent of the amendment is to allow greater flexibility for component replacement on existing non-conforming pole signs. A draft will be released as soon as possible.

2. PlanDSM: Creating Our Tomorrow Plan: PlanDSM: Creating Our Tomorrow is the City's Comprehensive Plan. The proposed amendments are consistent with many of the goals and policies of PlanDSM, including the following:

- *Land Use Goal 1* - Develop new land development regulations consistent with this Comprehensive Plan, include development standards, provide for a mixture of land uses, mandate protection of natural resources, and promote flexible approaches to implementing the Plan.
- *Land Use Goal 2* – Direct new growth and redevelopment to areas with existing infrastructure and nodes and corridors based on proximity to transit, shopping, services, and public amenities.
- *Land Use Goal 4* – Continue to embrace the district character of Des Moines' neighborhoods while allowing for new development and redevelopment.
- *Housing Goal 1* – provide a diversity of housing options to accommodate residents of all ages, income levels, household sizes, and cultural backgrounds.
- *Housing Goal 3* – Promote sustainable housing development that utilizes existing resources and supports compact, walkable, and bikeable neighborhoods.
- *Community Character and Neighborhood Goal 2* – Further Des Moines' revitalization efforts to improve the strength, stability, and vitality of all neighborhoods.

III. STAFF RECOMMENDATION

Staff recommends approval of the proposed amendments to the Zoning Ordinance (City Code Chapter 134) and the Planning and Design Ordinance (City Code Chapter 135).

SUMMARY OF DISCUSSION

Jason Van Essen presented the staff report and recommendation.

Emily Webb asked a procedural question, noting that City Council had previously workshopped these items with staff, and wondered if the current presentation was being provided only as a courtesy since the Council would ultimately vote on them.

Jason Van Essen noted that the City Council shared thoughts and input on concepts during their workshop. The current presentation is focused on actual code language. The Commission plays an important role in providing additional input before the items go to Council for final consideration.

Chris Draper had questions about the changes to pole signs and wondered what the definition of a pole sign would be considered.

Jason Van Essen explained that a pole sign is supported by one or two posts above ground, in contrast to a monument sign, which is ground mounted. The purpose of the amendment is to provide slightly more flexibility for maintaining existing pole signs. Under the new standards, signs could have up to 15% more area and include up to 12 square feet of digital display, similar to the digital fuel pricing displays often seen at gas stations. He described this as a hybrid approach that allows operational adjustments while maintaining size limitations. Ultimately, he noted that the community's long-term goal is to move away from pole signs altogether.

Chris Draper asked for clarification on the changes to Tobacco Sales table changes and what "500" in the proposed Principal Use Table means.

Jason Van Essen explained that there is some confusion caused by the overlap of tobacco and liquor sales being merged together in one table. The change would remove Tobacco Stores from the Liquor Sales Table. It would only be listed in the Principal Use Table. The "500" label in the table means they must meet a 500-foot separation requirement.

Chris Draper clarified that two tobacco stores must be separated 500 feet from each other.

Jason Van Essen confirmed but noted that the amendment applies only to new applications and does not affect existing businesses. He noted that applicants can request relief from these restrictions through the Zoning Board of Adjustment if needed.

Chris Draper asked about the change of name from AHU to ADU for Accessory Dwelling Units and what other significant changes were made to the language.

Jason Van Essen stated the change of name was to make the code consistent with common language. Significant changes included the elimination of minimum parking and owner/resident requirements, and the simplification of design standards.

Chris Draper asked for clarification that parking requirements go away and that anyone can build an ADU and add density to a lot without living in one of the units.

Jason Van Essen confirmed that was correct. Noted they are permitted by right anywhere a standalone, detached house is permitted.

Chris Draper asked if there were any size restriction on ADUs.

Jason Van Essen stated the new language reflects the changes made through the State of Iowa Code, which now states that the ADU can be up to half the size of the house or 1,000 square feet, whichever is larger.

Chris Draper asked what the setbacks would be for a standalone ADU that is separated from the house.

