

Jackson County Zoning Ordinance Update: Project Schedule		2024	2025							
TASKS	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	
1. Project Initiation and Development										
a. Document Review										
b. Meet with County Staff	x									
c. Meet with County Zoning Commission	x									
d. Develop Project Website										
2. Initial Draft of Zoning Ordinance Update										
a. Prepare Initial Draft										
b. Feedback on Initial Draft from Stakeholders		x								
c. Public Input on Initial Draft			x	x						
3. Revised Draft of Zoning Ordinance Update										
a. Prepare Revised Draft										
b. Feedback on Revised Draft from Stakeholders										
c. Public Input on Revised Draft					x	x				
4. Final Ordinance Implementation and Adoption										
a. Prepare Final Draft										
a. Publish / Post Final Draft										
b. Public Hearing with Zoning Commission							PH			
c. Public Hearing & Adoption with Board of Supervisors							x	PH	PH	
Project Meetings with ECIA Staff (x = meeting)										
Zoning Administrator & Administrative Assistant	x	x	x	x	x	x	x	x	x	
Zoning Commission	x	x	x	x	x	x	PH			
Board of Adjustment			x		x					
Board of Supervisors			x		x		x	PH	PH	
(x = meeting, PH = public hearing)										
Project Meetings with ECIA Staff (x = meeting)										
Zoning Administrator & Administrative Assistant	Monthly plan/prep for public meetings/input; review/comment on drafts.									
Zoning Commission	Attend 6 monthly meetings to review and collect feedback on draft ordinance.									
Board of Adjustment	Provide 2 project updates to collect feedback during the update process.									
Board of Supervisors	Provide 2 project updates to collect feedback during the update process.									
Zoning Commission Public Hearing	Assist with 1 public hearing and recommendation to Board of Supervisors.									
Board of Supervisors Public Hearing(s)	Assist with 1 set for hearing, 3 public hearings (assume 3 readings), and adoption.									
Zoning Administrator Meetings										
Zoning Commission and Board of Supervisors	Monthly or as needed to provide updates to Commission and Supervisors.									



April 16, 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 (04-16-25)**

Dear Lori,

Attached is the revised draft of Section 2.2 A-1 Agricultural District (04-16-25) for the Zoning Ordinance Update for consideration by the Zoning Commission at their April 21, 2025 meeting.

**Discussion**

The A-1 District has been reformatted to use tables and an outline format 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 proposed are as follows:

- Tables are used for Principal and Accessory Uses and Structures, and Sign regulations.
- Land uses and parking requirements are revised according to the Matrix of Allowed Uses.
- References are shown for relevant sections of the Zoning Ordinance and other County ordinances; these will become hyperlinks in the online version.
- An outline format has been used for Special Exception Uses and Structures, with additional conditions such as parking requirements for consistency and clarification.
- A new section has been added for Temporary Uses and Structures.

**Recommendation**

The Commission is asked to review the draft of Section 2.2 A-1 Agricultural District (04-16-25), 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 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.

**B. ~~Permitted~~ Allowed Principal Uses and Structures and Required Parking.** The table below lists the allowed principal uses and structures in the A-1 District and their required off-street parking. Additional Regulations reference related sections in the Zoning Ordinance.

A-1 District Principal Uses and Structures		
Principal Uses and Structures	Required Parking	Additional Regulations
Agriculture, <del>horticulture, farms,</del> farming and the usual farm buildings including farm dwelling	None	<u>Section 1.20 Farms Exempt Ch. 6 Definitions</u>
Horticulture, <del>Nursery</del>		
Farms, farming and the usual farm buildings		
Farm dwellings, <del>(principal)</del>		
Grain storage bins		
Single-family dwellings	2 spaces per <u>dwelling unit</u>	<u>Ch. 6 Definitions</u>
Seasonal dwellings	2 spaces per <u>dwelling unit</u>	<u>Ch. 6 Definitions</u>
<u>Elder group home</u>	<u>0.5 space per dwelling unit</u>	<u>Ch. 6 Definitions</u>
<u>Family group home</u>	<u>0.5 space per dwelling unit</u>	<u>Ch. 6 Definitions</u>
<u>Bed and breakfast home</u>	<u>1 space per guest room</u>	<u>Ch. 6 Definitions</u>
<u>Daycare, Adult</u>	<u>1 space per 400 square feet of floor area</u>	<u>Ch. 6 Definitions</u>
<u>Daycare, Child</u>	<u>1 space per 400 square feet of floor area</u>	<u>Ch. 6 Definitions</u>
Elementary School	<u>1.5 spaces per employee on maximum shift + drop- off/pickup or bus queue area</u> <del>2 spaces per unit</del>	<u>Ch. 6 Definitions</u>
<u>Post High School</u>	<u>1 space per 400 square feet of floor area</u>	<u>Ch. 6 Definitions</u>
<u>Preschool</u>	<u>1 space per 400 square feet of floor area</u>	<u>Ch. 6 Definitions</u>

A-1 District Principal Uses and Structures		
Principal Uses and Structures	Required Parking	Additional Regulations
Secondary School	<u>1.5 spaces per employee on maximum shift + 1 space per 10 students + drop-off/pickup or bus queue area 1 space per classroom or office</u>	<u>Ch. 6 Definitions</u>
<u>Churches</u> <u>Place of assembly</u>	1 space <del>for every</del> <u>per</u> 4-5 seats <del>in the main auditorium</del>	<u>Ch. 6 Definitions</u>
<u>Cemeteries</u> <u>Cemetery</u>	20 spaces off the right-of-way on drives or parking areas	<u>Ch. 6 Definitions</u>
Public exposition & fairgrounds	1 space for every 3 seats at the main arena	<u>Ch. 6 Definitions</u>
<del>Intermittent or temporary commercial activity</del>	<del>50 spaces</del>	
<u>Public campground</u>	<u>1 space per camp site</u>	<u>Ch. 6 Definitions</u>
Public <u>Recreation parks, playgrounds, campgrounds</u>	5 spaces for each acre developed for active and recreation areas usage	<u>Ch. 6 Definitions</u>
<del>Wildlife preserves, hunting areas, lakes, ponds</del>	<del>5 spaces for each acre developed for active and recreation areas usage</del>	
Kennels <del>and riding stables</del>	<del>2 spaces plus 2 spaces for every</del> <u>1 space per 100-400</u> square feet of floor area	<u>Ch. 6 Definitions</u>
<u>Logging, storage only</u>	<u>1 space per employee on site plus 1 space per company vehicle</u>	<u>Ch. 6 Definitions</u>
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 <del>for each</del> <u>per</u> employee on site plus 1 space <del>for each</del> <u>per</u> company vehicle	<u>Ch. 6 Definitions</u>

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

**Commented [LC1]:** Moved Intermittent or temporary commercial activity to Special Requirements subsection

**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

C. **Permitted Accessory Uses and Structures.** The table below lists the allowed accessory uses and structures clearly incidental to the allowed principal uses and structures of this district, provided they comply with this Ordinance. Additional Regulations reference related sections in the Zoning Ordinance.

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	<u>Ch. 6 Definitions</u>
Secondary farm dwellings	<u>Section 1.20 Farms Exempt; Ch. 6 Definitions</u>
<u>Accessory dwelling unit</u>	<u>Section XX.XX Accessory Dwelling Unit (ADU) Standards; Ch. 6 Definitions</u>
Private garages	<u>Ch. 6 Definitions</u>
Private swimming pools, tennis courts, gardens and greenhouses	<u>Ch. 6 Definitions</u>
<u>Fence, wall, hedge</u>	<u>Section XX Fences, Walls, and Hedges; Ch. 6 Definitions</u>
<del>Home occupation</del> <u>Home-based business</u>	<u>Ch. 6 Definitions</u>
<del>Farm home occupation</del> <u>Farm home-based business</u>	<u>Ch. 6 Definitions</u>
Temporary buildings used in conjunction with construction work provided that such buildings are removed promptly upon completion of the work.	<u>Off-street parking as determined by Zoning Administrator; Ch. 6 Definitions</u>
<del>Roadside Farm</del> <u>stands for the sale of produce/farm products produced on site</u>	Provided that: access to such stands shall be so located so as to afford a minimum site sight distance of 750 feet to motor vehicles on adjacent roads, that no all parking spaces shall be located closer than at least 20 feet to from the road right-of-way, and that not less than a minimum 4 parking spaces shall be provided; <u>Ch. 6 Definitions.</u>
<u>Consumer-scale solar array: building mounted or freestanding</u>	<u>Section 2.XX Solar Energy Systems</u>
<u>Wind energy conversion system, non-commercial</u>	<u>Wind Energy Conversion Systems (WECS) Ordinance #314</u>

1. ~~Uses and structures clearly incidental to the permitted principal uses and structures of this district including home occupations and farm home occupations as defined.~~
2. ~~Secondary farm dwellings.~~
3. ~~Private garages.~~
4. ~~Private swimming pools, tennis courts, gardens and greenhouses.~~

Commented [LC5]: Moved list into chart

- ~~5. Temporary buildings used in conjunction with construction work provided that such buildings are removed promptly upon completion of the work.~~
- ~~6. 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.~~

#### **D. Special Exception Uses and Structures.**

Below is the list of the allowed special uses and structures in the A-1 District as defined in Chapter 6 of this Ordinance. These uses and structures shall comply with A-1 district development regulations in Section 2.2.E 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 permit the following:

- ~~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 Meets off-street parking requirements: One (1) space per four hundred (400) square feet of floor.~~
- ~~2. Bulk station 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.~~
  - ~~d. Underground storage tanks shall be located no closer to any property line than the greatest depth to the bottom of such tanks.~~
  - ~~e. Above ground storage tanks shall be located at least one hundred fifty (150) feet from any property line.~~
  - ~~a-f. Meets off-street parking requirements: One (1) space for each employee, one (1) space for each company vehicle, and one (1) loading space for each ten thousand (10,000) square feet of floor space.~~

**Commented [LC6]:** Moved list of ag services businesses to Ch 6. Definitions as a new general use category of Agricultural Sales, Service, and Supply

**Commented [LC7]:** New definition for Bulk Stations, pulled out as separate Special Exception with additional standards.

**2. Livestock auction sales**, 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;
- a-b. ~~that~~ Off-street parking requirements: One (1) parking space for each employee, and one (1) space for each company vehicle, and one (1) parking space for every two (2) seats in the sales arena ~~are provided~~.

