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CHAPTER 1. GENERAL PROVISIONS

1.1 Title. This Ordinance shall be known and may be cited and referred to as the Zoning Ordinance of Jackson County, Iowa.

1.2 Jurisdiction. The jurisdiction of this Ordinance shall apply to all areas of Jackson County outside the incorporated limits of municipalities.

1.3 Purpose. This Ordinance is adopted in accordance with, and as authorized by, **Iowa Code Chapter 335**. Except as may be hereinafter specified, no land, building, structure, or premises, hereafter shall be used, and no structure may be located, constructed, extended, converted, structurally altered, or otherwise developed, without full compliance with the terms of this Ordinance.

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

1.5 Relationship to the Land Use Policy Statement and Comprehensive Plan. In accordance with **Iowa Code Section 335.5**, the regulations in this Ordinance are made in accordance with the **Jackson County Land Use Policy Statement** and the **Jackson County Comprehensive Plan** adopted by the Jackson County Board of Supervisors.

It is the intention of this Ordinance to implement the goals and objectives reflected in the Land Use Policy Statement and the Comprehensive Plan. While Jackson County reaffirms its commitment that the provisions of this Ordinance and any amendments made to this Ordinance shall conform to adopted planning policies, Jackson County acknowledges its intent that neither this Ordinance nor any amendment of this Ordinance may be challenged merely on the basis of an alleged nonconformity with the Land Use Policy Statement or the Comprehensive Plan.

1.6 Minimum Requirements Interpretation. In their interpretation and application, the provisions of this Ordinance shall be held to be the minimum requirements. Where this Ordinance imposes a greater restriction than is imposed or required by other provisions of law, or by other rules or regulations or ordinances, the provisions of this Ordinance shall control. Where for specific land, the requirements of any other ordinances of the County are more stringent or restrictive than the requirements set forth in this Ordinance; nothing herein shall be construed to waive compliance with the provisions of such other Ordinance.

1.7 Separability Clause. Should any section or provision of this Ordinance be declared by the courts to be invalid or unconstitutional, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be invalid or unconstitutional.

1.8 Not a Licensing Ordinance. Nothing contained in this Ordinance shall be deemed to be a consent, license or permit to use any property or to locate, construct or maintain any building, structure or facility or to carry on any trade, industry, occupation or activity.

1.9 Private Agreement. This Ordinance is not intended to abrogate, annul, or otherwise interfere with any easement covenant, or any other private agreement or legal relationship; provided, however, that where the regulations of this Ordinance are more restrictive or impose higher standards or

requirements than such easement, covenant, or other private agreement or legal relationship, the regulations of this Ordinance shall govern.

1.10 Code References.

- A. Any references herein to sections of the **Jackson County Code of Ordinances** are to those sections in force on the effective date of this Ordinance. Amendments or other changes to those portions of the County Code which have been adopted by reference shall serve as an automatic modification of the applicable ordinance.
- B. **Iowa Code Section 335.6** provides that the Board of Supervisors shall adopt regulations, amendments, and rezonings in compliance with **Iowa Code Section 331.302**, which provides that the Board of Supervisors may adopt by ordinance any portion of Iowa Code by reference as follows:
1. The ordinance shall describe the subject matter and identify the portion of the Iowa Code adopted by chapter, section, and subsection or other subpart, as applicable.
 2. Amendments or other changes to those portions of the Iowa Code which have been adopted by reference shall serve as an automatic modification of the applicable ordinance.

1.11 Headings or Titles. Headings or titles to sections, subsections and paragraphs shall be construed as informative of general nature of its contents, but not a restriction upon its contents.

1.12 Cumulative Provisions. The provisions of this Ordinance are cumulative and additional limitations upon all other laws and ordinances, heretofore passed or which may be passed hereafter, governing any subject matter in this Ordinance.

1.13 Repeal of Conflicting Ordinances. All ordinances or parts of ordinances in conflict with this Zoning Ordinance or inconsistent with the provisions of this Ordinance, are hereby repealed to the extent necessary to give this Ordinance full force and effect.

1.14 Iowa Open Meetings Law. The commissions and boards, and public bodies of this Ordinance are subject to the terms, regulations, and restrictions of the Iowa Open Meetings Law, under **Iowa Code Chapter 21**. Wherever in this Ordinance a conflict appears between the Ordinance and the Open Meetings Law, the Open Meetings Law shall control.

1.15 Establishment of Districts. The following districts are hereby established for the unincorporated areas of the county:

A-1	Agricultural
R-1	Residential
C-1	Highway Commercial
M-1	Limited Industrial
M-2	General Industrial
PUD	Planned Unit Development District

The locations and boundaries of these districts are shown on the Official Zoning Map.

1.16 Adoption of Official Zoning Map. The Official Zoning Map and the explanatory material thereon, is hereby adopted by reference and declared to be a part of this Ordinance.

1.17 Identification of Official Zoning Map. The Official Zoning Map shall be identified by the signature of the Chairman of the Board of Supervisors and attested to by the County Auditor under the following statement:

"This is to certify that this is the Official Zoning Map referred to the Zoning Ordinance of Jackson County, Iowa, as adopted on the 26th day of April, 1976, A. D. and as amended thereafter."

The Official Zoning Map shall be on file in the office of the County Auditor and shall be the final authority as to the current zoning status of land, buildings and other structures in the County.

1.18 Changes in Official Zoning Map. No changes in the Official Zoning Map shall be made except as may be required by amendments to this Ordinance under **Section 5.4** of this Ordinance. If required, such changes shall be promptly made and the ordinance number, nature of change, and date of change shall be noted on the map, with the signature of the Chair of the Board of Supervisors approving such change in the Official Zoning Map. No amendment to this Ordinance which involves information portrayed on the Official Zoning Map shall become effective until after such change and entry has been made on said map.

Any unauthorized change of any kind whatsoever in the Official Zoning Map by any person or persons shall constitute a violation of this Ordinance and be punishable as provided in **Section 3.4** of this Ordinance.

1.19 Interpretation of District Boundaries. Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply.

- A. Boundaries indicated as approximately following the centerline of streets, highways or alleys shall be construed to follow such centerlines.
- B. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
- C. Boundaries indicated as approximately following township lines or section lines shall be construed as following said township lines or section lines.
- D. Boundaries indicated as approximately following railroad lines shall be construed to be midway between the main tracks.
- E. Boundaries indicated as following shore lines of streams or other bodies of water shall be construed to follow such shore lines, and in the event of change in the shore line, shall be construed as moving with the actual shore line; boundaries indicated as approximately following the centerlines of streams, rivers or other bodies of water shall be construed to follow such centerlines, and in the event of change in the centerline, shall be construed as moving with the actual centerlines.

- F. Boundaries indicated as parallel to or extensions of features indicated in subsections A through E above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.
- G. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map or in other circumstances not covered by subsections A through F above, the Board of Adjustment shall interpret the district boundaries.
- H. Where a district boundary line divides a lot of record which was in single ownership at the time of the effective date of this Ordinance, the Board of Adjustment may permit, as a special exception, the extension of the regulations for either portion of the lot not to exceed fifty (50) feet beyond the district boundary line into the remaining portion of the lot.

1.20 Farms exempt. In accordance with **Iowa Code Section 335.2**, farms as defined in **Chapter 6** of this Ordinance shall be exempt from any regulation or requirement adopted under the provisions of this Ordinance; however, this Ordinance may apply to any structure, building, dam, construction, deposit or excavation in or on the flood plains of any river or stream in accordance with the **Jackson County Flood Plain Management Ordinance**.

CHAPTER 2. ZONING DISTRICT REGULATIONS

2.1 Schedules of District Regulations. The following schedules of zoning district regulations are hereby adopted and declared to be a part of this ordinance.

A. Schedule of Zoning Districts. A zoning district is a section of the unincorporated areas of Jackson County in which zoning regulations and standards are uniform. **Table A.1. Schedule of Zoning Districts** lists the symbol and name of each zoning district. The A-1, R-1, C-1, M-1 and M-2 zoning districts each include a statement of intent; regulations for allowed principal, accessory, conditional, and temporary uses and structures; development regulations; allowed signs; and required off-street parking, stacking and loading spaces. The PUD zoning district includes a statement of intent and special requirements. These symbols shall be used on the Official Zoning Map in accordance with **Chapter 1** of this Ordinance.

Table A.1. Schedule of Zoning Districts	
Symbol	Name
A-1	Agricultural
R-1	Residential
C-1	Highway Commercial
M-1	Limited Industrial
M-2	General Industrial
PUD	Planned Unit Development

B. Schedule of Land Uses and Structures.

1. Types of Land Uses and Structures. Land uses and structures in each zoning district are allowed as Farm Exempt, Principal, Accessory, Conditional, Temporary, or Not Allowed, subject to special standards and processes. **Table B.1. Schedule of Types Land Uses and Structures** lists the symbol, the name of each type of land use and structure, and examples of uses and structures.

Table B.1. Schedule of Types of Land Uses and Structures			
Symbol	Type	Examples of Uses	Examples of Structures
F	Farm Exempt	Agriculture, Nursery	Barn, Greenhouse
P	Principal	Residential, Education	Single-family dwelling, School building
A	Accessory	Garden, Parking	Fence, Porch, Garage, Parking lot, Sign
C	Conditional	Bulk storage, Mining	Storage tanks, Processing equipment
T	Temporary	Construction site	Construction trailer
N	Not Allowed	Industry in R-1 district	Concrete plant in R-1 district

2. Categories of Major Land Uses and Structures. Land uses and structures are grouped into major land use categories for easier identification, regulation, and interpretation. **Table B.2. Schedule of Categories Major Land Uses and Structures** lists the name of each category with examples. The categories are listed in the order they will typically be found in this and other Sections of **Chapter 2** of this Ordinance.

Table B.2. Schedule of Categories Major Land Uses and Structures	
Name	Examples
Farm Exempt	Farm, Grain bin
Residential	Family home, Single-family dwelling
Lodging	Boarding or lodging house, Motel
Educational and Assembly	Elementary school, Adult and child day care centers
Commercial	Car wash, General retail, Event venue
Recreational	Campground, Golf course
Industrial	Batch plant, Solid waste facility
Other Uses	Solar and wind energy systems

3. **Application.** The standards listed in this Section apply to development on all parcels in the unincorporated areas of the County upon the effective date of this Zoning Ordinance. In accordance with **Section 2.10** of this Ordinance, existing uses and structures that do not comply shall be subject to the requirements of **Section 2.10**. Planned Unit Developments (PUDs) may have flexibility in these development requirements, subject to the PUD approval process.
4. **Types of Uses and Structures.** Within zoning districts in the unincorporated areas of County, different types of uses and structures are allowed with different conditions and levels of permission. These uses and structures are displayed in **Table B.3. Matrix of Principal and Conditional Uses and Structures**. Levels of permission include:
 - a. **Farm Exempt Uses and Structures.** In accordance with **Section 1.20** of this Ordinance, farms as defined in **Chapter 6** of this Ordinance shall be exempt from any regulation or requirement adopted under the provisions of this Ordinance; however, this Ordinance may apply to any structure, building, dam, construction, deposit or excavation in or on the floodplains of any river or stream in accordance with the Jackson County Floodplain Management Ordinance. Farm exempt uses and structures are indicated in **Table B.3. Matrix of Principal and Conditional Uses and Structures** and in **Table B.4. Matrix of Accessory and Temporary Uses and Structures** by a “F” in the applicable cell.
 - b. **Principal Uses and Structures.**
 - (1) A “principal use” refers to the primary or main purpose for which a particular piece of land, building, or structure is used. A “principal structure” refers to the main building on a property in terms of size, area, and function, or a building where the principal use of the site is conducted.
 - (2) Principal uses and structures are permitted by right, subject to compliance with all regulations of this Ordinance. “Permitted by right” means a property owner can use their land or structure for a specific purpose as outlined in the Zoning Ordinance, without needing special permission or discretionary approval, in contrast to conditional uses and structures, which require Board of Adjustment review and approval.
 - (3) Principal uses and structures may subject to issuance of a zoning permit by the Zoning Administrator, and other applicable regulations in the Jackson County Code of Ordinances. Principal uses and structures may be subject to additional regulations in

Chapter 6, Section 2.8, and Section 2.9 of this Ordinance. These uses and structures are indicated in **Table B.3. Matrix of Principal and Conditional Uses and Structures** by a “P” in the applicable cell.

c. Accessory Uses and Structures.

- (1) An “accessory use” is a subordinate and incidental use of land that is located on the same lot as the principal use or structure and customarily associated with it. It is a use that is supportive of, related to, and dependent on, the primary activity on the property. An “accessory structure” is a subordinate and incidental building or structure located on the same lot as the principal use or structure and devoted to an accessory use.
- (2) An accessory use or structure cannot exist independently; it relies on the presence and function of the principal use, except as provided otherwise, such as with Alternative Residential Regulations (see **Subsection 2.1.B.2.g.** below).
- (3) Accessory uses and structures are allowed subject to compliance with all regulations of this Ordinance. Accessory uses and structures may be subject to issuance of a zoning permit by the Zoning Administrator, and other applicable regulations in the Jackson County Code of Ordinances. Accessory uses and structures may be subject to additional regulations in **Chapter 6, Section 2.8, and Section 2.9** of this Ordinance. These uses and structures are indicated in **Table B.4. Matrix of Accessory and Temporary Uses and Structures** by an “A” in the applicable cell.

d. Conditional Uses and Structures.

- (1) These uses and structures are subject to a review process to ensure they are compatible with the surrounding area and comply with specific conditions outlined in this Ordinance. They require approval of a Conditional Use Permit by the Board of Adjustment following the procedure set forth in **Section 4.5** of this Ordinance, and are subject to compliance with all regulations of this Ordinance.
- (2) Conditional uses and structures may be subject to issuance of a zoning permit by the Zoning Administrator, and other applicable regulations in the Jackson County Code of Ordinances. Conditional uses and structures may be subject to other additional regulations in **Chapter 6, Section 2.8, and Section 2.9** of this Ordinance. These uses and structures are indicated in **Table B.3. Matrix of Principal and Conditional Uses and Structures** by a “C” in the applicable cell.

- e. Temporary Uses and Structures.** These uses and structures are allowed only on a temporary basis subject to compliance with all regulations of this Ordinance. Temporary uses and structures may be subject to issuance of a zoning permit by the Zoning Administrator, and other applicable regulations in the Jackson County Code of Ordinances. Temporary uses and structures may be subject to other additional regulations in **Chapter 6, Section 2.8, and Section 2.9** of this Ordinance. These uses and structures are indicated in **Table B.4. Matrix of Accessory and Temporary Uses and Structures** by a “T” in the applicable cell.

f. Not Allowed Uses and Structures. These uses and structures are not allowed in the specific zoning district. These uses and structures are indicated in **Table B.3. Matrix of Principal and Conditional Uses and Structures** and in **Table B.4. Matrix of Accessory and Temporary Uses and Structures** by an “N” in the applicable cell.

g. Standard and Alternative Residential Regulations.

(1) Subdivisions and individual lots were platted in the County’s unincorporated areas prior to the effective date of the first Jackson County Zoning Ordinance on May 6, 1976. Alternative regulations and requirements have been established to better reflect and accommodate their historical and existing development and land uses patterns. Some of these older subdivisions may have an active property owners' association (POA).

(2) The following subcategories for levels of permission were developed to accommodate existing and future development on parcels platted before May 6, 1976. Residential - Standard regulations apply in all A-1 and R-1 Districts for principal and accessory uses and structures while Residential - Alternative regulations only apply to subdivisions and lots platted before May 6, 1976. Residential – Alternative regulations and Residential - Standard regulations are shown for principal uses and structures in **Table B.3. Matrix of Principal and Conditional Uses and Structures** and for accessory uses and structures in **Table B.4. Matrix of Accessory, and Temporary Uses and Structures**.

5. Matrix of Principal and Conditional Uses and Structures. Table B.3. provides the Matrix of Principal and Conditional Uses and Structures listed by Major Category. The following codes in a cell shall apply as follows: P = Principal, C = Conditional, and N = Not Allowed. Table B.3. does not replace or supersede the additional standards and/or supplemental regulations in this Zoning Ordinance that apply to any use and any zoning district.

Table B.3. Matrix of Principal and Conditional Uses and Structures					
Land Uses and Structures by Major Category	Zoning Districts				
	A-1	R-1	C-1	M-1	M-2
Farm Exempt					
Agriculture	F, P	N	N	N	N
Farm, farming and farm building	F, P	N	N	N	N
Farm dwelling, principal	F, P	N	N	N	N
Grain storage bin	F, P	N	N	N	N
Horticulture	F, P	N	N	N	N
Nursery	F, P	N	P	N	N
Residential – Alternative					
Mobile home	P	P	N	N	N
Mobile home converted to real estate	P	P	N	N	N
Mobile home park on tracts of five (5) acres or more	N	C	N	N	N
Mobile home subdivision on tracts of ten (10) acres or more	N	C	N	N	N
Multiple family dwelling, including residential condominium	C	C	P	N	N
Place of assembly	P	P	N	N	N

Table B.3. Matrix of Principal and Conditional Uses and Structures					
Land Uses and Structures by Major Category	Zoning Districts				
	A-1	R-1	C-1	M-1	M-2
POA owned indoor commercial recreation facility	P	P	N	N	N
POA owned outdoor commercial recreation facility	P	P	N	N	N
Seasonal dwelling, detached	P	P	N	N	N
Single-family dwelling, detached	P	P	N	N	N
Residential - Standard					
Conversion of structure to two-family dwelling	C	N	N	N	N
Family home	C	P	P	N	N
Mobile home park on tracts of five (5) acres or more	N	C	N	N	N
Mobile home subdivision on tracts of ten (10) acres or more	N	C	N	N	N
Multiple family dwelling, including residential condominium	C	C	P	N	N
Seasonal dwelling, detached	P	P	N	N	N
Single-family dwelling, detached	P	P	N	N	N
Lodging					
Bed and breakfast home	P	N	P	N	N
Bed and breakfast inn	N	N	P	N	N
Boarding or lodging house	N	N	P	N	N
Hotel/Motel	N	N	P	N	N
Educational and Assembly					
Adult day care center	C	P	P	N	N
Child care center	C	C	P	N	N
Child development home	C	C	P	N	N
Elementary school	P	P	N	N	N
Fairgrounds and public exposition	P	N	P	N	N
Place of assembly	P	P	N	N	N
Post high school	P	P	P	N	N
Preschool	C	C	P	N	N
Secondary school	P	P	N	N	N
Commercial					
Agricultural experiences	A	N	N	N	N
Agricultural sales, service, and supply business	C	N	P	P	N
Airport and landing field approved by the Federal Aviation Agency (FAA)	C	N	N	N	N
Animal hospital/Veterinary clinic	N	N	P	P	N
Building materials /Lumber yard	N	N	P	P	P
Car Wash	N	N	P	N	N
Cemetery	P	P	N	N	N
Commercial cell communications station and tower	C	N	C	C	C
Event venue	C	N	P	N	N
Financial institution	N	N	P	N	N
Garden center	N	N	P	N	N

Table B.3. Matrix of Principal and Conditional Uses and Structures					
Land Uses and Structures by Major Category	Zoning Districts				
	A-1	R-1	C-1	M-1	M-2
Garden center in conjunction with nursery	C	N	P	N	N
Gas station	N	N	P	N	N
General office	N	N	P	N	N
General retail	N	N	P	N	N
General services	N	N	P	N	N
Greenhouse, commercial	N	N	P	N	N
Home industry	C	N	N	N	N
Kennel	P	N	P	P	N
Livestock market	C	N	P	N	N
Mini-warehouse/Rental storage unit	N	N	P	P	N
Mobile home/Manufactured home sales, service or repair	N	N	C	N	N
Nightclub/Bar/Tavern	N	N	P	N	N
Personal services	N	N	P	N	N
Plumbing, heating, air conditioning, and sheet metal shops	N	N	P	P	N
Restaurant	N	N	P	N	N
Restaurant, drive-in	N	N	P	N	N
Riding stable	P	N	P	N	N
Tourism welcome center/Information booth	N	N	P	N	N
Vehicle paint and body shops	N	N	P	P	P
Vehicle sales, service, and repair	N	N	P	P	P
Recreational					
Indoor commercial recreation, including recreational lodge with a maximum of ten (10) units	C	N	P	N	N
Commercial campground and recreational vehicle park on site of less than 5 acres	C	N	N	N	N
Commercial campground and recreational vehicle park on site of at least five (5) acres	N	N	C	N	N
Golf course and clubhouse not including miniature course operated for a profit	C	N	P	N	N
Golf course and clubhouse	P	N	N	N	N
Outdoor Commercial Recreation on site of less than five (5) acres	C	N	P	N	N
Private campground on site of less than five (5) acres	C	N	N	N	N
Public campground	P	N	P	N	N
Public recreation	P	P	P	N	N
Seasonal resort	C	N	N	N	N
Tourist camp on sites of not less than five (5) acres	C	N	N	N	N
Youth or Summer Camp	C	N	N	N	N
Industrial					
Animal feeding operation	C	N	N	N	N

Table B.3. Matrix of Principal and Conditional Uses and Structures					
Land Uses and Structures by Major Category	Zoning Districts				
	A-1	R-1	C-1	M-1	M-2
Batch plant	C	N	N	N	P
Bulk storage and retail distribution of anhydrous ammonia fertilizer under pressure and petroleum products under pressure	C	N	C	C	N
Bulk storage of oils, petroleum, flammable liquids and chemicals and the wholesale, but not retail, storage and distribution of anhydrous ammonia fertilizer and petroleum products under pressure	N	N	N	N	C
Concrete products	N	N	N	N	P
Contractor construction office, maintenance shop or storage yard	N	N	N	P	P
Data Center	?	?	?	?	?
Grain elevator	N	N	N	P	N
Junkyard on site of five (5) acres or more	N	N	N	N	C
Logging, storage only	P	N	N	P	N
Logging, production and storage	N	N	N	N	P
Manufacturing and processing businesses that are contained within a building and have no publicly visible external storage. The area devoted to external storage shall not exceed the area of roofed structures on the parcel.	N	N	N	P	P
Manufacturing and processing, not restricted as conditional use	N	N	N	N	P
Manufacturing and processing, restricted to conditional use	N	N	N	N	C
Mining and extraction of minerals or raw materials, including necessary processing equipment	C	N	N	N	C
Solid waste facility	C	N	N	N	C
Truck and freight terminals	N	N	N	N	P
Welding, machine and repair shops	N	N	N	P	N
Wholesaling and warehousing, but not including the bulk storage of anhydrous ammonia fertilizer under pressure, petroleum products under pressure, or highly volatile chemicals or materials	N	N	N	P	P
Other					
Addition of accessory structure to principal structure devoted to legal nonconforming use	C	C	C	C	C
Solar energy system: consumer-scale freestanding	C	N	C	C	C
Solar energy system: utility-scale freestanding	?	?	?	?	?
Wind energy conversion system: commercial	C	N	C	C	C
Railroad, public utility, and public maintenance facility	P	N	P	P	P
Railroads, public utility, and public maintenance garage, and public utility facility, but not including equipment storage, maintenance yards, buildings or offices		P			

- 6. Matrix of Accessory and Temporary Uses and Structures.** Table B.4. provides the Matrix of Accessory and Temporary Uses and Structures. The following codes in a cell shall apply as follows: F = Farm Exempt, A = Accessory Use, C = Conditional Use, T = Temporary Use, and N = Not Allowed. Table B.4. does not replace or supersede the additional standards and/or supplemental regulations in this Zoning Ordinance that apply to any use and any zoning district.

Table B.4. Matrix of Accessory and Temporary Uses and Structures					
Land Uses and Structures by Major Category	Zoning Districts				
	A-1	R-1	C-1	M-1	M-2
Farm Exempt					
Farm dwelling, secondary	F, A	N	N	N	N
Farm market or roadside stand	F, A	N	N	N	N
Residential – Alternative					
Accessory structure related to a principal use or structure on a separate lot	A	A	N	N	N
Accessory structure related to a principal seasonal dwelling with no principal structure on lot	A	A	N	N	N
Residential - Standard					
Accessory dwelling unit (ADU)	A	A	A	N	N
Attached and/or detached private garage or carport	A	A	A	N	N
Child care home	A	A	A	N	N
Deck, porch, balcony, boat dock, and other similar structure	A	A	A	N	N
Dwelling unit in a commercial structure	N	N	A	N	N
Dwelling unit for owners or persons employed on the premises	N	N	N	A	A
Fences, hedges, and walls	A	A	A	A	A
Home-based business	A	A	A	N	N
Non-commercial nursery, garden and greenhouse	A	A	A	A	A
Outdoor fixed fire pit and cooking equipment	A	A	A	A	A
Private swimming pool, sports court, tennis court, and playground equipment	A	A	A	N	N
Shed, gazebo, pergola, and other similar roofed freestanding structure	A	A	A	A	A
Educational, Assembly and Commercial					
Automated teller machine (ATM)	N	N	A	N	N
Agricultural experiences	A	N	N	N	N
Child care home	A	A	A	N	N
Home-based business	A	A	A	A	N
Storage building in conjunction with an allowed principal use or structure of this district	N	N	A	A	A
Other					
Burial site	A	N	N	N	N
Solar energy system: consumer-scale building-mounted	A	A	A	A	A

Table B.4. Matrix of Accessory and Temporary Uses and Structures					
Land Uses and Structures by Major Category	Zoning Districts				
	A-1	R-1	C-1	M-1	M-2
Temporary batch plant	T	N	N	T	T
Temporary building used in conjunction with construction work	T	T	T	T	T
Temporary car crusher or similar equipment	N	N	N	T	T
Uses and structures clearly incidental to the allowed principal uses and structures	A	A	A	A	A
Wind energy conversion system: non-commercial	A	N	A	A	A

C. Schedule of Required Off-Street Parking, Stacking, and Loading Requirements. Subject to **Section 1.20** and **Section 4.5** of this Ordinance, the following provisions, regulations, or exceptions shall apply equally to allowed land uses and types in all zoning districts as hereinafter provided as shown in **Table C.3 Matrix of Off-Street Parking, Stacking and Loading Requirements**. Additional regulations in **Chapter 6, Section 2.8**, and **Section 2.9** of this Ordinance. Planned Unit Developments (PUDs) may have flexibility in these requirements, subject to the PUD approval process.

1. Calculation of Off-Street Parking Requirements. The following provisions shall govern the computation of required off-street parking spaces:

- a. Computation.** Where computation of required off-street parking spaces results in a fractional number, the total required spaces for the use shall be rounded to the next higher whole number.
- b. Credit.** Where a lawful use exists at the time of adoption of this Ordinance that is deficient in the provision of required off-street parking, any new use hereafter established in its place shall conform to the parking requirements of this **Section 2.1**. However, in computing the off-street parking requirements for any new use, such new use shall be credited for the number of off-street parking spaces that the previous use was in deficit.
- c. Multiple Uses.** In cases of multiple uses on a single lot, the parking spaces required shall equal the sum of the requirements of the various uses computed separately unless a proposal for shared parking reduction is approved by the Zoning Administrator.
- d. Shared Use Parking Reduction.** Where more than one use is established on a single lot or within a single development in a non-residential district, the total number of off-street parking spaces required for each use may be combined and shared between uses. Where the uses have non-concurrent parking demands, a proposal for sharing a reduced number of off-street parking spaces may be presented to the Zoning Administrator as part of the site plan review process. Conditional use applications for which sharing a reduced number of off-street parking spaces is being proposed shall have shared parking approved as part of the conditional use permit.
- e. Expansion.** Whenever a building is enlarged in floor area, number of dwelling units, seating capacity or otherwise, an increase in the number of existing parking spaces shall be required. Whenever a building existing prior to the effective date of this Zoning Ordinance is

enlarged to the extent of fifty percent (50%) or more in the floor area or in the area used, said building or use shall then and thereafter comply with the parking requirements set forth in this Ordinance.

- f. **Unnamed Use.** The parking space requirement for a use not specifically mentioned in this Ordinance, is the same as required for a use of similar nature as determined by the Zoning Administrator.

- 2. **Off-Street Parking, Stacking, Loading and Storage Design Provisions.** The provisions of this **Section 2.1** shall apply to uses and structures within all zoning districts of the County. No such use or structure shall be commenced, expanded, or enlarged in any manner unless the provisions of this **Section 2.1** are met. These provisions shall be in addition to the requirements set forth in **Subsection 2.1.C.5.** of this Ordinance.

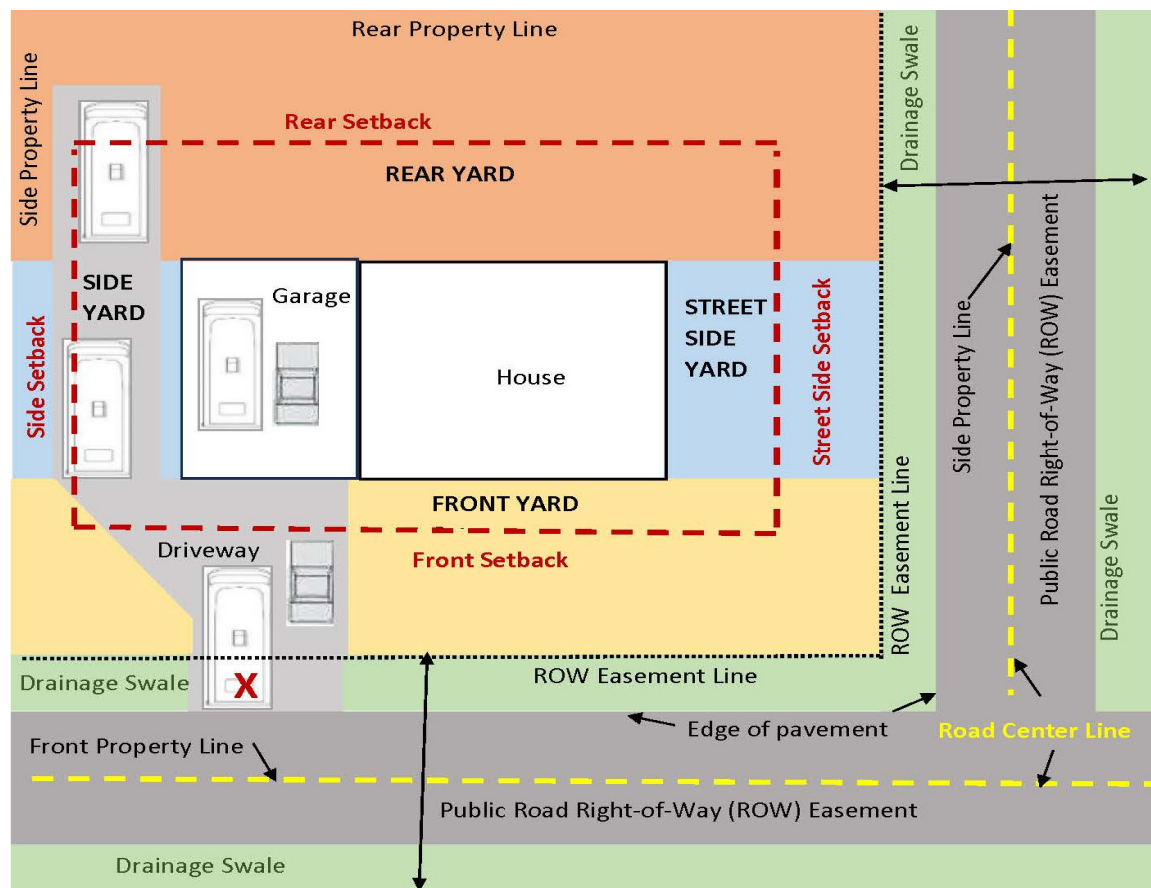
- a. **Site Plan Required.** A site plan shall be required for the construction or creation of any off-street parking, stacking, loading, or storage facility, or the expansion of any existing off-street parking, storage, or loading facility, in conjunction with the procedures for application for a zoning permit in **Chapter 3** of this Ordinance.

- b. **Design Standards.**

- (1) **Driveways, Entrances and Exits.** All driveways, entrances and exits for off-street parking, stacking, loading, and storage spaces shall be surfaced with not less than four (4) inches of gravel or crushed stone or equally suitable material and shall comply with **Subsection 2.8.G.** of this Ordinance.
- (2) **Parking Space.** An area surfaced with not less than four (4) inches of gravel or crushed stone or equally suitable material, enclosed in the main building or in any accessory building, or unenclosed, having an area of not less than one hundred eighty (180) square feet exclusive of driveways or drive aisles, permanently reserved for the temporary storage of one (1) vehicle and connected with a street or alley by a surfaced driveway which affords satisfactory ingress or egress for vehicles.
- (3) **Stacking Space.** Stacking spaces shall be surfaced with not less than four (4) inches of gravel or crushed stone or equally suitable material, having a minimum dimension of not less than nine feet (9') wide by twenty feet (20') long and located in accordance with **Subsection 2.1.C.3.** of this Ordinance.
- (4) **Loading Space.** A space within the main building or on the same lot providing for the standing, loading or unloading of trucks and other larger vehicles, surfaced with not less than four (4) inches of gravel or crushed stone or equally suitable material, having a minimum dimension of twelve (12) by thirty-five (35) feet and vertical clearance of at least fourteen (14) feet, and located in accordance with **Subsection 2.1.C.4.** of this Ordinance.
- (5) **Accessible Parking for Persons with Disabilities.** Parking for persons with disabilities shall be provided as required by **Iowa Administrative Code 661.18**. Such accessible parking spaces shall count toward meeting the off-street parking requirements of this Ordinance as set forth in **Subsection 2.1.C.5.** of this Ordinance.

c. Parking Location in Required Setbacks Allowed.

- (1) **Residential District.** Any required parking space required by this Ordinance may be provided in any required front setback or in the first five (5) feet inside the property line of any required street side, side or rear setback in a residential district, but not in the public right-of-way as per **Subsection 2.8.E.** of this Ordinance (*see Illustration*).
- (2) **Non-Residential District.** Any required parking, stacking, or loading space, driveway, or any allowed merchandise, display or exterior storage of vehicles, may be provided in any required front setback or in the first five (5) feet inside the property line of any required side or rear setback in a non-residential district, but not in the public right-of-way as per **Subsection 2.8.E.** of this Ordinance.

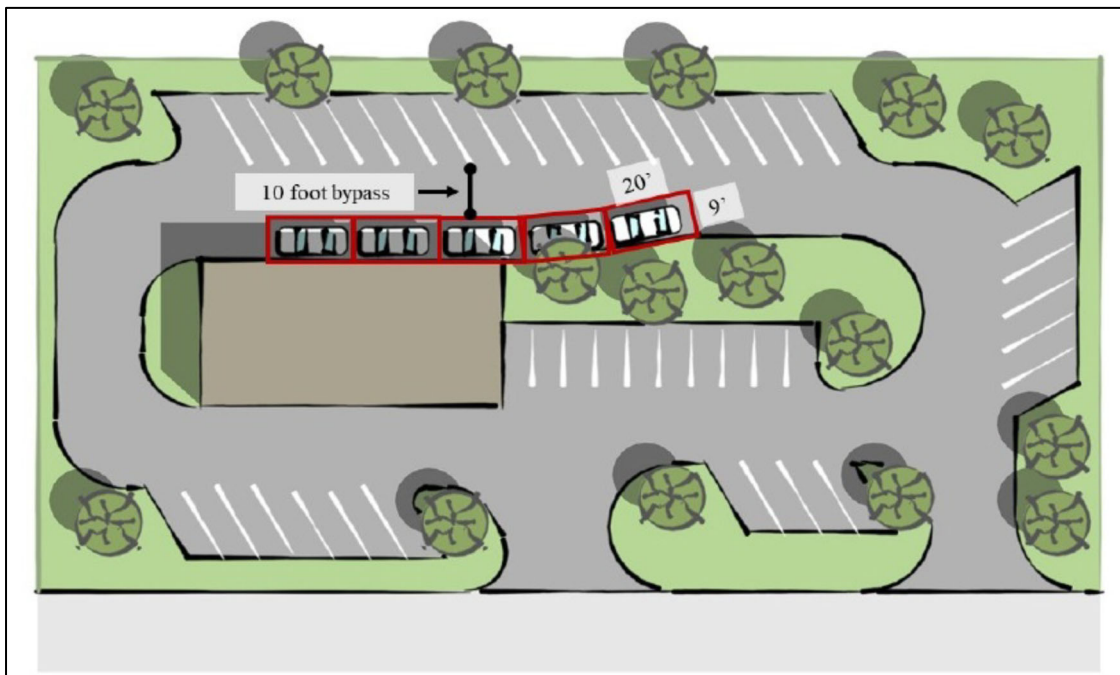


Allowable Setback Parking in Residential Districts (Source: ECIA)

3. **Off-Street Stacking Regulations for Drive-Through Services.** Commercial establishments providing drive-in or drive-through services shall provide minimum on-site stacking distance, not including the vehicle at the window/station, by land use and type of operation as provided in Table C.1. All drive-through services must provide a ten-foot (10') bypass for vehicles not in a

drive-through queue. Stacking spaces shall be nine feet (9') wide by twenty feet (20') long (see illustration).

Table C.1. Off-Street Stacking Requirements	
General Land Use/Type of Operation	Minimum Stacking Space
Commercial uses with drive-through	Two (2) stacking spaces per service window or kiosk
Financial institution with drive-through and/or automated teller machine (ATM)	Two (2) stacking spaces per service window or ATM
Car wash, gas station with car wash	Two (2) stacking spaces per wash bay
Restaurant with drive-through	Two (2) stacking spaces per drive-through



Stacking Requirements for Drive-Through Services (Source: Dyersville, IA accessed 2023)

4. **Off-Street Loading Requirements.** There shall be provided at the time any building is erected or structurally altered, off-street loading spaces in accordance with the following provisions. Floor area is shown in square feet (sf).

Table C.2. Off-Street Loading Requirements	
General Land Use/Type of Operation	Minimum Loading Space
Child care center, Child development home, and Preschool	One (1) drop-off/pickup area
Elementary school, Secondary school	One (1) drop-off/pickup or bus queue area
Bulk storage for retail and wholesale distribution	One (1) loading space per ten thousand (10,000) sq ft of floor area
Manufacturing and processing businesses	
Wholesaling and warehousing	

5. **Minimum Off-Street Parking, Stacking and Loading Requirements.** At the time any building is erected or structurally altered, the minimum requirements for off-street parking, stacking, and loading spaces shall be provided for the allowed principal, accessory, conditional, and temporary uses and structures in all zoning districts in accordance with this Ordinance and with **Table C.3. Matrix of Off-Street Parking, Stacking and Loading Requirements.** Table C.3 lists the minimum off-street parking, stacking and loading requirements for all types of land uses and structures grouped by general land use categories Table C.3. does not replace or supersede the additional standards and/or supplemental regulations in this Zoning Ordinance that apply to any use and any zoning district. In Table C.3. the symbol “sq ft” refers to “square feet.”