Jason Van Essen stated it is 5-foot minimum, same as a detached garage.

PUBLIC HEARING

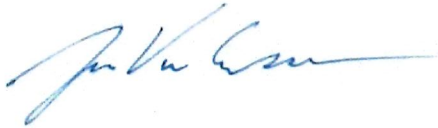
There was no one in attendance.

COMMISSION ACTION

Chris Draper made a motion for approval of the proposed amendments to the Zoning Ordinance (City Code Chapter 134) and the Planning and Design Ordinance (City Code Chapter 135).

THE VOTE: 10-0

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jason Van Essen".

Jason Van Essen, AICP
Planning & Urban Design Administrator

JMV:mrw

134-3. USES

Accessory Uses

TABLE 134-3.9-1. ALCOHOLIC LIQUOR, WINE AND BEER SALES

USE	DISTRICTS											
	DX1	DX2	DXR	MX1	MX2	MX3	RX1, RX2	CX, EX, I1	I2	NX2, NX2A	P1, P2	F
Retail Sales												
Limited												
Alcoholic Liquor, Wine and Beer Sales	—	—	—	—	—	○ [*] 40%/500 1320	—	○ [*] 40%/500 1320	—	—	—	—
Wine and Beer Sales	—	○ [*] 40%/150	○ [*] 40%/150	○ [*] 40%/150	○ [*] 40%/150	○ [*] 40%/150	○ [*] 40%/150	○ [*] 40%/150	—	—	—	—
General												
Alcoholic Liquor, Wine and Beer Sales	40%/75	40%/75	40%/75	—	40%/75	40%/75	—	40%/75	—	—	—	—
Wine and Beer Sales	40%/75	40%/75	40%/75	—	40%/75	40%/75	—	40%/75	—	—	—	—
Large												
Alcoholic Liquor, Wine and Beer Sales	40%/75	40%/75	—	—	—	—	—	40%/75	—	—	—	—
Wine and Beer Sales	40%/75	40%/75	—	—	—	—	—	40%/75	—	—	—	—
Fuel Station												
Alcoholic Liquor, Wine and Beer Sales	—	—	—	—	○ [*] 40%/500 1320	○ [*] 40%/500 1320	—	○ [*] 40%/500 1320	○ [*] 40%/500 1320	—	—	—
Wine and Beer Sales	—	40%/150	40%/150	—	40%/150	40%/150	—	40%/150	40%/150	—	—	—
Liquor Store												
Alcoholic Liquor, Wine and Beer Sales	—	—	—	—	—	○ [*] 500 1320	—	○ [*] 500 1320	○ [*] 500 1320	—	—	—
Wine and Beer Sales	—	○ [*] 150	○ [*] 150	○ [*] 150	○ [*] 150	○ [*] 150	—	○ [*] 150	○ [*] 150	—	—	—
Tobacco Store												
Alcoholic Liquor, Wine and Beer Sales	—	—	—	—	—	○[*] 25%/500 1320	—	○[*] 25%/500 1320	○[*] 25%/500 1320	—	—	—
Wine and Beer Sales	—	○[*] 25%/150	○[*] 25%/150	○[*] 25%/150	○[*] 25%/150	○[*] 25%/150	—	○[*] 25%/150	○[*] 25%/150	—	—	—
Restaurant, Bar, Other Uses												

REMOVE SECTION

TABLE 134-3.9-1. ALCOHOLIC LIQUOR, WINE AND BEER SALES

USE	DISTRICTS											
	DX1	DX2	DXR	MX1	MX2	MX3	RX1, RX2	CX, EX, I1	I2	NX2, NX2A	P1, P2	F
Restaurant with Alcoholic Liquor, Wine and Beer Sales	50%	50%	50%	50%	50%	50%	50%	50%	50%	○* 50%	○* 50%	—
Bar	○*	○*	○*	—	○*150	○*150	—	○*150	—	—	○* 150	—
Other Uses with Alcoholic Liquor, Wine and Beer Sales	○*	○*	○*	○*	○*	○*	○*	○*	○*	○*	○*	○*

KEY:

