

**Jackson County Zoning Ordinance Update – Discussion Outline**  
**Zoning Commission Work Session 07-21-25**

**PROJECT INITIATION AND DEVELOPMENT**

**Project Website:** ECIA project website created and available online at this link:

[https://www.eciatrans.org/jackson\\_county\\_zoning\\_ordinance\\_update/index.php](https://www.eciatrans.org/jackson_county_zoning_ordinance_update/index.php)

- Jan., Feb., March, April, May, June, and July Work Session packets posted
- Revised Draft Chapters posted: 1. General Provisions, 3. Administration & Enforcement, 4. Board of Adjustment, and 5. Zoning Commission
- Revised Draft Sections of Chapter 2. Zoning District Regulations listed below plus Section 2.7 PUD Planned Unit Development
- Draft reports for Proposed Restructure, General Land Uses and Parking Recommendations, Matrix of General and Specific Land Uses, Farm Definition and Related Items, Iowa Code - County Zoning: Notice, Publication, Adoption, Cemetery and Burial Site Packet, Home-Based Business and Home Industry Packet, Campground Definitions and Regulations

**REVISED DRAFT OF ZONING ORDINANCE UPDATE**

**Revised Draft Chapters for review and approval by consensus pending from June 16th Work Session:**

- a. Section 2.9 Application District Regs – Signs packet draft 06-12-25 UPDATED (19 pages)
- b. Section 2.10 Nonconformities packet draft 06-11-25 (14 pages)

**Revised Draft Chapters for review and approval by consensus:**

- a. Adult and Child Day Care packet draft 06-30-25 (4 pages)
- b. Section 2.1 Zoning District Regulations packet draft 07-06-25 (33 pages)
- c. Section 2.2 A-1 Agricultural District packet draft 07-01-25 (30 pages)
- d. Section 2.3 R-1 Residential District packet draft 07-01-25 (21 pages)
- e. Section 2.4 C-1 Commercial District packet draft 07-01-25 (14 pages)
- f. Section 2.5 M-1 Limited Industrial District packet draft 07-01-25 (13 pages)
- g. Section 2.6 M-2 General Industrial District packet draft 07-01-25 (14 pages)

**Proposed Draft Rules for review and approval by consensus pending from June 16th Work Session:**

- c. Rules of Procedures Update – Zoning Commission (Redline & Clean) 8 pages

**Remaining Chapters to be drafted:**

- a. Chapter 2. Zoning District Regulations: Updated Section 2.8 Supplemental Regulations and Updated Section 2.9 Application of District Regulations
- b. Updated Chapter 6. Definitions



June 12, 2025

Lori Roling, Zoning Administrator  
Jackson County Zoning Department  
201 West Platt Street  
Maquoketa, IA 52060

**RE: Zoning Ordinance Update –**

- **Draft of Ch. 6 Definitions – Sign Definitions (06-12-25)**
- **Draft of Section 2.9 Application of District Regulations - Signs (06-12-25)**

Dear Lori,

Attached is the Draft of Ch. 6 Definitions – Sign Definitions (06-10-25) and Draft of Section 2.9 Application of District Regulations - Signs (06-10-25) review and consensus approval by the Zoning Commission at their June 16, 2025 meeting.

**Discussion**

Chapter 6 Definitions has been updated with revised and new definitions that support the new regulations in Section 2.9, where current and new sign regulations have been added. The attached REDLINE versions outline the proposed changes, and the CLEAN versions shows the resulting restructure. Major updates proposed are:

- Adding new definitions for signs in Chapter 6.
- Establishing sign regulations and a sign permit in Section 2.9.
- Grouping sign regulations for all zoning districts in Section 2.9.
- Referring to Iowa Code and Iowa DOT requirements related to billboards and LED displays.
- Increasing the sign area from 100 to 200 square feet for free-standing signs in the commercial and industrial districts to reflect existing signs, and combining their regulations.

**Recommendation**

The Commission is asked to review and approve by consensus the Draft of Ch. 6 Definitions – Sign Definitions (06-12-25) and the Draft of Section 2.9 Application of District Regulations - Signs (06-12-25), and then to provide direction to staff for moving forward with the proposal.

Please let me know if you have any questions. Thank you.

Sincerely,

Laura Carstens, Senior Planner

**Attachments**

**CHAPTER 6. DEFINITIONS**

**54.—Signs.** 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 persons the public and visible to the public right-of-way or other properties. ~~not on the premises on which the sign is located, provided, however, that the following shall not be included in the application of the regulations herein: The list below was moved to Section 2.9~~

~~a. Signs not exceeding two (2) square feet in area and bearing only property numbers, post box numbers, names of occupants of premises or other identification of premises not having commercial connotations.~~

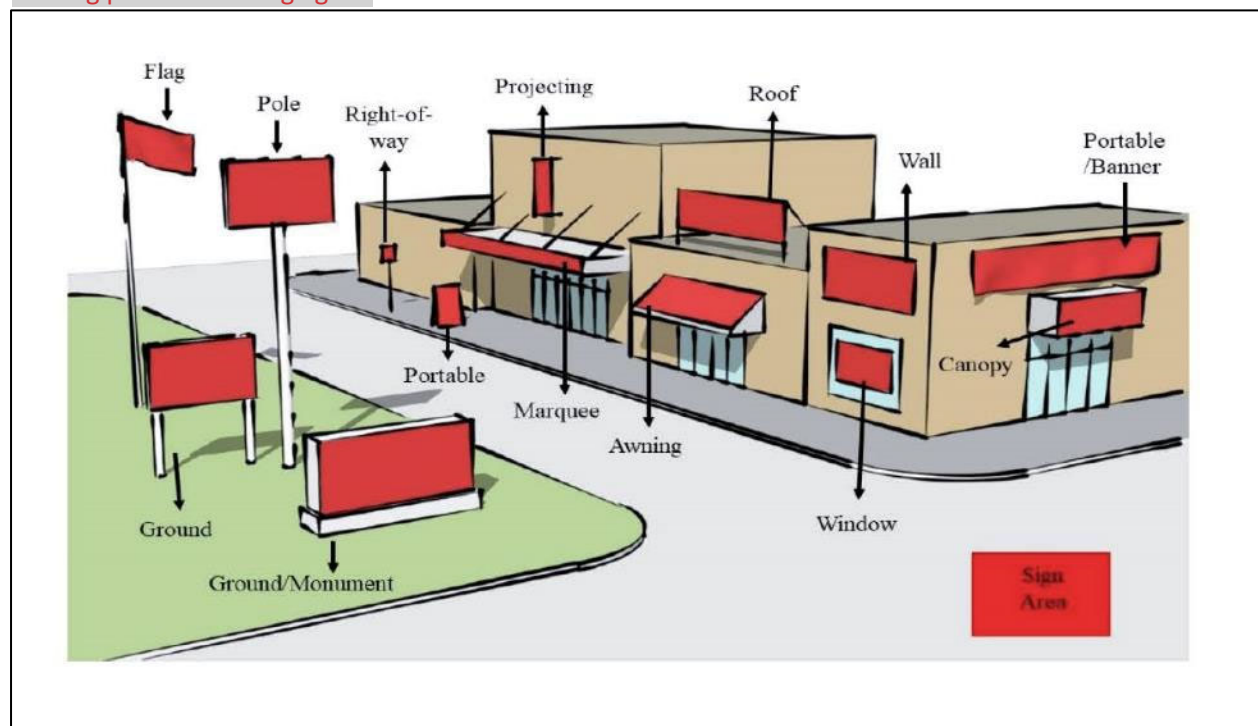
~~b. Flags and insignia of any government except when displayed in connection with commercial promotion.~~

~~c. Legal notices, identification, informational or directional signs erected or required by governmental bodies.~~

~~d. Signs directing and guiding traffic and parking on public or private property but bearing no advertising matter.~~

~~e. Warning signs, no trespassing, no hunting and similar signs not to exceed two (2) square feet in area located on the premises.~~

~~f. Integral decorative or architectural features of buildings, except letters, trademarks moving parts or moving lights.~~



**Sign Type and Area Illustrative Examples** (Source: City of Dyersville Zoning Ordinance accessed 2023)

**Sign, Abandoned.** 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.

**6. — Sign, Billboard and Advertising.** An off-site advertising sign or device for a business, commodity or service ~~located or offered elsewhere than upon the premises where such sign or billboard is located~~ as defined and regulated in **Iowa Code Chapter 306C Subchapter II Billboard Control** and **Iowa Administrative Code 761 IAC 117**.

**Sign, Bulletin Board.** 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.

**Sign, Canopy** – A sign that is attached or made an integral part of a canopy.

**15. — Signs, Directional-Signs.** A sign that includes information in directing and guiding pedestrian and vehicular traffic, such as enter, exit, parking. Etc. on public or private property. ~~Any sign erected to call attention and direct traffic to businesses located off the primary highway system. Such signs must be placed no more than five (5) miles from the business served and positioned specifically to guide traffic to the service available. Except adjacent to U.S. Highway 61, directional signs must serve businesses in unincorporated areas.~~

**Sign, Double-Faced.** 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.

**Sign, Electronic Message.** 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.

**Sign, Free-standing.** 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. Examples include: pole signs, ground signs, and monument signs.



**Identification Pole Sign with Electronic Message Sign**



**Ground or Monument Identification Sign**

**Sign, Fuel Island** – A sign affixed to or mounted on a fuel island.

**Sign, Government.** 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.

**Sign, Identification.** 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.

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

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

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

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

**Sign, Off-Site.** 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.



**Canopy Sign and Fuel Island Signs**

*Photo Credits: Model Sign Ordinance, Montgomery County Planning Commission, 2014*



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**Sign, Political Campaign.** Any yard sign that is designed to influence the passage or defeat of any measure on the ballot or designed to influence the voters with respect to the nomination, election, defeat, or removal of a candidate from public office at any national, state or local general or special election, as regulated by **Iowa Code 68A.406 Campaign signs — yard signs.**

**Sign, Projecting.** A sign other than a wall sign that is attached to and projects from a building face.

**Sign, Temporary.** 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.

**Sign, Tourist Oriented Directional (TODS).** Blue directional government signs erected by the Iowa Department of Transportation (DOT) within the rights-of-way of primary routes for the purpose of identifying and directing traffic to a particular destination.

**Sign, Wall** – A sign attached to and parallel with the side of a building that does not project more than two (2) feet from the building wall.

**Sign, Window** – A sign painted on or installed inside a window for the purpose of viewing from outside the premises.



**Tourist Oriented Directional Sign** (Photo credit: Iowa DOT)

## CHAPTER 2. ZONING DISTRICT REGULATIONS

**2.9 Application of District Regulations.** Subject to Section 1.7-20 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 ~~land-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 ~~YardSetbacks~~ 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 ~~yardsetbacks~~, front ~~yardsetbacks~~, side ~~yardsetbacks~~, street side setbacks, -or- other open spaces, than herein required or in any other manner contrary to the provisions of this Ordinance.
- D. Separate ~~YardSetbacks~~, Open Space and Off-Street Parking Required.** No part of a ~~yard-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 ~~yardsetback~~, open space or off-street parking or loading space similarly required for any other use, building, or structure.
- E. Minimum ~~Yard-Setbacks~~ and Lot Areas May Not Be Reduced.** No ~~yard-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. ~~Yards-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.
- F.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. Exempted Signs.** The following signs shall be exempt from the sign regulations of this Section:
    - a. Nameplate signs not to exceeding two (2) six (6) square feet in area and bearing only property numbers, post box numbers, names of occupants of premises or other identification of premises not having commercial connotations.

- ~~a-b.~~ Flags and insignia of any government except when displayed in connection with commercial promotion.
- ~~c.~~ Legal notices, identification, informational or directional signs erected or required by governmental bodies.
- ~~d.~~ Directional signs not to exceed six (6) square feet directing and guiding traffic and parking on public or private property but bearing no advertising matter; these signs may be placed in required front setbacks.
- ~~b-e.~~ Warning signs, no trespassing, no hunting and similar signs not to exceed two (2) square feet in area located on the premises.
- ~~f.~~ Integral decorative or architectural features of buildings, except letters, trademarks, moving parts, or moving lights.
- ~~e-g.~~ Inside window signs, including but not limited to signs for hours of operation, goods and services, or credit cards accepted.



**Directional Sign**

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

## **2. Allowed Signs Not Requiring a Sign Permit.**

- ~~a.~~ Exempted signs as listed in this Section.
- ~~b.~~ For each single-family or two-family dwelling, one (1) nameplate not to exceed six (6) square feet of area for each dwelling unit.
- ~~c.~~ For a multiple-family dwelling, boarding and lodging house, and bed and breakfast home or inn, one (1) identification sign for each such building not to exceed twelve (12) square feet in area.
- ~~a-d.~~ For a home-based business or home industry, one (1) identification sign not to exceed six (6) square feet in area.
- ~~b-e.~~ Church and Public bulletin boards and identification signs at places of assembly, educational institutions, and public buildings and sites not to exceed sixteen (16) square feet in area in the A-1 and R-1 Districts.
- ~~f.~~ Identification signs for entrances and key facilities in residential subdivisions, mobile home parks, and homeowner/property owner associations not to exceed sixteen (16) square feet in area and limited to one (1) such sign per street frontage.
- ~~g.~~ Temporary signs advertising the lease or sale of the premises in the A-1 Agricultural, R-1 Residential, and C-1 Highway Commercial Districts not to exceed sixteen (16) square feet in area, and in the M-1 Limited Industrial and M-2 General Industrial Districts not to exceed twenty-four (24) square feet in area.
- ~~h.~~ Canopy or fuel island signs for gas stations.

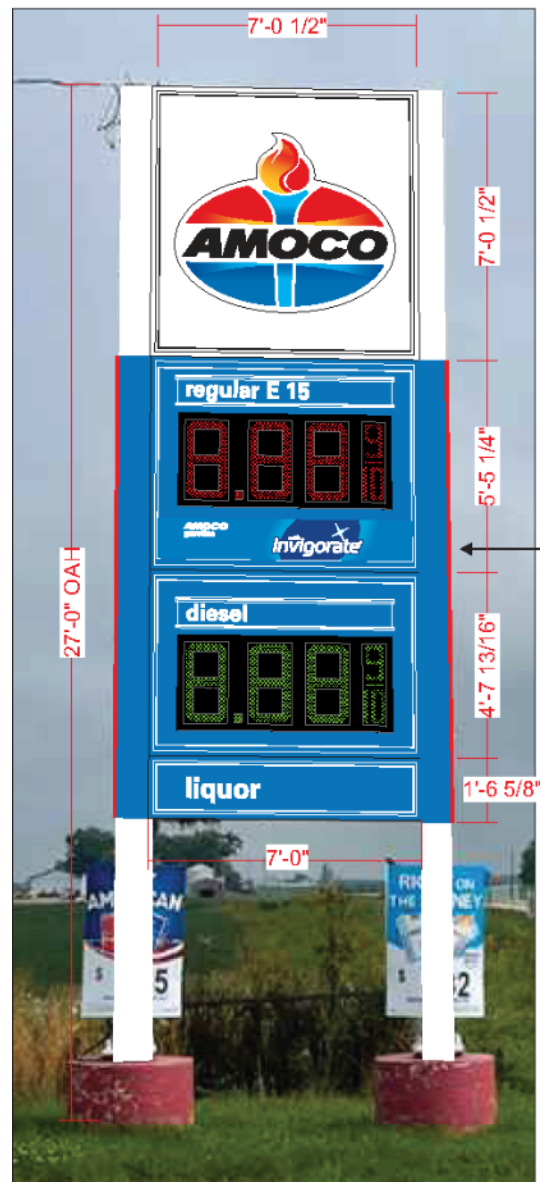
## **3. General Regulations.**

- ~~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. Administration and Enforcement.
- ~~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.



- 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. Nonconformities** 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 noncommercial informational signs approved by the Zoning Administrator and the County Engineer.

- 4. 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 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.
  - 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



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

consistent with the architectural character of the building.

**5. Sign Permit.** 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. Any maintenance item 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. Sign permits must be approved before the beginning of construction, and shall be issued in accordance with this Ordinance. 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. 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.

**6. Sign Permit Required for Billboard and Advertising Signs.**

- a. **State Permit Required.** In accordance with Iowa Code Chapter 306C Subchapter II Billboard Control 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 A-1 Agricultural, C-1 Highway Commercial, M-1 Limited Industrial, and M-2 General Industrial Districts, provided that: The County will regulate these signs in accordance with the Iowa DOT regulations and guidelines, including general, scenic byway, and zoning prohibitions; size and spacing requirements; and light emitting diode (LED) displays.
  - a. ~~They are not within 250 feet of a highway intersection, highway structure, residence, park, school, cemetery, public or semi-public building. They are not within 300 feet of another billboard or advertising sign facing the same direction. No billboard or advertising sign shall exceed 750 square feet in area per face or 25 feet in height.~~



### 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 directional signs:** exempt

*Photo credit: ECIA, 5/13/2025*

**7. Sign Permit Required for ~~trade, business, or industry~~ Identification Signs** for ~~permitted-allowed~~ onsite principal-uses, accessory-uses, and special-exceptionconditional uses of ~~this-the zoning~~ district ~~identifying the business, firm or service located on the premises~~, 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 the following provisions by zoning district:

**a. In the A-1 Agricultural District:**

- i. One (1) sign not to exceed thirty-two (32) square feet in area for that use on each street or road frontage; however, each sign may be a double-faced ~~or back-to-back~~ sign.
- ii. Such signs shall be located at least twenty (20) feet from any lot line or not more than five (5) feet from the main building.
- iii. Illumination of signs and bulletin boards shall be ~~indirect, non-intermittent external, non-flashing~~ lighting.

**b. In the R-1 Residential District:**

- ~~ii.~~ i. One (1) sign not to exceed four (4) square feet in area for that use on each street or road frontage; however, each sign may be a double-faced ~~or back-to-back~~ sign.
- ~~iii.~~ ii. Such signs shall be located at least twenty (20) feet from any lot line or not more than five (5) feet from the main building.
- iii. ~~There shall be no~~ illumination of signs and bulletin boards ~~shall be indirect, non-intermittent lighting.~~

**~~b. In the C-1 Highway Commercial District:~~**

- ~~i. One free-standing sign per business not exceeding 25 feet in height and 100 square feet per face;~~
- ~~ii. signs per business mounted or painted on the wall of a building shall not cover more than 20 percent of the wall of the building in which they are located, or 100 square feet, whichever is smaller;~~

~~iii. The total combined area of all signs shall not exceed 200 square feet per business or more than 1 square foot of sign area for every lineal foot of lot frontage, whichever is greater.~~

~~No sign shall be located in, overhang or project into a required side or rear yard, but permitted signs may be placed in a required front yard.~~

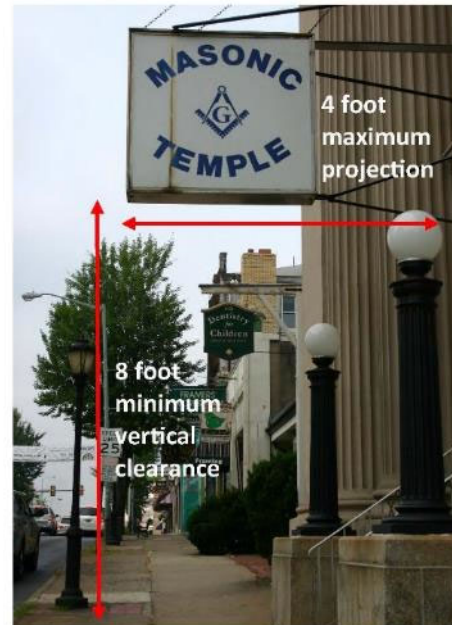
c. In the C-1 Highway Commercial, M-1 Limited Industrial, and M-2 General Industrial Districts:

i. One (1) free-standing sign per business shall not exceed thirty-five (35) feet in height and two hundred (100/200) square feet per face; however, each sign may be a double-faced sign.

ii. One (1) signs per business mounted or painted on the wall of a building shall not cover more than twenty (20) percent of the wall of the building in which they are located, or two hundred (200) square feet, whichever is smaller;

~~iii.~~ No sign shall be located in, overhang or project into a required side or rear yardsetback, but permitted-allowed signs may be placed in a required front yardsetback.

iv. In the M-2 District only, Signs attached to a building shall not project above the height of the building, or more than four (4) feet from the wall of the building and shall not have more than one hundred (100) square feet of area; however, each sign may be a double-faced sign. (see illustration).



#### Projecting Sign

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

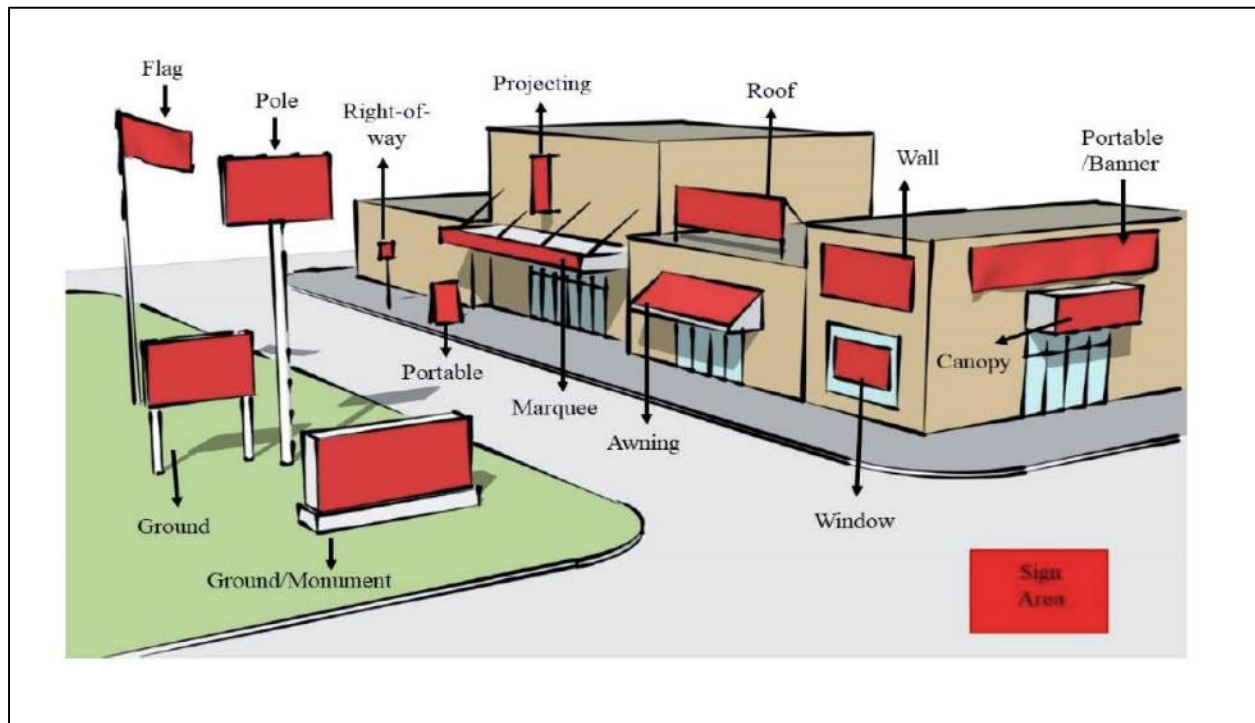
*Photo Credit: Model Sign Ordinance, Montgomery County Planning*

~~A-1: 1. Directional signs as defined not to exceed 150 square feet in area only along U. S. Highway 61 or 32 square feet in area elsewhere in the county, provided that no business shall have more than three (3) such signs in all districts combined.~~

~~R-1: 4. Directional signs as defined not to exceed 3 square feet in area, provided that no business shall have more than 2 such signs in all districts combined and that effective traffic guidance cannot be attained hout sign placement in an R-1 zone.~~

## CHAPTER 6. DEFINITIONS

**Signs.** 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



**Sign Type and Area Illustrative Examples** (Source: City of Dyersville Zoning Ordinance accessed 2023)

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**Sign, Canopy** – A sign that is attached or made an integral part of a canopy.

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**Identification Pole Sign with Electronic Message Sign**



**Ground or Monument Identification Sign**

**Sign, Fuel Island** – A sign affixed to or mounted on a fuel island.

**Sign, Government.** 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.

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**Canopy Sign and Fuel Island Signs**

*Photo Credits: Model Sign Ordinance, Montgomery County Planning Commission, 2014*

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**Sign, On-Site.** 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.

**Sign, Political Campaign.** Any yard sign that is designed to influence the passage or defeat of any measure on the ballot or designed to influence the voters with respect to the nomination, election, defeat, or removal of a candidate from public office at any national, state or local general or special election, as regulated by Iowa Code 68A.406 Campaign signs — yard signs.

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**Sign, Window** – A sign painted on or installed inside a window for the purpose of viewing from outside the premises.



**Tourist Oriented Directional Sign** (Photo credit: Iowa DOT)

## CHAPTER 2. ZONING DISTRICT REGULATIONS

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

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- 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. Exempted Signs.** The following signs shall be exempt from the sign regulations of this Section:
    - a. Nameplate signs not to exceed six (6) square feet in area and bearing only property numbers, post box numbers, names of occupants of premises or other identification of premises not having commercial connotations.

- b. Flags and insignia of any government except when displayed in connection with commercial promotion.
- c. Legal notices, identification, informational or directional signs erected or required by governmental bodies.
- d. Directional signs not to exceed six (6) square feet directing and guiding traffic and parking on public or private property but bearing no advertising matter; these signs may be placed in required front setbacks.
- e. Warning signs, no trespassing, no hunting and similar signs not to exceed two (2) square feet in area located on the premises.
- f. Integral decorative or architectural features of buildings, except letters, trademarks, moving parts, or moving lights.
- g. Inside window signs, including but not limited to signs for hours of operation, goods and services, or credit cards accepted.



**Directional Sign**

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

## **2. Allowed Signs Not Requiring a Sign Permit.**

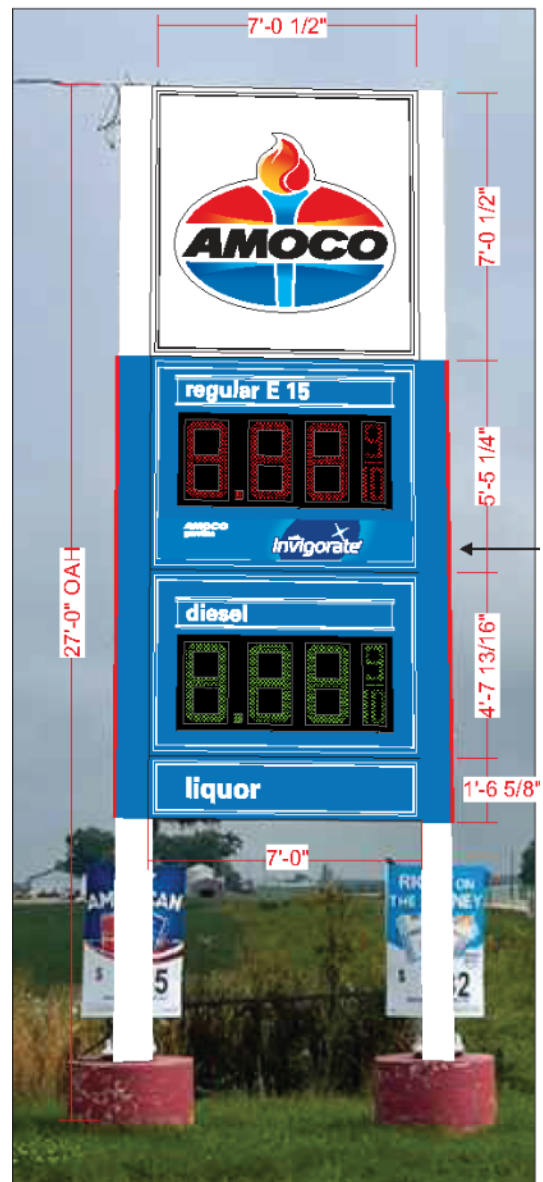
- a. Exempted signs as listed in this Section.
- b. For each single-family or two-family dwelling, one (1) nameplate not to exceed six (6) square feet of area for each dwelling unit.
- c. For a multiple-family dwelling, boarding and lodging house, and bed and breakfast home or inn, one (1) identification sign for each such building not to exceed twelve (12) square feet in area.
- d. For a home-based business or home industry, one (1) identification sign not to exceed six (6) square feet in area.
- e. Public bulletin boards and identification signs at places of assembly, educational institutions, and public buildings and sites not to exceed sixteen (16) square feet in area in the A-1 and R-1 Districts.
- f. Identification signs for entrances and key facilities in residential subdivisions, mobile home parks, and homeowner/property owner associations not to exceed sixteen (16) square feet in area and limited to one (1) such sign per street frontage.
- g. Temporary signs advertising the lease or sale of the premises in the A-1 Agricultural, R-1 Residential, and C-1 Highway Commercial Districts not to exceed sixteen (16) square feet in area, and in the M-1 Limited Industrial and M-2 General Industrial Districts not to exceed twenty-four (24) square feet in area.
- h. Canopy or fuel island signs for gas stations.

## **3. 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. Administration and Enforcement.**
- 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.

- 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. Nonconformities** 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 noncommercial informational signs approved by the Zoning Administrator and the County Engineer.

- 4. 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 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.
  - 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



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



consistent with the architectural character of the building.

5. **Sign Permit.** 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. Any maintenance item 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. Sign permits must be approved before the beginning of construction, and shall be issued in accordance with this Ordinance. 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. 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.
6. **Sign Permit Required for Billboard and Advertising Signs.**
  - a. **State Permit Required.** In accordance with Iowa Code Chapter 306C Subchapter II Billboard Control 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 general, scenic byway, and zoning prohibitions; size and spacing requirements; and light emitting diode (LED) displays.



#### 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 directional signs:** exempt

*Photo credit: ECIA, 5/13/2025*

- 7. 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 the following provisions by zoning district:

a. In the A-1 Agricultural District:

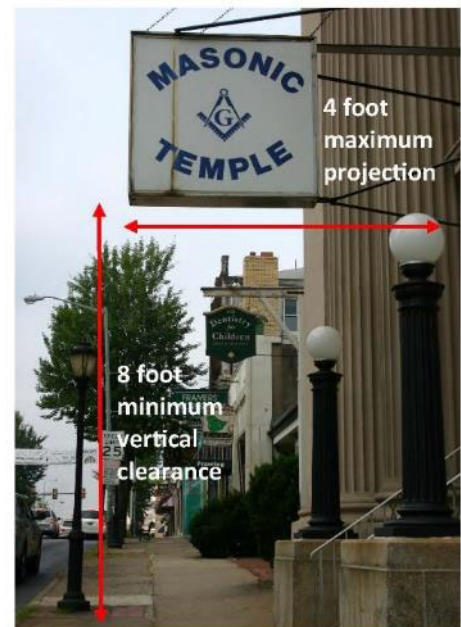
- i. One (1) sign not to exceed thirty-two (32) square feet in area for that use on each street or road frontage; however, each sign may be a double-faced sign.
- ii. Such signs shall be located at least twenty (20) feet from any lot line or not more than five (5) feet from the main building.
- iii. Illumination of signs and bulletin boards shall be external, non-flashing lighting.

b. In the R-1 Residential District:

- i. One (1) sign not to exceed four (4) square feet in area for that use on each street or road frontage; however, each sign may be a double-faced sign.
- ii. Such signs shall be located at least twenty (20) feet from any lot line or not more than five (5) feet from the main building.
- iii. There shall be no illumination of signs and bulletin boards.

c. In the C-1 Highway Commercial, M-1 Limited Industrial, and M-2 General Industrial Districts:

- i. One (1) free-standing sign per business shall not exceed thirty-five (35) feet in height and two hundred (200) square feet per face; ; however, each sign may be a double-faced sign.
- ii. One (1) sign per business mounted or painted on the wall of a building shall not cover more than twenty (20) percent of the wall of the building in which they are located, or two hundred (200) square feet, whichever is smaller.
- iii. No sign shall be located in, overhang or project into a required side or rear setback, but allowed signs may be placed in a required front setback.
- iv. Signs attached to a building shall not project above the height of the building, or more than four (4) feet from the wall of the building and shall not have more than one hundred (100) square feet of area; however, each sign may be a double-faced sign. *(see illustration).*



**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*



June 11, 2025

Lori Roling, Zoning Administrator  
Jackson County Zoning Department  
201 West Platt Street  
Maquoketa, IA 52060

**RE: Zoning Ordinance Update** – Revised Draft of Section 2.10 Nonconformities (06-11-25)

Dear Lori,

Attached is the revised draft of Section 2.10 Nonconformities (06-11-25) for the Zoning Ordinance Update for consideration by the Zoning Commission at their June 16, 2025 meeting.

#### Discussion

In Section 2.10 Nonconformities regulations for “grandfathered” lots, uses and structures are organized in an outline format for easier interpretation. The attached REDLINE version outlines the proposed changes, and the CLEAN version shows the resulting restructure. Major updates proposed are:

- Reference to the effective date of the first Jackson County Zoning Ordinance on May 6, 1976.
- Providing more explanatory and consistent regulations for nonconformities.
- Adding provisions for repairs and alterations, reconstruction, discontinuance, and conversion.
- New section for nonconforming signs.

#### Recommendation

The Commission is asked to review and approve by consensus the revised draft of Section 2.10 Nonconformities (06-11-25), and then to provide direction to staff for moving forward with the proposal.

Please let me know if you have any questions. Thank you.

Sincerely,

A handwritten signature in cursive script, reading "Laura Carstens".

Laura Carstens, Senior Planner

Attachments

**2.10 Nonconformities.****A. Intent and Application.** The intent of this Section 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 ~~by this Ordinance~~ 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. Subject to Section 1.7, it is the intent of this ordinance to permit these non-conformities to continue and to be renewed and replaced, but not to allow their expansion. However, nothing in this ordinance shall prohibit the Zoning Board of Adjustment from granting a special exception to permit the addition of accessory structures to serve principal structures devoted to nonconforming uses as allowed in this ordinance.~~
- ~~3. A non-conforming use of a structure, a nonconforming use of land or water, or a nonconforming use of a structure and land in combination shall not be extended or enlarged after passage of this ordinance by attachment on a building or premises of additional signs intended to be seen from off the premises, or by the addition of other uses of a nature which would be prohibited generally in the district involved.~~
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. ~~1.11~~ 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.

**~~1.2~~ 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 yard-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 yard-setback requirements shall be obtained only through by the Zoning Administrator in



accordance with Section 3.10. Administrative Waiver or action of the Board of Adjustment in accordance with Section 4.6. Dimensional Variance.

- 3. Adjacent Lots in Single Ownership.** ~~If two (2) or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this Ordinance, and if all or part of the lots do not meet the requirements for lot width and area as established by this Ordinance, the land involved shall be considered to be an undivided parcel for the purposes of this Ordinance and no portion of said parcel shall be used or sold which does not meet lot width and area requirements established by this Ordinance, nor shall any division of the parcel be made which leaves remaining any lot with width or area below the requirements stated in this Ordinance. 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.~~

**Commented [LC1]:** The current language relies on access to property ownership of lots before adoption of first Zoning Ordinance on May 6, 1976. Extremely difficult to determine, so recommending new simpler language that refers to current ownership

- 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 Regulations and does not create a nonconforming lot.

#### **G. ~~1.12~~ Nonconforming Uses ~~Of Land~~.**

1. **Continuance.** ~~Where, at the effective date of adoption or amendment of this ordinance, Any lawful nonconforming use of land a lot or a structure exists that is made no longer permissible under the regulations imposed by this ordinance as enacted or amended, such use may be continued, repaired, maintained, altered, or extended within a structure, so long as it remains otherwise lawful, subject to the following provisions and exceptions of this Section.~~
2. ~~1. 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 such nonconforming use shall be enlarged or increased nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this ordinance. No existing structure devoted to a such use not permitted by this ordinance in the district in which it is located shall be enlarged or extended.~~
3. ~~2. Relocation. No such A lawful nonconforming use shall not be moved in whole or in part to any other portion of the lot, or parcel, or "zoning lot" occupied by such use on which it was located at the effective date of adoption or amendment of this Ordinance.~~
4. ~~3. Discontinuance of Use. When a lawful nonconforming use of a structure, or structure and premises in combination, is discontinued or abandoned for twelve (12) consecutive months one (1) year, the structure thereafter shall not be used except in conformity with the regulations of the district in which it is located. If any such nonconforming use of land ceases for any reason for a period of more than six (6) months, any subsequent use of land shall conform to the regulations specified by this Ordinance for the district in which such land 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.

**4.5. 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. provided that the Board of Adjustment, either by general rule or by making findings in the specific cases, shall find that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. In permitting such change, the Board of Adjustment may require appropriate conditions and safeguards in accordance with the provisions of this ordinance. Any structure or structure and land in combination, in or on which ~~Whenever a lawful nonconforming use is superseded by a permitted~~ an allowed use, shall thereafter conform to the regulations for the district in which such structure is located and the 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 2.8.I. of this Section.