Table C.3. Matrix of Off-Street Parking, Stacking and Loading Requirements	
Land Uses and Structures by Category	Minimum Requirements
Farm Exempt	
Agriculture	None; farm exempt
Farm, farming, and farm buildings	
Farm dwelling, principal	
Farm dwelling, secondary	
Farm market or roadside stand	
Grain storage bin	
Horticulture	
Nursery	
Residential	
Accessory Dwelling Unit (ADU)	See Subsection 2.8.K.
Child care home	As per Zoning Administrator
Conversion of existing dwelling or other structure to a two-family dwelling	See Subsection 2.8.K.
Dwelling units in a commercial structure	Two (2) parking spaces per dwelling unit
Dwelling units for owners or persons employed on the premises	
Family home	
Home-based business	As per Zoning Administrator
Mobile home park	Two (2) parking spaces per unit
Mobile home subdivision	Two (2) parking spaces per lot
Multiple family dwelling, including residential condominium	Two (2) parking spaces per dwelling unit
Seasonal dwelling, detached	
Single-family dwelling, detached	
Lodging	
Bed and breakfast home	One (1) parking space per guest room
Bed and breakfast inn	
Boarding or lodging house	
Hotel/Motel	
Educational and Assembly	

Table C.3. Matrix of Off-Street Parking, Stacking and Loading Requirements	
Land Uses and Structures by Category	Minimum Requirements
Adult day care center	One (1) parking space per four hundred (400) sq ft of floor area
Child care center	One (1) parking space per four hundred (400) sq ft of floor area plus one (1) drop-off/pick-up area
Child development home	
Elementary school	One and a half (1.5) parking spaces per employee on maximum shift plus one (1) drop-off/pickup or bus queue area
Fairgrounds and public exposition	One (1) parking space per three (3) seats at the main arena
Place of assembly	One (1) parking space per four (4) seats in the main auditorium
Post high school	One (1) parking space per four hundred (400) sq ft of floor area
Preschool	One parking space per four hundred (400) sq ft of floor area plus one (1) drop-off/pick-up area
Secondary school	One and a half (1.5) parking space per employee on maximum shift plus one (1) parking space per ten (10) students plus one (1) drop-off/pickup or bus queue area
Commercial	
Agricultural experiences	As per Zoning Administrator
Agricultural sales, service, and supply	One (1) parking space per four hundred (400) sq ft of floor area
Airport and landing fields	One (1) parking space per four hundred (400) sq ft of floor area
Animal hospital/Veterinary clinic	One (1) parking space per four hundred (400) sq ft of floor area
Auto wrecking/Junkyard on site of five (5) acres or more	As per Zoning Administrator
Building materials/Lumber yard	One (1) parking space per employee plus one (1) parking space per company vehicle
Car Wash	One (1) parking space per wash bay plus two (2) stacking spaces per wash bay
Cemetery	As per Zoning Administrator
Commercial cell communications station and tower	As per Zoning Administrator
Event venue	One (1) parking space per four hundred (400) sq ft of floor area
Financial institution, including automated teller machine (ATM)	One (1) parking space per four hundred (400) sq ft of floor area plus two (2) stacking spaces per service window or ATM
Garden center	One (1) parking space per four hundred (400) sq ft of floor area

Table C.3. Matrix of Off-Street Parking, Stacking and Loading Requirements	
Land Uses and Structures by Category	Minimum Requirements
Garden center in conjunction with nursery	One (1) parking space per four hundred (400) sq ft of floor area
Gas station	One (1) parking space per four (4) pumps plus one (1) parking space per four hundred (400) sq ft of floor area (retail) plus two (2) stacking spaces per wash bay
General office	One (1) parking space per four hundred (400) sq ft of floor area
General retail	One (1) parking space per four hundred (400) sq ft of floor area
General services	One (1) parking space per four hundred (400) sq ft of floor area
Greenhouse, commercial	One (1) parking space per four hundred (400) sq ft of floor area
Home industry	As per Zoning Administrator
Kennel	One (1) parking space per four hundred (400) sq ft of floor area
Livestock market	One (1) parking space per employee plus one (1) parking space per company vehicle, plus one (1) parking space per two (2) seats in the sales arena
Mini-warehouse/Rental storage unit	One (1) parking space per five thousand (5,000) sq ft of floor area
Mobile home/Manufactured home sales, service or repair	One (1) parking space per four hundred (400) sq ft of floor area
Nightclub/Bar/Tavern	One (1) parking space per two hundred fifty (250) sq ft of floor area plus two (2) stacking spaces per drive-through
Personal service	One (1) parking space per four hundred (400) sq ft of floor area
Plumbing, heating, air conditioning, and sheet metal shops	One (1) parking space per employee plus one (1) parking space per company vehicle
Restaurant	One (1) parking space per two hundred fifty (250) sq ft of floor area
Restaurant, drive-in	One (1) parking space per two hundred fifty (250) sq ft of floor area plus two (2) stacking spaces per drive-through
Riding stable	One (1) parking space per four hundred (400) sq ft of floor area
Tourism welcome center/Information booth	One (1) parking space per five hundred (500) sq ft of floor area
Vehicle paint and body shops	One (1) parking space per four hundred (400) sq ft of floor area plus storage of vehicles
Vehicle sales, service, and repair	One (1) parking space per four hundred (400) sq ft of floor area plus display of vehicles
Recreational	

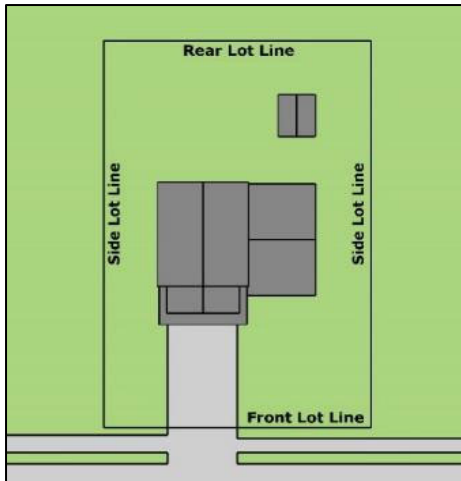
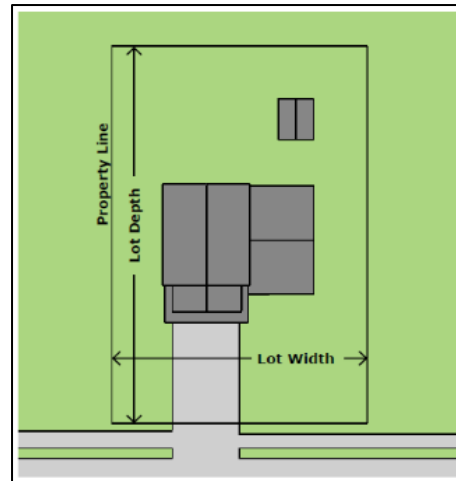
Table C.3. Matrix of Off-Street Parking, Stacking and Loading Requirements	
Land Uses and Structures by Category	Minimum Requirements
Indoor commercial recreation, including recreational lodge with a maximum of ten (10) units	One (1) parking space per two hundred fifty (250) sq ft of floor area
Commercial campground and recreational vehicle park on site of less than 5 acres	One (1) parking space per campsite
Commercial campground and recreational vehicle park on site of at least five (5) acres	One (1) parking space per campsite
Golf course and clubhouse not including miniature course operated at a profit	Three (3) parking spaces per green or one (1) parking space per one hundred (100) sq ft of clubhouse floor area, whichever is greater
Golf course and clubhouse	Three (3) parking spaces per green or one (1) per one hundred (100) sq ft of clubhouse floor area, whichever is greater
Outdoor commercial recreation, on site of less than five (5) acres	One (1) per four (4) occupants plus one (1) per employee on maximum shift
Private campground on site of less than five (5) acres	One (1) parking space per campsite
Public campground	One (1) parking space per campsite
Public recreation	Five (5) parking spaces for each acre developed for active and recreation areas usage
Seasonal resort	Two (2) parking spaces per dwelling unit
Storage building	None
Tourist camp on sites of not less than five (5) acres	One (1) parking space per campsite plus two (2) parking spaces per cabin
Youth or Summer Camp	One (1) parking space per campsite plus two (2) parking spaces per cabin
Industrial	
Batch plants	One (1) parking space per employee plus one (1) parking space per company vehicle
Bulk storage and retail distribution of anhydrous ammonia fertilizer under pressure and petroleum products under pressure	One (1) parking space per employee plus two (2) parking spaces per company vehicle and 1 loading space per ten thousand (10,000) sq ft of floor space
Bulk storage of oils, petroleum, flammable liquids and chemicals and the wholesale, but not retail, storage and distribution of anhydrous ammonia fertilizer and petroleum products under pressure.	One (1) parking space per employee plus two (2) parking spaces per company vehicle plus one (1) loading space per ten thousand (10,000) sq ft of floor space
Concrete products	One (1) parking space per employee plus one (1) per company vehicle
Contractor construction office, maintenance shop or storage yard	One (1) parking space per employee on maximum shift plus one (1) parking space per company vehicle
Data Center	To be determined
Grain elevator	One (1) parking space per employee plus one (1) parking space per company vehicle

Table C.3. Matrix of Off-Street Parking, Stacking and Loading Requirements	
Land Uses and Structures by Category	Minimum Requirements
Logging, storage only	One (1) parking space per employee at the site plus one (1) parking space per company vehicle
Logging, production and storage	One (1) parking space per employee at the site plus one (1) parking space per company vehicle
Manufacturing and processing, contained within a building	One (1) parking space per two (2) employees on maximum shift plus one (1) parking space per company vehicle plus one (1) loading space per ten thousand (10,000) sq ft of floor area
Manufacturing and processing, not restricted as conditional uses	One (1) parking space per two (2) employees on maximum shift plus one (1) parking space per company vehicle plus one (1) loading space per ten thousand (10,000) sq ft of floor area
Manufacturing and processing, restricted as conditional uses	One (1) parking space per two (2) employees on maximum shift plus one (1) parking space per company vehicle plus one (1) loading space per ten thousand (10,000) sq ft of floor area
Mining and extraction of minerals or raw materials	One (1) parking space per employee plus one (1) parking space per company vehicle
Solid waste facility	One (1) parking space per employee plus one (1) parking space per company vehicle
Truck and freight terminals	One (1) parking space per employee plus one (1) parking space per company vehicle
Welding, machine and repair shops	One (1) parking space per employee plus one (1) parking space per company vehicle
Wholesaling and warehousing, but not including the bulk storage of anhydrous ammonia fertilizer under pressure, petroleum products under pressure, or highly volatile chemicals or materials	One (1) parking space per employee plus one (1) parking space per company vehicle, and 1 loading space per 10,000 sq ft of floor area
Other	
Addition of accessory structure to principal structure devoted to legal nonconforming use	As per Zoning Administrator
Railroad, public utility and public maintenance facility	Two (2) parking spaces per substation or one (1) parking space per employee at the site plus one (1) per company vehicle
Railroad, public utility, and public maintenance facility, but not including equipment storage, maintenance yards, buildings, or offices	Two (2) parking spaces per substation or one (1) parking space per employee at the site plus one (1) per company vehicle
Solar energy system: consumer-scale building-mounted	None
Solar energy system: consumer-scale freestanding	None

Table C.3. Matrix of Off-Street Parking, Stacking and Loading Requirements	
Land Uses and Structures by Category	Minimum Requirements
Solar energy system: utility-scale freestanding	To be determined
Temporary building used in conjunction with construction work	As per Zoning Administrator
Temporary car crusher or similar equipment	As per Zoning Administrator
Temporary batch plant	One (1) parking space per employee and one (1) parking space per company vehicle
Uses and structures clearly incidental to the permitted principal uses and structures	As per Zoning Administrator
Wind energy conversion system: non-commercial	None
Wind energy conversion system: commercial	None

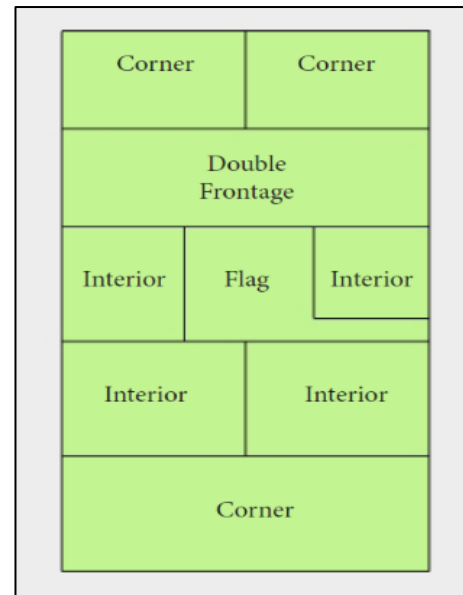
D. Schedule of Development Regulations. Development regulations refer to dimensional zoning requirements that control the size and placement of buildings, uses, and structures on a property for the underlying zoning district. They establish minimum lot area and width, minimum setbacks from property lines, and maximum building height, subject to other required approvals in accordance with **Chapter 3** of this Ordinance. They shape the physical dimensions of a structure and its relationship to the surrounding land. Development Regulations are set forth in each zoning district for principal, accessory, conditional, and temporary uses. Subject to **Section 1.20**, **Section 4.5**, and **Chapter 6** of this Ordinance, the following provisions, regulations, or exceptions shall apply equally to allowed land uses and types in all zoning districts as hereinafter provided. Planned Unit Developments (PUDs) may have flexibility in these requirements, subject to the PUD approval process.

- 1. Measurement of Lot Area and Width.** As defined in **Chapter 6** of this Ordinance, a lot needs to be large enough to accommodate buildings and other structures while also meeting minimum standards for setbacks, open space, and other zoning requirements. Minimum lot area and width are intended to manage land use and ensure public health with the provision of adequate water supply and sewage disposal systems. A lot served by a private well and septic system generally requires more lot area and width than a lot served by a community or municipal water supply and sewage disposal system. Minimum lot area and width may be required by the County Health Department to provide adequate sewage disposal facilities, which may require compliance with **Iowa Administrative Code Chapter 49** and **Iowa Administrative Code Chapter 69**.
 - a. Lot Area** is the total horizontal area included within the lot lines forming the boundaries of a lot, including area over which public or private easements have been granted, but excluding that portion of a flag lot which is used primarily for access (the flagpole portion). Lot area generally is determined by multiplying lot depth by lot width (*see illustrations*).
 - b. Lot Depth** is the mean horizontal distance between the front and rear lot lines.
 - c. Lot Width** is the mean horizontal distance between the side lot lines.

**Types of Lot Lines** (Source: ECIA)**Lot Depth and Width** (Source: ECIA)

d. **Types of Lots.** While standard lots are rectangular or square in shape, variations in lot shape and lot frontage can result in different types of lots. Lot frontage is all the sides of a lot that abut a street right-of-way or roadway easement (*see illustration*).

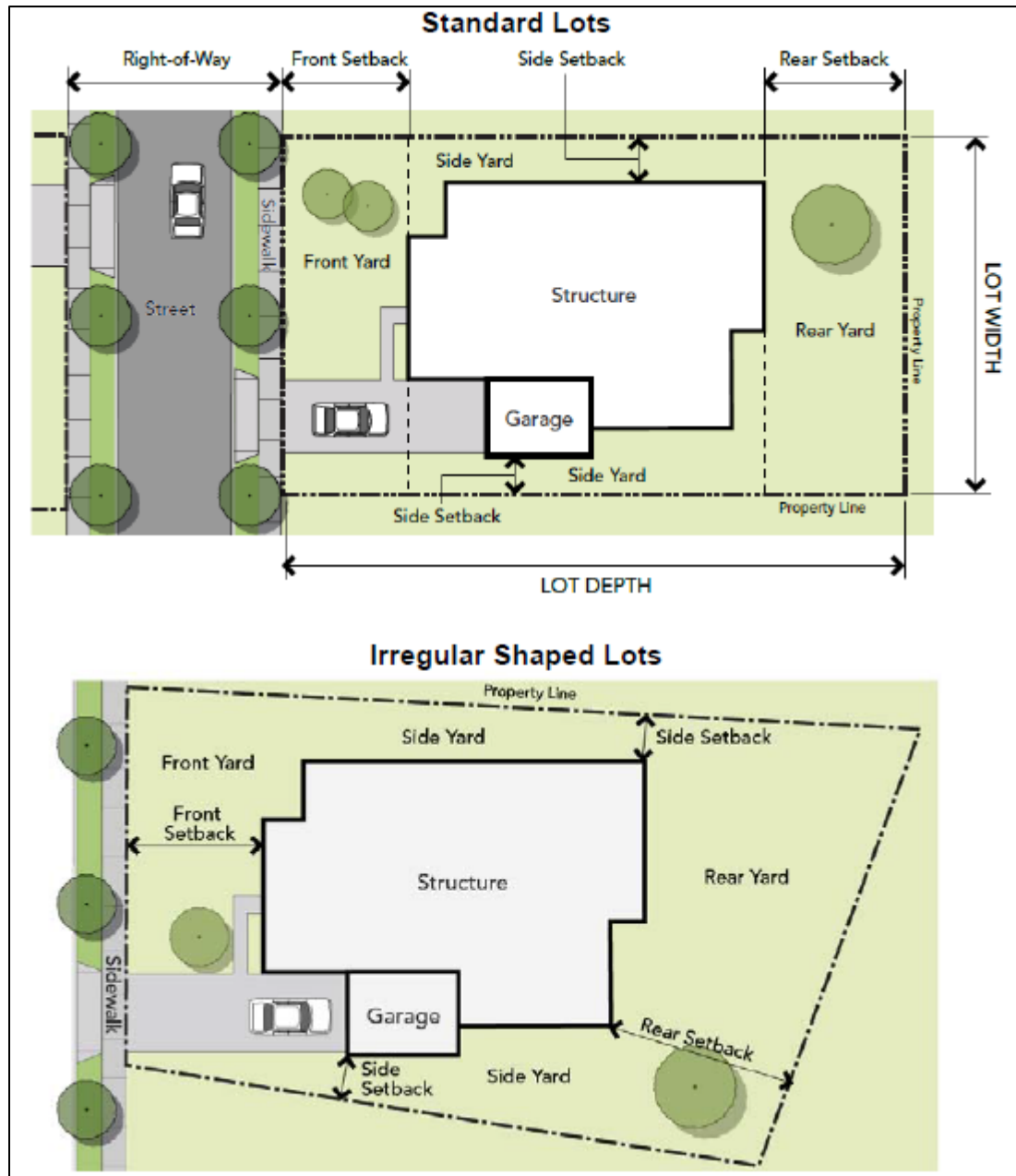
- (1) **Corner Lot.** A lot abutting upon two (2) or more streets at their intersection.
- (2) **Double Frontage Lot.** A lot which fronts on two parallel streets, or which fronts upon two streets which do not intersect at the boundaries of the lot.
- (3) **Flag Lot.** A lot having no frontage or access to a street or place except by a narrow strip of land which is included within the lot.

**Types of Lots** (Source: ECIA)

- (4) **Interior Lot.** A lot other than a corner lot or a double frontage lot.

e. **Area and Width Requirements for Flag Lots.** Flag lots as defined shall be permitted in any district. That portion of the lot primarily suitable for access (the flagpole portion) shall have a minimum width of sixty (60) feet or, for lots in the A-1 Agricultural and R-1 Residential Zoning Districts having an area of less than double the minimum parcel area, thirty (30) feet. The minimum width established above may be reduced if supplemented by a recorded access easement in favor of the flag lot owner over adjacent land, to provide a total width of access right-of-way equal to the applicable minimum as stated above. The flagpole portion shall be excluded from the calculation of lot area for the purposes of this Ordinance only.

2. **Measurement of Required Setbacks.** As defined in **Chapter 6** of this Ordinance, a setback is the minimum horizontal distance between the closest part of a building or structure and a lot line. The *Diagrams of Measuring Setbacks on Standard and Irregular Lots* (see illustration below) provide examples of how front, side, and rear setbacks are measured. Specific provisions follow.



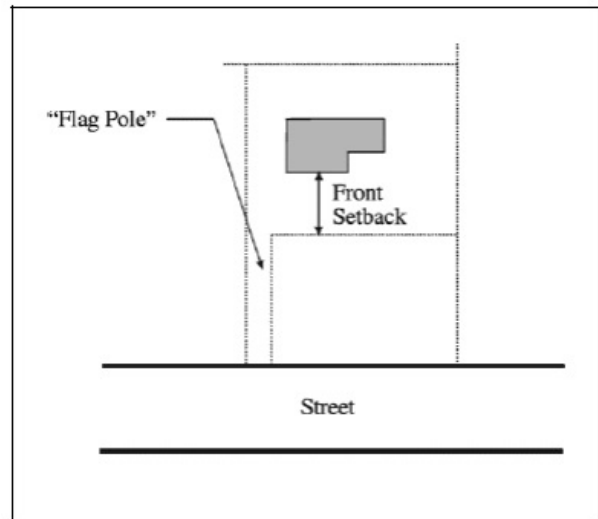
Diagrams of Measuring Setbacks on Standard and Irregular Lots
(Source: Arcadia, CA accessed 2025)

- a. **Front Setback** shall be measured at right angles from the nearest point on the front lot line of the parcel to the closest part of the structure, establishing a setback line parallel to the front lot line, which extends between the side yards, except as follows:

(1) **Corner and Double Frontage Lots.** The measurement shall be taken from the closest part of the structure to the nearest point of the lot line abutting the street which provides the street address of the site.

(2) **Owner's Choice -- Corner and Double Frontage Lots.** The front setback shall be considered as parallel to the street upon which the lot has its least dimensions, except where the owner shall elect to front their building on the street parallel to the lot line having the greater dimension. If these lot dimensions are equal, the owner may elect to front their building on either lot line.

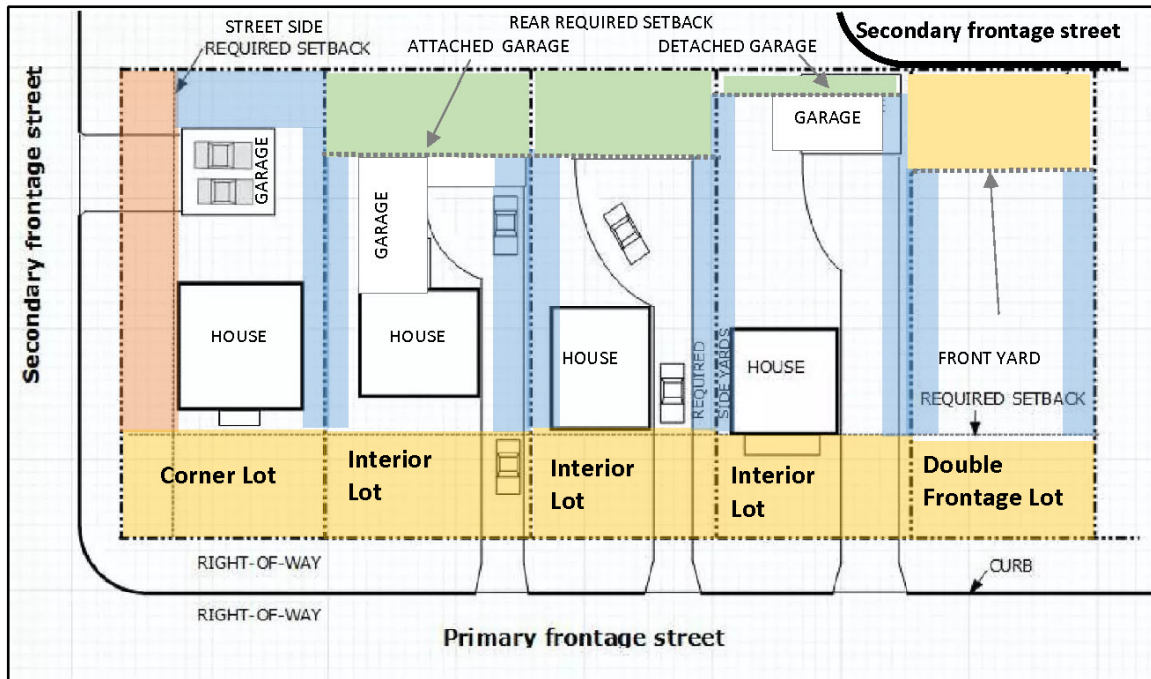
(3) **Flag Lots.** For a parcel with a fee ownership strip extending from a street or right-of-way to the building area of the parcel, the front setback measurement shall be taken from the closest part of the structure to the point where the access strip ("flag pole") meets the bulk of the parcel along a continuous line, establishing a parallel setback line (*see illustration*).



Measuring Flag Lot Setbacks

(Source: Pismo Beach, CA accessed 2025)

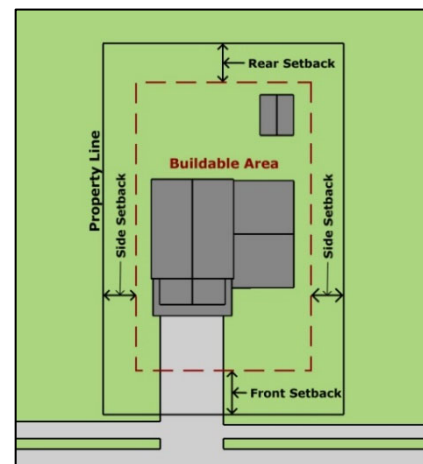
- b. **Rear Setback** shall be measured at right angles from the nearest point on the rear lot line to the closest part of the structure, establishing a setback line parallel to the rear lot line which extends between the side yards, except there shall be no rear yard on a corner lot.
- c. **Side Setback** shall be measured at right angles from the nearest point on the side lot line of the parcel to the closest part of the structure; establishing a setback line parallel to the side lot line, which extends between the front and rear setbacks.
- d. **Street Side Setback** shall be measured at right angles from the nearest point of the side lot line bounding the street, or the easement for a private road, to the nearest point of the structure as follows.
- (1) On the street side of a corner lot, the street side setback shall extend from the required front setback to the rear lot line (*see illustration*).
 - (2) On the street sides of a double frontage lot, the side yards shall extend between the two (2) required front yards and there shall be no rear yard, unless the owner chooses a front yard as described above in **Subsection 2.1.D.2.a.(1)**.

Types of Setbacks on Corner, Interior, and Double Frontage Lots*(Source: City of Columbus, OH accessed 2024)*

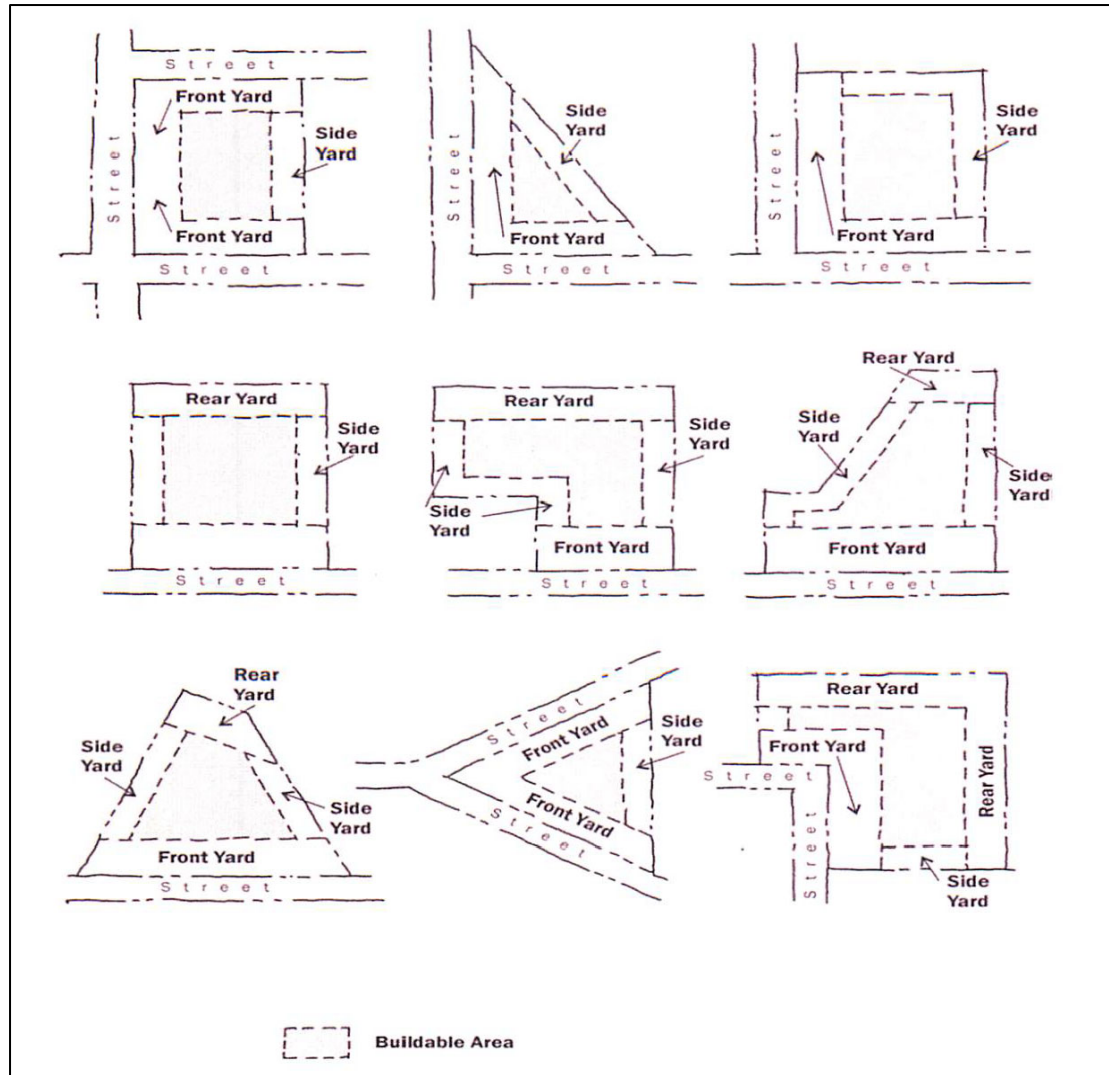
Front Setback Side Setback Rear Setback Street Side Setback

- e. **Special Setback for Lot.** If a lot configuration is oriented so that neither the term "side setback" nor the term "rear setback" clearly applies, the Zoning Administrator shall require a "special setback" with minimum dimensions as generally required for a side setback or a rear setback in the district, determining which shall apply by the relation of the portion of the lot on which the setback is to be located to the adjoining lot or lots, with due regard to the orientation and location of structures and buildable areas.

- f. **Buildable Area** is the portion of a lot remaining after all required front, side, and rear setbacks have been provided (see illustration on right). On corner and double frontage lots, and lots with special setbacks, the buildable area can take many shapes (see illustration below).

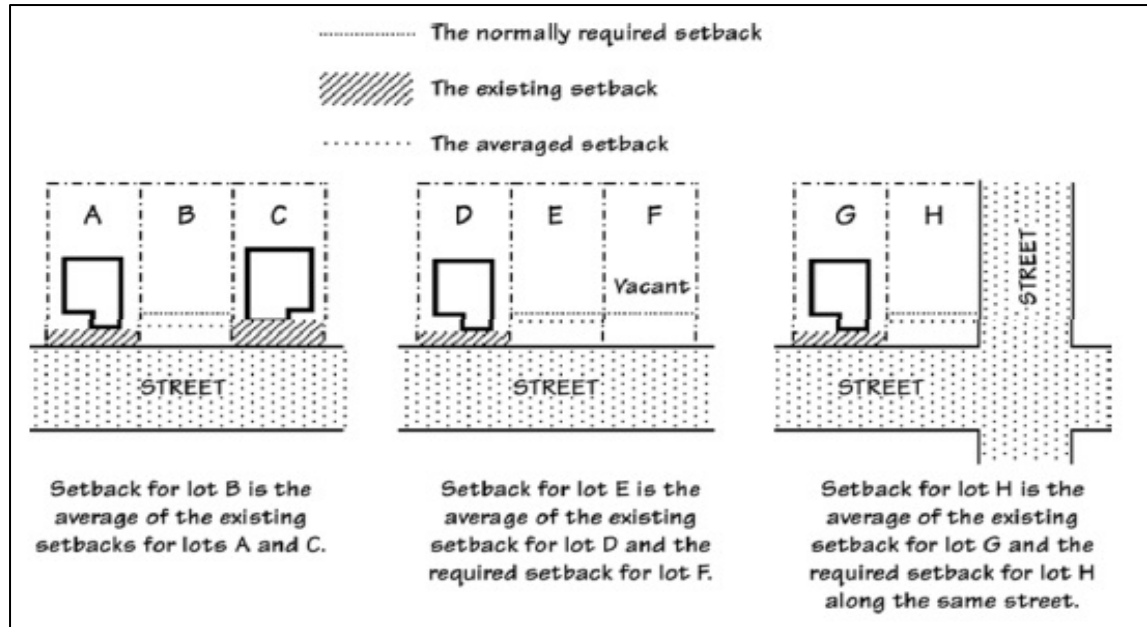


Buildable Area on Standard Lot
(Source: ECIA)



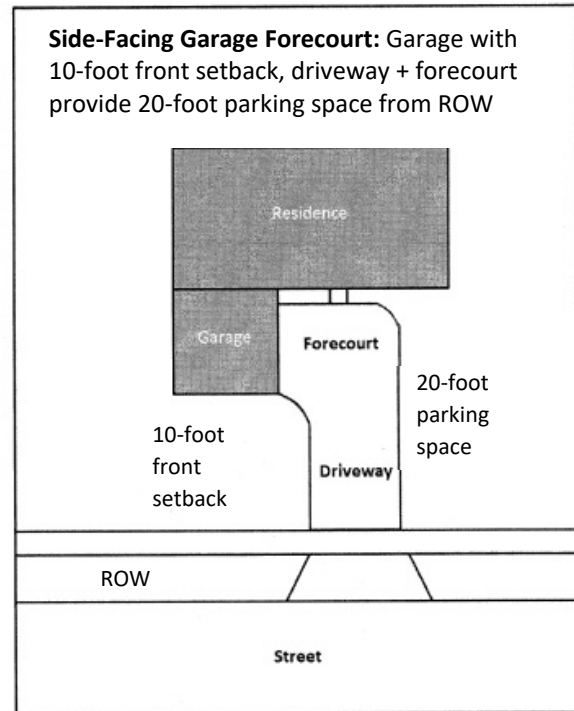
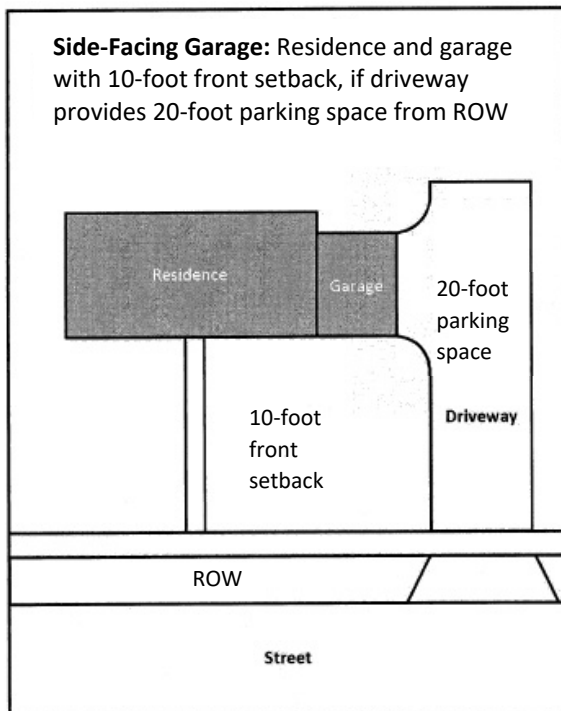
Types of Setbacks and Buildable Area on Corner and Double Frontage Lots, and Lots with Special Setbacks (Source: Gun Barrel City, TX accessed 2025)

- g. **Average Front and Rear Setbacks:** Where legally existing front or rear setbacks on adjacent parcels of continuous frontage are shorter than the minimum requirements, the required setback for a new structure shall be the average of setbacks of principal structures within five hundred (500) feet on parcels of continuous frontage (*see illustration*).

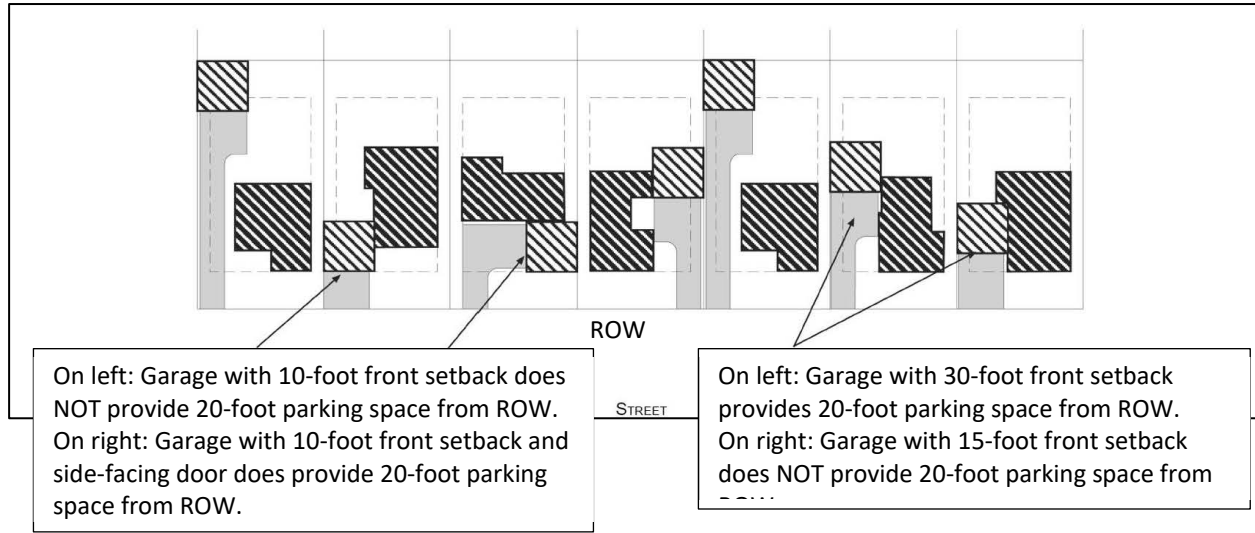


Examples: Calculation of Average Front Setback (Source: Sioux Falls, SD accessed 2025)

- h. Front Setback for Off-Street Parking:** Attached and/or detached private garages or carports must maintain a setback of twenty (20) feet from the door or opening of the garage facing the public or private road right-of-way. This setback is necessary to allow sufficient room for off-street parking. The sides of the garage or carport that do not face a public or private road right-of-way shall comply with the shorter setbacks listed in the applicable Development Regulations for the zoning district (see *illustrations below*).



Determining Front Setback with Side-Facing Garages (Source: Westlake, OH accessed 2025)



Garage Locations and Front Setback for Off-Street Parking (Source: Baldwin Park, CA accessed 2025)

- 3. Encroachments Allowed Within Required Setback Area.** As defined in **Chapter 6** of this Ordinance, a setback encroachment is the extension or placement of a structure or architectural feature into a required setback area. The following encroachments may be located within an otherwise required setback, provided they are used in conjunction with a use or structure allowed in the underlying zoning district, and provided that their location complies with **Subsection 2.8.A.** of this Ordinance.

Table D.1. Allowable Encroachments By Zoning District and Land Use or Structure shows when principal, accessory, conditional, and temporary uses and structures in any Zoning District are allowed encroachments into required setbacks or must comply with the required setbacks. Table D.2. does not apply to Farm Exempt Uses. See **Subsection 2.1.A.** and **Subsection 2.1.B.** of this Ordinance for an explanation of symbols used in Table D.1. for zoning districts and land uses or structures.

Table D.1. Allowable Encroachments By Zoning District and Land Use or Structure			
Zoning District	Platted before May 6, 1976	Type of Land Use or Structure	Allowable Encroachments
A-1, R-1	Yes	P, C	Yes, see Table D.2.
A-1, R-1	Yes	A, T	No, must comply with required setbacks
C-1, M-1, M-2	Yes	P, C, A, T	No, must comply with required setbacks
All Districts	No	P, C, A, T	No, must comply with required setbacks

Table D.2. Allowable Encroachments in Required Setback by Type of Feature references the *Diagram of Setback Encroachments* (see illustration below), which shows how the setback is measured from the closest part of a structure to the lot line. The measurements impacting allowable setback encroachments are: A. Feature Encroaching into Required Setback, B.

Maximum Encroachment into Required Setback, C. Minimum Distance from Lot Line, and D. Minimum Distance from Street Right-of-Way (ROW) or roadway easement.

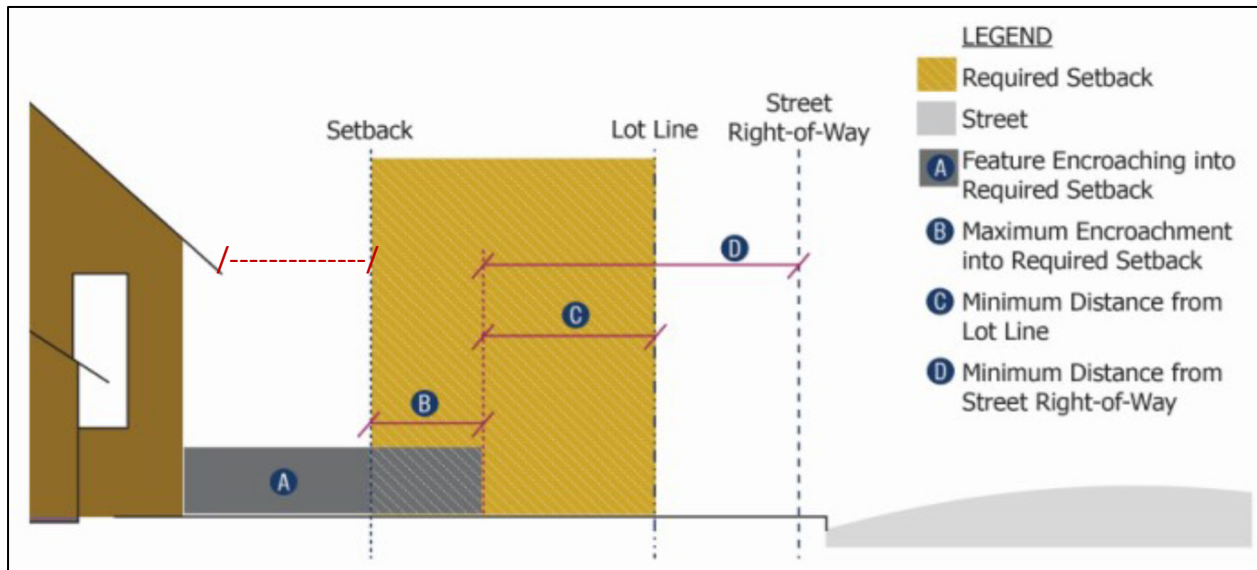


Diagram of Setback Encroachments (Source: Zebulon, NC accessed 2025)

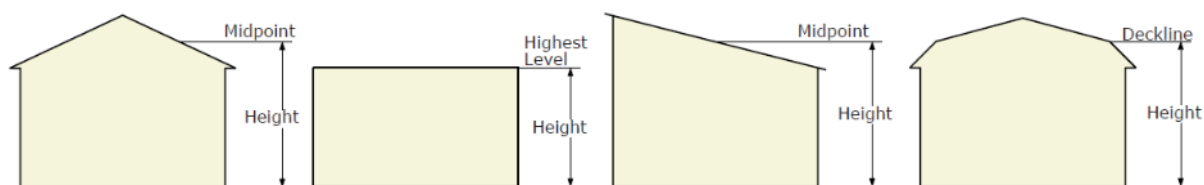
Table D.2. Allowable Encroachments in Required Setback by Type of Feature			
A. Feature Encroaching into Required Setback	B. Maximum Encroachment into Required Setback	C. Minimum Distance from Lot Line	D. Minimum Distance from Street ROW
Accessibility Features			
Fire escapes	Three (3) feet	Two (2) feet	Subsection 2.8.A.
Stairways that function as the principal means of access to dwelling units located on second floor or above	None	Required setbacks	Subsection 2.8.A.
Open-air access structures	Three (3) feet	Two (2) feet	Subsection 2.8.A.
Enclosed access structures	None	Required setbacks	Subsection 2.8.A.
Architectural Features	Three (3) feet	Two (2) feet	Subsection 2.8.A.
At-Grade Features	Three (3) feet	Two (2) feet	Subsection 2.8.A.
Driveways and Parking Features	Subsection 2.8.H.	Subsection 2.8.H.	Subsection 2.8.A.
Fences and hedges used as fences	Subsection 2.8.N.	Subsection 2.8.N.	Subsection 2.8.A.
Landscaping	No limit	No limit	Subsection 2.8.A.
Signs	Subsection 2.9.G.	Subsection 2.9.G.	Subsection 2.8.A.