- = requires conditional use approval
- * = supplemental use regulations apply
- = prohibited

Table Notes

- = Uses identified with a symbol are allowed only if reviewed and approved in accordance with the conditional use procedures of 134-6.4 of this chapter.
- 40% = no more than 40% of the gross receipts from sales from the premises may be derived from the sale of alcoholic liquor, ^{wine or beer.} ~~wine, beer or tobacco products.~~
- 50% = at least 50% of the gross receipts from sales from the premises must be derived from the sale of prepared food and food-related services. The sale of an alcoholic beverage is not the sale of prepared food and food-related services.
- ~~25% = no more than 25% of the gross receipts from sales from the premises may be derived from the sale of alcoholic liquor, wine or beer.~~
- 75 = the licensed premises occupied by such use must be separated by at least 75 feet from the property line of the lot where any church or place of worship, school, public park or licensed child care facility as defined by Iowa Code Chapter 237A, are located. However, this condition is not applicable in the DX1, DX2, and DXR districts.
- 150 = the licensed premises occupied by such use must be separated by at least 150 feet from the property line of the lot where any church or place of worship, school, public park or licensed child care facility as defined by Iowa Code Chapter 237A, are located. However, this condition is not applicable in the DX1, DX2, and DXR districts.
- 500 = the licensed premises occupied by such use must be separated by at least 500 feet from the property line of the lot where any church or place of worship, school, public park or licensed child care facility as defined by Iowa Code Chapter 237A, are located. However, this condition is not applicable in the DX1, DX2, and DXR districts.
- 1320 = the licensed premises occupied by such use must be separated by at least 1320 feet from the property line of the lot where any limited retail sales, fuel stations, liquor stores and tobacco stores engaged in the sale of alcoholic liquor is located.



ZONING CHAPTER 134

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ADU

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134-3. USES

Principal Uses

TABLE 134-3.1-1. PRINCIPAL USE TABLE

USE CATEGORY	DISTRICTS																				Reference	
Use Subcategory														N1, N2, N3, N4, N5								