**3. Commercial feedlots**, 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. ~~At 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~~ Meets off-street parking requirements: One (1) parking space for each employee and one (1) space for each company vehicle ~~be provided~~.

**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~~50'~~ from any property line or public road right-of-way and no closer than five hundred (500) feet~~500'~~ 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~~ Meets off-street parking requirements: One (1) off-street parking space for each employee plus one (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~~

**Commented [LC8]:** This phrase applies to any Board of Adjustment action, so it can be removed as redundant.

**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~~1000'~~ from any dwelling, park or school; ~~that sufficient off-street parking area be provided;~~
- 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. Meets off-street parking requirements: One (1) space for each employee plus one (1) space for each company vehicle.

**6. Solid waste facility** ~~Sanitary landfills, sanitary transfer stations, sanitary composting facilities, and sanitary recycling operations~~ provided that:

**Commented [LC9]:** Sanitary landfills, sanitary transfer stations, sanitary composting facilities, and sanitary recycling operations combined under new general use category of Solid Waste Facility



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-c.~~ Meets off-street parking requirements: One (1) space for each employee plus one (1) space for each company vehicle.

~~2. Temporary concrete plants, provided that the area be restored to a suitable condition free of refuse and debris.~~

**Commented [LC10]:** Temporary concrete plants moved to Temporary Use section.

~~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~~ Privately-operated campgrounds, indoor and outdoor commercial recreation provided, however, that:

**Commented [LC11]:** 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 have been combined under new general use categories of Indoor Commercial Recreation and Outdoor Commercial Recreation

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.

b. Meets off-street parking requirements:

i. Campground and Recreational Vehicle (RV) Park: one (1) space per camp site or RV site.

ii. Indoor Commercial Recreation use: one (1) space per two hundred fifty (250) square feet of floor area.

iii. Outdoor Commercial Recreation use: one (1) space per four (4) occupants plus one (1) space per employee on maximum shift.

~~3.8.~~ Seasonal resorts which includes ~~s~~ 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, and the minimum yard requirements shall be ten (10) feet for all yards.

~~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~~ 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.

9. **Commercial communications (cell) stations and towers** 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 the 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. ~~Base screening and camouflage techniques are used unless prohibited by Federal Aviation Agency (FAA) 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 #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.

**Commented [LC12]:** Cell tower regulations are under further review.

~~4.10.~~ **Airports and landing fields** approved by the Federal Aviation Agency (FAA).

- 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~~

**Commented [LC13]:** Temporary permits not to exceed sixty (60) days for the location of car crushers moved to Temporary Uses section.

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 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 [LC14]:** 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.

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

- a. ~~Meets off-street parking requirements: parking shall include three (3) spaces per green or one (1) space for every one hundred (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.

**5. ~~Home industries as defined.~~**

**Commented [LC15]:** Removed, since this is covered by new Iowa Code definition of home-based business.

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

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

**14. 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 [LC16]:** What are we trying to do with "Maintain a maximum density of one (1) dwelling unit per two (2) acres"? 2 acres per dwelling unit is the **minimum lot area** for a single-family dwelling, and this is tied to septic tank or wastewater treatment. Recommend deletion.

**15. Event venue** 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.

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

**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 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.
  - ~~b-c.~~ Prior to the issuance of a Compliance Certificate for a 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.
2. **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 showing of good cause, the Board of Adjustment Zoning Administrator may grant an extension not to exceed thirty (30) days.

**F. Development Regulations.** The following development regulations shall be met for all principal, accessory, special exception uses and structures in the A-1 district unless specified otherwise in this Ordinance.

**Commented [LC17]:** Moved from Special Requirements subsection

A-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot		Minimum Yard Requirements				Maximum Height
	Area	Width	Front	Rear	Side	Street side, corner lot	
Non-farm dwellings and education uses and structures	2 acres	200 feet	40 feet	30 feet	15 feet	30 feet	2- and one-half stories or 35 feet
<u>Seasonal resorts</u>	<u>10,000 square feet<sup>1</sup></u>	<u>200 feet?</u>	<u>10 feet</u>	<u>10 feet</u>	<u>10 feet</u>	<u>10 feet</u>	<u>2- and one-half stories or 35 feet</u>
<u>Other non-farm principal and special exception uses and structures</u>	<u>Minimum lot area and width may be required by the County Health Department to provide adequate sewage disposal facilities.</u>		<u>40 feet</u>	<u>30 feet</u>	<u>15 feet</u>	<u>30 feet</u>	<u>2- and one-half stories or 35 feet</u>
<u>Non-farm accessory uses and structures</u>	<u>None unless otherwise specified.</u>		<u>40 feet</u>	<u>30 feet; 5 feet if detached</u>	<u>15 feet</u>	<u>30 feet</u>	<u>2- and one-half stories or 35 feet</u>
<u>Other Farm Exempt Uses?</u>	None; except as may be required by the County Health Department to provide adequate sewage disposal facilities.						
<u>Notes: 1. See requirements for seasonal resorts under Section 2.2.D. Special Exception Uses and Structures.</u>							

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

1. Directional signs as defined not to exceed one-hundred (150) square feet in area only along U. S. Highway 61 or thirty-two (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 sixteen(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 thirty-two (32) square feet in area.
4. Temporary signs advertising the sale or lease of the premises not to exceed sixteen (16) square feet in area.
5. No use shall have more than one (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-back-to-~~ back sign.
6. Directional signs may be placed in required front yards. Other permitted signs shall be located at least twenty (20) feet from any lot line or not more than five (5) feet from the main building.
7. Illumination of signs and bulletin boards shall be indirect, non-intermittent lighting.
8. 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. 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~~.

~~1.2.~~ 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.~~

**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.

**B. Allowed Principal Uses and Structures and Required Parking.** The table below lists the allowed principal uses and structures in the A-1 District and their required off-street parking. Additional Regulations reference related sections in the Zoning Ordinance.

<b>A-1 District Principal Uses and Structures</b>		
<b>Principal Uses and Structures</b>	<b>Required Parking</b>	<b>Additional Regulations</b>
Agriculture	None	Section 1.20 Farms Exempt Ch. 6 Definitions
Horticulture; Nursery		
Farm, farming and the usual farm buildings		
Farm dwelling (principal)		
Grain storage bin		
Single-family dwelling	2 spaces per dwelling unit	Ch. 6 Definitions
Seasonal dwelling	2 spaces per dwelling unit	Ch. 6 Definitions
Elder group home	0.5 space per dwelling unit	Ch. 6 Definitions
Family group home	0.5 space per dwelling unit	Ch. 6 Definitions
Bed and breakfast home	1 space per guest room	Ch. 6 Definitions
Daycare, Adult	1 space per 400 square feet of floor area	Ch. 6 Definitions
Daycare, Child	1 space per 400 square feet of floor area	Ch. 6 Definitions
Elementary School	1.5 spaces per employee on maximum shift + drop-off/pickup or bus queue area	Ch. 6 Definitions
Post High School	1 space per 400 square feet of floor area	Ch. 6 Definitions
Preschool	1 space per 400 square feet of floor area	Ch. 6 Definitions
Secondary School	1.5 spaces per employee on maximum shift + 1 space per 10 students + drop-off/pickup or bus queue area	Ch. 6 Definitions
Place of assembly	1 space per 4 seats	Ch. 6 Definitions

A-1 District Principal Uses and Structures		
Principal Uses and Structures	Required Parking	Additional Regulations
Cemetery	20 spaces off the right-of-way on drives or parking areas	Ch. 6 Definitions
Public exposition & fairgrounds	1 space for every 3 seats at the main arena	Ch. 6 Definitions
Public campground	1 space per camp site	Ch. 6 Definitions
Public Recreation	5 spaces for each acre developed for active and recreation areas usage	Ch. 6 Definitions
Kennel and riding stable	1 space per 400 square feet of floor area	Ch. 6 Definitions
Logging, storage only	1 space per employee on site plus 1 space per company vehicle	Ch. 6 Definitions
Railroad, public utility and public maintenance garages and equipment and materials storage yards, but not including administrative or sales offices	1 space per employee on site plus 1 space per company vehicle	Ch. 6 Definitions

- C. Accessory Uses and Structures.** The table below lists the allowed accessory uses and structures clearly incidental to the allowed principal uses and structures of this district, provided they comply with this Ordinance. Additional Regulations reference related sections in the Zoning Ordinance.

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
Secondary farm dwelling	Section 1.20 Farms Exempt; Ch. 6 Definitions
Accessory dwelling unit	Section XX.XX Accessory Dwelling Unit (ADU) Standards; Ch. 6 Definitions
Private garage	Ch. 6 Definitions
Private swimming pool, tennis court, garden and greenhouse	Ch. 6 Definitions
Fence, wall, hedge	Section XX. Fences, Walls, and Hedges; Ch. 6 Definitions
Home-based business	Ch. 6 Definitions
Farm home-based business	Ch. 6 Definitions



A-1 District Accessory Uses and Structures	
Accessory Uses and Structures	Additional Regulations
Temporary building used in conjunction with construction work provided that such building is removed promptly upon completion of the work.	Off-street parking as determined by Zoning Administrator; Ch. 6 Definitions
Farm stand for the sale of farm products produced on site	Provided that: access shall afford a minimum sight distance of 750 feet to motor vehicles on adjacent roads, all parking spaces shall be located at least 20 feet from the road right-of-way, and a minimum 4 parking spaces shall be provided; Ch. 6 Definitions.
Consumer-scale solar array: building mounted or freestanding	Section 2.XX Solar Energy Systems
Wind energy conversion system, non-commercial	Wind Energy Conversion Systems (WECS) Ordinance #314

**D. Special Exception Uses and Structures.** Below is the list of the allowed special uses and structures in the A-1 District as defined in Chapter 6 of this Ordinance. These uses and structures shall comply with A-1 district development regulations in Section 2.2.E of this Ordinance unless specified otherwise in their specific conditions for approval listed below. Subject to Section 4.5 of this Ordinance, and the other requirements contained herein, the Board of Adjustment may permit the following:

- 1. Agricultural sales, service, and supply business** 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. Meets off-street parking requirements: One (1) space per four hundred (400) square feet of floor.
- 2. Bulk station** for the storage 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.
  - 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.
  - d. Underground storage tanks shall be located no closer to any property line than the greatest depth to the bottom of such tanks.
  - e. Above ground storage tanks shall be located at least one hundred fifty (150) feet from any property line.