Table D.3. Examples of Allowable Encroachments by Type of Feature provides a range of examples for allowable encroachments for various types of features. Other examples not listed below may be allowed as determined by the Zoning Administrator.

Table D.3. Examples of Allowable Encroachments by Type of Feature	
Type of Feature	Examples
Accessibility Features	Steps, porch, stoop, deck, patio, stairway, fire escape, access ramp and similar features that function as a means of access to a structure.
Architectural Features	Awnings, shutters, canopies, arbors, trellises, balconies, bay windows, chimneys, cornices, sills, roof overhangs, eaves, gutters, and other similar features.
At-Grade Features	Play equipment, outdoor furniture, ornamental entry columns and gates, flag poles, lamp posts, HVAC equipment, mailboxes, outdoor fireplaces, grills, ornamental pools, planting boxes, sculptures, birdbaths, and other customary yard accessories.
Driveways and Parking Features	See Subsection 2.1.C.2.
Fences and hedges used as fences	See Subsection 2.8.N.
Landscaping	Other landscape plantings.
Signs	See Subsection 2.9.G.

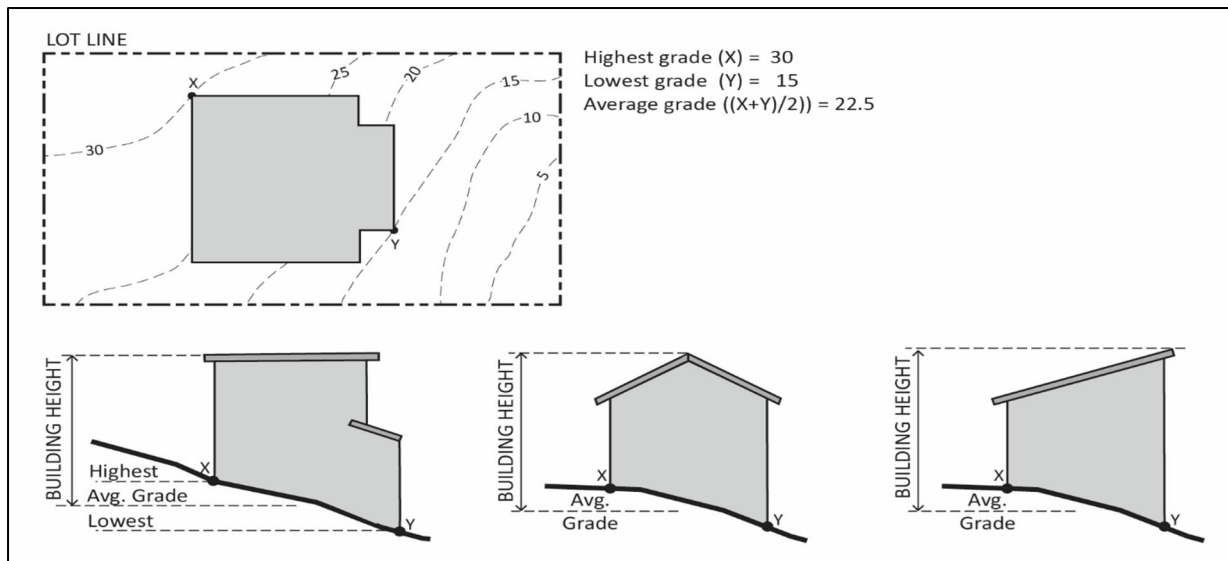
4. Maximum Height. Maximum height regulations are established to promote a reasonable building scale and relationship between buildings. Exceptions are found in Subsection 2.8.D. of this Ordinance.

- a. Building Height by Roof Type.** As defined in Chapter 6 of this Ordinance, building or structure height is the vertical distance measured from the average of the highest and lowest points where the exterior walls intersect the existing or finished grade, whichever is lower, to the highest point of the coping of a flat roof, the deck line of a mansard roof, or the mean height level between eaves and ridge for gable, hip and gambrel roofs (see illustration).



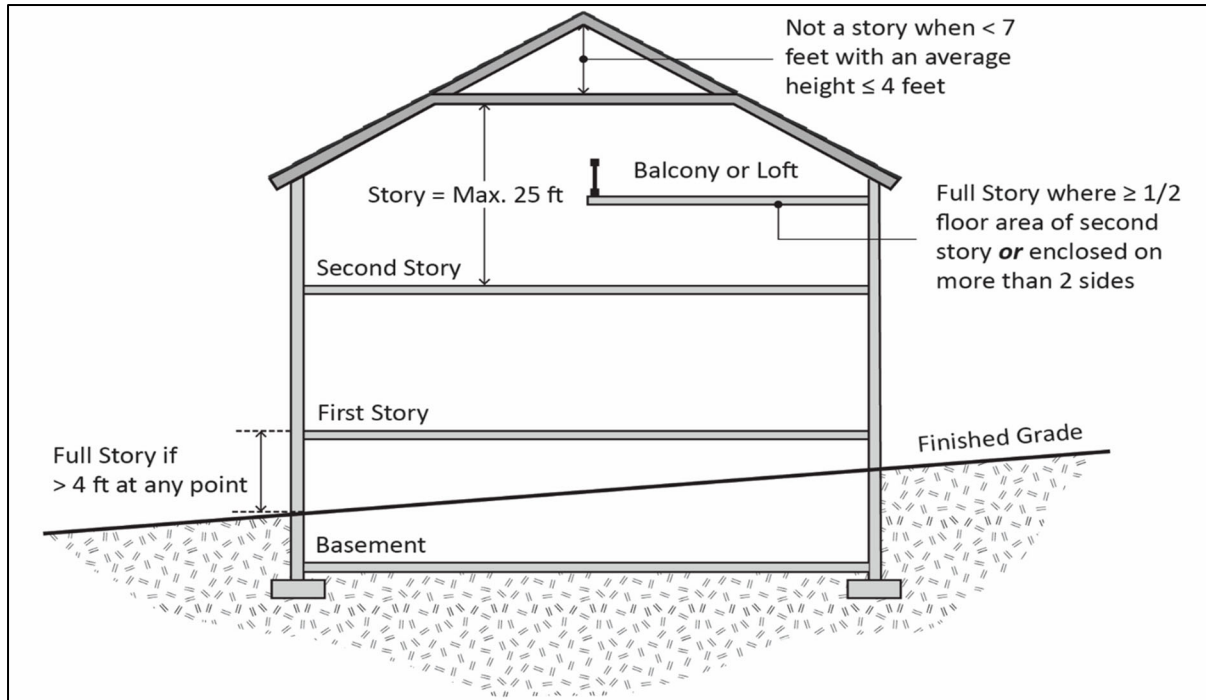
Measuring Maximum Building Height by Roof Type (Source: ECIA)

- b. Building Height on Sloped Ground.** If a building or structure is on sloped ground, the average of the highest and lowest grades of the site should be used to calculate its height (see illustration).



Measuring Maximum Building Height on Sloped Ground (Source: St. Helena, CA accessed 2025)

- c. **Building Height by Stories.** In measuring the number of stories in a building as defined in **Chapter 6** of this Ordinance, the following rules shall apply (see *illustration*):
- (1) An interior balcony or loft shall be counted as a full story if its floor area exceeds one-half of the total area of the nearest full floor directly below it or if it is enclosed on more than two (2) sides.
 - (2) A basement shall be counted as a full story if the vertical distance between finished grade and the finished surface of the floor above the basement is more than four (4) feet at any point.
 - (3) A story shall not exceed twenty-five (25) feet in height from the upper surface of the floor to the ceiling above.
 - (4) An attic is not considered a story provided it is unconditioned, unfinished, and less than seven (7) feet at its highest point with an average height not exceeding four (4) feet.
- d. **Cell Tower Height.** Commercial cell communications stations, towers and antennas are allowed without regard to the height limits of the applicable zoning district. Height shall be measured as defined **Iowa Code Chapter 8C**. See **Subsection 2.9.H.** of this Ordinance.

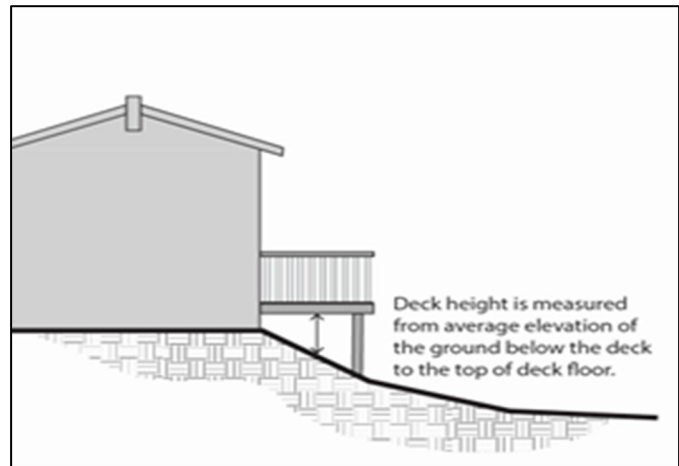


Measuring Maximum Building Height by Stories (Source: St. Helena, CA accessed 2025)

e. **Deck Height.** Deck height shall be measured from the average elevation of the ground directly below the deck to the top of the deck floor immediately above that point (see illustration).

f. **Fence Height.** Fence height is measured as defined in Subsection 2.8.N. of this Ordinance.

g. **Sign Height.** Sign height is measured as defined in Subsection 2.9.G. of this Ordinance.



Measuring the Height of Decks (Source: St. Helena, CA accessed 2025)

5. Continuing Maintenance Required.

- a. All setbacks required by this Ordinance shall be provided and remain as open, unobstructed space.
- b. No part of a setback or open space required by this Zoning Ordinance for any structure shall be included as part of a setback or open space for any other structure, unless otherwise allowed by this Ordinance.

- c. The maintenance of any yard, setback, open space, minimum lot area, or off-street parking spaces required by this Ordinance shall be a continuing obligation of the owner of the property to which such requirements apply.
- d. No yard, setback, open space, lot area, or off-street parking area required by this Ordinance for any building, structure or use shall, by virtue of change of ownership or any other reason be used to satisfy any yard, setback, open space, lot area, or off-street parking area required for any other building, structure, or use, except as may be otherwise specifically provided in this Ordinance.
- e. In addition, no yard setback or lot existing at the effective date of this Ordinance shall be reduced in dimension or area below the minimum requirements set forth herein for the underlying zoning district, except as may be otherwise specifically provided in this Ordinance.

2.2 A-1 Agricultural District.

- A. Statement of Intent.** The A-1 Agricultural District is intended to preserve areas appropriate for agricultural and related uses and to reserve areas suitable for the efficient development of other uses when and if there are a demonstrated need and intent to develop such areas in accordance with the Jackson County Land Use Policy Statement.

Subdivisions were platted in the County's unincorporated areas prior to the effective date of the first Jackson County Zoning Ordinance on May 6, 1976. Alternative regulations and requirements have been established to better reflect and accommodate their historical and existing development and land uses patterns. Some of these older subdivisions have an active property owners' association (POA).

B. Allowed Principal Uses and Structures.

Table B.1. lists the standard principal uses and structures allowed in the A-1 District. Additional Regulations reference related sections in the Zoning Ordinance. Standard regulations apply to all A-1 districts.

Table B.1. Standard A-1 District Principal Uses and Structures	
Land Uses and Structures by Major Category	Additional Regulations
Farm Exempt	
Agriculture	Chapter 6; Section 1.20; Section 2.8; Section 2.9
Farm, farming and farm building	
Farm dwelling, principal	
Grain storage bin	
Horticulture	
Nursery	
Residential and Lodging	
Bed and breakfast home	Chapter 6; Section 2.8; Section 2.9
Seasonal dwelling, detached	
Single-family dwelling, detached	
Educational and Assembly	

Table B.1. Standard A-1 District Principal Uses and Structures	
Land Uses and Structures by Major Category	Additional Regulations
Adult day care center	Chapter 6; Section 2.8; Section 2.9
Child care center	
Child development home	
Elementary school	
Place of assembly	
Post high school	
Preschool	
Secondary school	
Commercial and Recreational	
Cemetery	Chapter 6; Section 2.8; Section 2.9
Fairgrounds and public exposition	
Kennel	
Public campground	
Public recreation	
Riding stable	
Industrial and Other	
Logging, storage only	Chapter 6; Section 2.8; Section 2.9
Railroad, public utility and public maintenance facility	

Table B.2. lists the alternative principal uses and structures allowed in the A-1 District as defined in **Chapter 6** of this Ordinance, provided they comply with this Ordinance; applicable county, state, and federal codes; and the specific provisions listed below. Additional Regulations reference related sections in the Zoning Ordinance. Alternative regulations only apply to subdivisions and lots platted before May 6, 1976.

Table B.2. Alternative A-1 District Principal Uses and Structures	
Land Uses and Structures by Major Category	Additional Regulations
Residential and Lodging	
Mobile home	Chapter 6; Section 2.8; Section 2.9
Mobile home converted to real estate	
Seasonal dwelling, detached	
Single family dwelling, detached	
Educational, Assembly and Recreation	
Place of assembly	Chapter 6; Section 2.8; Section 2.9
POA owned indoor commercial recreation facility	
POA owned outdoor commercial recreation facility	

C. Allowed Accessory Uses and Structures.

Table C.1. lists the standard accessory uses and structures clearly incidental to the allowed principal uses and structures of this district, provided they comply with this Ordinance. Additional Regulations reference related sections in the Zoning Ordinance. Standard regulations apply to all A-1 districts. Alternative regulations only apply to subdivisions and lots platted before May 6, 1976.

Table C.1. Standard and Alternative A-1 District Accessory Uses and Structures	
Land Uses and Structures by Major Category	Additional Regulations
Farm Exempt	
Farm dwelling, secondary	Chapter 6; Section 1.20; Section 2.8; Section 2.9
Farm market or roadside stand	
Residential and Lodging	
Accessory dwelling unit (ADU)	Chapter 6; Section 2.8; Section 2.9
Attached and detached private garage or carport	
Deck, porch, balcony, boat dock, and other similar structure	
Fences, walls, and hedges	
Non-commercial garden and greenhouse	
Outdoor fixed fire pit and cooking equipment	
Private swimming pool, sports court, tennis court, and playground equipment	
Shed, gazebo, pergola, and similar roofed freestanding structure	
Educational, Assembly and Commercial	
Agricultural experiences	Chapter 6; Section 2.8; Section 2.9
Child care home	
Home-based business	
Other	
Burial site	Chapter 6; Section 2.8; Section 2.9
Solar energy system: consumer-scale, building mounted or freestanding	
Uses and structures clearly incidental to the allowed principal uses and structures of this district	
Wind energy conversion system, non-commercial	
Alternative Regulations	
Accessory structure related to a principal use or structure on a separate lot	Ch. 6 Definitions; Section 2.8; Section 2.9
Accessory structure related to a principal seasonal dwelling with no principal structure on lot	

D. Conditional Uses and Structures.

Table D.1. lists the allowed conditional uses and structures in the A-1 District as defined in **Chapter 6** of this Ordinance. These uses and structures shall comply with A-1 district development regulations in **Subsection 2.2.F.** of this Ordinance unless specified otherwise in their specific conditions for approval listed in **Section 2.9** of this Ordinance. Subject to **Section 4.5** of this Ordinance, and the other requirements contained herein, the Board of Adjustment may permit the following:

Table D.1. A-1 District Conditional Uses and Structures	
Land Uses and Structures by Major Category	Additional Regulations
Residential	
Family home	

Table D.1. A-1 District Conditional Uses and Structures	
Land Uses and Structures by Major Category	Additional Regulations
Multiple family dwelling, including residential condominium	Chapter 6; Section 2.8; Section 2.9; Section 4.5
Educational and Assembly	
Adult day care center	Chapter 6; Section 2.8; Section 2.9; Section 4.5
Child care center	
Child development home	
Preschool	
Commercial	
Agricultural sales, service, and supply business	Chapter 6; Section 2.8; Section 2.9; Section 4.5
Airport and landing field approved by the Federal Aviation Agency (FAA)	
Commercial cell communications station and tower	
Event venue	
Garden center in conjunction with nursery	
Home industry	
Livestock market	
Recreational	
Commercial campground and recreational vehicle park	Chapter 6; Section 2.8; Section 2.9; Section 4.5
Golf course and clubhouse	
Indoor commercial recreation, including recreational lodge with a maximum of ten (10) units	
Outdoor commercial recreation on site of less than five (5) acres	
Seasonal resort	
Tourist camp on site of less than five (5) acres	
Youth or summer camp	
Industrial and Other	
Addition of accessory structure to principal structure devoted to legal nonconforming use	Chapter 6; Section 2.8; Section 2.9; Section 4.5
Animal feeding operation	
Batch plant, permanently placed on quarry sites	
Bulk storage and retail distribution of anhydrous ammonia fertilizer under pressure and petroleum products under pressure	
Mining and extraction of minerals or raw materials, including necessary processing equipment	
Solid waste facility	
Wind energy conversion system: commercial	

E. Temporary Uses and Structures Allowed by Zoning Administrator.

Table E.1. lists the allowed temporary uses and structures in the A-1 District as defined in Chapter 6 of this Ordinance that may be allowed by the Zoning Administrator, provided they comply with this Ordinance and the specific provisions listed below. These uses and structures shall comply with A-1 district development regulations unless specified otherwise below.

Types	Specific Provisions
Temporary building	Used in conjunction with construction work provided that such building is removed promptly upon completion of the work.
Temporary batch plant	<ul style="list-style-type: none"> a. Prior to the issuance of compliance certificates for temporary concrete plants, evidence shall be provided to the Zoning Administrator that the use will comply with applicable state and local environmental and transportation regulations, and, if the site is accessed by a gravel road, a performance bond approved by the County Engineer shall be posted to ensure repair of damage to the haul route. b. The area be restored to a suitable condition free of refuse and debris.
Temporary permit for the location of a car crusher or similar equipment used in the processing, removal or disposal of junk	<ul style="list-style-type: none"> a. Such permit may be granted not to exceed sixty (60) days for the purpose of facilitating the removal of junk from a nonconforming junkyard, but shall not be granted for the purpose of establishing a new junkyard or serve as a basis for the permanent expansion of a nonconforming junkyard. b. In considering such permit, the Zoning Administrator shall determine the positive and negative effects on the environment anticipated both during and after the conclusion of such operation. c. Upon a showing of good cause, the Zoning Administrator may grant an extension not to exceed thirty (30) days.

F. Development Regulations.

Table F.1. lists the standard development regulations that shall be met for all principal, accessory, conditional, and temporary uses and structures in the A-1 district unless specified otherwise in this Ordinance. See Table F.3. below for Notes. Abbreviations: DU = dwelling unit, and sq ft = square feet.

Table F.1. Standard A-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot		Minimum Yard Requirements (see Notes 4, 5, 6 and 7)				Maximum Height
	Area	Width	Front	Rear	Side	Street side	
Farm Exempt Uses and Structures							
All	See Note 1		None, except see Note 7				None
Principal Uses and Structures							
Dwellings and Education and Assembly Uses	2 acres per DU or use	200 feet	40 feet	30 feet	15 feet	30 feet	2.5 stories or 35 feet
All others	See Note 1		40 feet	30 feet	15 feet	30 feet	2.5 stories or 35 feet
Accessory Uses and Structures							
Accessory Dwelling Unit	See Subsection 2.8.K. for specific development regulations						

Table F.1. Standard A-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot		Minimum Yard Requirements (see Notes 4, 5, 6 and 7)				Maximum Height
	Area	Width	Front	Rear	Side	Street side	
Private garage or carport (see Note 6)	See Note 1		10 or 20 feet	5 feet	10 feet; 5 feet if detached	10 or 20 feet	2.5 stories or 35 feet
All others	See Note 1		40 feet	30 feet; 5 feet if detached	15 feet; 5 feet if detached	30 feet	2.5 stories or 35 feet
Conditional Uses and Structures							
Seasonal resort (see Note 2)	2 acres per DU	200 feet	40 feet	30 feet	15 feet	30 feet	2.5 stories or 35 feet
Seasonal resort (see Note 3)	10,000 sq feet per DU	50 feet	10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
Multiple family dwelling	2 acres per DU	200 feet	10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
All others	See Note 1		40 feet	30 feet	15 feet	30 feet	2.5 stories or 35 feet
Temporary Uses and Structures							
All	See Note 1		As per Zoning Administrator				

Table F.2. lists the alternative development regulations that shall be met for all principal, accessory, and conditional uses and structures in the A-1 District located in subdivisions or on lots platted before May 6, 1976 that do not comply with A-1 standard development regulations for lot area, lot width, and/or setbacks, unless specified otherwise in this Ordinance. See Table F.3. below for Notes. Abbreviations: DU = dwelling unit, and sq ft = square feet.

Table F.2. Alternative R-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot Size		Minimum Setback Requirements (see Notes 4, 5, 6 and 7)				Maximum Height
	Area	Width	Front	Rear	Side	Street side	
Principal Uses and Structures							
Dwellings and POA uses (see Note 2)	20,000 sq ft per DU or use	100 feet per DU or use	10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
Dwellings and POA uses (see Note 3)	12,000 sq feet per DU or use	80 feet per DU or use	10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
All others	See Note 1		10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
Accessory Uses and Structures							
Accessory Dwelling Unit	See Subsection 2.8.K. for specific development regulations						

Table F.2. Alternative R-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot Size		Minimum Setback Requirements (see Notes 4, 5, 6 and 7)				Maximum Height
	Area	Width	Front	Rear	Side	Street side	
Private garage or carport (see Note 6)	See Note 1		10 feet	5 feet	10 feet; 5 feet if detached	10 feet	2.5 stories or 35 feet
All others	See Note 1		10 feet	5 feet	10 feet; 5 feet if detached	10 feet	2.5 stories or 35 feet
Conditional Uses and Structures							
Seasonal resort (see Note 2)	20,000 sq ft per DU	100 feet per DU	10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
Seasonal resort (see Note 3)	10,000 sq ft per DU	50 feet per DU	10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
Multiple-family dwelling	20,000 sq ft per DU or use	200 feet	10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
All others	See Note 1		10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
Temporary Uses and Structures							
All	See Note 1		As per Zoning Administrator				

Table F.3. lists the A-1 District Notes for Table F.1. Standard Development Regulations and Table F.2. Alternative Development Regulations above.

Table F.3. A-1 District Notes for Standard and Alternative Development Regulations
Note 1. Minimum lot area and width may be required by the County Health Department to provide adequate sewage disposal facilities, which may require compliance with Iowa Administrative Code Chapter 69 and Iowa Administrative Code Chapter 49 .
Note 2. Served with private well and septic systems.
Note 3. Served by central sewage collection and treatment system or central water distribution system.
Note 4. See Subsection 2.1.D.2.g. Average Front and Rear Setbacks.
Note 5. Special Side Setback: For manufactured homes replacing legally existing nonconforming manufactured homes or mobile homes, the minimum rear setback shall be five (5) feet.
Note 6. See Subsection 2.1.D.2.h. Front Setback for Off-Street Parking.
Note 7. Minimum setback of thirty (30) feet along public roadway may be required by the County Engineer to provide adequate setback for future road improvements.

- G. Allowed Signs.** The sign regulations shall be met for all principal, accessory, conditional, and temporary uses and structures in the A-1 District in accordance with **Subsection 2.9.G.** of this Ordinance unless specified otherwise in this Ordinance.
- H. Required Off-Street Parking, Loading, and Stacking Spaces.** The required off-street parking, loading, and stacking spaces shall be met for all principal, accessory, conditional, and temporary uses and structures in the A-1 District in accordance with **Subsection 2.1.C.** of this Ordinance unless specified otherwise in this Ordinance.

2.3 R-1 Residential District.

- A. Statement of Intent.** The R-1 Residential District is intended to provide for limited residential development in the rural areas of the county where such use is compatible with surrounding land uses and where residential development will result in the most appropriate permanent use of the land with particular regard to agricultural land, woodlands and other natural resources in accordance with the Jackson County Land Use Policy Statement.

Subdivisions and individual lots were platted in the County's unincorporated areas prior to the effective date of the first Jackson County Zoning Ordinance on May 6, 1976. Alternative regulations and requirements have been established to better reflect and accommodate their historical and existing development and land uses patterns. Some of these older subdivisions may have an active property owners' association (POA).

B. Allowed Principal Uses and Structures.

Table B.1. lists the standard principal uses and structures allowed in the R-1 District as defined in **Chapter 6** of this Ordinance, provided they comply with this Ordinance; applicable county, state, and federal codes; and the specific provisions listed below. Additional Regulations reference related sections in the Zoning Ordinance. Standard regulations apply to all R-1 districts.

Table B.1. Standard R-1 District Principal Uses and Structures	
Land Uses and Structures by Major Category	Additional Regulations
Residential and Lodging	
Family home	
Seasonal dwelling, detached	Chapter 6; Section 2.8; Section 2.9
Single family dwelling, detached	
Educational and Assembly	
Adult day care center	Chapter 6; Section 2.8; Section 2.9
Elementary school	
Place of assembly	
Secondary school	
Commercial and Recreational	
Cemetery	
Golf course and clubhouse but not including miniature course operated for a profit	Chapter 6; Section 2.8; Section 2.9
Indoor commercial recreation	
Public recreation	
Industrial and Other	
Railroad, public utility and public maintenance facility, but not including equipment storage, maintenance yard, building or office	Chapter 6; Section 2.8; Section 2.9

Table B.2. lists the alternative principal uses and structures allowed in the R-1 District as defined in **Chapter 6** of this Ordinance, provided they comply with this Ordinance; applicable county, state, and federal codes; and the specific provisions listed below. Additional Regulations reference related

sections in the Zoning Ordinance. Alternative regulations only apply to subdivisions and lots platted before May 6, 1976.

Table B.2. Alternative R-1 District Principal Uses and Structures	
Land Uses and Structures by Major Category	Additional Regulations
Residential and Lodging	
Family home	Chapter 6; Section 2.8; Section 2.9
Mobile home	
Mobile home converted to real estate	
Seasonal dwelling, detached	
Single family dwelling, detached	
Educational and Assembly	
Place of assembly	Chapter 6; Section 2.8; Section 2.9
POA owned indoor commercial recreation facility	
POA owned outdoor commercial recreation facility	

C. Allowed Accessory Uses and Structures.

Table C.1. lists the standard and alternative accessory uses and structures clearly incidental to the allowed principal uses and structures of this district as defined in **Chapter 6** of this Ordinance, provided they comply with this Ordinance; applicable county, state, and federal codes; and the specific provisions listed below. Additional Regulations reference related sections in the Zoning Ordinance. Standard regulations apply to all R-1 districts. Alternative regulations only apply to subdivisions and lots platted before May 6, 1976.

Table C.1. Standard and Alternative R-1 District Accessory Uses and Structures	
Land Uses and Structures by Major Category	Additional Regulations
Residential -- Standard	
Accessory Dwelling Unit (ADU)	Chapter 6; Section 2.8; Section 2.9
Attached and/or detached private garage or carport	
Deck, porch, balcony, boat dock, and other similar structure	
Fences, walls, and hedges	
Non-commercial nursery, garden and greenhouse	
Outdoor fixed fire pit and cooking equipment	
Private swimming pool, sports court, tennis court, and playground equipment	
Shed, gazebo, pergola, and other similar roofed freestanding structure	
Educational, Assembly and Commercial	
Child care home	Chapter 6; Section 2.8; Section 2.9
Home-based business	
Other	
Solar energy system: consumer-scale, building mounted	Chapter 6; Section 2.8; Section 2.9
Uses and structures clearly incidental to the allowed principal uses and structures of this district	
Alternative Accessory Uses and Structures	Additional Regulations

Accessory structure related to a principal use or structure on a separate lot	Chapter 6; Section 2.8; Section 2.9
Accessory structure related to a principal seasonal dwelling with no principal structure on lot	

D. Allowed Conditional Uses and Structures

Table D.1. lists the allowed conditional uses and structures in the R-1 District as defined in Chapter 6 of this Ordinance, provided they comply with this Ordinance; applicable county, state, and federal codes; and the specific provisions listed below. These uses and structures shall comply with R-1 district development regulations in Subsection 2.2.F. of this Ordinance unless specified otherwise in their specific conditions for approval in Section 2.9 of this Ordinance and as listed below. Subject to Section 4.5 of this Ordinance and the other requirements contained herein, the Board of Adjustment may issue a Conditional Use Permit for the following:

Table D.1. R-1 District Conditional Uses and Structures	
Land Uses and Structures by Major Category	Additional Regulations
Residential and Lodging	
Mobile home parks on tracts of five (5) acres or more	Chapter 6; Section 2.8; Section 2.9; Section 4.5
Mobile home subdivisions on tracts of ten (10) acres or more	
Multiple-family dwellings, including residential condominiums	
Educational and Assembly	
Child care center	Chapter 6; Section 2.8; Section 2.9; Section 4.5
Child development home	
Preschool	
Other	
Addition of accessory structures to principal structures devoted to legal nonconforming uses	Chapter 6; Section 2.8; Section 2.9; Section 4.5

E. Temporary Uses and Structures Allowed by Zoning Administrator.

Table E.1. lists the allowed temporary uses and structures in the R-1 District as defined in Chapter 6 of this Ordinance that may be allowed by the Zoning Administrator, provided they comply with this Ordinance and the specific provisions listed below. These uses and structures shall comply with R-1 district development regulations unless specified otherwise below.

Table E.1. R-1 District Temporary Uses and Structures	
Types	Specific Provisions
Temporary building	Used in conjunction with construction work provided that such building is removed promptly upon completion of the work.
<i>Reserved.</i>	

F. Development Regulations.

Table F.1. lists the standard development regulations that shall be met for all principal, accessory, conditional, and temporary uses and structures in the R-1 District platted on or after May 6, 1976 unless specified otherwise in this Ordinance. See Table F.3. below for Notes. Abbreviations: DU = dwelling unit, and sq ft = square feet.

Table F.1. Standard R-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot Size		Minimum Setback Requirements (see Notes 4, 5, 6 and 7)				Maximum Height
	Area	Width	Front	Rear	Side	Street side	
Principal Uses and Structures							
Dwellings and Education & Assembly Uses (see Note 2)	20,000 square feet per dwelling unit or use	100 feet	30 feet	35 feet	10 feet	25 feet	2.5 stories or 35 feet
Dwellings and Education & Assembly Uses (see Note 3)	12,000 square feet per dwelling unit or use	80 feet	30 feet	35 feet	10 feet	25 feet	2.5 stories or 35 feet
Railroad, public utility & public maintenance facility	See Note 1		30 feet	35 feet	25 feet	25 feet	2.5 stories or 35 feet
All others	See Note 1		30 feet	35 feet	10 feet	25 feet	2.5 stories or 35 feet
Accessory Uses and Structures							
Accessory Dwelling Unit	See Subsection 2.8.K. for specific development regulations						
Private garage or carport (see Note 6)	See Note 1		10 or 20 feet	5 feet	10 feet; 5 feet if detached	10 or 20 feet	2.5 stories or 35 feet
All others	See Note 1		30 feet	5 feet	10 feet; 5 feet if detached	25 feet	2.5 stories or 35 feet
Conditional Uses and Structures							
Mobile home park or subdivision	See Subsection 2.9.H. for specific development regulations						
Multiple-family dwelling	20,000 sq ft per DU	200 feet	10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
All others	See Note 1		30 feet	5 feet	20 feet	30 feet	2.5 stories or 35 feet
Temporary Uses and Structures							
All	See Note 1		As per Zoning Administrator				

Table F.2. lists the alternative development regulations that shall be met for all principal, accessory, and conditional uses and structures in the R-1 District located in subdivisions or on lots platted before May 6, 1976 that do not comply with R-1 standard development regulations for lot area, lot width, and/or setbacks, unless specified otherwise in this Ordinance. See Table F.3. below for Notes. Abbreviations: DU = dwelling unit, and sq ft = square feet.

Table F.2. Alternative R-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot Size		Minimum Setback Requirements (see Notes 4, 5, 6 and 7)				Maximum Height
	Area	Width	Front	Rear	Side	Street side	
Principal Uses and Structures							
Dwellings and POA uses (see Note 2)	20,000 sq ft per DU or use	100 feet per DU or use	10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
Dwellings and POA uses (see Note 3)	12,000 sq ft per DU or use	80 feet per DU or use	10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
Railroad, public utility & public maintenance facility	See Note 1		30 feet	35 feet	25 feet	25 feet	2.5 stories or 35 feet
All others	See Note 1		10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
Accessory Uses and Structures							
Accessory Dwelling Unit	See Subsection 2.8.K. for specific development regulations						
Private garage or carport (see Note 6)	See Note 1		10 or 20 feet	5 feet	10 feet	10 or 20 feet	2.5 stories or 35 feet
All others	See Note 1		10 feet	5 feet	10 feet	10 feet	2.5 stories or 35 feet
Conditional Uses and Structures							
Mobile home park or subdivision	See Subsection 2.9.H. for specific development regulations						
Multiple-family dwelling	20,000 sq ft per DU	200 feet	10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
All others	See Note 1		10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
Temporary Uses and Structures							
All	See Note 1		As per Zoning Administrator				

Table F.3. lists the R-1 District Notes for Table F.1. Standard Development Regulations and Table F.2. Alternative Development Regulations above.

Table F.3. Notes for R-1 District Standard and Alternative Development Regulations
Note 1. Minimum lot area and width may be required by the County Health Department to provide adequate sewage disposal facilities, which may require compliance with Iowa Administrative Code Chapter 69 and Iowa Administrative Code Chapter 49.
Note 2. Served with private well and septic systems.
Note 3. Served by community or municipal water supply and sewage disposal systems.
Note 4. See Subsection 2.1.D.2.g. Average Front and Rear Setbacks.

Table F.3. Notes for R-1 District Standard and Alternative Development Regulations
Note 5. Special Side Setback: For manufactured homes replacing legally existing nonconforming manufactured homes or mobile homes, the minimum rear setback shall be five (5) feet.
Note 6. See Subsection 2.1.D.2.h. Front Setback for Off-Street Parking.
Note 7. Minimum setback of thirty (30) feet along public roadway may be required by the County Engineer to provide adequate setback for future road improvements.

- G. Allowed Signs.** The sign regulations shall be met for all principal, accessory, conditional, and temporary uses and structures in the R-1 District in accordance with **Subsection 2.9.G.** of this Ordinance unless specified otherwise in this Ordinance.
- H. Required Off-Street Parking, Loading, and Stacking Spaces.** The required off-street parking, loading, and stacking spaces shall be met for all principal, accessory, conditional, and temporary uses and structures in the R-1 District in accordance with **Subsection 2.1.C.** of this Ordinance unless specified otherwise in this Ordinance.

2.4 C-1 Highway Commercial District

- A. Statement of Intent.** The C-1 Highway Commercial District is intended to provide areas for commercial development which primarily serve the travelling public. This district is also intended to accommodate certain other commercial uses which ordinarily require access to a major street or highway in accordance with the Jackson County Land Use Policy Statement.

B. Allowed Principal Uses and Structures.

Table B.1. lists the allowed principal uses and structures in the C-1 District as defined in **Chapter 6** of this Ordinance, provided they comply with this Ordinance; applicable county, state, and federal codes; and the specific provisions listed below. Additional Regulations reference related sections in the Zoning Ordinance.

Table B.1. C-1 District Principal Uses and Structures	
Land Uses and Structures by Major Category	Additional Regulations
Residential and Lodging	
Bed and breakfast home	Chapter 6; Section 2.8; Section 2.9
Bed and breakfast inn	
Boarding or lodging house	
Hotel/Motel	
Multiple family dwelling, including residential condominium	
Educational and Assembly	
Adult day care center	Chapter 6; Section 2.8; Section 2.9
Child care center	
Child development home	
Family home	
Place of assembly	
Post high school	
Preschool	
Commercial	

Table B.1. C-1 District Principal Uses and Structures	
Land Uses and Structures by Major Category	Additional Regulations
Agricultural sales, service, and supply business	Chapter 6; Section 2.8; Section 2.9
Animal hospital/Veterinary clinic	
Building materials/Lumber yard	
Event venue	
Fairgrounds and public exposition	
Financial institution	
Gas station and car wash	
General office	
General retail	
General services	
Kennel	
Livestock market	
Mini-warehouse/Rental storage unit	
Nightclub/Bar/Tavern	
Nursery, garden center, and greenhouse	
Personal services	
Plumbing, heating, air conditioning, and sheet metal shops	
Restaurants	
Restaurant, drive-in	
Tourism welcome center/Information booth	
Vehicle sales, service and repair	
Recreational	
Indoor commercial recreation	Chapter 6; Section 2.8; Section 2.9
Outdoor commercial recreation	
Public campground	
Public recreation	
Industrial and Other	
Railroad, public utility, and public maintenance facility	Chapter 6; Section 2.8; Section 2.9

C. Allowed Accessory Uses and Structures.

Table C.1. lists the allowed accessory uses and structures clearly incidental to the allowed principal uses and structures of the C-1 District as defined in **Chapter 6** of this Ordinance, provided they comply with this Ordinance; applicable county, state, and federal codes; and the specific provisions listed below. Additional Regulations reference related sections in the Zoning Ordinance.

Table C.1. C-1 District Accessory Uses and Structures	
Land Uses and Structures by Major Category	Additional Regulations
Residential	
Dwelling units in a commercial structure; each unit provided with an open yard of at least 2,400 square feet	Chapter 6; Section 2.8; Section 2.9
Commercial	
Automated teller machine (ATM)	
Child care home	Chapter 6; Section 2.8; Section 2.9
Home-based business	

Table C.1. C-1 District Accessory Uses and Structures	
Land Uses and Structures by Major Category	Additional Regulations
Storage building in conjunction with an allowed principal use or structure of this district.	
Other	
Solar energy system: consumer-scale, building-mounted	
Uses and structures clearly incidental and necessary to the allowed principal uses or structures of this district.	Chapter 6; Section 2.8; Section 2.9
Wind energy conversion system: non-commercial	

D. Allowed Conditional Uses and Structures.

Table D.1. lists the allowed conditional uses and structures in the C-1 District as defined in Chapter 6 of this Ordinance, provided they comply with this Ordinance; applicable county, state, and federal codes; and the specific provisions listed in Section 2.9 of this Ordinance. These uses and structures shall comply with C-1 District development regulations in Subsection 2.4.F. of this Ordinance unless specified otherwise in their specific conditions for approval listed below. Subject to Section 4.5 of this Ordinance and the other requirements contained herein, the Board of Adjustment may issue a Conditional Use Permit for the following:

Table D.1. C-1 District Conditional Uses and Structures	
Land Uses and Structures by Major Category	Additional Regulations
Commercial and Recreational	
Commercial campground, recreational vehicle park or tourist camp on site of not less than five (5) acres	Chapter 6; Section 2.8; Section 2.9; Section 4.5
Commercial cell communications station and tower	
Other	
Addition of accessory structure to principal structure devoted to legal non-conforming use	Chapter 6; Section 2.8; Section 2.9; Section 4.5
Wind energy conversion system: non-commercial	

E. Temporary Uses and Structures Allowed by the Zoning Administrator.

Table E.1. lists the allowed temporary uses and structures in the C-1 District as defined in Chapter 6 of this Ordinance that may be allowed by the Zoning Administrator, provided they comply with this Ordinance and the specific provisions listed below. These uses and structures shall comply with C-1 district development regulations unless specified otherwise below.

Table E.1. C-1 District Temporary Uses and Structures	
Types	Specific Provisions
Temporary building	Used in conjunction with construction work provided that such building is removed promptly upon completion of the work.
<i>Reserved.</i>	

F. Development Regulations.

Table F.1. lists the development regulations that shall be met for all principal, accessory, conditional, and temporary uses and structures in the C-1 District unless specified otherwise in this Ordinance. See Table F.2. below for Notes. Abbreviations: DU = dwelling unit, and sq ft = square feet.

Table F.1. C-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot Size		Minimum Setback Requirements (see Notes 4, 5, 6, and 7)				Maximum Height
	Area	Width	Front	Rear	Side	Street side	
Principal Uses and Structures							
Railroad, public utility and public maintenance facility	See Note 1		30 feet	25 feet	25 feet	30 feet	2.5 stories or 35 feet
All others			30 feet	25 feet	20 feet	30 feet	2.5stories or 35 feet
Accessory Uses and Structures							
Dwelling unit (see Note 2)	20,000 sq ft per DU	100 feet	30 feet	35 feet	10 feet	25 feet	2.5 stories or 35 feet
Dwelling unit (see Note 3)	12,000 sq ft per DU	80 feet	30 feet	35 feet	10 feet	25 feet	2.5 stories or 35 feet
Private garage or carport (see Note 6)	See Note 1		10 or 20 feet	5 feet	10 feet; 5 feet if detached	10 or 20 feet	2.5 stories or 35 feet
All others	See Note 1		30 feet	25 feet	20 feet	30 feet	2.5 stories or 35 feet
Conditional Uses and Structures							
All	See Note 1		30 feet	25 feet	20 feet	30 feet	2.5 stories or 35 feet
Temporary Uses and Structures							
All	See Note 1		As per Zoning Administrator				

Table F.2. lists the C-1 District Notes for Table F.1. Development Regulations above.

Table F.2. Notes for C-1 District Development Regulations
Note 1. Minimum lot area and width may be required by the County Health Department to provide adequate sewage disposal facilities, which may require compliance with Iowa Administrative Code Chapter 69 and Iowa Administrative Code Chapter 49.
Note 2. Served with private well and septic systems.
Note 3. Served by community or municipal water supply and sewage disposal systems.
Note 4. See Subsection 2.1.D.2.g. Average Front and Rear Setbacks.
Note 5. Special Side Setback: For manufactured homes replacing legally existing nonconforming manufactured homes or mobile homes, the minimum rear setback shall be five (5) feet.
Note 6. See Subsection 2.1.D.2.h. Front Setback for Off-Street Parking.
Note 7. Minimum setback of thirty (30) feet along public roadway may be required by the County Engineer to provide adequate setback for future road improvements.