Specific Use Type	A	DX1	DX2	DXR	MX1	MX2	MX3	RX1	RX2	CX	EX	I1	I2		NX1	NX2a	NX3	NM	P1	P2		F
RESIDENTIAL																						
Household Living																						
1 household (per lot)	●	●	●	●	●	●	●	●	●		-	-	-	●	●	●	●	●	-	-	-	134-3.3.1
2 households (per lot)	-	●	●	●	●	●	●	●	●		-	-	-	②	●	●	●	-	-	-	-	134-3.3.1
3 to 4 households (per lot)	-	●	●	●	●	●	●	●	●		-	-	-	④	●	●	●	-	-	-	-	134-3.3.1
5 to 8 households (per lot)•	-	●	●	●	●	●	●	●	●	●	-	-	-	-	●	●	●	-	-	-	-	134-3.3.1
9 or more households (per lot)•	-	●	●	●	●	●	●	●	●	●	-	-	-	-	-	●	●	-	-	-	-	134-3.3.1
Mobile home park	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	●	-	-	-	134-3.3.1
Group Living																						
Assisted living facility	-	●	●	●	●	●	●	●	●	●	-	-	-	-	-	●	●	-	-	-	-	134-3.3.2
Correctional placement residence	-	○*	○*	○*	○*	○*	○*	○*	○*	○*	-	-	-	-	-	○*	○*	-	-	-	-	134-3.3.2
Family home	●*	●*	●*	●*	●*	●*	●*	●*	●*	●*	-	-	-	●*	●*	●*	●*	●*	-	-	-	134-3.3.2
Home and community-based services waiver recipient residence	●*	●*	●*	●*	●*	●*	●*	●*	●*	●*	-	-	-	●*	●*	●*	●*	-	-	-	-	134-3.3.2
Shelter, temporary	-	●*	●*	●*	●*	●*	●*	●*	●*	●*	-	-	-	-	-	●*	●*	-	-	-	-	134-3.3.2
Other group living uses•	-	○	○	○	○	○	○	○	○	○	-	-	-	-	-	○	○	-	-	-	-	134-3.3.2
PUBLIC, CIVIC AND INSTITUTIONAL																						
Airport	-	-	-	-	-	-	-	-	-	-	-	●	●	-	-	-	-	-	-	●	○	134-3.4.1
Assembly																						
Place of Worship	-	●	●	●	○	●	●	○	●	●	●	-	-	-	-	○	○	-	-	●	-	134-3.4.2
Place of Assembly	-	●	●	●	○	●	●	○	●	●	●	-	-	-	-	○	○	-	-	●	-	134-3.4.2
Cemetery																						
City-owned	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	●	-	-	134-3.4.3
Non-city-owned	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	○*	-	134-3.4.3
College or University	-	●	●	●	-	-	-	●	●	●	●	-	-	-	-	-	-	-	-	●	-	134-3.4.4
Fraternal Organization	-	●	●	●	●	●	●	●	●	●	●	●	●	-	-	-	-	-	-	●	-	134-3.4.5
Government Administration	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	●	-	134-3.4.6
Hospital	-	●	●	●	-	-	-	●	●	●	●	●	●	-	-	-	-	-	-	●		134-3.4.7
Library or Cultural Exhibit	-	●	●	●	●	●	●	●	●	●	●	●	●	-	-	-	-	-	-	●	-	134-3.4.8
Public Recreation Areas	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	●	●	○	134-3.4.9
Postal Service	-	●	●	●	●	●	●	●	●	●	●	●	●	-	-	-	-	-	-	●	-	134-3.4.10
Safety Service	●	●	●	●	●	●	●	●	●	●	●	●	●	-	-	-	-	-	-	●	-	134-3.4.11
School	-	●	●	●	●	●	●	●	●	●	●	●	●	-	-	-	-	-	-	●	-	134-3.4.12