**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.

**6.10. 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.

1. **Continuance.** ~~Where~~ A lawful nonconforming structure existing ~~at-on~~ the effective date of adoption or amendment of this Ordinance ~~that could not be built under the terms of this ordinance by reason of restrictions on area, lot coverage, height, yards or other characteristics of the structure or its location on the lots, such structure~~ may be continued, repaired, or altered subject to the provisions of this Section, 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 2.8.1, of this Section.
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.

1.14 ~~Nonconforming Uses of Structures.~~ If a lawful use of a structure or of structure and premises in combination exists at the effective date of adoption or amendment of this ordinance that would not be allowed in the district under the terms of this ordinance, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

~~1. No existing structure devoted to a use not permitted by this ordinance in the district in which it is located shall be enlarged or extended.~~

~~2. Any 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.~~

~~3. If no structural alterations are made, any nonconforming use of a structure, or structure and premises in combination may be changed to another nonconforming use provided that the Board of Adjustment, either by general rule or by making findings in the specific cases, shall find that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. In permitting such change, the Board of Adjustment may require appropriate conditions and safeguards in accordance with the provisions of this ordinance.~~

~~4. Any structure or structure and land in combination, in or on which a nonconforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district in which such structure is located and the nonconforming use may not thereafter be resumed.~~

~~5. When a nonconforming use of a structure, or structure and premises in combination, is discontinued or abandoned for twelve (12) consecutive months, the structure thereafter shall not be used except in conformity with the regulations of the district in which it is located.~~

~~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.~~

~~1.15 **Repairs and Maintenance.** 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.~~

~~B.I. 1.16 **Uses and Structures Under Exception- Conditional Use Provision.** Any use permitted as a special exception in its district which was in existence on the effective date of this Ordinance shall be deemed a conforming special exception use. 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.** nor shall If such use be resumed after having lapsed ceases for a period of one (1) year, twelve (12) months or more or cannot meet the tests for reconstruction in Subsection 2.8.G. of this Section, the use may not be resumed until a special exception conditional use permit has been granted by the Board of Adjustment.~~

~~1.3. **Reconstruction.** If such structure cannot meet the tests for reconstruction in Subsection 2.8.H. of this Section, 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. Structures devoted to such uses may be converted to nonconforming uses by action of the Zoning Board of Adjustment in the same manner as provided for nonconforming uses in Section 1.14(2) provided also that the Board finds that the proposed use is more compatible with neighboring uses than is the existing use.

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. Sign Regulations.**

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 and **Subsection 2.9.G. Sign Regulations.**

~~1.4.~~ **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, and specify that the sign be removed or made to conform with the requirements of this Section and **Subsection 2.9.G. Sign Regulations** within thirty (30) days.



## **2.10 Nonconformities.**

### **A. Intent and Application.** The intent of this Section 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. Administrative Waiver or action of the Board of Adjustment in accordance with Section 4.6. Dimensional Variance.
  - 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 Regulations 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 Section.
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 2.8.I. of this Section.
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 Section, 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 2.8.I. of this Section.
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 2.8.G. of this Section, 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 2.8.H. of this Section, 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. Sign Regulations.
  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 and Subsection 2.9.G. Sign Regulations.
- 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, and specify that the sign be removed or made to conform with the requirements of this Section and Subsection 2.9.G. Sign Regulations within thirty (30) days.





June 30, 2025

Lori Roling, Zoning Administrator  
Jackson County Zoning Department  
201 West Platt Street  
Maquoketa, IA 52060

**RE: Zoning Ordinance Update – Recommended Adult and Child Care provisions (06-30-25)**

Dear Lori,

This letter provides the recommended Adult and Child Care provisions (06-30-25) for the Zoning Ordinance Update for review and approval by the Zoning Commission at their July 21, 2025 meeting.

**Discussion**

The current Zoning Ordinance has no provisions for child care facilities or preschools, or for adult day care centers, family homes, elder group homes, and homes for persons with disabilities.

**Family Home**

Iowa Code mandates that counties treat “family homes” as a residential use of property and a permitted use in all residential zones, including single-family zones. Counties cannot regulate the siting of family homes in residential areas with a conditional or special use permit, special exception, or variance.

Iowa Code 335.25 defines “*Family home*” as a community-based residential home licensed as a residential care facility or child foster care facility, providing room and board, personal care, habilitation services, and supervision for not more than eight (8) persons and any necessary support personnel.

New family homes owned or operated by public or private agencies must be dispersed throughout residential zones and not located within contiguous city block areas. With respect to county zoning, Iowa Code defines Homes for persons with disabilities and Elder group homes as “family homes.”

**Adult Day Care**

Iowa Administrative Code (IAC) Chapter 70 defines “Adult day services” or “adult day services program” as an organized program providing a variety of health-related care, social services, and other related support services for 16 hours or less in a 24-hour period to two or more persons with a functional impairment on a regularly scheduled, contractual basis.

In Iowa, zoning regulations for adult day care facilities often allowed these uses in any zone that allows residential dwellings without needing a discretionary permit.

Since Iowa law protects the siting of family homes (including those providing adult day care) in residential areas, staff recommends that an adult day care center be regulated as a “family home.”

### **Child Care**

In Iowa, zoning regulations for child care facilities vary by location and the type of facility. Generally, child care facilities can be permitted in commercial, mixed-use, residential, and manufacturing zoning districts. They may also be allowed as accessory uses to established schools or places of assembly, such as community centers or churches. Specific requirements, such as lot size, building setbacks, and parking, can vary by city and county.

Iowa Chapter 237A requires child care centers to be licensed by the Iowa Department of Health and Human Services (HHS) child development homes to meet specific requirements and be registered with the Iowa HHS. Child care homes also are addressed in Iowa Code Chapter 237A a category, but are not required to be registered with the Iowa HHS. Additional regulations are found in IAC 441-109 and 441-110.

Child care facilities must comply with building, fire safety, and health codes, in addition to state licensing requirements. Indoor and outdoor space requirements are stipulated by the state, with minimum square footage per child. Emergency exits, smoke detectors, and fire extinguishers are also regulated. Water supply and safety barriers around heating elements may also be required.

Staff recommends that child care facilities be as defined and regulated in Iowa Code 237A and IAC 441-109 and 441-110. Attached is a chart of state requirements for child care facilities.

### **Preschool**

In Iowa, preschools, similar to child care centers, are subject to zoning regulations, particularly regarding their location and physical space and issues like building size, lot size, and proximity to residential areas. They also may be allowed as accessory uses to established schools or places of assembly. Iowa Code Section 256.2, the Statewide Voluntary Preschool Program outlines the requirements for preschools.

### **Recommendation**

The proposed definitions for care facilities refer to their definitions in Iowa Code and Iowa Administrative Code (IAC). The table shows the proposed use categories in the A-1 Agricultural, R-1 Residential, and C-1 Highway Commercial zoning districts, with P = Principal use, A = Accessory use, and C = Conditional use.

Comparison of Care Facilities				
Type of Care Facility	Chapter 6. Definitions	A-1 use	R-1 use	C-1 use
Adult Day Care Center	As defined and regulated in IAC 481-70 Adult Day Services	C	P	P
Child Care Center	As defined and regulated in Iowa Chapter 237A and IAC 441-109	C	C	P
Child Care Home	As defined and regulated in Iowa Chapter 237A and IAC 441-110	A	A	A
Child Development Home	As defined and regulated in Iowa Chapter 237A and IAC 441-110	C	C	P
Family Home	As defined and regulated in Iowa Code Section 335.25	C	P	P
Preschool	As defined and regulated in Iowa Code Section 256.2	C	C	P

The Commission is asked to review and approve the recommended Adult and Child Day Care provisions (06-30-25), and then to provide direction to staff for moving forward with the proposal. Please let me know if you have any questions. Thank you.

Sincerely,



Laura Carstens, Senior Planner

Attachments

## Child Care Provider Portal

[Home](#)

Requirements for the Different Types of Child Care Providers in Iowa

	Non-Registered Home	Child Development Home A	Child Development Home B	Child Development Home C (2 Providers)	Child Development Home C (1 Provider)	Licensed Center
State Regulated						
Maximum Capacity	6*	8*	12*	16*	8*	* Varies by licensing
Inspection visit prior to registration/licensing						
Annual monitoring - facility & records inspection						
Minimum age of caregiver	18 years	18 years	20 years	21 years	21 years	Director - 21 years
Iowa child abuse registry check						
Iowa criminal records check						
National (FBI) fingerprint-based record check						
Experience required			2 years or 1 year with a child related degree	5 years or 4 years with a child related degree	5 years or 4 years with a child related degree	A combination of experience & education
Minimum Education required			High school diploma or GED	High school diploma or GED	High school diploma or GED	Director/On-site supervisor - High school diploma or GED
Minimum pre-service & orientation trainings						
Professional development training (each 2 year period)	6 hours	24 hours	24 hours	24 hours	24 hours	
CPR and First Aid certification						
Mandatory reporter training						
Emergency preparedness & response planning						
Non-smoking environment						
Fire extinguisher & smoke detectors						
Two (2) direct exits						
Space requirements						
Quiet area for sick children						
Reference Letters		Three (3) reference letters from non-relatives				
	<a href="#">Apply</a>	<a href="#">Apply</a>	<a href="#">Apply</a>	<a href="#">Apply</a>	<a href="#">Apply</a>	

- ◆ A home provider's own preschool age children and younger ARE included in their legal capacity. Their school-age children are not unless they are being home-schooled.
- ◆ Non-Registered Homes may have up to 6 children, as long as at least one child is school-aged.
- ◆ Child Development Home A: Limit of 6 preschool children with a maximum of 4 aged 24 months or younger. Of these no more than 3 can be 12 months of age or younger. They can also care for 2 school-aged children for a **total maximum of 8 children** in care at any one time.
- ◆ Child Development Home B: Limit of 8 preschool children with a maximum of 4 children aged 24 months or younger. Of these no more than 3 can be 12 months of age or younger. They can also care for 4 school-aged children for a **total maximum of 12 children** in care at any one time. When there are more than 8 children present for more than 2 hours, an assistant 14 years or older needs to be present.
- ◆ Child Development Home C (2 providers): Limit of 14 preschool children with a maximum of 6 aged 24 months or younger. 2 additional school-age children can also be in care for a **total maximum of 16 children** in care at any one time. Whenever there are more than 8 children present, the business co-provider needs to be present.
- ◆ Child Development Home C (1 provider): Limit of 8 children with a maximum of 4 aged 24 months or younger.
- ◆ Center and preschool staff to children ratios: babies up to 23 months 1:4; 2 year olds 1:6; 3 year olds 1:8; 4 year olds 1:12; 5 year olds and older 1:15.
- ◆ Record checks are required for household members age 14 and older.
- ◆ Child abuse registry checks are required for household members age 14 and older.

If you have concerns about any child caregiver, contact your county Department of Human Services.

Version: 02.22.00 Build: 1 Deployment Date: 9/14/2012 7:16:38 AM

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# East Central Intergovernmental Association

a regional response to local needs



July 6, 2025

Lori Roling, Zoning Administrator  
Jackson County Zoning Department  
201 West Platt Street  
Maquoketa, IA 52060

**RE: Zoning Ordinance Update – Draft of Section 2.1 Schedule of District Regulations (07-06-25)**

Dear Lori,

Attached is the draft of Section 2.1 Schedule of District Regulations (07-06-25) for the Zoning Ordinance Update for review and approval by the Zoning Commission at their July 21, 2025 meeting.

## Discussion

Section 2.1 Schedule of District Regulations has been expanded to use tables and refer to other sections to provide for a more user-friendly layout of regulations and additional resources. The attached REDLINE version outlines the proposed changes with commentary, and the CLEAN version shows the resulting restructure. Major updates are as follows:

- Tables are used for Schedule of Zoning Districts, Schedule of Land Uses and Structures, with proposed land uses revised according to the Matrix of Allowed Uses.
- Parking requirements are moved to Section 2.1.
- Specific regulations for Conditional Uses and Structures as well as Signs are moved to Section 2.9.
- A new section is added for Temporary Uses and Structures for Zoning Administrator approval.
- Development Regulations are moved to a table and expanded in scope and content.
- References are shown for relevant sections of the Zoning Ordinance and other County ordinances; these will become hyperlinks in the online version.

## Recommendation

The Commission is asked to review and approve the draft of Section 2.1 Schedule of District Regulations (07-06-25) and then to provide direction to staff for moving forward with the proposal. Please let me know if you have any questions. Thank you.

Sincerely,

A handwritten signature in cursive script, reading "Laura Carstens".

Laura Carstens, Senior Planner

Attachments

**CHAPTER 42. ZONING DISTRICT REGULATIONS**

**1-72.1 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 and loading spaces. The PUD zoning district includes a statement of intent and special requirements.

<b>Table A.1. Schedule of Zoning Districts</b>	
<b>Symbol</b>	<b>Name</b>
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.** Land uses and structures are allowed as farm exempt, principal, accessory, conditional, and temporary, subject to special standards and processes, or not allowed in each zoning district. **Table B.1. Schedule of Land Uses and Structures** lists the symbol and the name of each type of land use and structure.

<b>Table B.1. Schedule of Land Uses and Structures</b>	
<b>Symbol</b>	<b>Type</b>
E	Farm Exempt
P	Principal
A	Accessory
C	Conditional
T	Temporary
N	Not Allowed

- 1. 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 Nonconformities**, Existing uses and structures that do not comply shall be subject to the requirements of **Section 2.10**.
- 2. 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.2. Matrix of Principal and Conditional Uses and Structures**. Levels of permission include:



- a. **Farm Exempt Uses and Structures.** In accordance with **Section 1.20 Farms Exempt**, 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 Farm Exempt, Accessory, and Temporary Uses and Structures** by a “F” in the applicable cell.
- b. **Principal Uses and Structures.** These 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. 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.2. Matrix of Principal and Conditional Uses and Structures** by a “P” in the applicable cell.
- c. **Accessory Uses.** These 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.3. Matrix of Farm Exempt, Accessory, and Temporary Uses and Structures** by an “A” in the applicable cell.
- d. **Conditional Uses and Structures.** These uses and structures are subject to approval of a Conditional Use Permit by the Board of Adjustment following the procedure set forth in **Section 4.5 Conditional Use Permit**, and subject to compliance with all regulations of this Ordinance. Conditional 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. 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.2. 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.3. Matrix of Farm Exempt, 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.2. Matrix of Principal and**

**Commented [LC1]:** New general category to more clearly identify farm exempt use and structures. Definition of Farm revised to refer to relevant Iowa Code and Iowa Administrative Code sections. See recommendations for Farm Definition

**Commented [LC2]:** New name for special exception uses and structures

**Commented [LC3]:** Moved into new category for approval by Zoning Administrator instead of Board of Adjustment

**Commented [LC4]:** The Zoning Commission this classification be added to the matrix.

Conditional Uses and Structures and in Table B.3. Matrix of Farm Exempt, Accessory, and Temporary Uses and Structures by an “N” in the applicable cell.

**g. Standard and Alternative Residential Regulations.**

- i. 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).
- ii. 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.2. Matrix of Principal and Conditional Uses and Structures and for accessory uses and structures in Table B.3. Matrix of Farm Exempt, Accessory, and Temporary Uses and Structures.

**3. Matrix of Principal and Conditional Uses and Structures.** Table B.2. provides the Matrix of Principal and Conditional Uses and Structures. The following codes in a cell shall apply as follows: F = Farm Exempt, P = Principal Use, A = Accessory Use, C = Conditional Use, T = Temporary Use, and N = Not Allowed. Table B.2. 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.2. Matrix of Principal and Conditional Uses and Structures					
Land Uses and Structures by Category	Zoning Districts				
	A-1	R-1	C-1	M-1	M-2
<b>Residential - Alternative</b>					
<u>Mobile home</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>
<u>Mobile home converted to real estate</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>
<u>Mobile home park on tracts of five (5) acres or more</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>N</u>
<u>Mobile home subdivision on tracts of ten (10) acres or more</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>N</u>
<u>Multiple family dwellings, including residential condominiums</u>	<u>C</u>	<u>C</u>	<u>P</u>	<u>N</u>	<u>N</u>
<u>Place of Assembly</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>
<u>POA owned indoor commercial recreation facilities</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>
<u>POA owned outdoor commercial recreation facilities</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>
<u>Seasonal dwelling</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>
<u>Single-family dwelling, detached</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>
<b>Residential - Standard</b>					
<u>Conversion of structure to two-family dwelling</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
<u>Family home</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>
<u>Mobile home park on tracts of five (5) acres or more</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>N</u>

**Commented [LC5]:** Added use, definitions, and standards to comply with Iowa Code

Table B.2. Matrix of Principal and Conditional Uses and Structures					
Land Uses and Structures by Category	Zoning Districts				
	A-1	R-1	C-1	M-1	M-2
Mobile home subdivision on tracts of ten (10) acres or more	N	C	N	N	N
Multiple family dwellings, including residential condominiums	C	C	P	N	N
Seasonal dwellings	P	P	N	N	N
Single-family dwelling, <u>detached</u>	P	P	N	N	N
<b>Education and Assembly</b>					
<u>Adult day care center</u>	C	P	P	N	N
<u>Child care center</u>	C	C	P	N	N
<u>Child development home</u>	C	C	P	N	N
Elementary School	P	P	N	N	N
Fairgrounds & <u>and</u> public exposition	P	N	P	N	N
<u>Place of Assembly</u> <del>church, community meeting building</del>	P	P	N	N	N
<u>Post High School</u>	P	P	P	N	N
<u>Preschool</u>	C	C	P	N	N
Secondary School	P	P	N	N	N
<b>Lodging</b>					
<u>Bed and breakfast home</u>	P	N	P	N	N
<u>Bed and breakfast inn</u>	N	N	P	N	N
<u>Boarding or lodging house</u>	N	N	P	N	N
Hotel/Motel	N	N	P	N	N
<b>Commercial</b>					
<u>Agricultural experiences</u>	A	N	N	N	N
<del>Agricultural sales, service, and supply businesses involving the processing, storage, and sale of grain for seed, or for livestock and poultry feed; 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 including the sale or display of farm machinery, building materials or appliances</del>	C	N	P	P	N
Airport and landing fields	C	N	N	N	N
Animal hospital/ <u>Veterinary clinic</u>	N	N	P	P	N
Building materials and distribution/Lumber yard sales & distribution	N	N	P	P	P
<del>Bulk stations for the storage for</del> and retail distribution of anhydrous ammonia fertilizer under pressure and petroleum products under pressure	C	N	C	C	N

**Commented [LC6]:** Included in broader, more inclusive definition of new general land use category: **Place of Assembly**

**Commented [LC7]:** Added accessory use to comply with Iowa Code

**Commented [LC8]:** Combine Agricultural service businesses in A-1 with Agricultural service and supply businesses in M-1 to create a new General Land Use Category and incorporate this list of uses into the definition: **Agricultural sales, service, and supply businesses**

**Commented [LC9]:** New definition for Bulk Stations, pulled out of agricultural service business as a separate Conditional Use with additional standards.

Table B.2. Matrix of Principal and Conditional Uses and Structures					
Land Uses and Structures by Category	Zoning Districts				
	A-1	R-1	C-1	M-1	M-2
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
<u>Car Wash</u>	N	N	<u>P</u>	N	N
Cemeteries	P	P	N	N	N
Commercial <u>cell</u> communications station and tower -- <u>New and Existing</u>	C	N	C	C	C
<u>Event Venue</u>	<u>C</u>	N	<u>P</u>	N	N
<u>Financial Institution Drive-in bank</u>	N	N	<u>P</u>	N	N
Garden center	N	N	<u>P</u>	N	N
Garden center in conjunction with <u>plant</u> nursery	C	N	<u>P</u>	N	N
<u>Gas station Retail automotive fuel sales</u>	N	N	<u>P</u>	N	N
<u>General Office</u>	N	N	<u>P</u>	N	N
<u>General Retail</u> <u>Antique shops, art galleries and studios, bait shops, fishing and camping supply shops, convenience stores &amp; liquor stores</u>	N	N	<u>P</u>	N	N
<u>General Services</u>	N	N	<u>P</u>	N	N
Greenhouse, <u>commercial</u>	N	N	<u>P</u>	N	N
Home Industry	C	N	N	N	N
Information booth	N	N	<u>P</u>	N	N
Kennel	P	N	<u>P</u>	P	N
Livestock <u>market market auction sales</u>	C	N	<u>P</u>	N	N
<u>Mini-Warehouse/Rental storage unit</u>	N	N	<u>P</u>	P	N
<u>Mobile home/Manufactured home sales, service or repair</u>	N	N	<u>C</u>	N	N
<u>Nightclub/Bar/Tavern</u>	N	N	<u>P</u>	N	N
<u>Personal Service</u>	N	N	<u>P</u>	N	N
Plumbing, heating, air conditioning, and sheet metal shops	N	N	<u>P</u>	P	N
Restaurants <u>&amp; nightclubs</u>	N	N	<u>P</u>	N	N
<u>Restaurant, Drive-in Restaurants &amp; refreshment areas</u>	N	N	<u>P</u>	N	N
Riding stable	P	N	<u>P</u>	N	N
<u>Solar energy system: consumer-scale freestanding</u>	<u>C</u>	<u>N</u>	<u>C</u>	<u>C</u>	<u>C</u>
Tourism welcome center	N	N	<u>P</u>	N	N
<u>Automobile-Vehicle paint &amp; and body shops</u>	N	N	<u>P</u>	P	P
<u>Vehicle Sales, Service, and Repair Automobile and automotive sales, service and/or repair; Boat sales, service and/or repair; Construction equipment sales, service and/or repair; Farm implement sales, service and/or repair; Motorcycle sales, service, and repair; Motorcycle sales, service, and repair; Snowmobile, golf cart, personal</u>	N	N	P	P	P

Commented [LC10]: new general land use category

Commented [LC11]: new general land use category

Commented [LC13]: Name and definition changed to match Iowa Code

Commented [LC14]: new general land use category

Table B.2. Matrix of Principal and Conditional Uses and Structures					
Land Uses and Structures by Category	Zoning Districts				
	A-1	R-1	C-1	M-1	M-2
<del>watercraft, similar recreational vehicles sales, service, repair; Truck sales, service and/or repair</del>					
<del>Wind energy conversion system: commercial</del>	<u>C</u>	<u>N</u>	<u>C</u>	<u>C</u>	<u>C</u>
<b>Recreation</b>					
<del>Indoor Commercial Recreation, including recreational lodges with a maximum of ten (10) units recreation &amp; amusement activities such as bowling alleys, miniature golf courses, driving ranges, skating rinks, dance halls, indoor theaters, community recreation building</del>	C	N	P	N	N
<del>Commercial campground and recreational vehicle park on sites of less than 5 acres</del>	C	N	N	N	N
<del>Commercial campground and recreational vehicle park on sites of at least five (5) acres</del>	N	N	C	N	N
Golf courses and clubhouses not including miniature courses operated for a profit	N	N	P	N	N
Golf courses and clubhouses	P	N	N	N	N
<del>Outdoor Commercial Recreation, on site of less than five (5) acres drive-in theaters, ski slopes, gun clubs, marinas, docking facilities and recreation vehicle riding areas, race courses and similar outdoor recreation activities,</del>	C	N	P	N	N
<del>Private campground on site of less than five (5) acres</del>	<u>C</u>	N	N	N	N
<del>Public Campground</del>	P	N	<u>P</u>	N	N
<del>Public Recreation Lake, pond, hunting area, public park, public playground, public recreation area, wildlife preserves</del>	P	P	<u>P</u>	N	N
Seasonal resort	C	N	N	N	N
Storage <del>warehouse</del> building	N	N	N	A	A
Tourist camp on sites of not less than five (5) acres	C	N	N	N	N
Youth or Summer Camps	C	N	N	N	N
<b>Industrial</b>					
<del>Animal feeding operation Commercial feedlots</del>	C	N	N	N	N
Concrete products	N	N	N	N	P
Contractor construction office, maintenance shop or storage yard	N	N	N	P	P
<del>Data Processing Center</del>	<u>?</u>	<u>?</u>	<u>?</u>	<u>?</u>	<u>?</u>
<del>Grain elevator</del>	N	N	N	<u>P</u>	N
Junkyard on site of five (5) acres or more	N	N	N	N	C
<del>Logging, storage only</del>	<u>P</u>	N	N	<u>P</u>	N
<del>Logging, production and storage</del>	N	N	N	N	<u>-P</u>
Manufacturing and processing <del>uses-businesses</del> that are contained within a building, <del>and</del> have no publicly visible external storage <del>and create no offensive noise, dust, odor, vibration, electrical interference or other environmental</del>	N	N	N	P	P

**Commented [LC15]:** Included in definition of new general land use category: **Vehicle Sales, Service, and Repair**

**Commented [LC16]:** Included in definition of new general land use category: **Indoor Commercial Recreation**

**Commented [LC17]:** See recommendations for Campground Zoning

**Commented [LC18]:** Included in definition of new general land use category: **Outdoor Commercial Recreation**

**Commented [LC19]:** See recommendations for Campground Zoning

**Commented [LC20]:** Included in definition of new general land use category: **Public Recreation**

**Commented [LC21]:** Storage building and Warehouse mean different types of services based on capacity, duration, etc. are now separate uses

**Commented [LC22]:** Name and definition changed to match Iowa Code

**Commented [LC23]:** To be determined

Table B.2. Matrix of Principal and Conditional Uses and Structures					
Land Uses and Structures by Category	Zoning Districts				
	A-1	R-1	C-1	M-1	M-2
<del>Nuisance.</del> The area devoted to external storage shall not exceed the area of roofed structures on the parcel.					
Manufacturing and processing, not restricted as conditional uses	N	N	N	N	P
Manufacturing and processing, except that certain uses shall be permitted only as <del>special exceptions conditional uses (see Section 2.6.D).</del>	N	N	N	N	C
Mining and extraction of minerals or raw materials, including necessary processing equipment	C	N	N	N	C
Ready mix concrete plants	C	N	N	N	P
<del>Solar energy system: utility-scale freestanding</del>	<del>?</del>	<del>?</del>	<del>?</del>	<del>?</del>	<del>?</del>
<del>Solid Waste Facilities</del>	<del>C</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>C</del>
Truck <del>&amp; and</del> freight terminals	N	N	N	N	P
Welding, machine and repair shops	N	N	N	P	N
<del>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</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>P</del>	<del>P</del>
<b>Other Uses</b>					
Addition of accessory structure to principal structure devoted to legal nonconforming use	C	C	C	C	C
<del>Railroads, public utility-utilities, and public maintenance facilities- garages and equipment and materials storage yards, but not including administrative or sales offices; Public maintenance facilities including garage and administrative office, but not including equipment and materials storage yard; Railroads and public utilities but not including equipment storage or maintenance yards; Railroads, public maintenance garage, and public utility facilities including equipment and materials storage and maintenance yards and buildings, and administrative or sales offices</del>	<del>P</del>	<del>N</del>	<del>P</del>	<del>P</del>	<del>P</del>
<del>Railroads, public utilities, and public maintenance garage, and public utility facilities, but not including equipment storage, or maintenance yards, and buildings or and administrative or sales offices</del>		<del>P</del>			

**Commented [LC24]:** To be determined

**Commented [LC25]:** Sanitary landfills, sanitary transfer stations, sanitary composting facilities, and sanitary recycling operations combined in definition for new general use category of **Solid Waste Facility**

**Commented [LC26]:** Added definitions for Wholesaling and Warehousing; recommend using longer combined definition that includes "highly volatile chemicals or materials"

**Commented [LC27]:** Consolidation of similar descriptions; See recommendations for **Railroads and Utilities**

**Commented [LC28]:** Revised description; See recommendations for **Railroads and Utilities**

**4. Matrix of Farm Exempt, Accessory, and Temporary Uses and Structures.** Table B.3. provides the Matrix of Farm Exempt, Accessory, and Temporary Uses and Structures. The following codes in a cell shall apply as follows: F = Farm Exempt, P = Principal Use, A = Accessory Use, C = Conditional Use, T = Temporary Use, and N = Not Allowed. Table D.1. 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. 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 Farm Exempt, Accessory, and Temporary Uses and Structures					
Land Uses and Structures by Category	Zoning Districts				
	A-1	R-1	C-1	M-1	M-2
<b>Agriculture &amp; Farm Exempt</b>					
Agriculture	F, P	N	N	N	N
Farms	F, P	N	N	N	N
<del>and the usual</del> Farm buildings	F, P	N	N	N	N
Farm dwellings, principal	F, P	N	N	N	N
Farm dwellings, secondary	F, A	N	N	N	N
Farming	F, P	N	N	N	N
<del>Farm home-based occupation</del>					
Grain storage bins	F, P	N	N	N	N
Horticulture	F, P	N	N	N	N
Nursery	F, P	N	P	N	N
<del>Roadside stands for the sale of produce</del>					
<b>Residential – Alternative Accessory Uses and Structures</b>					
<u>Accessory structure related to a principal use or structure on a separate lot</u>	<u>A</u>	<u>A</u>	<u>N</u>	<u>N</u>	<u>N</u>
<u>Accessory structure related to a principal seasonal dwelling with no principal structure on lot</u>	<u>A</u>	<u>A</u>	<u>N</u>	<u>N</u>	<u>N</u>
<b>Residential - Standard Accessory Uses and Structures</b>					
<u>Accessory Dwelling Unit (ADU)</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>N</u>	<u>N</u>
<u>Attached and/or detached private garage or carport</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>N</u>	<u>N</u>
<u>Child care home</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>N</u>	<u>N</u>
Deck, porch, balcony, <del>carport</del> , boat dock, and other similar structure	<u>A</u>	<u>A</u>	<u>A</u>	<u>N</u>	<u>N</u>
Dwelling units in a commercial structure	N	N	A	N	N
Dwelling units for <u>owners or persons</u> watchmen or caretakers employed on the premises	N	N	N	A	A
Fences, hedges, <u>and walls</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>Home-based business</u> occupation	<u>A</u>	<u>A</u>	<u>A</u>	<u>N</u>	<u>N</u>
<u>Shed, gazebo, pergola, and other similar roofed freestanding structure</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>Non-commercial nursery, garden and greenhouse</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>Outdoor fixed fire pits and cooking equipment</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>
Private swimming pool, <u>sports court</u> , tennis court, <u>and playground equipment</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>N</u>	<u>N</u>
<u>Solar energy system: consumer-scale building-mounted</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>Wind energy conversion system: non-commercial</u>	<u>A</u>	<u>N</u>	<u>A</u>	<u>A</u>	<u>A</u>

**Commented [LC29]:** Deleted, part of Farm definition and therefore Farm Exempt

**Commented [LC30]:** Deleted, part of Farm definition and therefore Farm Exempt

**Commented [LC31]:** Added use, definitions, and standards to comply with Iowa Code

Table B.3. Matrix of Farm Exempt, Accessory, and Temporary Uses and Structures					
Land Uses and Structures by Category	Zoning Districts				
	A-1	R-1	C-1	M-1	M-2
<b>Other Accessory Uses and Structures</b>					
Uses and structures clearly incidental to the <del>permitted</del> principal uses and structures <del>including home occupations and farm home occupations as defined</del> <u>allowed</u>	A	A	A	A	A
<b>Temporary Uses and Structures</b>					
Temporary buildings used in conjunction with construction work	T	T	T	T	T
Temporary car crusher or similar equipment	N	N	N	T	T
Temporary concrete plant	T	N	N	T	T

**C. Schedule of Required Off-Street Parking, Stacking, and Loading Requirements.** Subject to Section 1.20 Farms Exempt and Section 4.5 Conditional Use Permit, 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 D.1 Matrix of Land Uses and Required Parking.

**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 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. 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

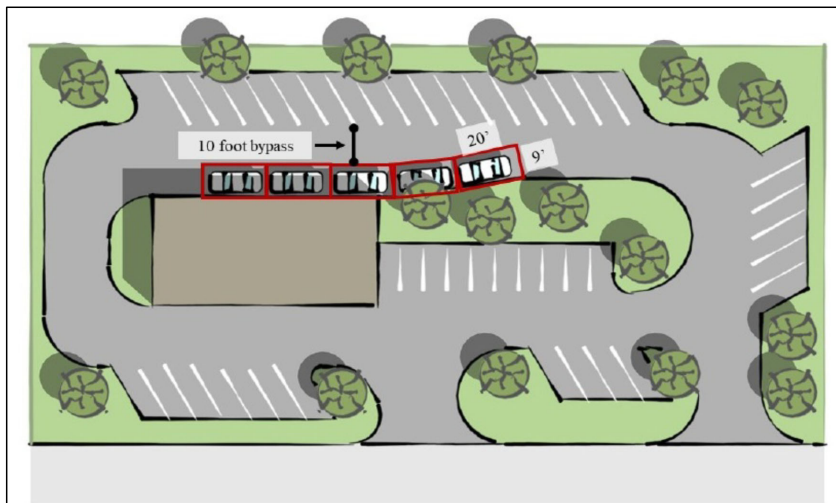
enlarged to the extent of fifty percent (50%) or more in the floor area or in the area used, said building or use shall then and thereafter comply with the parking requirements set forth in this Ordinance.