- G. Allowed Signs.** The sign regulations shall be met for all principal, accessory, conditional, and temporary uses and structures in the C-1 District in accordance with **Subsection 2.9.G.** of this Ordinance unless specified otherwise in this Ordinance.
- H. Required Off-Street Parking, Loading, and Stacking Spaces.** The required off-street parking, loading, and stacking spaces shall be met for all principal, accessory, conditional, and temporary uses and structures in the C-1 District in accordance with **Subsection 2.1.C.** of this Ordinance unless specified otherwise in this Ordinance.

2.5 M-1 Limited Industrial District

- A. Statement of Intent.** The M-1 Limited Industrial District is intended principally for manufacturing, processing, storage, wholesaling, distribution and related uses that are generally contained within a building. It is further the intent of this district to accommodate such uses in appropriate locations which will not adversely affect existing and future land uses in other districts in accordance with the Land Use Policy Statement.
- B. Allowed Principal Uses and Structures.**
Table B.1. lists the allowed principal uses and structures in the M-1 District as defined in **Chapter 6** of this Ordinance, provided they comply with this Ordinance; applicable county, state, and federal codes; and the specific provisions listed below. Additional Regulations reference related sections in the Zoning Ordinance.

Table B.1. M-1 District Principal Uses and Structures	
Land Uses and Structures by Major Category	Additional Regulations
Commercial	
Agricultural sales, service and supply business	Chapter 6; Section 2.8; Section 2.9
Animal hospital/Veterinary clinic	
Building materials/Lumber yard	
Kennel	
Mini-warehouse/Rental storage unit	
Plumbing, heating, air conditioning, and sheet metal shops	
Vehicle paint and body shops	
Vehicle sales, service, and repair	
Industrial and Other	
Contractor construction office, maintenance shop or storage yard	Chapter 6; Section 2.8; Section 2.9
Grain elevator	
Logging, storage only	
Manufacturing and processing businesses that are contained within a building, and have no publicly visible external storage. The area devoted to external storage shall not exceed the area of roofed structures on the parcel.	
Railroad, public utility, and public maintenance facility	
Truck and freight terminals	
Welding, machine, and repair shops	

Wholesaling and warehousing but not including the bulk storage of anhydrous ammonia fertilizer under pressure or petroleum products under pressure, or highly volatile chemicals or materials	
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C. Allowed Accessory Uses and Structures.

Table C.1. lists the allowed accessory uses and structures clearly incidental to the allowed principal uses and structures of the M-1 District as defined in **Chapter 6** of this Ordinance, provided they comply with this Ordinance; applicable county, state, and federal codes; and the specific provisions listed below. Additional Regulations reference related sections in the Zoning Ordinance.

Table C.1. M-1 District Accessory Uses and Structures	
Land Uses and Structures by Major Category	Additional Regulations
Residential	
Dwelling units for owners or persons employed on the premises; each unit shall be provided with an open yard of at least 2,400 square feet.	Chapter 6; Section 2.8; Section 2.9
Commercial	
Home-based business	Chapter 6; Section 2.8; Section 2.9
Storage buildings in conjunction with an allowed principal use or structure of this district.	
Other	
Solar energy system: consumer-scale, building-mounted or freestanding	Chapter 6; Section 2.8; Section 2.9
Uses and structures clearly incidental and necessary to an allowed principal use or structure of this district	
Wind energy conversion system: non-commercial	

D. Allowed Conditional Uses and Structures.

Table D.1. lists the allowed conditional uses and structures in the M-1 District as defined in **Chapter 6** of this Ordinance, provided they comply with this Ordinance; applicable county, state, and federal codes; and the specific provisions listed below. These uses and structures shall comply with M-1 District development regulations in **Subsection 2.5.F.** of this Ordinance unless specified otherwise in their specific conditions for approval listed in **Section 2.9** of this Ordinance. Subject to **Section 4.5** of this Ordinance and the requirements contained herein, the Board of Adjustment may issue a Conditional Use Permit for the following:

Table D.1. M-1 District Conditional Uses and Structures	
Land Uses and Structures by Major Category	Additional Regulations
Commercial and Industrial	
Bulk storage and retail distribution of anhydrous ammonia fertilizer under pressure and petroleum products under pressure	Chapter 6; Section 2.8; Section 2.9; Section 4.5
Commercial cell communications station and tower	
Other	
Addition of accessory structure to principal structure devoted to legal nonconforming use	Chapter 6; Section 2.8; Section 2.9; Section 4.5

Table F.1. M-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot		Minimum Setback Requirements				Maximum Height
	Area	Width	Front	Rear	Side	Street side	
All	See Note 1		30 feet	25 feet	20 feet	25 feet	4 stories or 50 feet
Accessory Uses and Structures							
Dwelling unit (see Note 2)	20,000 sq ft per DU	100 feet	30 feet	35 feet	10 feet	25 feet	2.5 stories or 35 feet
Dwelling unit (see Note 3)	12,000 sq ft per DU	80 feet	30 feet	35 feet	10 feet	25 feet	2.5 stories or 35 feet
All others	See Note 1		30 feet	25 feet	20 feet	25 feet	4 stories or 50 feet
Conditional Uses and Structures							
All	See Note 1		30 feet	25 feet	20 feet	25 feet	4 stories or 50 feet
Temporary Uses and Structures							
All	See Note 1		As per Zoning Administrator				

Table F.2. lists the M-1 District Notes for Table F.1. Development Regulations above.

Table F.2. Notes for M-1 District Development Regulations
Note 1. Minimum lot area and width may be required by the County Health Department to provide adequate sewage disposal facilities, which may require compliance with Iowa Administrative Code Chapter 69 and Iowa Administrative Code Chapter 49.
Note 2. Served with private well and septic systems.
Note 3. Served by community or municipal water supply and sewage disposal systems.
Note 4. See Subsection 2.1.D.2.g. Average Front and Rear Setbacks.
Note 5. Special Side Setback: For manufactured homes replacing legally existing nonconforming manufactured homes or mobile homes, the minimum rear setback shall be five (5) feet.
Note 6. See Subsection 2.1.D.2.h. Front Setback for Off-Street Parking.
Note 7. Minimum setback of thirty (30) feet along public roadway may be required by the County Engineer to provide adequate setback for future road improvements.

G. Allowed Signs. The sign regulations shall be met for all principal, accessory, conditional, and temporary uses and structures in the M-1 District in accordance with Subsection 2.9.G. of this Ordinance unless specified otherwise in this Ordinance.

H. Required Off-Street Parking, Loading, and Stacking Spaces. The required off-street parking, loading, and stacking spaces shall be met for all principal, accessory, conditional, and temporary uses and structures in the M-1 District in accordance with Subsection 2.1.C. of this Ordinance unless specified otherwise in this Ordinance.

2.6 M-2 General Industrial District

A. Statement of Intent. The M-2 General Industrial District is intended primarily for heavy manufacturing and closely related uses while providing protection against harmful effects to existing

and future uses in other districts in accordance with the Land Use Policy Statement.

B. Allowed Principal Uses and Structures.

Table B.1. lists the allowed principal uses and structures in the M-2 District as defined in **Chapter 6** of this Ordinance, provided they comply with this Ordinance; applicable county, state, and federal codes; and the specific provisions listed below. Additional Regulations reference related sections in the Zoning Ordinance.

Table B.1. M-2 District Principal Uses and Structures	
Land Uses and Structures by Major Category	Additional Regulations
Commercial	
Batch plant	Chapter 6; Section 2.8; Section 2.9
Building materials/Lumber yard	
Concrete products	
Contractor construction office, maintenance shop or storage yard	
Vehicle paint & and body shops	
Vehicle sales, service and repair	
Industrial	
Logging, production and storage	Chapter 6; Section 2.8; Section 2.9
Manufacturing and processing, except that certain uses shall be permitted only as conditional uses as listed in Subsection 2.9.H. of this Ordinance.	
Manufacturing and processing businesses that are contained within a building, and have no publicly visible external storage. The area devoted to external storage shall not exceed the area of roofed structures on the parcel.	
Truck and freight terminals	
Wholesaling and warehousing but not including the bulk storage of anhydrous ammonia fertilizer under pressure, petroleum products under pressure, explosives or highly volatile chemicals or materials	
Other	
Railroad, public utility, and public maintenance facility	Chapter 6; Section 2.8; Section 2.9

C. Allowed Accessory Uses and Structures.

Table C.1. lists the allowed accessory uses and structures clearly incidental to the allowed principal uses and structures of the M-2 District, as defined in **Chapter 6** of this Ordinance, provided they comply with this Ordinance; applicable county, state, and federal codes; and the specific provisions listed below. Additional Regulations reference related sections in the Zoning Ordinance.

Table C.1. M-2 District Accessory Uses and Structures	
Land Uses and Structures by Major Category	Additional Regulations
Residential	

Table C.1. M-2 District Accessory Uses and Structures	
Land Uses and Structures by Major Category	Additional Regulations
Dwelling units for owners or persons employed on the premises; each unit shall be provided with an open yard of at least 2,400 square feet.	Chapter 6; Section 2.8; Section 2.9
Commercial and Other	
Solar energy system: consumer-scale, building-mounted or freestanding	Chapter 6; Section 2.8; Section 2.9
Storage buildings in conjunction with an allowed principal use or structure of this district.	
Uses and structures clearly incidental and necessary to the allowed principal uses or structures of this district.	
Wind energy conversion system: non-commercial	

D. Allowed Conditional Uses and Structures.

Table D.1. lists the allowed conditional uses and structures in the M-2 District as defined in **Chapter 6** of this Ordinance, provided they comply with this Ordinance; applicable county, state, and federal codes; and the specific provisions listed below. These uses and structures shall comply with M-2 District development regulations in **Subsection 2.6.F.** of this Ordinance unless specified otherwise in their specific conditions for approval listed in **Section 2.9.** of this Ordinance. Subject to **Section 4.5** of this Ordinance and the requirements contained herein, the Board of Adjustment may issue a Conditional Use Permit for the following:

Table D.1. M-2 District Conditional Uses and Structures	
Land Uses and Structures by Major Category	Additional Regulations
Commercial	
Commercial cell communications station and tower	Chapter 6; Section 2.8; Section 2.9; Section 4.5
Industrial	
Auto wrecking /Junkyards on site of five (5) acres or more	Chapter 6; Section 2.8; Section 2.9; Section 4.5
Bulk storage of oils, petroleum, flammable liquids and chemicals and the wholesale, but not retail, storage and distribution of anhydrous ammonia fertilizer and petroleum products under pressure	
Mining and extraction of minerals or raw materials including necessary processing equipment	
Restricted manufacturing and processing industries as listed in Subsection 2.9.H. of this Ordinance.	
Solid waste facility	
Other	
Addition of accessory structure to principal structure devoted to legal nonconforming use	Chapter 6; Section 2.8; Section 2.9; Section 4.5
Solar energy system: consumer-scale, freestanding	
Wind energy conversion system: commercial	

E. Temporary Uses and Structures Allowed by the Zoning Administrator.

Table E.1. lists the following temporary uses and structures in the M-2 District as defined in **Chapter 6** of the Ordinance that may be allowed by the Zoning Administrator, provided they comply with this Ordinance and the specific provisions listed below. These uses and structures shall comply with M-2 district development regulations unless specified otherwise below.

Types	Specific Provisions
Temporary building	Used in conjunction with construction work provided that such building is removed promptly upon completion of the work.
Temporary batch plant	<ul style="list-style-type: none"> a. Prior to the issuance of compliance certificates for temporary concrete plants, evidence shall be provided to the Zoning Administrator that the use will comply with applicable state and local environmental and transportation regulations, and, if the site is accessed by a gravel road, a performance bond approved by the County Engineer shall be posted to ensure repair of damage to the haul route. b. The area be restored to a suitable condition free of refuse and debris.
Temporary permit for the location of a car crusher or similar equipment used in the processing, removal or disposal of junk	<ul style="list-style-type: none"> a. Such permit may be granted not to exceed sixty (60) days for the purpose of facilitating the removal of junk from a nonconforming junkyard, but shall not be granted for the purpose of establishing a new junkyard or serve as a basis for the permanent expansion of a nonconforming junkyard. b. In considering such permit, the Zoning Administrator shall determine the positive and negative effects on the environment anticipated both during and after the conclusion of such operation. c. Upon a showing of good cause, the Zoning Administrator may grant an extension not to exceed thirty (30) days.

F. Development Regulations.

Table F.1. lists the development regulations that shall be met for all principal, accessory, conditional, and temporary uses and structures in the M-2 District unless specified otherwise in this Ordinance. See Table F.2. below for Notes. Abbreviations: DU = dwelling unit, and sq ft = square feet.

Table F.1. M-2 District Development Regulations							
Type of Uses and Structures	Minimum Lot		Minimum Yard Requirements				Maximum Height
	Area	Width	Front	Rear	Side	Street side	
Principal Uses and Structures							
All	See Note 1		30 feet	25 feet	20 feet	25 feet	4 stories or 50 feet
Accessory Uses and Structures							
Dwelling unit (see Note 2)	20,000 sq ft per DU	100 feet	30 feet	35 feet	10 feet	25 feet	2.5 stories or 35 feet
Dwelling unit (see Note 3)	12,000 sq ft per DU	80 feet	30 feet	35 feet	10 feet	25 feet	2.5 stories or 35 feet
All others	See Note 1		30 feet	25 feet	20 feet	25 feet	4 stories or 50 feet
Conditional Uses and Structures							

Table F.1. M-2 District Development Regulations							
Type of Uses and Structures	Minimum Lot		Minimum Yard Requirements				Maximum Height
	Area	Width	Front	Rear	Side	Street side	
All	See Note 1		30 feet	25 feet	20 feet	25 feet	4 stories or 50 feet
Temporary Uses and Structures							
All	See Note 1		As per Zoning Administrator				

Table F.2. lists the M-2 District Notes for Table F.1. Development Regulations above.

Table F.2. Notes for M-2 District Development Regulations
Note 1. Minimum lot area and width may be required by the County Health Department to provide adequate sewage disposal facilities, which may require compliance with Iowa Administrative Code Chapter 69 and Iowa Administrative Code Chapter 49 .
Note 2. Served with private well and septic systems.
Note 3. Served by community or municipal water supply and sewage disposal systems.
Note 4. See Subsection 2.1.D.2.g. Average Front and Rear Setbacks.
Note 5. Special Side Setback: For manufactured homes replacing legally existing nonconforming manufactured homes or mobile homes, the minimum rear setback shall be five (5) feet.
Note 6. See Subsection 2.1.D.2.h. Front Setback for Off-Street Parking.
Note 7. Minimum setback of thirty (30) feet along public roadway may be required by the County Engineer to provide adequate setback for future road improvements.

G. Allowed Signs. The sign regulations shall be met for all principal, accessory, conditional, and temporary uses and structures in the M-2 District in accordance with **Subsection 2.9.G.** of this Ordinance unless specified otherwise in this Ordinance.

H. Required Off-Street Parking, Loading, and Stacking Spaces. The required off-street parking, loading, and stacking spaces shall be met for all principal, accessory, conditional, and temporary uses and structures in the M-2 District in accordance with **Subsection 2.1.C.** of this Ordinance unless specified otherwise in this Ordinance.

2.7 PUD Planned Unit Development District

A. Statement of Intent. The Planned Unit Development (PUD) District is intended to provide flexibility in exchange for long-term community benefits in the development of planned residential, commercial, office, or industrial complexes or combinations of such uses in which each unit is an integral part of an overall concept and all development occurs in conformance with a site-specific, pre-approved plan. Land shall be reclassified to this district only in exceptional situations, on request of the owner, and in response to a specific development proposal. The process will generally involve simultaneous reclassification and subdivision.

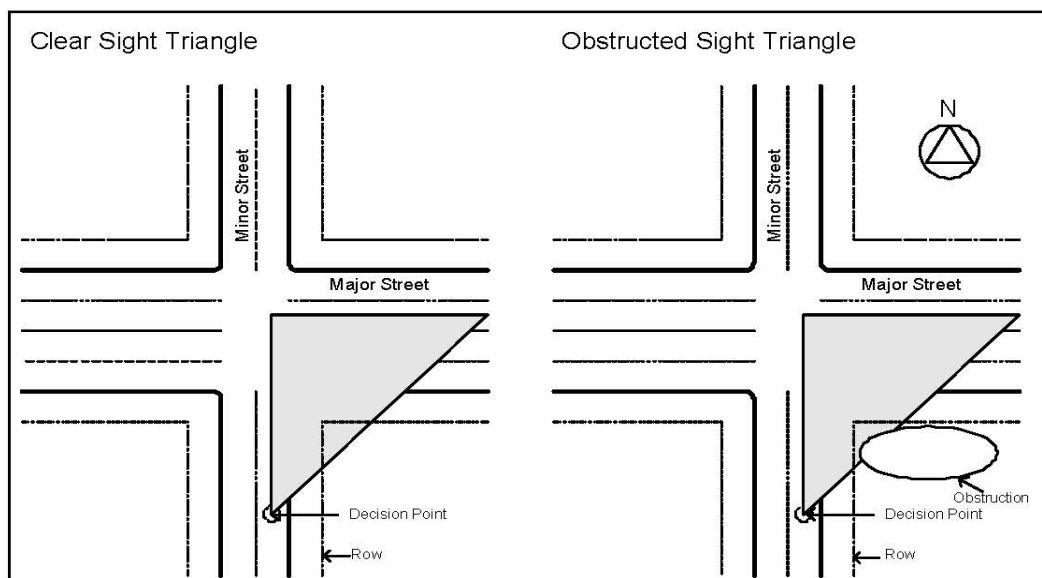
Permitted uses, minimum lot dimensions, required yards, height restrictions, parking, signage, and other regulations will be determined for each planned unit district as applicable in light of its unique characteristics, the Jackson County Land Use Policy Statement, the purpose and intent of this Ordinance, and the rules applying to the other zoning districts.

B. Special Requirements

- 1. Preliminary Application.** The owners of contiguous property comprising ten (10) acres or more may apply to have their land classified “PUD Planned Unit Development” on the Official Zoning Map. Smaller districts may be created where extraordinary public benefit is demonstrated. The written preliminary application shall be made to the Zoning Administrator and shall include the following information:
 - a. The legal description and local address of the property.
 - b. The present zoning classification and the zoning classification requested for the property.
 - c. The existing use and proposed use of the property.
 - d. The names and addresses of the owners of all property within five hundred (500) feet of the property for which the change is requested.
 - e. A plat showing the locations, dimensions and use of the applicant's property and all property within five hundred (500) feet thereof, including streets, alleys, railroads and other physical features.
 - f. A statement of the reasons why the applicant feels the present zoning classification is no longer valid.
 - g. Twelve (12) copies of a plan showing existing conditions on the property, to include at least the topography, all buildings and other structures, present uses and recorded lot lines.
 - h. Twelve (12) copies of a conceptual plan of the proposed development showing at least all proposed buildings with exterior dimensions, parking areas, points of connection to the public road system, water and wastewater facilities to be provided, and other proposed uses of land.
 - i. A preliminary plat to comply with the **Jackson County Subdivision Ordinance** if division of the land is proposed for purposes of sale, lease, or taxation.
 - j. A written statement describing the concept of the proposed development and substantiating that:
 - (1) It is in accord with the Land Use Policy Statement;
 - (2) It will be more beneficial to the general public than development that could be accomplished under the provisions of any other zoning district;
 - (3) The design for the area is in accord with sound and generally accepted principles of architecture, landscape architecture, engineering, resource conservation, and related fields.
 - (4) A written statement proposing all allowed uses and required yards, height restrictions, parking, lighting, landscaping and signage for the district if not specified elsewhere in the application
- 2. Fee.** A fee (established by the Board of Supervisors), shall be paid to the Zoning Administrator at the time the application is filed, which the Zoning Administrator shall forthwith pay over to the credit of the general fund of the County.
- 3. Review of Preliminary Application.**
 - a. Review of the preliminary application shall follow the procedure for notification, review and action on Map Change of Zoning District Boundaries (Rezoning) set forth in **Section 5.5** of this Ordinance.

- b. If the application includes a preliminary plat for the division of land, review and approval of said plat shall follow the Preliminary Platting Procedure set forth in the Jackson County Subdivision Ordinance concurrent with the Rezoning procedures of this Ordinance.
 - c. The Zoning Commission, after holding its public hearing in accordance with **Subsection 5.5.A., Subsection 5.5.B., and Subsection 5.5.C.** of this Ordinance, shall state its recommendations for action on the concept presented and for the level of detail required for the final version of the plan.
 - d. The Board of Supervisors, after holding a public hearing in accordance with **Subsection 5.5.C.** of this Ordinance, shall likewise approve or disapprove the preliminary application as submitted or amended and, if approved, shall state the level of detail required for the final application. The Board of Supervisors also may impose conditions in accordance with **Subsection 5.5.D.** of this Ordinance.
 - e. Approval of a preliminary application shall not constitute a commitment on the part of the County to approve a final application or a final plat. The requirements of **Subsection 5.5.E.** of this Ordinance shall not apply to approval of a preliminary application.
- 4. Final Application.** Following the Board of Supervisors approval of a preliminary application, the applicant shall have twelve (12) months to submit a final application. The written final application shall be made to the Zoning Administrator and shall include the same information as a preliminary application, as well as meeting all specifications of the preliminary approval and, when land is being subdivided, all requirements for the subdivision final plat. A fee (established by the Board of Supervisors), shall be paid to the Zoning Administrator at the time the application is filed, which the Zoning Administrator shall forthwith pay over to the credit of the general fund of the County.
- 5. Review of Final Application.** A final application shall be reviewed according to the procedures for a preliminary application, except that final action by the Board of Supervisors, if approved, must include the passage of an ordinance reclassifying the land in accordance with **Subsection 5.5.E.** of this Ordinance. If the application includes a preliminary plat for the division of land, review and approval of said plat shall follow the Final Platting Procedure set forth in the **Jackson County Subdivision Ordinance** concurrent with the Rezoning procedures in **Section 5.5** of this Ordinance. The County shall have at least ninety (90) days from the date of final application submission to take their final action.
- 6. Burden of Proof.** It is expected that most development will occur in the regular zoning districts. In all requests for reclassification to this PUD district the burden of proof shall be fully on the applicant to establish that the proposed development will be more beneficial to the general public than development that is permitted within any of the regular zoning districts.
- 7. Recording.** The ordinance creating a specific PUD district shall be recorded concurrently with other relevant documents such as a subdivision plat, covenants, and the approved development plan and/or agreement.

8. **Permits.** The Zoning Administrator shall issue permits only for buildings and uses shown on the approved and recorded final plan, and only in accordance with all specific provisions in the plan and/or agreement.
 9. **Amendments.** A proposed amendment to the approved and recorded plan for a PUD district will be subject to all regulations and procedures of an original proposal.
 10. **Modification.** The Zoning Commission and the Board of Supervisors may choose to review preliminary and final applications in a single procedure for simple applications or minor amendments. However, at a minimum both the Zoning Commission and the Board of Supervisors must hold a public hearing before taking their final action on the matter.
 11. **Fees.** Fees for requests to create or amend a PUD district will be determined by resolution of the Board of Supervisors and may differ from the fees charged for other reclassification requests. If a PUD application includes a preliminary or final plat, fees for plat review in conjunction with a PUD application will be determined by the Board of Supervisors and may differ from the fees charged for other subdivision requests.
 12. **Map Designation.** Each such PUD district created shall be designated on the Official Zoning Map as “PUD” and a sequential number (see **Section 1.18** of this Ordinance).
- 2.8 Supplemental District Regulations.** Subject to **Section 1.20** of this Ordinance, the following provisions, regulations or exceptions shall apply equally to all districts except as hereinafter provided.
- A. Visibility at Intersections and Entrances.** In any district, no fence, wall, hedge or other planting or structure that will obstruct vision at intersections or entrances shall be erected, placed or maintained within the sight triangle as determined by the County Engineer in accordance with the **Jackson County Secondary Roads Department Entrance Policy**.



Clear versus Obstructed Sight Triangles (Source: Iowa Project TR-455 Handbook of Simplified Practice Traffic Studies: Iowa State University, 2002; p. 59)

- B. Accessory Buildings.** No accessory building shall be erected in any required front or side setback and no separate accessory buildings shall be erected within five (5) feet of any rear lot line. See also development regulations for each zoning district in **Chapter 2** of this Ordinance.
- C. More Than One Principal Structure on a Lot.** In any district, more than one (1) principal structure housing an allowed principal use may be erected on a single lot provided that the development regulations for each zoning district in **Chapter 2** of this Ordinance shall be met for each structure as though it were on an individual lot and any required water and sewage disposal facilities shall be installed as approved by the County Health Department. See also **Subsection 2.8.K** of this Ordinance.
- D. Height Regulation Exceptions.** The height limitations contained in development regulations for each zoning district in **Chapter 2** of this Ordinance do not apply to grain storage bins, grain elevators, feed mills or to spires, belfries, cupolas, chimneys, antennas, water tanks, utility poles or towers, ventilators, elevator housing, commercial cell communications stations, towers, and antennas, or other structures placed above the roof level and not intended for human occupancy.
- E. Use of Public Right-of-Way.** The Jackson County Secondary Road Department possesses an easement in order to maintain the road for public usage. The amount of right-of-way varies from road to road. No portion of the public road, street or alley right-of-way shall be used or occupied by an abutting use of land or structures for storage or display purposes or to provide any parking or loading space required by this Ordinance or for any other purpose that would obstruct the use or maintenance of the public right-of-way as determined by the County Engineer and in accordance with **Iowa Code Chapter 318**.
- F. Proposed Use or Structure Not Covered in Ordinance.** Any proposed use or structure not covered in this Ordinance as a principal, accessory, conditional, or temporary use or structure shall be referred to the Zoning Commission for a recommendation as to the proper district in which such use or structure should be permitted and the Ordinance amended as provided in **Section 5.4** of this Ordinance before a permit is issued for such proposed use or structure.
- G. Buildings to have Access.** Unless alternate access is specifically approved by official action of the Board of Supervisors, every building hereafter erected shall be on a lot or parcel having access to the public road system as determined by the County Engineer as follows:
1. Direct access to a public road via an entrance constructed in accordance with a permit issued by the appropriate authority or via a legally established entrance already in use for a residence;
 2. Direct access to a private road established and approved as part of an approved and recorded subdivision plat; or
 3. Access as in items “a” or “b” above, but indirectly by means of an individual private access easement, as defined.

For subdivision lots created by plats filed after October 21, 1999, no permit for construction shall be issued without submittal of an inspection report signed by the County Engineer indicating the driveway entrance has been constructed in accordance with applicable plans and specifications or that the inspection requirement was waived for this lot by the Board of Supervisors.

H. Burial Site Protection.

1. **Purpose.** In accordance with the Land Use Policy Statement and **Resolution #184-12-07-99** adopted by the Board of Supervisors, it is the policy of Jackson County to identify and protect ancient burial sites in accordance with the following Iowa burial site protection laws summarized below:
 - a. **Iowa Code Section 263B, subsections 7-9**, which protects ancient burials (over 150 years old) from unlawful disturbance and designates the State Archaeologist as having authority for ancient burial site and human remains protections and investigations.
 - b. **Iowa Code Section 566.33**, which makes counties responsible for burial sites for which protection or preservation is not otherwise provided.
 - c. **Iowa Code Section 716.5**, which provides criminal penalties for disturbing burial sites.
 - d. **Iowa Code Section 523I.316**, which provides criminal penalties for failure to report discovery of human remains.
2. **Screening Procedure.** Property owners and applicants are responsible for compliance with Iowa burial site protection laws. To assist with their compliance, the County shall provide a screening procedure as follows:
 - a. The official Mound Potential Map shall be maintained on file in the Zoning Department and on the County's Geographic Information System (GIS). Information concerning the nature and location of any archaeological resource or site shall remain confidential in accordance with **Iowa Code Section 22.7, subsection 20**. Information available to the public shall identify areas with mounds potential by section of land as per the Public Land Survey System (PLSS).
 - b. All floodplain development permits, rezonings, subdivisions, and conditional use permits, shall include review of the official Mound Potential Map as part of the pre-application checklist. In addition, zoning permits located within or adjacent to recorded burial site areas shall be reviewed in consultation with the Office of the State Archaeologist prior to permit approval.
 - c. All development applications noted above shall be reviewed by the Zoning Administrator against the official Mound Potential Map and confidential locationally specific information as needed.
 - d. Where mound potential is indicated, the Zoning Administrator shall:
 - (1) Notify the applicant of their obligations under Iowa burial site protection laws;
 - (2) Refer the applicant to the Bioarchaeology Director at the Office of the State Archaeologist (OSA) for consultation and guidance;
 - (3) Notify the County Engineer, County Health Administrator, and any other pertinent County staff;
 - (4) Notify the Jackson County Historic Preservation Commission; and
 - (5) Document such notice in the Zoning Department case file.
3. **Condition of Approval.**

No permit, rezoning, or subdivision approval shall relieve any applicant or property owner of their responsibility to comply with Iowa burial site protection laws. Compliance with state law is a condition of any County approval.

- I. **Existing Farm Dwellings.** Nothing in this Ordinance shall require any person or persons occupying a farm dwelling at the date of passage of this Ordinance to vacate the dwelling or involuntarily sever it from the remainder of the farm. If the dwelling is voluntarily severed from the farm to be used and maintained as a non-farm residence by the occupant or for sale or lease to others, it shall conform to the lot area and yard requirements of the district in which it is located.
- J. **Flag Lots.** Flag lots as defined shall be regulated by **Subsection 2.1.D.** of this Ordinance
- K. **Accessory Dwelling Unit.** The siting, design, and construction of an attached or detached accessory dwelling unit (ADU) on the same lot as a single-family residence in the A-1 Agricultural District and the R-1 Residential District shall be regulated in accordance with **Iowa Code Section 331.301, Subsection 27** and the County regulations in this Section. For purposes of this **Section 2.8**, attached ADUs shall include interior (upper level or lower level), above garage (or other attached accessory structure) and attached garage conversion (*see illustration*).



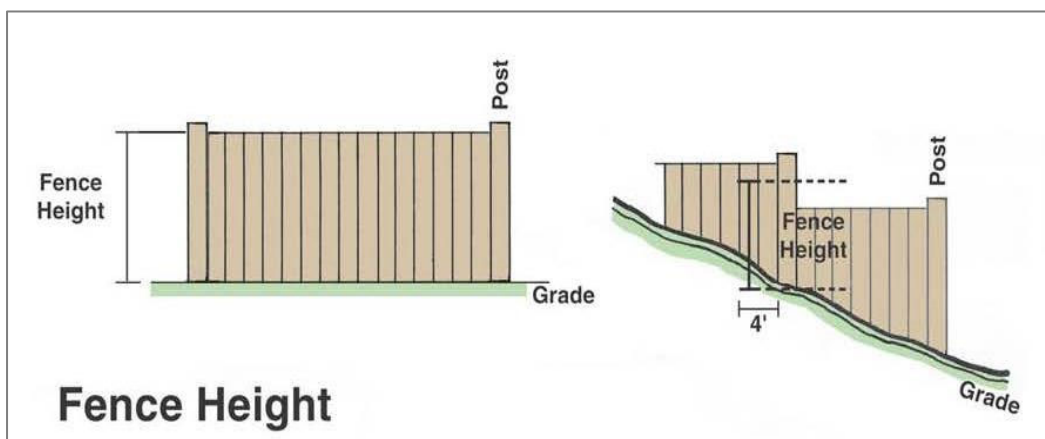
Types of Accessory Dwelling Units (Source: Iowa State University Extension and Outreach, 2025)

1. **Definitions.** For purposes of this subsection, the definitions set forth in **Iowa Code Section 331.301, Subsection 27.e.** and in **Chapter 6** of this Ordinance shall apply.
2. **Maximum Number.** A maximum of one (1) ADU shall be allowed on the same lot as a single-family residence in accordance with **Iowa Code Section 331.301, Subsection 27.a.(1)** and **Subsection 2.8.C.** of this Ordinance.
3. **Maximum Size.** An ADU shall be no larger than floor area of the single-family residence on the same lot or one thousand (1,000) square feet, whichever is smaller, in accordance with **Iowa Code Section 331.301, Subsection 27.b.(1)** and **Subsection 2.8.C.** of this Ordinance.

4. **Development Regulations.** An ADU shall comply with the development regulations in related to the placement or height of a single-family residence as determined in accordance with **Subsection 2.8.C.** of this Ordinance and in accordance with **Iowa Code Section 331.301, Subsection 27.b.**
 5. **ADU Permit Application.** The Zoning Administrator shall review and approve an ADU permit application in accordance with **Iowa Code Section 331.301, Subsection 27.c.** and in accordance with **Chapter 3** of this Ordinance.
 6. **Timing of Construction.** If the construction of an ADU is prior to the timing of the construction of the single-family residence on the same lot, the size and placement of the planned single-family residence must be reviewed by the Zoning Administrator and County Health Department. Before a Construction Compliance Certificate is issued for the ADU, all required permits for the planned single-family residence must be on file with the Zoning Administrator in accordance with **Chapter 3** of this Ordinance.
- L. Conversion of Existing Dwelling or Other Structure to a Two-Family Dwelling.** Conversion of an existing dwelling or other structure to a two-family dwelling shall comply with **Subsection 2.8.K.** of this Ordinance.
- M. Home-Based Business.**
1. For purpose of this Ordinance, a home-based business shall operate as a “no impact home-based business” as defined and regulated by this Ordinance and **Iowa Code Section 335.35.**
 2. For purposes of this Ordinance only, the County occupancy limit for the total number of employees and clients for the residential property shall be: does not employ more than one (1) person outside the immediate family on the premises.
 3. The business activities shall be characterized by all of the following;
 - a. Is conducted entirely within a dwelling unit or its customary accessory structures, Is carried on by a member of the family residing in the dwelling unit,
 - b. Is clearly secondary to the use of the dwelling unit for residential purposes,
 - c. Has no exterior display, no exterior storage of materials and no other exterior indication of the home occupation or variation from the residential character of the principal building other than one (1) sign erected in conformance with the sign provision in its zoning district,
 - d. Does not occupy an area greater than thirty percent (30%) of the floor area of the dwelling unit, and
 - e. Is compatible with residential use of the property and surrounding residential use.
 4. A home-based business is prohibited from:
 - a. Operating as any business prohibited by **Iowa Code Section 335.35.**
 - b. Operating a junk yard, salvage and/or recycling operation.
- N. Fences and Hedges.** Except as otherwise provided herein, all fences and hedges as defined that are located within the unincorporated areas of the County shall be subject to the following provisions:

1. Definitions.

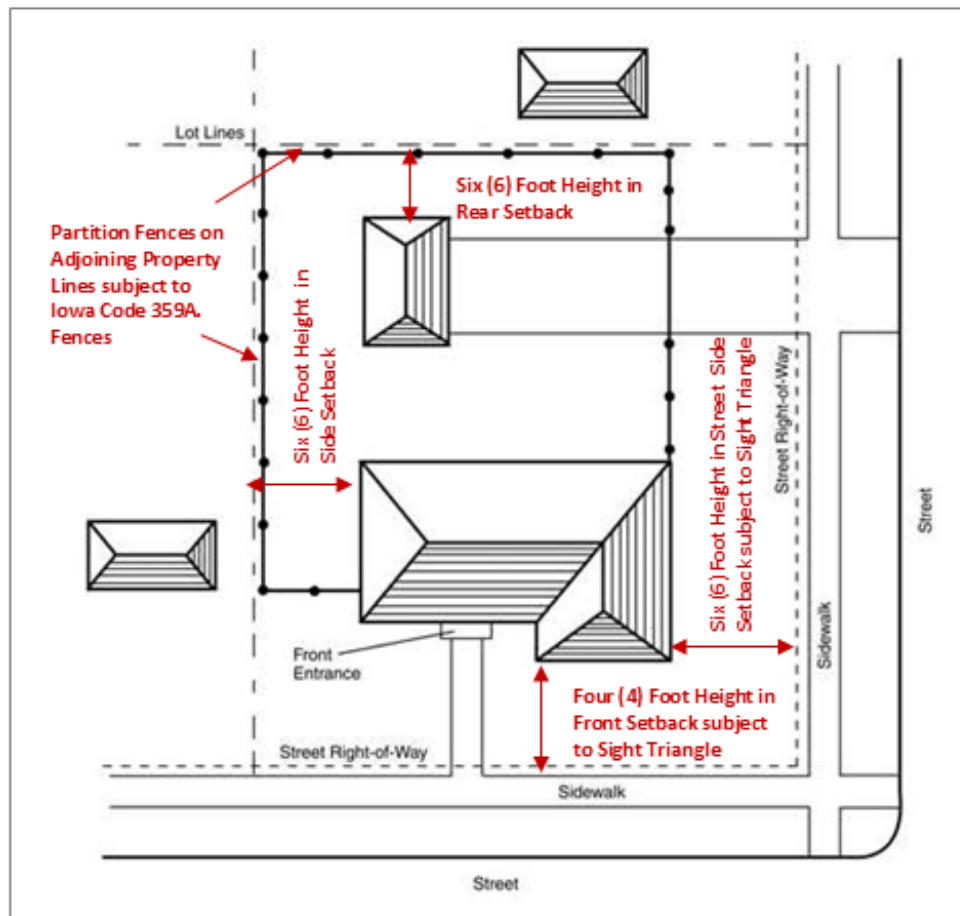
- a. **Fence.** A structure more than eighteen (18) inches in height, constructed of any material or combination of materials erected as a barrier, boundary, or enclosure to screen a property or an area of land, including open, semi-open, and closed fences.
 - b. **Hedge.** A solid and unbroken visual screen of self-supporting shrubs, bushes, or similar continuous plantings more than eighteen (18) inches in height.
2. **Visibility at Intersections and Entrances.** No fence or hedge shall be allowed within the sight triangle at street intersections and entrances in accordance with **Subsection 2.8.A.** of this Ordinance.
3. **Placement on Public Right-of-Way.** No fence or hedge shall be placed on or extend into the public right-of-way in accordance with **Subsection 2.8 E.** of this Ordinance and **Iowa Code 318.**
4. **Placement on Access and Utility Easements.** No fence or hedge shall be placed on or extend into an access or utility easement in accordance with **Iowa Code Chapter 564.**
5. **Partition Fences.** Partition fences, which are fences that divide adjacent properties, are governed by **Iowa Code Chapter 359A.** and this Subsection. If a partition fence is a hedge, the hedge shall be trimmed and cut in accordance with **Iowa Code Chapter 359A.**
6. **Survey.** A certificate of survey may be required by the Zoning Administrator for all fences and hedges to be installed on the boundary line of an access or utility easement, on the public right-of-way, or on a property line, unless corner property stakes are in place and marked and a survey is filed with the County.
7. **Measurement of Fence and Hedge Height.** Fence and hedge height shall be measured from ground level adjacent to the highest point of the fence or hedge. Fill shall not be used for the purpose of achieving a higher fence or hedge than otherwise permitted. Variations in height shall be allowed between fence support posts or hedge plantings to account for undulating, sloping, or otherwise uneven terrain. Where the grade is not level, the maximum fence height shall be equal to the average fence height within four (4) feet of any fence post (*see illustration*).



Measurement of Fence Height (Source: City of Sandusky, MI accessed 2023)

8. **Maintenance.** Both sides of any fence or hedge shall be maintained in a condition of reasonable repair and appearance by its owner and shall not be allowed to become and remain in a condition of disrepair or danger, or constitute a nuisance, public or private.
9. **Damage.** No physical damage of any kind shall occur to abutting property during installation of a fence or hedge unless it is allowed under agreement with the abutting property owner(s).
10. **R-1 Residential District Special Requirements.**

- a. **Height and Setback.** Hedges and fences shall not exceed four (4) feet in height in a required front setback; and fences and hedges shall not exceed six (6) feet in height in a required side, street side, or rear setback; subject to further restriction of **Subsection 2.8.A.** of this Ordinance (*see illustration*).

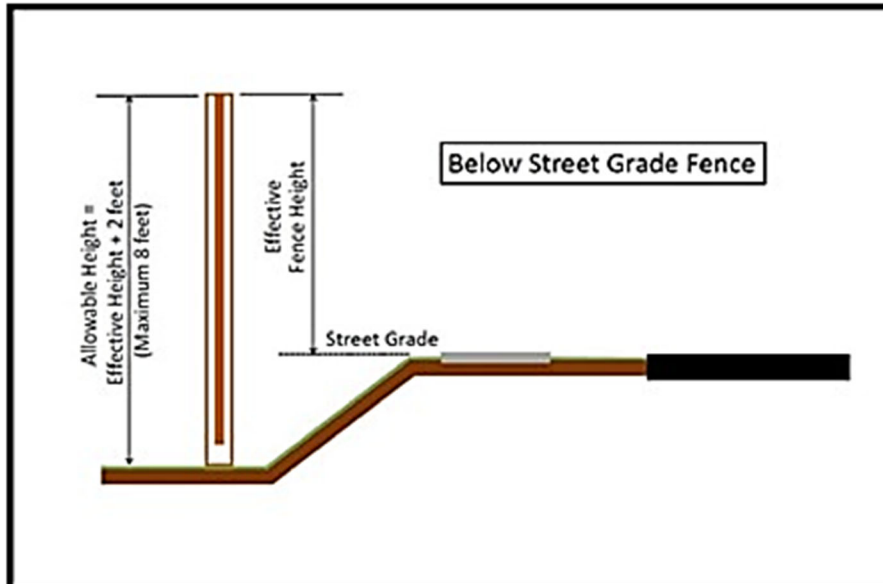


Heights and Setbacks for Fences and Hedges in R-1 Residential Districts

(Source: City of Sandusky, MI accessed 2023)

- b. **Waiver of Allowable Height due to Slope.** Where a fence or hedge is to be installed below street grade, the Zoning Administrator is authorized to allow a fence or hedge to be higher than the allowable height in a required front, side, rear, or street side yard setback where a

slope exists with the adjacent lot or street right-of-way. Up to an additional two (2) feet of height may be allowed to achieve an effective height that equals the maximum allowable height for the zoning district, subject to further restriction of **Subsection 2.8.A.** of this Ordinance (see illustration).