TABLE 134-3.1-1. PRINCIPAL USE TABLE

USE CATEGORY	DISTRICTS																				Reference	
Use Subcategory	A	DX1	DX2	DXR	MX1	MX2	MX3	RX1	RX2	CX	EX	I1	I2	N1, N2, N3, N4, N5	NX1	NX2, NX2a	NX3	NM	P1	P2		F
Specific Use Type																						
Utilities																						
Minor	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	○	134-3.4.13
Major	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	134-3.4.13
COMMERCIAL																						
Adult Entertainment	-	-	-	-	-	-	-	-	-	-	-	○*	○*	-	-	-	-	-	-	-	-	134-3.5.1
Animal Service																						
Boarding	●	-	-	-	-	-	●	-	-	●	●	●	●	-	-	-	-	-	-	-	-	134-3.5.2
Grooming	●	●	●	●	●	●	●	●	●	●	●	●	●	-	-	-	-	-	-	-	-	134-3.5.2
Stable	●	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	134-3.5.2
Veterinary	●	●	●	●	●	●	●	●	●	●	●	●	●	-	-	-	-	-	-	-	-	134-3.5.2
Assembly and Entertainment																						
Small	-	●	●	●	○	●	●	○	●	●	●	-	-	-	-	○	○	-	-	○	-	134-3.5.3
Large	-	●	●	●	-	●	●	-	●	●	●	-	-	-	-	-	○	-	-	○	-	134-3.5.3
Events Center	-	●	●	●	-	●	●	-	●	●	●	-	-	-	-	-	○	-	-	○	-	134-3.5.3
Broadcast or Recording Studio	-	●	●	-	-	●	●	-	●	●	●	●	●	-	-	-	-	-	-	●	-	134-3.5.4
Business or Trade School	-	●	●	●	●	●	●	●	●	●	●	●	●	-	-	-	-	-	-	-	-	134-3.5.5
Commercial Service																						
Consumer Maintenance and Repair	-	●	●	●	●	●	●	●	●	●	●	●	-	-	-	-	-	-	-	-	-	134-3.5.6
Personal Service	-	●	●	●	●	●	●	●	●	●	●	-	-	-	-	-	-	-	-	-	-	134-3.5.6
Studio or Instructional Service	-	●	●	●	●	●	●	●	●	●	●	●	●	-	-	-	-	-	-	-	-	134-3.5.6
Data Center																						
Minor	-	●	●	-	-	-	●	-	-	●	●	●	●	-	-	-	-	-	-	-	-	134-3.5.7
Major	-	-	-	-	-	-	-	-	-	-	●	●	●	-	-	-	-	-	-	-	-	134-3.5.7
Day Care	-	●	●	●	●	●	●	●	●	●	●	-	-	-	-	-	-	-	-	●	-	134-3.5.8
Day Services, Adult	-	●	●	●	●	●	●	●	●	●	●	-	-	-	-	-	-	-	-	●	-	134-3.5.9
Eating and Drinking Places																						
Restaurant	-	●	●	●	●	●	●	●	●	●	●	●	-	-	-	Ⓡ	-	-	○	○	-	134-3.5.10
Bar	-	○	○	○	-	○	○	-	-	○	○	○	-	-	-	-	-	-	○	○	-	134-3.5.10
Financial Service (except as below)	-	●	●	●	●	●	●	●	●	●	●	-	-	-	-	-	-	-	-	-	-	134-3.5.11
Bail Bonds	-	-	-	-	-	-	●*	-	-	●*	-	-	-	-	-	-	-	-	-	-	-	134-3.5.11
Delayed Deposit Service	-	-	-	-	-	-	●*	-	-	●*	-	-	-	-	-	-	-	-	-	-	-	134-3.5.11
Pawnbroker	-	-	-	-	-	-	●*	-	-	●*	-	-	-	-	-	-	-	-	-	-	-	134-3.5.11
Funeral or Mortuary Service	-	-	-	-	-	-	-	●	-	●	●	●	●	-	-	-	-	-	-	-	-	134-3.5.12
Lodging																						
Bed & Breakfast	○*	○*	○*	○*	○*	○*	○*	○*	○*	○*	○*	-	-	-	○*	○*	○*	○*	-	-	-	134-3.5.13
Hotel/Motel	-	●	●	●	-	●	●	●	●	●	●	-	-	-	-	-	-	-	-	-	-	134-3.5.13
Office																						
Business or Professional	-	●	●	●	●	●	●	●	●	●	●	●	●	-	-	-	-	-	-	●	-	134-3.5.14
Medical	-	●	●	●	●	●	●	●	●	●	●	●	●	-	-	-	-	-	-	●	-	134-3.5.14