- f. Meets off-street parking requirements: One (1) space for each employee, one (1) space for each company vehicle, and one (1) loading space for each ten thousand (10,000) square feet of floor space.

**3. Livestock auction sales**, 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. Off-street parking requirements: One (1) space for each employee, one (1) space for each company vehicle, and one (1) space for every two (2) seats in the sales arena.

**4. Commercial feedlot** 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, or place of public assembly.
- b. Adequate provision for drainage, sanitation and waste disposal are provided.
- c. It is located so that prevailing winds will not cause dust or odors to create a nuisance for developed properties in the vicinity.
- d. Meets off-street parking requirements: One (1) space for each employee and one (1) space for each company vehicle.

**5. 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 from any property line or public road right-of-way and no closer than five hundred (500) feet to any dwelling, park, or school.
- b. Access to a public road shall not cause a real or potential traffic hazard.
- c. 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. Meets off-street parking requirements: One (1) space for each employee plus one (1) space for each company vehicle.
- e. and

**6. Ready mix concrete plant**, 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 from any dwelling, park or school.
- b. Facilities be provided for controlling air and water pollution
- c. Access to a public road shall not create a real or potential traffic hazard as determined by the Jackson County Engineer.
- d. Meets off-street parking requirements: One (1) space for each employee plus one (1) space for each company vehicle.

**7. 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;
- b. Such site shall be restored to a condition compatible with the adjacent area upon the conclusion of the operation.
- c. Meets off-street parking requirements: One (1) space for each employee plus one (1) space for each company vehicle.

**8. Privately-operated campgrounds, indoor and outdoor commercial recreation** provided 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.
- b. Meets off-street parking requirements:
  - i. Campground and Recreational Vehicle (RV) Park: one (1) space per camp site or RV site.
  - ii. Indoor Commercial Recreation use: one (1) space per two hundred fifty (250) square feet of floor area.
  - iii. Outdoor Commercial Recreation use: one (1) space per four (4) occupants plus one (1) space per employee on maximum shift.

**9. Seasonal resort** which includes three (3) or more seasonal dwellings 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, and the minimum yard requirements shall be ten (10) feet for all yards.
- 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 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 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.
- d. 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.

**10. Commercial communications (cell) station and tower** 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 the one and a half (1.5) times the height of the tower
- b. They will not interfere with the operation of any airport or landing strip.

- c. Base screening and camouflage techniques are used unless prohibited by Federal Aviation Agency (FAA) regulations. The maximum total height of the tower shall be four-hundred (400) feet above average ground level (AGL).
- d. 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.
- e. The Discontinuation, Catastrophic Failure, and Decommissioning regulations in the Jackson County WECS Ordinance #314 shall apply to new station and tower sites.
- f. 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.
- g. Review by the Board of Adjustment shall comply with the Iowa Code 8C Iowa Cell Siting Act.
- h. 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.
- 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.

**11. Airport and landing fields** approved by the Federal Aviation Agency (FAA).

**12. Golf course and clubhouse**, provided that:

- a. Meets off-street parking requirements: three (3) spaces per green or one (1) space for every one hundred (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.

**13. Garden center in conjunction with nursery** provided that one (1) off-street parking space per four hundred (400) square feet of floor area be provided.

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

**15. Multiple family dwelling, including residential condominium**, 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.
- c. The maximum number of dwelling units per structure shall not exceed eight (8),
- d. Two (2) off-street parking spaces per dwelling unit shall be provided.
- e. 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.

**16. Event venue** 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.

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

**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 concrete plant,** 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.
- c. Prior to the issuance of a Compliance Certificate for a temporary concrete plant, 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.

**2. Temporary permit 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.** The following development regulations shall be met for all principal, accessory, special exception uses and structures in the A-1 district unless specified otherwise in this Ordinance.

A-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot		Minimum Yard Requirements				Maximum Height
	Area	Width	Front	Rear	Side	Street side, corner lot	
Non-farm dwellings and education uses and structures	2 acres	200 feet	40 feet	30 feet	15 feet	30 feet	2- and one-half stories or 35 feet
Seasonal resorts	10,000 square feet <sup>1</sup>	200 feet?	10 feet	10 feet	10 feet	10 feet	2- and one-half stories or 35 feet
Other non-farm principal and special exception uses and structures	Minimum lot area and width may be required by the County Health Department to provide adequate sewage disposal facilities.		40 feet	30 feet	15 feet	30 feet	2- and one-half stories or 35 feet
Non-farm accessory uses and structures	None unless otherwise specified.		40 feet	30 feet; 5 feet if detached	15 feet	30 feet	2- and one-half stories or 35 feet
Farm Exempt Uses?	None; except as may be required by the County Health Department to provide adequate sewage disposal facilities.						
Notes: 1. See requirements for seasonal resorts under Section 2.2.D. Special Exception Uses and Structures.							

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

1. Directional signs as defined not to exceed one-hundred (150) square feet in area only along U. S. Highway 61 or thirty-two (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 sixteen(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 thirty-two (32) square feet in area.
4. Temporary signs advertising the sale or lease of the premises not to exceed sixteen (16) square feet in area.
5. No use shall have more than one (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 twenty (20) feet from any lot line or not more than five (5) feet from the main building.
7. Illumination of signs and bulletin boards shall be indirect, non-intermittent lighting.
8. 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. Special Requirements.**

1. The establishment of feed lots, 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 Natural Resources as provided for in Iowa Code Chapter 455B.
2. *Reserved.*





April 16, 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 (04-16-25)**

Dear Lori,

Attached is the revised draft of Section 2.3 R-1 Residential District (04-16-25) for the Zoning Ordinance Update for consideration by the Zoning Commission at their April 21, 2025 meeting.

**Discussion**

The R-1 District has been reformatted to use tables and an outline format 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 proposed are as follows:

- Tables are used for Principal and Accessory Uses and Structures.
- Land uses and parking requirements are revised according to the Matrix of Allowed Uses.
- References are shown for relevant sections of the Zoning Ordinance and other County ordinances; these will become hyperlinks in the online version.
- An outline format has been used for Special Exception Uses and Structures, with additional conditions such as parking requirements for consistency and clarification.
- A new section has been added for Temporary Uses and Structures.

Specific updates to address older subdivisions also have been proposed as follows:

- Subdivisions were platted in the County's unincorporated areas prior to the effective date of the first Zoning Ordinance on May 6, 1976. One of the planned Zoning Ordinance updates to accommodate these older subdivisions was creation of an R-2A Alternative Residential District.
- Rather than create a new zoning district, County Zoning and ECIA staff have drafted a revised R-1 Residential District that we think can accomplish the same goals without having to rezone any parcels.
- 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).
- Alternative regulations and requirements have been established to better reflect and accommodate their historical and existing development and land uses patterns.

- **Statement of Intent** seeks to: Establish zoning regulations that reflect the existing development pattern a
- **Allowable Uses and Structures** are intended to reflect existing residential development.

**Principal**

- Permitted 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.

**Accessory**

- The 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 pre-1976 subdivisions.
  - Accessory structures related to a principal use or structure may be permitted 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 are permitted.
- **Development Regulations** are based on the regulations for dwellings in the R-1 Residential District, and the regulations governing a seasonal resort (special exception use in the A-1 Agricultural district). The minimums for lot area and street frontage are based on analysis of the 549 R-1 zoned parcels in Leisure Lake area.

**Recommendation**

The Commission is asked to review the draft of Section 2.3 R-1 Residential District (04-16-25), 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

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%

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.

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

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

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

The table below lists the standard and alternative principal uses and structures allowed in the R-1 District and their required off-street parking. Additional Regulations reference related sections in the Zoning Ordinance. Standard regulations apply to all R-1 districts. Alternative regulations only apply to subdivisions platted before May 6, 1976.

R-1 District Principal Uses and Structures		
Standard Principal Uses and Structures	Required Parking	Additional Regulations
Single family dwellings	2 spaces per dwelling unit	Ch. 6 Definitions; Section 2.8
Seasonal dwellings	2 spaces per dwelling unit	Ch. 6 Definitions; Section 2.8
Public Recreation parks, playgrounds and recreation areas	5 spaces for each per acre developed for active and recreation area use	Ch. 6 Definitions; Section 2.8
Community meeting or recreation buildings	1 space per 4 seats for every 50 square feet of floor area	Ch. 6 Definitions; Section 2.8
Community meeting or recreation center buildings	1 space for every 250 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
Elementary School	1.5 spaces per employee on maximum shift plus drop-off/pickup or bus queue area 1 space per classroom or office	Ch. 6 Definitions; Section 2.8

**Commented [LC1]:** Combined public parks, playgrounds, and recreation areas under new general use category Public Recreation

**Commented [LC2]:** Community building is part of new general use Place of Assembly, required parking is 1 space per 4 seats

**Commented [LC3]:** Community recreation center is part of new general land use Indoor Recreation, required parking is 1 space per 250 square feet of floor area

R-1 District Principal Uses and Structures		
Standard Principal Uses and Structures	Required Parking	Additional Regulations
Secondary School	<u>1.5 spaces per employee on maximum shift plus 1 space per 10 students plus drop-off/pickup or bus queue area</u> <del>1 space per classroom or office</del>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Preschool</u>	<u>1 space per 400 square feet of floor area</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Churches; Place of Assembly</u>	1 space <del>for every 5</del> per 4 seats in the main auditorium	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Cemeteries; Cemetery</u>	20 spaces off the public right-of-way on drives and parking areas	<u>Ch. 6 Definitions; Section 2.8</u>
Alternative Principal Uses and Structures (platted before 5/6/1976)	Required Parking	Additional Regulations
<u>Mobile home</u>	<u>2 spaces per dwelling unit</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Mobile home converted to real estate</u>	<u>2 spaces per dwelling unit</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>POA owned buildings for meetings, showers, restrooms, and recreational activities</u>	<u>1 space per 250 square feet of floor area</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>POA owned parks, playgrounds, marinas, boat docking facilities, and recreation areas</u>	<u>5 spaces per acre developed for active and recreation area usage</u>	<u>Ch. 6 Definitions; Section 2.8</u>

**B. ~~Permitted-Allowed~~ Accessory Uses and Structures.** The table below lists the standard and alternative accessory uses and structures clearly incidental to the allowed principal uses and structures of this district, provided they comply with this Ordinance. Additional Regulations reference related sections in the Zoning Ordinance. Standard regulations apply to all R-1 districts. Alternative regulations only apply to subdivisions platted before May 6, 1976.