Allowable and Effective Fence Heights due to Slope

(Source: City of West Des Moines, IA accessed 2023)

11. Fence Permit.

a. R-1 Residential Districts.

- (1) **Permit Required.** Except as otherwise provided herein, no person shall erect, alter or relocate any fence within the County without first having been issued a fence permit.
- (2) **Permit Fee.** There shall be no permit fee for fences that are six feet (6') in height or lower. A fence permit application and related fence permit fee, in accordance with the fee schedule approved by the County, shall be required for fences that exceed six feet (6') in height or are requests for a waiver of allowable height due to slope, an administrative waiver, or a dimensional variance.
- (3) **Application Procedures.** Each application for a fence permit shall be submitted to the Zoning Administrator on forms provided by the County. Each application shall include a site plan drawn to scale and showing the location of the principal uses and structures, accessory uses and structures, other improvements on the lot, and the location of the fencing to be erected, altered or relocated.

b. Non-Residential Districts. A fence permit shall not be required in non-residential districts.

12. Exception to Dimensional Requirements. A property owner may seek an exception from the dimensional requirements of this Subsection by application to the Zoning Administrator in

accordance with **Section 3.10** of this Ordinance or by application to the Board of Adjustment in accordance with **Section 4.6** of this Ordinance, subject to provisions of **Iowa Code Chapter 359A**. If a waiver or variance is granted, the property owner shall apply for a fence permit in accordance with this Subsection.

O. Solar Energy Systems. In order to balance the need for clean, renewable energy resources and the necessity to protect the public health, safety, sustainability and welfare of the unincorporated areas of the county, Jackson County finds these regulations are necessary to ensure that solar energy systems are appropriately designed, sited, and installed within the unincorporated areas of the county.

1. Definitions. For purposes of this subsection, the following terms shall have the meaning herein ascribed to them:

Solar energy system -- Any solar collector solar device, or structural design feature of a building whose primary purpose is to provide for the collection, storage, and distribution of solar energy.

Solar access easement: A recorded easement which provides continued access to incident sunlight necessary to operate a solar collector in accordance with **Iowa Code Chapter 564A**.

Solar array, building-mounted – A solar energy system mounted on a building or structure; typical uses are attached solar panels and solar energy devices integrated as part of the principal or accessory structure (*see illustration*).

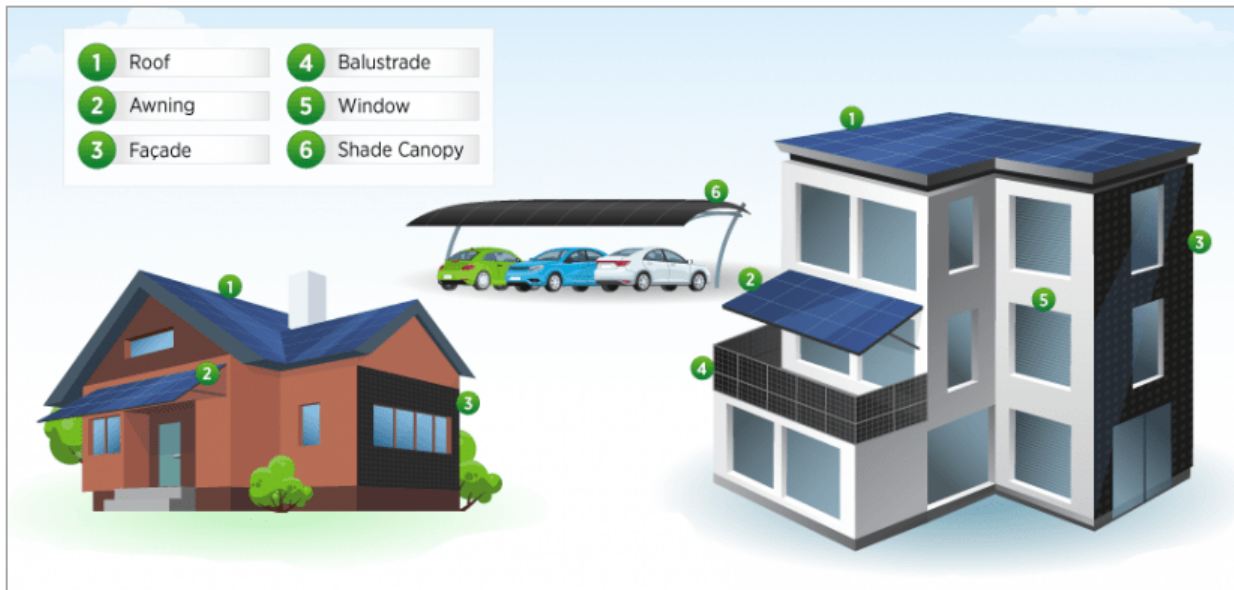
Solar array, freestanding -- A solar energy system mounted on the ground; typical uses are freestanding solar panels (*see illustration*).

Solar energy generation, consumer-scale: A solar energy system of interconnected solar panels/arrays for the primary purpose of meeting electrical demands at that location. These systems are typically intended to offset electrical demands for the owner and are not intended to be net annual generators of electricity.

Solar Energy Generation, Utility-Scale: A group of interconnected solar panels/arrays that convert sunlight into electricity for the primary purpose of wholesale or retail sales of generated electricity. This definition does not apply to consumer scale solar installations that are constructed primarily to provide power for use on-site.



Freestanding solar array at Hurstville Interpretive Center. (Photo Credit: Jackson County Energy District, accessed 2023)



Examples of building-mounted solar arrays (Source: US Department of Energy accessed 2023)

2. General Provisions for All Solar Energy Systems.

- a. **Easements.** No portion of any solar energy system shall extend into any easement, right of way, or public way regardless of required minimum setbacks.
- b. **Interconnection Agreement.** A solar energy system shall not be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned system and a copy of executed interconnection agreement with the utility company is provided.
- c. **Abandonment.** Any solar energy system that is not operated for a continuous period of one (1) year shall be considered abandoned and shall be removed by the property owner. Removal includes the entire structure including transmission equipment.
- d. **Maintenance.** The property owner of any solar energy system shall maintain such system in a safe and attractive manner, including replacement of defective parts, painting, cleaning, and other acts that may be required for the maintenance and upkeep of the function and appearance of such a system.
- e. **Underground Wire Requirement.** The electrical collection system shall be placed underground within the interior of each parcel. Overhead lines are prohibited.
- f. **Industry Standard.** As part of the approval process, documentation shall be provided to the Zoning Administrator showing that the system and parts meet the most current industry standards, such as Underwriters Laboratories (UL), or another standard applicable to the technology and materials of the system.

g. Solar Access. A property owner who has installed or intends to install a solar energy system shall be responsible for negotiation with other property owners in the vicinity for any necessary solar easement. The approval for solar energy system by the County does not constitute solar access rights.

- 3. Specific Provisions for Consumer-Scale Solar Arrays.** Specific provisions for consumer-scale solar arrays are summarized in the table below and found in the Development Regulations for each Zoning District.

Specific Provisions for Consumer-Scale Solar Arrays				
Type of Solar Array	Allowed Zoning Districts	Type of Structure	Development Regulations	Additional Regulations
Building-Mounted	All Districts	Accessory	Accessory Uses and Structures	Sections 2.8, 2.9, and 2.10
Freestanding	Non-Residential	Accessory	Accessory Uses and Structures	Sections 2.8, 2.9, and 2.10

- 4. Specific Provisions for Utility-Scale Solar Energy Generation.** *Reserved.*

P. Wind Energy Conversion Systems. The guidelines for the siting, design, and construction of Wind Energy Conversion Systems (WECS) and substations which generate electricity for use at the location of the WECS or to be sold to wholesale or retail markets are subject to the provisions of the **Jackson County WECS Ordinance**.

Q. Data Center. The guidelines for the siting, design, and construction of Data Centers are subject to the provisions of the **Jackson County Data Center Ordinance**.

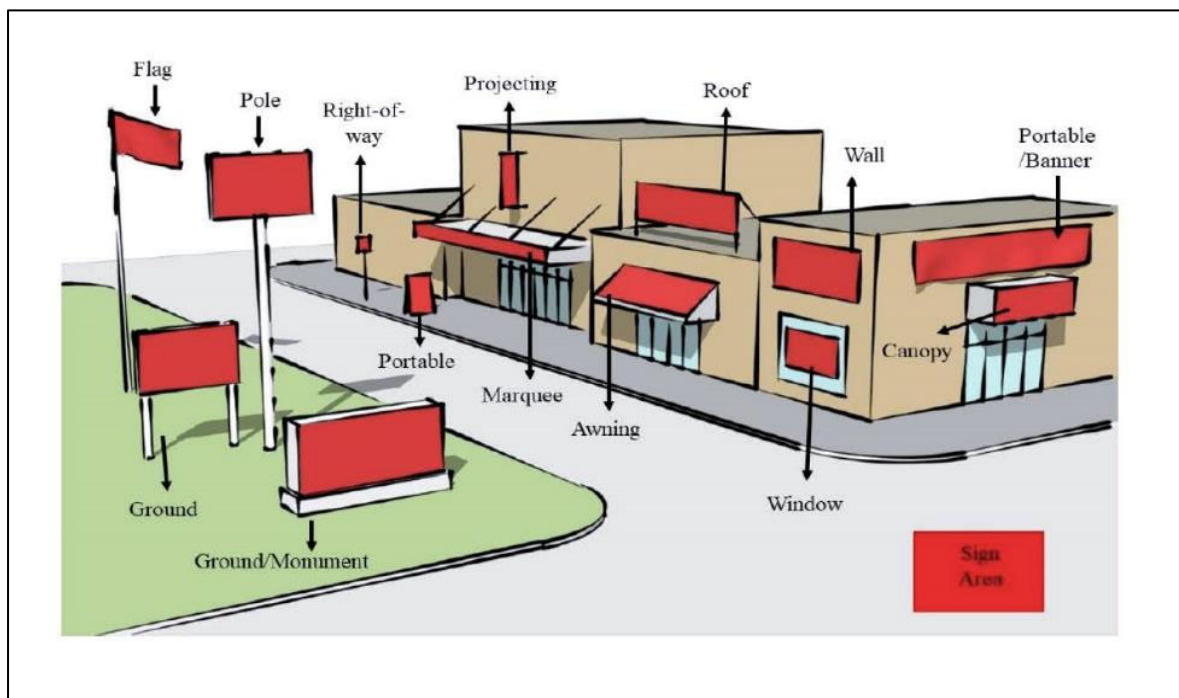
2.9 Application of District Regulations. Subject to **Section 1.20** of this Ordinance, the regulations and restrictions of this ordinance shall apply as follows:

- A. Regulations to be Uniformly Applied.** The regulations set by this Ordinance shall apply uniformly to each class or kind of use, structure or land, and particularly within each district, except as hereinafter provided.
- B. All Uses, Buildings, and Structures to Conform.** No building, structure or lot shall hereafter be used or occupied and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered unless in conformity with all of the regulations herein specified for the district in which it is located.
- C. Height, Density or Setbacks Shall Not Be Violated.** No use, building or other structure shall hereafter be erected or altered to exceed the height, to accommodate or house a greater number of families or to have narrower or smaller rear setbacks, front setbacks, side setbacks, street side setbacks, or other open spaces, than herein required or in any other manner contrary to the provisions of this Ordinance.
- D. Separate Setbacks, Open Space and Off-Street Parking Required.** No part of a setback or other open space or off-street parking or loading space required about or in connection with any use, building, or structure for the purpose of complying with this Ordinance shall be included as part of a

setback, open space or off-street parking or loading space similarly required for any other use, building, or structure.

- E. Minimum Setbacks and Lot Areas May Not Be Reduced.** No setback or lot existing at the time of passage of this Ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Setbacks or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance.
- F. New Areas.** All territory which may hereafter become a part of the unincorporated area of the County shall be classified in the A-1 Agricultural District until otherwise classified; provided, however, that the Zoning Commission may recommend the appropriate district classification prior to such territory becoming a part of the County, and upon the holding of a public hearing and approval by the Board of Supervisors, the territory, upon becoming a part of the county, may be immediately so classified.
- G. Sign Regulations.** The following provisions, regulations, or exceptions shall apply equally to signs in all zoning districts as hereinafter provided. All signs requiring a permit must be evaluated before issuance of a permit by the Zoning Administrator. No signs will be allowed in the public road right of way except as hereinafter provided.
- 1. Definitions.** For purposes of this Ordinance, the following sign terms shall have the meaning herein ascribed to them:

Sign. Any device (including but not limited to letters, words, numerals, figures, emblems, pictures, or any part or combination) used for visual communication designed to inform or attract the attention of the public and visible to the public right-of-way or other properties (*see illustration*).



Sign Type and Area Illustrative Examples (Source: Dyersville, IA accessed 2023)

Abandoned Sign. A sign, including the sign face and supporting structure, which refers to a discontinued business, profession, commodity, service, or other activity or use formerly occupying the site; or which contains no sign copy on all sign faces for a continuous period of six (6) months.

Sign Area. The area of the surface of a sign, bounded by the top, bottom and sides. See **Subsection 2.9.5.** of this Ordinance.

Awning Sign. A sign printed on such temporary or movable shelter supported entirely from the exterior wall of a building and composed of non-rigid materials except for supporting framework (*see example above*).

Banner Sign. A temporary sign made of flexible material with a printed message or graphic secured or mounted from a structure in such a way as to allow wind movement (*see example above*).

Billboard and Advertising Sign. An advertising device as defined and regulated in **Iowa Code Chapter 306C Subchapter II** and **Iowa Administrative Code 761 –Chapter 117** for a business, commodity or service located or offered elsewhere than upon the premises where such sign or billboard is located (*see example below*). See Off-Premise/Off-Site Sign.

Bulletin Board Sign. Any sign erected by a charitable, educational, or religious institution or public body which is erected upon the same property as said institution for purposes of announcing events which are held on the premises.

Campaign Sign/Yard Sign. As defined and regulated by **Iowa Code Section 68A.406**.

Canopy Sign. A sign that is part of, or attached to, a canopy structure. A canopy is a structure that is affixed to a building and carried by a frame that is supported by columns or posts affixed to the ground (*see example above*).

Destination Sign. A guide sign to direct motorists along highways as defined and regulated by the Iowa Department of Transportation (DOT). See Government Sign.

Directional Sign. Any sign that includes information in directing and guiding pedestrian and vehicular traffic, such as enter, exit, parking, etc. on public or private property (*see illustration on right*).

Double-Faced Sign. A sign consisting of no more than two (2) parallel or near parallel faces supported by a single structure. Also known as a “back-to-back sign” (*see examples below*).

Electronic Message Sign. A sign which uses an array of electronic illuminated lights, generally controlled by a computer or other electronic programming device to display information or supporting graphics (*see example below*).



Directional Sign
(Photo Credit: Model Sign Ordinance, Montgomery County Planning Commission, 2014)

Free-standing Sign. A sign anchored directly to the ground or supported by one (1) or more posts, columns, or other vertical structures or supports, and not attached to or dependent for support from any building (*see examples above and below*).

Government Sign. A sign, posting, notice, or similar elements placed, installed, or required by law by a city, county, state, or federal governmental agency in carrying out its responsibility to protect the public health, safety, and welfare, or for civic or recreational purposes (*see examples below*).

Ground/Monument Sign. A freestanding sign permanently affixed to the ground and supported entirely by a base structure (*see example above*).

Identification Sign. A sign identifying a specific business, service, activity, or profession, including but not limited to logo, trademark, name, address, and contact information, located on the premises (*see example below*). See On-Premise/On-Site Sign.

Illuminated Sign. A sign with an artificial light source incorporated internally or externally (directly or indirectly) for the purpose of illuminating the sign (*see example below*).

Marquee Sign. A sign attached to a marquee structure. A marquee is a permanent structure that is attached to, supported by, and projecting from a building, usually for the purpose of providing protection from the elements (*see example above*).

Moving Sign. A sign that conveys its message through rotating, changing, or animated elements by mechanical means or by action of wind currents.

Nameplate Sign. A sign indicating the name, address, and the practice of a permitted occupation.

Nonconforming Sign. A sign that was legally erected prior to the adoption of this Zoning Ordinance but which now violates the regulations of this Zoning Ordinance; see **Section 2.10** of this Ordinance.

Off-Premise/Off-Site Sign. A sign identifying or advertising a business, profession, activity, service, or product that is not located, sold, or produced on the same site or premises as the sign (*see example below*). See Billboard and Advertising Sign.

On-Premise/On-Site Sign. A sign identifying or advertising a business, profession, activity, service, or product that is located, sold, or produced on the same site or premises as the sign (*see examples below*). See Identification Sign.

Portable sign. A sign that is designed to be transported or moved and is not permanently attached to the ground or a structure or building.

Pole Sign. A freestanding sign permanently supported by a structure of one or more poles, posts, uprights, or braces from the ground (*see example below*).

Projecting Sign. A building-mounted sign other than a wall sign that is attached to and projects from a building face with sign faces that are generally perpendicular to the building wall (*see illustration below*). They are also commonly referred to as “blade signs.” See Roof Sign and Wall Sign. See **Subsection 2.9.5.** of this Ordinance.

Roof Sign. A building-mounted sign that is erected, constructed, and maintained upon, against, or over the roof of a building, with its principal support on the roof structure (*see example above*). See Projecting Sign and Roof Sign.

Temporary Sign. A sign designed or fabricated of materials that advertise or communicate messages that change frequently or that become outdated, are made of materials of relatively low durability, or are intended to be removed or replaced within a period of six (6) months or less.

Tourist-Oriented Directional Sign (TODS). As defined and regulated by the Iowa Department of Transportation (DOT) in **Iowa Administrative Code 761—Chapter 119**. See Government Sign.

Wall Sign. A building-mounted sign attached to or painted on an exterior wall so that the sign faces are generally parallel with the side of a building that does not project more than two (2) feet from the building wall. A sign installed on a false or mansard roof also is considered a wall sign (*see example above*). See Projecting Sign and Roof Sign.

Window Sign. A sign applied, painted, or affixed inside a window for the purpose of viewing from outside the premises (*see example above*).



Sign Examples in Jackson County

A. Billboard and advertising sign: off-site, free-standing, back-to-back faces, external illumination

B. Identification signs: on-site, free-standing, double-faced, internal illumination, electronic message sign

C. Governmental and destination signs: exempt

(Photo credit: ECIA, 5/13/2025)

2. **Exempted Signs.** Table G.1. lists signs that are exempt from the sign regulations of this Ordinance:

Table G.1. Exempted Signs		
Type of Sign	Specific Provisions and Exceptions	Maximum Sign Area
Directional signs	Directing and guiding traffic and parking on public or private property but bearing no advertising matter (see Note 1).	Six (6) square feet
Flags and insignia of any government	Except when displayed in connection with commercial promotion.	None

Table G.1. Exempted Signs		
Type of Sign	Specific Provisions and Exceptions	Maximum Sign Area
Government signs	Legal notices, identification, informational or directional signs.	None
Inside window signs	Including but not limited to signs for hours of operation, goods and services, or credit cards accepted.	None
Integral decorative or architectural features of buildings	Except letters, trademarks, moving parts, or moving lights.	None
Nameplate signs	Bearing only property numbers, post box numbers, names of occupants of premises or other identification of premises not having commercial connotations.	Six (6) square feet
Warning signs	No trespassing, no hunting and similar signs located on the premises.	Two (2) square feet
Note 1. These signs may be placed in required front setbacks in accordance with Subsection 2.1.D. of this Ordinance.		

3. **Allowed Signs Not Requiring a Sign Permit.** Exempted signs as listed in **Subsection 2.9.G.2.** of this Ordinance do not require a sign permit. **Table G.2.** lists the other allowed signs that do not require a sign permit under the sign regulations of this Ordinance. Abbreviation: sq ft = square feet.

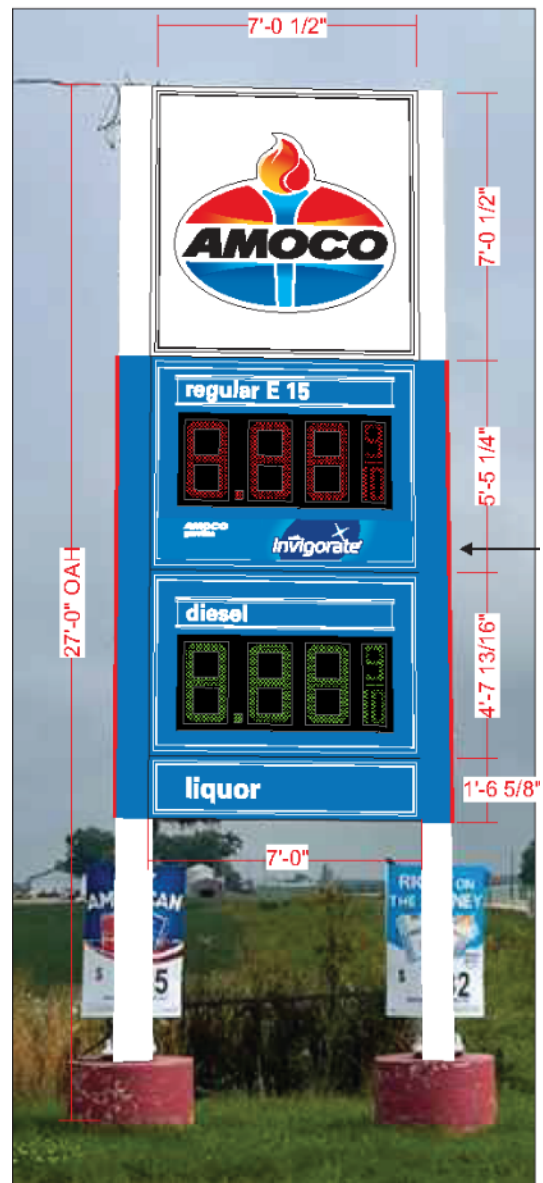
Table G.2. Allowed Signs Not Requiring a Sign Permit		
Type of Sign	Maximum Number	Maximum Sign Area
Canopy or fuel island sign for gas station	None	None
Nameplate sign for a single-family or two-family dwelling	One (1) per dwelling	Six (6) sq ft
Identification sign for home-based business or home industry	One (1) per use	Six (6) sq ft
Identification sign for multiple-family dwelling, boarding and lodging house, and bed and breakfast home or inn	One (1) per building	Twelve (12) sq ft
Identification sign for entrance and key facility in residential subdivision, mobile home park, and homeowner/property owner association development	One (1) per street frontage	Sixteen (16) sq ft
Public bulletin board and Identification sign for place of assembly, educational institution, and public building/site in A-1 and R-1 Districts	One (1) each per street frontage	Sixteen (16) sq ft
Temporary signs advertising the lease or sale of the premises in A-1, R-1, and C-1 Districts	One (1) per street frontage	Sixteen (16) sq ft
Temporary signs advertising the lease or sale of the premises in M-1 and M-2 Districts	One (1) per street frontage	Twenty-four (24) sq ft

4. General Regulations.

- a. All signs requiring a permit shall have an approved permit from the Zoning Administrator before being erected, reconstructed or structurally altered to increase the exterior dimensions or height, or to accommodate a change in use of the building and/or premises or part thereof, in accordance with **Chapter 3** of this Ordinance.
- b. All signs shall be maintained in a neat, safe presentable condition and in the event their use shall cease, they shall be promptly removed within thirty (30) days and the surrounding area restored to a condition free from refuse and rubbish. See also Abandoned Sign.
- c. Any sign not conforming to the provisions of this Ordinance shall be made to conform or be removed in accordance with **Section 2.10** of this Ordinance.
- d. Signs shall be located in such a nature as to not obscure or otherwise interfere with the effectiveness of an official traffic sign, signal or device and to not obstruct, or interfere, with the driver's view of approaching, merging, or intersecting traffic, as determined by the Zoning Administrator and the County Engineer.
- e. All signs shall be located in compliance with the setbacks established for all zoning districts except as hereinafter provided.
- f. All signs shall be prohibited on the public road right-of-way with the following exceptions: legal notices, traffic signs, street identification, information or directional signs erected or required by governmental bodies, nameplates on mailboxes, and non-commercial informational signs approved by the Zoning Administrator and the County Engineer.

5. Sign Measurements. For regulating signs as described in this Zoning Ordinance the following shall apply:

- a. **Area.** Computation of sign area shall include the combination of the writing, emblem, illustrations, or other display, together with any background material or color forming an integral part of the display, but not including the supporting framework. On a multi-face sign the area is computed only from one face. Where the frame or cabinet is not in the shape of a rectangle, square, triangle or circle, the



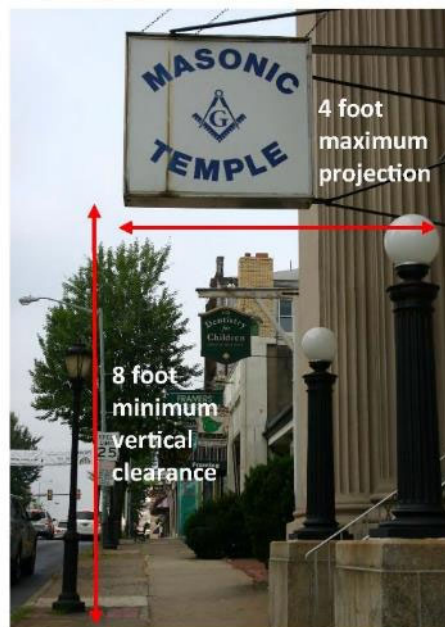
Sign Area and Height calculations
(Photo credit: CR Signs & Lighting, Inc.)

sign face area shall be determined by calculating the area of an imaginary rectangle drawn around the frame or cabinet (*see illustration*).

- b. Height.** Height shall be measured from the average ground level exclusive of any fill, berm, mounds, or excavation solely for locating the sign, to the highest point of the sign, or support structure, whichever is taller (*see illustration*).
- c. Projection.** Any building sign extending more than six (6) inches from the wall to which it is attached shall provide clearance of at least eight (8) feet above walkways and at least fifteen (15) feet above driveways (*see illustration below*).
- d. Setback.** The setback of a sign is measured from the property line to the line projected to the ground plane of the nearest portion of the sign.
- e. Number of Faces.** No sign shall have more than two (2) faces. Sign faces shall be parallel, unless determined by the City to be consistent with the architectural character of the building.

6. Sign Permit.

- a. A sign permit shall be obtained from the Zoning Administrator before any sign or sign structure shall be erected, reconstructed or structurally altered to increase the exterior dimensions or height, or to accommodate a change in use of the building and/or premises or part thereof.
- b. Any maintenance items such as a new sign panel, sign structure and other repair items which do not enlarge the sign or change the height or location, shall not require a sign permit.
- c. Sign permits must be approved before the beginning of construction, and shall be issued in accordance with this Ordinance.
- d. A certificate of compliance shall be issued after the lawful erection or alteration of the sign is completed and inspected by the Zoning Administrator in accordance with this Ordinance.
- e. A record of all certificates of compliance shall be kept on file in the Office of the Zoning Administrator, and copies shall be furnished upon request to any person having a proprietary, or tenancy interest in the sign affected.



Projecting Sign

- **Maximum 4-foot projection from building wall**
- **Minimum 8-foot clearance above walkways**
- **Minimum 15-foot clearance above driveways**

(Photo Credit: Model Sign Ordinance, Montgomery County Planning Commission, 2014)

7. Sign Permit Required for Billboard and Advertising Signs.

- a. **State Permit Required.** In accordance with Iowa Code Chapter 306C Subchapter II and Iowa Administrative Code 761 IAC 117, these off-site signs are regulated by the Iowa Department of Transportation (DOT) when placed in areas visible to the primary highway system. These signs are prohibited along scenic byways and in A-1 Agricultural and R-1 Residential Districts along the primary highway system. Any lawful nonconforming sign in these areas requires an Iowa DOT permit. These signs are allowed with an Iowa DOT permit along the primary highway system in C-1 Highway Commercial, M-1 Limited Industrial, and M-2 General Industrial Districts. Signs regulated with an Iowa DOT permit do not require a County sign permit.
- b. **County Permit Required.** If not regulated with an Iowa DOT permit, these signs require a County permit. These signs are allowed in the C-1 Highway Commercial, M-1 Limited Industrial, and M-2 General Industrial Districts. The County will regulate these signs in accordance with the Iowa DOT regulations and guidelines, including but not limited to: general, scenic byway, and zoning prohibitions; size and spacing requirements; and light emitting diode (LED) displays.
8. **Sign Permit Required for Identification Signs** for allowed onsite principal, accessory, and conditional uses of the zoning district, provided that signs that utilize digital LED displays are restricted to messages for businesses and activities located on the property and to general messages (i.e., time, temperature, etc.) in accordance with Iowa DOT guidelines. These signs shall comply with Subsection 2.1.D. of this Ordinance and with the following provisions by zoning district.
- a. **Table G.3.** lists the allowed identification signs for the A-1 Agricultural District and the R-1 Residential District. Abbreviation: sq ft = square feet.

Table G.3. Allowed Identification Signs in A-1 and R-1 Districts							
Zoning District	Maximum Number	Maximum Sign Area	Maximum Height	Minimum Distance From		Double-Faced	Lighting
				Lot Lines	Main Building		
A-1	One (1) per use per street frontage	Thirty-two (32) sq ft	Thirty-five (35) feet	Twenty (20) feet	Five (5) feet	Yes	See Note 1
R-1	One (1) per use per street frontage	Four (4) sq ft	Thirty-five (35) feet	Twenty (20) feet	Five (5) feet	Yes	See Note 1
Note 1. Illumination of all signs and bulletin boards shall be indirect, non-intermittent lighting.							

- b. **Table G.4** lists the allowed identification signs for the C-1 Highway Commercial, M-1 Limited Industrial, and M-2 General Industrial Districts. Abbreviation: sq ft = square feet and N/A = not applicable.

Table G.4. Allowed Identification Signs in C-1, M-1 and M-2 Districts					
Type of Sign	Maximum Number	Maximum Sign Area	Maximum Height	Allowed Setback Encroachment (see Note 1)	Double-Faced
Free-standing	One (1) per business per street frontage	Two hundred (200) sq ft	Thirty-five (35) feet	Required front yard setback only	Yes
Wall-mounted or Painted	One (1) per business per street frontage	Twenty (20) percent of wall area up to two hundred (200) sq ft	Not more than four (4) feet above building height	Required front yard setback only	N/A
Note 1. See Subsection 2.1.D.3. regarding allowed encroachments into setback areas.					

H. Regulations for Conditional Uses and Structures. The following provisions shall apply to all conditional uses and structures in all zoning districts in the unincorporated areas of the County:

1. **General Provisions.** All conditional uses and structures shall comply with the following Sections of this Ordinance, unless provided otherwise in this **Section 2.9**:
 - a. **Section 2.1 Schedule of District Regulations**, including but not limited to the minimum off-street parking, stacking, and loading requirements.
 - b. The development regulations for each zoning district in **Chapter 2. Zoning District Regulations**.
 - c. **Section 2.8 Supplemental Regulations**.
 - d. **Section 2.9 Application of District Regulations**, including but not limited to sign regulations.
 - e. **Chapter 3. Administration and Enforcement**, including but not limited to compliance with county, state, and federal development requirements.
 - f. **Section 4.5. Conditional Use Permits**.
 - g. Specific requirements or conditional uses and structures are set forth below by the same major land use category found in **Section 2.1 Schedule of District Regulations**.
2. **Residential Category.** **Table G.5.** lists the allowed conditional uses and structures in the Residential Category.

Table G.5. Residential Category of Conditional Uses and Structures
a. Family Home , as defined and regulated in Iowa Code Section 335.25 .
b. Mobile home park on tract of five (5) acres or more , provided that:
(1) Each mobile home space has a minimum area of three thousand five hundred (3,500) square feet.
(2) The mobile home park has a maximum density of eight (8) units per acre.
(3) No mobile home, addition thereto or structure shall be closer than twenty-five (25) feet to any property line of the mobile home park nor closer than twenty (20) feet to another mobile home or any building in the park except where mobile homes are parked end to end, the end clearance shall be at least fifteen (15) feet.

Table G.5. Residential Category of Conditional Uses and Structures	
(4)	All mobile home spaces shall abut on a hard-surfaced roadway of not less than twenty-four (24) feet in width which shall be adequately lighted and drained and which shall have unobstructed access to a public street or highway as approved by the County Engineer.
(5)	In addition to the requirements listed elsewhere in this Ordinance, the Board of Adjustment shall also consider:
i.	The effect of the proposed mobile home park and density of population on adjacent property values and the health, safety, and general welfare of future inhabitants of the mobile home park as well as residents of the surrounding area.
ii.	The suitability of the site for the proposed development with special attention to topography, subsurface conditions and the availability of necessary utility services.
iii.	The availability of schools, police protection, fire protection and other community services; and
iv.	The adequacy of streets and highways serving the area.
c. Mobile home subdivision on tract of ten (10) acres or more, provided that:	
(1)	The subdivision complies with the Jackson County Subdivision Ordinance .
(2)	Each lot contains not less than six thousand (6,000) square feet of area and has a width of not less than forty-five (45) feet.
(3)	Each lot is connected to a community or municipal water supply and sewage disposal system.
(4)	No lot sold or leased may be used for other than an independent mobile home or mobile home converted to real estate.
d. Multiple family dwelling, including residential condominium, provided that:	
(1)	Such units are located no further than five (5) miles by normal travel routes from the nearest fire station.
(2)	Such units maintain a maximum density of one (1) dwelling unit per two (2) acres.
(3)	The maximum number of dwelling units per structure shall not exceed eight (8).

- 3. Educational and Assembly Category.** Table G.6. lists the allowed conditional uses and structures in the Educational and Assembly Category.

Table G.6. Educational and Assembly Category of Conditional Uses and Structures	
a. Adult day care center	as defined and regulated in Iowa Administrative Code Chapter 481.70 . For purposes of this Zoning Ordinance, Adult Day Care shall be regulated as a Family Home as defined herein.
b. Child care center	as defined and regulated in Iowa Chapter 237A and 441 Iowa Administrative Code Chapter 110 .
c. Child development home	as defined and regulated in Iowa Chapter 237A and 441 Iowa Administrative Code Chapter 110 .
d. Preschool	as defined and regulated in Iowa Code Section 256.2 .

- 4. Commercial Category.** Table G.7. lists the allowed conditional uses and structures in the Commercial Category.

Table G.7. Commercial Category of Conditional Uses and Structures	
a. Agricultural sales, service, and supply business.	
b. Airport and landing field	approved by the Federal Aviation Agency (FAA).

Table G.7. Commercial Category of Conditional Uses and Structures	
c. Building materials/Lumber yard.	
d. Commercial cell communications station and tower -- Existing , provided that in accordance with the Iowa Code Chapter 8C :	
(1) For an “Existing tower” or “existing base station” as defined in Iowa Code Chapter 8C .	
(2) For a “Substantial change” as defined in Iowa Code Chapter 8C .	
(3) They are not closer to a dwelling, place of public assembly, or the boundary of the parcel owned or leased for the purpose a distance equal to one and a half (1.5) times the height of the tower.	
(4) They will not interfere with the operation of any airport or landing strip.	
(5) The maximum total height of the tower shall be four-hundred (400) feet above average ground level (AGL). Height shall be measured as defined in Iowa Code Chapter 8C .	
(6) The Zoning Administrator shall provide direct notification to all landowners within one (1) mile of the of the property lines of the cell station and/or tower sites.	
(7) Review by the Board of Adjustment shall comply with the Iowa Code Chapter 8C .	
(8) The Board of Adjustment may approve a tower over the height of four-hundred (400) feet above average ground level (AGL) upon a showing of good cause and with Federal Communication Commission (FCC) and Federal Aviation Agency (FAA) approval if required.	
(9) No Construction Compliance Certificate shall be issued until evidence is provided that a communication service provider has contracted for space on the tower and that proper access has been approved from the public road system.	
e. Commercial cell communications station and tower – New , provided that in accordance with the Iowa Code Chapter 8C , the request is for the following:	
(1) For an “Initial placement or installation” as defined in Iowa Code Chapter 8C .	
(2) They shall comply with the above conditions (3) through (9) for existing towers and stations.	
(3) Base screening and camouflage techniques are used unless prohibited by Federal Aviation Agency (FAA) regulations.	
(4) Towers and transmission equipment shall not be illuminated unless required to conform to Federal Communications Commission (FCC), FAA, or other State or federal requirements. If lighting is required, the lighting alternative or design chosen shall cause the least disturbance to surrounding views and/or surrounding properties. Security lighting may be provided around the base of a tower if zero cut-off luminaries with a maximum mounting height of twelve (12) feet are used to limit lighting to the tower site. Aircraft detection lighting system (ADLS) shall be provided unless prohibited by FAA regulations.	
(5) The Discontinuation, Catastrophic Failure, and Decommissioning regulations in the Jackson County Wind Energy Conversion Systems (WECS) Ordinance shall apply to new station and tower sites.	
f. Event Venue.	
g. Garden center in conjunction with nursery.	
h. Home industry , provided that:	
(1) Any proposed home-based business not specifically prohibited by this Ordinance or Iowa Code and that employs two (2) or more persons who do not reside on the premises herein shall be considered as the conditional use of “Home Industry”, and may be granted or denied by the Board of Adjustment upon finding that the proposed home industry can meet the provisions of this Section 2.9 and Section 4.5 of this Ordinance.	

Table G.7. Commercial Category of Conditional Uses and Structures	
(2)	For purpose of this Ordinance, a home industry shall operate as a “no impact home-based business” as defined and regulated by this section and Iowa Code Section 335.35 , with the exception of Iowa Code Section 335.35, Subsection 1.c.(1) and Subsection 1.c.(2) (c).
(3)	The business activities shall be characterized by all of the following:
i.	is conducted on a residential premises, inside or adjacent to the dwelling and/or customary accessory structures, and
ii.	is carried on by a member of the family residing in the dwelling unit, and
iii.	is clearly secondary to the use of the dwelling unit for residential purposes, and
iv.	has no exterior display, no exterior storage of materials and no other exterior indication of the home industry or variation from the residential character of the principal building other than one (1) sign erected in conformance with the sign provision in its zoning district, and
v.	does not occupy an area greater than the floor area of the dwelling unit, and
vi.	is compatible with residential use of the property and surrounding residential use.
i.	Livestock market , provided that the operation complies with Iowa Code Section 172E.1 and Iowa Administrative Code 21—66.1(163).
j.	Mobile home/Manufactured home sales, service or repair.

- 6. Recreational Category.** Table G.8. lists the allowed conditional uses and structures in the Recreational Category.

Table G.8. Recreational Category of Conditional Uses and Structures	
a. Commercial campground and recreational vehicle (RV) park on less than five (5) acres of developed area, provided that:	
(1)	The applicant shall submit a site plan for the proposed development that shows the provision of necessary incidental services, sanitation and recreation facilities and what measures will be taken to minimize adverse effects the proposed development might have on the environs.
(2)	Vehicular access for the site shall be approved by the County Engineer and shall not travel across or through a platted subdivision or leased-land community.
(3)	Based on the campground development type as defined in this Ordinance, any required water and sewage disposal facilities shall be approved by the County Health Department.
(4)	No campsite shall be located within fifty (50) feet of an R-1 Residential District.
(5)	The maximum number of campsites shall be four (4) per acre.
(6)	Recreation facilities shall be limited to passive recreation activities only.
b. Commercial campground, recreational vehicle (RV) park, and tourist camp on sites of at least five (5) acres, provided that:	
(1)	The use shall comply with the above conditions (1) through (4) for commercial campground on less than five (5) acres of developed area.
(2)	The maximum number of campsites and/or cabins shall be fifteen (15) per acre.
(3)	Recreation facilities may include both active and passive recreation activities.
c. Golf course and clubhouse not including miniature course operated for a profit, provided that:	
(1)	The use shall comply with the above conditions (1) and (2) for commercial campground on less than five (5) acres of developed area.
(2)	No clubhouse shall be located within fifty (50) feet of an R-1 Residential District.
d. Indoor commercial recreation, including recreational lodge with a maximum of ten (10) units, provided that:	

Table G.8. Recreational Category of Conditional Uses and Structures	
(1)	The use shall comply with the above conditions (1) and (2) for commercial campground on less than five (5) acres of developed area.
(2)	No building or structure shall be located within fifty (50) feet of an R-1 Residential District.
e. Outdoor commercial recreation, on site of less than five (5) acres, provided that:	
(1)	The use shall comply with the above conditions (1) and (2) for indoor commercial recreation.
f. Private campground on site of less than five (5) acres, provided that:	
(1)	There shall be no on-site sewage disposal.
(2)	There shall be only non-commercial operation for use by family and friends of the owner without payment or other consideration.
g. Seasonal resorts, which include three (3) or more seasonal dwellings, provided that the following requirements be met:	
(1)	The seasonal dwellings are rented or leased or located on land that is rented or leased for such seasonal dwellings, including uses and structures clearly accessory and incidental thereto.
(2)	Where served by a central sewage collection and treatment system or a central water distribution system, an area of not less than ten thousand (10,000) square feet shall be provided for each dwelling unit, with a minimum lot width of fifty (50) feet, and the minimum setback requirements shall be ten (10) feet for all setbacks.
(3)	Where neither central sewage collection or central water systems are provided, or where an individual lot or dwelling is severed from the development, such lot shall meet the development regulations of the A-1 Agricultural District as a separate lot.
(4)	The applicant shall submit a plan for the proposed development showing the locations or seasonal dwellings, required off-street parking spaces, proposed utilities and other facilities including an all-weather road designed to serve the development during its season of use including emergency vehicles.
(5)	The plan shall be accompanied by a statement from the applicant that the development is for seasonal dwellings only and not for dwellings for year-round occupancy other than that of the owner or operator of the resort.
h. Youth or Summer Camp, provided that:	
(1)	The use shall comply with the above conditions (1) and (2) for indoor commercial recreation.