TABLE 134-3.1-1. PRINCIPAL USE TABLE

USE CATEGORY	DISTRICTS																				Reference	
Use Subcategory	A	DX1	DX2	DXR	MX1	MX2	MX3	RX1	RX2	CX	EX	I1	I2	N1, N2, N3, N4, N5	NX1	NX2, NX2a	NX3	NM	P1	P2		F
Specific Use Type																						
Parking, Non-Accessory																						
Surface Parking Lot	-	○*	○*	○*	○*	○*	○*	-	○*	●	●	●	●	-	-	-	-	-	○*	○*	○*	134-3.5.15
Parking Structure	-	●	●	●	●	●	●	-	●	●	●	●	●	-	-	-	-	-	-	○*	-	134-3.5.15
Retail Sales																						
Limited	-	●	●	●	●	●	●	●	●	●	●	●	-	-	-	-	-	-	-	-	-	134-3.5.16
General	-	●	●	●	-	●	●	-	-	●	●	●	-	-	-	-	-	-	-	-	-	134-3.5.16
Large-Format	-	●	○	-	-	-	-	-	-	●	●	●	-	-	-	-	-	-	-	-	-	134-3.5.16
Liquor Store	-	-	○	○	○	○	○	-	-	○	○	○	○	-	-	-	-	-	-	-	-	134-3.5.16
Tobacco Store	-	-	○	○	○	○	○	-	-	○	○	○	○	-	-	-	-	-	-	-	-	134-3.5.16
Self-Service Storage	-	●	●	-	○*	○*	-	-	-	●	●	●	●	-	-	-	-	-	-	-	-	134-3.5.17
Sign, General Advertising	-	○	○	○	○	○	○	-	-	(M)	○	○	○	○	○	○	○	-	-	-	-	134-3.5.18
Sports & Recreation, Private																						
Indoor	-	●	●	●	●	●	●*	-	-	●*	●	●	●	-	-	-	-	-	○	○	-	134-3.5.19
Outdoor	-	-	-	●	-	-	●*	-	-	●*	●	●	●	-	-	-	-	-	○	○	○	134-3.5.19
Vehicle Sales and Service																						
Fuel Station	-	-	○	○	-	○	●	-	-	●	●	●	●	-	-	-	-	-	-	-	-	134-3.5.20
Vehicle Sales	-	-	-	-	-	-	(V)	-	-	(V)	-	(V)	(V)	-	-	-	-	-	-	-	-	134-3.5.20
Vehicle Rental	-	(V)	(V)	(V)	-	(V)	(V)	-	-	(V)	(V)	(V)	(V)	-	-	-	-	-	-	-	-	134-3.5.20
Vehicle Maintenance/Repair, Minor	-	-	-	-	-	-	●*	-	-	●*	●*	●*	●*	-	-	-	-	-	-	-	-	134-3.5.20
Vehicle Maintenance/Repair, Major	-	-	-	-	-	-	-	-	-	●*	-	●*	●*	-	-	-	-	-	-	-	-	134-3.5.20
INDUSTRIAL																						
Fabrication and Production																						
Artisan	●*	●*	●*	●*	●*	●*	●*	-	-	●*	●*	●*	●*	-	-	-	-	-	-	-	-	134-3.6.1
Limited	-	-	○*	○*	○*	○*	●*	-	-	●*	●*	●*	●*	-	-	-	-	-	-	-	-	134-3.6.1
General	-	-	-	-	-	-	-	-	-	-	-	●*	●*	-	-	-	-	-	-	-	-	134-3.6.1
Intensive	-	-	-	-	-	-	-	-	-	-	-	-	○*	-	-	-	-	-	-	-	-	134-3.6.1
Industrial Service																						
Light	-	-	-	-	-	-	●*	-	-	●*	●*	●*	●*	-	-	-	-	-	-	-	-	134-3.6.2
Intensive	-	-	-	-	-	-	-	-	-	-	-	●*	●*	-	-	-	-	-	-	-	-	134-3.6.2
Storage, Distribution and Wholesaling																						
Equipment & Material Storage, Outdoor	-	-	-	-	-	-	-	-	-	-	-	●*	●*	-	-	-	-	-	-	○*	-	134-3.6.3
Trucking & Transportation Terminal, Minor	-	-	-	-	-	-	(V)*	-	-	(V)*	(V)*	(V)*	(V)*	-	-	-	-	-	-	○*	-	134-3.6.3
Trucking & Transportation Terminal, Major	-	-	-	-	-	-	-	-	-	-	-	(V)*	(V)*	-	-	-	-	-	-	○*	-	134-3.6.3
Warehouse	-	-	-	-	-	-	-	-	-	●*	●*	●*	●*	-	-	-	-	-	-	○*	-	134-3.6.3
Junk or Salvage Yard	-	-	-	-	-	-	-	-	-	-	-	-	○*	-	-	-	-	-	-	-	-	134-3.6.4
Mining or Mineral Processing	-	-	-	-	-	-	-	-	-	-	-	-	○	-	-	-	-	-	-	-	○	134-3.6.5
AGRICULTURAL																						