R-1 District Accessory Uses and Structures	
Standard Accessory Uses and Structures	Additional Regulations
Uses and structures clearly incidental to the allowed principal uses and structures of this district	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Accessory Dwelling Unit (ADU)</u>	<u>Ch. 6 Definitions; <b>Section 2.8.</b></u>
<u>Attached and/or detached private garage or carport</u>	<u>Ch. 6 Definitions; Section 2.8</u>
Deck, porch, balcony, <del>carport</del> , boat dock, and other similar structure	<u>Ch. 6 Definitions; Section 2.8</u>
Hedges and fences, <del>shall</del> not exceed 4 feet in a required front yard <del>setback</del> , and fences <del>shall</del>	Subject to subsection <del>1.8 (1)</del> 2.8.A. of the Zoning Ordinance; Ch. 6 Definitions; Section

not exceed 6 feet in a required side or rear yard setback	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
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.	Off-street parking as determined by Zoning Administrator; Ch. 6 Definitions; Section 2.8
<b>Alternative Accessory Uses and Structures (platted before 5/6/1976)</b>	<b>Additional Regulations</b>
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 [LC4]:** Moved from Special Requirements

~~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.~~

**B.C. Allowed Special Exception Uses and Structures.** Below is the list of the allowed special uses and structures in the R-1 District as defined in Chapter 6 of this Ordinance. These uses and structures shall comply with R-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 ~~2-15(2)~~ 4.7 of this Ordinance and the other requirements contained herein, the Board of Adjustment may permit the following:

- 1. Railroads, public maintenance, and public utilities-utility facilities,** but not including equipment storage or maintenance yards and buildings or administrative and sales offices, provided that:
  - ~~a. Any~~ substation or building shall meet the front and rear yard setback requirements for dwellings, and ~~shall~~
  - ~~b. Provide~~ side yard setbacks of not less than twenty-five (25) feet, and ~~that~~
  - ~~a-c. Provide two (2)~~ parking spaces per substation or ~~one (1)~~ per employee at the site, ~~be~~

**Commented [LC5]:** Delete #5 Addition of accessory structures to principal structures devoted to legal nonconforming uses; required to be a special exception in current ordinance

~~provided whichever is more.~~

**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 [LC6]:** Delete #4 Home Industries (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. 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 twenty thousand (20,000) square feet.

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. 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.g. 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.~~

#### **D. 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. Reserved.

2. Reserved.

#### **C.E. Development Regulations.**

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

For lots platted before May 6, 1976 that meet the Table 1 regulations: Development of these lots shall comply with Table 1 regulations unless specified otherwise in this Ordinance.

**Table 1. R-1 District Standard Development Regulations (platted on or after May 6, 1976)**

Table 1. R-1 District Standard Development Regulations (platted on or after May 6, 1976)							
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	
Allowed Principal Uses and Structures							
Dwellings and institutional uses <u>with private well and septic system except as provided elsewhere in this ordinance</u>	20,000 square feet <u>per dwelling unit or institutional use</u>	100 feet <u>per dwelling unit or institutional use</u>	30 feet	35 feet	10 feet	25 feet	2.5 stories or 35 feet
Dwellings and institutional uses served by community or municipal water supply and sewage disposal systems	12,000 square feet <u>per dwelling unit or institutional use</u>	80 feet <u>per dwelling unit or institutional use</u>	30 feet	35 feet	10 feet	25 feet	2.5 stories or 35 feet
<u>Other Principal uses and</u>	<u>See Note 1.</u>		30 feet	35 feet	10 feet	25 feet	2.5 stories or 35 feet



<b>Table 1. R-1 District Standard Development Regulations (platted on or after May 6, 1976)</b>							
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	
<u>structures</u>							
<b>Allowed Accessory Uses and Structures</b>							
<u>Accessory Dwelling Unit</u>	Shall comply with the same development regulations as for the single-family residence under principal uses and structures; see also <u>Section 2.8</u>						
<u>Other Accessory uses and structures</u>	<u>See Note 1.</u>		<u>30 feet</u>	<u>5 feet</u>	<u>20 feet</u>	<u>30 feet</u>	<u>2.5 stories or 35 feet</u>
<b>Allowed Special Exception Uses and Structures</b>							
<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>Mobile home park or subdivision, and multiple-family dwelling</u>	<u>See Section 2.4.D. for specific development regulations</u>						
<u>Other Special Exception uses and structures</u>	<u>See Note 1.</u>		<u>30 feet</u>	<u>5 feet</u>	<u>20 feet</u>	<u>30 feet</u>	<u>2.5 stories or 35 feet</u>

2. **Table 2.** The alternative development regulations in Table 2 below shall be met for all principal, accessory, and special exception uses and structures in the R-1 District located in subdivisions 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 2. R-1 District Alternative Development Regulations (platted before May 6, 1976)							
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	
Allowed Principal Uses and Structures							
<u>Dwellings and POA uses with private well and septic system</u>	<u>20,000 square feet per dwelling unit or POA use</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 served by community or municipal water supply and sewage disposal systems</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>

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Table 2. R-1 District Alternative Development Regulations (platted before May 6, 1976)

Table 2. R-1 District Alternative Development Regulations (platted before May 6, 1976)							
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	
Other seasonal dwellings	10,000 square feet	70 feet	10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
Other Principal uses and structures	See Note 1.		10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
Allowed Accessory Uses and Structures							
Accessory Dwelling Unit	Shall comply with the same development regulations as for the single-family residence under principal uses and structures; see also <a href="#">Section 2.8</a>						
Attached and/or detached private garage or carport (see Note 4)	See Note 1.		20 feet (or 10 feet)	20 feet (or 5 feet)	20 feet (or 10 feet)	20 feet (or 10 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
Allowed Special Exception Uses and Structures							
Railroads, public maintenance, and public utility facilities	See Note 1.		30 feet	35 feet	25 feet	25 feet	2.5 stories or 35 feet
Mobile home park or subdivision, and multiple-family dwelling	See Section 2.4.D. for specific development regulations						
Other Special Exception uses and structures	See Note 1.		10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet

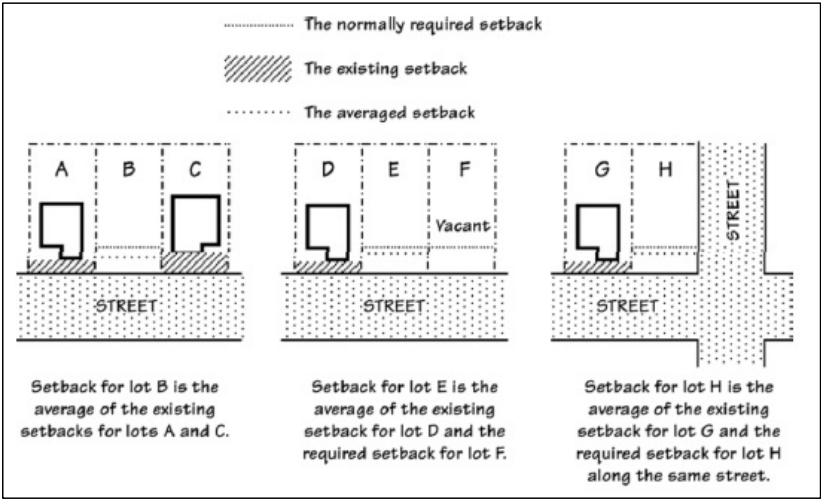
**Notes for R-1 District Development Regulations:**

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

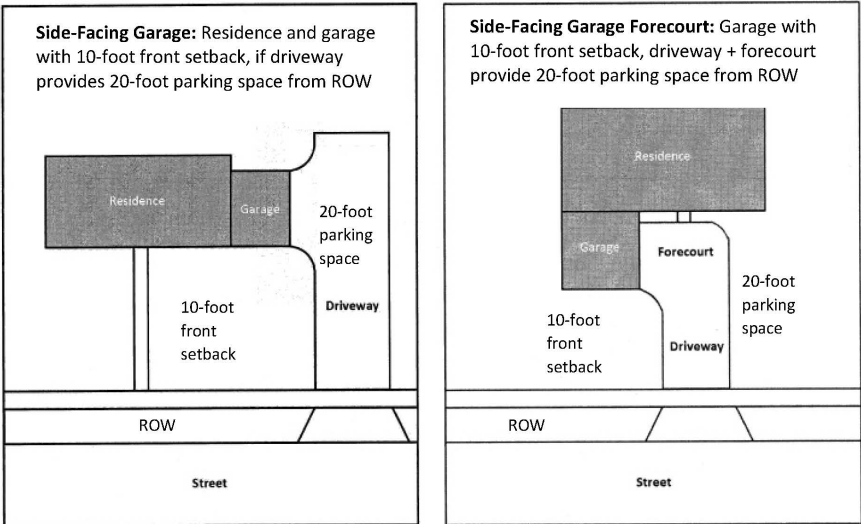
**2. Average Front Setback:** Where legally existing front or rear yards-setbacks on adjacent parcels of continuous frontage are shorter than these minimums, the required setback for a new structure shall be the average of setbacks of principal structures within five hundred (500) feet on parcels of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

**3. Special Side Setback:** For manufactured homes replacing legally existing nonconforming manufactured homes or mobile homes, the minimum rear setback shall be five (5') feet.