7. **Industrial Category.** Table G.9. lists the allowed conditional uses and structures in the Industrial Category.

Table G.9. Industrial Category of Conditional Uses and Structures	
a. Animal feeding operation, provided that:	
(1)	Such use complies with separation and other requirements in Iowa Code Chapter 459 and Iowa Administrative Code Chapter 65.
(2)	That adequate provisions for drainage, sanitation and waste disposal are provided.
b. Auto wrecking/Junkyard on site of 5 acres or more, provided that:	
(1)	The front setback shall be maintained as an open space free of weeds and debris.
(2)	The site shall be enclosed with a fence or a suitable landscape planting that will screen the operation from the view of adjacent public streets and places of public assembly, parks, recreation areas and residential properties.
c. Batch plants, permanently placed, provided that:	
(1)	In the A-1 Agricultural District, batch plants shall be permanently placed on quarry sites.

Table G.9. Industrial Category of Conditional Uses and Structures	
(2)	The applicant shall submit a site plan for the proposed development that shows the location of planned structures and facilities, what measures will be taken to minimize adverse effects the proposed development might have on the environs, and whereby the land so used would be restored by the applicant to a condition compatible with the surrounding area upon conclusion of the operations.
(3)	Access to a public road shall not cause a real or potential traffic hazard as determined by the County Engineer. If the site is accessed by a gravel road, a performance bond approved by the County Engineer shall be posted to ensure repair of damage to the haul route.
(4)	Such facility shall be operated in accordance with Iowa Administrative Code 701-110.23 and Iowa Administrative Code 567-21.10 .
d. Bulk storage and retail distribution of anhydrous ammonia fertilizer under pressure and petroleum products under pressure, provided that:	
(1)	Underground Storage Tanks (USTs) shall be regulated in accordance with Iowa Code Section 455B , Iowa Administrative Code Chapter 135 , and Iowa Administrative Code Chapter 136 .
(2)	Aboveground Storage Tanks (ASTs) shall be regulated in accordance with Iowa Code Chapter 101 and Iowa Administrative Code Chapters 481-282, 481-286, and 481-288 .
e. Bulk storage of oils, petroleum, flammable liquids and chemicals and the wholesale, but not retail, storage and distribution of anhydrous ammonia fertilizer and petroleum products under pressure, provided that:	
(1)	The use shall comply with the above conditions (1) and (2) for Bulk storage and retail distribution.
f. Data Center, provided that the operation complies with the Jackson County Data Center Ordinance.	
g. Mining and extraction of minerals or raw materials, including necessary processing equipment, provided that:	
(1)	The use shall comply with the above conditions (2) and (3) for Batch plants.
(2)	Such operation shall be in accordance in Iowa Code Chapter 208 and Iowa Administrative Code 27-60.75
h. Restricted manufacturing and processing businesses limited to the M-2 General Industrial District, provided that:	
(1)	The businesses comply with state and federal regulations governing the operation of their facilities and are limited to the following:
i.	Chemical plants
ii.	Explosives manufacture or storage
iii.	Fertilizer manufacturing
iv.	Garbage, offal, or dead animal reduction or dumping
v.	Gas manufacture
vi.	Refining of petroleum and natural gas and their products
vii.	Stockyard (as principal use) or slaughterhouse
(2)	The use shall comply with the above conditions (2) and (3) for Batch plants.
i. Solid Waste Facility, provided that:	
(1)	The use shall comply with the above conditions (2) and (3) for Batch plants.
(2)	Such facility shall be operated in accordance with Iowa Code Section 455B301 and Iowa Administrative Code 565—113.3 .

8. **Other Category.** Table G.10. lists the allowed conditional uses and structures in the Other Category.

Table G.10. Other Category of Conditional Uses and Structures	
a.	Addition of accessory structure to principal structure devoted to legal nonconforming use.
b.	Solar energy system, consumer scale freestanding in accordance with:
	(1) The Development Regulations for principal uses and structures in the underlying zoning district set forth in Chapter 2 of this Ordinance.
	(2) The provisions set forth in Section 2.8, Section 2.9, and Section 2.10 of the Ordinance.
c.	Solar energy system: utility-scale freestanding. <i>Reserved.</i>
d.	Wind energy conversion system: commercial, provided that the operation complies with the Jackson County Wind Energy Conversion System (WECS) Ordinance.

- I. **Special Requirements for Commercial and Industrial Districts.** The following provisions shall apply to uses and structures in the commercial and industrial zoning districts as set forth below:
1. **Lighting.** Overhead or area light fixtures shall be located and focused so as to avoid casting direct light upon any adjacent residential property.
 2. **Water Supply and Sewage Disposal.** Prior to the issuance of a certificate for any use or structure, the applicant shall submit plans for water supply and sewage disposal including anticipated water usage and shall provide satisfactory evidence to the County Health Department that such facilities, including sewage lagoons, where needed, are adequate for the proposed development. No Construction Compliance Certificate shall be issued until evidence is provided that the water supply and sewage disposal facilities shall be approved by the County and State Health Departments where required.
 3. **Screening of Exterior Storage.** In the C-1 Highway Commercial District and M-1 Limited Industrial District, no raw material, finished product or waste product which may cause dust or odor which would adversely affect adjoining properties shall be stored outside a building nor shall any other debris or waste product be permitted to accumulate on the site. Exterior storage or display established after the effective date of this provision, other than display of vehicles offered for sale, shall be screened from public view by means of distance, topography, fencing, or vegetation as approved by the Zoning Administrator.
 4. **Location and Proximity.** In granting a Conditional Use Permit for uses and/or structures which pose a potential threat to the health, safety and well-being of persons or property in that area, the Board of Adjustment shall consider the location and proximity of existing and proposed residential areas, schools, places of public assembly and any other pertinent factors and shall require that adequate safeguards be taken to minimize the potential danger. In the event adequate safeguards and precautions cannot be met or complied with, the Board of Adjustment shall not grant approval for such Conditional Use Permit.

2.10 Nonconformities.

- A. **Intent and Application.** The intent of this **Section 2.10** is:

1. To allow for reasonable use of legally created lots of record that do not meet current minimum requirements for their respective zoning districts.
2. To provide for reasonable use of legally constructed structures that do not meet current site development regulations for their respective zoning districts.
3. To allow for the reasonable continuation of legally established uses that do not meet current use regulations for their respective zoning districts.
4. To limit the continuation and provide for the gradual replacement of nonconforming uses.

These regulations apply to “grandfathered” lots, buildings, structures, and uses that were constructed legally under regulations in effect before the effective date of this Ordinance. Regulations for nonconforming uses are in addition to regulations for nonconforming structures. In the event of a conflict, the most restrictive regulation shall apply.

B. Nonconformities Generally.

1. Within the districts established on the effective date of the first Jackson County Zoning Ordinance on May 6, 1976, or amendments that have been adopted and may later be adopted, there exist lots, structures and uses of land which were lawful before this Ordinance was passed or amended, but which would be prohibited, regulated or restricted under the terms of this Ordinance or future amendment. Such nonconformities shall hereafter be considered lawful nonconformities.
2. To avoid undue hardship, nothing in this Ordinance shall be deemed to require a change in the plans, construction or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Ordinance and upon which actual building construction has been diligently carried on. “Actual building construction” is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner, except that where demolition or removal of an existing building, such demolition or removal shall be deemed to be actual building construction, provided that work shall be diligently carried on until completion of the building involved.
3. Ordinary repairs, minor alterations, and maintenance may be carried out on land, structures or buildings nonconforming as to use or bulk, provided that no alterations shall be made that would add to the size, area, or degree of nonconformity.
4. Nothing in this ordinance shall be deemed to prevent the strengthening of or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety upon order of such official.

C. Nonconformity Created By Change in Law or Boundary. Whenever a use, lot, or structure becomes nonconforming due to a change in this Zoning Ordinance or the zoning district boundaries, such use, lot, or structure may be continued in conformance with this Zoning Ordinance.

D. Governmental Acquisition of a Portion of Lot. Governmental acquisition of a portion of a lot for a public purpose that results in a reduction in lot frontage, lot setbacks, and/or lot area below that is required in its zoning district or by applicable development standards, shall not render the lot or structure nonconforming.

E. Effect on Nonconformities Illegal Under Prior Law. Nothing in this Zoning Ordinance shall be interpreted as authorization for, or approval of, the continuance of a use, lot, or structure which was in violation of zoning regulations in effect immediately prior to the effective date hereof or was otherwise illegal. Landowners shall bear the burden of proof to show that a lot, use of land, structure, use of structure, or characteristic of use of land that is nonconforming on the effective date of this Zoning Ordinance was lawfully established on the subject property. Conformity or nonconformity is assigned to the land, not to the landowner.

F. Nonconforming Lots of Record.

- 1. Pre-Existing Lots of Record.** A nonconforming lot of record evidenced by lawful plat and/or deed filed in the office of the Dubuque County Recorder, and existing at the time of the adoption of this Zoning Ordinance shall be exempt, unless otherwise provided, from the minimum lot area and lot frontage requirements of its zoning district. Such lot may be developed with any use allowed by the regulations for its zoning district, and such use shall comply with all other site development regulations set forth by this Zoning Ordinance, and applicable life safety and building codes of the County.
- 2. Single Lot in Single Ownership.** In any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of this Ordinance, a single-family dwelling and customary accessory buildings may be erected on any single pre-existing lot of record at the effective date of adoption or amendment of this Ordinance provided, however, that the sewage disposal system and water supply shall first be approved by the County Health Department. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements for area or width or both, that are generally applicable in the district, provided that the setback dimensions and other requirements, not involving area or width or both, of the lot shall conform to the regulations for the district in which such lot is located. Variance for setback requirements shall be obtained only through by the Zoning Administrator in accordance with **Section 3.10** of this Ordinance or action of the Board of Adjustment in accordance with **Section 4.6** of this Ordinance.
- 3. Adjacent Lots in Single Ownership.** Where two (2) or more adjacent pre-existing lots of record are in common ownership and are of such size as to together constitute at least one (1) conforming “zoning lot” in its zoning district, such lots or portions thereof shall be joined, developed, and used for the purpose of forming an effective and conforming zoning lot or lots.
- 4. Change of Lot Lines.** Boundary lines of a pre-existing lot of record may be relocated, re-platted, or recombined to meet the minimum lot area and/or lot frontage requirements of its zoning district, provided the action is in accordance with **Jackson County Subdivision Ordinance** and does not create a nonconforming lot.

G. Nonconforming Uses.

- 1. Continuance.** Any lawful nonconforming use of a lot or a structure may be continued, repaired, maintained, altered, or extended within a structure, subject to the provisions of this Ordinance.

2. **Extension within Structure.** Any lawful nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this ordinance, but no such use shall be extended to occupy any land outside such building. No existing structure devoted to such use shall be enlarged or extended.
3. **Relocation.** A lawful nonconforming use shall not be moved in whole or in part to any other portion of the lot, r parcel, or “zoning lot” on which it was located at the effective date of adoption or amendment of this Ordinance.
4. **Discontinuance of Use.** When a lawful nonconforming use of a structure, or structure and premises in combination, is discontinued or abandoned for one (1) year, the structure thereafter shall not be used except in conformity with the regulations of the district in which it is located. However, where it can be established that a delay in reoccupying a property has been caused by governmental and/or court action, that is clearly beyond control of the property owner, the Zoning Administrator may extend the time period to retain nonconforming status to two (2) years.
5. **Conversion.** If no structural alterations are made, any lawful nonconforming use of a structure, or structure and premises in combination may be changed to another lawful nonconforming use of the same or more restricted classification, or an equal or lesser intensity, with approval of the Zoning Administrator. Whenever a lawful nonconforming use is superseded by an allowed use, such nonconforming use may not thereafter be resumed.
6. **Reconstruction for Nonresidential Use.** When a structure housing a lawful nonconforming nonresidential use is damaged by fire, explosion, act of God, or other calamity to an extent of more than seventy five percent (75%) of its fair market value, such structure may be reconstructed to house only uses that conform to its zoning district in which it is located, except that lawful nonconforming residential uses housed in such structure may be resumed. An otherwise conforming structure containing a nonconforming nonresidential use damaged to the extent less than seventy percent (75%) of its fair market value may be reconstructed to its location, size, and external dimensions that existed at the time of damage provided that the nonconforming use as it existed prior to the damage is not increased or enlarged. Reconstruction must begin within one hundred eighty (180) days and be diligently pursued to its completion, or the use will be deemed discontinued, abandoned, or vacated.
7. **Reconstruction for Residential Use.** When a lawful nonconforming structure used solely for residential uses is damaged by fire, explosion, act of God, or other calamity, to an extent of more than seventy five percent (75%) of fair market value, such structure may be reconstructed to its location, size, and external dimensions that existed at the time of damage. Reconstruction must begin within one hundred eighty (180) days and be diligently pursued to its completion, or the use will be deemed discontinued, abandoned, or vacated.
8. **Use Requiring a Conditional Use Permit.** A lawful pre-existing use that requires a conditional use permit in its zoning district shall be presumed to have the appropriate permit and shall be considered a conforming use subject to the provisions of **Subsection 2.10.I.** of this Ordinance.

9. **Accessory Uses.** Accessory uses shall be discontinued when the nonconforming use of such principal use or structure is discontinued, unless such accessory use conforms to all the regulations of its zoning district.
10. **Junk Yards.** Any lawful nonconforming junk yards as herein defined shall be discontinued, removed or relocated to an M-2 General Industrial District within five (5) years after the passage of this Ordinance.

H. Nonconforming Structures.

1. **Continuance.** A lawful nonconforming structure existing on the effective date of adoption or amendment of this Ordinance may be continued, repaired, or altered subject to the provisions of this Ordinance, so long as it remains otherwise lawful and is not enlarged or altered in a way which increases its nonconformity. No reconstruction or replacement of nonconforming structures is permitted which would deviate further from provisions of this Ordinance than did the original structure. Where nonconforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land.
2. **Repair and Alteration.** Repairs and nonstructural alterations may be made to a lawful nonconforming structure for ordinary maintenance provided that its nonconformity is not increased. Alterations conducted by order of the County to comply with building or life safety code provisions shall be permitted. A lawful nonconforming structure or portion thereof may be altered to reduce its nonconformity or to bring it into conformity.
3. **Relocation.** A lawful nonconforming structure shall not be relocated in whole or in part to another location on its lot unless every part of the structure conforms to all site development regulations applicable to its zoning district.
4. **Reconstruction of Nonresidential Structure.** When a lawful nonconforming nonresidential structure is damaged by fire, explosion, act of God, or other calamity, to an extent of more than seventy five percent (75%) of its fair market value, such structure may be reconstructed to its location, size, and external dimensions that existed at the time of damage only in conformance with the requirements of its zoning district.
5. **Reconstruction of Residential Structure.** When a lawful nonconforming structure used solely for residential uses is damaged by fire, explosion, act of God, or other calamity, to an extent of more than seventy five percent (75%) of fair market value, such structure may be reconstructed to its location, size, and external dimensions that existed at the time of damage. Reconstruction must begin within one hundred eighty (180) days and be diligently pursued to its completion, or the use will be deemed discontinued, abandoned, or vacated.
6. **Structure Requiring a Conditional Use Permit.** A lawful pre-existing structure that requires a conditional use permit in its zoning district shall be presumed to have the appropriate permit and shall be considered a conforming structure subject to the provisions of **Subsection 2.10.I.** of this Ordinance.

7. **Accessory Structures.** Accessory structures shall be discontinued when the nonconforming use of such principal use or structure is discontinued, unless such accessory structure conforms to all the regulations of its zoning district.
- I. **Uses and Structures Under Conditional Use Provision.** A lawful pre-existing use or structure that requires a conditional use permit in its zoning district shall be presumed to have the appropriate permit and shall be considered a conforming use or structure subject to the following provisions:
1. **Continuance.** Such use or structure may be continued but shall not be expanded or enlarged to increase the building area or area of land occupied or used, nor shall any such use or structure be altered, expanded or enlarged to increase its capacity, height, number of units, number of animals, volume of traffic, volume of waste created or intensity of use.
 2. **Discontinuance.** If such use ceases for a period of one (1) year, or cannot meet the tests for reconstruction in **Subsection 2.10.G.** of this Ordinance, the use may not be resumed until a conditional use permit has been granted by the Board of Adjustment.
 3. **Reconstruction.** If such structure cannot meet the tests for reconstruction in **Subsection 2.10.H.** of this Ordinance, the structure may not be reconstructed until a conditional use permit has been granted by the Board of Adjustment. For the purposes of this paragraph, further removal of materials from a lot or parcel owned or leased for the purpose of extraction of raw materials on the effective date of this Ordinance shall not constitute expansion or enlargement provided that the extraction site meets the setbacks specified as special requirements for that use or, if such setbacks are already exceeded, that setback distances do not decrease; further, periods of up to four (4) years without extraction or processing activity shall not be considered a lapse of use.
 4. **Conversion.** If no structural alterations are made, such use of a structure, or structure and premises in combination may be changed to another lawful nonconforming use of the same or more restricted classification, or an equal or lesser intensity, with approval of the Zoning Administrator.
- J. **Nonconforming Signs.** Except as may be hereinafter specified, no sign shall be erected, placed, maintained, converted, enlarged, reconstructed, or structurally altered which does comply with all the regulations established by this Section.
1. **Maintenance and Repair.** Signs erected prior to the effective date of this Ordinance may be maintained and repaired subject to the requirements of **Subsection 2.9.G.** of this Ordinance.
 2. **Items not considered normal maintenance and repair.** Changes made to the location, size, height, or bulk of the sign or addition of illumination are not considered normal maintenance and repair and shall require that a nonconforming sign be brought into conformance with all requirements of this Ordinance.
 3. **Continuing Nonconformance.** A lawful nonconforming sign may be continued so long as it remains otherwise lawful, subject to the following provisions:
 - a. No such sign may be enlarged or altered in a way which increases its nonconformity.

- b. Should such a sign be destroyed by any means to an extent of sixty percent (60%) or more of its replacement cost at time of destruction, it shall not be reconstructed except in conformity with the provisions of this **Section 2.10** and **Subsection 2.9.G.** of this Ordinance.

- 4. Removal.** The Zoning Administrator shall have the authority to revoke any permit which has been granted when the Zoning Administrator has determined that the sign authorized by the permit has been constructed or maintained in violation of the permit. Written notice shall be given to the owner of the illegal sign and/or the owner of the property on which the sign is located. The notice shall state the reasons and grounds for removal, specifying the deficiencies or defects in such sign, and the violations charged; such notice shall specify what repairs, if any, will make the sign conform to the requirements of this **Section 2.10**, and specify that the sign be removed or made to conform with the requirements of this **Section 2.10** and **Subsection 2.9.G.** of this Ordinance within thirty (30) days.

CHAPTER 3. ADMINISTRATION AND ENFORCEMENT

3.1 Administration and Enforcement. In accordance with **Iowa Code Section 335.9**, a Zoning Administrator shall be designated by the Board of Supervisors to administer and enforce this Ordinance. The Zoning Administrator may be provided with the assistance of such other persons as the Board of Supervisors may direct.

If the Zoning Administrator shall find that any of the provisions of this Ordinance are being violated, the Zoning Administrator shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. The Zoning Administrator shall order discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures or of illegal additions, alterations or structural changes; discontinuance of any illegal work being done; or shall take any other action authorized by this Ordinance to insure compliance with or to prevent violation of its provisions.

3.2 Appeals from Decision of Administrator. Appeals from any decision of the Zoning Administrator may be taken to the Board of Adjustment as provided in **Section 4.6** of this Ordinance.

3.3 General Procedures. The General Procedures provisions in this Subsection establish the methods for review and approval of required applications in this Ordinance. Except where this Ordinance, Iowa Code, or Federal law provides otherwise, the following procedures are required:

- A. Preapplication Conference.** Potential applicants are required to contact the Zoning Administrator prior to submittal of an application to discuss the proposal. The Zoning Administrator shall inform the applicant of the details of the application process.
- B. Application, Site Plan and Fee.** An application shall be submitted on a form provided by the Zoning Administrator concurrent with a site plan and any required fee. Application forms and site plans shall include the specific information that is required to process each type of application, except where this Section describes otherwise. The Zoning Administrator may establish submittal requirements to tailor the requirements to the information necessary to review a particular application.
- C. Signature.** The signature of the applicant on the Zoning Permit application, or any other application issued through the Zoning Department, shall certify that the proposal will comply with all provisions of this Ordinance and other County development ordinances as stated in **Subsection 3.3.D.** of this Ordinance, and no subsequent modifications shall be made to the occupancy, use, method or operation that would be in violation of this Ordinance or other applicable development ordinances of Jackson County.
- D. Code Compliance.** Applications for Construction and/or Occupancy Compliance Certificates shall not be considered complete until the Zoning Administrator has ascertained that the proposed development complies with the Zoning Ordinance and with all applicable provisions of the Jackson County Code of Ordinances and other County, State, and Federal development requirements. These development requirements include, but are not limited to, the following as noted below.

1. Jackson County:

- a. All permits and applications required by the County Zoning Department have been properly applied for and means of compliance have been identified in accordance with **Title VI Property and Land Use**, including but not limited to the provisions of the **Jackson County Flood Plain Management Ordinance**, the **Jackson County Airport Tall Structures Ordinance**, and the **Jackson County Subdivision Ordinance**.
 - b. All permits required by the County Health Department for water wells and wastewater treatment systems have been properly applied for and means of compliance have been identified in accordance with **Title V Public Order, Safety, and Health**.
 - c. All permits required by the County Engineer's Office and Secondary Roads Department have been properly applied for and means of compliance have been identified, including but not limited to, a rural address, and an Entrance Permit in accordance with the **Jackson County Secondary Roads Department Entrance Policy**, where appropriate.
2. **State of Iowa.** All permits and applications required by the State of Iowa have been properly applied for and means of compliance have been identified in accordance with the appropriate **Iowa Code** and the **Iowa Administrative Code**, including but not limited to those State codes cited in this Ordinance.
 3. **Federal Government.** All permits and applications required by the Federal Government have been properly applied for and means of compliance have been identified in accordance with the appropriate **Federal laws and regulations**, including but not limited to those Federal laws and regulations cited in this Ordinance.

E. Zoning Administrator Approval and Referral.

1. The Zoning Administrator may review and approve any zoning application in this Ordinance that does not require review and approval by the Zoning Commission, Board of Adjustment, Board of Supervisors, other County Department(s), or other agencies.
2. When a zoning application in this Ordinance requires review and approval by other County Department(s) or other agencies, the Zoning Administrator shall refer the application for action to the other County Department(s) or other agencies. The Zoning Administrator shall not approve the zoning application until review and approval by other County Department(s) or other agencies is completed.
3. The Zoning Administrator may refer any zoning application in this Ordinance for review and approval of the Zoning Commission, Board of Adjustment, or Board of Supervisors, subject to the General Procedures in this Section and any other procedures in this Ordinance, when an application presents such scale, intensity or interpretation that warrants additional public review, professional input, or Board of Supervisors authority. The Zoning Administrator shall not approve the zoning application until review and approval by the Zoning Commission, Board of Adjustment, or Board of Supervisors is completed.
4. When a zoning application in this Ordinance requires review and approval by the Zoning Commission, Board of Adjustment, or Board of Supervisors, the Zoning Administrator shall refer the application for action at their next scheduled meeting provided the application is submitted

by the application deadline for their next scheduled meeting, unless the applicant shall agree to some other time. The Zoning Administrator shall not approve the zoning application until review and approval by the Zoning Commission, Board of Adjustment, or Board of Supervisors is completed.

3.4 Violation and Penalties. Any person, firm or corporation who shall violate or fail to comply with the provisions of this Ordinance shall be guilty of a civil infraction and upon conviction shall be fined in accordance with **Iowa Code Chapter 331.307**. Each day such violations continue shall constitute a separate offense.

3.5 Separate Offenses May Be Charged. The owners or tenant of any building, structure, land or part thereof, and any architect, builder, contractor, agent or other person who commits, participates in, assists in, or maintains a violation may each be charged with a separate offense and upon conviction suffer the penalties herein provided.

3.6 Injunction, Mandamus. Nothing herein contained shall prevent the County from taking other lawful action as is necessary to prevent or remedy any violation.

3.7 Zoning Permit Required. A Zoning Permit shall be obtained from the Zoning Administrator before any building or structure shall be erected, reconstructed or structurally altered to increase the exterior dimensions, height floor area, number of dwellings units or to accommodate a change in use of the building and/or premises or part thereof.

A. Construction Compliance Certificate. Subsequent to the adoption of this Ordinance, a Construction Compliance Certificate shall be obtained from the Zoning Administrator before any building or structure shall be erected, reconstructed or structurally altered to increase the exterior dimensions, height, floor area, number of dwellings units or to accommodate a change in use of the building and/or premises or part thereof. The Construction Compliance Certificate shall state that the proposed construction complies with all provisions of this Ordinance and no subsequent modifications shall be made to plans or to actual construction that would be in violation of this Ordinance.

B. Occupancy Compliance Certificate. Subsequent to the effective date of this Ordinance, no change in the use or occupancy of land nor any change in use or occupancy of an existing building, other than for single family dwelling purposes shall be made, nor shall any new building be occupied for any purpose other than single-family dwelling until an Occupancy Compliance Certificate has been issued by the Zoning Administrator. Every Occupancy Compliance Certificate shall state that the new occupancy complies with all provisions of this Ordinance and no subsequent modifications shall be made to the occupancy, use or method of operation that would be in violation of this Ordinance.

3.8 Zoning Permit Not Required. A Zoning Permit shall not be required for any maintenance item such as a new roof, windows, siding, doors, and other repair items which do not enlarge the structure or change the use. A Zoning Permit shall not be required for the construction, reconstruction, alteration, remodeling or expansion of buildings and uses customarily associated with the pursuit of agricultural enterprises in the County, including farm buildings, farm dwellings, farm fences, farm ponds, soil conservation or similar buildings and uses when so used in accordance with farm exemption per **Section 1.20** of this Ordinance.

3.9 Application For Zoning Permit. Applications for a Zoning Permit shall be made prior to beginning construction or assuming occupancy on a fully completed application form obtained from the Zoning Administrator, accompanied by the requisite fee and by such plans and information necessary to determine that the proposed construction or occupancy complies with all applicable provisions of this Ordinance.

The Zoning Administrator shall approve or deny said application. If denied, the Zoning Administrator shall submit the reasons thereof in writing to the applicant, said notice to be posted on the premises. This permit notice must be displayed near the front of the premises during construction.

The Zoning Permit approval shall be valid for construction begun one (1) year from the date of issuance and diligently continued. A zoning permit approval may be renewed for a period not exceeding one (1) year by the Zoning Administrator upon a showing of good cause, but may not be renewed more than one (1) time.

3.10 Administrative Waiver. The Zoning Administrator shall have the power to modify by Administrative Waiver any setback requirements under the conditions and using the procedures as set out in this section for allowed uses and structures, providing the modification is no more than fifty (50%) percent of the requirement, or, providing in situations involving setbacks from public roads, the County Engineer has determined that the interests of government entities in safety, engineering, and potential cost factors are negligible.

A. Application. An application for an Administrative Waiver shall be accompanied by the requisite fee and a site plan depicting the location of the requested setback waiver on the property and its distance to the front, side and rear property lines.

B. Criteria for Approval. The Zoning Administrator shall issue an Administrative Waiver only for such setback adjustments that meet the following criteria. No public hearing by the Board of Adjustment shall be required if the following criteria can be met. If these criteria are not met, then the applicant shall have the opportunity to apply to the Board of Adjustment for a Dimensional Variance, in which case the criteria for the Dimensional Variance, not the Administrative Waiver, shall apply.

1. The requested waiver is no more than fifty (50) percent of the required setbacks. For example, if the required setback is thirty (30) feet, the administrative waiver cannot exceed fifteen (15) feet. The Zoning Administrator may average the front and rear setbacks in accordance with **Section 2.1** of this Ordinance to determine the required setbacks.
2. The requested waiver does not contradict a required condition established by this Ordinance or the Board of Adjustment for a conditional use permit.
3. The requested waiver complies with **Section 2.10** of this Ordinance.
4. The requested waiver for an allowed principal or accessory structure is the same or greater than the setback(s) of the existing principal structure.
5. The requested waiver for reconstruction of an allowed addition or an accessory structure is no larger than the footprint of a previously existing addition or accessory structure that has been removed.

6. All abutting property owner(s) including property owner(s) directly across the road, agree to the requested waiver by signing and returning a waiver form supplied by the Zoning Administrator.

C. Contact with Abutting Property Owners.

1. The Zoning Administrator shall contact the list of abutting property owner(s) of record by mail correspondence and/or by electronic correspondence, including a transmittal letter, copies of the application form and site plan provided by the applicant, and the waiver form. If contacted via mail correspondence, a self- stamped, addressed envelope for return of the signed waiver form to the Zoning Administrator shall be included. Whether contacted by mail or electronic correspondence, the property owner(s) shall have the option to sign and return the waiver form electronically. Signed waiver forms shall be mailed or sent electronically within fifteen (15) days of receipt to the Zoning Administrator.
2. The applicant may contact the abutting owners and/or hold a meeting to explain their proposal.
3. Abutting property owners are not obligated to sign and return the waiver form or to agree with the applicant's proposal.
4. The Zoning Administrator shall deny an application for Administrative Waiver upon receipt of a report from any abutting property owner of the applicant's attempts to influence an abutting property owner's decision through such means as bribery, threats, or intimidation.

3.11 Temporary Use Permits. Within any zoning district, temporary uses shall be allowed only as listed as a temporary use within the zoning district in which the proposed temporary use is located. The Zoning Administrator shall issue a temporary use permit, provided that:

- A. The use is of a limited and temporary duration, and in no case, shall exceed six (6) months per calendar year unless the Zoning Administrator grants an extension upon showing of good cause. The Zoning Administrator may grant a maximum of two (2) ninety (90)-day extensions.
- B. The use will serve a public need or contribute to the public convenience and welfare.
- C. The use will not be likely to interfere with the appropriate use and enjoyment of nearby properties that may be affected by its operation.

3.12 Fees. The Zoning Administrator is directed to issue a Zoning Permit with a Construction Compliance Certificate and/or Occupancy Compliance Certificate as required by this Ordinance for proposed construction, reconstruction or alteration which complies with all provisions contained herein and to charge a fee as established by rule of the Jackson County Board of Supervisors for each Construction Compliance Certificate or Occupancy Compliance Certificate issued separately. Only one (1) fee shall be charged for a Construction Compliance Certificate and Occupancy Compliance Certificate issued jointly.

There shall be no fees charged to the United States Government, the State of Iowa or any political subdivision thereof.

All fees are required and shall be paid to the Zoning Administrator, who shall keep a complete and accurate record of fees received and shall forthwith deposit them to the credit of the general revenue fund of the county.

CHAPTER 4. BOARD OF ADJUSTMENT

4.1 Board of Adjustment Created. In accordance with **Iowa Code Section 335.10**, a Board of Adjustment is hereby established by the Jackson County Board of Supervisors. The Board shall consist of five (5) members to be appointed by the Board of Supervisors for a term of five (5) years, except that when the Board of Adjustment shall first be created one (1) member shall be appointed for a term of five (5) years, one for a term of four (4) years, one for a term of three (3) years, one for a term of two (2) years and one for a term of one (1) year. Members of the Board of Adjustment may be removed from office by the Board of Supervisors for cause upon written charges and after public hearing. Vacancies shall be filled by the Board of Supervisors for the unexpired term of the member.

4.2 Proceedings of the Board of Adjustment. The Board of Adjustment shall adopt rules necessary to the conduct of its affairs and in keeping with the provisions of this Ordinance. Meetings shall be held at the call of the chair and at such other times as the Board may determine. The chair, or in the absence of the chair, the acting chair, may administer oaths and compel attendance of witnesses. All meetings shall be open to the public.

The Board of Adjustment shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be a public record and be immediately filed in the office of the Board.

4.3 The Board of Adjustment: Powers and Duties: The Board of Adjustment shall have the following powers and duties:

A. In accordance with **Iowa Code Section 335.15**:

- 1. Appeals.** To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by the Zoning Administrator or an administrative official in the enforcement of this Ordinance or of any ordinance adopted pursuant thereto.
- 2. Conditional Use Permits.** To hear and decide special exceptions to the terms of the Ordinance upon which the Board of Adjustment is required to pass under this Ordinance by granting conditional use permits. The Board of Adjustment is specifically authorized to pass on by the terms of this Ordinance; to decide such questions as are involved in determining whether conditional use permits should be granted; and to grant conditional use permits with such conditions and safeguards as are appropriate under this Ordinance and to deny conditional use permits when not in harmony with the purpose and intent of this Ordinance.
- 3. Dimensional Variances.** To authorize on appeal, in specific cases, such variance from the terms of the Ordinance with respect to the quantitative requirements for area, dimensional, or other numerical limitations as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of the Ordinance will result in practical difficulties to the property owner in making a beneficial use of the property allowed by the Zoning Ordinance, and so that the spirit of the Ordinance shall be observed and substantial justice done. Such variance from quantitative requirements of this Ordinance shall require a dimensional variance to be granted by the Board of Adjustment, providing in situations involving setbacks from public roads, the County Engineer has determined that the interests of government entities in safety, engineering, and potential cost factors are negligible.

4. **Variances.** To authorize upon appeal in specific cases such variance from non-quantitative requirements under the terms of this Ordinance as will not be contrary to the public interest where, owing to the special conditions, a literal enforcement of the provisions of this Ordinance would result in unnecessary hardship.

B. In accordance with the Jackson County Code of Ordinances:

1. Title III Business and Occupations, Chapter 3. Alcohol Licenses Regulations, Section 3-3-2 Restrictions.
2. Title IV Property and Land Use, Chapter 2. Flood Plain Management, Section 6-2-9 Appointment and Duties of Board of Adjustment.
3. Title IV Property and Land Use, Chapter 3. Airport Tall Structure Zoning Ordinance, Section 6-3-5 Variances.

4.4 Appeals. Appeals to the Board of Adjustment concerning interpretation or administration of this Ordinance may be taken by any person aggrieved or by any officer or bureau of the governing body of the County affected by any decision of the Administrator.

A. Stay of Proceedings. An appeal stays all proceedings in furtherance of the action appealed from, unless the Zoning Administrator from whom the appeal is taken certifies to the Board of Adjustment after the notice of appeal is filed with the Zoning Administrator, that by reason of facts stated in the certificate, a stay would, in the Zoning Administrator's opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed other than by a restraining order which may be granted by the Board of Adjustment or by a court of record on application and notice to the Zoning Administrator from whom the appeal is taken and on due cause shown.

B. Procedures. Such appeals shall be taken within a reasonable time, not to exceed sixty (60) days as provided by the rules of the Board, by filing with the Zoning Administrator and with the Board of Adjustment a notice of appeal specifying the grounds thereof. The Zoning Administrator shall forthwith transmit to the Board of Adjustment all papers constituting the record upon which the action appealed from was taken.

The Board of Adjustment shall fix a reasonable time for the hearing of appeal, give public notice thereof as well as due notice to the parties in interest, and decide the same within a reasonable time. At the hearing any party may appear in person or appear virtually, or represented by agent or attorney. In accordance with Iowa Code Section 335.6, notice of the time and place of the hearing shall be published as provided in Iowa Code Section 331.305.

1. A written application indicating the administrative decision or the section of this Ordinance being appealed.
2. A fee (established by rule of the Board of Supervisors) shall be paid to the Zoning Administrator at the time the notice of appeal is filed which the Zoning Administrator shall forthwith pay over to the credit of the general fund of the County.
3. The public hearing shall be held. Any party may appear in person or appear virtually, or by agent or attorney. A complete record of the hearing shall contain the following:

- a. The original application.
- b. The records of any action on the appeal by an administrative official.
- c. Proof of notice sent prior to the hearing date to the applicant by mail for the purpose of due notice of the hearing.
- d. All relevant information, including but not limited to, maps, drawings, and/or photographs.
- e. Minutes of the public hearing.

C. Final Decision. The final decision shall include the findings of fact and the conclusions reached by the Board of Adjustment. The decision must be in writing and include all conditions that may be associated with the decision. The decision should not be a mere conclusion or statement. Each decision shall be accompanied by specific findings of fact related to the specific appeal.

4.5 Conditional Use Permits. Any person may submit to the Board of Adjustment an application requesting a conditional use permit in accordance with the regulations of this Ordinance.

A. Procedures. A conditional use permit shall not be granted by the Board of Adjustment unless and until:

1. A written application for a conditional use permit is submitted indicating the section of this Ordinance under which the conditional use permit is sought and stating the grounds on which it is requested.
2. A fee (established by the Board of Supervisors), shall be paid to the Zoning Administrator at the time the application is filed, which the Zoning Administrator shall forthwith pay over to the credit of the general fund of the County.
3. In accordance with **Iowa Code Section 335.6**, notice of the time and place of the hearing shall be published as provided in **Iowa Code Section 331.305** and by contacting by mail, for the purpose of a courtesy notice of the public hearing, all property owners within five hundred (500) feet of the exterior boundaries of the property for which the conditional use permit is requested. The notice shall state the location of the district affected by naming the township and section, and the boundaries of the district shall be expressed in terms of streets or roads if possible.
4. The public hearing shall be held. Any party may appear in person or appear virtually, or by agent or attorney.

B. Standards for Review. In reviewing an application for a conditional use permit, the Board of Adjustment shall consider the following:

1. The Jackson County Land Use Policy Statement and the Comprehensive Plan.
2. Other policy statements adopted by the Board of Supervisors including **Subsection 2.8.H.** of this Ordinance addressing the preservation of ancient burial mounds.
3. The purpose and intent of the Ordinance and of its specific districts.
4. The most appropriate use of the land.
5. The conservation and stabilization of property values.
6. Adequate open spaces for light and air.
7. Concentration of population.

8. Congestion of public streets.
9. The promotion of the public safety, health, convenience and comfort.
10. The general welfare of the persons residing or working in the general area.

C. Findings. Before any conditional use permit is granted, the Board of Adjustment shall make the following written findings regarding the case in question:

1. The Board of Adjustment is empowered under this Ordinance to grant the conditional use permit.
2. It complies with any specific regulations governing individual conditional use permit .
3. Satisfactory provision has been made concerning the following, where applicable:
 - a. Vehicular access to property with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
 - b. Off-street parking, loading and service areas where required.
 - c. Economic, noise, dust, heat, glare or odor effects of the conditional use permit on surrounding properties.
 - d. Utilities, with reference to locations, availability, adequacy and compatibility.
 - e. Screens and buffers with reference to type, dimensions, character and adequacy.
 - f. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect and compatibility and harmony with surrounding properties.
 - g. Required setbacks and other open spaces.
 - h. General compatibility with surrounding properties.
4. It is in harmony with the Land Use Policy Statement and the Comprehensive Plan.
5. It will not adversely affect the public interest.

D. Conditions.

1. In granting any conditional use permit, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this Ordinance.
2. Violation of such conditions and safeguards, when made a part of the terms under which the conditional use permit is granted, shall be deemed a violation of this Ordinance and punishable under **Section 3.4** of this Ordinance.
3. The Board of Adjustment may prescribe a time limit within which the action for which the conditional use permit is required to be begun or completed, or both. Failure to begin or complete, or both, such action within the time limit set shall void the conditional use permit.

E. Extension of Conditional Use Permits.

1. **Time Limits.** The Board of Adjustment may prescribe a time limit within which the action authorized by a conditional use permit shall be begun, completed, or both, subject to administrative renewal. Unless otherwise stated in the approval, such authorization shall expire one (1) year from the date of final approval if substantial construction or establishment of the use has not commenced.

2. **Extension Requests – General Requirement.** Any request to extend the expiration date of a special exception or conditional use permit shall be submitted in writing to the Zoning Administrator no fewer than thirty (30) days before the expiration date. The request shall include:
 - a. A completed application form and the required fee.
 - b. A statement of the reasons for the delay.
 - c. Evidence of compliance with all conditions of approval to date.
 - d. A revised timeline for completion.
3. **Public Hearing Requirement.** Extension requests shall be reviewed and acted upon by the Board of Adjustment at a public hearing with notice given in the same manner as the original approval, except as provided in Subsection 4.5.E.4. of this Ordinance. Public notice for Board-reviewed extensions shall be given in accordance with Subsection 4.5.A.3. of this Ordinance for conditional uses permits, including mailed notice to all owners of record within five hundred (500) feet of the subject property.
4. **Administrative Extensions.**
 - a. The Zoning Administrator may grant one (1) administrative extension of up to twelve (12) months without a public hearing if all of the following apply:
 - (1) The original approval expressly states that administrative renewal is permitted.
 - (2) Substantial construction or establishment of the use has commenced and is being diligently pursued.
 - (3) No complaints or violations related to the approval have been filed.
 - (4) No changes to the site plan, use, or conditions are proposed.
 - b. Upon granting the administrative extension, the Zoning Administrator shall mail a written decision to the applicant, the Board of Adjustment, and surrounding property owners within five hundred (500) feet of the subject property.
5. **Limitations.**
 - a. No more than two (2) total extensions (administrative and/or Board) may be granted.
 - b. If an extension is denied, all work or use not in compliance with the underlying zoning district regulations must cease by the original expiration date or as otherwise ordered by the Board.
6. **Fees.** All extension requests, whether administrative or Board-reviewed, shall be accompanied by a fee established by the Board of Supervisors to cover administrative, public notice, and mailing costs.