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 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
<u>Commercial Uses with Drive-Through</u>	<u>Two (2) stacking spaces per service window or kiosk</u>
<u>Financial Institution with Drive-Through and /or Automated Teller Machine (ATM)</u>	<u>Two (2) stacking spaces per service window or ATM</u>
<u>Car Wash, Gas Station with Car Wash</u>	<u>Two (2) stacking spaces per wash bay</u>
<u>Restaurant with Drive-Through</u>	<u>Two (2) stacking spaces per drive-through</u>



**Stacking Requirements for Drive-Through Services** (Source: City of Dyersville, IA)

**3. 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
<u>Child care center, Child development home, and Preschool</u>	<u>One (1) drop-off/pickup area</u>
<u>Elementary School, Secondary School</u>	<u>One (1) drop-off/pickup or bus queue area</u>
Bulk storage for retail and wholesale distribution	<u>One (1) loading space per ten thousand (10,000) sq ft of floor area</u>
Manufacturing and processing businesses	<u>One (1) loading space per ten thousand (10,000) sq ft of floor area</u>
Wholesaling and warehousing	<u>One (1) loading space per ten thousand (10,000) sq ft of floor area</u>

**4. 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. Off-Street Parking, Stacking and Loading Requirements	
Land Uses and Structures by Category	Minimum Requirements
<b>Agriculture &amp; Farm Exempt</b>	
Agriculture	None; farm exempt
Farm	None; farm exempt
Farm building	None; farm exempt
Farm dwelling, principal	None; farm exempt
Farm dwelling, secondary	None; farm exempt
Farming	None; farm exempt
Grain storage bins	None; farm exempt
Horticulture	None; farm exempt
Nursery	None; farm exempt
<b>Residential</b>	
<u>Accessory Dwelling Unit (ADU)</u>	<u>See Section 2.8 ADU Standards</u>
<u>Child care home</u>	<u>As per Zoning Administrator</u>

Table C.3. Off-Street Parking, Stacking and Loading Requirements	
Land Uses and Structures by Category	Minimum Requirements
<u>Conversion of existing dwellings or other structures to a two-family dwelling</u>	<u>See Section 2.8 ADU Standards 2-per-unit</u>
<u>Dwelling units in a commercial structure; provided that an open yard of at least 2,400 square feet is reserved and maintained for each dwelling unit and that 2 off-street parking spaces per unit be provided.</u>	<u>Two (2) off-street parking spaces per unit</u>
<u>Dwelling units for watchmen-owners or persons employed on the premises; provided that an open yard of at least 2,400 square feet is reserved and maintained by the occupants</u>	<u>Two (2) parking spaces per unit</u>
<u>Family home</u>	<u>Two (2) parking spaces per dwelling unit</u>
<u>Home-based business occupation</u>	<u>As per Zoning Administrator</u>
Mobile home park	<u>Two (2) parking spaces per unit</u>
Mobile home subdivision	<u>Two (2) parking spaces per lot</u>
Multiple family dwellings, including residential condominiums	<u>Two (2) parking spaces per dwelling unit</u>
Seasonal dwelling	<u>Two (2) parking spaces per dwelling unit</u>
Single-family dwelling	<u>Two (2) parking spaces per dwelling unit</u>
<b>Education and Culture</b>	
<u>Adult day care center</u>	<u>One (1) parking space per four hundred (400) sq ft of floor area</u>
<u>Child care center</u>	<u>One (1) parking space per four hundred (400) sq ft of floor area plus one (1) drop-off/pick-up area</u>
<u>Child development home</u>	<u>One (1) parking space per four hundred (400) sq ft of floor area plus one (1) drop-off/pick-up area</u>
Elementary School	<u>One and a half (1.5) parking spaces per employee on maximum shift plus one (1) drop-off/pickup or bus queue area 1-space per classroom or office</u>
Fairgrounds and public exposition	<u>One (1) parking space per three (3) seats at the main arena</u>
<u>Place of Assembly</u>	<u>One (1) parking space for every 5per four (4) seats in the main auditorium</u>
<u>Post High School</u>	<u>One (1) parking space per four hundred (400) sq ft of floor area</u>
<u>Preschool</u>	<u>One parking space per four hundred (400) sq ft of floor area plus one (1) drop-off/pick-up area</u>
Secondary School	<u>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 1-space per classroom or office</u>
<b>Lodging</b>	

**Commented [LC32]:** This requirement moved to Development Regulations section of zoning district

Table C.3. Off-Street Parking, Stacking and Loading Requirements	
Land Uses and Structures by Category	Minimum Requirements
<u>Bed and breakfast home</u>	<u>One (1) parking space per unit guest room</u>
<u>Bed and breakfast inn</u>	<u>One (1) parking space per unit guest room</u>
<u>Boarding or Lodging House</u>	<u>One (1) parking space per unit guest room</u>
<u>Hotel/Motel</u>	<u>One (1) parking space per unit guest room</u>
<b>Commercial</b>	
<u>Agricultural experiences</u>	<u>As per Zoning Administrator</u>
<u>Agricultural Sales, Service, and Supply</u>	<u>One (1) parking space per four hundred (400) sq ft of floor area 1 space for each employee plus 1 space for each company vehicle</u>
<u>Airport and landing fields</u>	<u>One (1) parking space per four hundred (400) sq ft of floor area 1 space for every 300 feet of sales, service or office floor area</u>
<u>Animal hospital/Veterinary clinic</u>	<u>One (1) parking space per four hundred (400) sq ft of floor area 1 space for every 300 feet of sales, service or office floor area</u>
<u>Auto wrecking and Junkyard on site of five (5) acres or more</u>	
<u>Building materials/Lumber yard</u>	<u>One (1) parking space for each employee plus one (1) parking space for each company vehicle or 5 spaces plus 1 space for each employee on the site plus 1 space for each company vehicle</u>
<u>Car Wash</u>	<u>One (1) parking space per wash bay plus two (2) stacking spaces per wash bay 4 spaces plus storage for 4 other vehicles in each service lane</u>
<u>Cemeteries</u>	<u>As per Zoning Administrator 20 spaces off the right-of-way on drives or parking areas</u>
<u>Commercial cell station and tower -- New and Existing</u>	<u>As per Zoning Administrator</u>
<u>-Event Venue</u>	<u>One (1) parking space per four hundred (400) sq ft of floor area</u>
<u>Financial Institution Drive-in bank, including Automated Teller Machine (ATM)</u>	<u>One (1) parking space per four hundred (400) sq ft of floor area plus two (2) stacking spaces per service window or ATM 3 spaces plus storage for 3 vehicles outside each teller lane</u>
<u>Garden center</u>	<u>One (1) parking space per four hundred (400) sq ft of floor area</u>
<u>Garden center in conjunction with plant nursery</u>	<u>One (1) parking space per four hundred (400) sq ft of floor area</u>
<u>Gas station Retail automotive fuel sales</u>	<u>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</u>



Table C.3. Off-Street Parking, Stacking and Loading Requirements	
Land Uses and Structures by Category	Minimum Requirements
	<del>4 spaces plus storage for 4 other vehicles in each service lane</del>
<u>General Office</u>	<u>One (1) parking space per four hundred (400) sq ft of floor area</u>
<u>General Retail</u>	<u>One (1) parking space per four hundred (400) sq ft of floor area</u> <del>5 spaces for every 100 square feet of floor area</del>
<u>General Services</u>	<u>One (1) parking space per four hundred (400) sq ft of floor area</u>
Greenhouse, <u>commercial</u>	<u>One (1) parking space per four hundred (400) sq ft of floor area</u>
Home Industry	<u>As per Zoning Administrator</u>
Information booth	<u>One (1) per five hundred (500) sq ft of floor area</u>
Kennel	<u>One (1) parking space per four hundred (400) sq ft of floor area</u> <del>1 space for every 300 feet of sales, service or office floor area or 2 spaces plus 2 spaces for every 100 square feet of floor area</del>
Livestock <del>market</del> <u>auction sales</u>	<u>One (1) parking space per employee, plus one (1) parking space per company vehicle, and plus one (1) parking space per every two (2) seats in the sales arena</u>
<u>Mini-Warehouse/Rental storage unit</u>	<del>1 per 5,000 sq ft of floor area</del> <u>One (1) parking space per five thousand (5,000) sq ft of floor area</u> <del>1 space for every 300 square feet of floor space</del>
<u>Mobile home/Manufactured home sales, service or repair</u>	<u>One (1) parking space per four hundred (400) sq ft of floor area</u> <del>1 per 400 sq ft of floor area</del>
Nightclub/ <u>Bar/Tavern</u>	<u>One (1) parking space per two hundred fifty (250) sq ft of floor area plus two (2) stacking spaces per drive-through</u> <del>5 spaces for every 100 square feet of floor area</del>
<u>Personal Service</u>	<u>One (1) parking space per four hundred (400) sq ft of floor area</u>
Plumbing, heating, air conditioning, and sheet metal shops	<u>One (1) parking space per employee and plus one (1) parking space per company vehicle</u>
Restaurant	<u>One (1) parking space per two hundred fifty (250) sq ft of floor area</u> <del>5 spaces for every 100 square feet of floor area</del>
Restaurant, Drive-in	<u>One (1) parking space per two hundred fifty (250) sq ft of floor area plus two (2) stacking spaces per drive-through</u> <del>5 spaces for every 100 square feet of floor area</del>

Table C.3. Off-Street Parking, Stacking and Loading Requirements	
Land Uses and Structures by Category	Minimum Requirements
Riding stable	<u>One (1) parking space per four hundred (400) sq ft of floor area</u> <del>2 spaces plus 2 spaces for every 100 square feet of floor area</del>
Temporary buildings used with construction work	<u>As per Zoning Administrator</u>
Tourism welcome center	<u>One (1) parking space</u> per <u>five hundred (500)</u> sq ft of floor area
<u>VehicleAutomobile</u> paint and body shops	<u>One (1) parking space per four hundred (400) sq ft of floor area plus storage of vehicles</u>
<u>Vehicle Sales, Service, and Repair</u>	<u>One (1) parking space</u> per <u>four hundred (400) 300-</u> sq ft of floor area <u>plus display of vehicles</u>
<b>Recreation</b>	
<u>Indoor Commercial Recreation, including recreational lodges with a maximum of ten (10) units</u>	<u>One (1) parking space</u> per <del>400</del> <u>two hundred fifty (250)</u> sq ft of floor area <u>Bowling: 5 spaces per lane</u> <u>Community recreation building: 1 space for every 50 square feet of floor area</u>
<u>Commercial campground and recreational vehicle park</u> on sites of less than 5 acres	<u>One (1) parking space per campsite</u>
<u>Commercial campground and recreational vehicle park</u> on sites of at least five (5) acres	<u>One (1) parking space per campsite</u>
Golf courses and clubhouses not including miniature courses operated at a profit	<u>Three (3) parking spaces</u> per green or <u>one (1) parking space</u> per <u>one hundred (100)</u> sq ft of clubhouse floor area, whichever is greater
Golf courses and clubhouses	<u>Three (3) parking spaces</u> per green or <u>one (1) per one hundred (100)</u> sq ft of clubhouse floor area, whichever is greater
<u>Outdoor Commercial Recreation, on site of less than five (5) acres</u>	<u>One (1) per four (4) occupants plus one (1) per employee on maximum shift</u>
<u>Private campground on site of less than five (5) acres</u>	<u>One (1) parking space per campsite</u>
<u>Public Campground</u>	<u>One (1) parking space per campsite</u>
<u>Public Recreation</u>	<u>Five (5) parking spaces</u> for each acre developed for active and recreation areas usage
Seasonal resort	<u>Two (2) parking spaces</u> per dwelling unit
Storage <del>warehouse</del> building	<u>None</u>
Tourist camp on sites of not less than five (5) acres	<u>One (1) parking space per campsite plus two (2) parking spaces per cabin</u>
Youth or Summer Camps	<u>One (1) parking space per campsite plus two (2) parking spaces per cabin</u>
<b>Industrial</b>	
Bulk storage for retail distribution of anhydrous ammonia fertilizer under pressure and petroleum products under pressure	<u>One (1) parking space</u> <del>for each per</del> employee <del>and plus</del> <u>two (2) parking spaces</u> <del>for each per</del> company vehicle <del>be provided and at least 1 loading space be provided</del>

Table C.3. Off-Street Parking, Stacking and Loading Requirements	
Land Uses and Structures by Category	Minimum Requirements
	<del>for each per ten thousand (10,000) square feet-sq ft</del> 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.	<del>One (1) parking space for each per employee and plus two (2) parking spaces for each per company vehicle be provided and at least plus one (1) loading space be provided for each per ten thousand (10,000) square feet-sq ft of floor space</del>
Concrete products	<del>One (1) parking space per employee and plus one (1) per company vehicle</del>
Contractor construction office, maintenance shop or storage yard	<del>One (1) parking space for each per employees on maximum shift on maximum shift and plus one (1) parking space for each per company vehicle</del>
<u>Data Processing Center</u>	<u>To be determined</u>
<u>Grain elevator</u>	<del>One (1) parking space per employee plus one (1) parking space per company vehicle</del>
<u>Logging, storage only</u>	<del>One (1) parking space per employee at the site plus one (1) parking space per company vehicle</del>
<u>Logging, production and storage</u>	<del>One (1) parking space per employee at the site plus one (1) parking space per company vehicle</del>
Manufacturing and processing industries contained within a building	<del>One (1) parking space for every per two (2) employees on the maximum shift plus one (1) parking space per company vehicle, and plus one (1) loading space per ten thousand (10,000) sq ft of floor area</del>
Manufacturing and processing, not restricted as conditional uses	<del>One (1) parking space per every two (2) employees on maximum shift, plus one (1) parking space per company vehicle, and plus one (1) loading space per ten thousand (10,000) sq ft of floor area</del>
Manufacturing and processing, restricted as conditional uses	<del>One (1) parking space per every two (2) employees on maximum shift, plus one (1) parking space per company vehicle, and plus one (1) loading space per ten thousand (10,000) sq ft of floor area</del>
Mining and extraction of minerals or raw materials	<del>One (1) parking space per employee and plus one (1) parking space per company vehicle</del>
Ready mix concrete plants	<del>One (1) parking space per employee and plus one (1) parking space per company vehicle</del>
<u>Solid waste facilities</u>	<del>One (1) parking space per employee plus one (1) parking space per company vehicle</del>
Truck and freight terminals	<del>One (1) parking space for each per employee and plus one (1) parking space for each per company vehicle</del>
Welding, machine and repair shops	<del>One (1) parking space for each per employee and plus one (1) parking space for each per company vehicle</del>

Table C.3. Off-Street Parking, Stacking and Loading Requirements	
Land Uses and Structures by Category	Minimum Requirements
Wholesaling and warehousing, but not including the bulk storage of anhydrous ammonia fertilizer under pressure, petroleum products under pressure, <u>or highly volatile chemicals or materials</u>	<u>One (1) parking space for each employee, and plus one (1) parking space for each company vehicle, and 1 loading space per 10,000 sq ft of floor area</u>
<b>Solar and Wind Energy</b>	
<u>Solar energy system: consumer-scale building-mounted</u>	<u>None</u>
<u>Solar energy system: consumer-scale freestanding</u>	<u>None</u>
<u>Solar energy system: utility-scale freestanding</u>	<u>None</u>
<u>Wind energy conversion system: non-commercial</u>	<u>None</u>
<u>Wind energy conversion system: commercial</u>	<u>None</u>
<b>Temporary Uses and Structures</b>	
Temporary buildings used in conjunction with construction work	<u>As per Zoning Administrator</u>
Temporary car crusher or similar equipment	<u>As per Zoning Administrator</u>
Temporary concrete plant	<u>One (1) parking space per employee and one (1) parking space per company vehicle</u>
<b>Other Uses</b>	
Addition of accessory structure to principal structure devoted to legal nonconforming use	<u>As per Zoning Administrator</u>
<u>Railroads, public utilities and public maintenance facilities</u>	<u>Two (2) parking spaces per substation or one (1) parking space per employee at the site plus one (1) per company vehicle</u>
<u>Railroads, public utilities, and public maintenance facilities, but not including equipment storage, maintenance yards, buildings, or offices</u>	<u>Two (2) parking spaces per substation or one (1) parking space per employee at the site plus one (1) per company vehicle</u>
Uses and structures clearly incidental to the permitted principal uses and structures	<u>As per Zoning Administrator</u>

## 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 and loading spaces. The PUD zoning district includes a statement of intent and special requirements.

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.** Land uses and structures are allowed as farm exempt, principal, accessory, conditional, and temporary, subject to special standards and processes, or not allowed in each zoning district. **Table B.1. Schedule of Land Uses and Structures** lists the symbol and the name of each type of land use and structure.

Table B.1. Schedule of Land Uses and Structures	
Symbol	Type
F	Farm Exempt
P	Principal
A	Accessory
C	Conditional
T	Temporary
N	Not Allowed

- 1. 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 Nonconformities**, Existing uses and structures that do not comply shall be subject to the requirements of **Section 2.10**.
- 2. 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.2. Matrix of Principal and Conditional Uses and Structures**. Levels of permission include:

- a. **Farm Exempt Uses and Structures.** In accordance with Section 1.20 Farms Exempt, 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 Farm Exempt, Accessory, and Temporary Uses and Structures** by a “F” in the applicable cell.
- b. **Principal Uses and Structures.** These 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. 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.2. Matrix of Principal and Conditional Uses and Structures** by a “P” in the applicable cell.
- c. **Accessory Uses.** These 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.3. Matrix of Farm Exempt, Accessory, and Temporary Uses and Structures** by an “A” in the applicable cell.
- d. **Conditional Uses and Structures.** These uses and structures are subject to approval of a Conditional Use Permit by the Board of Adjustment following the procedure set forth in Section 4.5 Conditional Use Permit, and subject to compliance with all regulations of this Ordinance. Conditional 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. 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.2. 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.3. Matrix of Farm Exempt, 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.2. Matrix of Principal and**

**Conditional Uses and Structures** and in **Table B.3. Matrix of Farm Exempt, Accessory, and Temporary Uses and Structures** by an “N” in the applicable cell.

**g. Standard and Alternative Residential Regulations.**

- i. 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).
  - ii. 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.2. Matrix of Principal and Conditional Uses and Structures** and for accessory uses and structures in **Table B.3. Matrix of Farm Exempt, Accessory, and Temporary Uses and Structures**.
- 3. Matrix of Principal and Conditional Uses and Structures.** Table B.2. provides the Matrix of Principal and Conditional Uses and Structures. The following codes in a cell shall apply as follows: F = Farm Exempt, P = Principal Use, A = Accessory Use, C = Conditional Use, T = Temporary Use, and N = Not Allowed. Table B.2. 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.

<b>Table B.2. Matrix of Principal and Conditional Uses and Structures</b>					
<b>Land Uses and Structures by Category</b>	<b>Zoning Districts</b>				
	<b>A-1</b>	<b>R-1</b>	<b>C-1</b>	<b>M-1</b>	<b>M-2</b>
<b>Residential - Alternative</b>					
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 dwellings, including residential condominiums	C	C	P	N	N
Place of Assembly	P	P	N	N	N
POA owned indoor commercial recreation facilities	P	P	N	N	N
POA owned outdoor commercial recreation facilities	P	P	N	N	N
Seasonal dwelling	P	P	N	N	N
Single-family dwelling, detached	P	P	N	N	N
<b>Residential - Standard</b>					
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



Table B.2. Matrix of Principal and Conditional Uses and Structures					
Land Uses and Structures by Category	Zoning Districts				
	A-1	R-1	C-1	M-1	M-2
Mobile home subdivision on tracts of ten (10) acres or more	N	C	N	N	N
Multiple family dwellings, including residential condominiums	C	C	P	N	N
Seasonal dwellings	P	P	N	N	N
Single-family dwelling, detached	P	P	N	N	N
<b>Education and Assembly</b>					
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
<b>Lodging</b>					
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
<b>Commercial</b>					
Agricultural experiences	A	N	N	N	N
Agricultural sales, service, and supply businesses	C	N	P	P	N
Airport and landing fields	C	N	N	N	N
Animal hospital/Veterinary clinic	N	N	P	P	N
Building materials and distribution/Lumber yard sales & distribution	N	N	P	P	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
Car Wash	N	N	P	N	N
Cemeteries	P	P	N	N	N
Commercial cell communications station and tower -- New and Existing	C	N	C	C	C
Event Venue	C	N	P	N	N
Financial Institution	N	N	P	N	N

Table B.2. Matrix of Principal and Conditional Uses and Structures					
Land Uses and Structures by Category	Zoning Districts				
	A-1	R-1	C-1	M-1	M-2
Garden center	N	N	P	N	N
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
Information booth	N	N	P	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 Service	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
Solar energy system: consumer-scale freestanding	C	N	C	C	C
Tourism welcome center	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
Wind energy conversion system: commercial	C	N	C	C	C
<b>Recreation</b>					
Indoor Commercial Recreation, including recreational lodges 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 courses and clubhouses not including miniature courses operated for a profit	N	N	P	N	N
Golf courses and clubhouses	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

Table B.2. Matrix of Principal and Conditional Uses and Structures					
Land Uses and Structures by Category	Zoning Districts				
	A-1	R-1	C-1	M-1	M-2
Storage building	N	N	N	A	A
Tourist camp on sites of not less than five (5) acres	C	N	N	N	N
Youth or Summer Camps	C	N	N	N	N
<b>Industrial</b>					
Animal feeding operation	C	N	N	N	N
Concrete products	N	N	N	N	P
Contractor construction office, maintenance shop or storage yard	N	N	N	P	P
Data Processing 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 uses	N	N	N	N	P
Manufacturing and processing, except that certain uses shall be permitted only as conditional uses (see Section 2.6.D.)	N	N	N	N	C
Mining and extraction of minerals or raw materials, including necessary processing equipment	C	N	N	N	C
Ready mix concrete plants	C	N	N	N	P
Solar energy system: utility-scale freestanding	?	?	?	?	?
Solid Waste Facilities	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
<b>Other Uses</b>					
Addition of accessory structure to principal structure devoted to legal nonconforming use	C	C	C	C	C
Railroads, public utilities, and public maintenance facilities	P	N	P	P	P
Railroads, public utilities, and public maintenance, but not including equipment storage, maintenance yards, buildings or offices		P			

4. **Matrix of Farm Exempt, Accessory, and Temporary Uses and Structures.** Table B.3. provides the Matrix of Farm Exempt, Accessory, and Temporary Uses and Structures. The following codes in a cell shall apply as follows: F = Farm Exempt, P = Principal Use, A = Accessory Use, C = Conditional Use, T = Temporary Use, and N = Not Allowed. Table D.1. 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. 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.

<b>Table B.3. Matrix of Farm Exempt, Accessory, and Temporary Uses and Structures</b>					
<b>Land Uses and Structures by Category</b>	<b>Zoning Districts</b>				
	<b>A-1</b>	<b>R-1</b>	<b>C-1</b>	<b>M-1</b>	<b>M-2</b>
<b>Agriculture &amp; Farm Exempt</b>					
Agriculture	F, P	N	N	N	N
Farms	F, P	N	N	N	N
and the usual Farm buildings	F, P	N	N	N	N
Farm dwellings, principal	F, P	N	N	N	N
Farm dwellings, secondary	F, A	N	N	N	N
Farming	F, P	N	N	N	N
Grain storage bins	F, P	N	N	N	N
Horticulture	F, P	N	N	N	N
Nursery	F, P	N	P	N	N
<del>Roadside stands for the sale of produce</del>					
<b>Residential – Alternative Accessory Uses and Structures</b>					
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
<b>Residential - Standard Accessory Uses and Structures</b>					
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 watchmen or caretakers employed on the premises	N	N	N	A	A
Fences, hedges, and walls	A	A	A	A	A
Home-based business occupation	A	A	A	N	N
Shed, gazebo, pergola, and other similar roofed freestanding structure	A	A	A	A	A
Non-commercial nursery, garden and greenhouse	A	A	A	A	A
Outdoor fixed fire pits and cooking equipment	A	A	A	A	A

Table B.3. Matrix of Farm Exempt, Accessory, and Temporary Uses and Structures					
Land Uses and Structures by Category	Zoning Districts				
	A-1	R-1	C-1	M-1	M-2
Private swimming pool, sports court, tennis court, and playground equipment	A	A	A	N	N
Solar energy system: consumer-scale building-mounted	A	A	A	A	A
Wind energy conversion system: non-commercial	A	N	A	A	A
<b>Other Accessory Uses and Structures</b>					
Uses and structures clearly incidental to the allowed principal uses and structures	A	A	A	A	A
<b>Temporary Uses and Structures</b>					
Temporary buildings used in conjunction with construction work	T	T	T	T	T
Temporary car crusher or similar equipment	N	N	N	T	T
Temporary concrete plant	T	N	N	T	T

C. **Schedule of Required Off-Street Parking, Stacking, and Loading Requirements.** Subject to Section 1.20 Farms Exempt and Section 4.5 Conditional Use Permit, 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 D.1 Matrix of Land Uses and Required Parking.

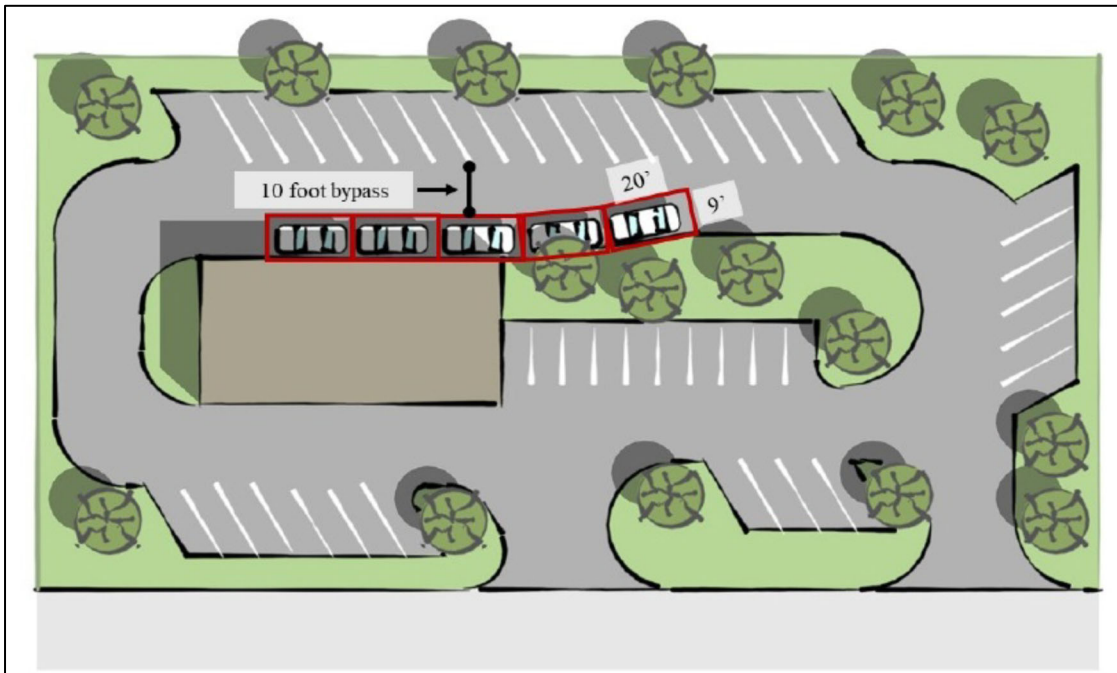
1. **Calculation of Off-Street Parking Requirements.** The following provisions shall govern the computation of required off street parking spaces:
  - a. **Computation.** Where computation of required off street parking spaces results in a fractional number, the required spaces for the use shall be 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. 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 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



### 3. Off-Street Loading

Stacking Requirements for Drive-Through Services (Source: City of Dyersville, IA)

**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	One (1) loading space per ten thousand (10,000) sq ft of floor area
Wholesaling and warehousing	One (1) loading space per ten thousand (10,000) sq ft of floor area

- 4. 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. Off-Street Parking, Stacking and Loading Requirements	
Land Uses and Structures by Category	Minimum Requirements
<b>Agriculture &amp; Farm Exempt</b>	
Agriculture	None; farm exempt
Farm	None; farm exempt
Farm building	None; farm exempt
Farm dwelling, principal	None; farm exempt
Farm dwelling, secondary	None; farm exempt
Farming	None; farm exempt
Grain storage bins	None; farm exempt
Horticulture	None; farm exempt
Nursery	None; farm exempt
<b>Residential</b>	
Accessory Dwelling Unit (ADU)	See Section 2.8 ADU Standards
Child care home	As per Zoning Administrator
Conversion of existing dwellings or other structures to a two-family dwelling	See Section 2.8 ADU Standards



Table C.3. Off-Street Parking, Stacking and Loading Requirements	
Land Uses and Structures by Category	Minimum Requirements
Dwelling units in a commercial structure	Two (2) parking spaces per unit
Dwelling units for owners or persons employed on the premises	Two (2) parking spaces per unit
Family home	Two (2) parking spaces per dwelling unit
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 dwellings, including residential condominiums	Two (2) parking spaces per dwelling unit
Seasonal dwelling	Two (2) parking spaces per dwelling unit
Single-family dwelling	Two (2) parking spaces per dwelling unit
<b>Education and Culture</b>	
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	One (1) parking space per four hundred (400) sq ft of floor area plus one (1) drop-off/pick-up area
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
<b>Lodging</b>	
Bed and breakfast home	One (1) parking space per unit guest room
Bed and breakfast inn	One (1) parking space per unit guest room
Boarding or Lodging House	One (1) parking space per unit guest room
Hotel/Motel	One (1) parking space per guest room
<b>Commercial</b>	
Agricultural experiences	As per Zoning Administrator
Agricultural Sales, Service, and Supply	One (1) parking space per four hundred (400) sq ft of floor area

Table C.3. Off-Street Parking, Stacking and Loading Requirements	
Land Uses and Structures by Category	Minimum Requirements
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 and Junkyard on site of five (5) acres or more	
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
Cemeteries	As per Zoning Administrator
Commercial cell station and tower -- New and Existing	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
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
Information booth	One (1) per five hundred (500) sq ft of floor area
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

Table C.3. Off-Street Parking, Stacking and Loading Requirements	
Land Uses and Structures by Category	Minimum Requirements
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
Temporary buildings used with construction work	As per Zoning Administrator
Tourism welcome center	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
<b>Recreation</b>	
Indoor Commercial Recreation, including recreational lodges 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

Table C.3. Off-Street Parking, Stacking and Loading Requirements	
Land Uses and Structures by Category	Minimum Requirements
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
<b>Industrial</b>	
Bulk storage for 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 employees on maximum shift plus one (1) parking space per company vehicle
Data Processing Center	To be determined
Grain elevator	One (1) parking space per employee plus one (1) parking space per company vehicle
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 industries 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

Table C.3. Off-Street Parking, Stacking and Loading Requirements	
Land Uses and Structures by Category	Minimum Requirements
Ready mix concrete plants	One (1) parking space per employee plus one (1) parking space per company vehicle
Solid waste facilities	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
<b>Solar and Wind Energy</b>	
Solar energy system: consumer-scale building-mounted	None
Solar energy system: consumer-scale freestanding	None
Solar energy system: utility-scale freestanding	None
Wind energy conversion system: non-commercial	None
Wind energy conversion system: commercial	None
<b>Temporary Uses and Structures</b>	
Temporary buildings used in conjunction with construction work	As per Zoning Administrator
Temporary car crusher or similar equipment	As per Zoning Administrator
Temporary concrete plant	One (1) parking space per employee and one (1) parking space per company vehicle
<b>Other Uses</b>	
Addition of accessory structure to principal structure devoted to legal nonconforming use	As per Zoning Administrator
Railroads, public utilities and public maintenance facilities	Two (2) parking spaces per substation or one (1) parking space per employee at the site plus one (1) per company vehicle
Railroads, public utilities, and public maintenance facilities, 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
Uses and structures clearly incidental to the permitted principal uses and structures	As per Zoning Administrator



July 1, 2025

Lori Roling, Zoning Administrator  
Jackson County Zoning Department  
201 West Platt Street  
Maquoketa, IA 52060

RE: Zoning Ordinance Update – **Revised Draft of Section 2.3 R-1 Residential District (07-01-25)**

Dear Lori,

Attached is the revised draft of Section 2.3 R-1 Residential District (07-01-25) for the Zoning Ordinance Update for review and approval by the Zoning Commission at their July 21, 2025 meeting.

#### Discussion

The R-1 District has been reformatted to use tables and refer to other sections to provide for a more user-friendly layout of regulations and additional resources. Revisions discussed at the Commission's April 21 and June 16 meetings, and subsequent staff meetings, have been completed. Adult and Child Care uses have been added.

#### Background Research:

- 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.
- The report researched and prepared for the Leisure Lake Planned Unit Development (LLPUD) proposal formed the basis for the alternative recommendations. This report included input from the Leisure Lake Property Owners' Association (LLPOA). An analysis of the 549 R-1 zoned parcels in Leisure Lake community are shown in Table 1.

Table 1. Comparison of Zoning Regulations with Existing Conditions			
Zoning District	Minimum Lot Area (SF)	# Parcels Below Minimum Lot Area	Percent of Total
R-1 with well & septic	20,000	358	65.2%
R-1 with community water and sewer	12,000	212	38.6%
A-1 seasonal resort	10,000	173	31.5%

#### Standard and Alternative Regulations

- 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).
  - Standard regulations apply to all R-1 districts.
  - Alternative regulations only apply to subdivisions and lots platted before May 6, 1976.



- Allowed principal uses and structures are a short list from the R-1 Residential district combined with LLPOA rules, such as required connection to a sanitary sewage disposal system for residential structures occupied for an extended period.
- The issue of an accessory structure related to a principal use or structure on a separate lot that has been the subject of zoning enforcement would be allowed in the alternative subdivisions.
  - Accessory structures related to a principal use or structure may be allowed on the same lot as the principal use or structure or on a separate lot.
  - Accessory structures related to a principal seasonal dwelling use with no principal structure on the same lot may be allowed.
- Development Regulations are based on the regulations for dwellings in the R-1 Residential District, and the regulations governing a seasonal resort (conditional use in the A-1 Agricultural district).

Below are the draft development regulations. Those in yellow are from the R-1 district. Those in green are from the A-1 district. Those in blue are general regulations in the Zoning Ordinance.

<b>Development Regulations</b>	<b>Dwellings and LLPOA uses with private well and septic system</b>	<b>Dwellings and LLPOA uses served by community water and sewage systems</b>	<b>Other Seasonal Dwellings</b>	<b>Accessory Uses and Structures</b>
<b>Minimum Lot Area</b>	20,000 square feet	12,000 square feet	10,000 square feet	N/A
<b>Minimum Lot Frontage</b>	100 feet	80 feet	70 feet	N/A
<b>Minimum Front Yard</b>	10 feet	10 feet	10 feet	10 feet
<b>Minimum Side Yard</b>	10 feet	10 feet	10 feet	10 feet
<b>Minimum Street Side Yard</b>	10 feet	10 feet	10 feet	10 feet
<b>Minimum Rear Yard</b>	10 feet	10 feet	10 feet	5 feet
<b>Maximum Height</b>	35 feet or 2.5 stories	35 feet or 2.5 stories	35 feet or 2.5 stories	35 feet or 2.5 stories

The attached REDLINE version outlines the proposed changes with commentary, and the CLEAN version shows the resulting restructure. Major updates proposed are as follows:

- Tables are used for Principal, Accessory, Conditional (renamed from Special Exception) Uses and Structures, with proposed land uses revised according to the Matrix of Allowed Uses.
- Parking requirements are moved to Section 2.1.
- Specific regulations for Conditional Uses and Structures as well as Signs are moved to Section 2.9.



- A new section is added for Temporary Uses and Structures for Zoning Administrator approval.
- References are shown for relevant sections of the Zoning Ordinance and other County ordinances; these will become hyperlinks in the online version.
- Development Regulations are organized into a series of tables for standard and alternative regulations, and further divided for principal uses and types only, and for accessory, conditional, and temporary uses and structures collectively.

**Recommendation**

The Commission is asked to review and approve the revised draft of Section 2.3 R-1 Residential District (07-01-25), and then to provide direction to staff for moving forward with the proposal.

Please let me know if you have any questions. Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Laura Carstens".

Laura Carstens  
Senior Planner

Attachments

## CHAPTER 2. ZONING DISTRICT REGULATIONS

## 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.

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. Permitted Allowed Principal Uses and Structures and Required Parking.**

Table B.1. lists the standard principal uses and structures allowed in the R-1 District as defined in Chapter 6, 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		
Principal Uses and Structures	Required Parking	Additional Regulations
Single family dwellings	2 spaces per unit	Ch. 6 Definitions; Section 2.8
Seasonal dwellings	2 spaces per unit	Ch. 6 Definitions; Section 2.8
Recreation, Public parks, playgrounds and recreation areas	5 spaces for each acre developed for active use	Ch. 6 Definitions; Section 2.8
Recreation, Indoor Commercial Community meeting or recreation buildings	1 space for every 50 square feet of floor area	Ch. 6 Definitions; Section 2.8
Golf courses and clubhouses but not including miniature courses operated for a profit	3 spaces per green or 1 space for every 100 square feet of clubhouse floor area, whichever is greater	Ch. 6 Definitions; Section 2.8
Adult Day Care Center		Ch. 6 Definitions; Section 2.8
Family Home		Ch. 6 Definitions; Section 2.8
Elementary School	1 space per classroom or office	Ch. 6 Definitions; Section 2.8
Secondary School	1 space per classroom or office	Ch. 6 Definitions; Section 2.8
Churches, Place of Assembly	1 space for every 5 seats in the main auditorium	Ch. 6 Definitions; Section 2.8
Cemeteries Cemetery	20 spaces off the public right-of-way on drives and parking areas	Ch. 6 Definitions; Section 2.8
Railroads, public maintenance, and public utility facilities, but not including equipment storage or maintenance yards and buildings or administrative and sales office	2 spaces per substation or 1 space per employee at the site, be provided	Ch. 6 Definitions; Section 2.8

**Commented [LC1]:** Required Parking moved to Section 2.1

**Commented [LC2]:** Combined public parks, playgrounds, and recreation areas under new general use category Public Recreation

**Commented [LC3]:** New general use category of Indoor Commercial Recreation

**Commented [LC4]:** Community building is part of new general use Place of Assembly, required parking is 1 space per 4 seats Community recreation center is part of new general land use Indoor Recreation, required parking is 1 space per 250 square feet of floor area

Table B.2. lists the alternative principal uses and structures allowed in the R-1 District as defined in Chapter 6, 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**

Principal Uses and Structures	Required Parking	Additional Regulations
Single family dwelling		Ch. 6 Definitions; Section 2.8
Seasonal dwelling		Ch. 6 Definitions; Section 2.8
Mobile home		Ch. 6 Definitions; Section 2.8
Mobile home converted to real estate		Ch. 6 Definitions; Section 2.8
Place of Assembly		Ch. 6 Definitions; Section 2.8
POA owned indoor commercial recreation facilities		Ch. 6 Definitions; Section 2.8
POA owned outdoor commercial recreation facilities		Ch. 6 Definitions; Section 2.8

**Commented [LC5]:** Required Parking moved to Section 2.1

#### **PERMITTED PRINCIPAL USES AND STRUCTURES – REQUIRED PARKING**

1. Single family dwellings 2 spaces per unit
2. Seasonal dwellings 2 spaces per unit
3. Public parks, playgrounds and recreation areas 5 spaces for each acre developed for active use
4. Community meeting or recreation buildings 1 space for every 50 square feet of floor area
5. Golf courses and clubhouses but not including miniature courses operated for a profit 3 spaces per green or 1 space for every 100 square feet of clubhouse floor area, whichever is greater
6. Elementary and secondary schools 1 space per classroom or office
7. Churches 1 space for every 5 seats in the main auditorium
8. Cemeteries 20 spaces off the public right-of-way on drives and parking areas

**Commented [LC6]:** Moved to Table B.1. above

#### **C. Permitted-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 as defined in Chapter 6, 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 C.1. Standard R-1 District Accessory Uses and Structures**

Accessory Uses and Structures	Required Parking	Additional Regulations
Uses and structures clearly incidental to the allowed principal uses and structures of this district		Ch. 6 Definitions; Section 2.8
Accessory Dwelling Unit (ADU)		Ch. 6 Definitions; Section 2.8
Attached and/or detached private garage or carport		Ch. 6 Definitions; Section 2.8
Deck, porch, balcony, carport, boat dock, and other similar structure		Ch. 6 Definitions; Section 2.8
Hedges and fences, shall not		Ch. 6 Definitions; Section 2.8 Subject

**Commented [LC7]:** Required Parking moved to Section 2.1

exceed 4 feet in a required front yardsetback, and fences shall not exceed 6 feet in a required side or rear yardsetback		to subsection 1.8 (1)2.8.A. of the Zoning Ordinance; Ch. 6 Definitions; Section
Private swimming pool, sports court, tennis court, and playground equipment		Ch. 6 Definitions; Section 2.8
Shed, gazebo, pergola, and other similar roofed freestanding structure		Ch. 6 Definitions; Section 2.8
Non-commercial nursery, garden and greenhouse		Ch. 6 Definitions; Section 2.8
Outdoor fixed fire pits and cooking equipment		Ch. 6 Definitions; Section 2.8
Child Care Home		Ch. 6 Definitions; Section 2.8
Home-Based Business occupation		Ch. 6 Definitions; Section 2.8
Consumer-scale solar array: building-mounted		Ch. 6 Definitions; Section 2.8
Temporary building used in conjunction with construction work provided that such building is removed promptly upon completion of the work.		