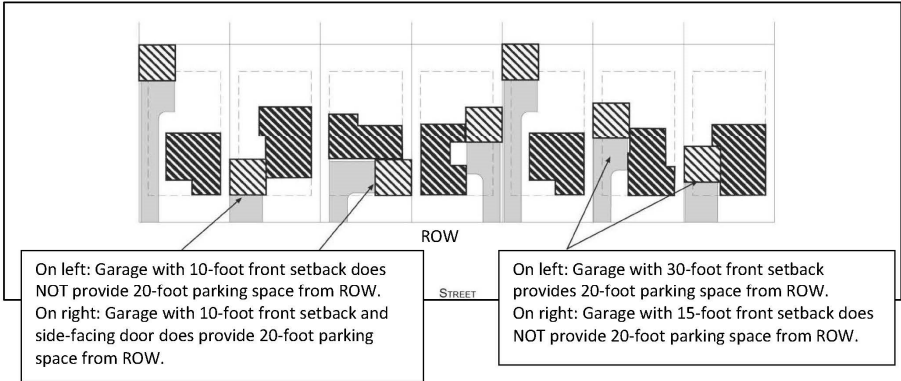
**4. Front Setback for Off-Street Parking:** For lots subject to Table 2 regulations, attached and/or detached private garages or carports must maintain a setback of twenty (20) feet from the door or opening of the garage facing the public right-of way. This setback is necessary to allow sufficient room 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 2 in italicized font (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.	Side: 10 feet	
Width 100 sq.ft.	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'.		
<b>G. Permitted-Allowed Signs.</b> The following sign regulations shall be met for all principal, accessory, special exception uses and structures in the C-1 District unless specified otherwise in this Ordinance.		
1. Identification signs not to exceed <u>four (4)</u> square feet in area.		

Commented [LC7]: Moved into table format

2. Church or public bulletin boards not to exceed sixteen (16) square feet in area.
3. Home occupation signs identifying the business or service on the premises not to exceed six (6) square feet in area.
4. Directional signs as defined not to exceed three (3) square feet in area, provided that no business shall have more than two (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 sixteen (16) square feet in area.
6. No use shall have more than one (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~~back-to-back sign.
7. Directional signs may be placed in required front yards. Other permitted signs shall be located at least twenty (20) feet from any lot line or not more than five (5) feet from the main building.
8. Illumination of signs and bulletin boards shall be indirect, non-intermittent lighting.
9. 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.
10. Identification signs for POA owned uses and structures shall not exceed sixteen (16) square feet in area, shall be limited to one (1) sign per street frontage, may be single or double faced, shall be located at least twenty (20) feet from any lot line or not more than five (5) feet from the main building in subdivisions platted before May 6, 1976.

#### **A.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).~~

1. **Sanitary Waste Disposal System Required.** Any dwelling, structure, mobile home, camper, or recreational vehicle in the Leisure Lake POA area, determined by the Leisure Lake POA Executive Board to serve as an individual's or group's primary or extended residence for more than one hundred eighty (180) days during any calendar year shall have a sanitary waste disposal system approved by the Jackson County Health Department or Iowa Department of Natural Resources (DNR).

- ~~1.2.~~ **More Than One Principal Structure on A Lot.** More than one (1) principal structure housing a permitted principal use may be erected on a single lot provided that the area, yard and other requirements of this district shall be met for each structure as though it were on an individual lot for subdivisions platted on or before May 6, 1976.

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

Allowed Principal Uses and Structures and Required Parking. The table below lists the standard and alternative principal uses and structures allowed in the R-1 District and their required off-street parking. Additional Regulations reference related sections in the Zoning Ordinance. Standard regulations apply to all R-1 districts. Alternative regulations only apply to subdivisions platted before May 6, 1976.

R-1 District Principal Uses and Structures		
Standard Principal Uses and Structures	Required Parking	Additional Regulations
Single family dwelling	2 spaces per dwelling unit	Ch. 6 Definitions; Section 2.8
Seasonal dwelling	2 spaces per dwelling unit	Ch. 6 Definitions; Section 2.8
Public Recreation	5 spaces per acre developed for active and recreation area usage	Ch. 6 Definitions; Section 2.8
Community building	1 space per 4 seats	Ch. 6 Definitions; Section 2.8
Community recreation center	1 space for every 250 square feet of floor area	Ch. 6 Definitions; Section 2.8
Golf course and clubhouse but not including miniature course 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
Elementary School	1.5 spaces per employee on maximum shift plus drop-off/pickup or bus queue area	Ch. 6 Definitions; Section 2.8
Secondary School	1.5 spaces per employee on maximum shift plus 1 space per 10 students plus drop-off/pickup or bus queue area	Ch. 6 Definitions; Section 2.8
Preschool	1 space per 400 square feet of floor area	Ch. 6 Definitions; Section 2.8

R-1 District Principal Uses and Structures		
Standard Principal Uses and Structures	Required Parking	Additional Regulations
Place of Assembly	1 space per 4 seats in the main auditorium	Ch. 6 Definitions; Section 2.8
Cemetery	20 spaces off the public right-of-way on drives and parking areas	Ch. 6 Definitions; Section 2.8
Alternative Principal Uses and Structures (platted before 5/6/1976)	Required Parking	Additional Regulations
Mobile home	2 spaces per dwelling unit	Ch. 6 Definitions; Section 2.8
Mobile home converted to real estate	2 spaces per dwelling unit	Ch. 6 Definitions; Section 2.8
POA owned buildings for meetings, showers, restrooms, and recreational activities	1 space per 250 square feet of floor area	Ch. 6 Definitions; Section 2.8
POA owned parks, playgrounds, marinas, boat docking facilities, and recreation areas	5 spaces per acre developed for active and recreation area usage	Ch. 6 Definitions; Section 2.8

- B. Allowed Accessory Uses and Structures.** The table below lists the standard and alternative accessory uses and structures clearly incidental to the allowed principal uses and structures of this district, provided they comply with this Ordinance. Additional Regulations reference related sections in the Zoning Ordinance. Standard regulations apply to all R-1 districts. Alternative regulations only apply to subdivisions platted before May 6, 1976.

R-1 District Accessory Uses and Structures	
Standard 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 yard setback, and fences not exceed 6 feet in a required side or rear yard setback	Subject to subsection 2.8.A. of the Zoning Ordinance; 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
Home-based business	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.	Off-street parking as determined by Zoning Administrator; Ch. 6 Definitions; Section 2.8
<b>Alternative Accessory Uses and Structures (platted before 5/6/1976)</b>	<b>Additional Regulations</b>
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

**C. Allowed Special Exception Uses and Structures.** Below is the list of the allowed special uses and structures in the R-1 District as defined in Chapter 6 of this Ordinance. These uses and structures shall comply with R-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 of this Ordinance and the other requirements contained herein, the Board of Adjustment may permit the following:

- 1. Railroad, public maintenance, and public utility facilities,** but not including equipment storage or maintenance yards and buildings or administrative and sales offices, provided that:
  - a. Any substation or building shall meet the front and rear yard setback requirements for dwellings, and
  - b. Provide side yard setbacks of not less than twenty-five (25) feet, and
  - c. Provide two (2) parking spaces per substation or one (1) per employee at the site, whichever is more.

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

- a. Each mobile home space has a minimum area of three thousand five hundred (3,500) square feet.
- b. The mobile home park has a maximum density of eight (8) units per acre.;
- c. 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. Two (2) parking spaces per unit be provided.
- e. 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.
- 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. Addition of accessory structures to principal structures devoted to legal nonconforming uses.**

**5. Multiple-family dwelling, including residential condominium, 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.
- c. Maintain a maximum density of one (1) dwelling unit per twenty thousand (20,000) square feet.
- 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. The side yard requirement shall be at least ten (10) feet per dwelling unit up to a maximum requirement of forty (40) feet.
- g. 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.

**D. 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. *Reserved.*
- 2. *Reserved.*

**E. Development Regulations.**

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

For lots platted before May 6, 1976 that meet the Table 1 regulations: Development of these lots shall comply with Table 1 regulations unless specified otherwise in this Ordinance.

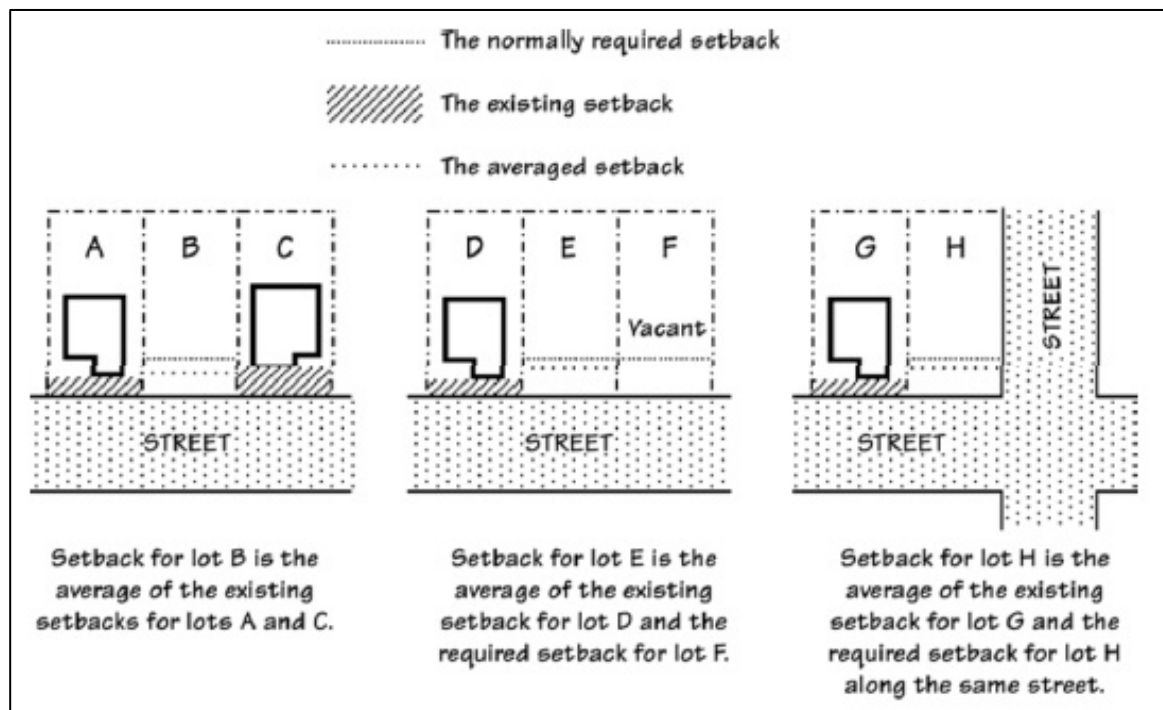
Table 1. R-1 District Standard Development Regulations (platted on or after May 6, 1976)							
Type of Uses and Structures	Minimum Lot Size		Minimum Setback Requirements (see Notes 2 and 3)				Maximum Height
	Area	Width	Front	Rear	Side	Street side, corner lot	
Allowed Principal Uses and Structures							
Dwellings and institutional uses with private well and septic system	20,000 square feet per dwelling unit or institutional use	100 feet per dwelling unit or institutional use	30 feet	35 feet	10 feet	25 feet	2.5 stories or 35 feet
Dwellings and institutional uses served by community or municipal water supply and sewage disposal systems	12,000 square feet per dwelling unit or institutional use	80 feet per dwelling unit or institutional use	30 feet	35 feet	10 feet	25 feet	2.5 stories or 35 feet
Other Principal uses and structures	See Note 1.		30 feet	35 feet	10 feet	25 feet	2.5 stories or 35 feet
Allowed Accessory Uses and Structures							
Accessory Dwelling Unit	Shall comply with the same development regulations as for the single-family residence under principal uses and structures; see also <a href="#">Section 2.8</a>						
Other Accessory uses and structures	See Note 1.		30 feet	5 feet	20 feet	30 feet	2.5 stories or 35 feet
Allowed Special Exception Uses and Structures							
Railroads, public maintenance, and public utility facilities	See Note 1.		30 feet	35 feet	25 feet	25 feet	2.5 stories or 35 feet
Mobile home park or subdivision, and multiple-family dwelling	See Section 2.4.D. for specific development regulations						
Other Special Exception uses and structures	See Note 1.		30 feet	5 feet	20 feet	30 feet	2.5 stories or 35 feet

- 2. Table 2.** The alternative development regulations in Table 2 below shall be met for all principal, accessory, and special exception uses and structures in the R-1 District located in subdivisions 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.