4.6 Dimensional Variances. Any person may submit to the Board of Adjustment an application requesting a dimensional variance in accordance with the regulations of this Ordinance.

A. Procedures. A dimensional variance shall not be granted by the Board of Adjustment unless and until:

1. A written application for a dimensional variance is submitted indicating the quantitative requirements of this Ordinance for which the dimensional variance is sought and stating the grounds on which it is requested.

2. A fee (established by the Board of Supervisors), shall be paid to the Zoning Administrator at the time the application is filed, which the Zoning Administrator shall forthwith pay over to the credit of the general fund of the County.
3. In accordance with **Iowa Code Section 335.6**, notice of the time and place of the hearing shall be published as provided in **Iowa Code Section 331.305** and by contacting by mail, for the purpose of a courtesy notice of the public hearing, all property owners within five hundred (500) feet of the exterior boundaries of the property for which the dimensional variance is requested. The notice shall state the location of the district affected by naming the township and section, and the boundaries of the district shall be expressed in terms of streets or roads if possible.
4. The public hearing shall be held. Any party may appear in person or appear virtually, or by agent or attorney.

B. Burden of Proof for Property Owner. To receive the requested dimensional variance, the property owner must meet the “burden of proof” for “practical difficulties” in accordance with **Iowa Code Section 335.15.4**.

C. Standards for Review. In reviewing an application for a dimensional variance, the Board of Adjustment shall consider the following standards for review.

1. The property owner has met the “burden of proof” in accordance with **Iowa Code Section 335.15.4**.
2. The Jackson County Land Use Policy Statement and the Comprehensive Plan.
3. Other policy statements adopted by the Board of Supervisors, including **Subsection 2.8.H** of this Ordinance addressing the preservation of ancient burial mounds.
4. The purpose and intent of the Ordinance and of its specific districts.
5. The most appropriate use of the land.
6. The conservation and stabilization of property values.
7. Adequate open spaces for light and air.
8. Concentration of population.
9. Congestion of public streets.
10. The promotion of the public safety, health, convenience and comfort.
11. The general welfare of the persons residing or working in the general area.
12. In situations involving setbacks from public roads, the County Engineer has determined that the interests of government entities in safety, engineering, and potential cost factors are negligible.

D. Findings. Before any dimensional variance is granted, the Board of Adjustment shall make the following written findings regarding the case in question:

1. The property owner has met the “burden of proof” in accordance with **Iowa Code Section 335.15.4**.
2. The Board of Adjustment is empowered under this Ordinance to grant the dimensional variance.
3. It complies with any specific regulations governing an individual dimensional variance .
4. Satisfactory provision has been made concerning the following, where applicable:

- a. Vehicular access to property with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
 - b. Off-street parking, loading and service areas where required.
 - c. Economic, noise, dust, heat, glare or odor effects of the dimensional variance on surrounding properties.
 - d. Utilities, with reference to locations, availability, adequacy and compatibility.
 - e. Screens and buffers with reference to type, dimensions, character and adequacy.
 - f. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect and compatibility and harmony with surrounding properties.
 - g. Required setbacks and other open spaces.
 - h. General compatibility with surrounding properties.
5. It is in harmony with the Land Use Policy Statement and the Comprehensive Plan.
 6. It will not adversely affect the public interest.

E. Conditions.

1. In granting any dimensional variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this Ordinance.
2. Violation of such conditions and safeguards, when made a part of the terms under which the dimensional variance is granted, shall be deemed a violation of this Ordinance and punishable under **Section 3.4** of this Ordinance.
3. Under no circumstances shall the Board of Adjustment grant a dimensional variance to allow a use or structure not allowed in the district involved or any use or structure expressly or by implication prohibited by the terms of this Ordinance in said district.
4. The effective date that a dimensional variance is granted shall be twenty-one (21) days from the date of granting, except that when a dimensional variance has been reaffirmed, with or without modification, after being remanded by the Board of Supervisors under the provisions of this Ordinance, the dimensional variance shall be effective immediately or as specified in the motion to reaffirm.

4.7 Variances. Any person may submit to the Board of Adjustment an application requesting a variance from non-quantitative requirements in accordance with the regulations of this Ordinance.

A. Procedures. A variance the terms of this Ordinance shall not be granted by the Board of Adjustment unless and until:

1. A written application for a variance is submitted demonstrating:
 - a. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district.
 - b. That literal interpretation of the provisions of this Ordinance would deprive the property owner of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.

- c. That the special conditions and circumstances do not result from the actions of the property owner.
 - d. That granting the variance requested will not confer on the property owner any special privilege that is denied by this Ordinance to other lands, structures or buildings in the same district. No nonconforming use of neighboring lands, structure or buildings in other districts shall be considered grounds for the issuance of a variance.
2. A fee (established by the Board of Supervisors), shall be paid to the Zoning Administrator at the time the application is filed, which the Zoning Administrator shall forthwith pay over to the credit of the general fund of the County.
3. In accordance with **Iowa Code Section 335.6**, notice of the time and place of the hearing shall be published as provided in **Iowa Code Section 331.305** and by contacting by mail, for the purpose of a courtesy notice of the public hearing, all property owners within five hundred (500) feet of the exterior boundaries of the property for which the variance is requested. The notice shall state the location of the district affected by naming the township and section, and the boundaries of the district shall be expressed in terms of streets or roads if possible.
4. The public hearing shall be held. Any party may appear in person or appear virtually, or by agent or by attorney.

B. Burden of Proof for Property Owner. To receive the requested variance from the terms of the Ordinance, the property owner must prove to the Board of Adjustment that the strict enforcement of the terms of this Ordinance will inflict an “unnecessary hardship” on the property owner and are not self-created and must also demonstrate that granting the variance will not significantly alter the essential character of the surrounding neighborhood.

C. Standards for Review. In reviewing an application for a variance, the Board of Adjustment shall consider the following standards for review. No variance shall be granted unless the property owner shall show and the Board of Adjustment shall find the following:

1. The Iowa courts have set out specific criteria that must be satisfied before the Board of Adjustment may find that an “unnecessary hardship” exists, sufficient to grant a property owner a variance. The property owner must satisfy all three (3) criteria listed below to be granted a variance:
 - a. The land in question cannot yield reasonable return if used only for a purpose allowed in that zoning district,
 - b. The plight of the property owner is due to unique circumstances and not to general conditions in neighborhood, and
 - c. The use or structure to be authorized by a variance will not alter essential character of the locality.
2. The Iowa courts have established the following guidelines for assessing whether the above-listed criteria have been met:
 - a. Failure to yield a “reasonable return” may be shown by proof that the property owner has been deprived of all beneficial use of the land. All beneficial use is said to have been lost

where the land is not suitable for any use allowed by this Ordinance. It is not sufficient to show that the value of land merely has been depreciated by the zoning regulations, or that a variance would permit a property owner to maintain a more profitable use. It is not sufficient to show mere inconvenience to the applicant.

- b. Problems common to several properties do not constitute “unique circumstances.” The condition or situation is not of so general or recurring a nature as to make reasonably practical a general regulation to be adopted as an amendment of this Ordinance.
 - c. This disadvantage of “unique circumstances” does not exist as a result of conditions created by the current owner or previous owners of the property.
 - d. A variance that alters the “essential character of the area” is beyond the authority of the Board of Adjustment to grant. The Board of Adjustment cannot grant a variance for a change in use that, in effect, constitutes a rezoning or Ordinance amendment. Factors to consider in determining whether a variance will alter the “essential character of the neighborhood” include the degree of variation from district regulations, the size of the parcel, and the parcel’s size and character in relation to the size of the district.
3. In granting a variance, the Board of Adjustment shall not consider prospective financial loss or gain to the applicant.

Under no circumstances shall the Board of Adjustment grant a variance to allow a use or structure not allowed under the terms of the Ordinance regulations in the district involved, or any use or structure expressly or by implication prohibited by the terms of the regulations in said district.

4. No non-conforming use of neighboring lands, structures, or buildings in the same district and no allowed or non-conforming use of lands, structures, or buildings in other districts shall be considered grounds for the granting of a variance.

D. Findings. Before any variance is granted, the Board of Adjustment shall make the following written findings regarding the case in question:

- 1. The property owner has met the “burden of proof” in accordance with the Iowa courts.
- 2. The Board of Adjustment is empowered under the section of this Ordinance described in the application to grant the variance.
- 3. The requirements of this Ordinance have been met by the property owner for a variance.
- 4. The reasons set forth in the application justify the granting of the variance and that the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.
- 5. The granting of the variance will be in harmony with the general purpose and intent of this Ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

E. Conditions.

1. In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this Ordinance.
2. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Ordinance and punishable under **Section 3.4** of this Ordinance.
3. Under no circumstances shall the Board of Adjustment grant a variance to allow a use or structure not allowed in the district involved or any use or structure expressly or by implication prohibited by the terms of this Ordinance in said district.
4. The effective date that a variance granted shall be twenty-one (21) days from the date of granting, except that when a variance has been reaffirmed, with or without modification, after being remanded by the Board of Supervisors under the provisions of this Ordinance, the variance shall be effective immediately or as specified in the motion to reaffirm.

4.8 Decisions of the Board of Adjustment. In exercising the above-mentioned powers, the Board of Adjustment may, so long as such action is in conformity with the terms of this Ordinance, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination as ought to be made and to that end shall have powers of the Zoning Administrator from whom the appeal is taken. The concurring vote of a quorum of three (3) members of the Board of Adjustment shall be necessary to reverse any order, requirement, decision or determination of the Zoning Administrator or to decide in favor of the applicant on any matter upon which it is required to pass under this Ordinance or to effect any variation in application of this Ordinance.

4.9 Remanding of Variances by the Board of Supervisors. Under the authority of **Iowa Code Section 335.10**, the Board of Supervisors shall have the power to remand any dimensional variance or variance granted by the Board of Adjustment. Accordingly, the following provisions shall apply:

- A. A written report of all actions taken by the Board of Adjustment shall be provided promptly by its secretary to the applicant, the property owner, and to the Board of Supervisors, to include also the effective date of any variances granted.
- B. Upon considering the report of actions and any other information available, the Board of Supervisors may choose to remand any decision to grant a variance, so long as it acts by official motion and before the effective date of the variance. The remanding of a variance will automatically delay its effective date for thirty (30) days from the date of the remand, or until the Board of Adjustment has taken an official action on the remand, as required by this Ordinance, whichever comes first.
- C. Upon notice of such remand, the Board of Adjustment shall schedule a special public hearing, to occur before the new effective date of the variance, to hear any new testimony available on the matter. Notice of this hearing shall be provided in the customary manner and to the applicant, the property owner, and to all persons who commented on the request, either at the original hearing or in writing to the Board of Adjustment.

- D. Upon holding such special hearing, the Board of Adjustment shall make findings and take action to affirm its original decision, or to modify it by the placement of conditions on the variance, or by denying the variance.
- E. If the Board of Adjustment fails to act before the effective date of a variance, the variance stands and any further redress of grievances shall come from a court of record as noted below.

4.10 Appeals from the Board of Adjustment: Any person or persons or any board, taxpayer, department, board or bureau of the county aggrieved by any decision of the Board of Adjustment may seek review by a court of record of such decision in the manner provided by the laws of the State and particularly by **Iowa Code Chapter 358A**.

CHAPTER 5. ZONING COMMISSION

5.1 Zoning Commission Created. In accordance with **Iowa Code Section 335.8**, a Zoning Commission is hereby established by the Jackson County Board of Supervisors. The Commission shall consist of seven (7) members to be appointed by the Board of Supervisors for a term of five (5) years, such terms to be staggered. Members of the Commission may be removed from office by the Board of Supervisors for cause upon written charges and after public hearing. Vacancies shall be filled by the Board of Supervisors for the unexpired term of the member.

5.2 Proceedings of the Zoning Commission. The Zoning Commission shall adopt rules and procedures necessary to the conduct of its affairs and in keeping with the provisions of this ordinance. Meetings shall be held at the call of the chair and at such other times as the Commission may determine. The chair, or in the absence of the chair, the acting chair, may conduct the meetings. All meetings shall be open to the public.

The Zoning Commission shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be a public record and be immediately filed in the office of the Commission.

5.3 The Zoning Commission: Powers and Duties. In accordance with **Iowa Code Section 355.8**, the Commission shall have the following powers and discharge the following duties under this Ordinance:

- A. Zoning Ordinance Adoption and Amendment.** To recommend the adoption of a Zoning Ordinance, and consider any proposed amendments, supplements, changes, or modifications of the adopted Zoning Ordinance and appropriate uses, regulations and restrictions to be enforced in the districts.
- B. Zoning Ordinance Map Amendment (Rezoning).** To review proposed Zoning Ordinance Map Amendment (Rezoning) rezoning of property including changes in boundaries of the various zoning districts.
- C. Comprehensive Plan Adoption and Amendment.** To recommend the adoption of a Comprehensive Plan, and consider any proposed amendments or modifications of the adopted Comprehensive Plan.
- D. Contract for Services.** With the approval of the Board of Supervisors, contract with professional consultants, regional planning commissions, the economic development authority, or the federal government, for local planning assistance.

5.4 Text Changes and Amendments. Any person may submit to the Commission an application requesting a change in the Ordinance regulations. The Commission may, from time to time, recommend to the Board of Supervisors amendments to this Ordinance upon application, at the direction of the Board of Supervisors, or of its own accord after holding a public hearing in accordance with **Iowa Code Section 335.8**. The regulations imposed and the districts created by this Ordinance may be amended from time to time by the Board of Supervisors the manner set forth in Section **Iowa Code Section 331.302** and **Iowa Code 331.305** after a report has been made upon the amendment by the Commission in accordance with **Iowa Code Section 335.8**. The Board of Supervisors, before adopting an amending ordinance, shall hold a public hearing on the proposed change in accordance with **Iowa Code Section 335.6**.

A. Procedures. A proposed text amendment or change of this Ordinance shall not be considered by the Commission unless and until:

1. A written application for an amendment is submitted indicating the section of this Ordinance under which the amendment is sought and stating the grounds on which it is requested.
2. In accordance with Iowa Code Section 335.6, notice of the time and place of the hearing shall be published as provided in Iowa Code Section 331.305.
3. The public hearing shall be held. Any party may appear in person or appear virtually, or by agent or attorney. A complete record of the hearing shall contain the following:
 - a. The original application.
 - b. The staff report and records of any action on the request by the Zoning Administrator.
 - c. All relevant information, including but not limited to, maps, drawings, and/or photographs.
 - d. Proof of publication of the legal notice published in the local newspaper.
 - e. Minutes of the public hearing.

B. Standards for Review. The Commission shall review the proposed amendment for conformance to the following standards for review:

1. Whether or not the current zoning regulations are valid, and
2. Whether there is a need for the modifications for the purpose requested, and
3. Whether the proposed amendment is consistent with the Comprehensive Plan and the Land Use Policy Statement.

C. Recommendation. The Commission shall prepare a final report recommending to the Board of Supervisors the approval, approval with conditions, or denial of any requested amendment of this Ordinance. The Commission's report and any recommendations may include a proposed ordinance or changes to an ordinance for the requested amendment. The Commission's final report shall be filed with the Board of Supervisors within forty-five (45) days of the Commission's public hearing unless the public hearing has been continued or tabled for more information or at the request of the applicant. The Board of Supervisors shall not hold its public hearing or act until it has received the final report of the Commission.

In case the Commission does not approve the change, such amendment shall not be passed except by the favorable vote of sixty (60) percent of all the members of the Board of Supervisors.

5.5 Map Change of Zoning District Boundaries (Rezoning). Any person may submit to the Commission an application requesting a change in the zoning district boundaries (rezoning) as shown on the Official Zoning Map. The Commission may, from time to time, recommend to the Board of Supervisors a rezoning upon application, at the direction of the Board of Supervisors, or of its own accord. The boundaries of the districts as shown on the Official Zoning Map created by this Ordinance may be changed from time to time by the Board of Supervisors in the manner set forth in Iowa Code Section 335.7 after a report has been made upon the proposed rezoning by the Commission. The Board of Supervisors, before acting on a rezoning, shall hold a public hearing on the requested rezoning. In

accordance with Iowa Code Section 335.6, notice of the time and place of the hearing shall be published as provided in Iowa Code section 331.305.

A. Procedures. A proposed rezoning shall not be considered by the Commission unless and until:

1. A written application for a rezoning is submitted with the following information:
 - a. The legal description and local address of the property.
 - b. The present zoning classification and the zoning classification requested for the property.
 - c. The existing use and proposed use of the property.
 - d. The names and addresses of the owners of all property within five hundred (500) feet of the property for which the change is requested.
 - e. A plat showing the locations, dimensions and use of the applicant's property and all property within five hundred (500) feet thereof, including streets, alleys, railroads and other physical features.
 - f. A statement of the reasons why the applicant feels the present zoning classification is no longer valid.
2. A fee (established by the Board of Supervisors), shall be paid to the Zoning Administrator at the time the application is filed, which the Zoning Administrator shall forthwith pay over to the credit of the general fund of the County.
3. In accordance with Iowa Code Section 335.6, notice of the time and place of the hearing shall be published as provided in Iowa Code Section 331.305, and the notice shall state the location of the district affected by naming the township and section, and the boundaries of the district shall be expressed in terms of streets or roads if possible.
4. For the purpose of a courtesy notice of the public hearing, all property owners within five hundred (500) feet of the exterior boundaries of the property for which the rezoning is requested shall be mailed a copy of the notice within the same timeframe as for publication of the notice.
5. The public hearing shall be held. Any party may appear in person or appear virtually, or by agent or attorney. A complete record of the hearing shall contain the following:
 - a. The original application.
 - b. The staff report and records of any action on the request by the Zoning Administrator.
 - c. All relevant information, including but not limited to, maps, drawings, and/or photographs.
 - d. Proof of publication of the legal notice published in the local newspaper.
 - e. Minutes of the public hearing.

B. Standards for Review. The Commission shall review the proposed rezoning for conformance to the following standards for review:

1. Whether or not the current district classification of the property to be rezoned is valid.
2. Whether there is a need for additional land zoned for the purpose requested.
3. Whether the proposed change is consistent with the Comprehensive Plan and the Land Use Policy Statement.

4. Whether the proposed change would result in a population density or development which would in turn cause a demand for services or utilities in excess of the capacity planned for the area.
5. Whether the proposed change would result in the generating of traffic in excess of the capacity of existing or planned streets in the vicinity.

C. Recommendation. The Commission shall prepare a final report recommending to the Board of Supervisors the approval, approval with conditions, or denial of any requested rezoning. The Commission's final report shall be filed with the Board of Supervisors within forty-five (45) days of the Commission's public hearing. The Board of Supervisors shall not hold its public hearing or act until it has received the final report of the Commission.

In case the Commission does not approve the change or, in the case of a protest filed with the Board of Supervisors in accordance with **Iowa Code Section 335.7**, such rezoning shall not be passed except by the favorable vote of sixty (60) percent of all the members of the Board of Supervisors.

D. Conditional Rezoning. As part of a rezoning reclassifying land from one zoning district to another zoning district, the Board of Supervisors may impose conditions on a property owner which are in addition to existing regulations in accordance with **Iowa Code Section 335.7**.

E. Change of Official Zoning Map. Change of the boundaries of districts as shown on the Official Zoning Map) for a rezoning request approved by the Board of Supervisors shall be made by an ordinance amending the Zoning Ordinance, shall refer to the Official Zoning Map, and shall set out the identification of the area affected by legal description and identify the zoning district as it exists and the new district designation applicable to said property. Said ordinance shall, after adoption and publication, be recorded by the County Recorder as other ordinances and the Official Zoning Map changed as provided in **Section 1.18** of this Ordinance. Such amendatory ordinance shall, however, not repeal or reenact said map, but only amend it. The Official Zoning Map, as amended, shall be the final authority to the current zoning status of land and water areas, buildings, and other structures in the County subject to the provisions of this Ordinance.

5.6 Comprehensive Plan Adoption and Amendments. The Commission may recommend to the Board of Supervisors for adoption a Comprehensive Plan pursuant to **Iowa Code Section 335.5**. After adoption of the Comprehensive Plan, the Commission may, from time to time, recommend to the Board of Supervisors amendments to the Comprehensive Plan upon application, at the direction of the Board of Supervisors, or of its own accord. The Commission may make such surveys, studies, maps, plans, or charts for the whole of the County, which in the opinion of the Commission bears relation to the Comprehensive Plan and shall bring its studies and recommendations to the attention of the Board of Supervisors.

A. Procedures. An amendment of the Comprehensive Plan shall not be considered by the Zoning Commission unless and until:

1. A written application for an amendment is submitted indicating the section of the Comprehensive Plan under which the amendment is sought and stating the grounds on which it is requested.

2. A fee (established by the Board of Supervisors), shall be paid to the Zoning Administrator at the time the application is filed, which the Zoning Administrator shall forthwith pay over to the credit of the general fund of the County.
3. In accordance with Iowa Code Section 335.6, notice of the time and place of the hearing shall be published as provided in Iowa Code Section 331.305.
4. The public hearing shall be held. Any party may appear in person or appear virtually, or by agent or attorney. A complete record of the hearing shall contain the following:
 - a. The original application.
 - b. The staff report and records of any action on this request by the Zoning Administrator.
 - c. All relevant information, including but not limited to, maps, drawings, and/or photographs.
 - d. Proof of publication of the legal notice published in the local newspaper.
 - e. Minutes of the public hearing.

B. Standards for Review. The Zoning Commission shall review the proposed amendment for conformance to the following standards for review:

1. Whether or not the current goals and objectives of the Comprehensive Plan are valid, and
2. Whether there is a need for the modifications for the purpose requested, and
3. Whether the proposed amendment is consistent with the Comprehensive Plan and the Land Use Policy Statement.

C. Recommendation. The Zoning Commission shall prepare a final report recommending to the Board of Supervisors the approval, approval with conditions, or denial of any requested amendment of the Comprehensive Plan. The Commission's report and any recommendations may include a proposed ordinance or amendments to an ordinance. The Commission's final report shall be filed with the Board of Supervisors within forty-five (45) days of the Commission's public hearing. The Board of Supervisors shall not hold its public hearings or act until it has received the final report of the Commission.

CHAPTER 6. DEFINITIONS

6.1 Definitions. For the purpose of this Ordinance, certain terms and words are hereby defined. Where terms are not specifically defined below or in the section where occurring, their ordinarily accepted meaning according to the most recent version of Merriam-Webster Dictionary and/or “A Planner’s Dictionary” published by the American Planning Association, and implied by their context shall apply. Words used in the present tense shall include the future, the singular number shall include the plural and the plural the singular and the word "shall" is mandatory and not directory.

Accessory Building. As defined and regulated in **Iowa Administrative Code 193B-5.1 (544A)**.

Accessory Dwelling Unit (ADU). An accessory dwelling unit (ADU) as defined and regulated in **Iowa Code Section 331.301, Subsection 27** and as regulated in **Subsection 2.8.K** of this Ordinance. See also **Permit, Accessory Dwelling Unit**.

Accessory Use or Structure. A use or structure subordinate to the principal use of a structure or land on the same lot or parcel of ground and serving a purpose customarily incidental to the use of the **Principal Structure or Use** of land. See also **Accessory Building, Conditional Use or Structure**, and **Section 2.1** of this Ordinance.

Adult Day Care Center. As defined and regulated in **Iowa Administrative Code Chapter 481**. For purposes of this Ordinance, Adult Day Care shall be regulated as a **Family Home** as defined herein.

Agricultural Building. As defined and regulated in **Iowa Administrative Code 193B-5.1(544A)** and **Iowa Administrative Code 193B-5.3(544A)**. See also **Farm Building**.

Agricultural Sales, Service, and Supply. An establishment engaged in retail sales, service, and supply directly related to the day-to-day activities of agricultural production, including but not limited to: Retail sales of agricultural fertilizers, chemicals, seeds, feed and feed supplements, buildings, supplies or fuels, or the buying, storing, processing and sale of grains for seed, or for livestock and poultry feed and other non-animal farm products; alfalfa dehydrating; the sale of feeds, feed supplements, and miscellaneous farm supplies; the storage, distribution or sale of agricultural lime, agricultural chemicals or fertilizers; the storage, distribution and sale of petroleum products, including sale from tank trucks; the buying and temporary storage of wool or hides; trenching or well drilling; but not to include the bulk storage of anhydrous ammonia fertilizer under pressure or petroleum products under pressure, and not including the sale or display of farm machinery, building materials or appliances. See also **Bulk Storage**.

Agriculture. Defined as “Agricultural Production” in **Iowa Administrative Code 701—200.1(423)**. See also **Animal Feeding Operation; Farm; Greenhouse, Commercial; and Livestock**.

Airport. As defined and regulated in **Iowa Code Chapter 328**; includes **Landing Field**.

Alley. A public thoroughfare which affords only a secondary means of access to abutting property.

Alter or Alteration. As defined and regulated in **Iowa Administrative Code 193B-5.1 (544A)**.

Alterations, Nonstructural. As defined and regulated in **Iowa Administrative Code 193B-5.1 (544A)**.

Alteration, Structural. Any replacement of or change in the type of construction or the supporting members of a building such as bearing walls, columns, beams or girders, beyond ordinary repairs and maintenance.

Animal Feeding Operation. As defined and regulated in **Iowa Code Chapter 459** and **Iowa Administrative Code Chapter 65**. See also **Agriculture, Livestock Market, and Stockyard**.

Animal Hospital. See **Veterinary Clinic**.

Apartment. As defined in **Iowa Code Section 499b.1**. See also **Multi-Family Dwelling**.

Appeal. As defined and regulated in **Iowa Code Section 335.15.1**. An appeal may be granted by the Board of Adjustment in accordance with **Section 4.4** of this Ordinance.

Automated Teller Machine (ATM). A satellite terminal, also known as an “ATM,” as defined and regulated under **Iowa Code Chapter 527**.

Auto Wrecking. Defined as “Vehicle Recycler” in **Iowa Code Section 321H.2**. See also **Junkyard**.

Bar. As defined and regulated in **Iowa Code Section 142D.2**. See also **Nightclub, Restaurant, and Tavern**.

Basement. As defined in **Iowa Administrative Code 193B-5.1(544.A)**. See also **Building or Structure Height; Story; Story, First; and Subsection 2.1.D.** of this Ordinance.

Batch Plant, Asphalt or Hot Mix. As defined and regulated by **Iowa Administrative Code 701-110.23** and **Iowa Administrative Code 567-21.10**.

Batch Plant, Concrete. As defined and regulated by **Iowa Administrative Code 701-110.23** and **Iowa Administrative Code 567-21.10**.

Bed and Breakfast Home. As defined and regulated in **Iowa Administrative Code 661-202.3(137C)**. See also **Bed and Breakfast Inn, Boarding and Logging House, and Hotel**.

Bed and Breakfast Inn. As defined and regulated in **Iowa Administrative Code 661-202.3(137C)**. See also **Bed and Breakfast Home, Boarding and Logging House, and Hotel**.

Board. The Zoning Board of Adjustment of Jackson County, Iowa.

Boarding and Lodging House. As defined and regulated in **Iowa Code Chapter 1350**. See also **Bed and Breakfast Home, Bed and Breakfast Inn, Boarding and Logging House, and Hotel**.

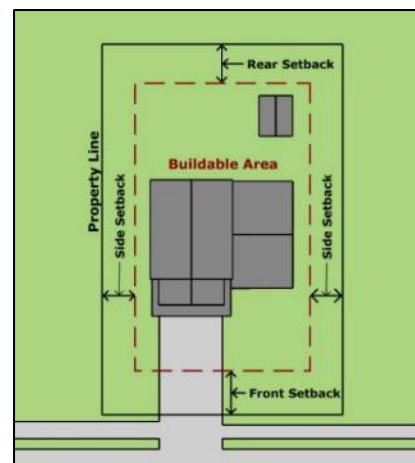
Board of Supervisors. The Board of Supervisors of Jackson County.

Buildable Area. The portion of a lot remaining after required yards and setbacks have been provided (*see illustration*). See **Subsection 2.1.D.** of this Ordinance.

Building Line. The extreme overall dimensions of a building or any projection thereof. Distances shall be measured from the most outwardly extended position of the structure. See also **Buildable Area, Setback** and **Subsection 2.1.D.** of this Ordinance.

Building, Main or Primary. See **Principal Use or Structure**.

Building Materials/Lumber Yard. A facility where building materials such as lumber, plywood, drywall, paneling, cement blocks, and other building products are stored, distributed, and sold. Lumber yards may also process lumber by performing millwork, planing, cutting, and other customizing processes.



Buildable Area (Source: ECIA)

Building or Structure. Anything constructed, erected or built, the use of which requires a location on the ground and designed for the support, enclosure, shelter or protection of persons, animals, chattels or property of any kind, including but without limiting the generality of the foregoing, installations such as signs, billboards, radio towers and other facilities not designed for storage of property or occupancy by persons.

Building or Structure Height. The vertical distance measured from the average of the highest and lowest points where the exterior walls intersect the existing or finished grade, whichever is lower, to the highest point of the coping of a flat roof, the deck line of a mansard roof, or the mean height level between eaves and ridge for gable, hip and gambrel roofs. If a building or structure is located on sloped ground, the average grade shall be used to determine height. See also **Basement, Story**, and **Subsection 2.1.D.** and **Subsection 2.8.D.** of this Ordinance.

Building Wall. The wall of the principal building forming a part of the main structure. The foundation walls of unenclosed porches or piazzas, steps, walks and retaining wall or similar structure shall not be considered as building walls under the provisions of this Ordinance.

Bulk Storage. Distributing stations used for the storage and retail or wholesale distribution of oils, petroleum, flammable liquids and chemicals, anhydrous ammonia fertilizer under pressure, petroleum products under pressure, liquefied petroleum products, bulk pesticides and fertilizers, or bulk grain and other agricultural products. In Iowa, bulk storage facilities are regulated based on the type of substance stored, with different state agencies overseeing compliance. The Iowa Department of Agriculture and Land Stewardship (IDALS) regulates the storage of bulk grain and other agricultural products, and bulk pesticides and fertilizers. For petroleum and hazardous liquids, the primary regulatory bodies are the Iowa Department of Natural Resources (IDNR) for underground storage tanks and the Department of Inspections, Appeals, and Licensing (DIAL) for aboveground tanks. See also **Agricultural Sales, Service, and Supply**.

Burial Mound. As defined and regulated in **Iowa Code Chapter 263B**. See also **Burial Site, Cemetery**, and **Subsection 2.8.H.** of this Ordinance.

Burial Site. As defined and regulated in **Iowa Code Chapter 523I**. See also **Burial Mound, Cemetery**, and **Subsection 2.8.H**, of this Ordinance.

Business. Any occupation, employment or enterprises wherein merchandise is exhibited or sold, or where services are offered for compensation. See also **Commercial Use, General Office, General Retail, General Services**, and **Personal Services**.

Campground. An area providing campsites for two (2) or more **Recreational Vehicles, Travel Trailers, Truck Campers** or tent camping for temporary occupancy with necessary incidental services, sanitation and recreation facilities, as defined by **Iowa Code Section 557B.1** and **Iowa Administrative Code 701—216.4(423)**. See also **Campground, Commercial; Campground, Public; and Recreational Vehicle Park**.

Campground, Commercial. A commercial campground is a business that provides designated areas for people to camp, typically involving a charge for use, and often offering amenities like tent camping, recreational vehicle hookups, cabins, and other recreational facilities (*see illustration*). These campgrounds are privately owned or operated, typically by an individual, family, company or entity, but not a governmental agency. They seek to generate income from the land and its use, usually as a for-profit venture. They often offer themed experiences or tailored settings in rural, suburban, or urban areas near tourist attractions. They may offer a wide range of amenities from primitive to semi-developed to fully developed. They may be open to the general public or to select groups of people and/or organizations. See also **Campground, Public**.



Commercial Campground, Bellevue, Iowa
(Source: Google Maps accessed 2025)

Campground Development Types. Campground may be developed in variations of these basic types.

1. A *primitive campground* is accessible only by walk-in, pack-in, or equestrian campers where no facilities are provided for the comfort or convenience of the campers.
2. A *semi-developed campground* is accessible by walk-in, pack-in, equestrian campers, or motorized vehicles where roads and rudimentary facilities (portable or pit toilets, fire pits) may be provided for the comfort or convenience of the campers.
3. A *developed campground* is accessible by vehicular traffic where campsites are substantially developed and facilities such as tables, flush toilets, showers, drinking water, refuse containers, and/or grills are provided at campsites or in service buildings. Some or all campsites may have individual water, sewer, and/or electrical connections.

Campground, Membership. As defined and regulated by **Iowa Code Chapter 557B**.

Campground, Personal. See **Campground, Private**.

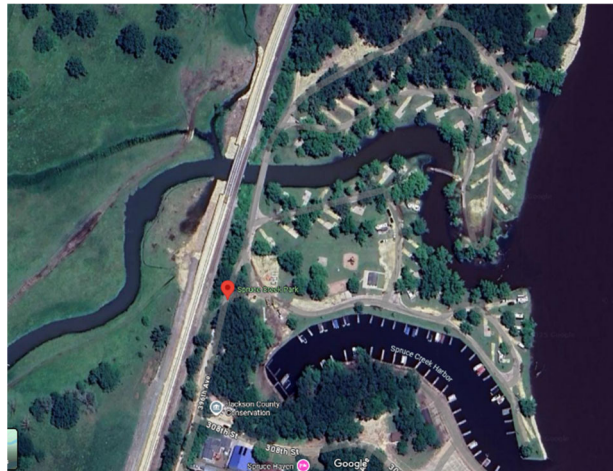
Campground, Private. A non-commercial campground for use by family and friends of the owner without payment or other consideration.

Campground, Public. A public campground is a designated area within a public **Park**, forest, or other public land where the general public can camp for recreational or other purposes, often for a fee (see *illustration*). These campgrounds are owned, operated, and/or managed by federal, state, county, or city governmental agencies. See also **Campground, Commercial**.

Camping Unit. Any trailer, camper, **Recreational Vehicle**, tent, yurt, or similar structure established or maintained or operated in a **Campground** as temporary living quarters for recreation, education, or vacation purposes.

Campsite. Any plot of land within a **Campground** intended for exclusive occupancy by a **Camping Unit**.

Camp, Tourist. A place where tents, tent houses, camp cottages, cabins or other structures are located and offered to the public or any segment thereof for transient lodging. These may include hunting and fishing camps. See also **Campground**.



Public Campground, Spruce Creek County Park, Jackson County, Iowa.

(Source: Google Maps accessed 2025)

Camp, Youth or Summer. An establishment for the provision of indoor or outdoor activities with buildings, structures, and sanitary facilities and services, which may include overnight accommodations, designed for recreation and education of youth or other people, often on a seasonal basis. If secondary to the camp use, camp facilities may be used to provide meeting, recreation, or social facilities for a private association or group.

Car Wash. Mechanical facilities for the washing, waxing, drying, and vacuuming of private automobiles, vans, and light trucks, but not for commercial fleets. See also **Drive In/Drive Through Services** and **Subsection 2.1.C.3.** of this Ordinance.

Cell Tower. See **Commercial Communications Station and Tower**.

Cemetery. As defined and regulated in **Iowa Code Chapter 523I**. See also **Burial Mound, Burial Site**, and **Subsection 2.8.H.** of this Ordinance.

Child Care Center. As defined and regulated in **Iowa Chapter 237A** and **441 Iowa Administrative Code Chapter 110**. See also **Child Care Home** and **Child Development Home**.

Child Care Home. As defined and regulated in **Iowa Chapter 237A**. See also **Child Care Center** and **Child Development Home**.

Child Development Home. As defined and regulated in **Iowa Chapter 237A** and **441 Iowa Administrative Code Chapter 110**. See also **Child Care Center** and **Child Care Home**.

Church. As defined and regulated in **Iowa Administrative Code 193B-5.1 (544A)**. See also **Place of Assembly**.

Commercial Communications Station and Tower (Cell Tower). As defined and regulated in **Iowa Code Chapter 8C**.

Commercial Feedlot. See **Animal Feeding Operation**.

Commercial or Commercial Use. As defined and regulated in **Iowa Administrative Code 193B-5.1 (544A)**.

Commission. The Zoning Commission of Jackson County, Iowa.

Community Building. A facility maintained by a public agency or by a not-for-profit community or neighborhood association primarily for social, recreation, cultural, or educational needs of the community or neighborhood. See also **Place of Assembly**.

Community Recreation Center. See **Recreation, Indoor Commercial**.

Comprehensive Plan. The Comprehensive Plan of Jackson County duly adopted in accordance with **Iowa Code 18B.2**.

Concrete Plant, Ready Mix. See **Batch Plant, Concrete**.

Concrete Plant, Temporary. See **Batch Plant, Concrete**.

Conditional Use or Structure. A use or structure that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare. Such uses and structures may be allowed by the Board of Adjustment in accordance with **Section 4.5** of this Ordinance. A conditional use or structure may be considered to be a principal or accessory use or structure. See also **Accessory Use or Structure; Principal Use or Structure; Permit, Conditional Use**; and **Section 2.1** of this Ordinance.

Condominium. Property defined and regulated by **Iowa Chapter 499A** or **Iowa Code Chapter 499B**.

Condominium, Residential. As defined and regulated in **Iowa Code Chapter 499B**. A residential condominium shall be considered a **Multiple-Family Dwelling** for the purpose of this Ordinance.

Construction Compliance Certificate. A written statement issued by the Zoning Administrator that the proposed construction complies with all provisions of this Ordinance and other applicable building, health, and development-related ordinances of Jackson County and no subsequent modifications shall be made to plans or to actual construction that would be in violation of this Ordinance. It is required before any building or structure shall be erected, reconstructed or structurally altered to increase the exterior dimensions, height, floor area, number of dwellings units or to accommodate a change in use of the building and/or premises or part thereof. See **Chapter 3** of this Ordinance.

Construction Trailer. A portable structure used at construction sites for temporary offices, storage, break areas, and secure space equipment; also known as a mobile office or jobsite trailer, but not including a **Storage Container**.

Consumer Fireworks Sales. A retail or wholesale establishment licensed and operated in accordance with **Iowa Code Chapter 265**.

Convenience Store. A retail store engaged in selling primarily food, beverages, and other household supplies to customers, and designed to attract a large volume of stop and go customers, often in conjunction with **Gas Station** and **Car Wash** facilities.

Cooperative. As defined and regulated by **Iowa Code Chapter 499**, and also known as a “co-op.”

County. The unincorporated portions of Jackson County, Iowa.

Country Club. As defined and regulated in **Iowa Administrative Code 701—216.3(423)**. See also **Bar**, **Private Club**, **Golf Clubhouse**, and **Restaurant**.

Data Center. As defined and regulated in **Iowa Code Section 423.3(95)** and **Iowa Administrative Code 701—215.12, 215.13**.

Deck. An uncovered platform usually attached to a structure (or to the roof of a structure). A deck is itself a structure whether it is attached to another structure or not.

Detached. As defined and regulated in **Iowa Administrative Code 193B-5.1 (544A)**.

Development. As defined in **Iowa Code Section 18B.2**.

Dimensional Variance. As defined and regulated in **Iowa Code Section 335.15.4**. A dimensional variance may be granted by the Board of Adjustment in accordance with **Section 4.6** of this Ordinance. See also **Variance**.

District. See **Zoning District**.

Drive In/Drive Through Services. A place which involves the sale of products or provision of services to occupants in vehicles. See **Subsection 2.1.C.3** of this Ordinance.

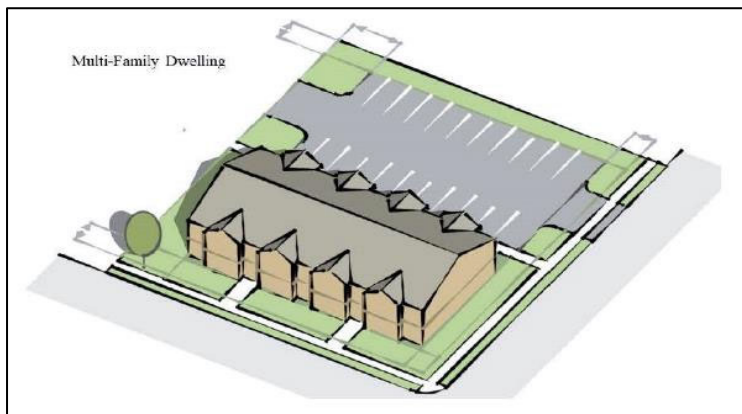
Driveway. A private roadway providing vehicle access between a property and a public street or other public roadway.

Dwelling. As defined in **Iowa Code Section 702.10**.

Dwelling, Accessory. See **Accessory Dwelling Unit (ADU), Accessory Use or Structure**, and **Subsection 2.8.K.** of this Ordinance.

Dwelling, Farm. See **Farm Dwelling, Principal** and **Farm Dwelling, Secondary**.

Dwelling, Multiple-Family. A “multiple-unit residential building” as defined in **Iowa Administrative Code 661—201.16(10A)** (*see illustration*). This definition shall not include **Mobile Home** as herein defined.