**Commented [LC8]:** Moved to new Section 2.3.E.

**Table C. 2.** lists the alternative accessory uses and structures clearly incidental to the allowed principal uses and structures of this district as defined in Chapter 6, 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 C.2. Alternative R-1 District Accessory Uses and Structures		
Accessory Uses and Structures	Required Parking	Additional Regulations
Accessory structure related to a principal use or structure on a separate lot		Ch. 6 Definitions; Section 2.8
Accessory structure related to a principal seasonal dwelling with no principal structure on lot		Ch. 6 Definitions; Section 2.8

**Commented [LC9]:** Required Parking moved to Section 2.1

#### PERMITTED ACCESSORY USES AND STRUCTURES

1. ~~Uses and structures clearly incidental to the permitted principal uses and structures of this district including home occupations as defined.~~
2. ~~Private garages.~~
3. ~~Private swimming pools, tennis courts, gardens and greenhouses.~~
4. ~~Temporary buildings used in conjunction with construction work provided that such buildings are removed promptly upon completion of the construction work.~~
5. ~~Addition of accessory structures to principal structures devoted to legal nonconforming uses.~~

**Commented [LC10]:** Moved into Table C.1. above

#### D. Allowed ~~Special Exception~~ Conditional Uses and Structures.

**Table D.1.** lists the allowed conditional uses and structures in the R-1 District as defined in Chapter 6.

**Commented [LC11]:** Delete #5 Addition of accessory structures to principal structures devoted to legal nonconforming uses; required to be a special exception in current 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 Section 2.2.f of this Ordinance unless specified otherwise in their specific conditions for approval in Section 2.9 and as listed below. Subject to Section 2-15(2)-4.5 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		
Conditional Uses and Structures	Required Parking	Additional Regulations
Child Care Center		Ch. 6 Definitions; Section <u>2.9</u>
Child Development Home		Ch. 6 Definitions; Section <u>2.9</u>
Preschool		Ch. 6 Definitions; Section <u>2.9</u>
Mobile home parks on tracts of <u>five (5)</u> acres or more	<u>2 parking spaces per unit</u>	Ch. 6 Definitions; Section <u>2.9</u>
Mobile home subdivisions on tracts of <u>ten (10)</u> acres or more	<u>2 spaces per lot</u>	Ch. 6 Definitions; Section <u>2.9</u>
Addition of accessory structures to principal structures devoted to legal nonconforming uses		Ch. 6 Definitions; Section <u>2.9</u>
Multiple-family dwellings, including residential condominiums	<u>2 parking spaces per dwelling unit</u>	Ch. 6 Definitions; Section <u>2.9</u>

Commented [LC12]: Required Parking moved to Section 2.1

#### SPECIAL EXCEPTION USES AND STRUCTURES

1. ~~Railroads and public utilities~~ but not including equipment storage or maintenance yards and buildings or administrative and sales offices, provided that any substation or building shall meet the front and rear yard requirements for dwellings and shall provide side yards of not less than 25 feet, and that 2 parking spaces per substation or 1 per employee at the site be provided.

Commented [LC13]: Moved to principal uses

2. Mobile home parks on tracts of five (5) acres or more, provided that:

- a. ~~That~~ Each mobile home space has a minimum area of three thousand five hundred (3,500) square feet;
- b. ~~That~~ The mobile home park has a maximum density of eight (8) units per acre;
- c. ~~That~~ 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;
- d. ~~That~~ Two (2) parking spaces per unit be provided;
- e. ~~That~~ 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.
- f. 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.

**3. Mobile home subdivisions on tracts of ten (10) acres or more, provided that:**

- a. The subdivision complies with applicable subdivision ordinances and platting laws;
- b. 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;
- c. Each lot is connected to a community or municipal water supply and sewage disposal system;
- d. No lot sold or leased may be used for other than an independent mobile home or mobile home converted to real estate;
- e. That two (2) off-street parking spaces per lot shall be provided.

~~4. Home industries as defined, provided the applicant shall demonstrate that the residential character of the neighborhood will be preserved.~~

**Commented [LC14]:** Delete #4 Home Industries from R-1, still allowed in A-1 (see matrix of uses)

**54. Addition of accessory structures to principal structures devoted to legal nonconforming uses.****65. Multiple-family dwellings**, including residential condominiums, provided that:

- ~~a. Such units abut a hard surfaced road,~~
- ~~b. a. Are located no further than five (5) miles by normal travel routes from the nearest fire station,~~
- ~~and,~~
- ~~b. Maintain a maximum density of one (1) dwelling unit per twenty thousand (20,000) square feet.~~
- ~~d. c. The maximum number of dwelling units per structure shall not exceed eight (8).~~
- ~~e. d. Two (2) off-street parking spaces per dwelling unit shall be provided.~~
- ~~e. Additionally, The side yard requirement shall be at least ten (10) feet per dwelling unit up to a maximum requirement of forty (40) feet.~~
- f. Before a Construction Compliance Certificate is issued for this use, a permit for wastewater treatment facilities must be on file from the Jackson County Health Department or the Iowa Department of Natural Resources.

**Commented [LC15]:** These conditions will be moved to Section 2.9 CUPs

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

The following temporary uses and structures may be allowed by the Zoning Administrator, provided they comply with this Ordinance and the specific provisions listed below.

1. Temporary building used in conjunction with construction work provided that such building is removed promptly upon completion of the work.
2. Reserved.

**G.F. Development Regulations.**

Table F.1. lists the standard development regulations that shall be met for all principal uses and structures in the R-1 District platted on or after May 6, 1976 unless specified otherwise in this Ordinance.

Table F.1. Standard R-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot Size		Minimum Setback Requirements (see Notes 4 and 5)				Maximum Height
	Area	Width	Front	Rear	Side	Street side, corner lot	
Principal Uses and Structures							
Dwellings and Institutional Uses (see Note 2) except as	20,000 square feet	100 feet	30 feet	35 feet	10 feet	25 feet	2.5 stories or 35 feet

**Table F.1. Standard R-1 District Development Regulations**

Table F.1. Standard R-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot Size		Minimum Setback Requirements (see Notes 4 and 5)				Maximum Height
	Area	Width	Front	Rear	Side	Street side, corner lot	
Principal Uses and Structures							
<del>provided elsewhere in this ordinance</del>							
Dwellings and Institutional Uses (see Note 3)	12,000 square feet	80 feet	30 feet	35 feet	10 feet	25 feet	2.5 stories or 35 feet
Railroads, public maintenance, and public utility facilities	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

**Table F.2.** lists the standard development regulations that shall be met for all 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.

**Table F.2. Standard R-1 District Development Regulations**

Table F.2. Standard R-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot Size		Minimum Setback Requirements (see Notes 4 and 5)				Maximum Height
	Area	Area	Front	Rear	Side	Street side, corner lot	
Accessory Uses and Structures							
Accessory Dwelling Unit	See Section 2.9 for specific development regulations						
All others	See Note 1		30 feet	5 feet	10 feet	25 feet	2.5 stories or 35 feet
Conditional Uses and Structures							
Mobile home park or subdivision	See Section 2.9. for specific development regulations						
Multiple-family dwelling	See Section 2.9. for specific development regulations						
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				

**Notes for Standard R-1 District Development Regulations:**

**Note 1.** Minimum lot area and width ~~None except as~~ may be required by the County Health Department to provide adequate sewage disposal facilities.

**Note 2.** Served with private well and septic systems.

**Note 3.** Served by community or municipal water supply and sewage disposal systems.



Note 4. Average Front and Rear Setbacks: Where legally existing front or rear ~~yards~~ setbacks on adjacent parcels of continuous frontage are shorter than these minimums, the required setback for a new structure shall be the average of setbacks of principal structures within five hundred (500') on parcels of continuous frontage (*see illustration*).

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.

Table F.3. lists the alternative development regulations that shall be met for all principal 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.

Table F.3. Alternative R-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot Size		Minimum Setback Requirements (see Notes 2 and 3)				Maximum Height
	Area	Width	Front	Rear	Side	Street side, corner lot	
Principal Uses and Structures							
<u>Dwellings and POA uses (see Note 2)</u>	<u>20,000 square feet</u>	<u>100 feet per dwelling unit or POA use</u>	<u>10 feet</u>	<u>10 feet</u>	<u>10 feet</u>	<u>10 feet</u>	<u>2.5 stories or 35 feet</u>
<u>Dwellings and POA uses (see Note 3)</u>	<u>12,000 square feet per dwelling unit or POA use</u>	<u>80 feet per dwelling unit or POA use</u>	<u>10 feet</u>	<u>10 feet</u>	<u>10 feet</u>	<u>10 feet</u>	<u>2.5 stories or 35 feet</u>
<u>Dwellings in seasonal resort</u>	<u>10,000 square feet</u>	<u>70 feet</u>	<u>10 feet</u>	<u>10 feet</u>	<u>10 feet</u>	<u>10 feet</u>	<u>2.5 stories or 35 feet</u>
<u>Railroads, public maintenance, and public utility facilities</u>	<u>See Note 1.</u>		<u>30 feet</u>	<u>35 feet</u>	<u>25 feet</u>	<u>25 feet</u>	<u>2.5 stories or 35 feet</u>
<u>All others</u>	<u>See Note 1.</u>		<u>10 feet</u>	<u>10 feet</u>	<u>10 feet</u>	<u>10 feet</u>	<u>2.5 stories or 35 feet</u>

Table F.4. lists the alternative development regulations that shall be met for all accessory, conditional, and temporary 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.

Table F.4. Alternative R-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot Size		Minimum Setback Requirements (see Notes 2 and 3)				Maximum Height
	Area	Width	Front	Rear	Side	Street side, corner lot	
Accessory Uses and Structures							
Accessory Dwelling Unit	See Section 2.9 for specific development regulations						
Private garage	See Note 1.		10 or	5 feet	10 feet	10 or 20 feet	2.5 stories

<u>or carport (see Note 6)</u>		<u>20 feet</u>				<u>or 35 feet</u>
<u>Other Accessory uses and structures</u>	<u>See Note 1.</u>	<u>10 feet</u>	<u>5 feet</u>	<u>10 feet</u>	<u>10 feet</u>	<u>2.5 stories or 35 feet</u>
<b>Conditional Uses and Structures</b>						
<u>Mobile home park or subdivision</u>	<u>See Section 2.9 for specific development regulations</u>					
<u>Multiple-family dwelling</u>	<u>See Section 2.9 for specific development regulations</u>					
<u>All others</u>	<u>See Note 1.</u>	<u>10 feet</u>	<u>10 feet</u>	<u>10 feet</u>	<u>10 feet</u>	<u>2.5 stories or 35 feet</u>
<b>Temporary Uses and Structures</b>						
<u>All</u>	<u>See Note 1.</u>	<u>As per Zoning Administrator</u>				

**Notes for Alternative R-1 District Development Regulations:**

1. Minimum lot area and width: None except as may be required by the County Health Department to provide adequate sewage disposal facilities.

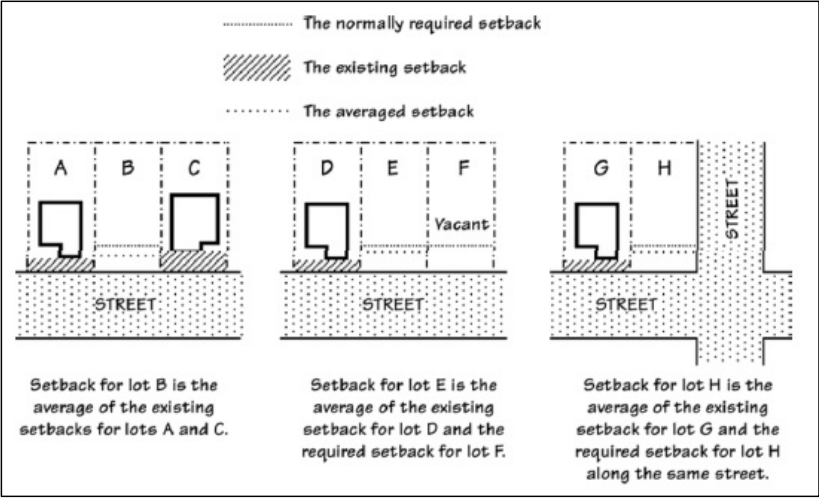
Note 2. Served with private well and septic systems.

Note 3. Served by community or municipal water supply and sewage disposal systems.

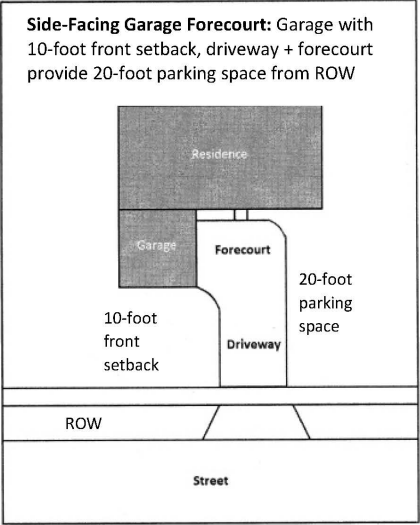
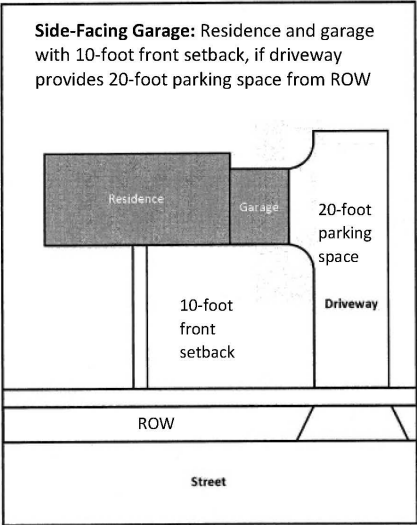
4. Average Front and Rear Setbacks: Where legally existing front or rear ~~yards-setbacks~~ on adjacent parcels of continuous frontage are shorter than these minimums, the required setback for a new structure shall be the average of setbacks of principal structures within five hundred ~~(500') feet~~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

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.

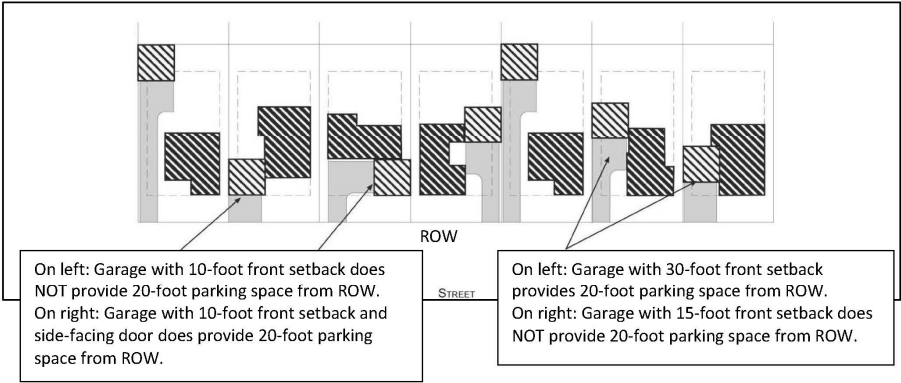
6. Front Setback for Off-Street Parking: For lots subject to Table F.4. regulations, attached and/or detached private garages or carports must maintain a setback of twenty (20) feet from the door or opening of the garage facing the public right-of way. This setback is necessary to allow sufficient room for off-street parking. The sides of the garage or carport that do not face a public-right-of-way shall comply with the alternative setbacks listed in Table F.4. (see illustrations).



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



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



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

MINIMUM LOT AREA AND WIDTH REQUIREMENTS	MINIMUM YARD	MAXIMUM HEIGHT
Dwellings and institutional uses except as provided elsewhere in this ordinance:	Front: 30 feet Rear: principal structure 35 feet	2 and one half stories or 35 feet
Area 20,000 sq. ft. Width 100 sq. ft.	Side: 10 feet Street side, Corner lot: 25 feet	
Where served by community or municipal water supply and sewage disposal systems, the minimum lot area and width for dwellings shall not be less than: Area 12,000 square feet      Width 80 feet		
Other Uses: None except as may be required by the County Health Department to provide adequate sewage disposal facilities.		
Where legally existing front or rear yards on adjacent parcels of continuous frontage are shorter than these minimums, the required setback for a new structure shall be the average of setbacks of principal structures within five hundred 500' on parcels of continuous frontage.		
For manufactured homes replacing legally existing nonconforming manufactured homes or mobile homes, the minimum rear setback shall be 5'.		

**G. Permitted-Allowed Signs.** The sign regulations shall be met for all principal, accessory, conditional, and temporary uses and structures in the R-1 District unless specified otherwise in this Ordinance in accordance with [Section 2.9](#).

1. Identification signs not to exceed 4 square feet in area.
2. Church or public bulletin boards not to exceed 16 square feet in area.

Commented [LC16]: Moved into table format

3. ~~Home occupation signs identifying the business or service on the premises not to exceed 6 square feet in area.~~
4. ~~Directional signs as defined not to exceed 3 square feet in area, provided that no business shall have more than 2 such signs in all districts combined and that effective traffic guidance cannot be attained without sign placement in an R-1 zone.~~
5. ~~Temporary signs advertising the sale or lease of the premises not to exceed 16 square feet in area.~~
6. ~~No use shall have more than 1 of each type of sign permitted for that use on each street or road frontage; however, each sign may be a double-faced or back-to-back sign.~~
7. ~~Directional signs may be placed in required front yards. Other permitted signs shall be located at least 20 feet from any lot line or not more than 5 feet from the main building.~~
8. ~~Illumination of signs and bulletin boards shall be indirect, non-intermittent lighting.~~

~~All signs shall be maintained in a neat, safe and presentable condition and in the event their use shall cease, they shall be promptly removed.~~

**H. Required Off-Street Parking and Loading Spaces.** ~~The required off-street parking and loading spaces shall be met for all principal, accessory, conditional, and temporary uses and structures in the R-1 District unless specified otherwise in this Ordinance in accordance with Section 2.1 and Section 2.8.~~

**~~H. Special Requirements.~~**

~~Hedges and fences shall not exceed four (4) feet in a required front yard and fences shall not exceed six (6) feet in a required side or rear yard, subject to further restriction of subsection 1.8 (1)~~

**Commented [LC17]:** Moved to Section 2.9 Signs

**Commented [LC18]:** Moved to Accessory Uses and Structures

## CHAPTER 2. ZONING DISTRICT REGULATIONS

### 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.

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**, 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	
Principal Uses and Structures	Additional Regulations
Single family dwelling	Ch. 6 Definitions; Section 2.8
Seasonal dwelling	Ch. 6 Definitions; Section 2.8
Recreation, Public	Ch. 6 Definitions; Section 2.8
Recreation, Indoor Commercial	Ch. 6 Definitions; Section 2.8
Golf course and clubhouse but not including miniature course operated for a profit	Ch. 6 Definitions; Section 2.8
Adult Day Care Center	Ch. 6 Definitions; Section 2.8
Family Home	Ch. 6 Definitions; Section 2.8
Elementary School	Ch. 6 Definitions; Section 2.8
Secondary School	Ch. 6 Definitions; Section 2.8
Place of Assembly	Ch. 6 Definitions; Section 2.8
Cemetery	Ch. 6 Definitions; Section 2.8
Railroads, public maintenance, and public utility facilities, but not including equipment storage or maintenance yards and buildings or administrative and sales office	Ch. 6 Definitions; Section 2.8

**Table B.2.** lists the alternative principal uses and structures allowed in the R-1 District as defined in **Chapter 6**, 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	
Principal Uses and Structures	Additional Regulations
Single family dwelling	Ch. 6 Definitions; Section 2.8
Seasonal dwelling	Ch. 6 Definitions; Section 2.8
Mobile home	Ch. 6 Definitions; Section 2.8
Mobile home converted to real estate	Ch. 6 Definitions; Section 2.8
Place of Assembly	Ch. 6 Definitions; Section 2.8
POA owned indoor commercial recreation facilities	Ch. 6 Definitions; Section 2.8
POA owned outdoor commercial recreation facilities	Ch. 6 Definitions; Section 2.8

### 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 as defined in Chapter 6, 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 C.1. Standard R-1 District Accessory Uses and Structures	
Accessory Uses and Structures	Additional Regulations
Uses and structures clearly incidental to the allowed principal uses and structures of this district	Ch. 6 Definitions; Section 2.8
Accessory Dwelling Unit (ADU)	Ch. 6 Definitions; Section 2.8
Attached and/or detached private garage or carport	Ch. 6 Definitions; Section 2.8
Deck, porch, balcony, boat dock, and other similar structure	Ch. 6 Definitions; Section 2.8
Hedges and fences, not exceed 4 feet in a required front setback, and fences not exceed 6 feet in a required side or rear setback	Ch. 6 Definitions; Section 2.8
Private swimming pool, sports court, tennis court, and playground equipment	Ch. 6 Definitions; Section 2.8
Shed, gazebo, pergola, and other similar roofed freestanding structure	Ch. 6 Definitions; Section 2.8
Non-commercial nursery, garden and greenhouse	Ch. 6 Definitions; Section 2.8
Outdoor fixed fire pits and cooking equipment	Ch. 6 Definitions; Section 2.8
Child Care Home	Ch. 6 Definitions; Section 2.8
Home-Based Business	Ch. 6 Definitions; Section 2.8
Consumer-scale solar array: building-mounted	Ch. 6 Definitions; Section 2.8

**Table C. 2.** lists the alternative accessory uses and structures clearly incidental to the allowed principal uses and structures of this district as defined in Chapter 6, 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 C.2. Alternative R-1 District Accessory Uses and Structures	
Accessory Uses and Structures	Additional Regulations
Accessory structure related to a principal use or structure on a separate lot	Ch. 6 Definitions; Section 2.8
Accessory structure related to a principal seasonal dwelling with no principal structure on lot	Ch. 6 Definitions; Section 2.8

### 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,



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 Section 2.2.F of this Ordinance unless specified otherwise in their specific conditions for approval in Section 2.9 and as listed below. Subject to Section 4.5 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	
Conditional Uses and Structures	Additional Regulations
Child Care Center	Ch. 6 Definitions; Section 2.9
Child Development Home	Ch. 6 Definitions; Section 2.9
Preschool	Ch. 6 Definitions; Section 2.9
Mobile home parks on tracts of five (5) acres or more	Ch. 6 Definitions; Section 2.9
Mobile home subdivisions on tracts of ten (10) acres or more	Ch. 6 Definitions; Section 2.9
Addition of accessory structures to principal structures devoted to legal nonconforming uses	Ch. 6 Definitions; Section 2.9
Multiple-family dwellings, including residential condominiums	Ch. 6 Definitions; Section 2.9

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

The following temporary uses and structures may be allowed by the Zoning Administrator, provided they comply with this Ordinance and the specific provisions listed below.

1. **Temporary building** used in conjunction with construction work provided that such building is removed promptly upon completion of the work.
2. *Reserved.*

**F. Development Regulations.**

**Table F.1.** lists the standard development regulations that shall be met for all principal uses and structures in the R-1 District platted on or after May 6, 1976 unless specified otherwise in this Ordinance.

Table F.1. Standard R-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot Size		Minimum Setback Requirements (see Notes 4 and 5)				Maximum Height
	Area	Width	Front	Rear	Side	Street side, corner lot	
Principal Uses and Structures							
Dwellings and Institutional Uses (see Note 2)	20,000 square feet	100 feet	30 feet	35 feet	10 feet	25 feet	2.5 stories or 35 feet
Dwellings and Institutional Uses (see Note 3)	12,000 square feet	80 feet	30 feet	35 feet	10 feet	25 feet	2.5 stories or 35 feet
Railroads, public maintenance and utility facilities	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

**Table F.2.** lists the standard development regulations that shall be met for all 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.

Table F.2. Standard R-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot Size		Minimum Setback Requirements (see Notes 4 and 5)				Maximum Height
	Area	Area	Front	Rear	Side	Street side, corner lot	
Accessory Uses and Structures							
Accessory Dwelling Unit	See Section 2.9 for specific development regulations						
All others	See Note 1		30 feet	5 feet	10 feet	25 feet	2.5 stories or 35 feet
Conditional Uses and Structures							
Mobile home park or subdivision	See Section 2.9. for specific development regulations						
Multiple-family dwelling	See Section 2.9. for specific development regulations						
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				

Notes for Standard R-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.							
Note 2. Served with private well and septic systems.							
Note 3. Served by community or municipal water supply and sewage disposal systems.							
Note 4. Average Front and Rear Setbacks: Where legally existing front or rear setbacks on adjacent parcels of continuous frontage are shorter than these minimums, the required setback for a new structure shall be the average of setbacks of principal structures within five hundred (500) on parcels of continuous frontage (see illustration).							
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.							

**Table F.3.** lists the alternative development regulations that shall be met for all principal 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.

Table F.3. Alternative R-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot Size		Minimum Setback Requirements (see Notes 2 and 3)				Maximum Height
	Area	Width	Front	Rear	Side	Street side, corner lot	
Principal Uses and Structures							
Dwellings and POA uses (see Note 2)	20,000 square feet	100 feet per dwelling unit or POA use	10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet

Table F.3. Alternative R-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot Size		Minimum Setback Requirements (see Notes 2 and 3)				Maximum Height
	Area	Width	Front	Rear	Side	Street side, corner lot	
Dwellings and POA uses (see Note 3)	12,000 square feet per dwelling unit or POA use	80 feet per dwelling unit or POA use	10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
Dwellings in seasonal resort	10,000 square feet	70 feet	10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
Railroads, public maintenance, and public utility facilities	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

**Table F.4.** lists the alternative development regulations that shall be met for all accessory, conditional, and temporary 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.

Table F.4. Alternative R-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot Size		Minimum Setback Requirements (see Notes 2 and 3)				Maximum Height
	Area	Width	Front	Rear	Side	Street side, corner lot	
Accessory Uses and Structures							
Accessory Dwelling Unit	See Section 2.9 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
Other Accessory uses and structures	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 Section 2.9 for specific development regulations						
Multiple-family dwelling	See Section 2.9 for specific development regulations						
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				

**Notes for Alternative R-1 District Development Regulations:**

1. Minimum lot area and width: None except as may be required by the County Health Department to provide adequate sewage disposal facilities.

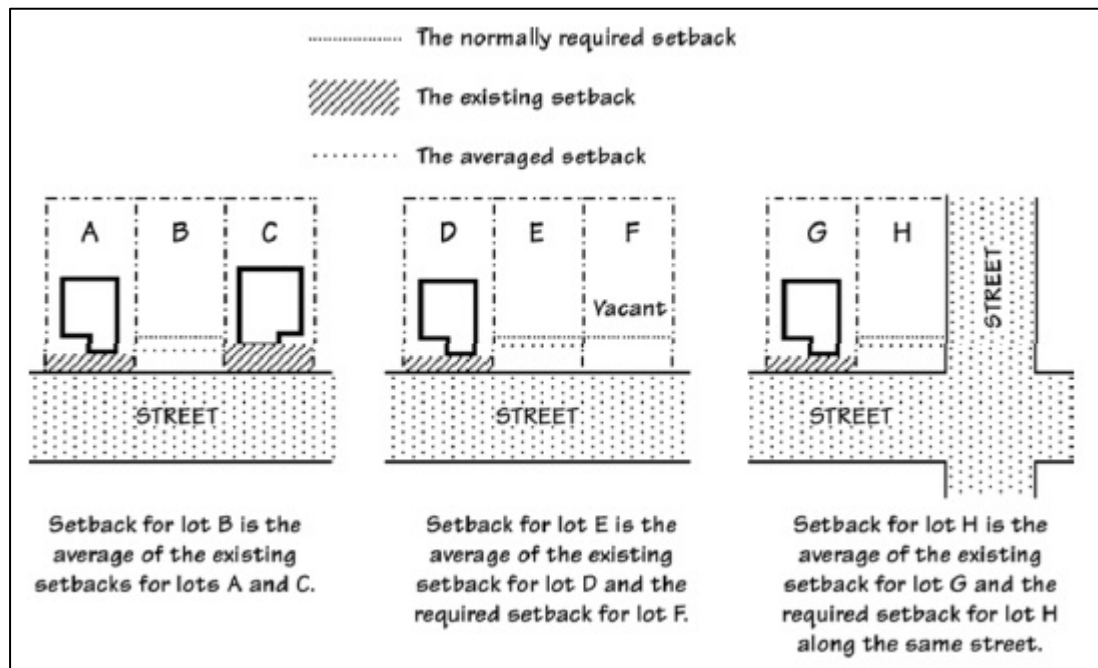
Note 2. Served with private well and septic systems.

Note 3. Served by community or municipal water supply and sewage disposal systems.

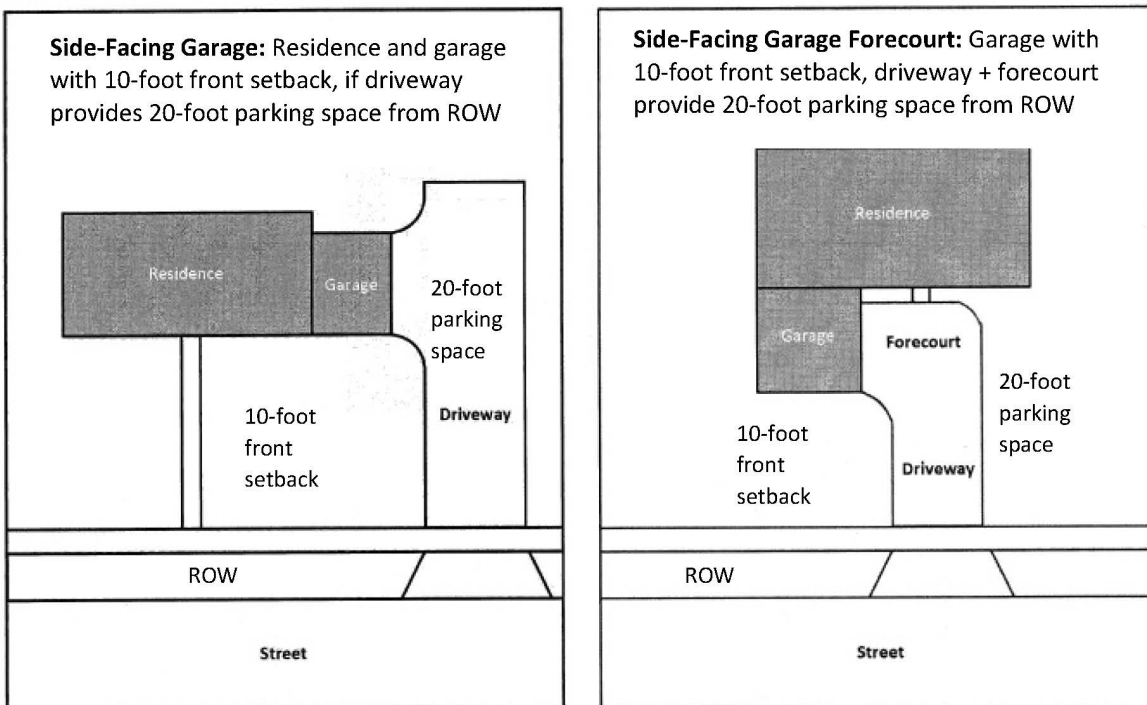
4. Average Front and Rear Setbacks: Where legally existing front or rear setbacks on adjacent parcels of continuous frontage are shorter than these minimums, the required setback for a new structure shall be the average of setbacks of principal structures within five hundred (500) feet on parcels of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

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.

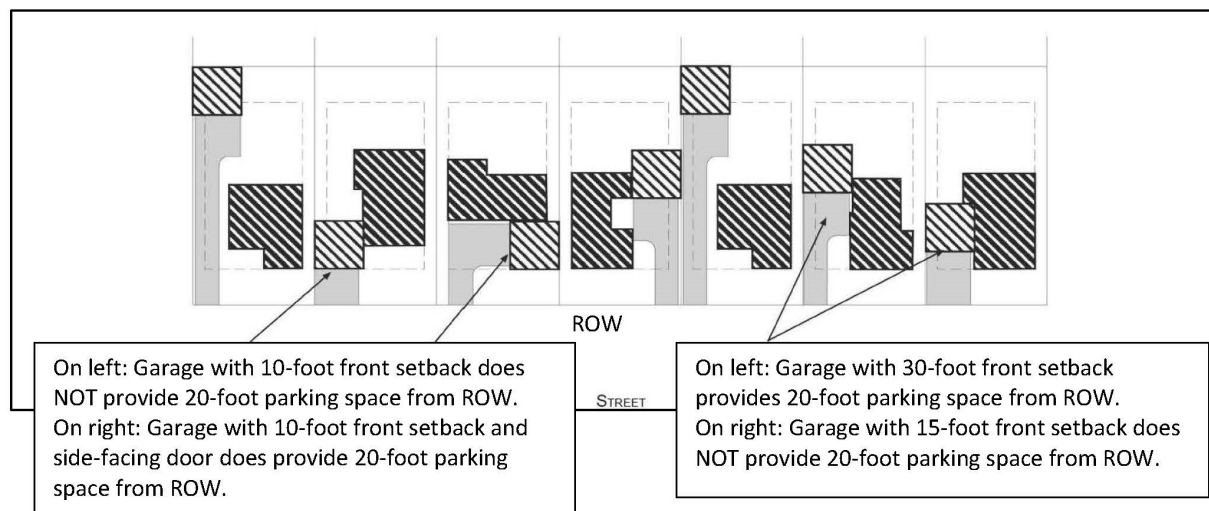
6. Front Setback for Off-Street Parking: For lots subject to Table F.4. regulations, attached and/or detached private garages or carports must maintain a setback of twenty (20) feet from the door or opening of the garage facing the public right-of way. This setback is necessary to allow sufficient room for off-street parking. The sides of the garage or carport that do not face a public-right-of-way shall comply with the alternative setbacks listed in Table F.4. (*see illustrations*).



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



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



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

- G. Allowed Signs.** The sign regulations shall be met for all principal, accessory, conditional, and temporary uses and structures in the R-1 District unless specified otherwise in this Ordinance in accordance with **Section 2.9**.
- H. Required Off-Street Parking and Loading Spaces.** The required off-street parking and loading spaces shall be met for all principal, accessory, conditional, and temporary uses and structures in the R-1 District unless specified otherwise in this Ordinance in accordance with **Section 2.1** and **Section 2.8**.



July 1, 2025

Lori Roling, Zoning Administrator  
Jackson County Zoning Department  
201 West Platt Street  
Maquoketa, IA 52060

RE: Zoning Ordinance Update – **Revised Draft of Section 2.2 A-1 Agricultural District (07-01-25)**

Dear Lori,

Attached is the revised draft of Section 2.2 A-1 Agricultural District (07-01-25) for the Zoning Ordinance Update for review and approval by the Zoning Commission at their July 21, 2025 meeting.

#### Discussion

- The A-1 District has been reformatted to use tables and refer to other sections to provide for a more user-friendly layout of regulations and additional resources. Revisions discussed at the Commission's April 21 and June 16 meetings, and subsequent staff meetings, have been completed. Adult and Child Care uses have been added. Campgrounds and related uses have been updated. Additional revisions for consistency with Iowa Code and with R-1 District have been made.

#### Background Research:

- 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.
- The report researched and prepared for the Leisure Lake Planned Unit Development (LLPUD) proposal formed the basis for the alternative recommendations. This report included input from the Leisure Lake Property Owners' Association (LLPOA). An analysis of the 549 R-1 zoned parcels in Leisure Lake community are shown in Table 1.

Table 1. Comparison of Zoning Regulations with Existing Conditions			
Zoning District	Minimum Lot Area (SF)	# Parcels Below Minimum Lot Area	Percent of Total
R-1 with well & septic	20,000	358	65.2%
R-1 with community water and sewer	12,000	212	38.6%
A-1 seasonal resort	10,000	173	31.5%

#### Standard and Alternative Regulations

- 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).
  - Standard regulations apply to all A-1 districts.
  - Alternative regulations only apply to subdivisions and lots platted before May 6, 1976.