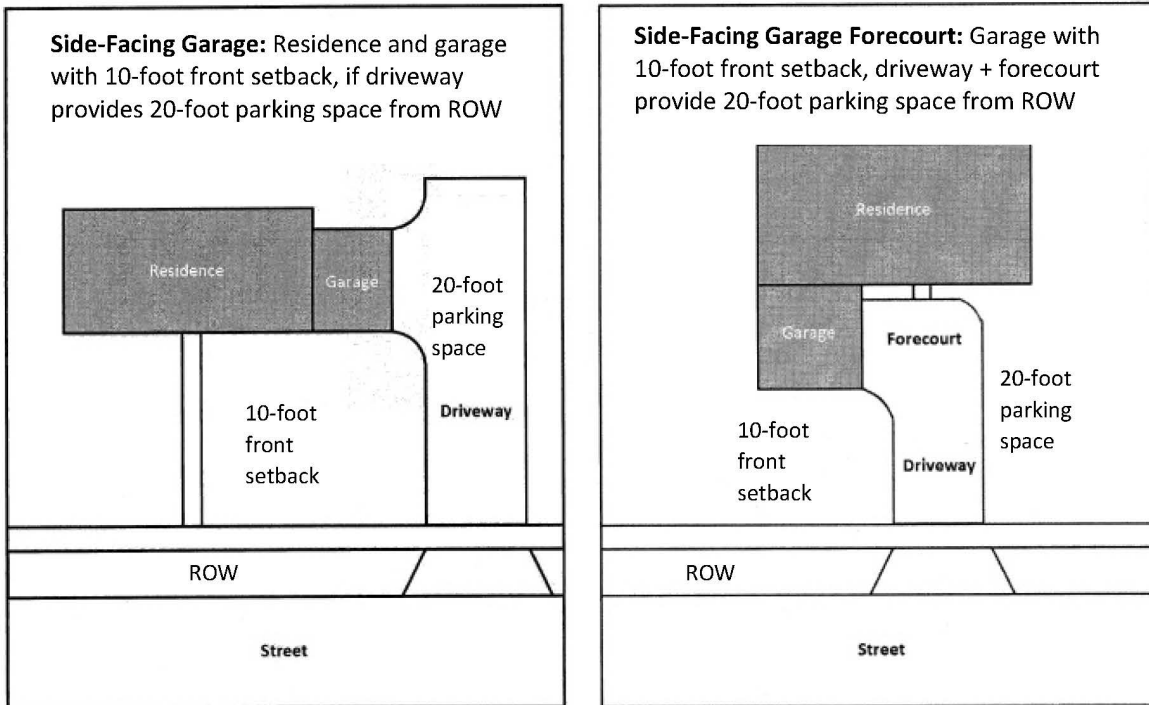
Table 2. R-1 District Alternative Development Regulations (platted before May 6, 1976)							
Type of Uses and Structures	Minimum Lot Size		Minimum Setback Requirements (see Notes 2 and 3)				Maximum Height
	Area	Width	Front	Rear	Side	Street side, corner lot	
Allowed Principal Uses and Structures							
Dwellings and POA uses with private well and septic system	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 served by community or municipal water supply and sewage disposal systems	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
Other seasonal dwellings	10,000 square feet	70 feet	10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
Other Principal uses and structures	See Note 1.		10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
Allowed Accessory Uses and Structures							
Accessory Dwelling Unit	Shall comply with the same development regulations as for the single-family residence under principal uses and structures; see also <a href="#">Section 2.8</a>						
Attached and/or detached private garage or carport (see Note 4)	See Note 1.		20 feet (or 10 feet)	20 feet (or 5 feet)	20 feet (or 10 feet)	20 feet (or 10 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
Allowed Special Exception Uses and Structures							
Railroads, public maintenance, and public utility facilities	See Note 1.		30 feet	35 feet	25 feet	25 feet	2.5 stories or 35 feet
Mobile home park or subdivision, and multiple-family dwelling	See Section 2.4.D. for specific development regulations						
Other Special Exception uses and structures	See Note 1.		10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet

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

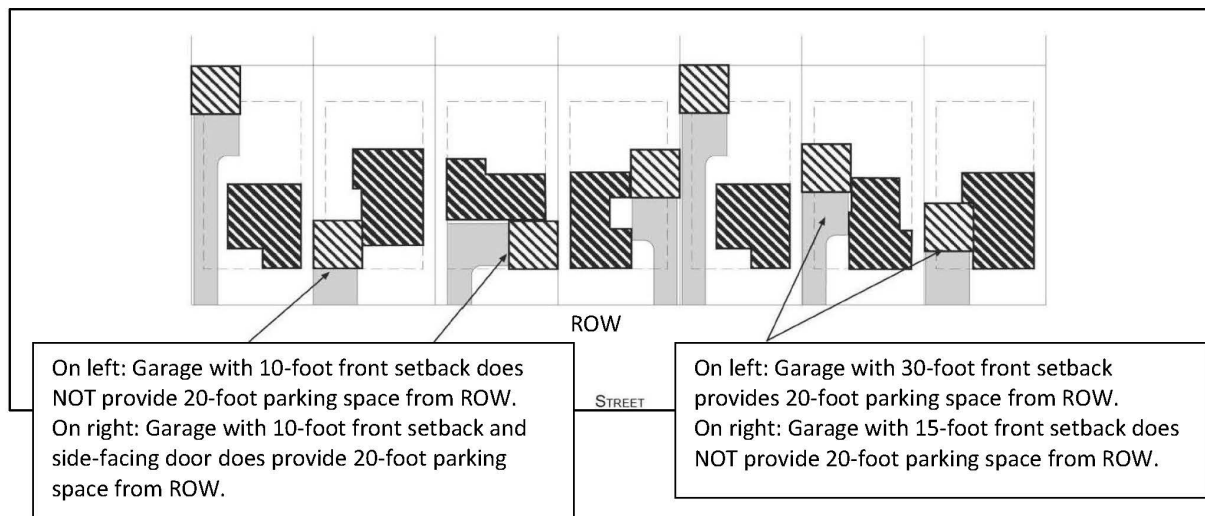
- 1. Minimum lot area and width:** None except as may be required by the County Health Department to provide adequate sewage disposal facilities.
- 2. Average Front Setback:** Where legally existing front or rear setbacks on adjacent parcels of continuous frontage are shorter than these minimums, the 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*).
- 3. Special Side Setback:** For manufactured homes replacing legally existing nonconforming manufactured homes or mobile homes, the minimum rear setback shall be five (5) feet.
- 4. Front Setback for Off-Street Parking:** For lots subject to Table 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 2 in italicized font (*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 following sign regulations shall be met for all principal, accessory, special exception uses and structures in the C-1 District unless specified otherwise in this Ordinance.

1. Identification signs not to exceed four (4) square feet in area. -
2. Church or public bulletin boards not to exceed sixteen (16) square feet in area.
3. Home occupation signs identifying the business or service on the premises not to exceed six (6) square feet in area. -

4. Directional signs as defined not to exceed three (3) square feet in area, provided that no business shall have more than two (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 sixteen (16) square feet in area.
6. No use shall have more than one (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 twenty (20) feet from any lot line or not more than five (5) feet from the main building.
8. Illumination of signs and bulletin boards shall be indirect, non-intermittent lighting.
9. 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.
10. Identification signs for POA owned uses and structures shall not exceed sixteen (16) square feet in area, shall be limited to one (1) sign per street frontage, may be single or double faced, shall be located at least twenty (20) feet from any lot line or not more than five (5) feet from the main building in subdivisions platted before May 6, 1976.

#### H. Special Requirements.

1. **Sanitary Waste Disposal System Required.** Any dwelling, structure, mobile home, camper, or recreational vehicle in the Leisure Lake POA area, determined by the Leisure Lake POA Executive Board to serve as an individual's or group's primary or extended residence for more than one hundred eighty (180) days during any calendar year shall have a sanitary waste disposal system approved by the Jackson County Health Department or Iowa Department of Natural Resources (DNR).
2. **More Than One Principal Structure on A Lot.** More than one (1) principal structure housing a permitted principal use may be erected on a single lot provided that the area, yard and other requirements of this district shall be met for each structure as though it were on an individual lot for subdivisions platted on or before May 6, 1976.





April 16, 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 Commercial District (04-16-25)**

Dear Lori,

Attached is the revised draft of Section 2.4 C-1 Commercial District (04-16-25 for the Zoning Ordinance Update for consideration by the Zoning Commission at their April 21, 2025 meeting.

**Discussion**

The C-1 District has been reformatted to use tables and an outline format 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 proposed are as follows:

- Tables are used for Principal and Accessory Uses and Structures.
- Land uses and parking requirements are revised according to the Matrix of Allowed Uses.
- References are shown for relevant sections of the Zoning Ordinance and other County ordinances; these will become hyperlinks in the online version.
- An outline format has been used for Special Exception Uses and Structures, with additional conditions such as parking requirements for consistency and clarification.
- A new section has been added for Temporary Uses and Structures.