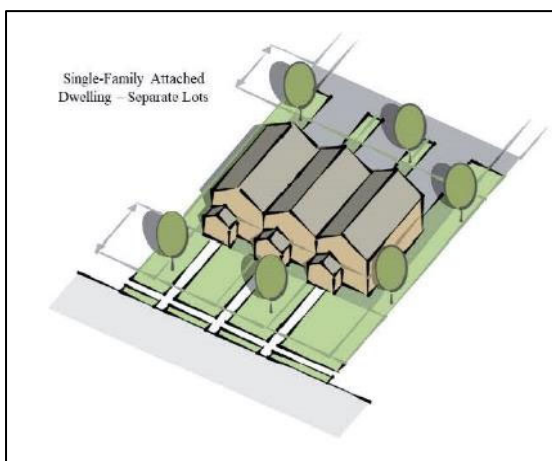
Multiple-Family Dwelling

(Source: Dyersville, IA accessed 2023)

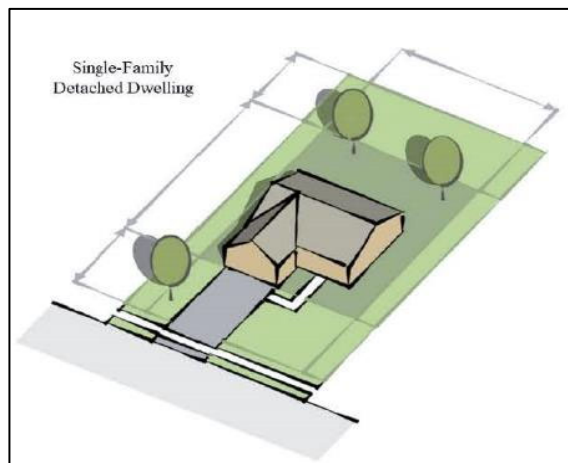
Dwelling, Seasonal. A single-family dwelling, **Mobile Home**, trailer, or house boat, intended for seasonal or temporary occupancy only and not permanently occupied as a family residence for more than one hundred eighty (180) days during any calendar year.

Dwelling, Single-Family. A building designed for or occupied by one (1) family and defined as a “single family residence” in **Iowa Code Section 562A.6, Subsection 15**. This definition shall not include **Mobile Home** as herein defined.

- a. **Attached Single-Family** dwelling units physically attached housing unit, each situated on its own lot and each having private entrances (*see illustration*).
- b. **Detached Single-Family** dwelling units are separated individual housing units. Each dwelling unit is completely separated by open space on all sides (*see illustration*).



Single Family Attached Dwelling – Separate Lots (Source: Dyersville, IA accessed 2023)

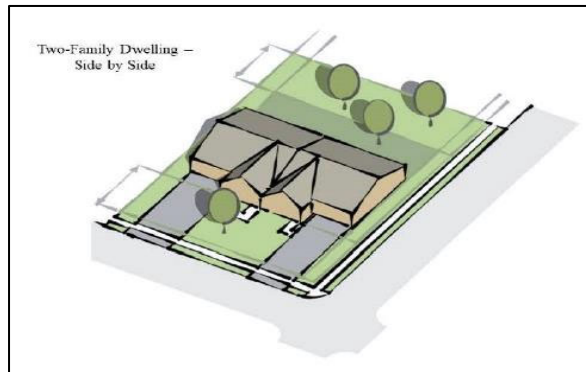


Single Family Detached Dwelling (Source: Dyersville, IA accessed 2023)

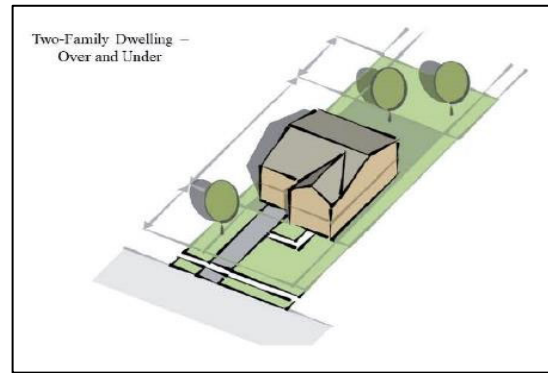
Dwelling, Townhouse. A building consisting of attached dwelling units, each extending from foundation to roof, with separate means of egress. Townhouses are typically not stacked and are limited to a

maximum of three stories. This definition shall not include **Mobile Home** as herein defined.

Dwelling, Two-Family. A residential building designed and used exclusively for the occupancy of two (2) families living independently of each other and having separate kitchen and toilet facilities for each family. The dwelling units may be arranged side by side or over and under (*see illustrations*). This definition shall not include **Mobile Home** as herein defined.



Two-Family Dwelling – Side by Side
(Source: Dyersville, IA accessed 2023)



Two Family Dwelling – Over and Under
(Source: Dyersville, IA accessed 2023)

Dwelling, Zero-Lot Line. A residential dwelling unit designed for occupancy for one family only, which physically adjoins one other matching residential single family dwelling unit across an abutting side lot line, with each unit occupying its own parcel. This definition shall not include **Mobile Home** as herein defined (*see illustration for Attached Single-Family Dwelling*).

Dwelling Unit. As defined in Iowa Code Section 562A.6, subsection 3 and in Iowa Administrative Code 193B-5.1 (544A).

Educational Use. As defined and regulated in Iowa Administrative Code 193B-5.1 (544A).

Elder Group Home. As defined and regulated in Iowa Code Section 335.33. See also **Family Home**.

Electrical Substation. A part of an electrical generation, transmission, and distribution system where voltage is transformed from high to low, or the reverse; the type of current is changed; current is gathered from distributed power generation facilities, such as wind turbines or photovoltaic panels; current is switched to back-up lines; or circuits are parallelized in case of failure.

Encroachment. The advancement of a structure or improvements beyond established limits, lot lines, easements, or service areas.

Entertainment Venue. As defined and regulated in Iowa Code Section 142D.2, Subsection 17.n. See also **Recreation, Indoor Commercial**.

Event Venue. An indoor or outdoor place where events are held; may also be regulated in Iowa Administrative Code Chapter 44. See also **Recreation, Indoor Commercial** and **Recreation, Outdoor Commercial**.

Exposition. A large-scale public exhibition or showing, with a planned display of objects, works, or performances to the public to stimulate public interest, promote manufactured products, expand trade, or illustrate progress in a variety of areas. or athletic skill. Expositions can be cultural, artistic, scientific, or historic in nature. Examples include but are not limited to flea markets, consignment auctions, music or sport events, and commercial trade shows. See also **Event Venue** and **Fairgrounds**.

Factory-Built Building. As defined and regulated in **Iowa Administrative Code 193B-5.1 (544A)**.

Fairgrounds. As defined and regulated in **Iowa Code Chapter 174** pertaining to county and district fairs. See also **Entertainment Venue**, **Event Venue**, and **Exposition**.

Family. As defined in **Iowa Administrative Code 441—130.1(234)**.

Family Dwelling Unit. As defined and regulated in **Iowa Administrative Code 193B-5.1 (544A)**.

Family Home. As defined and regulated in **Iowa Code Section 335.25**.

Farm. As defined and regulated in: **Iowa Code Section 335.2 Farms exempt**; **Iowa Code 352.2 Definitions** for 4. “Farm,” 5. “Farmland,” 6. “Farm operation,” 7. “Farm products,” and 8. “Livestock;” **Iowa Code Section 96.1A Definitions** 16. g. (3) (f) for “farm;” **Iowa Administrative Code 265—44.2 (16) Definitions** for “Agricultural improvement,” “Agricultural land,” “Farm,” and “Farming;” and **Iowa Administrative Code 871—23.26(96)** Definition of “Farm.” See also **Agriculture**; **Garden Center**; **Greenhouse**, **Non-Commercial or Agricultural**; **Horticulture**; **Livestock**; and **Nursery**.

Farm Building. See **Agricultural Building**.

Farm Dwelling, Principal. A dwelling located on a farm and occupied by the owner or operator of the farm on which it is located.

Farm Dwelling, Secondary. A dwelling located on a farm that is under the same ownership as the principal farm dwelling and other buildings and lands used in conjunction with the farming operation and occupied by a person or family employed thereon or the retired owner and their family.

Farmland. As defined in **Iowa Code Section 352.2**.

Farm Market. See **Farm Operation**.

Farm Operation. As defined and regulated in **Iowa Code Section 352.2**.

Farm Products. As defined and regulated in **Iowa Code Section 352.2**.

Fence. A structure more than eighteen (18) inches in height, constructed of any material or combination of materials erected as a barrier, boundary, or enclosure to screen a property or an area of land. See **Subsection 2.8.N** of this Ordinance.

Financial Institution. As defined in **Iowa Code Section 535A.1**. See also **General Services**.

Fire Department. As defined in **Iowa Code Section 233.1**.

Fire Station. As defined in **Iowa Code Section 233.1**.

Floor Area. The square feet of floor space within the outside line of walls, including the total of all space on all floors of a building. Floor area shall not include porches, garages or space in a basement which is used for storage or incidental use. See also **Floor Area, Gross**.

Floor Area, Gross. As defined and regulated in **Iowa Administrative Code 193B-5.1 (544A)**. See also **Floor Area**.

Frontage. All the property on one (1) side of a street between two (2) intersecting streets, crossing or terminating, measured along the line of the street, or if the street is dead ended, then all of the property abutting on one (1) side between an intersecting street and the dead end of the street. See also **Lot Frontage** and **Subsection 2.1.D** of this Ordinance.

Garage. A structure, building, or portion thereof in which one (1) or more vehicles may be parked or stored.

Garage, Private. An accessory building designed or used for the storage of motor-driven vehicles owned and used by the occupants of the building to which it is an accessory structure. See also **Garage, Public**.

Garage, Public. A building or portion thereof, other than a private or storage garage, designed or used for equipping, servicing, repairing, hiring, selling, or storing motor-driven vehicles. See also **Garage, Private**.

Garage, Public Maintenance. A facility that performs maintenance and repairs on public structures, such as buildings, sewers, and other infrastructure. This facility may support maintenance, repair, vehicular or equipment servicing, equipment and material storage, and similar activities.

Garage, Storage. Any building or premises used for storing motor-driven vehicles, recreational vehicles and trailers, boats, furniture, or other miscellaneous personal property. See also **Mini-Warehouse** and **Rental Storage Unit**.

Garden Center. A retail or wholesale business used primarily to display nursery stock and/or allied products, which include but are not limited to garden supplies, lawn supplies, tools, equipment, fertilizers, sprays, insecticides or pottery. See also **Farm** and **Nursery**.

Garden, Commercial. A plot of ground where vegetables, fruits, herbs or ornamental plants are cultivated for commercial production with the intent of making money from the products grown, not solely for personal use or recreation. See also **Garden, Non-Commercial**.

Garden, Non-Commercial. A plot of ground where fruit, herbs, flowers, vegetables or other plants are grown for the personal use of the owner or tenant, and not intended for commercial production. See also **Garden, Commercial**.

Gas Station. A building and/or premises where gasoline, oil and minor auto accessories, and convenience items may be supplied and dispensed at retail and may include an automated customer activated fuel dispensing system. For other services other than the sale of gasoline, see **Vehicle Sales**

and **Vehicle Service and Repair**.

General Office. Use of a site for business, professional, or administrative offices who may invite clients from both local and regional area, including but not limited to: professional offices for real estate, insurance, management, travel, telemarketing, advertising and marketing; government offices including post offices; corporate or other business offices; organizational and association offices; single-tenant office buildings; office parks; and research, development, and testing centers. See also **Business, General Retail, General Services, and Personal Services**.

General Retail. Commercial and retail uses that do not include regular outside storage or sales, including but not limited to: supermarkets and grocery stores; furniture and home furnishings stores; electronics and appliance stores; paint and wallpaper stores; health and personal care stores; clothing and clothing accessory uses; sporting goods, hobby, book and music stores; general merchandise stores; art supply stores and galleries; liquor stores; bait shops; fishing and camping supply stores; and miscellaneous store retailers. See also **Business, General Office, General Services, and Personal Services**.

General Services. Establishments primarily engaged in the provision of services to customers by appointment or drop-in basis, not including personal services. These uses may require additional on-site storage for inventory of vehicles. Typical uses include, but are not limited to: schools of private instruction (art, dance, music, etc.), television studios, telecommunication service centers, film and sound recording facilities, office equipment and supply firms, small business machine repair shops, hotel equipment and supply firms, messenger and delivery services, custodial or maintenance services, convenience printing and copying, financial institutions, bakery and confectionary shops, catering service, carpet and upholstery cleaning and repair, **Automated Teller Machine (ATM)**, appliance repair shops, watch and jewelry repair shops, and musical instrument repair shops. See also **Business, General Office, General Retail, and Personal Services**.

Golf Clubhouse. A building on a **Golf Course** that houses activities related to golf, such as checking in, purchasing equipment, and eating and drinking. Clubhouses typically are located near the first tee and provide access to parking, golf carts, and the course. See also **Bar, Country Club, Private Club, and Restaurant**.

Golf Course. An area of land laid out for golf with a series of nine (9) or eighteen (18) holes each including tee, fairway, and putting green and often one or more natural or artificial hazards.

Grade. The average level of the finished surface of the ground adjacent to the exterior walls of the building except when any wall approximately parallels and is not more than five (5) feet from a street line, then the elevation of the street at the center of the wall adjoining the street shall be grade. Grade is the slope of a surface, such as a lot or road, with a vertical rise or fall expressed as a percentage of the horizontal distance; for example, a three percent (3%) grade means a rise of three (3) feet per one hundred (100) feet of horizontal distance.

Grain Elevator. As defined and regulated by **Iowa Code 428.35** and **Iowa Administrative Code 567—22.10(455B)**.

Grain Storage Bin. “Grain bin” as defined and regulated by **Iowa Code Section 423.3(16A)**.

Greenhouse, Commercial. A structure used mainly for the raising of flowering, ornamental, or vegetable

plants for sale in the ordinary course of business and to display and sell nursery stock or related products (like garden supplies). See also **Garden Center** and **Greenhouse, Non-Commercial or Agricultural**.

Greenhouse, Non-Commercial or Agricultural. A structure used mainly for the growing plants, nursery stock, or other agricultural or horticultural products for agricultural purposes, rather than operating as a retail sales outlet. See also **Agriculture, Farm**, and **Greenhouse, Commercial**.

Guest Room. As defined and regulated in **Iowa Code Section 137C.2**.

Habitable Space (Room). As defined and regulated in **Iowa Administrative Code 193B-5.1 (544A)**.

Hazardous Use. As defined and regulated in **Iowa Administrative Code 193B-5.1 (544A)**.

Hedge. A solid and unbroken visual screen of self-supporting shrubs, bushes, or similar continuous plantings more than eighteen (18) inches in height. See **Subsection 2.8.N** of this Ordinance.

Height of a Building. See **Building or Structure Height**.

Home-Based Business. As defined and regulated in **Iowa Code Section 335.35**, and that employs members of the family residing on the premises and no more than one (1) other person who does not reside at the premises. See **Subsection 2.8.M** of this Ordinance.

Home Industry. A business which complies with the requirements of a **Home-Based Business** as defined in this Ordinance but employs more than one (1) other person who does not reside at the premises, and therefore requires a conditional use permit from the Board of Adjustment. See also **Home-Based Business; Permit, Conditional Use**; and **Section 4.5** of this Ordinance.

Homeowners Association (HOA). A private, nonprofit corporation or association of homeowners in a fixed area, established for the purpose of owning, operating, and maintaining various common properties and facilities.

Home for Persons with Disabilities. As defined in **Iowa Code Section 335.32**. See also **Family Home**.

Horticulture. The use of land for the growing or production for income of fruits, vegetables, flowers, nursery stock, ornamental plants and trees, and cultured sod. See also **Agriculture** and **Farm**.

Hotel. As defined and regulated in **Iowa Code Section 137C.2**.

Hunting Area. A place where people hunt game or wild animals for sport or food. Hunting areas can be public or private, and can include areas for archery, rifle, or other types of hunting.

Individual Private Access Easement. Authorization by a property owner of use of a specified part of that owner's property by another single property owner for the purpose of accessing private property. In context the term may also refer to the land specified by such authorization. Excluded from this definition are private access easements which grant such authorization to more than one property owner for access over the same real estate, except where that real estate lies within the right-of-way of a public road.

Industrial Use. As defined and regulated in **Iowa Administrative Code 193B-5.1 (544A)**.

Information Booth. A place where people can get general information about a location, event, or business, often found in public places, businesses, and transportation hubs.

Institutional Use. As defined and regulated in **Iowa Administrative Code 193B-5.1 (544A)**.

Junkyard. As defined and regulated in **Iowa Code Section 306C.1**, and **Iowa Administrative Code 761—116.1(306C)**. See also **Auto Wrecker**.

Kennel. As defined and regulated in **Iowa Code Chapter 162**.

Landing Field. See **Airport**.

Land-Leased Community. As defined and regulated in **Iowa Code 335.30A**. See also **Manufactured Home Community**.

Library. As defined in **Iowa Administrative Code 286—1.1(256)**.

Light Industrial. As defined and regulated in **Iowa Administrative Code 193B-5.1 (544A)**.

Livestock. As defined in **Iowa Administrative Code 701—200.1(423)**. See also **Agriculture, Animal Feeding Operation**, and **Farm**.

Livestock Market. As defined in **Iowa Code Section 172E.1**, and regulated in **Iowa Administrative Code 21—66.1(163)**. See also **Animal Feeding Operation** and **Stockyard**.

Live/Work Unit. A building or space within buildings that is used jointly for commercial and residential purposes where the residential use of the space is secondary or accessory to the primary use as a place of work. See also **Mixed Use**.

Loading Space. An off-street space within the main building or on the same lot, or contiguous to a group of buildings, for providing for the standing, loading or unloading of commercial vehicles, and which abuts a street, alley, or other appropriate means of ingress and egress.

Logging. As defined and regulated in **Iowa Code Section 456A.36**. Logging may also include the storage, processing, sale, and distribution of raw forest products as defined in **Iowa Code section 321E.26**.

Lot. A parcel of land with sufficient size to meet minimum zoning requirements for use, coverage, and area, including required yards and open space. It can be a single lot of record, a portion of a lot, or a combination of lots, and can also be described by “metes and bounds,” which uses specific measurements and angles to define the boundaries of the parcel. Additionally, in some contexts, “lot” can refer to a tract of land identified by number or letter on an official plat, or a parcel under one ownership against which a separate assessment is made. See also **Subsection 2.1.D**, and **Section 2.10** of this Ordinance and the **Jackson County Subdivision Ordinance**.

Lot Area. See **Subsection 2.1.D** of this Ordinance.

Lot, Corner. See **Subsection 2.1.D.** of this Ordinance.

Lot Depth. See **Subsection 2.1.D.** of this Ordinance.

Lot, Double Frontage. See **Subsection 2.1.D.** of this Ordinance.

Lot, Flag. See **Subsection 2.1.D.** of this Ordinance.

Lot Frontage. “Frontage” as defined and regulated in **Iowa Administrative Code 761-112.2 (306A)**. See also **Frontage** and **Subsection 2.1.D.** of this Ordinance.

Lot, Interior. See **Subsection 2.1.D.** of this Ordinance.

Lot Line. See **Subsection 2.1.D.** of this Ordinance.

Lot of Record. A lot which is a part of a subdivision, the plat of which has been recorded in the office of the County Recorder. See **Jackson County Subdivision Ordinance**.

Lot Width. See **Subsection 2.1.D.** of this Ordinance.

Lot, Through. See **Lot, Double Frontage**.

Lot, Zoning. For the purposes of this Ordinance, a zoning lot is a parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as herein required. Such lot shall have frontage on an improved public street, or an approved private street, and may consist of:

1. A single lot of record;
2. A portion of a lot of record;
3. A combination of complete lots of record and portion of lots of record, or portions of lots of record;
4. A parcel of land described by meets and bounds; provided that in no case of division or combination shall any residual lot or parcel be created which does not meet the requirements of this code.

Machine Shop. A place where raw materials are cut and shaped into parts using machines and tools like lathes, milling machines, grinders, and drill presses to perform machining, **Welding**, and fabricating.

Manufactured Home. As defined in **Iowa Code Section 435.1** and regulated in **Iowa Code Section 335.20**. See also **Mobile Home** and **Modular Home**.

Manufactured Home Community. As defined in **Iowa Code Section 435.1**. See also **Land-Leased Community**.

Manufacturer. As defined in **Iowa Code section 423.3(47)**.

Mine. As defined and regulated in **Iowa Code Chapter 207** and **Iowa Code Chapter 208**.

Miniature Golf. A small course where players use a putter to hit a ball into holes while navigating obstacles such as bridges, tunnels, and sharp corners. See also **Recreation, Outdoor Commercial**.

Mining. As defined and regulated in **Iowa Code Chapter 208** and **Iowa Administrative Code 27-60.75**. See also **Quarry, Active**.

Mini-Warehouse. Defined as “mini-storage” in **Iowa Administrative Code 701—211.14(423)**. See also **Rental Storage Unit** and **Garage, Storage**.

Mixed Use. Vertical or horizontal development in which a combination of residential and commercial uses (e.g., residential-over-retail), or several classifications of commercial uses (e.g., office and retail), are located on the same parcel proposed for development. See also **Live/Work Unit**.

Mobile Home. As defined in **Iowa Code Section 435.1** and regulated in **Iowa Code Section 335.20**.

Mobile Home or Manufactured Home Converted To Real Property. A **Mobile Home** or **Manufactured Home** may be converted to real property pursuant to **Iowa Code Section 435.26**.

Mobile Home/Manufactured Home Sales, Service, and Repair. The storage and display for the retail or wholesale sale, rental, or lease of new or used mobile or manufactured homes, and which may include facilities for the incidental repair or maintenance of such homes.

Mobile Home Park. As defined in **Iowa Code Section 435.1**.

Modular Home. As defined in **Iowa Code Section 435.1**.

Motel. See **Hotel**.

Museum. As defined by **Iowa Code Section 305B.2**.

Nightclub. See **Bar**.

Nonconforming Lot. A lot of record evidenced by lawful plat and/or deed filed in the office of the Jackson County Recorder which was lawful when established but which does not conform to this Zoning Ordinance or subsequent amendments. See **Section 2.10** of this Ordinance.

Nonconforming Structure. A structure or portion thereof which was lawful when established but which does not conform to this Zoning Ordinance or subsequent amendments. See **Section 2.10** of this Ordinance.

Nonconforming Use. A use lawful when established but which does not conform to this Zoning Ordinance or subsequent amendments. See **Section 2.10** of this Ordinance.

Nursery. As defined in **Iowa Administrative Code 21—46.5(177A)**. See also **Agriculture, Farm, and Garden Center**.

Occupancy. As defined and regulated in **Iowa Administrative Code 193B-5.1 (544A)**. See also **Use**.

Occupancy Compliance Certificate. A written statement issued by the Zoning Administrator that the new occupancy complies with all provisions of this Ordinance and no subsequent modifications shall be made to the occupancy, use or method of operation that would be in violation of this Ordinance. It is required before any change in the use or occupancy of land nor any change in use or occupancy of an existing building, other than for single family dwelling purposes shall be made, nor shall any new building be occupied for any purpose other than single-family dwelling until an Occupancy Compliance Certificate has been issued by the Zoning Administrator. See **Chapter 3** of this Ordinance.

Outbuilding. As defined and regulated in **Iowa Administrative Code 193B-5.1 (544A)**.

Outdoor Display or Sales. An area on private property and not including primary circulation space, located outside of a building that is provided for the display of goods for sale where such items are permitted for sale in the zoning district in which they are located. This definition shall include the display of vehicles, trucks, heavy equipment, mobile homes, or manufactured homes for sale or rent as part of an approved principal use. An outdoor display or sale area may be a permanent, semi-permanent, or seasonal display. See also **Outdoor Storage**.

Outdoor Storage. The storage on private property of merchandise, stock, supplies, machines, operable vehicles, equipment, manufacturing materials, or goods of any nature that are not kept in a structure having at least four (4) walls and a roof, that are related to the principal use of a site. This definition shall not apply to **Outdoor Display or Sales**.

Owner. As defined in **Iowa Code Section 562A.6**.

Parcel. One or more lots which are designated by the owner or applicant as land to be used or developed as a unit, or which has been developed as a unit.

Park. Any public or private land available for recreational, educational, cultural or aesthetic use. See also **Campground; Recreation, Active; Recreation, Outdoor Commercial; Recreation, Passive; and Recreation, Public**.

Parking Lot. An area of land, a yard, or other open space off the street on a lot used for or designed for use by standing motor vehicles together with a driveway connecting the parking lot with a public space. See **Section 2.1** of this Ordinance.

Parking Space. An area enclosed in the main building or in any accessory building, or unenclosed, permanently reserved for the temporary storage of one (1) vehicle and connected with a street or alley by a surfaced driveway which affords satisfactory ingress or egress for automobiles. See **Section 2.1** of this Ordinance.

Permit. An official document that grants authorization to engage in an activity or development that would otherwise be prohibited or restricted by this Ordinance, the Jackson County Code of Ordinances, and/or the Iowa Code. The specific definition and requirements depend on the subject matter of the ordinance or code chapter.

Permit, Accessory Dwelling Unit (ADU). An official document issued by the Zoning Administrator authorizing construction or establishment of an accessory dwelling unit (ADU) in accordance with **Subsection 2.8.K** of this Ordinance and for the purpose of carrying out and enforcing its provisions.

Permit, Conditional Use. An official document issued by the Zoning Administrator upon approval by the Board of Adjustment authorizing buildings, structures or uses in accordance with the conditions approved under **Subsection 2.9.H.** and **Section 4.5** of this Ordinance and for the purpose of carrying out and enforcing their provisions. See Conditional Use or Structure.

Permit, Entrance. An official document issued by the County Engineer authorizing construction of an entrance from the right-of-way line to the traveled roadway in accordance with the **Jackson County Secondary Roads Department Entrance Policy** and for the purpose of carrying out and enforcing its provisions.

Permit, Fence. An official document issued by the Zoning Administrator authorizing fences and/or hedges in accordance with **Subsection 2.8.N.** of this Ordinance and for the purpose of carrying out and enforcing its provisions.

Permit, Floodplain Development. An official document issued by the Zoning Administrator authorizing buildings, structures and/or uses in accordance with the **Jackson County Floodplain Management Ordinance** and for the purpose of carrying out and enforcing its provisions.

Permit, Sign. An official document issued by the Zoning Administrator authorizing signs and their related support structures in accordance with **Subsection 2.9.G.** of this Ordinance and for the purpose of carrying out and enforcing its provisions.

Permit, Temporary Use or Structure. An official document issued by the Zoning Administrator authorizing temporary use and structures in accordance with this Ordinance and for the purpose of carrying out and enforcing its provisions. See **Chapter 3** of this Ordinance.

Permit, Zoning. An official document issued by the Zoning Administrator, prior to the erection, alteration, or use of any building, structure, or land, authorizing construction or establishment of buildings, structures and/or uses in accordance with this Ordinance and for the purpose of carrying out and enforcing its provisions. See **Chapter 3** of this Ordinance.

Personal Service. Establishments or places of business primarily engaged in the provision of services of a personal nature. Typical uses include but are not limited to: beauty and barber shops; nail and spa services seamstress, tailor, or shoe repair shops; photography studios; television or electronics repair; or laundry and dry-cleaning services. See also **Business, General Office, General Retail, and General Services.**

Place. An open unoccupied space or a public or private thoroughfare, other than a street or alley, permanently reserved as the principal means of access to abutting property.

Place of Assembly. As defined and regulated in **Iowa Administrative Code 193B-5.1 (544A).**

Premises. The land together with any buildings or structures located thereon.

Preschool. As defined and regulated in **Iowa Code Section 256.2.**

Principal Use or Structure. A “principal use” refers to the primary or main purpose for which a particular property, building, or structure is used. A “principal structure” refers to the main building or structure on a property in terms of size, area, and function, or a building where the principal use of the site is conducted. See also **Accessory Use or Structure**, **Conditional Use or Structure**, and **Section 2.1** of this Ordinance.

Private Club. As defined and regulated in **Iowa Code Section 142D.2**. See also **Bar**, **Country Club**, **Golf Clubhouse**, and **Restaurant**.

Processing. As defined in **Iowa Administrative Code 701—215.15(3)**.

Property. As defined in **Iowa Code 702.14**.

Property Owners Association (POA). See **Homeowners Association (HOA)**.

Quarry, Active. As defined and regulated in **Iowa Code Chapter 208**, **Iowa Code Chapter 353**, and **Iowa Administrative Code 567 Chapter 60**.

Recreation, Active. These activities typically require physical alteration of the existing site and some constructed facilities. Active recreation often involves organized activities usually performed with others, requiring equipment, and taking place at prescribed places, sites, or fields. This type of recreation usually has high vehicle trip generation, intensive use, and/or the potential for greater nuisance to adjacent properties due to noise, light, glare, or odor. Examples include but are not limited to swimming pool, court games, field sports, ball courts, **Golf Course**, and playground. See also **Passive Recreation**.

Recreational Lodge. A day-use or short-term lodging facility whose primary appeal is its rural and/or natural setting, with direct access to public or private recreational land. See also **Hotel**.

Recreational Vehicle (RV). A “park model recreational vehicle” or a “towable recreational vehicle” as defined and regulated by **Iowa Code Section 322C.2**. See also **Travel Trailer** and **Truck Camper**.

Recreational Vehicle Park. A campground upon which two or more **Recreational Vehicle (RV)** sites are located, established, or maintained for RVs as temporary living quarters for recreation or vacation purposes by campers, vacationers, or travelers. See also **Campground**.

Recreation, Commercial. Any commercial enterprise which receives a fee in return for the provision of some recreational activity. See also **Campground**; **Recreation, Indoor Commercial**; **Recreation, Outdoor Commercial**; and **Recreation, Public**.

Recreation, Indoor Commercial. Uses that provide recreational opportunities indoors for the public (open to the community) or residents of a subdivision or development which commercial in nature, including but not limited to: **Recreational Lodge**, **Community Recreation Center**; health and exercise club; bowling alley; **Entertainment Venue**; dance hall; arcade; skating rink; swimming pool; **Country Club**; **Private Club**; other indoor athletic facilities; and other functionally similar uses. See also **Recreation, Outdoor Commercial**; and **Recreation, Public**.

Recreation, Outdoor Commercial. Uses that provide commercial amusement outdoors and that have higher traffic demands, space requirements, and external effects, including but not limited to: **Miniature Golf**; batting cages; go-carts; bumper cars or boats; skateboard parks; BMX or mountain bike courses; ski slopes; ice skating rinks; golf driving ranges; rodeo facilities; gun clubs; drive-in and outdoor theaters; marinas; docking facilities; tennis courts; ball fields; other outdoor athletic facilities; and other functionally similar uses; but not including **Campground**; **Camp, Tourist**; **Camp, Youth or Summer**; **Seasonal Resort**; or **Golf Course**. See also **Recreation, Indoor Commercial**; and **Recreation, Public**.

Recreation, Passive. These activities can be carried out with little alteration or disruption of the existing topography and natural resources, have low vehicle trip generation, and usually are nonmotorized activities with a low potential for nuisance to adjacent properties. Examples include but are not limited to walking, hiking, picnicking, bicycling, birdwatching, and horseback riding. See also **Recreation, Active**.

Recreation, Public. An indoor or outdoor public recreation area, building, site, or facility that is dedicated to recreation purposes and owned, operated, and/or managed by federal, state, county, or city governmental agencies to serve the recreation needs of community residents, including but not limited to **Park**; lake; pond; river, creek; playground; picnic area; **Hunting Area**; **Wildlife Preserve**; trails for hiking, biking, horseback riding, paddling, or **Recreation Vehicle**; interpretive center; historic and cultural site; **Campground**; marina; docking facility; and other functionally similar uses. See also **Recreation, Indoor Commercial** and **Recreation, Outdoor Commercial**.

Renewable Energy System. A renewable energy system converts natural sources or processes that are replenished continually into useable forms of energy, such as solar, wind, biomass, and geothermal.

Rental Storage Unit. “Self-service storage facility” as defined and regulated in **Iowa Code Section 578A**. See also **Mini-Warehouse** and **Garage, Storage**.

Residential Use. As defined and regulated in **Iowa Administrative Code 193B-5.1 (544A)**.

Restaurant. As defined and regulated in **Iowa Code Section 142D.2**. See also **Bar**; **Country Club**; **Private Club**; and **Golf Clubhouse**.

Restaurant, Drive-in. A **Restaurant** as defined herein that includes **Drive-In/Drive-Through Services**. See **Subsection 2.1.C.3** of this Ordinance.

Rezoning. The action or process of assigning land or property to a different category of restriction on use and development. See **Section 5.5** of this Ordinance.

Riding Stable. See **Stable, Riding**.

Right-of-Way, Public Road. Defined in **Iowa Code Section 306.3**.

Roadside Stand. See **Farm Operation**.

Roof. A structural covering over any portion of a building or structure including projections beyond the walls or supports of the building or structure.

Routine Maintenance of Existing Buildings and Facilities. Repairs necessary to keep a structure in a safe

and habitable condition that do not trigger a **Zoning Permit**, provided they are not associated with a general improvement of the structure or repair of a damaged structure. Such repairs include but are not limited to:

1. Normal maintenance of structures such as re-roofing, replacing roofing tiles and replacing siding;
2. Exterior and interior painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work;
3. Basement sealing;
4. Repairing or replacing damaged or broken window panes;
5. Repairing plumbing systems, electrical systems, heating or air conditioning systems and repairing wells or septic systems.

School, Elementary. As defined in **Iowa Administrative Code Rule 641-7.1.**

School, Post High School. As defined in **Iowa Administrative Code Rule 641-7.1.**

School, Secondary. As defined in **Iowa Administrative Code Rule 641-7.1.**

Screening. The method by which a view of one site from another adjacent site is shielded, concealed or hidden. Screening techniques include fences, walls, hedges, berms or other features.

Seasonal Resort. A resort which includes three (3) or more **Seasonal Dwellings** which are rented or leased or located on land that is rented or leased for such seasonal dwellings including **Accessory Uses and Structures**, providing that the sewage, water, and access requirements in **Section 2.9** of this Ordinance are met. See also **Camp, Tourist** and **Camp, Youth or Summer**.

Septic System, Private. As defined and regulated in **Iowa Administrative Code 69** and **Iowa Code Section 455B.171**. See also **Sewage Disposal System, Private**.

Setback. The distance required between a property line or roadway easement line and the **Buildable Area** on a **Lot**. See **Subsection 2.1.D.** of this Ordinance.

Setback Encroachment. The extension or placement of any structure, or a component of such, into a required **Setback** or **Right-of-Way**. This can include various structures like a **Building, Fence, Driveway**, or landscaping feature. See **Subsection 2.1.D.** of this Ordinance.

Setback, Front. See **Subsection 2.1.D.** of this Ordinance.

Setback, Rear. See **Subsection 2.1.D.** of this Ordinance.

Setback, Side. See **Subsection 2.1.D.** of this Ordinance.

Setback, Street Side. See **Subsection 2.1.D.** of this Ordinance.

Sewage Disposal System, Private. As defined and regulated in **Iowa Administrative Code 69** and **Iowa Code Section 455B.171**. See also **Septic System, Private**.

Sewer System, Community. A public or private sewage collection system with treatment and disposal facilities providing secondary treatment meeting applicable County and State effluent standards. A community sewer system as herein defined shall not include septic tanks. See also **Sewage Disposal System, Private** and **Septic System, Private**.

Site Plan. A plan prepared to scale showing accurately and with complete dimensioning, the boundaries of a site and location of all buildings, structures, uses, drives, parking, drainage, utilities, landscape features, and other principal site development improvements for a specific parcel of land.

Slaughterhouse. As defined and regulated in **Iowa Code Section 163.6** and **Iowa Code Chapter 189A**.

Solar Energy System. See **Section 2.8.O.** of this Ordinance.

Solid Waste Facility. As defined and regulated in **Iowa Code Section 455B301** and **Iowa Administrative Code 565—113.3**.

Stable. A building in which domestic animals are sheltered and fed, especially such a building having stalls or compartments. The animals may be kept as working animals for agricultural purposes, or for people to ride, as an accessory use to a **Farm** or residence. See also **Stable, Riding**.

Stable, Riding. A commercial facility where generally horses, ponies, and/or mules are kept for people to ride. A riding stable may offer animals for rent or provide boarding and related services for animals. See also **Stable**.

State. Means the State of Iowa.

Stockyard. As defined and regulated in **Iowa Administrative Code 21—66.1(163)**. See also **Animal Feeding Operation** and **Livestock Market**.

Storage Container. Any enclosed receptacle, without wheels, designed, built or intended to be used for the shipment, transportation or storage of goods and not being used primarily for the shipment or transportation of goods, but not including a **Construction Trailer**. Storage container does not include a truck trailer or semitruck trailer while it is actively being used for the transportation of materials, inventory or equipment.

Story. As defined and regulated in **Iowa Administrative Code 193B-5.1 (544A)**. See also **Basement; Building or Structure Height; Story, First; Story, Half; ;** and **Subsection 2.1.D.** of this Ordinance.

Story, First. As defined in **Iowa Administrative Code 193B-5.1(544.A)**. See also **Basement; Building or Structure Height; Story; Story, Half;** and **Subsection 2.1.D.** of this Ordinance.

Story, Half. A partial story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls are not more than three (3) feet above the floor of such story. A half-story shall not exceed fifty percent (50%) of the floor area of the story immediately below. Any partial story used for residence purposes, other than for a janitor, caretaker, or a family occupying the floor immediately below it, shall be deemed a full story. See also **Basement; Building or Structure Height; Story; Story, First;** and **Subsection 2.1.D.** of this Ordinance.

Street, Road. A public or private thoroughfare which affords the principal means of access to abutting property as defined in **Iowa Code Section 306.3**.

Street Line. The right-of-way line of a street. See also **Right-of-Way**.

Structural Members. As defined and regulated in **Iowa Administrative Code 193B-5.1 (544A)**.

Structure. See Building.

Subdivision. See **Jackson County Subdivision Ordinance**.

Subdivision Plat. See **Jackson County Subdivision Ordinance**.

Tavern. See Bar.

Temporary Use or Structure. A use or structure of limited and temporary duration as allowed in the underlying zoning district, subject to review and approval by the Zoning Administrator in accordance with **Section 3.11** of this Ordinance. See **Section 2.1** of this Ordinance.

Travel Trailer. As defined and regulated by **Iowa Code Section 322C.2**. See also **Recreational Vehicle**.

Truck Camper. As defined and regulated by **Iowa Code Section 322C.2**. See also **Recreational Vehicle**.

Tourism Welcome Center. A place that offers information about attractions and assistance with travel tips and directions to travelers visiting Iowa. These centers also may sell local souvenirs, crafts and clothing; provide rest areas and restrooms; and showcase local history and culture.

Use. As defined and regulated in **Iowa Administrative Code 193B-5.1 (544A)**. See also **Occupancy**.

Utilities. All public and private lines, stations, towers, and facilities related to the provision, generation, distribution, collection, transfer, transmission, exchange, receiving, or disposal of water, stormwater, sanitary sewage, oil, gas, electricity, information, telecommunications, telephone cable, television, radio, cellular communications, fiber optics, or other similar services.

Variance. As defined and regulated in **Iowa Code Section 335.15.3**. A variance may be granted by the Board of Adjustment in accordance with **Section 4.7** of this Ordinance. See also **Dimensional Variance**.

Vehicle. A vehicle shall be broadly interpreted to mean any implement of conveyance designed or used for transportation of people or materials on land, water or air, including but not limited to automobiles, trucks, bicycles, farm implements, construction equipment, motorcycles, snowmobiles, boats, personal watercraft, airplanes, helicopters, trailers, campers, wagons, all-terrain vehicles (ATVs), recreational vehicles, golf carts, etc.

Vehicle Paint and Body Shop. As defined and regulated in **Iowa Code Chapter 537B**. See also **Vehicle Service and Repair**.

Vehicle Sales. As defined and regulated in **Iowa Code Chapter 322**.

Vehicle Service and Repair. As defined and regulated in [Iowa Administrative Code 701-218.2\(423\)](#). See also **Vehicle Paint and Body Shop**.

Veterinary Clinic. As defined and regulated in [Iowa Administrative Code 811-12.5\(169\)](#). See also **Animal Hospital**.

Violation. A failure of a use, structure or other development to be fully compliant with the regulations in this Zoning Ordinance.

Wall. An upright solid structure constructed of masonry, wood, or similar material more than eighteen inches (18”) in height, erected as a barrier, boundary, or enclosure to screen an area of land, including retaining walls.

Wall, Retaining. A wall constructed to retain soil or other materials to stabilize slopes, retard erosion, terrace a site, or serve a similar function.

Water System, Community. As defined by [Iowa Administrative Code 567—40.2\(455B\)](#); also defined as “Community public water supply” in [Iowa Administrative Code 567—50.2\(455B\)](#).

Warehouse or Warehouse Use. The process of storing goods until they're ready for transport to retailers, distributors, or customers. See also [Iowa Administrative Code 193B-5.1 \(544A\)](#).

Welding. Means to unite metallic parts by heating and allowing the metals to flow together or by hammering or compressing with or without previous heating, to unite plastics in a similar manner by heating, to repair (something) by this method, or to repair something by this method. See also **Machine Shop**.

Well, Private. As defined and regulated in [Iowa Administrative Code Chapter 49](#).

Wholesaling. The act of buying goods in bulk from a manufacturer at a discounted price and selling to a retailer for a higher price, for them to repackage and in turn resell in smaller quantities at an even higher price to consumers.

Wildlife Preserve. A protected area of land or water that's dedicated to the conservation of wild animals, plants, and geological features. See also **Recreation, Public**.

Wind Energy Conversion System. See [Jackson County Wind Energy Conversion Systems Ordinance](#).

Yard. See **Setback**.

Zoning Administrator. The Administrative Officer designated or appointed by the Board of Supervisors to administer and enforce the regulations contained in the Zoning Ordinance in accordance with [Iowa Code Section 335.9](#). See [Chapter 3](#) of this Ordinance.

Zoning District. A section or sections of the unincorporated area of Jackson County for which regulations governing the use of buildings and premises or the height and area of buildings are uniform. See [Section 2.1](#) of this Ordinance

Zoning Map, Official. Map delineating the boundaries of zoning districts, which along with the zoning text, is officially adopted by the Board of Supervisors and on file at the Jackson County Courthouse. See **Chapter 1** of this Ordinance.

Zoning Permit. See **Permit, Zoning**.