- Allowed principal uses and structures are a short list from the R-1 Residential district combined with LLPOA rules, such as required connection to a sanitary sewage disposal system for residential structures occupied for an extended period.
- The issue of an accessory structure related to a principal use or structure on a separate lot that has been the subject of zoning enforcement would be allowed in the alternative subdivisions.
  - Accessory structures related to a principal use or structure may be allowed on the same lot as the principal use or structure or on a separate lot.
  - Accessory structures related to a principal seasonal dwelling use with no principal structure on the same lot may be allowed.
- Development Regulations are based on the regulations for dwellings in the R-1 Residential District, and the regulations governing a seasonal resort (conditional use in the A-1 Agricultural district).

Below are the draft development regulations. Those in yellow are from the R-1 district. Those in green are from the A-1 district. Those in blue are general regulations in the Zoning Ordinance.

<b>Development Regulations</b>	<b>Dwellings and LLPOA uses with private well and septic system</b>	<b>Dwellings and LLPOA uses served by community water and sewage systems</b>	<b>Other Seasonal Dwellings</b>	<b>Accessory Uses and Structures</b>
<b>Minimum Lot Area</b>	20,000 square feet	12,000 square feet	10,000 square feet	N/A
<b>Minimum Lot Frontage</b>	100 feet	80 feet	70 feet	N/A
<b>Minimum Front Yard</b>	10 feet	10 feet	10 feet	10 feet
<b>Minimum Side Yard</b>	10 feet	10 feet	10 feet	10 feet
<b>Minimum Street Side Yard</b>	10 feet	10 feet	10 feet	10 feet
<b>Minimum Rear Yard</b>	10 feet	10 feet	10 feet	5 feet
<b>Maximum Height</b>	35 feet or 2.5 stories	35 feet or 2.5 stories	35 feet or 2.5 stories	35 feet or 2.5 stories

The attached REDLINE version outlines the proposed changes with commentary, and the CLEAN version shows the resulting restructure. Major updates proposed are as follows:

- Tables are used for Principal, Accessory, Conditional (renamed from Special Exception) Uses and Structures, with proposed land uses revised according to the Matrix of Allowed Uses.
- Parking requirements are moved to Section 2.1.
- Specific regulations for Conditional Uses and Structures as well as Signs are moved to Section 2.9.



- A new section is added for Temporary Uses and Structures for Zoning Administrator approval.
- References are shown for relevant sections of the Zoning Ordinance and other County ordinances; these will become hyperlinks in the online version.
- Development Regulations are organized into a series of tables for standard and alternative regulations, and further divided for farm exempt, principal, accessory, conditional, and temporary uses and structures.

**Recommendation**

The Commission is asked to review and approve the revised draft of Section 2.2 A-1 Agricultural District (07-01-25), and then to provide direction to staff for moving forward with the proposal.

Please let me know if you have any questions. Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Laura Carstens".

Laura Carstens  
Senior Planner

Attachments

**CHAPTER 2. ZONING DISTRICT REGULATIONS****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 is a demonstrated need and intent to develop such areas in accordance with the future land use policy.

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. ~~Permitted~~ Allowed Principal Uses and Structures.**

Table B.1. lists the standard principal uses and structures allowed in the A-1 District as defined in Chapter 6, 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 A-1 districts.

<b>Table B.1. Standard A-1 District Principal Uses and Structures</b>		
<b>Principal Uses and Structures</b>	<b><del>Required</del> Parking</b>	<b>Additional Regulations</b>
Agriculture, <del>horticulture, farms, farming and the usual farm buildings including farm dwelling</del>	None	Section 1.20 Farms Exempt Ch. 6 Definitions
Horticulture, <del>Nursery</del>		
Farms, farming and the usual farm buildings		
Farm dwellings ( <del>principal</del> )		
Grain storage bins		
Single-family dwellings, <del>detached</del>	2 spaces per unit	Ch. 6 Definitions; Section 2.8
Seasonal dwellings	2 spaces per unit	Ch. 6 Definitions; Section 2.8
<del>Bed and breakfast home</del>		Ch. 6 Definitions; Section 2.8
Elementary School	2 spaces per unit	Ch. 6 Definitions; Section 2.8
<del>Post High School</del>		Ch. 6 Definitions; Section 2.8
Secondary School	1 space per classroom or office	Ch. 6 Definitions; Section 2.8
<del>Churches</del> Place of assembly	1 space for every 5 seats in the main auditorium	Ch. 6 Definitions; Section 2.8

Commented [LC1]: Required Parking

<b>Table B.1. Standard A-1 District Principal Uses and Structures</b>		
<b>Principal Uses and Structures</b>	<b>Required Parking</b>	<b>Additional Regulations</b>
Cemeteries	20 spaces off the right-of-way on drives or parking areas	Ch. 6 Definitions; Section 2.8
Public exposition & fairgrounds	1 space for every 3 seats at the main arena	Ch. 6 Definitions; Section 2.8
<del>Intermittent or temporary commercial activity</del>	<del>50 spaces</del>	
<del>Public campground</del>		Ch. 6 Definitions; Section 2.8
Public <del>Recreation</del> parks, playgrounds, campgrounds	5 spaces for each acre developed for active and recreation areas usage	Ch. 6 Definitions; Section 2.8
<del>Wildlife preserves, hunting areas, lakes, ponds</del>	<del>5 spaces for each acre developed for active and recreation areas usage</del>	
Kennels and riding stables	2 spaces plus 2 spaces for every 100 square feet of floor area	Ch. 6 Definitions; Section 2.8
<del>Logging, storage only</del>		Ch. 6 Definitions; Section 2.8
Railroads, <del>utilities public utility</del> and public maintenance garages and equipment and materials storage yards, but not including administrative or sales offices, <del>and temporary concrete plants placed on active quarry sites</del>	1 space for each employee on site plus 1 space for each company vehicle	Ch. 6 Definitions; Section 2.8

**Commented [LC1]:** Required Parking

**Commented [LC2]:** Deleting this use, not needed

**Commented [LC3]:** Combined public parks, playgrounds, wildlife preserves, hunting areas, lakes, ponds under new general use category Public Recreation

**Commented [LC4]:** Moved temporary concrete plants placed on active quarry sites to Temporary Uses section under Temporary concrete plants

#### **PERMITTED PRINCIPAL USES AND STRUCTURES** **REQUIRED PARKING**

1. Agriculture, horticulture, farms, farming and the usual farm buildings including farm dwelling	None
2. Grain storage bins	None
3. Single family dwellings	2 spaces per unit
4. Seasonal dwellings	2 spaces per unit
5. Elementary & secondary schools	1 space per classroom or office
6. Churches	1 space for every 5 seats in the main auditorium
7. Cemeteries	20 spaces off the right-of-way on drives or parking areas
8. Public exposition & fairgrounds	1 space for every 3 seats at the main arena
9. Intermittent or temporary commercial activity	50 spaces
10. Public parks, playgrounds, campgrounds and recreation areas	5 spaces for each acre developed for active and recreation areas usage

11. ~~Wildlife preserves, hunting areas, lakes  
ponds~~
12. ~~Kennels and riding stables~~ ~~2 spaces plus 2 space for every 100 square  
feet of floor area~~
13. ~~Railroads, utilities and public~~ ~~1 space for each employee on site plus 1  
space for each company vehicle~~  
~~maintenance garages and equipment and~~  
~~materials storage yards, but not including~~  
~~administrative or sales offices, and~~  
~~temporary concrete plants placed on active~~  
~~quarry sites~~

**Commented [LC5]:** Moved to Table B.1.

**Table B.2.** lists the alternative principal uses and structures allowed in the A-1 District as defined in **Chapter 6**, 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.

<b>Table B.2. Alternative A-1 District Principal Uses and Structures</b>			
<b>Principal Uses and Structures</b>		<b>Required Parking</b>	<b>Additional Regulations</b>
Single family dwelling			Ch. 6 Definitions; <b>Section 2.8</b>
Seasonal dwelling			Ch. 6 Definitions; <b>Section 2.8</b>
Mobile home			Ch. 6 Definitions; <b>Section 2.8</b>
Mobile home converted to real estate			Ch. 6 Definitions; <b>Section 2.8</b>
Place of Assembly			Ch. 6 Definitions; <b>Section 2.8</b>
POA owned indoor commercial recreation facilities			Ch. 6 Definitions; <b>Section 2.8</b>
POA owned outdoor commercial recreation facilities			Ch. 6 Definitions; <b>Section 2.8</b>

**Commented [LC6]:** Required Parking moved to Section 2.1

### C. **Permitted** Accessory Uses and Structures.

**Table C.1.** lists the allowed accessory uses and structures clearly incidental to the allowed principal uses and structures of this district as defined in **Chapter 6**, 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.

<b>Table C.1. Standard A-1 District Accessory Uses and Structures</b>	
<b>Accessory Uses and Structures</b>	<b>Additional Regulations</b>
Uses and structures clearly incidental to the allowed principal uses and structures of this district <del>including home occupations and farm home occupations as defined</del>	Ch. 6 Definitions; <b>Section 2.8</b>
Secondary farm dwellings	Ch. 6 Definitions; <b>Section 1.20 Farms Exempt</b>
Accessory Dwelling Unit	Ch. 6 Definitions; <b>Section 2.8</b>
<del>Attached and/or detached private garages</del> <del>garage or carport</del>	Ch. 6 Definitions; <b>Section 2.8</b>

**Table C.1. Standard A-1 District Accessory Uses and Structures**

Accessory Uses and Structures	Additional Regulations
<u>Deck, porch, balcony, boat dock, and other similar structure</u>	Ch. 6 Definitions; <b>Section 2.8</b>
<u>Private swimming pools, sports court, tennis courts, gardens and greenhouses</u>	Ch. 6 Definitions; <b>Section 2.8</b>
<u>Fences, walls, hedges</u>	Ch. 6 Definitions; <b>Section 2.8</b>
<u>Shed, gazebo, pergola, and other similar roofed freestanding structure</u>	Ch. 6 Definitions; <b>Section 2.8</b>
<u>Non-commercial nursery, garden and greenhouse</u>	Ch. 6 Definitions; <b>Section 2.8</b>
<u>Outdoor fixed fire pits and cooking equipment</u>	Ch. 6 Definitions; <b>Section 2.8</b>
<u>Child Care Home</u>	Ch. 6 Definitions; <b>Section 2.8</b>
<u>Home occupation</u> <u>Home-Based Business</u>	Ch. 6 Definitions; <b>Section 2.8</b>
<u>Agricultural experiences</u>	Ch. 6 Definitions; <b>Section 2.8</b>
<u>Farm home occupation</u>	
<u>Temporary buildings used in conjunction with construction work provided that such buildings are removed promptly upon completion of the work.</u>	
<u>Roadside stands for the sale of produce</u>	Provided that access to such stands shall be so located so as to afford a minimum site distance of 750 feet to motor vehicles on adjacent roads, that no parking space shall be located closer than 20 feet to the road right of way and that not less than 4 parking spaces be provided.
<u>Consumer-scale solar arrays: building mounted or freestanding</u>	Ch. 6 Definitions; <b>Section 2.8</b>
<u>Wind energy conversion systems, non-commercial</u>	Ch. 6 Definitions; <b>Section 2.8</b>

**Commented [LC7]:** Allowed accessory use to a farm under Iowa Code Section 335.28

**Commented [LC8]:** Remove regulations, this use is farm exempt

**Commented [LC9]:** Moved to Section 2.2.E. Temporary uses and structures

**Commented [LC10]:** Remove regulations, this use is farm exempt

- Uses and structures clearly incidental to the permitted principal uses and structures of this district including home occupations and farm home occupations as defined.
- Secondary farm dwellings.
- Private garages.
- Private swimming pools, tennis courts, gardens and greenhouses.
- Temporary buildings used in conjunction with construction work provided that such buildings are removed promptly upon completion of the work.
- Roadside stands for the sale of produce provided that access to such stands shall be so located so as to afford a minimum site distance of 750 feet to motor vehicles on adjacent roads, that no parking space shall be located closer than 20 feet to the road right of way and that not less than 4 parking spaces be provided.

**Commented [LC11]:** Moved into Table C.1.

**Table C. 2.** lists the alternative accessory uses and structures clearly incidental to the allowed principal uses and structures of this district as defined in **Chapter 6**, 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.

<b>Table C.2. Alternative A-1 District Accessory Uses and Structures</b>		
<b>Accessory Uses and Structures</b>	<b>Required Parking</b>	<b>Additional Regulations</b>
Accessory structure related to a principal use or structure on a separate lot		Ch. 6 Definitions; <b>Section 2.8</b>
Accessory structure related to a principal seasonal dwelling with no principal structure on lot		Ch. 6 Definitions; <b>Section 2.8</b>

**Commented [LC12]:** Required Parking moved to Section 2.1

**D. ~~Special Exception~~Allowed Conditional Uses and Structures.**

**Table D.1.** lists the allowed conditional uses and structures in the A-1 District as defined in **Chapter 6**, 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 A-1 district development regulations in **Section 2.2.B** of this Ordinance unless specified otherwise in their specific conditions for approval listed below. Subject to **Section 2.15(2)4.5** and the other requirements contained herein, the Board of Adjustment may issue a Conditional Use Permit for the following:

<b>Table D.1 A-1 District Conditional Uses and Structures</b>		
<b>Conditional Uses and Structures</b>	<b>Required Parking</b>	<b>Additional Regulations</b>
Agricultural sales, service, and supply businesses		Ch. 6 Definitions; <b>Section 2.9, Section 4.5</b>
Bulk stations for the storage and retail distribution of anhydrous ammonia fertilizer under pressure and petroleum products under pressure		Ch. 6 Definitions; <b>Section 2.9, Section 4.5</b>
Livestock auction sales market	1 space per employee, 1 space per company vehicle, and 1 space for every 2 seats in the sales arena	Ch. 6 Definitions; <b>Section 2.9, Section 4.5</b>
Commercial feed lots/Animal feeding operations	1 space per employee and 1 space per company vehicle	Ch. 6 Definitions; <b>Section 2.9, Section 4.5</b>
Mining and extraction of minerals or raw materials, including necessary processing equipment	1 space per employee and 1 space per company vehicle	Ch. 6 Definitions; <b>Section 2.9, Section 4.5</b>
Ready mix concrete plants, permanently placed on quarry sites		Ch. 6 Definitions; <b>Section 2.9, Section 4.5</b>
Solid waste facilities		Ch. 6 Definitions; <b>Section 2.9, Section 4.5</b>

**Commented [LC13]:** Required parking moved to Section 2.1

**Commented [LC14]:** Combine Agricultural service businesses in A-1 with Agricultural service and supply businesses in M-1 to create new general land use

**Commented [LC15]:** Separate bulk storage as CUP in A-1, match conditions in M-1 and M-2 .

**Commented [LC16]:** Name changed to match Iowa Code 459 Animal Agriculture Compliance Act

**Commented [LC17]:** Name changed to match Iowa Code 459 Animal Agriculture Compliance Act

Table D.1 A-1 District Conditional Uses and Structures

Conditional Uses and Structures	Required Parking	Additional Regulations
<del>Privately-operated Commercial</del> campgrounds, <del>recreational vehicle</del> parks, and tourist camps on sites of <del>less than five (5) acres</del> indoor and <del>outdoor commercial recreation</del> <del>uses operated by a private or</del> <del>nonprofit entity</del>		Ch. 6 Definitions; Section 2.9, Section 4.5
Private campground on site of less than five (5) acres		Ch. 6 Definitions; Section 2.9, Section 4.5
Youth or Summer Camps		Ch. 6 Definitions; Section 2.9, Section 4.5
Indoor Commercial Recreation, including recreational lodges with a maximum of ten (10) units		Ch. 6 Definitions; Section 2.9, Section 4.5
Outdoor Commercial Recreation, on sites of less than five (5) acres		Ch. 6 Definitions; Section 2.9, Section 4.5
Seasonal resorts		Ch. 6 Definitions; Section 2.9, Section 4.5
Commercial communications (cell) stations and towers, <del>new and</del> <del>existing</del>		Ch. 6 Definitions; Section 2.9, Section 4.5
Airports and landing fields approved by the Federal Aviation Agency (FAA)		Ch. 6 Definitions; Section 2.9, Section 4.5
Golf courses and clubhouses	3-per-green or 1-per-100 square feet of clubhouse floor area, <del>whichever is greater</del>	Ch. 6 Definitions; Section 2.9, Section 4.5
Home industry		Ch. 6 Definitions; Section 2.9, Section 4.5
Garden centers in conjunction with <del>plant</del> nurseries		Ch. 6 Definitions; Section 2.9, Section 4.5
Multiple family dwellings, including residential condominiums	2 spaces per dwelling unit	Ch. 6 Definitions; Section 2.9, Section 4.5
Addition of accessory structures to principal structures devoted to legal nonconforming uses		Ch. 6 Definitions; Section 2.9, Section 4.5
Event venues		Ch. 6 Definitions; Section 2.9, Section 4.5
Adult Day Care Center		Ch. 6 Definitions; Section 2.9, Section 4.5
Child Care Center		Ch. 6 Definitions; Section 2.9, Section 4.5
Child Development Home		Ch. 6 Definitions; Section 2.9, Section 4.5

Commented [LC13]: Required parking moved to Section 2.1



Table D.1 A-1 District Conditional Uses and Structures		
Conditional Uses and Structures	Required Parking	Additional Regulations
Family Home		Ch. 6 Definitions; Section 2.9, Section 4.5
Preschool		Ch. 6 Definitions; Section 2.9, Section 4.5
Wind energy conversion system: commercial		Ch. 6 Definitions; Section 2.9, Section 4.5

**Commented [LC13]:** Required parking moved to Section 2.1

#### **SPECIAL EXCEPTION USES AND STRUCTURES**

1. **Agricultural sales, service, and supply businesses** involving the processing, storage, and sale of grain for seed, or for livestock and poultry feed; 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 including the sale or display of farm machinery, building materials or appliances; provided that:
  - a. The business produces no offensive noise, vibration, smoke, dust, odor, heat, glare or electrical interference detectable within the limits of the nearest dwelling.
  - b. The foregoing includes

**Commented [LC18]:** This common language is used for several of the conditional uses; it will be addressed in Section 2.9

2. **Bulk stations for the storage for and retail distribution of anhydrous ammonia fertilizer under pressure and petroleum products under pressure**, provided that:
  - a. The business produces no offensive noise, vibration, smoke, dust, odor, heat, glare or electrical interference detectable within the limits of the nearest dwelling.
  - b. Such use is located not closer than **one thousand (1,000)** feet to any school, church or place of public assembly, and
  - c. It is located so that prevailing winds will not cause gases or odors to create a nuisance or hazard for developed properties in the vicinity.

**Commented [LC19]:** New definition for Bulk Stations, pulled out as separate Conditional Use with additional standards.

a.

**Commented [LC20]:** These conditions will be addressed in Section 2.9

2. **Livestock auction sales market**, provided that:
  - a. The business produces no offensive noise, vibration, smoke, dust, odor, heat, glare or electrical interference detectable within the limits of the nearest dwelling.
  - b. that 1 parking space for each employee, and 1 space per company vehicle, and 1 parking space for every 2 seats in the sales arena are provided.

**Commented [LC21]:** Required parking moved to Section 2.1

3. **Commercial feedlots/Animal feeding operations**, provided that:
  - a. Such use is not closer than **one thousand (1,000)** feet to any dwelling unit other than that of the owner or operator, and any park, school, church or place of public assembly.
  - b. A that adequate provision for drainage, sanitation and waste disposal are provided.
  - c. It that it is located so that prevailing winds will not cause dust or odors to create a nuisance for developed properties in the vicinity.
  - b-d. that 1 parking space for each employee and 1 space for each company vehicle be provided.

**Commented [LC22]:** These conditions will be addressed in Section 2.9

**Commented [LC23]:** Required parking moved to Section 2.1

**Commented [LC24]:** These conditions will be addressed in Section 2.9

**Commented [LC25]:** Required parking moved to Section 2.1

4. **Mining and extraction of minerals or raw materials**, including necessary processing equipment, provided that:

- a. ~~The extraction site shall be located at least fifty (50) feet<sup>50'</sup> from any property line or public road right-of-way and no closer than five hundred (500) feet<sup>500'</sup> to any dwelling, park, or school.~~
- b. ~~that Access to a public road shall not cause a real or potential traffic hazard.~~
- c. ~~In addition, any person seeking a special exception for the mining or extraction of minerals or other raw materials shall submit a plan is submitted to the Zoning Administrator whereby the land so used would be restored by the applicant to a condition compatible with the surrounding area upon conclusion of the operations.~~
- d. ~~and that 1 off-street parking space for each employee plus 1 off-street space for each company vehicle be provided.~~
- e. ~~The Board of Adjustment shall prescribe additional site restrictions if deemed necessary for the protection of life and property and~~
5. **Ready mix concrete plants**, permanently placed on quarry sites, provided that:
  - a. ~~The plant is located at least fifty (50) feet from the nearest property line or public road right-of-way and at least one thousand (1,000) feet<sup>1000'</sup> from any dwelling, park or school.~~
  - b. ~~that Facilities be provided for controlling air and water pollution; and~~
  - c. ~~that Access to a public road shall not create a real or potential traffic hazard as determined by the Jackson County Engineer.~~
  - d.
6. **Solid waste facilities** ~~Sanitary landfills, sanitary transfer stations, sanitary composting facilities, and sanitary recycling operations~~ provided that:
  - a. ~~that No such operation shall be located closer than one-thousand (1,000) feet to any dwelling, park or school.~~
  - b. ~~Such site shall be restored to a condition compatible with the adjacent area upon the conclusion of the operation.~~
  - e.
2. ~~Temporary concrete plants, provided that the area be restored to a suitable condition free of refuse and debris.~~
7. ~~Privately operated recreational lodges, campgrounds, youth or summer camps, ski slopes, gun clubs, marinas, docking facilities and recreation vehicle riding areas, race courses and similar outdoor recreation activities provided, however, that:~~
  - a. ~~The applicant shall submit a plan for the proposed development and show what measures will be taken to minimize adverse effects the proposed development might have on the environs.~~
8. ~~Private campground on site of less than five (5) acres provided that: the maximum stay is seven (7) consecutive days, seasonal operation from May 1 through October 31, no on-site sewage disposal, non-commercial operation for use by family and friends of the owner without payment or other consideration on site of less than five (5) acres~~
9.

**Commented [LC26]:** Required parking moved to Section 2.1

**Commented [LC27]:** These conditions will be addressed in Section 2.9

**Commented [LC28]:** This phrase applies to any Board of Adjustment action, so it can be removed as redundant.

**Commented [LC29]:** These conditions will be addressed in Section 2.9

**Commented [LC30]:** Sanitary landfills, sanitary transfer stations, sanitary composting facilities, and sanitary recycling operations combined under new general use category of Solid Waste Facility

**Commented [LC31]:** These conditions will be addressed in Section 2.9

**Commented [LC32]:** Temporary concrete plants moved to Temporary Use section.

**Commented [LC33]:** Some uses have been combined under the new general use categories of Indoor Commercial Recreation and Outdoor Commercial Recreation, others like campgrounds and golf courses, are specific uses with unique regulations, moved to Section 2.9 CUPs

**Commented [LC34]:** These conditions will be addressed in Section 2.9

**Commented [LC35]:** Based on Board of Adjustment conditions for private campground case approved 06-23-25. Moved to Section 2.9

3-10. Seasonal resorts which include three (3) or more seasonal dwellings ~~are-is~~ herein defined which 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, providing that the following requirements be met:

- a. 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 ~~yard-setback~~ requirements shall be ten (10) feet for all ~~yards~~ setbacks.
- a-b. 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 yard, area and width requirements of the A-1 Agricultural District Development Regulations as a separate lot.
- c. The applicant shall submit a plan for the proposed development showing the locations ~~of~~ of 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.
- b. 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.

**Commented [LC36]:** Moved to Section 2.2.F development regulations

11. New Commercial communications (cell) stations and towers provided that:

- a. In accordance with Iowa Code 8C Iowa Cell Siting Act, the request is for "Initial placement or installation" means the first time that transmission equipment is placed or installed on a wireless support structure.
- b. 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 the one and a half (1.5) times the height of the tower;
- c. that they will not interfere with the operation of any airport or landing strip; and
- d.
- a. Base screening and camouflage techniques are used unless prohibited by Federal Aviation Agency (FAA) F.A.A. regulations.
- e. The maximum total height of the tower shall be four-hundred (400) feet above average ground level (AGL).
- f. 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.
- g. The Discontinuation, Catastrophic Failure, and Decommissioning regulations in the Jackson County WECS Ordinance #314 shall apply to new station and tower sites.
- h. 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.
- i. Review by the Board of Adjustment shall comply with the Iowa Code 8C Iowa Cell Siting Act.
- j. The Board of Adjustment may approve a tower over the height of four-hundred (400) feet above AGL upon a showing of good cause and with FCC and FAA approval if required.

**Commented [LC37]:** These conditions will be addressed in Section 2.9

**Commented [LC38]:** Cell tower regulations are under further review. These conditions will be addressed in Section 2.9

- k. 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.

**Commented [LC39]:** These conditions will be addressed in Section 2.9

**12. Existing Commercial communications (cell) stations and towers:** In accordance with Iowa Code 8C Iowa Cell Siting Act, the request is for the following

**Commented [LC40]:** Cell tower regulations are under further review. These conditions will be addressed in Section 2.9

- a. "Existing tower" or "existing base station" means a tower or base station that has been reviewed and approved under the applicable zoning or siting process, or under another state or local regulatory review process. "Existing tower" includes a tower that was not reviewed and approved because it was not in a zoned area when it was built and lawfully constructed.
- b. "Substantial change" means a change in the existing support structure which results in one or more of the following:
- (1) Increase in the height of a tower
  - (2) Increase in the height of existing support structures
  - (3) Addition of an appurtenance to the body of the tower
  - (4) Addition of an appurtenance to an existing support structure
  - (5) Installation of any new equipment cabinets
  - (6) Installation of ground cabinets that are more than ten percent larger
  - (7) Excavation or deployment outside the current site
  - (8) Defeat of concealment elements of the existing support structure
  - (9) Noncompliance with conditions associated with the siting approval
- c. 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 the one and a half (1.5) times the height of the tower
- d. They will not interfere with the operation of any airport or landing strip.
- e. 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.
- f. Review by the Board of Adjustment shall comply with the Iowa Code 8C Iowa Cell Siting Act.
- g. The Board of Adjustment may approve a tower over the height of four-hundred (400) feet above AGL upon a showing of good cause and with FCC and FAA approval if required.
- h. 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.

**4.13. Airports and landing fields approved by the Federal Aviation Agency (FAA).**

**Commented [LC41]:** These conditions will be addressed in Section 2.9

- a. Temporary permits not to exceed 60 days for the location of car crushers or similar equipment used in the processing, removal or disposal of junk. Such permit may be granted for the purpose of facilitating the removal of junk from nonconforming junkyards, but shall not be granted for the purpose of establishing new junkyards or serve as a basis for the permanent expansion of nonconforming junkyards. In considering such permit, the Board of Adjustment shall determine the positive and negative effects on the

**Commented [LC42]:** Temporary permits not to exceed sixty (60) days for the location of car crushers moved to Temporary Uses section.

environment anticipated both during and after the conclusion of such operation. Upon appeal, the Board of Adjustment may grant an extension not to exceed 30 days.

- b. ~~Conversion of existing dwellings or other structures to a two-family dwelling, provided that a permit is obtained from the Jackson County Health Department for the sanitary system, and that the property meets the requirements for lot area and width and yards in the district, and that there be two parking spaces for each dwelling in the unit.~~

**Commented [LC43]:** These conditions are basic code compliance. They are similar to state code proposed for Accessory Dwelling Unit (ADU) . Recommend deletion, replace with internal ADU as an accessory use.

**14. Golf courses and clubhouses, provided that:**

- a. parking shall include 3 spaces per green or 1 space for every 100 square feet of clubhouse floor area, whichever is greater.
- b. In deciding such appeals, the Board of Adjustment shall consider the suitability of the proposed site for agricultural production.

**Commented [LC44]:** Required parking moved to Section 2.1

**Commented [LC45]:** These conditions will be addressed in Section 2.9

**Commented [LC46]:** The conditions will be addressed in Section 2.9

**5-15. Home industries as defined.**

**6-16. Garden centers in conjunction with plant nurseries provided that one (1) off-street parking space per four hundred (400) square feet of floor area be provided.**

**Commented [LC47]:** Required parking moved to Section 2.1

**Commented [LC48]:** Conditions will be addressed in Section 2.9

**Commented [LC49]:** Conditions will be addressed in Section 2.9

**7-17. Addition of accessory structures to principal structures devoted to legal nonconforming uses.**

**18. Multiple family dwellings, including residential condominiums, provided that:**

- a. Such units abut a hard-surfaced road,
- b. Are located no further than five (5) miles by normal travel routes from the nearest fire station, and
- c. maintain a maximum density of one (1) dwelling unit per two (2) acres.
- d. The maximum number of dwelling units per structure shall not exceed eight (8).
- e. Two (2) off-street parking spaces per dwelling unit shall be provided.
- f. Before a Construction Compliance Certificate is issued for this use, a permit for wastewater treatment facilities must be on file from the Jackson County Health Department or the Iowa Department of Natural Resources.

**Commented [LC50]:** Required parking moved to Section 2.1

**Commented [LC51]:** These conditions will be addressed in Section 2.9

**19. Event venues provided that:**

- a. One (1) off-street parking space per four hundred (400) square feet of floor area be provided.
- b. Before a Construction Compliance Certificate is issued for this use, a permit for wastewater treatment facilities must be on file from the Jackson County Health Department or the Iowa Department of Natural Resources.

**Commented [LC52]:** Required parking moved to Section 2.1

**Commented [LC53]:** These conditions will be addressed in Section 2.9

**17. Commercial wind energy conversion systems (C-WECS) provided that the application and review process shall comply with the Jackson County WECS Ordinance #314.**

**Commented [LC54]:** These conditions will be addressed in Section 2.9

**Commented [LC55]:** Moved to Section 2.9 as conditional uses and structures

**E. Temporary Uses and Structures Allowed by Zoning Administrator.** The following temporary uses and structures may be allowed by the Zoning Administrator, provided they comply with this Ordinance and the specific provisions listed below.

1. Temporary buildings used in conjunction with construction work provided that such buildings are removed promptly upon completion of the work.

1.2. Temporary concrete plants, provided that:

- a. The area be restored to a suitable condition free of refuse and debris.
- b. One (1) off-street parking space for each employee plus one (1) off-street space for each company vehicle be provided.

2.3. Temporary permits ~~not to exceed sixty (60) days for the location of car crushers~~ or similar equipment used in the processing, removal or disposal of junk provided that:

- a. Such permit may be granted not to exceed sixty (60) days for the purpose of facilitating the removal of junk from nonconforming junkyards, but shall not be granted for the purpose of establishing new junkyards or serve as a basis for the permanent expansion of nonconforming junkyards.
- b. In considering such permit, the ~~Board of Adjustment~~Zoning Administrator shall determine the positive and negative effects on the environment anticipated both during and after the conclusion of such operation. ~~and~~
- c. Upon ~~appeal~~ a showing of good cause, the ~~Board of Adjustment~~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 farm exempt, principal, accessory, conditional, and temporary uses and structures in the A-1 District platted on or after May 6, 1976 unless specified otherwise in this Ordinance.

Table F.1. Standard A-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot Size		Minimum Yard Requirements (see Notes 4 and 5)				Maximum Height
	Area	Width	Front	Rear	Side	Street side, corner lot	
Farm Exempt Uses and Structures							
All	See Note 1		None				None
Principal Uses and Structures							
<del>Non-farm Dwellings and education Institutional Uses and structures</del>	2 acres per dwelling unit or use	200 feet	40 feet	30 feet	15 feet	30 feet	<u>2.5 stories or 35 feet</u>
All others	See Note 1		<u>40 feet</u>	<u>30 feet</u>	<u>15 feet</u>	<u>30 feet</u>	<u>2.5 stories or 35 feet</u>
Accessory Uses and Structures							
Accessory Dwelling Unit	See Section 2.8 for specific development regulations						
Private garage or carport (see Note 6)	See Note 1		<u>10 or 20 feet</u>	<u>5 feet</u>	<u>10 feet</u>	<u>10 or 20 feet</u>	<u>2.5 stories or 35 feet</u>
All others	See Note 1		<u>40 feet</u>	<u>30 feet; 5 feet if detached</u>	<u>15 feet</u>	<u>30 feet</u>	<u>2.5 stories or 35 feet</u>
Conditional Uses and Structures							
Seasonal resorts (see Note 2)	2 acres per dwelling unit	200 feet	40 feet	30 feet	15 feet	30 feet	2.5 stories or 35 feet
Seasonal resorts (see Note 3)	10,000 square feet per dwelling unit	50 feet	10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
Multiple family dwellings	2 acres per dwelling unit	<u>200 feet</u>	<u>40 feet</u>	<u>30 feet</u>	<u>15 feet</u>	<u>30 feet</u>	<u>2.5 stories or 35 feet</u>
All others	See Note 1		<u>40 feet</u>	<u>30 feet</u>	<u>15 feet</u>	<u>30 feet</u>	<u>2.5 stories or 35 feet</u>
Temporary Uses and Structures							
All	See Note 1		As per Zoning Administrator				

**Commented [LC56]:** Revised for consistent wording with R-1 District



**Notes for Standard A-1 District Development Regulations:**

Note 1. Minimum lot area and width ~~None, except as~~ may be required by the County Health Department to provide adequate sewage disposal facilities.

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. ~~Average Front and Rear Setbacks: Where legally existing front or rear setbacks on adjacent parcels of continuous frontage are shorter than these minimums, 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).~~

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. ~~Front Setback for Off-Street Parking: For lots subject to Table F.1. regulations, 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 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-right-of-way shall comply with the alternative setbacks listed in Table F.1. (see illustrations).~~

**Commented [LC57]:** Added Notes 4 and 5 to be consistent with R-1 District.

**MINIMUM LOT AREA MINIMUM YARD MAXIMUM HEIGHT**  
**AND WIDTH REQUIREMENTS**

Non-farm dwellings and	Front	40 feet	2 and one half stories
institutional uses	Rear	30 feet	or 35 feet
Area 2 acres	Side	15 feet	
Width 200 feet	Street side,		
	corner lot	30 feet	

Other Uses: ~~None; except as may be required by the County Health Department to provide adequate sewage disposal facilities.~~

**Commented [LC58]:** Moved into Table F.1.

Table F.2. lists the alternative development regulations that shall be met for all principal, accessory, conditional, and temporary 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.

**Table F.2. Alternative A-1 District Development Regulations**

Table F.2. Alternative A-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot Size		Minimum Setback Requirements (see Notes 4 and 5)				Maximum Height
	Area	Width	Front		Side	Street side, corner lot	
Principal Uses and Structures							
Dwellings and POA uses (see Note 2)	20,000 square feet per dwelling unit or POA use	100 feet per dwelling unit or POA use	10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
Dwellings and	12,000	80 feet per	10 feet	10 feet	10 feet	10 feet	2.5 stories

Table F.2. Alternative A-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot Size		Minimum Setback Requirements (see Notes 4 and 5)				Maximum Height
	Area	Width	Front		Side	Street side, corner lot	
POA uses (see Note 3)	square feet per dwelling unit or POA use	dwelling unit or POA use					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 Section 2.8 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							
Seasonal resorts (see Note 3)	20,000 square feet per dwelling unit	100 feet per dwelling unit	10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
Seasonal resorts (see Note 4)	10,000 square feet per dwelling unit	50 feet per dwelling unit	10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
Multiple family dwellings	20,000 square feet per dwelling unit	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				

**Notes for Alternative A-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.

Note 2. Served with private well and septic systems.

Note 3. Served by central sewage collection and treatment system or central water distribution system.

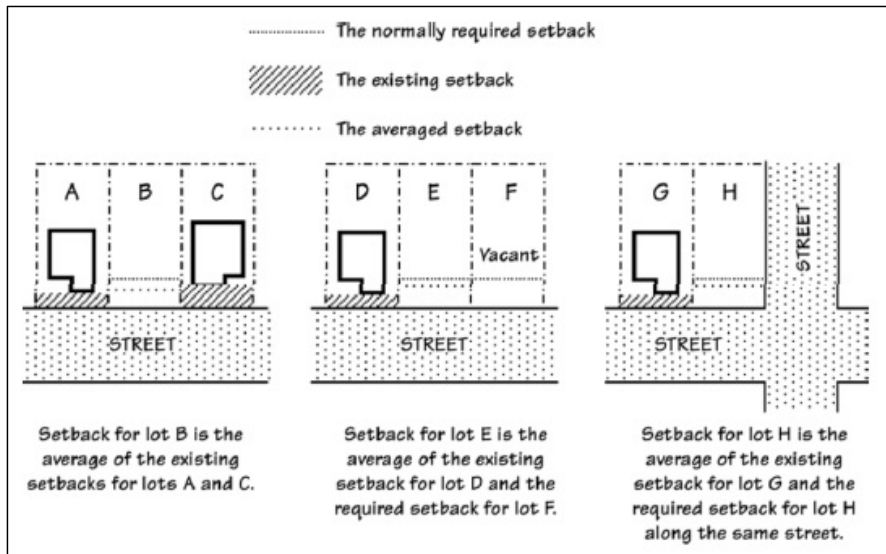
Note 4. Average Front and Rear Setbacks: Where legally existing front or rear setbacks on adjacent parcels of continuous frontage are shorter than these minimums, the required setback for a new structure shall be the average of setbacks of principal structures within five hundred (500) feet on parcels of continuous frontage (see illustration).