**Recommendation**

The Commission is asked to review the revised draft of Section 2.4 C-1 Commercial District (04-16-25), 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 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.** The table below lists the allowed principal uses and structures in the C-1 District and their required off-street parking. Additional Regulations reference related sections in the Zoning Ordinance.

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 <del>for every 300</del> <u>per 400</u> square feet of floor <del>space</del> <u>area + display of vehicles for sale or rent</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Mini-Warehouse/Rental storage units</u>	1 <del>space for every 300</del> <u>per 500</u> square feet of floor <del>space</del> <u>area</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Retail automotive fuel sales Gas Station and Car Wash</u>	<u>1 per 4 pumps plus 1 per 400 sq ft of floor plus 2 stacking per wash bay 4 spaces plus storage for 4 other vehicles in each service lane</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Drive-in banks Financial Institution</u>	<u>1 per 400 sq ft of floor area plus 2 stacking spaces per drive-through 3 spaces plus storage for 3 vehicles outside each teller lane</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Hotels and Motels</u>	1 <del>space per unit</del> <u>per guest room</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Plant Nurseries and Garden Centers, and Greenhouse</u>	1 space <del>for every</del> <u>per 100-400</u> square <del>foot-feet</del> <u>of floor area</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Antique shops, art galleries and studios, bait shops, fishing</u>	<u>1 per 400 square feet of floor area</u>	<u>Ch. 6 Definitions; Section 2.8</u>

C-1 District Principal Uses and Structures		
Principal Uses and Structures	Required Parking	Additional Regulations
<del>and camping supply shops, convenience stores &amp; liquor stores</del> <u>General Retail</u>		
<del>Restaurants &amp; nightclubs</del>	<u>1 per 250 sq ft of floor area</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<del>Drive-in Restaurants</del> Restaurant, Drive-in & refreshment areas	<u>1 per 250 sq ft of floor area + 2 stacking spaces per drive-through</u> <del>5 spaces for every 100 square foot of floor area</del>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Nightclub/Bar/Tavern</u>	<u>1 per 250 sq ft of floor area + 2 stacking spaces per drive-through</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<del>Recreational Recreation, Indoor Commercial &amp; amusement activities such as bowling alleys, miniature golf courses, driving ranges, skating rinks, dance halls</del> <u>Drive-in theaters</u>	<del>Bowling: 5 spaces per lane; Miniature golf: 3 spaces per green; other: 1 space per 100</del> <u>250 square foot of floor area</u> <del>Storage lanes outside ticket booth to accommodate 10% of theater</del>	<u>Ch. 6 Definitions; Section 2.8</u>
<del>Building materials/Lumber yard sales &amp; distribution</del>	<del>5 spaces plus 1 space for each</del> <u>per employee on the site plus 1 space for each company vehicle</u>	<u>Ch. 6 Definitions; Section 2.8</u>
Tourism welcome centers and information booths	<u>1 per 500 square feet of floor area</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Agricultural Sales, Service, and Supply</u>	<u>1 per 400 square feet of floor area</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Multiple family dwellings, including residential condominiums</u>	<u>2 per dwelling unit</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Daycare, Adult</u>	<u>1 per 400 square feet of floor area</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Daycare, Child</u>	<u>1 per 400 square feet of floor area</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Post High School</u>	<u>1 per 400 square feet of floor area</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>General Office</u>	<u>1 per 400 square feet of floor area</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>General Services</u>	<u>1 per 400 square feet of floor area</u>	<u>Ch. 6 Definitions; Section 2.8</u>

C-1 District Principal Uses and Structures		
Principal Uses and Structures	Required Parking	Additional Regulations
<u>Personal Services</u>	<u>1 per 400 square feet of floor area</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Place of Assembly</u>	<u>1 per 4 seats</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Public Recreation</u>	<u>5 for each acre developed for active and recreation areas usage</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Public Campground</u>	<u>1 per RV or camp site 5</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Recreation, Outdoor Commercial</u>	<u>1 per RV or camp site and 1 per 4 occupants + 1 per employee on maximum shift</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Animal hospital/veterinary clinic</u>	<u>1 per 400 square feet of floor area</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Bed and breakfast home</u>	<u>1 per guest room</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Bed and breakfast inn</u>	<u>1 per guest room</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Boarding or Lodging House</u>	<u>1 per guest room</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Event Venue</u>	<u>1 per 400 square feet of floor area</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Fairgrounds and Public Exposition</u>	<u>1 per 3 seats at the main arena</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Kennel</u>	<u>1 per 400 square feet of floor area</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Livestock Auction Sales</u>	<u>1 per employee, 1 per company vehicle, and 1 per every 2 seats in the sales arena</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Plumbing, heating, air conditioning, and sheet metal shops</u>	<u>1 per employee and 1 per company vehicle</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Public maintenance facilities including garage and administrative office, but not including equipment and materials storage yard</u>	<u>1 per employee at the site plus 1 per company vehicle</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Railroads and public utilities including garage, substations, and administrative office, but not</u>	<u>2 per substation or 1 per employee at the site plus 1 per company vehicle</u>	<u>Ch. 6 Definitions; Section 2.8</u>

C-1 District Principal Uses and Structures		
Principal Uses and Structures	Required Parking	Additional Regulations
including equipment storage or maintenance yards		

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

Commented [LC1]: Moved into table

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 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 green; other: 3 spaces per 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.** The table below lists the allowed accessory uses and structures clearly incidental to the allowed principal uses and structures of the C-1 District, provided they comply with this Ordinance. Additional Regulations reference related sections in the Zoning Ordinance.

C-1 District Accessory Uses and Structures	
Allowed Accessory Uses and Structures	Additional Regulations
Uses and structures clearly incidental and necessary to the <del>permitted-allowed</del> principal uses or structures of this district.	<u>Ch. 6 Definitions; Section 2.8</u>
Storage <del>warehouses-buildings</del> in conjunction with <del>the-an allowed</del> <u>permitted</u> principal uses or structures of this district.	<u>Ch. 6 Definitions; Section 2.8</u>
Temporary buildings used in conjunction with construction work provided that such buildings are removed promptly upon completion of the construction work	<u>Off-street parking as determined by Zoning Administrator; Ch. 6 Definitions; Section 2.8</u>
<del>Upper story d</del> <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>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 are provided.</u> <u>Ch. 6 Definitions; Section 2.8</u>
<u>Home-Based Business</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Solar Energy System: consumer-scale and building-mounted</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Wind Energy Conversion System: Non-Commercial</u>	<u>Ch. 6 Definitions; Section 2.8</u>

~~PERMITTED ACCESSORY USES AND STRUCTURES~~

**Commented [LC2]:** Moved in to table

- ~~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.~~

**D. Allowed Special Exception Uses and Structures.** Below is the list of the allowed special uses and structures in the C-1 District as defined in Chapter 6 of this Ordinance. These uses and structures shall comply with C-1 District development regulations in Section 2.4.E 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 permit the following:

- ~~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 [LC3]:** Moved to Principal Uses and Structures

- 21. Commercial communications (cell) stations and towers** 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

**Commented [LC4]:** Cell tower regulations are under further review

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~~
  - ~~b. that water and sewage disposal facilities shall be approved by County and State Health Departments.~~

**Commented [LC5]:** Moved to Principal uses and structures

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.

- 4. Addition of accessory structures to principal structures devoted to legal non-conforming uses.**

- 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. Reserved.
- 2. Reserved.

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

C-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot		Minimum <del>Yard</del> Setback Requirements				Maximum Height
	Area	Width	Front	Rear	Side	Street side, corner lot	
<u>Public maintenance facilities</u>	<u>None, except as Minimum lot area and width may be required by the County Health Department to provide adequate sewage disposal facilities</u>		<u>30 feet</u>	<u>25 feet</u>	<u>20 feet</u>	<u>30 feet</u>	<u>2- and one-half stories or 35 feet</u>
<u>Railroads and public utilities</u>			<u>30 feet</u>	<u>25 feet</u>	<u>25 feet</u>	<u>30 feet</u>	<u>2- and one-half stories or 35 feet</u>
<u>Principal uses and structures</u>			<u>30 feet</u>	<u>25 feet</u>	<u>20 feet</u>	<u>30 feet</u>	<u>2- and one-half stories or 35 feet</u>
<u>Upper story dwelling unit with private well and septic system</u>	<u>20,000 square feet</u>	<u>100 feet</u>	<u>30 feet</u>	<u>35 feet</u>	<u>10 feet</u>	<u>25 feet</u>	<u>2.5 stories or 35 feet</u>
<u>Upper story dwelling units served by community or municipal water supply and sewage disposal systems</u>	<u>12,000 square feet</u>	<u>80 feet</u>	<u>30 feet</u>	<u>35 feet</u>	<u>10 feet</u>	<u>25 feet</u>	<u>2.5 stories or 35 feet</u>
<u>Accessory uses and structures</u>	<u>Minimum lot area and width may be required by the County Health Department to provide adequate sewage disposal facilities</u>		<u>30 feet</u>	<u>5 feet</u>	<u>20 feet</u>	<u>30 feet</u>	<u>2- and one-half stories or 35 feet</u>
<u>Special Exception uses and structures</u>			<u>30 feet</u>	<u>25 feet</u>	<u>20 feet</u>	<u>30 feet</u>	<u>2- and one-half stories or 35 feet</u>

**G. ~~Permitted~~ Allowed Signs.** The following sign regulations shall be met for all principal, accessory, special exception uses and structures in the C-1 District unless specified otherwise in this Ordinance.



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.

#### H. Special Requirements.

1. 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 Construction Compliance 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 Zoning 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.

## 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 and Required Parking.** The table below lists the allowed principal uses and structures in the C-1 District and their required off-street parking. Additional Regulations reference related sections in the Zoning Ordinance.