TABLE 134-3.1-1. PRINCIPAL USE TABLE

USE CATEGORY	DISTRICTS																				Reference	
Use Subcategory	A	DX1	DX2	DXR	MX1	MX2	MX3	RX1	RX2	CX	EX	I1	I2	N1, N2, N3, N4, N5	NX1	NX2, NX2a	NX3	NM	P1	P2		F
Specific Use Type																						
Aquaculture, Aquaponics, Aeroponics, or Hydroponics	●*	○*	○*	—	—	—	○*	—	—	●*	●*	●*	●*	—	—	—	—	—	●*	●*	—	134-3.7.1
Greenhouse, Nursery, Orchard or Truck Farm	●	—	—	—	—	—	—	—	—	○	○	○	○	—	—	—	—	●	●	●	—	134-3.7.2
Row Crop Production	●	—	—	—	—	—	—	—	—	○	○	○	○	—	—	—	—	●	●	●	—	134-3.7.3
Urban Garden	●*	●*	●*	●*	●*	●*	●*	●*	●*	●*	●*	●*	●*	●*	●*	●*	●*	●*	●*	●*	●*	134-3.7.4
Urban Farm	●*	●*	●*	●*	●*	●*	●*	●*	●*	●*	●*	●*	●*	○*	○*	○*	○*	○*	●*	●*	●*	134-3.7.5
OTHERS																						
Consumer Fireworks Sales	—	●*	●*	●*	●*	●*	●*	●*	●*	●*	●*	●*	●*	—	—	—	—	—	—	—	—	134-3.8.1
Wireless Telecommunications	Refer to Article 4 of this chapter.																					

Key:

● = permitted by right

○ = permitted on upper floors only within primary frontage, and in ground floor within non-primary frontage

○ = requires conditional use approval unless eligible for Type 1 Zoning Exception

* = supplemental use regulations apply

- = prohibited

② = permitted by right where district includes "-2" extension

④ = permitted by right where district includes "-4" extension

⑤ = permitted except where district includes "-V" extension

Ⓡ = permitted with conditional use approval in NX2a district only

Ⓜ = permitted on major commercial corridors only

500 = the licensed premises occupied by such use must be separated by at least 500 feet from the property line of the lot where any tobacco store, place of worship, school, public park or licensed child care facility as defined by Iowa Code Chapter 237A, are located.

135-2. BUILDING TYPES

Accessory Structures

TABLE 135-2.22-1. ACCESSORY STRUCTURE TABLE																						
CATEGORY		DISTRICTS																				Reference
Structure	A	DX1	DX2	DXR	MX1	MX2	MX3	RX1	RX2	CX	EX	I1	I2	N1, N2, N3, N4, N5	NX1	NX2, NX2a	NX3	NM	P1	P2	F	
ACCESSORY BUILDINGS																						
Construction Structures	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	135-2.22.2
Kiosk	-	-	-	-	-	-	-	-	-	★	★	-	-	-	-	-	-	-	★	★	★	135-2.22.2
Outbuilding and Detached Garages	★	-	-	-	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	135-2.22.2
Parking Structure		★	★	★	★	★	★	★	★	★	★	★	★	-	-	-	-	-	-	★	-	135-2.22.2
Temporary Building		★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	135-2.22.2
Accessory Household Unit	★	-	-	★	-	-	-	★	★	-	-	-	-	★	★	★	★	-	-	-	-	135-2.22.2
Seasonal Building	-	-	-	-	★	★	★	-	-	★	★	★	★	-	-	-	-	-	★	★	★	135-2.22.2
Seasonal Agricultural Building	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	135-2.22.2
Industrial Accessory Building	-	-	-	-	-	-	-	-	-	-	-	★	★	-	-	-	-	-	-	-	-	135-2.22.2
ACCESSORY OUTDOOR PAVING & STRUCTURES																						
Ball Court	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	135-2.22.3
Deck & Patio	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	135-2.22.3
Dog Run	★	★	★	★	★	★	★	★	★	★	★	★	★	-	-	★	★	★	★	★	-	135-2.22.3
Drive-Through Facility	-	-	-	-	-	-	★	-	-	★	★	★	-	-	-	-	-	-	-	★	-	135-2.22.3
Flag Pole	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	135-2.22.3
Fuel Station	-	-	★	★	-	★	★	-	-	★	★	★	★	-	-	-	-	-	-	-	-	135-2.22.3
Gazebo	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	135-2.22.3
Landscape Feature	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	135-2.22.3
Temporary Storage Container	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	-	135-2.22.3
Scoreboard	-	★	★	★	★	★	★	★	★	★	★	★	★	-	-	-	-	-	★	★	★	135-2.22.3
Bus Shelter or Bench for Public Transit Agency	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	135-2.22.3
Outdoor Automated Accessory Structures	-	★	★	★	★	★	★	★	★	★	★	★	-	-	-	-	-	-	-	-	-	135-2.22.3
ACCESSORY UTILITY STRUCTURES																						
Antenna & Satellite Dish	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	-	135-2.22.4
EV Charging Stations	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	-	135-2.22.4
Mechanical Equipment	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	-	135-2.22.4
Rainwater Collection/ Cisterns	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	-	135-2.22.4
Solar - Building-mounted	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	-	135-2.22.4
Solar - Freestanding	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	-	135-2.22.4
Wind - Roof-mounted	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	-	135-2.22.4
Wind – Freestanding	★	-	-	-	-	-	-	-	-	-	★	★	★	-	-	-	-	-	★	★	-	135-2.22.4
KEY:•																						
★ = permitted with development standards																						