Note 5. Special Side Setback: For manufactured homes replacing legally existing nonconforming

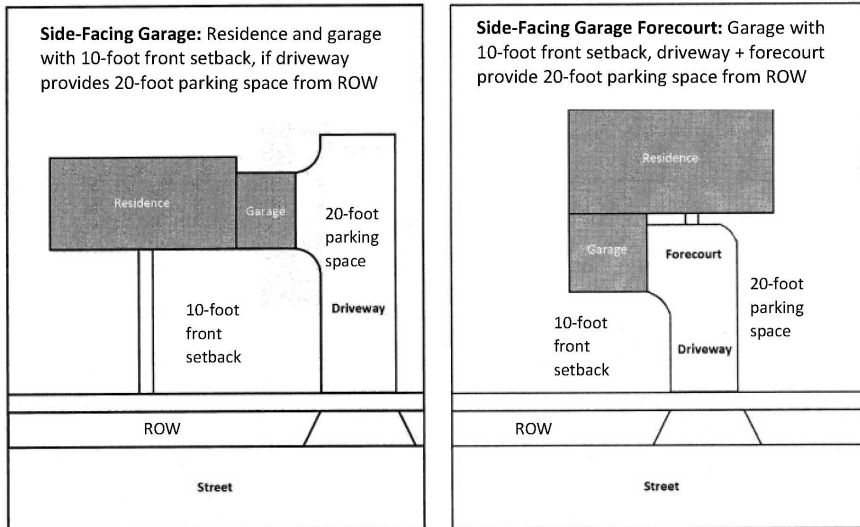
**Notes for Alternative A-1 District Development Regulations:**

manufactured homes or mobile homes, the minimum rear setback shall be five (5) feet.

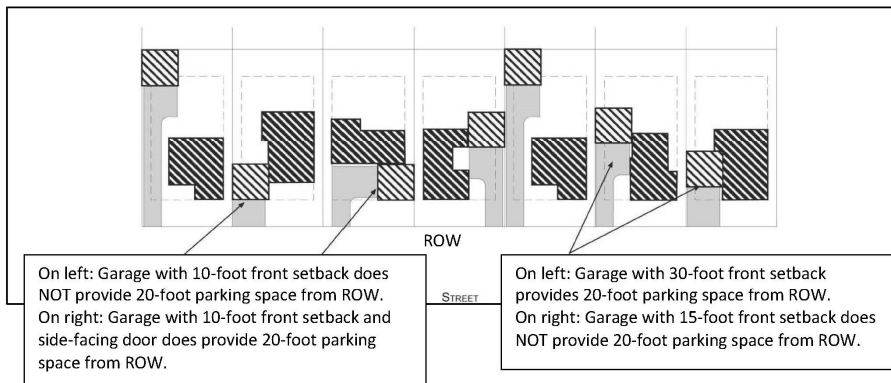
Note 6. Front Setback for Off-Street Parking: For lots subject to Table F.2. regulations, attached and/or detached private garages or carports must maintain a setback of twenty (20) feet from the door or opening of the garage facing the public right-of way. This setback is necessary to allow sufficient room for off-street parking. The sides of the garage or carport that do not face a public-right-of-way shall comply with the alternative setbacks listed in Table F.2. (see illustrations).



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



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



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

- G. ~~Permitted~~**Allowed Signs.** The following sign regulations shall be met for all principal, accessory, conditional uses and structures in the A-1 Ddistrict unless specified otherwise in this Ordinance.  
(under review)

- ~~1. Directional signs as defined not to exceed 150 square feet in area only along U. S. Highway 61 or 32 square feet in area elsewhere in the county, provided that no business shall have more than three (3) such signs in all districts combined.~~
- ~~2. Church or public bulletin boards not to exceed 16 square feet in area.~~
- ~~3. Identification signs for permitted principal uses, accessory uses and special exception uses of this district identifying the business or service on the premises not to exceed 32 square feet in area.~~
- ~~4. Temporary signs advertising the sale or lease of the premises not to exceed 16 square feet in area.~~
- ~~5. No use shall have more than 1 of each type of sign permitted for that use on each street or road frontage; however, each sign may be a double faced or back to back sign.~~
- ~~6. Directional signs may be placed in required front yards. Other permitted signs shall be located at least 20 feet from any lot line or not more than 5 feet from the main building.~~
- ~~7. Illumination of signs and bulletin boards shall be indirect, non-intermittent lighting.~~
- ~~8.1. All signs shall be maintained in a neat, safe and presentable condition and in the event their use shall cease, they shall be promptly removed.~~

**H. Required Off-Street Parking and Loading Spaces.** The required off-street parking and loading spaces shall be met for all principal, accessory, conditional, and temporary uses and structures in the A-1 District unless specified otherwise in this Ordinance in accordance with **Section 2.1** and **Section 2.8**.

**~~H. Special Requirements.~~**

- ~~1. The establishment of feed lots, ~~sanitary landfills~~ **solid waste facilities** or other uses potentially hazardous to the environment, shall, where applicable, comply with the requirements of the appropriate division of the Iowa Department of ~~Environmental Quality~~ **Natural Resources** as provided for in **Iowa Code** Chapter 455B ~~of the Code of Iowa~~.~~

~~4.2. Reserved.~~

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.

**Commented [LC59]:** These requirements are under review and may be addressed in a separate section.

**Commented [LC60]:** The Special Requirements for each district will be addressed in Section 2.9

**CHAPTER 2. ZONING DISTRICT REGULATIONS****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 is a demonstrated need and intent to develop such areas in accordance with the future land use policy.

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 A-1 District as defined in **Chapter 6**, 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 A-1 districts.

<b>Table B.1. Standard A-1 District Principal Uses and Structures</b>	
<b>Principal Uses and Structures</b>	<b>Additional Regulations</b>
Agriculture	Section 1.20 Farms Exempt Ch. 6 Definitions
Horticulture; Nursery	
Farms, farming and the usual farm buildings	
Farm dwellings (principal)	
Grain storage bins	
Single-family dwellings, detached	Ch. 6 Definitions; Section 2.8
Seasonal dwellings	Ch. 6 Definitions; Section 2.8
Bed and breakfast home	Ch. 6 Definitions; Section 2.8
Elementary School	Ch. 6 Definitions; Section 2.8
Post High School	Ch. 6 Definitions; Section 2.8
Secondary School	Ch. 6 Definitions; Section 2.8
Place of assembly	Ch. 6 Definitions; Section 2.8
Cemeteries	Ch. 6 Definitions; Section 2.8
Public exposition & fairgrounds	Ch. 6 Definitions; Section 2.8
Public campground	Ch. 6 Definitions; Section 2.8
Public Recreation	Ch. 6 Definitions; Section 2.8
Kennels and riding stables	Ch. 6 Definitions; Section 2.8
Logging, storage only	Ch. 6 Definitions; Section 2.8
Railroads, public utility and public maintenance garages and equipment and materials storage yards, but not including administrative or sales offices	Ch. 6 Definitions; Section 2.8

**Table B.2.** lists the alternative principal uses and structures allowed in the A-1 District as defined in **Chapter 6**, 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	
Principal Uses and Structures	Additional Regulations
Single family dwelling	Ch. 6 Definitions; Section 2.8
Seasonal dwelling	Ch. 6 Definitions; Section 2.8
Mobile home	Ch. 6 Definitions; Section 2.8
Mobile home converted to real estate	Ch. 6 Definitions; Section 2.8
Place of Assembly	Ch. 6 Definitions; Section 2.8
POA owned indoor commercial recreation facilities	Ch. 6 Definitions; Section 2.8
POA owned outdoor commercial recreation facilities	Ch. 6 Definitions; Section 2.8

### C. Accessory Uses and Structures.

**Table C.1.** lists the allowed accessory uses and structures clearly incidental to the allowed principal uses and structures of this district as defined in Chapter 6, 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 C.1. Standard A-1 District Accessory Uses and Structures	
Accessory Uses and Structures	Additional Regulations
Uses and structures clearly incidental to the allowed principal uses and structures of this district	Ch. 6 Definitions; Section 2.8
Secondary farm dwellings	Ch. 6 Definitions; Section 1.20 Farms Exempt
Accessory Dwelling Unit	Ch. 6 Definitions; Section 2.8
Attached and/or detached private garage or carport	Ch. 6 Definitions; Section 2.8
Deck, porch, balcony, boat dock, and other similar structure	Ch. 6 Definitions; Section 2.8
Private swimming pool, sports court, tennis court,	Ch. 6 Definitions; Section 2.8
Fences, walls, hedges	Ch. 6 Definitions; Section 2.8
Shed, gazebo, pergola, and other similar roofed freestanding structure	Ch. 6 Definitions; Section 2.8
Non-commercial nursery, garden and greenhouse	Ch. 6 Definitions; Section 2.8
Outdoor fixed fire pits and cooking equipment	Ch. 6 Definitions; Section 2.8
Child Care Home	Ch. 6 Definitions; Section 2.8
Home-Based Business	Ch. 6 Definitions; Section 2.8
Agricultural experiences	Ch. 6 Definitions; Section 2.8
Consumer-scale solar arrays: building mounted or freestanding	Ch. 6 Definitions; Section 2.8
Wind energy conversion systems, non-commercial	Ch. 6 Definitions; Section 2.8

**Table C. 2.** lists the alternative accessory uses and structures clearly incidental to the allowed principal uses and structures of this district as defined in Chapter 6, 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 C.2. Alternative A-1 District Accessory Uses and Structures	
Accessory Uses and Structures	Additional Regulations
Accessory structure related to a principal use or structure on a separate lot	Ch. 6 Definitions; Section 2.8
Accessory structure related to a principal seasonal dwelling with no principal structure on lot	Ch. 6 Definitions; Section 2.8

#### D. Allowed Conditional Uses and Structures.

**Table D.1.** lists the allowed conditional uses and structures in the A-1 District as defined in Chapter 6, 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 A-1 district development regulations in Section 2.2.E of this Ordinance unless specified otherwise in their specific conditions for approval listed below. Subject to Section 4.5 and the other requirements contained herein, the Board of Adjustment may issue a Conditional Use Permit for the following:

Table D.1 A-1 District Conditional Uses and Structures	
Conditional Uses and Structures	Additional Regulations
Agricultural sales, service, and supply businesses	Ch. 6 Definitions; Section 2.9, Section 4.5
Bulk stations for the storage and retail distribution of anhydrous ammonia fertilizer under pressure and petroleum products under pressure	Ch. 6 Definitions; Section 2.9, Section 4.5
Livestock market	Ch. 6 Definitions; Section 2.9, Section 4.5
Animal feeding operations	Ch. 6 Definitions; Section 2.9, Section 4.5
Mining and extraction of minerals or raw materials, including necessary processing equipment	Ch. 6 Definitions; Section 2.9, Section 4.5
Ready mix concrete plants, permanently placed on quarry sites	Ch. 6 Definitions; Section 2.9, Section 4.5
Solid waste facilities	Ch. 6 Definitions; Section 2.9, Section 4.5
Commercial campgrounds recreational vehicle parks, and tourist camps on sites of less than five (5) acres	Ch. 6 Definitions; Section 2.9, Section 4.5
Private campground on site of less than five (5) acres	Ch. 6 Definitions; Section 2.9, Section 4.5
Youth or Summer Camps	Ch. 6 Definitions; Section 2.9, Section 4.5
Indoor Commercial Recreation, including recreational lodges with a maximum of ten (10) units	Ch. 6 Definitions; Section 2.9, Section 4.5
Outdoor Commercial Recreation, on sites of less than five (5) acres	Ch. 6 Definitions; Section 2.9, Section 4.5
Seasonal resorts	Ch. 6 Definitions; Section 2.9, Section 4.5
Commercial communications (cell) stations and towers, new and existing	Ch. 6 Definitions; Section 2.9, Section 4.5
Airports and landing fields approved by the Federal Aviation Agency (FAA)	Ch. 6 Definitions; Section 2.9, Section 4.5
Golf courses and clubhouses	Ch. 6 Definitions; Section 2.9, Section 4.5
Home industry	Ch. 6 Definitions; Section 2.9, Section 4.5
Garden centers in conjunction with nurseries	Ch. 6 Definitions; Section 2.9, Section 4.5

Table D.1 A-1 District Conditional Uses and Structures	
Conditional Uses and Structures	Additional Regulations
Multiple family dwellings, including residential condominiums	Ch. 6 Definitions; Section 2.9, Section 4.5
Addition of accessory structures to principal structures devoted to legal nonconforming uses	Ch. 6 Definitions; Section 2.9, Section 4.5
Event venues	Ch. 6 Definitions; Section 2.9, Section 4.5
Adult Day Care Center	Ch. 6 Definitions; Section 2.9, Section 4.5
Child Care Center	Ch. 6 Definitions; Section 2.9, Section 4.5
Child Development Home	Ch. 6 Definitions; Section 2.9, Section 4.5
Family Home	Ch. 6 Definitions; Section 2.9, Section 4.5
Preschool	Ch. 6 Definitions; Section 2.9, Section 4.5
Wind energy conversion system: commercial	Ch. 6 Definitions; Section 2.9, Section 4.5

**E. Temporary Uses and Structures Allowed by Zoning Administrator.** The following temporary uses and structures may be allowed by the Zoning Administrator, provided they comply with this Ordinance and the specific provisions listed below.

1. **Temporary buildings** used in conjunction with construction work provided that such buildings are removed promptly upon completion of the work.
2. **Temporary concrete plants**, provided that:
  - a. The area be restored to a suitable condition free of refuse and debris.
  - b. One (1) off-street parking space for each employee plus one (1) off-street space for each company vehicle be provided.
3. **Temporary permits for the location of car crushers** or similar equipment used in the processing, removal or disposal of junk provided that:
  - a. Such permit may be granted not to exceed sixty (60) days for the purpose of facilitating the removal of junk from nonconforming junkyards, but shall not be granted for the purpose of establishing new junkyards or serve as a basis for the permanent expansion of nonconforming junkyards.
  - 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 farm exempt, principal, accessory, conditional, and temporary uses and structures in the A-1 District platted on or after May 6, 1976 unless specified otherwise in this Ordinance.

Table F.1. Standard A-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot Size		Minimum Yard Requirements (see Notes 4 and 5)				Maximum Height
	Area	Width	Front	Rear	Side	Street side, corner lot	
Farm Exempt Uses and Structures							
All	See Note 1		None				None
Principal Uses and Structures							
Dwellings and Institutional Uses	2 acres per dwelling unit 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 <a href="#">Section 2.8</a> 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		40 feet	30 feet; 5 feet if detached	15 feet	30 feet	2.5 stories or 35 feet
Conditional Uses and Structures							
Seasonal resorts (see Note 2)	2 acres per dwelling unit	200 feet	40 feet	30 feet	15 feet	30 feet	2.5 stories or 35 feet
Seasonal resorts (see Note 3)	10,000 square feet per dwelling unit	50 feet	10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
Multiple family dwellings	2 acres per dwelling unit	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
Temporary Uses and Structures							
All	See Note 1		As per Zoning Administrator				

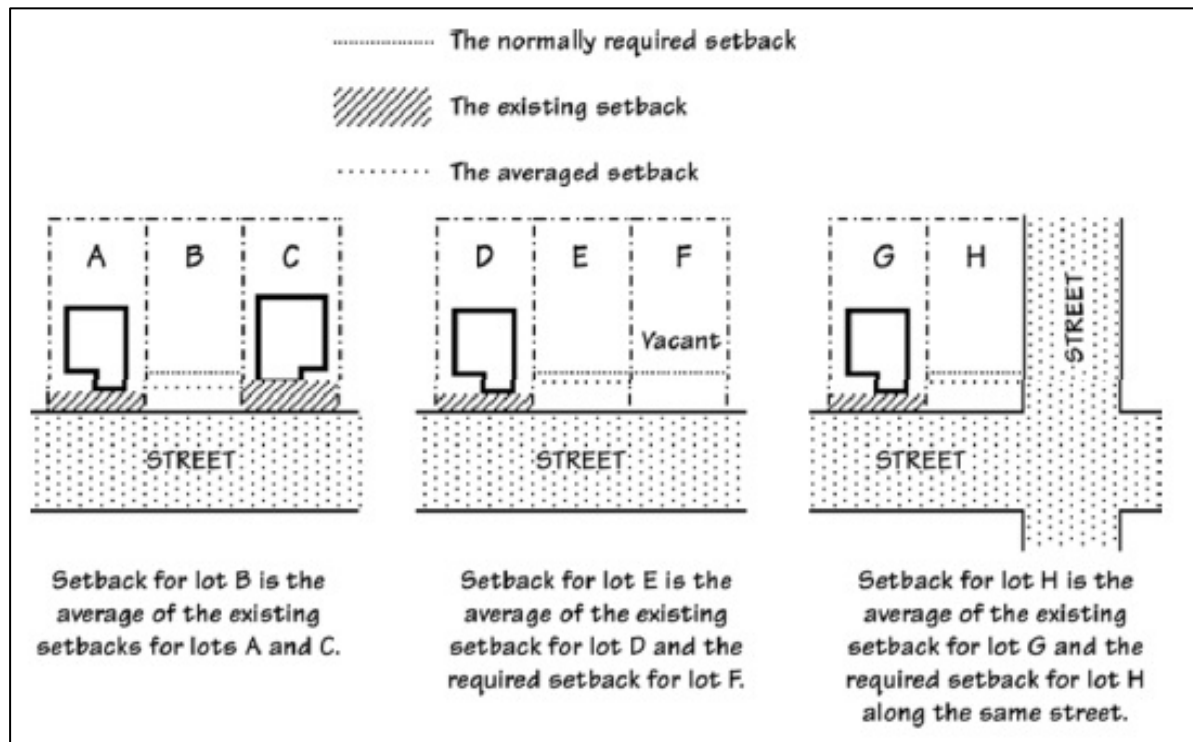
<b>Notes for Standard A-1 District Development Regulations:</b>							
Note 1. Minimum lot area and width may be required by the County Health Department to provide adequate sewage disposal facilities.							
Note 2. Served with private well and septic systems.							
Note 3. Served by central sewage collection and treatment system or central water distribution system.							
Note 4. Average Front and Rear Setbacks: Where legally existing front or rear setbacks on adjacent parcels of continuous frontage are shorter than these minimums, 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 ( <i>see illustration</i> ).							
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. Front Setback for Off-Street Parking: For lots subject to Table F.1. regulations, 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 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-right-of-way shall comply with the alternative setbacks listed in Table F.1. ( <i>see illustrations</i> ).							

**Table F.2.** lists the alternative development regulations that shall be met for all principal, accessory, conditional, and temporary 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.

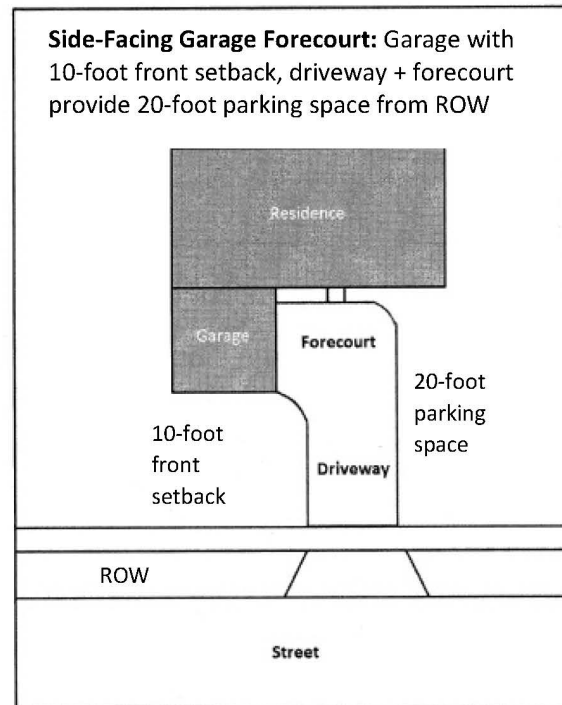
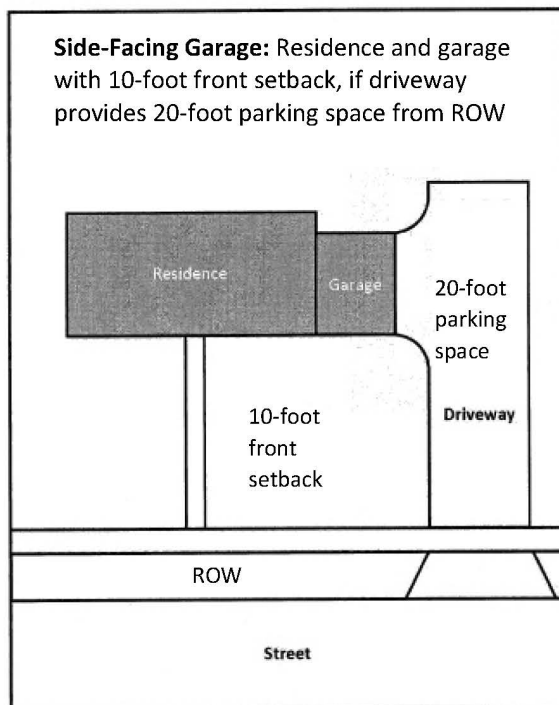
Table F.2. Alternative A-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot Size		Minimum Setback Requirements (see Notes 4 and 5)				Maximum Height
	Area	Width	Front		Side	Street side, corner lot	
Principal Uses and Structures							
Dwellings and POA uses (see Note 2)	20,000 square feet per dwelling unit or POA use	100 feet per dwelling unit or POA use	10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
Dwellings and POA uses (see Note 3)	12,000 square feet per dwelling unit or POA use	80 feet per dwelling unit or POA 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 Section 2.8 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

Table F.2. Alternative A-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot Size		Minimum Setback Requirements (see Notes 4 and 5)				Maximum Height
	Area	Width	Front		Side	Street side, corner lot	
All others	See Note 1		10 feet	5 feet	10 feet	10 feet	2.5 stories or 35 feet
Conditional Uses and Structures							
Seasonal resorts (see Note 3)	20,000 square feet per dwelling unit	100 feet per dwelling unit	10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
Seasonal resorts (see Note 4)	10,000 square feet per dwelling unit	50 feet per dwelling unit	10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
Multiple family dwellings	20,000 square feet per dwelling unit	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				

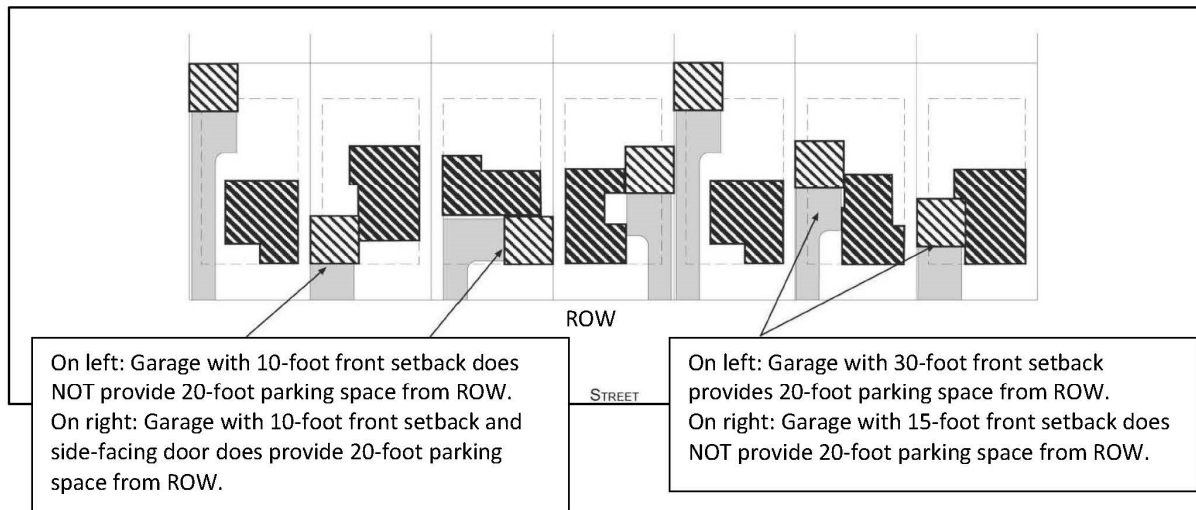
Notes for Alternative A-1 District Development Regulations:
Note 1. Minimum lot area and width may be required by the County Health Department to provide adequate sewage disposal facilities.
Note 2. Served with private well and septic systems.
Note 3. Served by central sewage collection and treatment system or central water distribution system.
Note 4. Average Front and Rear Setbacks: Where legally existing front or rear setbacks on adjacent parcels of continuous frontage are shorter than these minimums, 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 ( <i>see illustration</i> ).
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. Front Setback for Off-Street Parking: For lots subject to Table F.2. regulations, 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 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-right-of-way shall comply with the alternative setbacks listed in Table F.2. ( <i>see illustrations</i> ).



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



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



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

- G. Allowed Signs.** The following sign regulations shall be met for all principal, accessory, conditional uses and structures in the A-1 District unless specified otherwise in this Ordinance. (under review)
- H. Required Off-Street Parking and Loading Spaces.** The required off-street parking and loading spaces shall be met for all principal, accessory, conditional, and temporary uses and structures in the A-1 District unless specified otherwise in this Ordinance in accordance with Section 2.1 and Section 2.8.



# East Central Intergovernmental Association

a regional response to local needs



July 1, 2025

Lori Roling, Zoning Administrator  
Jackson County Zoning Department  
201 West Platt Street  
Maquoketa, IA 52060

**RE: Zoning Ordinance Update – Revised Draft of Section 2.4 C-1 Highway Commercial District (07-01-25)**

Dear Lori,

Attached is the revised draft of Section 2.4 C-1 Highway Commercial District (07-01-25) for the Zoning Ordinance Update for review and approval by the Zoning Commission at their July 21, 2025 meeting.

## Discussion

The C-1 District has been reformatted to use tables and refer to other sections to provide for a more user-friendly layout of regulations and additional resources. Revisions were made as discussed at the Commission's April 21, 2025 meeting and subsequent staff meetings. The attached REDLINE version outlines the proposed changes with commentary, and the CLEAN version shows the resulting restructure. Major updates are as follows:

- Tables are used for Principal, Accessory, Conditional (renamed from Special Exception) Uses and Structures, with proposed land uses revised according to the Matrix of Allowed Uses.
- Parking requirements are moved to Section 2.1.
- Specific regulations for Conditional Uses and Structures as well as Signs are moved to Section 2.9.
- A new section is added for Temporary Uses and Structures for Zoning Administrator approval.
- Development Regulations are moved to a table and expanded in scope and content.
- References are shown for relevant sections of the Zoning Ordinance and other County ordinances; these will become hyperlinks in the online version.

## Recommendation

The Commission is asked to review and approve the revised draft of Section 2.4 C-1 Highway Commercial District (07-01-25), and then to provide direction to staff for moving forward with the proposal. Please let me know if you have any questions. Thank you.

Sincerely,

A handwritten signature in cursive script, reading "Laura Carstens".

Laura Carstens, Senior Planner

Attachments

## CHAPTER 2. ZONING DISTRICT REGULATIONS

## 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.

**B. ~~Permitted~~ Allowed Principal Uses and Structures and Required Parking.**

Table B.1. lists the allowed principal uses and structures in the C-1 District as defined in Chapter 6, 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		
Principal Uses and Structures	Required Parking	Additional Regulations
<del>Automotive, truck, farm implement or mobile home sales, service or repair. — Motorcycle, boat, and recreation Vehicle sales, service or and repair</del>	1 space for every 300 square feet of floor space	Ch. 6 Definitions; Section 2.8
<del>Mini-warehouse/Rental storage units</del>	1 space for every 300 square feet of floor space	Ch. 6 Definitions; Section 2.8
<del>Retail automotive fuel sales Gas station and car wash</del>	4 spaces plus storage for 4 other vehicles in each service lane	Ch. 6 Definitions; Section 2.8
<del>Drive-in banks Financial institution</del>	3 spaces plus storage for 3 vehicles outside each teller lane	Ch. 6 Definitions; Section 2.8
<del>Hotels and motels</del>	1 space per unit	Ch. 6 Definitions; Section 2.8
<del>Plant Nurser Nursery, ies and garden centers, and greenhouse</del>	1 space for every 100 square foot of floor area	Ch. 6 Definitions; Section 2.8
<del>Antique shops, art galleries and studios, bait shops, fishing and camping supply shops, convenience stores &amp; liquor stores General Retail</del>		Ch. 6 Definitions; Section 2.8
<del>Restaurants &amp; nightclubs</del>		Ch. 6 Definitions; Section 2.8
<del>Drive-in Restaurants Restaurant, drive-in &amp; refreshment areas</del>	5 spaces for every 100 square foot of floor area	Ch. 6 Definitions; Section 2.8
<del>Nightclub/bar/tavern</del>		Ch. 6 Definitions; Section 2.8

**Commented [LC1]:** Required Parking moved to Section 2.1

**Commented [LC2]:** Part of new Vehicle Sales, Service, and Repair; allow in C-1, M-1, and M-2 as Principal use

**Commented [LC3]:** Rename to Gas station

**Commented [LC4]:** These various uses are combined in to new general category use of General Retail

Table B.1. C-1 District Principal Uses and Structures		
Principal Uses and Structures	Required Parking	Additional Regulations
Recreational <del>Recreation, Indoor Commercial</del> & amusement activities such as bowling alleys, miniature golf courses, driving ranges, skating rinks, dance halls, drive-in theaters	Bowling: 5 spaces per lane; Miniature golf: 3 spaces per green; other: 1 space per 100 square foot of floor area Storage lanes outside ticket booth to accommodate 10% of theater	Ch. 6 Definitions; Section 2.8
Building materials/Lumber yard sales & distribution	5 spaces plus 1 space for each employee on the site plus 1 space for each company vehicle	Ch. 6 Definitions; Section 2.8
Tourism welcome centers and information booths		Ch. 6 Definitions; Section 2.8
Agricultural sales, service, and supply business		Ch. 6 Definitions; Section 2.8
Multiple family dwellings, including residential condominiums		Ch. 6 Definitions; Section 2.8
Adult Day Care Center		Ch. 6 Definitions; Section 2.8
Child Care Center		Ch. 6 Definitions; Section 2.8
Child Development Home		Ch. 6 Definitions; Section 2.8
Family Home		Ch. 6 Definitions; Section 2.8
Preschool		Ch. 6 Definitions; Section 2.8
Post High School		Ch. 6 Definitions; Section 2.8
General Office		Ch. 6 Definitions; Section 2.8
General Services		Ch. 6 Definitions; Section 2.8
Personal Services		Ch. 6 Definitions; Section 2.8
Place of Assembly		Ch. 6 Definitions; Section 2.8
Public Recreation		Ch. 6 Definitions; Section 2.8
Public campground		Ch. 6 Definitions; Section 2.8
Recreation, Outdoor Commercial		Ch. 6 Definitions; Section 2.8

**Commented [LC1]:** Required Parking moved to Section 2.1

**Commented [LC5]:** These various uses are included in the definition of the new general land use category of **Indoor Commercial Recreation**.

**Commented [LC6]:** Combined Building material sales, distribution, storage with Lumber yard

**Commented [LC7]:** Combine Agricultural service businesses in A-1 with Agricultural service and supply businesses in M-1 to create new general land use

**Commented [LC8]:** New general use category of General Services

**Commented [LC9]:** New general use category of Personal Services

**Commented [LC10]:** New general use category of Place of Assembly

**Commented [LC11]:** New general use category of Public Recreation

**Commented [LC12]:** New general use category of Outdoor Commercial Recreation

Table B.1. C-1 District Principal Uses and Structures		
Principal Uses and Structures	Required Parking	Additional Regulations
Animal hospital/veterinary clinic		Ch. 6 Definitions; Section 2.8
Bed and breakfast home		Ch. 6 Definitions; Section 2.8
Bed and breakfast inn		Ch. 6 Definitions; Section 2.8
Boarding or lodging house		Ch. 6 Definitions; Section 2.8
Event venue		Ch. 6 Definitions; Section 2.8
Public exposition and fairgrounds		Ch. 6 Definitions; Section 2.8
Kennel		Ch. 6 Definitions; Section 2.8
Livestock market		Ch. 6 Definitions; Section 2.8
Plumbing, heating, air conditioning, and sheet metal shops		Ch. 6 Definitions; Section 2.8
Public maintenance facilities including garage and administrative office, but not including equipment and materials storage yard		Ch. 6 Definitions; Section 2.8
Railroads and public utilities but not including equipment storage or maintenance yards, provided that any substation or building shall meet the front and rear yard requirements for this district and shall provide side yards of not less than 25 feet, and that 2 off street parking spaces per substation or 1 per employee at the site be approved.	2 off street parking spaces per substation or 1 per employee at the site be approved.	Ch. 6 Definitions; Section 2.8

**Commented [LC1]:** Required Parking moved to Section 2.1

**Commented [LC13]:** Allow in C-1 as Principal use, with veterinary clinic

**Commented [LC14]:** Moved to Table F.1.

#### ~~PERMITTED PRINCIPAL USES AND STRUCTURES – REQUIRED PARKING~~

- ~~1. Automotive, truck, farm implement or mobile home sales, service or repair.~~ ~~1 space for every 300 square feet of floor space~~
- ~~2. Motorcycle, boat, and recreation vehicle sales, service or repair~~
- ~~3. Rental storage units~~ ~~1 space for every 300 square feet of floor space~~
- ~~4. Retail automotive fuel sales~~ ~~4 spaces plus storage for 4 other vehicles in each service lane~~
- ~~5. Drive in banks~~ ~~3 spaces plus storage for~~

**Commented [LC15]:** Moved into Table B.1.

	3 vehicles outside each teller lane
6. Hotels and motels	1 space per unit
7. Plant nurseries and garden centers	1 space for every 100 square foot of floor area
8. Antique shops, art galleries and studios, bait shops, fishing and camping supply shops, convenience stores & liquor stores	
9. Restaurants & nightclubs	
10. Drive-in restaurants & refreshment areas	5 spaces for every 100 square foot of floor area
11. Recreational & amusement activities such as bowling alleys, miniature golf courses, driving ranges, skating rinks, dance halls	Bowling: 5 spaces per lane Miniature golf: 3 spaces per green; other: 1 space per 100 sq. ft. of floor area
12. Drive-in theaters	Storage lanes outside ticket booth to accommodate 10% of theater
13. Building material sales & distribution	5 spaces plus 1 space for each employee on the site plus 1 space for each company vehicle
14. Tourism welcome centers and information booths	

**C. ~~Permitted-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, 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**

Accessory Uses and Structures	Required Parking	Additional Regulations
Uses and structures clearly incidental and necessary to the <del>permitted</del> <u>allowed</u> principal uses or structures of this district.		Ch. 6 Definitions; <u>Section 2.8</u>
Storage <del>warehouses-buildings</del> in conjunction with <del>the an</del> <u>allowed</u> <del>permitted</del> principal uses or structures of this district.		Ch. 6 Definitions; <u>Section 2.8</u>
<del>Temporary buildings used in conjunction with construction work provided that such buildings are removed promptly upon completion of the construction work</del>		
Dwelling units in a commercial structure; <del>each unit</del> provided <u>with</u> <del>that an open yard of at least 2,400</del>	2 off-street parking spaces per unit are provided.	Ch. 6 Definitions; <u>Section 2.8</u>

**Commented [LC16]:** Required Parking moved to Section 2.1

**Commented [LC17]:** Moved to new Section 2.4.E. Temporary Uses and Structures

**Table C.1. C-1 District Accessory Uses and Structures**

Accessory Uses and Structures	Required Parking	Additional Regulations
square feet <del>is reserved and maintained for each dwelling unit and that 2 off street parking spaces per unit be provided.</del>		
<u>Child Care Home</u>		Ch. 6 Definitions; <u>Section 2.8</u>
<u>Home-Based Business</u>		Ch. 6 Definitions; <u>Section 2.8</u>
<u>Solar energy system: consumer-scale and building-mounted</u>		Ch. 6 Definitions; <u>Section 2.8</u>
<u>Wind energy conversion system: non-commercial</u>		Ch. 6 Definitions; <u>Section 2.8</u>

Commented [LC16]: Required Parking moved to Section 2.1

**PERMITTED ACCESSORY USES AND STRUCTURES**

1. ~~Uses and structures clearly incidental and necessary to the permitted principal uses or structures of this district.~~
2. ~~Storage warehouses in conjunction with the permitted principal uses or structures of this district.~~
3. ~~Temporary buildings used in conjunction with construction work provided that such buildings are removed promptly upon completion of the construction work.~~
4. ~~Dwelling units in a commercial structure provided that an open yard of at least 2,400 square feet is reserved and maintained for each dwelling unit and that 2 off street parking spaces per unit be provided.~~

Commented [LC18]: Moved into Table C.1.

**D. Allowed Special Exception Conditional Uses and Structures.**

**Table D.1.** lists the allowed conditional uses and structures in the C-1 District as defined in Chapter 6, provided they comply with this Ordinance; applicable county, state, and federal codes; and the specific provisions listed in Section 2.9. These uses and structures shall comply with C-1 District development regulations in Section 2.4.F of this Ordinance unless specified otherwise in their specific conditions for approval listed below. Subject to Section 2.15(2) 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**

Conditional Uses and Structures	Required Parking	Additional Regulations
Commercial communications <u>(cell)</u> station and tower, <u>new and existing</u>		Ch. 6 Definitions, <u>Section 2.9</u> , <u>Section 4.5</u>
Commercially <del>operated</del> campgrounds, <u>recreational vehicle parks</u> or tourist camps on sites of not less than five (5) acres		Ch. 6 Definitions, <u>Section 2.9</u> , <u>Section 4.5</u>

Commented [LC19]: Required Parking moved to Section 2.1

Table D.1. C-1 District Conditional Uses and Structures		
Conditional Uses and Structures	Required Parking	Additional Regulations
Wind energy conversion system: non-commercial		Ch. 6 Definitions, Section 2.9, Section 4.5
Addition of accessory structure to principal structure devoted to legal non-conforming use		Ch. 6 Definitions, Section 2.9, Section 4.5

**Commented [LC19]:** Required Parking moved to Section 2.1

#### **SPECIAL EXCEPTION USES AND STRUCTURES**

1. ~~Railroads and public utilities~~ but not including equipment storage or maintenance yards, provided that any substation or building:  
shall meet the front and rear yard requirements for this district and  
shall provide side yards of not less than 25 feet, and  
that 2 off-street parking spaces per substation or 1 per employee at the site be approved.

**Commented [LC20]:** Moved to Principal Uses and Structures

21. **Commercial communications (cell) stations and towers, new and existing,** provided that:
  - a. 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;
  - b. That they will not interfere with the operation of any airport or landing strip; and
  - c. That base screening and camouflage techniques are used unless prohibited by Federal Aviation Agency (FAA) regulations.
  - d. The maximum total height of the tower shall be four-hundred (400) feet above average ground level (AGL).
  - e. 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 must 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 12 feet are used to limit lighting to the tower site. Aircraft detection lighting system (ADLS) may be provided unless prohibited by FAA regulations.
  - f. The Discontinuation, Catastrophic Failure, and Decommissioning regulations in the Jackson County WECS Ordinance #314 shall apply to new station and tower sites.
  - g. 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.
  - h. Review by the Board of Adjustment shall comply with the Iowa Code 8C Iowa Cell Siting Act.
  - i. The Board of Adjustment may approve a tower over the height of four-hundred (400) feet above AGL upon a showing of good cause and with FCC and FAA approval if required.
  - j. 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.

3. **Commercially operated campgrounds or tourist camps** on sites of not less than 5 acres provided that:
  - a. no campsite shall be located within 50 feet of a Residential District and

**Commented [LC21]:** See Ch. 6 Definitions relating to campground and section 2.9 for new regulations.



## Departments.

placement of Wind Energy Conversion Systems (WECS) and substations on property located in the unincorporated areas of Jackson County are set for in Jackson County Ordinance #314.

**Commented [LC22]:** Moved to Section 2.9 CUPs

**Temporary Uses and Structures Allowed by the Zoning Administrator.** The following temporary uses and structures may be allowed by the Zoning Administrator, provided they comply with this Ordinance and the specific provisions listed below.

Temporary buildings used in conjunction with construction work provided that such buildings are removed promptly upon completion of the construction work.

2. Reserved.

**Development Regulations.** The following development regulations shall be met for all principal, accessory, conditional, and temporary uses and structures in the C-1 District unless specified otherwise in this Ordinance.

**Table F.1. C-1 District Development Regulations**

[illegible]

Table F.1. C-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot		Minimum <del>Yard Setback</del> Requirements				Maximum Height
	Area	Width	Front	Rear	Side	Street side, corner lot	
<u>All</u>	<u>See Note 1</u>		<u>30 feet</u>	<u>25 feet</u>	<u>20 feet</u>	<u>30 feet</u>	<u>2.5 stories or 35 feet</u>
<u>Temporary Uses and Structures</u>							
<u>All</u>	<u>See Note 1</u>		<u>As per Zoning Administrator</u>				
<u>Note 1. Minimum lot area and width</u> may be required by the County Health Department to provide <u>adequate</u> sewage <u>disposal facilities</u> .							
<u>Note 2. Served with private well and septic system.</u>							
<u>Note 3. Served by community or municipal water supply and sewage disposal systems.</u>							

<del>MAXIMUM YARD AREA</del>	<del>MINIMUM YARD AND WIDTH</del>	<del>MAXIMUM HEIGHT REQUIREMENTS</del>
<del>None, except as may be required by the County Health Department to provide Sewage</del>	<del>Front 30 feet</del>	<del>2 and one-half stories or 35 feet</del>
	<del>Rear 25 feet</del>	
	<del>Side 20 feet</del>	
	<del>Street side, Corner lot 30 feet</del>	

**Commented [LC23]:** Moved into Table F.1. above.

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

- ~~1. Temporary signs advertising the sale or lease of the premises not to exceed 16 square feet in area.~~
- ~~2. Trade, business or industry identification signs for the business located on the site provided that:~~
  - ~~a. One free standing sign per business not exceeding 25 feet in height and 100 square feet per face;~~
  - ~~b. Signs mounted or painted on the wall of a building shall not cover more than 20 percent of the wall of the building in which they are located, or 100 square feet, whichever is smaller;~~
  - ~~c. The total combined area of all signs shall not exceed 200 square feet per business or more than 1 square foot of sign area for every lineal foot of lot frontage, whichever is greater.~~
- ~~3. No sign shall be located in, overhang or project into a required side or rear yard, but permitted signs may be placed in a required front yard.~~
- ~~4. All signs shall be maintained in a neat, safe and presentable condition and in the event their use shall cease, they shall be promptly removed.~~
- ~~5. Billboards and advertising signs provided that:~~
  - ~~a. They are not within 250 feet of a highway intersection, highway structure, residence, park, school, cemetery, public or semi-public building;~~
  - ~~b. They are not within 300 feet of another billboard or advertising sign facing the same direction;~~
  - ~~c. No billboard or advertising sign shall exceed 750 square feet in area per face or 25 feet in height.~~

**Commented [LC24]:** Moved to Section 2.9

**H. Required Off-Street Parking and Loading Spaces.** The required off-street parking and loading spaces shall be met for all principal, accessory, conditional, and temporary uses and structures

in the C-1 District unless specified otherwise in this Ordinance in accordance with **Section 2.1** and **Section 2.8**.

#### **~~H. Special Requirements~~**

~~H. Overhead or area light fixtures shall be located and focused so as to avoid casting direct light upon any adjacent residential property.~~

~~2. Prior to the issuance of a Certificate for any use in this district, the applicant shall submit plans for water supply and sewage disposal including anticipated water usage and shall provide satisfactory evidence to the Administrator that such facilities, including sewage lagoons, where needed, are adequate for the proposed development. Water supply and sewage disposal facilities shall be approved by the County and State Health Departments where required.~~

**Commented [LC25]:** Move to Section 2.9, revise with reference to Iowa DNR regulations

## CHAPTER 2. ZONING DISTRICT REGULATIONS

### 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.

**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, 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	
Principal Uses and Structures	Additional Regulations
Vehicle sales, service and repair	Ch. 6 Definitions; Section 2.8
Mini-warehouse/Rental storage unit	Ch. 6 Definitions; Section 2.8
Gas station and car wash	Ch. 6 Definitions; Section 2.8
Financial institution	Ch. 6 Definitions; Section 2.8
Hotel and motel	Ch. 6 Definitions; Section 2.8
Nursery, garden center, and greenhouse	Ch. 6 Definitions; Section 2.8
General Retail	Ch. 6 Definitions; Section 2.8
Restaurant	Ch. 6 Definitions; Section 2.8
Restaurant, drive-in	Ch. 6 Definitions; Section 2.8
Nightclub/bar/tavern	Ch. 6 Definitions; Section 2.8
Recreation, Indoor Commercial	Ch. 6 Definitions; Section 2.8
Building materials/Lumber yard	Ch. 6 Definitions; Section 2.8
Tourism welcome centers and information booths	Ch. 6 Definitions; Section 2.8
Agricultural sales, service, and supply business	Ch. 6 Definitions; Section 2.8
Multiple family dwellings, including residential condominiums	Ch. 6 Definitions; Section 2.8
Adult Day Care Center	Ch. 6 Definitions; Section 2.8
Child Care Center	Ch. 6 Definitions; Section 2.8
Child Development Home	Ch. 6 Definitions; Section 2.8
Family Home	Ch. 6 Definitions; Section 2.8
Preschool	Ch. 6 Definitions; Section 2.8
Post High School	Ch. 6 Definitions; Section 2.8
General Office	Ch. 6 Definitions; Section 2.8
General Services	Ch. 6 Definitions; Section 2.8
Personal Services	Ch. 6 Definitions; Section 2.8
Place of Assembly	Ch. 6 Definitions; Section 2.8
Public Recreation	Ch. 6 Definitions; Section 2.8
Public campground	Ch. 6 Definitions; Section 2.8
Recreation, Outdoor Commercial	Ch. 6 Definitions; Section 2.8
Animal hospital/veterinary clinic	Ch. 6 Definitions; Section 2.8
Bed and breakfast home	Ch. 6 Definitions; Section 2.8

Table B.1. C-1 District Principal Uses and Structures	
Principal Uses and Structures	Additional Regulations
Bed and breakfast inn	Ch. 6 Definitions; Section 2.8
Boarding or lodging house	Ch. 6 Definitions; Section 2.8
Event venue	Ch. 6 Definitions; Section 2.8
Public exposition and fairgrounds	Ch. 6 Definitions; Section 2.8
Kennel	Ch. 6 Definitions; Section 2.8
Livestock market	Ch. 6 Definitions; Section 2.8
Plumbing, heating, air conditioning, and sheet metal shops	Ch. 6 Definitions; Section 2.8
Public maintenance facilities including garage and administrative office, but not including equipment and materials storage yard	Ch. 6 Definitions; Section 2.8
Railroads and public utilities but not including equipment storage or maintenance yards	Ch. 6 Definitions; Section 2.8

**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, 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	
Accessory Uses and Structures	Additional Regulations
Uses and structures clearly incidental and necessary to the allowed principal uses or structures of this district.	Ch. 6 Definitions; Section 2.8
Storage buildings in conjunction with an allowed principal use or structure of this district.	Ch. 6 Definitions; Section 2.8
Dwelling units in a commercial structure; each unit provided with an open yard of at least 2,400 square feet	Ch. 6 Definitions; Section 2.8
Child Care Home	Ch. 6 Definitions; Section 2.8
Home-Based Business	Ch. 6 Definitions; Section 2.8
Solar energy system: consumer-scale and building-mounted	Ch. 6 Definitions; Section 2.8
Wind energy conversion system: non-commercial	Ch. 6 Definitions; Section 2.8

**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, provided they comply with this Ordinance; applicable county, state, and federal codes; and the specific provisions listed in Section 2.9. These uses and structures shall comply with C-1 District development regulations in Section 2.4.F of this Ordinance unless specified otherwise in their specific conditions for approval listed below. Subject to Section 4.5 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	
Conditional Uses and Structures	Additional Regulations
Commercial communications (cell) station and tower, new and existing	Ch. 6 Definitions, Section 2.9, Section 4.5

<b>Conditional Uses and Structures</b>	<b>Additional Regulations</b>
Commercial campgrounds, recreational vehicle parks or tourist camps on sites of not less than five (5) acres	Ch. 6 Definitions, Section 2.9, Section 4.5
Wind energy conversion system: non-commercial	Ch. 6 Definitions, Section 2.9, Section 4.5
Addition of accessory structure to principal structure devoted to legal non-conforming use	Ch. 6 Definitions, Section 2.9, Section 4.5

- E. Temporary Uses and Structures Allowed by the Zoning Administrator.** The following temporary uses and structures may be allowed by the Zoning Administrator, provided they comply with this Ordinance and the specific provisions listed below.
- 1. Temporary buildings** used in conjunction with construction work provided that such buildings are removed promptly upon completion of the construction work.
  - 2. Reserved.**
- F. Development Regulations.** The following development regulations shall be met for all principal, accessory, conditional, and temporary uses and structures in the C-1 District unless specified otherwise in this Ordinance.

[illegible]

Table F.1. C-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot		Minimum Setback Requirements				Maximum Height
	Area	Width	Front	Rear	Side	Street side, corner lot	
All	See Note 1		As per Zoning Administrator				
Note 1. Minimum lot area and width may be required by the County Health Department to provide adequate sewage disposal facilities.							
Note 2. Served with private well and septic system.							
Note 3. Served by community or municipal water supply and sewage disposal systems.							

- G. Allowed Signs.** The sign regulations shall be met for all principal, accessory, conditional, and temporary uses and structures in the C-1 District unless specified otherwise in this Ordinance in accordance with Section 2.9.
- H. Required Off-Street Parking and Loading Spaces.** The required off-street parking and loading spaces shall be met for all principal, accessory, conditional, and temporary uses and structures in the C-1 District unless specified otherwise in this Ordinance in accordance with Section 2.1 and Section 2.8.





July 1, 2025

Lori Roling, Zoning Administrator  
Jackson County Zoning Department  
201 West Platt Street  
Maquoketa, IA 52060

**RE: Zoning Ordinance Update – Revised Draft of Section 2.5 M-1 Limited Industrial District (07-01-25)**

Dear Lori,

Attached is the revised draft of Section 2.5 M-1 Limited Industrial District (07-01-25) for the Zoning Ordinance Update for review and approval by the Zoning Commission at their July 21, 2025 meeting.

#### Discussion

The M-1 District has been reformatted to use tables and refer to other sections to provide for a more user-friendly layout of regulations and additional resources. Revisions were made as discussed at the Commission's April 21, 2025 meeting and subsequent staff meetings. The attached REDLINE version outlines the proposed changes with commentary, and the CLEAN version shows the resulting restructure. Major updates are as follows:

- Tables are used for Principal, Accessory, Conditional (renamed from Special Exception) Uses and Structures, with proposed land uses revised according to the Matrix of Allowed Uses.
- Parking requirements are moved to Section 2.1.
- Specific regulations for Conditional Uses and Structures as well as Signs are moved to Section 2.9.
- A new section is added for Temporary Uses and Structures for Zoning Administrator approval.
- Development Regulations are moved to a table and expanded in scope and content.
- References are shown for relevant sections of the Zoning Ordinance and other County ordinances; these will become hyperlinks in the online version.

#### Recommendation

The Commission is asked to review and approve the revised draft of Section 2.5 M-1 Limited Industrial District (07-01-25), and then to provide direction to staff for moving forward with the proposal. Please let me know if you have any questions. Thank you.

Sincerely,

A handwritten signature in cursive script, reading "Laura Carstens".

Laura Carstens, Senior Planner

Attachments

**CHAPTER 2. ZONING DISTRICT REGULATIONS****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.

**B. ~~Permitted-Allowed~~ Principal Uses and Structures ~~and Required Parking.~~**

Table B.1. lists the allowed principal uses and structures in the M-1 District as defined in Chapter 6, 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.

<b>Table B.1. M-1 District Principal Uses and Structures</b>		
<b>Principal Uses and Structures</b>	<b>Required Parking</b>	<b>Additional Regulations</b>
Manufacturing and processing <del>uses-businesses</del> that are contained within a building, have no publicly visible external storage <del>and create no offensive noise, dust, odor, vibration, electrical interference or other environmental nuisance.</del> The area devoted to external storage shall not exceed the area of roofed structures on the parcel.	<del>1 space for every 2 employees on the maximum shift plus 1 space for each company vehicle</del>	Ch. 6 Definitions; <b>Section 2.8</b>
Animal hospital/ <del>Veterinary clinics or kennels</del>	<del>1 space for every 300 feet of sales, service or office floor area</del>	Ch. 6 Definitions; <b>Section 2.8</b>
Kennels <del>s</del>	<del>1 space for every 300 square feet of sales, service, or office floor area</del>	Ch. 6 Definitions; <b>Section 2.8</b>
Mini-warehouse/ Rental storage units <del>s</del>	<del>1 space for every 300 square feet of floor space</del>	Ch. 6 Definitions; <b>Section 2.8</b>
Contract <del>or</del> construction office, maintenance shop or storage yard <del>s</del>	<del>1 space for every 300 square feet of floor space</del>	Ch. 6 Definitions; <b>Section 2.8</b>
<del>Vehicle sales, service, and repair of farm implements, construction equipment, trucks, automobiles, recreational vehicles, boats, and motorcycles, snowmobiles, golf carts, personal watercraft,</del>	<del>1 space for every 300 square feet of floor space</del>	Ch. 6 Definitions; <b>Section 2.8</b>

**Commented [LC1]:** Required parking moved to Section 2.1.

**Commented [LC2]:** Part of new Vehicle Sales, Service, and Repair; allow in C-1, M-1, and M-2 as Principal use

<b>Table B.1. M-1 District Principal Uses and Structures</b>		
<b>Principal Uses and Structures</b>	<b>Required Parking</b>	<b>Additional Regulations</b>
and similar recreational machines		
Building materials/Lumber yards and building material sales & storage	1 space for each employee plus 1 space for each company vehicle	Ch. 6 Definitions; Section 2.8
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	1 space for each employee plus 1 space for each company vehicle	Ch. 6 Definitions; Section 2.8
Truck & freight terminals	1 space for each employee plus 1 space for each company vehicle	Ch. 6 Definitions; Section 2.8
Agricultural sales, service and supply businesses engaged in any or all of the following: Retail sales of agricultural fertilizers, chemicals, seeds, feed and feed supplements, buildings, supplies or fuels, or the buying, storing, processing and sale of grains and other non-animal farm products, but not to include the bulk storage of anhydrous ammonia fertilizer under pressure or petroleum products under pressure	1 space for each employee plus 1 space for each company vehicle	Ch. 6 Definitions; Section 2.8
Welding, machine, and repair shops	1 space for each employee plus 1 space for each company vehicle	Ch. 6 Definitions; Section 2.8
Automobile Vehicle paint & and body shops		Ch. 6 Definitions; Section 2.8
Plumbing, heating, air conditioning, and sheet metal shops		Ch. 6 Definitions; Section 2.8
Railroads, public maintenance garage, and public utilities utility facilities including equipment and materials storage and maintenance yards and buildings, and administrative or sales offices		Ch. 6 Definitions; Section 2.8

**Commented [LC1]:** Required parking moved to Section 2.1.

**Commented [LC3]:** Combined Building material sales, distribution, storage with Lumber yard

**Commented [LC4]:** Added definitions for Wholesaling and Warehousing; recommend using longer combined definition that includes "highly volatile chemicals or materials"

**Commented [LC5]:** Combine Agricultural service businesses in A-1 with Agricultural service and supply businesses in M-1 to create new general land use of Agricultural Sales, Service, and Supply business

<b>Table B.1. M-1 District Principal Uses and Structures</b>		
<b>Principal Uses and Structures</b>	<b>Required Parking</b>	<b>Additional Regulations</b>
Grain elevator		Ch. 6 Definitions: <b>Section 2.8</b>
Logging, storage only		Ch. 6 Definitions: <b>Section 2.8</b>
Loading space (all uses): 1 space per 10,000 sq. ft. of floor area or fraction thereof		

**Commented [LC1]:** Required parking moved to Section 2.1.

**Commented [LC6]:** Not all uses require loading spaces, so this requirement was limited to select uses as shown

**Commented [LC7]:** Moved into Table B.1.

<b>PERMITTED PRINCIPAL USES &amp; STRUCTURES</b>	<b>REQUIRED PARKING</b>
1. Manufacturing and processing uses that are contained within a building, have no publicly visible external storage and create no offensive noise, dust, odor, vibration, electrical interference or other environmental nuisance. The area devoted to external storage shall not exceed the area of roofed structures on the parcel	1 space for every 2 employees on the maximum shift plus 1 space for each company vehicle
2. Animal hospitals or kennels	1 space for every 300 feet of sales, service or office floor area
3. Rental storage units	1 space for every 300 square feet of floor space
4. Contract construction office, maintenance shop or storage yard.	
5. Sales, service, and repair of farm implements, construction equipment, trucks, automobiles, recreational vehicles, boats, and motorcycles, snowmobiles, golf carts, personal watercraft, and similar recreational machines	
6. Lumber yards and building material sales & storage	
7. Wholesaling and warehousing but not including the bulk storage of anhydrous ammonia fertilizer under pressure or petroleum products under pressure	1 space for each employee plus 1 space for each company vehicle
8. Truck & freight terminals	
9. Agricultural service and supply businesses engaged in any or all of the following: Retail sales of agricultural fertilizers, chemicals, seeds, feed and feed supplements, buildings, supplies or fuels, or the buying, storing, processing and sale of grains and other non animal farm products, but not to include the bulk storage of anhydrous ammonia fertilizer under pressure or petroleum products under pressure	
10. Welding machine and repair shops	
11. Automobile paint & body shops	Loading space (all uses): 1
12. Plumbing, heating, air conditioning, and sheet metal shops	space per 10,000 sq. ft. of floor area or fraction thereof
13. Railroads and public utilities including storage and maintenance yards	

### **C. ~~Permitted~~ 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**, 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.

#### **PERMITTED ACCESSORY USES AND STRUCTURES**

1. ~~Uses and structures clearly incidental and necessary to the permitted principal uses or structures of this district.~~
2. ~~Temporary buildings used in conjunction with construction work provided that such buildings are removed promptly upon completion of the construction work.~~
3. ~~Dwelling units for watchmen or caretakers employed on the premises provided that an open yard of at least 2,400 square feet is reserved and maintained for use by the occupants.~~

**Table C.1. M-1 District Accessory Uses and Structures**

Accessory Uses and Structures	Required Parking	Additional Regulations
Uses and structures clearly incidental and necessary to the permitted principal uses or structures of this district		Ch. 6 Definitions; <b>Section 2.8</b>
<u>Storage buildings in conjunction with an allowed principal use or structure of this district.</u>		Ch. 6 Definitions; <b>Section 2.8</b>
<del>Temporary buildings used in conjunction with construction work provided that such buildings are removed promptly upon completion of the construction work</del>		
<del>Dwelling units for watchmen owners or caretakers persons employed on the premises; each unit provided that with an open yard of at least 2,400 square feet is reserved and maintained for use by the occupants.</del>		Ch. 6 Definitions; <b>Section 2.8</b>
<u>Home-based business</u>		Ch. 6 Definitions; <b>Section 2.8</b>
<u>Consumer-scale solar array; building mounted or freestanding</u>		Ch. 6 Definitions; <b>Section 2.8</b>
<u>Wind energy conversion system: non-commercial</u>		Ch. 6 Definitions; <b>Section 2.8</b>

**Commented [LC10]:** Moved into Table C.1.

**Commented [LC8]:** Required Parking moved to Section 2.1

**Commented [LC9]:** Moved to Section E. Temporary Uses and structures

#### **D. ~~Allowed Special Exception~~ Conditional Uses and Structures.**

**Table D.1.** lists the allowed conditional uses and structures in the M-1 District as defined in **Chapter 6**, 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 **Section 2.5.F** unless specified otherwise in their specific conditions for approval listed in **Section 2.9**. Subject to **Section 2-15 (2) 4.5** 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**

Conditional Uses and Structures	Required Parking	Additional Regulations
<u>Bulk storage of anhydrous ammonia fertilizer under pressure and petroleum products under pressure</u>		Ch. 6 Definitions; <u>Section 2.9</u> ; <u>Section 4.5</u>
<u>Commercial communications (cell) station and tower, new and existing</u>		Ch. 6 Definitions; <u>Section 2.9</u> ; <u>Section 4.5</u>
<u>Wind energy conversion system: commercial</u>		Ch. 6 Definitions; <u>Section 2.9</u> ; <u>Section 4.5</u>
<u>Addition of accessory structure to principal structure devoted to legal nonconforming use</u>		Ch. 6 Definitions; <u>Section 2.9</u> ; <u>Section 4.5</u>

**Commented [LC11]:** Required parking moved to Section 2.1

**SPECIAL EXCEPTION USES AND STRUCTURES**

1. ~~The Bulk storage of anhydrous ammonia fertilizer under pressure and petroleum products under pressure~~; provided that:
  - a. Such use is located not closer than one-thousand (1,000) feet to any existing dwelling other than that of the owner or operator or any park, school, church or place of public assembly;
  - b. ~~that~~ It is located so that prevailing winds will not cause gases or odors to create a nuisance or hazard for developed properties in the vicinity;
  - c. ~~that~~ One (1) parking space for each per employee, and two (2) spaces for each per company vehicle, be provided and at least plus one (1) loading space be provided for each ten thousand (10,000) square feet of floor space.
2. **Commercial communications (cell) stations and towers new and existing** provided that:
  - a. 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;
  - b. ~~that~~ They will not interfere with the operation of any airport or landing strip; ~~and~~
  - c. ~~that~~ Base screening and camouflage techniques are used unless prohibited by F.A.A. regulations.
  - d. The maximum total height of the tower shall be four-hundred (400) feet above average ground level (AGL).
  - e. 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 must 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 12 feet are used to limit lighting to the tower site. Aircraft detection lighting system (ADLS) may be provided unless prohibited by FAA regulations.
  - f. The Discontinuation, Catastrophic Failure, and Decommissioning regulations in the Jackson County WECS Ordinance shall apply to new station and tower sites.

- g. 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.
- h. Review by the Board of Adjustment shall comply with the Iowa Code 8C Iowa Cell Siting Act.
- i. The Board of Adjustment may approve a tower over the height of four-hundred (400) feet above AGL upon a showing of good cause and with FCC and FAA approval if required.
- j. 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.

- 3. **Wind energy conversion system: Commercial** in accordance with the regulations for the placement of Wind Energy Conversion Systems (WECS) and substations on property located in the unincorporated areas of Jackson County are set for in Jackson County Ordinance #314.

**3.4. Addition of accessory structures to principal structures devoted to legal nonconforming uses.**

**E. Temporary Uses and Structures Allowed by the Zoning Administrator.** The following temporary uses and structures M-1 District as defined in Chapter 6, may be allowed by the Zoning Administrator, provided they comply with this Ordinance; applicable county, state, and federal codes; and the specific provisions listed below.

- 1. **Temporary buildings** used in conjunction with construction work, provided that:
  - a. Such buildings are removed promptly upon completion of the construction work.
  - b. Off-street parking is provided as per Zoning Administrator.

- 2. **Temporary concrete plants**, provided that:

- a. The area be restored to a suitable condition free of refuse and debris.
- b. One (1) off-street parking space for each employee plus one (1) off-street space for each company vehicle be provided.

- 3. **Temporary permits for the location of car crushers or similar equipment used in the processing, removal or disposal of junk** provided that:

- a. Such permit may be granted not to exceed sixty (60) days for the purpose of facilitating the removal of junk from nonconforming junkyards, but shall not be granted for the purpose of establishing new junkyards or serve as a basis for the permanent expansion of nonconforming junkyards.
- 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-1 District unless specified otherwise in this Ordinance.

**Commented [LC12]:** List of uses and parking requirements moved to Table D.1 and conditions moved to Section 2.9 CUPs

**Commented [LC13]:** Moved here from Table B.1. Accessory uses

**Commented [LC14]:** Required parking moved to Section 2.1

**Commented [LC15]:** Required parking moved to Section 2.1



Table F.1. M-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot		Minimum <del>Yard-Setback</del> Requirements				Maximum Height
	Area	Width	Front	Rear	Side	Street side, corner lot	
Principal Uses and Structures							
All	See Note 1None		30 feet	25 feet	20 feet	25 feet	4 stories or 50 feet
Accessory Uses and Structures							
Dwelling unit (see Note 2)	20,000 square feet	100 feet	30 feet	35 feet	10 feet	25 feet	2.5 stories or 35 feet
Dwelling unit (see Note 3)	12,000 square feet	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				
Note 1. Minimum lot area and width may be required by the County Health Department to provide adequate sewage disposal facilities.							
Note 2. Served by private well and septic system.							
Note 3. Served by community or municipal water supply and sewage disposal systems.							

~~MINIMUM LOT AREA AND WIDTH~~ ~~MINIMUM YARD REQUIREMENTS~~ ~~MAXIMUM HEIGHT~~

~~None~~ ~~Front~~ ~~30 feet~~ ~~4 stories or 50 feet~~  
~~Rear~~ ~~25 feet~~  
~~Side~~ ~~20 feet~~  
~~Street side, corner lot~~ ~~25 feet~~

**Commented [LC16]:** Moved to Table F.1.

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

- ~~a. Temporary signs advertising the sale or lease of the premises not to exceed 24 square feet in area.~~
- 2. Billboards and advertising signs, provided that:**
  - ~~a. They are not within 250 feet of a highway intersection, highway structure, residence, park, school, cemetery, public or semi-public building.~~
  - ~~b. They are not within 300 feet of another billboard or advertising sign facing the same direction.~~
  - ~~c. No billboard or advertising sign shall exceed 750 square feet in area per face or 25 feet in height.~~

3. Trade, business or industry identification signs for the firms located on the site provided that:
  - a. Free standing signs shall not exceed 100 square feet in area or 35 feet in height.
  - b. Signs mounted or painted on the wall of a building shall not cover more than 20 percent of the wall of the building on which they are located or 200 square feet, whichever is smaller.
  - c. Not more than one sign of each category above may be provided for any single use, although each sign may be a double faced or back to back sign.
4. No sign shall be located in, overhang or project into a required side or rear yard, but permitted signs may be placed in a required front yard.
5. All signs shall be maintained in a neat, safe presentable condition and in the event their use shall cease, they shall be promptly removed.

Commented [LC17]: Moved to Section 2.9

**H. Required Off-Street Parking and Loading Spaces.** The required off-street parking and loading spaces shall be met for all principal, accessory, conditional, and temporary uses and structures in the M-1 District unless specified otherwise in this Ordinance in accordance with **Section 2.1** and **Section 2.8**.

#### **SPECIAL REQUIREMENTS**

1. Prior to the issuance of a Permit for any use in this district, the applicant shall submit plans for water supply and sewage disposal, including anticipated water usage and shall provide satisfactory evidence to the Administrator that such facilities, including sewage lagoons, where needed, are adequate for the proposed development. water supply and sewage disposal facilities shall be approved by the County and State Health Departments where required.
2. 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 farm implements, trucks, automobiles, and vehicles used for recreation offered for sale, shall be screened from public view by means of distance, topography, fencing, or vegetation approved by the Zoning Administrator.
3. In granting special uses which pose a potential threat to the health, safety and well-being of persons or property in the area, the Board of Adjustment shall take into account 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 use.

Commented [LC18]: Moved to Section 2.9, will revise to refer to county, state, federal regulations

## CHAPTER 2. ZONING DISTRICT REGULATIONS

### 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.

**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, 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	
Principal Uses and Structures	Additional Regulations
Manufacturing and processing businesses that are contained within a building, have no publicly visible external storage. The area devoted to external storage shall not exceed the area of roofed structures on the parcel.	Ch. 6 Definitions; Section 2.8
Animal hospital/Veterinary clinic	Ch. 6 Definitions; Section 2.8
Kennel	Ch. 6 Definitions; Section 2.8
Mini-warehouse/ Rental storage unit	Ch. 6 Definitions; Section 2.8
Contractor construction office, maintenance shop or storage yard	Ch. 6 Definitions; Section 2.8
Vehicle sales, service, and repair	Ch. 6 Definitions; Section 2.8
Building materials/Lumber yard	Ch. 6 Definitions; Section 2.8
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	Ch. 6 Definitions; Section 2.8
Truck and freight terminals	Ch. 6 Definitions; Section 2.8
Agricultural sales, service and supply business	Ch. 6 Definitions; Section 2.8
Welding, machine, and repair shops	Ch. 6 Definitions; Section 2.8
Vehicle paint and body shops	Ch. 6 Definitions; Section 2.8
Plumbing, heating, air conditioning, and sheet metal shops	Ch. 6 Definitions; Section 2.8
Railroads, public maintenance garage, and public utility facilities including equipment and materials storage and maintenance yards and buildings, and administrative or sales offices	Ch. 6 Definitions; Section 2.8
Grain elevator	Ch. 6 Definitions; Section 2.8
Logging, storage only	Ch. 6 Definitions; Section 2.8

**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, 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	
Accessory Uses and Structures	Additional Regulations
Uses and structures clearly incidental and necessary to the permitted principal uses or structures of this district	Ch. 6 Definitions; Section 2.8
Storage buildings in conjunction with an allowed principal use or structure of this district.	Ch. 6 Definitions; Section 2.8
Dwelling units for owners or persons employed on the premises; each unit provided with an open yard of at least 2,400 square feet.	Ch. 6 Definitions; Section 2.8
Home-based business	Ch. 6 Definitions; Section 2.8
Consumer-scale solar array: building mounted or freestanding	Ch. 6 Definitions; Section 2.8
Wind energy conversion system: non-commercial	Ch. 6 Definitions; Section 2.8

**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, 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 Section 2.5.F unless specified otherwise in their specific conditions for approval listed in Section 2.9. Subject to Section 4.5 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	
Conditional Uses and Structures	Additional Regulations
Bulk storage of anhydrous ammonia fertilizer under pressure and petroleum products under pressure	Ch. 6 Definitions; Section 2.9; Section 4.5
Commercial communications (cell) station and tower, new and existing	Ch. 6 Definitions; Section 2.9; Section 4.5
Wind energy conversion system: commercial	Ch. 6 Definitions; Section 2.9; Section 4.5
Addition of accessory structure to principal structure devoted to legal nonconforming use	Ch. 6 Definitions; Section 2.9; Section 4.5

**E. Temporary Uses and Structures Allowed by the Zoning Administrator.** The following temporary uses and structures M-1 District as defined in Chapter 6 may be allowed by the Zoning Administrator, provided they comply with this Ordinance; applicable county, state, and federal codes; and the specific provisions listed below.

- 1. Temporary buildings** used in conjunction with construction work, provided that such buildings are removed promptly upon completion of the construction work.
- 2. Temporary concrete plants**, provided that the area be restored to a suitable condition free of refuse and debris.

3. **Temporary permits for the location of car crushers** or similar equipment used in the processing, removal or disposal of junk provided that:
- Such permit may be granted not to exceed sixty (60) days for the purpose of facilitating the removal of junk from nonconforming junkyards, but shall not be granted for the purpose of establishing new junkyards or serve as a basis for the permanent expansion of nonconforming junkyards.
  - 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.
  - 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-1 District unless specified otherwise in this Ordinance.

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, corner lot	
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 square feet	100 feet	30 feet	35 feet	10 feet	25 feet	2.5 stories or 35 feet
Dwelling unit (see Note 3)	12,000 square feet	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				
Note 1. Minimum lot area and width may be required by the County Health Department to provide adequate sewage disposal facilities.							
Note 2. Served by private well and septic system.							
Note 3. Served by community or municipal water supply and sewage disposal systems.							

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

- H. Required Off-Street Parking and Loading Spaces.** The required off-street parking and loading spaces shall be met for all principal, accessory, conditional, and temporary uses and structures in the M-1 District unless specified otherwise in this Ordinance in accordance with Section 2.1 and Section 2.8.

# East Central Intergovernmental Association

a regional response to local needs



July 1, 2025

Lori Roling, Zoning Administrator  
Jackson County Zoning Department  
201 West Platt Street  
Maquoketa, IA 52060

**RE: Zoning Ordinance Update – Revised Draft of Section 2.6 M-2 General Industrial District (07-01-25)**

Dear Lori,

Attached is the revised draft of Section 2.6 M-2 General Industrial District (07-01-25) for the Zoning Ordinance Update for review and approval by the Zoning Commission at their July 21, 2025 meeting.

## Discussion

The M-2 District has been reformatted to use tables and refer to other sections to provide for a more user-friendly layout of regulations and additional resources. Revisions were made as discussed at the Commission's April 21, 2025 meeting and subsequent staff meetings. The attached REDLINE version outlines the proposed changes with commentary, and the CLEAN version shows the resulting restructure. Major updates are as follows:

- Tables are used for Principal, Accessory, Conditional (renamed from Special Exception) Uses and Structures, with proposed land uses revised according to the Matrix of Allowed Uses.
- Parking requirements are moved to Section 2.1.
- Specific regulations for Conditional Uses and Structures as well as Signs are moved to Section 2.9.
- A new section is added for Temporary Uses and Structures for Zoning Administrator approval.
- Development Regulations are moved to a table and expanded in scope and content.
- References are shown for relevant sections of the Zoning Ordinance and other County ordinances; these will become hyperlinks in the online version.