TABLE 135-2.22-1. ACCESSORY STRUCTURE TABLE																				
CATEGORY	DISTRICTS																			Reference
Structure	A	DX1	DX2	DXR	MX1	MX2	MX3	RX1	RX2	CX	EX	I1	I2	N1, N2, N3, N4, N5	NX1	NX2, NX2a	NX3	NM	P1	P2
- = permitted by Type 2 Design Alternative																				

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POLE SIGNS

134-7.3 NONCONFORMING SIGNS

7.3.3 ALTERATION, ENLARGEMENT OR EXPANSION

Nonconforming signs may not be enlarged or altered in a way which increases their nonconformity. Notwithstanding the foregoing, the following enlargements or expansions of a nonconforming sign are allowed:

- A. Enlargement or expansion of a pole sign, to an extent less than 15% of the sign area, as determined by the original, nonconforming pole sign area; or
- B. Repair or replacement of a pole sign, to an extent not more than 115% of the original sign area or pole height, as determined by the original, nonconforming pole sign area; or
- C. As set forth in subsection 7.3.6.

7.3.6 DAMAGE OR DESTRUCTION

- A. Unless authorized by section 7.3.3(A), if a nonconforming sign is damaged or destroyed by any means, including repair, alteration, replacement or upgrade, to the extent of 50% or more of its replacement cost at the time of damage or destruction, exclusive of the foundation and supporting elements below the bottom of the sign, the nonconforming sign must be removed.
- B. If a nonconforming sign is damaged or destroyed by any means, including repair, alteration, replacement or upgrade, to an extent of less than 50% of its replacement cost at the time of the damage or destruction, exclusive of the foundation and supporting elements below the bottom of the sign, the nonconforming sign may be re-established to the extent it existed before the damage, provided that a building permit application to re-establish the sign is filed within six months of the date of damage or destruction.
- C. For purposes of this subsection, as it applies to all signs, other than general advertising signs and pole signs containing electronic or multi-vision display sign faces, the phrase "damaged or destroyed" includes removal of the sign face for repair, alteration, replacement or upgrade.
- D. For purposes of this subsection as it applies to general advertising signs and pole signs containing electronic or multi-vision display sign faces, the phrase "damaged or destroyed" does not include removal of the electronic or multi-vision display sign face for repair or replacement if the sign structure and the sign face type (electronic or multi-vision display) are neither modified nor altered and if the size of the repaired or replacement electronic or multi-vision sign face remains the same as the size of the previously existing electronic or multi-vision sign face.
- E. For purposes of this subsection as it applies to pole signs not originally containing electronic or multi-vision display sign faces, as determined by the neighborhood services director, the phrase "damaged or destroyed" does include alteration, upgrade or modification of the pole sign to allow for the installation of an electronic or multi-vision display sign face, if the size of the alteration, upgrade or modification is no greater than 12 square feet, only if approved in accordance with the Type 1 zoning exception procedures of section 134-6.5 of this chapter.