## Recommendation

The Commission is asked to review and approve the revised draft of Section 2.5 M-2 General Industrial District (07-01-25), and then to provide direction to staff for moving forward with the proposal. Please let me know if you have any questions. Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Laura Carstens'.

Laura Carstens, Senior Planner

Attachments



**CHAPTER 2. ZONING DISTRICT REGULATIONS****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.

**B. ~~Permitted-Allowed~~ Principal Uses and Structures ~~and Required Parking.~~**

**Table B.1.** lists the allowed principal uses and structures in the M-2 District as defined in **Chapter 6**, 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.

<b>Table B.1. M-2 District Principal Uses and Structures</b>		
<b>Principal Uses and Structures</b>	<b><del>Required Parking</del></b>	<b>Additional Regulations</b>
Manufacturing and processing, except that certain uses shall be permitted only as <del>special exceptions</del> conditional uses (see <b>Section 2.6.D.</b> )	<del>1 space for every 2 employees on the maximum shift, plus 1 space for each company vehicle</del>	Ch. 6 Definitions; <b>Section 2.8</b>
<del>Building materials/Lumber yard</del> <del>Lumber yards and building materials sales and storage</del>	<del>1 space for each employee plus 1 space for each company vehicle</del>	Ch. 6 Definitions; <b>Section 2.8</b>
Concrete products	<del>1 space for each employee plus 1 space for each company vehicle</del>	Ch. 6 Definitions; <b>Section 2.8</b>
Ready mix <del>concrete</del> plants	<del>1 space for each employee plus 1 space for each company vehicle</del>	Ch. 6 Definitions; <b>Section 2.8</b>
Contract <del>or</del> construction office, maintenance shop or storage yard		Ch. 6 Definitions; <b>Section 2.8</b>
<del>Farm implement or truck</del> <b>Vehicle</b> sales, service and repair	<del>1 parking space for every 300 square feet of sales, service, or office floor space</del>	Ch. 6 Definitions; <b>Section 2.8</b>
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		Ch. 6 Definitions; <b>Section 2.8</b>
<del>Truck and freight terminals</del>		Ch. 6 Definitions; <b>Section 2.8</b>
<del>Logging, production and storage</del>		Ch. 6 Definitions; <b>Section 2.8</b>
Railroad <del>s</del> , <del>public maintenance garage</del> , and public <del>utilities</del>		Ch. 6 Definitions; <b>Section 2.8</b>

**Commented [LC1]:** Required Parking moved to Section 2.1

**Commented [LC2]:** Combined Building material sales, distribution, storage with Lumber yard

**Commented [LC3]:** Part of new Vehicle Sales, Service, and Repair; allow in C-1, M-1, and M-2 as Principal use

<b>Table B.1. M-2 District Principal Uses and Structures</b>		
<b>Principal Uses and Structures</b>	<b>Required Parking</b>	<b>Additional Regulations</b>
utility including equipment and materials storage yard, and maintenance yards and buildings, and administrative or sales office		
Loading space (all uses); 1 space per 10,000 square feet of floor area or fraction thereof		

**Commented [LC1]:** Required Parking moved to Section 2.1

**Commented [LC4]:** Not all uses require loading spaces, so this requirement was limited to select uses as shown

**Commented [LC5]:** Moved into Table B.1.

#### **PERMITTED PRINCIPAL USES AND STRUCTURES** **REQUIRED PARKING**

1. Manufacturing and processing, except that certain uses shall be permitted only as special exceptions: 1 space for every 2 employees on the maximum shift, plus 1 space for each company vehicle
2. Lumber yards and building materials sales and storage, concrete products, ready mix plants: 1 space for each employee plus 1 space for each company vehicle
3. Contract construction office, maintenance shop or storage yard
4. Railroads and public utilities including storage and maintenance yards
5. Farm implement or truck sales, service and repair: 1 parking space for every 300 square feet of sales, service, or office floor space
6. 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: Loading space (all uses); 1 space per 10,000 square feet of floor area or fraction thereof

#### **C. Permitted-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**, 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.

<b>Table C.1. M-2 District Accessory Uses and Structures</b>		
<b>Accessory Uses and Structures</b>	<b>Required Parking</b>	<b>Additional Regulations</b>
Uses and structures clearly incidental and necessary to the permitted principal uses or structures of this district.		Ch. 6 Definitions; Section 2.8
Storage buildings in conjunction with an allowed principal use or structure of this district.		Ch. 6 Definitions; Section 2.8
Temporary buildings used in conjunction with construction work,		

**Commented [LC6]:** Required Parking moved to Section 2.1

**Table C.1. M-2 District Accessory Uses and Structures**

Accessory Uses and Structures	Required Parking	Additional Regulations
<del>provided that such buildings are removed promptly upon completion of the construction work.</del>		
<del>Dwelling units for watchmen or caretakers</del> owners or persons employed on the premises; <del>each unit provided that with</del> an open yard of at least 2,400 square feet <del>is reserved and maintained for use by the occupants.</del>		Ch. 6 Definitions; Section 2.8
Consumer-scale solar array: building mounted or freestanding		Ch. 6 Definitions; Section 2.8
Wind energy conversion system: non-commercial		Ch. 6 Definitions; Section 2.8

Commented [LC6]: Required Parking moved to Section 2.1

Commented [LC7]: Moved to Section 2.6.E. below

**PERMITTED ACCESSORY USES AND STRUCTURES**

1. ~~Uses and structures clearly incidental and necessary to the permitted principal uses or structures of this district.~~
2. ~~Temporary buildings used in conjunction with construction work, provided that such buildings are removed promptly upon completion of the construction work.~~
3. ~~Dwelling units for watchmen or caretakers employed on the premises provided that an open yard of at least 2,400 square feet is reserved and maintained for use by the occupants.~~

Commented [LC8]: Moved to Table C.1.

**D. Allowed ~~Special Exception~~ Conditional Uses and Structures.**

**Table D.1.** lists the allowed conditional uses and structures in the M-2 District as defined in Chapter 6, 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 Section 2.6.F unless specified otherwise in their specific conditions for approval listed in Section 2.9. Subject to Section 2.15 (2) 4.5 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**

Conditional Uses and Structures	Required Parking	Additional Regulations
<del>Restricted manufacturing and processing</del> <u>uses</u> industries: Chemical plant; Explosives manufacture or storage; Fertilizer manufacturing; Garbage, offal, or dead animal reduction or dumping; Gas manufacture; Refining of petroleum and natural gas and their products; Stockyard (as principal use) or	<del>1 off-street parking space for every 2 employees 1 off-street parking space for each company vehicle be provided.</del>	Ch. 6 Definitions; Section 2.9; Section 4.5

Commented [LC9]: Required Parking moved to Section 2.1

Table D.1. M-2 District Conditional Uses and Structures		
Conditional Uses and Structures	Required Parking	Additional Regulations
<del>Slaughterhouse; Asphalt plant (permanently placed)</del>		
Solid waste facility		Ch. 6 Definitions; <b>Section 2.9; Section 4.5</b>
Auto wrecking and junkyard	<del>A minimum of 2 off-street parking space for each employee and 1 off-street parking space for each vehicle used by the facility be provided.</del>	Ch. 6 Definitions; <b>Section 2.9; Section 4.5</b>
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		Ch. 6 Definitions; <b>Section 2.9; Section 4.5</b>
Commercial communications <del>(cell)</del> stations and towers, <del>new and existing</del>		Ch. 6 Definitions; <b>Section 2.9; Section 4.5</b>
Mining and extraction of minerals or raw materials	<del>1 off-street parking space for each employee plus 1 off-street space for each company vehicle be provided.</del>	Ch. 6 Definitions; <b>Section 2.9; Section 4.5</b>
<del>Solar Energy System: consumer-scale, freestanding</del>		Ch. 6 Definitions; <b>Section 2.9; Section 4.5</b>
<del>Wind energy conversion system: commercial</del>		Ch. 6 Definitions; <b>Section 2.9; Section 4.5</b>
Addition of accessory structures to principal structures devoted to legal nonconforming uses.		Ch. 6 Definitions; <b>Section 2.9; Section 4.5</b>

Commented [LC9]: Required Parking moved to Section 2.1

#### **SPECIAL EXCEPTION USES AND STRUCTURES**

1. The following **restricted manufacturing and processing uses** ~~businesses~~ provided that:
  - a. ~~No such operation shall be located~~ They are not closer than **one thousand (1,000)** feet to any dwelling unit other than that of the owner or operator, or any park, school, church or place of public assembly.
  - b. ~~that One (1) off-street parking space for every per two (2) employees on the maximum shift, and plus one (1) off-street parking space for each per company vehicle, plus one (1) loading space per 10,000 square feet of floor area is be provided.~~
  - 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 slaughter house of animals
  - viii. Asphalt plants (permanently placed)
2. ~~Sanitary landfills, sanitary transfer stations, sanitary composting facilities, and sanitary recycling operations~~ **Solid waste facility** provided that:
- a. No such operation shall be located closer than one thousand (1,000) feet to any dwelling, park or school.
  - ~~a-b.~~ One (1) off-street parking space per two (2) employees plus one (1) off-street parking space per company vehicle be provided.
  - ~~b-c.~~ Such site shall be restored to a condition compatible with the adjacent area upon the conclusion of the operation.
3. **Auto wrecking and junkyards** ~~on sites of 5 acres or more~~ provided that:
- a. The site shall be a minimum of five (5) acres.
  - ~~a-b.~~ The front yard shall be maintained as an open space free of weeds and debris; ~~;~~
  - ~~b-c.~~ that 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; ~~and.~~
  - ~~c-d.~~ that A minimum of two (2) off-street parking space ~~for each~~ per employee and one (1) off-street parking space ~~for each~~ per vehicle used by the facility be provided.
4. **The 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:
- a. When stored underground in tanks located no closer to any property line than the greatest depth to the bottom of such tanks or above ground in tanks located at least 150 feet from any property line.
  - b. No such operation shall be located closer than one thousand (1,000) feet to any dwelling unit other than that of the owner or operator, or any park, school, church or place of public assembly.
  - c. It is located so that prevailing winds will not cause gases or odors to create a nuisance or hazard for developed properties in the vicinity
  - e. One (1) off-street parking space per two (2) employees on the maximum shift, plus one (1) off-street parking space per company vehicle, plus one (1) loading space per 10,000 square feet of floor area be provided.
4. **Commercial communications (cell) stations and towers, new and existing,** provided that:
- a. 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; ~~;~~
  - b. ~~That~~ They will not interfere with the operation of any airport or landing strip; ~~and.~~
  - c. ~~That~~ Base screening and camouflage techniques are used unless prohibited by F.A.A. regulations.
  - d. The maximum total height of the tower shall be four-hundred (400) feet above average ground level (AGL).

Commented [LC10]: These conditions match M-1 district

- e. 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 must 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 12 feet are used to limit lighting to the tower site. Aircraft detection lighting system (ADLS) may be provided unless prohibited by FAA regulations.
- f. The Discontinuation, Catastrophic Failure, and Decommissioning regulations in the Jackson County WECS Ordinance #314 shall apply to new station and tower sites.
- g. 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.
- h. Review by the Board of Adjustment shall comply with the Iowa Code 8C Iowa Cell Siting Act.
- i. The Board of Adjustment may approve a tower over the height of four-hundred (400) feet above AGL upon a showing of good cause and with FCC and FAA approval if required.
- ~~e.i.~~ 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.

5. **Mining and extraction of minerals or raw materials** including necessary processing equipment provided that:

- a. Any such operation shall be located at least fifty (50) feet from the right-of-way line of any public road;
- b. ~~that~~ Such operation shall not be closer than fifty (50) feet to any dwelling, park or school;
- c. ~~that~~ Access to a public road shall not cause a real or potential traffic hazard;
- d. ~~that~~ One 1 off-street parking space ~~for each~~ per employee plus 1 off-street space ~~for each~~ per company vehicle be provided.
- e. ~~in addition, any person seeking a special exception for mining or extraction of minerals or other raw materials~~ The applicant shall submit a plan whereby the land so used would be restored by the applicant to a condition compatible with the surrounding area upon conclusion of the operation.

6. **Solar Energy System: consumer-scale, freestanding** in accordance with:

- a. The Development Regulations for principal uses and structures in the underlying zoning district set forth in Chapter 2. Zoning District Regulations.
- b. The provisions set forth in Sections 2.8 Supplemental Regulations, 2.9 Application of District Regulations, and 2.10 Nonconformities.

7. **Wind energy conversion system: Commercial** in accordance with the regulations for the placement of Wind Energy Conversion Systems (WECS) and substations on property located in the unincorporated areas of Jackson County are set for in Jackson County Ordinance #314.

~~6.8.~~ **Addition of accessory structures to principal structures devoted to legal nonconforming uses.**

E. **Temporary Uses and Structures Allowed by the Zoning Administrator.** The following temporary uses and structures in the M-2 District as defined in **Chapter 6**, may be allowed by the Zoning Administrator, provided they comply with this Ordinance and the specific provisions listed below.

1. **Temporary buildings** used in conjunction with construction work, provided that:

**Commented [LC11]:** List of uses and parking requirements moved to Table D.1 and conditions moved to Section 2.9 CUPs



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, corner lot	
<u>Note 2. Served by private well and septic system.</u>							
<u>Note 3. Served by community or municipal water supply and sewage disposal systems.</u>							
<u>Where adjacent to an operating railroad, no yard shall be required along such lot line</u>							

**Commented [LC15]:** Recommend deletion. If railroad ceases operation, setbacks would be required.

**MINIMUM LOT AREA AND WIDTH      MINIMUM YARD REQUIREMENTS      MAXIMUM HEIGHT**

None      Front      30 feet      4 stories or 50 feet  
 Rear      25 feet  
 Side      20 feet  
 Street side, corner lot      25 feet

Where adjacent to an operating railroad, no yard shall be required along such lot line

**Commented [LC16]:** Moved to Table F.1.

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

1. Temporary signs advertising the sale or lease of the premises not to exceed 24 square feet in area.
2. Billboards and advertising signs, provided that:
  - a. They are not within 250 feet of a highway intersection, highway structure, residence, park, school, cemetery, public or semi-public building.
  - b. They are not within 300 feet of another billboard or advertising sign facing the same direction.
  - c. No billboard or advertising sign shall exceed 750 square feet in area per face or 24 feet in height.
3. Trade, business or industry identification signs for the firms located on the site provided that:
  - a. Free standing signs shall not exceed 100 square feet in area or 35 feet in height.
  - b. Signs mounted or painted on the wall of a building shall not cover more than 20 percent of the face of the building on which they are located or 200 square feet, whichever is smaller.
  - c. Signs attached to a building shall not project above the height of the building, or more than 4 feet from the wall of the building and shall not have more than 100 square feet of area.
  - d. Not more than one sign of each category above may be provided for any single use, although each sign may be a double faced or back to back sign.
4. No sign shall be located in, overhang, or project into a required side or rear yard, but permitted signs may be placed in a required front yard.
5. All signs shall be maintained in a neat, safe and presentable condition and in the event their use shall cease, they shall be promptly removed.

**Commented [LC17]:** Moved to Section 2.9



**H. Required Off-Street Parking and Loading Spaces.** The required off-street parking and loading spaces shall be met for all principal, accessory, conditional, and temporary uses and structures in the M-2 District unless specified otherwise in this Ordinance in accordance with Section 2.1 and Section 2.8.

**Special Requirements.**

**1. ~~4.~~ Requirements for Issuance of Permit.**

a. Prior to the issuance of a Zoning Permit for any use in this district, the applicant shall submit plans for water supply and sewage disposal including anticipated water usage and shall provide satisfactory evidence to the Zoning Administrator that such facilities, including sewage lagoons, where needed, are adequate for the proposed development.

~~a-b.~~ 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/or State Health Departments where applicable.

~~2.~~ 2. Where applicable, proposed uses shall comply with the requirements of the appropriate division of the Iowa Department of Environmental Quality Natural Resources as provided for in Iowa Code Section 455B of the Code of Iowa.

**3. Location and Proximity Considerations.**

a. In granting special exceptions for uses which pose a potential threat to the health, safety and well-being of persons or property in that area, the Board of Adjustment shall ~~take into account~~ 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.

~~a-b.~~ In the event adequate safeguards and precautions cannot be met or complied with, the Board of Adjustment shall not grant approval for such use.

Commented [LC18]: Moved to Section 2.9 CUPs

## CHAPTER 2. ZONING DISTRICT REGULATIONS

### 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.

**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, 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	
Principal Uses and Structures	Additional Regulations
Manufacturing and processing, except that certain uses shall be permitted only as conditional uses (see Section 2.6.D.)	Ch. 6 Definitions; Section 2.8
Building materials/Lumber yard	Ch. 6 Definitions; Section 2.8
Concrete products	Ch. 6 Definitions; Section 2.8
Ready mix concrete plant	Ch. 6 Definitions; Section 2.8
Contractor construction office, maintenance shop or storage yard	Ch. 6 Definitions; Section 2.8
Vehicle sales, service and repair	Ch. 6 Definitions; Section 2.8
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	Ch. 6 Definitions; Section 2.8
Truck and freight terminals	Ch. 6 Definitions; Section 2.8
Logging, production and storage	Ch. 6 Definitions; Section 2.8
Railroad, public maintenance garage, and public utility including equipment and materials storage yard, maintenance yard and buildings, and administrative or sales office	Ch. 6 Definitions; Section 2.8

**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, 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	
Accessory Uses and Structures	Additional Regulations
Uses and structures clearly incidental and necessary to the permitted principal uses or structures of this district.	Ch. 6 Definitions; Section 2.8
Storage buildings in conjunction with an allowed principal use or structure of this district.	Ch. 6 Definitions; Section 2.8

Table C.1. M-2 District Accessory Uses and Structures	
Accessory Uses and Structures	Additional Regulations
Dwelling units for owners or persons employed on the premises; each unit provided with an open yard of at least 2,400 square feet	Ch. 6 Definitions; Section 2.8
Consumer-scale solar array: building mounted or freestanding	Ch. 6 Definitions; Section 2.8
Wind energy conversion system: non-commercial	Ch. 6 Definitions; Section 2.8

**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, 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 Section 2.6.F unless specified otherwise in their specific conditions for approval listed in Section 2.9. Subject to Section 4.5 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	
Conditional Uses and Structures	Additional Regulations
Restricted manufacturing and processing industries: Chemical plant; Explosives manufacture or storage; Fertilizer manufacturing; Garbage, offal, or dead animal reduction or dumping; Gas manufacture; Refining of petroleum and natural gas and their products; Stockyard (as principal use) or Slaughterhouse; Asphalt plant (permanently placed)	Ch. 6 Definitions; Section 2.9; Section 4.5
Solid waste facility	Ch. 6 Definitions; Section 2.9; Section 4.5
Auto wrecking and junkyard	Ch. 6 Definitions; 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	Ch. 6 Definitions; Section 2.9; Section 4.5
Commercial communications (cell) station and tower, new and existing	Ch. 6 Definitions; Section 2.9; Section 4.5
Mining and extraction of minerals or raw materials	Ch. 6 Definitions; Section 2.9; Section 4.5
Solar Energy System: consumer-scale, freestanding	Ch. 6 Definitions; Section 2.9; Section 4.5
Wind energy conversion system: commercial	Ch. 6 Definitions; Section 2.9; Section 4.5
Addition of accessory structure to principal structure devoted to legal nonconforming use	Ch. 6 Definitions; Section 2.9; Section 4.5

**E. Temporary Uses and Structures Allowed by the Zoning Administrator.** The following temporary uses and structures in the M-2 District as defined in Chapter 6, may be allowed by the Zoning Administrator, provided they comply with this Ordinance and the specific provisions listed below.

1. **Temporary buildings** used in conjunction with construction work, provided that such buildings are removed promptly upon completion of the construction work.
2. **Temporary concrete plants**, provided that the area be restored to a suitable condition free of refuse and debris.
3. **Temporary permits for the location of car crushers** or similar equipment used in the processing, removal or disposal of junk provided that:
  - a. Such permit may be granted not to exceed sixty (60) days for the purpose of facilitating the removal of junk from nonconforming junkyards, but shall not be granted for the purpose of establishing new junkyards or serve as a basis for the permanent expansion of nonconforming junkyards.
  - 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.

[illegible]

- G. Allowed Signs.** The following sign regulations shall be met for all principal, accessory, conditional, and temporary uses and structures in the M-2 District unless specified otherwise in this Ordinance in accordance with [Section 2.9](#).
- H. Required Off-Street Parking and Loading Spaces.** The required off-street parking and loading spaces shall be met for all principal, accessory, conditional, and temporary uses and structures in the M-2 District unless specified otherwise in this Ordinance in accordance with [Section 2.1](#) and [Section 2.8](#).



May 12, 2025

Lori Roling, Zoning Administrator  
Jackson County Zoning Department  
201 West Platt Street  
Maquoketa, IA 52060

**RE: Rules of Procedure Update – Zoning Commission (05-12-25)**

Dear Lori,

Attached is information regarding the Rules of Procedure Update -- Zoning Commission draft (05-12-25) for review and approval by the Board of Adjustment at their May 27, 2025 meeting.

**Discussion**

The Rules of Procedure for the Zoning Commission have been updated to

- clarify and simplify the scheduling of meetings to reflect current practice
- clarify when a quorum is present
- conflict of interest
- excused and unexcused absences
- replacing strict timeframes with more flexible options to reflect current practice

**Recommendation**

The Zoning Commission is asked to review the Rules of Procedure Update -- Zoning Commission draft (05-12-25), and then to provide direction to staff for moving forward with the proposal. Please let me know if you have any questions. Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Laura Carstens'.

Laura Carstens  
Senior Planner

Attachments

**RESOLUTION #1002-01-02-2024**

**RESOLUTION ADOPTING RULES AND PROCEDURES FOR THE JACKSON COUNTY ZONING COMMISSION**

~~WHEREAS, on April 16, 1975 the Board of Supervisors created the Jackson County Zoning Commission by resolution; and~~

~~WHEREAS, a review showed that the Zoning Commission's recommendation to adopt Rules of Procedure in 2017 was never presented to the Jackson County Board of Supervisors for adoption; and~~

~~WHEREAS, on November 20, 2023, the Jackson County Zoning Commission recommended the adoption of the Jackson County Zoning Commission Rules of Procedure as follows:~~

**RULES OF PROCEDURE  
JACKSON COUNTY ZONING COMMISSION**

**Article 1. General Governing Rules.**

The ~~Jackson County~~ Zoning Commission, hereinafter referred to as the Commission, shall be governed by the provisions of Iowa Code Chapter 335, ~~Code of Iowa~~, as amended, and ~~by the April 16, 1975 resolution of Jackson County, Iowa, establishing the County Zoning Commission Ordinance of Jackson County, Iowa, establishing the Zoning Commission and approved enacted~~ by the Board of Supervisors. No rule herein shall be changed or waived without the affirmative vote of four (4) members of the Commission and concurrence of the Board of Supervisors.

**Article 2. Officers and Committees.**

Section A. The Commission shall elect a chair~~person~~ and a vice-chair~~person~~, who shall be acting chair~~person~~ in the absence of the chair~~person~~, annually at the first meeting of the year in January. ~~The chairperson may not succeed himself or herself.~~

Section B. The ~~chairperson~~, or in ~~his or her~~their absence the vice-chair~~person~~, shall preside at all meetings and hearings of the Commission and decide all points of order and procedure. The chair~~person~~ shall appoint any committees which may be found necessary to perform the duties of the Commission.

Section C. ~~A~~ The secretary ~~(who need not be a member of the Commission) shall be designated by~~for the Commission shall be the Zoning Administrator. The secretary shall conduct all correspondence of the Commission, keep a minute book recording attendance, the vote of each member upon each question, or if absent or failing to vote indicating such fact and records of examinations and hearings and other official action and shall carry out such other official duties as may be assigned by the Commission.

**Article 3. Meetings.**

Section A. The regular meeting of the Zoning Commission shall be held each month unless there is no cause for holding such meetings. Meetings shall be scheduled annually for the upcoming calendar year, and notice provided in accordance with this Ordinance and Iowa Code Chapter 21 Open Meetings. ~~If there is to be~~ a regular meeting is cancelled, the secretary shall

inform the members of the Commission and the public as soon as possible and at least twenty-four hours in advance.

Section B. Special meetings may be called by the chairperson and at such other time as the Commission may determine, provided that at least twenty-four (24) hours notice of such meeting is given to each member and at such other time as the Board may determine, provided that notice of such meeting is given to each member and the public in accordance with this Ordinance and Iowa Code Chapter 21 Open Meetings. If a special meeting is cancelled, the secretary shall inform the members of the Board of Adjustment and the public as soon as possible and at least twenty-four (24) hours in advance.

Section C. A quorum shall consist of four (4) members of the seven (7) appointed members for the transaction of all business. The concurring vote of four (3) members of the Commission shall be necessary to decide in favor of the applicant on any matter upon which it is required to pass.

If a member is required to abstain, their absence does not affect the quorum count, and the motion proceeds as usual. For example, if only four (4) of the seven (7) Commission members are present but one (1) member must abstain due to a conflict of interest, then the remaining three (3) Commission members shall constitute a quorum for voting purposes for the transaction of all business on that item.

Section D. Representation, Personal Conflict of Interest. Conflict of interest includes: familial relationship with the applicant or property owner, financial dealings with the applicant or property owner, and financial interest in the outcome. Neither the secretary nor any member of the Commission shall appear for or represent any person in any matter pending before the Zoning Commission. No member of the Commission shall hear or vote upon any appeal in which ~~he or she has~~ they have any ~~personal or financial~~ conflict of interest, directly or indirectly.

In case of a conflict of interest, the secretary or Board member shall: disclose the circumstance and nature of the conflict prior to the public hearing, abstain from discussing and voting on the matter, and leave the public hearing or disconnect from audio and visual connection if attending the meeting virtually until the matter is concluded or tabled.

Section E. Conduct of Meetings. All meetings shall be open to the public. The chairperson, or in ~~his or her~~ their absence the vice-chairperson, shall or may ~~administer oaths or compel the attendance of witnesses~~ conduct all proceedings. The order of business at meetings shall be as follows:

1. Roll call
2. Approval of minutes of the previous meeting
3. Reports of committees
4. Unfinished business
5. Hearing of cases, or appeals or referrals
6. New business
7. Reading of correspondence other than that related to new or old business or hearing scheduled



Section F. Voting. The chair~~person~~ or presiding officer shall have equal voting power with the other members of the Commission and may vote on all questions before the Commission unless otherwise limited herein.

Section G. Adjourned Meetings. The Commission may adjourn a regular meeting if all business cannot be disposed of on the day set and no further public notice shall be necessary for such a meeting if the time and place of ~~it~~-s resumption are stated at the time of adjournment and are not changed after adjournment.

Article 4. Vacancies. ~~In the event vacancies occur in the Board's membership, the chair shall inform the Board of Supervisors as promptly as possible so that the Supervisors may appoint a replacement to fill out the unexpired term.~~

Failure to attend four (4) regular consecutive meetings or four (4) of any seven (7) consecutive meeting ~~without an excused absence~~ shall be considered automatic resignation from the Commission and upon such resignation, resignation by other means, or other vacancies occurring in the office, the chair~~person~~ shall inform the Board of Supervisors as promptly as possible so that the ~~Board of~~ Supervisors may appoint a replacement to fill out the unexpired term.

~~An "excused absence" must be deemed an approved and legitimate reason for being absent from a meeting. Examples include: illness, family emergency, pre-planned vacation, medical appointments, work schedule, and similar circumstances. They do not result in negative marks on attendance records.~~

~~Unexcused absences are not approved or recognized reasons for being absent from a meeting. They will result in negative marks on attendance records.~~

#### Article 5. Public Hearings.

Section A. At public hearings held by the Zoning Commission on any matter as may be required by law or as may be set by the Commission upon its own motion, any person may appear on ~~his~~-their own behalf or be represented by agent or by attorney.

Section B. The order of the hearing shall be:

- ~~1.~~ Statement of case by chair~~person~~ or presiding officer
- ~~4-2.~~ The following statement will be read: "Because of any conflict of interest, either directly or indirectly, do any Commission members wish to recuse themselves from proceedings?"
- ~~2-3.~~ Supporting argument by the applicant or ~~his~~-their agent or attorney
- ~~3-4.~~ Supporting arguments by persons at the hearing
- ~~4-5.~~ Opposing arguments by persons at the hearing
- ~~5-6.~~ Rebuttals by those supporting the application other than the applicant
- ~~6-7.~~ Rebuttals by those opposed to the application
- ~~7-8.~~ Final rebuttal by the applicant

**RULES OF PROCEDURE**  
**JACKSON COUNTY ZONING COMMISSION**

**REDLINE Draft 5-12-25**

Article 6. Decisions. ~~Final-d~~Decisions upon all ~~questions-cases~~ shall be made within 45 days of the receipt of the question or referral ~~voted upon~~ by the Commission ~~at the meeting at which the hearing is held or at their next regular meeting after the date of hearing or if acceptable to the applicant, the continuation of such meeting or the tabling of such meeting for more information from the applicant and/or the Zoning Administrator.~~

~~If no motion either to approve or deny the action requested receives four (4) or more aye votes, then the case will be placed as old business on the agenda of each regular or special meeting of the Commission until a motion either to approve or deny does receive four (4) or more aye votes.~~

~~and shall be in the form of a motion made, seconded, and passed by a majority of those present at the meeting, provided that there shall have been a quorum present.~~

The decision shall be promptly transmitted in writing to the Board of Supervisors by the secretary stating the Commission's ~~r~~ action, the vote thereon and the reasons therefore, and any recommendations or modifications or conditions to which the Commission's recommendation is subject. One ~~(1)~~ copy of ~~all the Commission's actions of the Board of Supervisors~~ shall be sent to the applicant or ~~his~~ their agent or attorney where such are concerned, and one ~~(1)~~ copy of all actions shall be filed in the official files of the ~~Jackson County~~ Zoning Commission.

Article 7. Adoption. These rules of procedure were approved and adopted by the ~~Jackson Zoning Commission of Jackson County, Iowa, this~~ \_\_\_\_\_ day of \_\_\_\_\_, 2025.

~~County Board of Supervisors on this 2nd day of January 2024.~~

(Signed) \_\_\_\_\_

\_\_\_\_\_  
Chair, Jackson County Zoning Commission

Article 1. General Governing Rules.

The Zoning Commission, hereinafter referred to as the Commission, shall be governed by the provisions of Iowa Code Chapter 335, as amended, and the Zoning Ordinance of Jackson County, Iowa, establishing the Zoning Commission and enacted by the Board of Supervisors. No rule herein shall be changed or waived without the affirmative vote of four (4) members of the Commission and concurrence of the Board of Supervisors.

Article 2. Officers and Committees.

Section A. The Commission shall elect a chair and a vice-chair, who shall be acting chair in the absence of the chair, annually at the first meeting of the year.

Section B. The or in their absence the vice-chair, shall preside at all meetings and hearings of the Commission and decide all points of order and procedure. The chair shall appoint any committees which may be found necessary to perform the duties of the Commission.

Section C. The secretary for the Commission shall be the Zoning Administrator. The secretary shall conduct all correspondence of the Commission, keep a minute book recording attendance, the vote of each member upon each question, or if absent or failing to vote indicating such fact and records of examinations and hearings and other official action and shall carry out such other official duties as may be assigned by the Commission.

Article 3. Meetings.

Section A. The regular meeting of the Zoning Commission shall be held each month unless there is no cause for holding such meetings. Meetings shall be scheduled annually for the upcoming calendar year, and notice provided in accordance with this Ordinance and Iowa Code Chapter 21 Open Meetings. If a regular meeting is cancelled, the secretary shall inform the members of the Commission and the public as soon as possible and at least twenty-four hours in advance.

Section B. Special meetings may be called by the chair and at such other time as the Commission may determine, provided that notice of such meeting is given to each member and at such other time as the Board may determine, provided that notice of such meeting is given to each member and the public in accordance with this Ordinance and Iowa Code Chapter 21 Open Meetings. If a special meeting is cancelled, the secretary shall inform the members of the Board of Adjustment and the public as soon as possible and at least twenty-four (24) hours in advance.

Section C. A quorum shall consist of four (4) members of the seven (7) appointed members for the transaction of all business. The concurring vote of four (3) members of the Commission shall be necessary to decide in favor of the applicant on any matter upon which it is required to pass.

If a member is required to abstain, their absence does not affect the quorum count, and the motion proceeds as usual. For example, if only four (4) of the seven (7) Commission members are present but one (1) member must abstain due to a conflict of interest, then the remaining

three (3) Commission members shall constitute a quorum for voting purposes for the transaction of all business on that item.

Section D. Conflict of Interest. Conflict of interest includes: familial relationship with the applicant or property owner, financial dealings with the applicant or property owner, and financial interest in the outcome. Neither the secretary nor any member of the Commission shall appear for or represent any person in any matter pending before the Zoning Commission. No member of the Commission shall hear or vote upon any appeal in which they have any conflict of interest, directly or indirectly.

In case of a conflict of interest, the secretary or Board member shall: disclose the circumstance and nature of the conflict prior to the public hearing, abstain from discussing and voting on the matter, and leave the public hearing or disconnect from audio and visual connection if attending the meeting virtually until the matter is concluded or tabled.

Section E. Conduct of Meetings. All meetings shall be open to the public. The chair, or in their absence the vice-chair, shall or may conduct all proceedings. The order of business at meetings shall be as follows:

1. Roll call
2. Approval of minutes of the previous meeting
3. Reports of committees
4. Unfinished business
5. Hearing of cases, or appeals or referrals
6. New business
7. Reading of correspondence other than that related to new or old business or hearing scheduled

Section F. Voting. The chair or presiding officer shall have equal voting power with the other members of the Commission and may vote on all questions before the Commission unless otherwise limited herein.

Section G. Adjourned Meetings. The Commission may adjourn a regular meeting if all business cannot be disposed of on the day set and no further public notice shall be necessary for such a meeting if the time and place of its resumption are stated at the time of adjournment and are not changed after adjournment.

Article 4. Vacancies. In the event vacancies occur in the Board's membership, the chair shall inform the Board of Supervisors as promptly as possible so that the Supervisors may appoint a replacement to fill out the unexpired term.

Failure to attend four (4) regular consecutive meetings or four (4) of any seven (7) consecutive meeting without an excused absence shall be considered automatic resignation from the Commission and upon such resignation, resignation by other means, or other vacancies occurring in the office, the chair shall inform the Board of Supervisors as promptly as possible so that the Supervisors may appoint a replacement to fill out the unexpired term.

An "excused absence" must be deemed an approved and legitimate reason for being absent from a meeting. Examples include: illness, family emergency, pre-planned vacation, medical appointments, work schedule, and similar circumstances. They do not result in negative marks on attendance records.

Unexcused absences are not approved or recognized reasons for being absent from a meeting. They will result in negative marks on attendance records.

Article 5. Public Hearings.

Section A. At public hearings held by the Zoning Commission on any matter as may be required by law or as may be set by the Commission upon its own motion, any person may appear on their own behalf or be represented by agent or by attorney.

Section B. The order of the hearing shall be:

1. Statement of case by chair or presiding officer
2. The following statement will be read: "Because of any conflict of interest, either directly or indirectly, do any Commission members wish to recuse themselves from proceedings?"
3. Supporting argument by the applicant or their agent or attorney
4. Supporting arguments by persons at the hearing
5. Opposing arguments by persons at the hearing
6. Rebuttals by those supporting the application other than the applicant
7. Rebuttals by those opposed to the application
8. Final rebuttal by the applicant

Article 6. Decisions. Decisions on all cases shall be voted upon by the Commission at the meeting at which the hearing is held or at their next regular meeting after the date of hearing or if acceptable to the applicant, the continuation of such meeting or the tabling of such meeting for more information from the applicant and/or the Zoning Administrator.

If no motion either to approve or deny the action requested receives four (4) or more aye votes, then the case will be placed as old business on the agenda of each regular or special meeting of the Commission until a motion either to approve or deny does receive four (4) or more aye votes.

The decision shall be promptly transmitted in writing to the Board of Supervisors by the secretary stating the Commission's action, the vote thereon and the reasons therefore, and any recommendations or modifications or conditions to which the Commission's recommendation is subject. One (1) copy of the Commission's action shall be sent to the applicant or their agent or attorney where such are concerned, and one (1) copy of all actions shall be filed in the official files of the Zoning Commission.

Article 7. Adoption. These rules of procedure were approved and adopted by the Zoning Commission of Jackson County, Iowa, this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

(Signed) \_\_\_\_\_  
Chair, Jackson County Zoning Commission