C-1 District Principal Uses and Structures		
Principal Uses and Structures	Required Parking	Additional Regulations
Vehicle Sales, Service and Repair	1 space per 400 square feet of floor area + display of vehicles for sale or rent	Ch. 6 Definitions; Section 2.8
Mini-Warehouse/Rental storage unit	1 per 500 square feet of floor area	Ch. 6 Definitions; Section 2.8
Gas Station and Car Wash	1 per 4 pumps plus 1 per 400 sq ft of floor plus 2 stacking per wash bay	Ch. 6 Definitions; Section 2.8
Financial Institution	1 per 400 sq ft of floor area plus 2 stacking spaces per drive-through	Ch. 6 Definitions; Section 2.8
Hotel and Motel	1 per guest room	Ch. 6 Definitions; Section 2.8
Nursery, Garden Center, and Greenhouse	1 space per 400 square feet of floor area	Ch. 6 Definitions; Section 2.8
General Retail	1 per 400 square feet of floor area	Ch. 6 Definitions; Section 2.8
Restaurant	1 per 250 sq ft of floor area	Ch. 6 Definitions; Section 2.8
Restaurant, Drive-in	1 per 250 sq ft of floor area + 2 stacking spaces per drive-through	Ch. 6 Definitions; Section 2.8
Nightclub/Bar/Tavern	1 per 250 sq ft of floor area + 2 stacking spaces per drive-through	Ch. 6 Definitions; Section 2.8
Recreation, Indoor Commercial	1 per 250 square foot of floor area	Ch. 6 Definitions; Section 2.8

C-1 District Principal Uses and Structures		
Principal Uses and Structures	Required Parking	Additional Regulations
Building materials/Lumber yard	1 per employee plus 1 space for each company vehicle	Ch. 6 Definitions; Section 2.8
Tourism welcome centers and information booths	1 per 500 square feet of floor area	Ch. 6 Definitions; Section 2.8
Agricultural Sales, Service, and Supply	1 per 400 square feet of floor area	Ch. 6 Definitions; Section 2.8
Multiple family dwellings, including residential condominiums	2 per dwelling unit	Ch. 6 Definitions; Section 2.8
Daycare, Adult	1 per 400 square feet of floor area	Ch. 6 Definitions; Section 2.8
Daycare, Child	1 per 400 square feet of floor area	Ch. 6 Definitions; Section 2.8
Post High School	1 per 400 square feet of floor area	Ch. 6 Definitions; Section 2.8
General Office	1 per 400 square feet of floor area	Ch. 6 Definitions; Section 2.8
General Services	1 per 400 square feet of floor area	Ch. 6 Definitions; Section 2.8
Personal Services	1 per 400 square feet of floor area	Ch. 6 Definitions; Section 2.8
Place of Assembly	1 per 4 seats	Ch. 6 Definitions; Section 2.8
Public Recreation	5 for each acre developed for active and recreation areas usage	Ch. 6 Definitions; Section 2.8
Public Campground	1 per RV or camp site 5	Ch. 6 Definitions; Section 2.8
Recreation, Outdoor Commercial	1 per RV or camp site and 1 per 4 occupants + 1 per employee on maximum shift	Ch. 6 Definitions; Section 2.8
Animal hospital/veterinary clinic	1 per 400 square feet of floor area	Ch. 6 Definitions; Section 2.8
Bed and breakfast home	1 per guest room	Ch. 6 Definitions; Section 2.8
Bed and breakfast inn	1 per guest room	Ch. 6 Definitions; Section 2.8
Boarding or Lodging House	1 per guest room	Ch. 6 Definitions; Section 2.8
Event Venue	1 per 400 square feet of floor area	Ch. 6 Definitions; Section 2.8

C-1 District Principal Uses and Structures		
Principal Uses and Structures	Required Parking	Additional Regulations
Fairgrounds and Public Exposition	1 per 3 seats at the main arena	Ch. 6 Definitions; Section 2.8
Kennel	1 per 400 square feet of floor area	Ch. 6 Definitions; Section 2.8
Livestock Auction Sales	1 per employee, 1 per company vehicle, and 1 per every 2 seats in the sales arena	Ch. 6 Definitions; Section 2.8
Plumbing, heating, air conditioning, and sheet metal shops	1 per employee and 1 per company vehicle	Ch. 6 Definitions; Section 2.8
Public maintenance facilities including garage and administrative office, but not including equipment and materials storage yard	1 per employee at the site plus 1 per company vehicle	Ch. 6 Definitions; Section 2.8
Railroads and public utilities including garage, substations, and administrative office, but not including equipment storage or maintenance yards	2 per substation or 1 per employee at the site plus 1 per company vehicle	Ch. 6 Definitions; Section 2.8

**C. Allowed Accessory Uses and Structures.** The table below lists the allowed accessory uses and structures clearly incidental to the allowed principal uses and structures of the C-1 District, provided they comply with this Ordinance. Additional Regulations reference related sections in the Zoning Ordinance.

C-1 District Accessory Uses and Structures	
Allowed 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
Temporary buildings used in conjunction with construction work provided that such buildings are removed promptly upon completion of the construction work	Off-street parking as determined by Zoning Administrator; Ch. 6 Definitions; Section 2.8

C-1 District Accessory Uses and Structures	
Allowed Accessory Uses and Structures	Additional Regulations
Upper story 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 are provided. 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 Special Exception Uses and Structures.** Below is the list of the allowed special uses and structures in the C-1 District as defined in Chapter 6 of this Ordinance. These uses and structures shall comply with C-1 District development regulations in Section 2.4.E of this Ordinance unless specified otherwise in their specific conditions for approval listed below. Subject to Section 4.5 of this Ordinance, and the other requirements contained herein, the Board of Adjustment may permit the following:

1. **Commercial communications (cell) station and tower** 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.

**2. 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. Addition of accessory structures to principal structures devoted to legal non-conforming uses.**

**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. *Reserved.*
- 2. *Reserved.*

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

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	
Public maintenance facilities	Minimum lot area and width may be required by the County Health Department to provide adequate sewage disposal facilities		30 feet	25 feet	20 feet	30 feet	2- and one-half stories or 35 feet
Railroads and public utilities			30 feet	25 feet	25 feet	30 feet	2- and one-half stories or 35 feet
Principal uses and structures			30 feet	25 feet	20 feet	30 feet	2- and one-half

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	
							stories or 35 feet
Upper story dwelling unit with private well and septic system	20,000 square feet	100 feet	30 feet	35 feet	10 feet	25 feet	2.5 stories or 35 feet
Upper story dwelling units served by community or municipal water supply and sewage disposal systems	12,000 square feet	80 feet	30 feet	35 feet	10 feet	25 feet	2.5 stories or 35 feet
Accessory uses and structures	Minimum lot area and width may be required by the County Health Department to provide adequate sewage disposal facilities		30 feet	5 feet	20 feet	30 feet	2- and one-half stories or 35 feet
Special Exception uses and structures			30 feet	25 feet	20 feet	30 feet	2- and one-half stories or 35 feet

**G. Allowed Signs.** The following sign regulations shall be met for all principal, accessory, special exception uses and structures in the C-1 District unless specified otherwise in this Ordinance.

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.

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

- 1. 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 Construction Compliance 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 Zoning 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.



April 16, 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 (04-16-25)**

Dear Lori,

Attached is the revised draft of Section 2.5 M-1 Limited Industrial District (04-16-25) for the Zoning Ordinance Update for consideration by the Zoning Commission at their April 21, 2025 meeting.

**Discussion**

The M-1 District has been reformatted to use tables and an outline format 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 proposed are as follows:

- Tables are used for Principal and Accessory Uses and Structures.
- Land uses and parking requirements are revised according to the Matrix of Allowed Uses.
- References are shown for relevant sections of the Zoning Ordinance and other County ordinances; these will become hyperlinks in the online version.
- An outline format has been used for Special Exception Uses and Structures, with additional conditions such as parking requirements for consistency and clarification.
- A new section has been added for Temporary Uses and Structures.

**Recommendation**

The Commission is asked to review the revised draft of Section 2.5 M-1 Limited Industrial District (04-16-25), 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 2. ZONING DISTRICT REGULATIONS

## 2.4 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.** The table below lists the allowed principal uses and structures in the M-1 District and their required off-street parking. Additional Regulations reference related sections in the Zoning Ordinance.

M-1 District Principal Uses and Structures		
Principal Uses and Structures	Required Parking	Additional Regulations
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. <del>The area devoted to external storage shall not exceed the area of roofed structures on the parcel</del>	1 space <del>for every</del> <u>per</u> 2 employees on the maximum shift, <del>plus 1 space for each</del> <u>per</u> company vehicle, <del>and 1 loading space per 10,000 square feet of floor area</del>	The area devoted to external storage shall not exceed the area of roofed structures on the parcel. <u>Ch. 6 Definitions; Section 2.8</u>
Animal hospital/ <u>Veterinary clinics or kennels</u>	1 space <del>for every 300</del> <u>per 400</u> feet of <del>sales, service or office</del> floor area	<u>Ch. 6 Definitions; Section 2.8</u>
Kennels	1 space <del>for every 300</del> <u>per 400</u> square feet of <del>sales, service, or office</del> floor area	<u>Ch. 6 Definitions; Section 2.8</u>
Mini-Warehouse/ Rental storage units	1 space <del>for every 300</del> <u>per 5,000</u> square feet of floor <del>space</del> <u>area</u>	<u>Ch. 6 Definitions; Section 2.8</u>
Contract construction office, maintenance shop or storage yard.	<u>1 space per employee on maximum shift plus 1 space per company vehicle</u> <del>1 space for every 300 square feet of floor space</del>	<u>Ch. 6 Definitions; Section 2.8</u>

M-1 District Principal Uses and Structures		
Principal Uses and Structures	Required Parking	Additional Regulations
<del>Vehicle 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</del>	1 space for <del>every 300</del> <u>per 400</u> square feet of floor <del>space</del> <u>area plus storage of vehicles for sale or rent</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<del>Building materials/Lumber yards and building material sales &amp; storage</del>	1 space <del>for each</del> <u>per</u> employee plus 1 space <del>for each</del> <u>per</u> company vehicle	<u>Ch. 6 Definitions; Section 2.8</u>
<del>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</del>	1 space <del>for each</del> <u>per</u> employee <u>on maximum shift</u> , plus 1 space <del>for each</del> <u>per</u> company vehicle, <u>plus 1 loading space per 10,000 sq. ft. of floor area</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<del>Truck &amp; freight terminals</del>	1 space <del>for each</del> <u>per</u> employee plus 1 space <del>for each</del> <u>per</u> company vehicle	<u>Ch. 6 Definitions; Section 2.8</u>
<del>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</del>	<del>1 space for each employee plus 1 space for each company vehicle</del> <u>1 space per 400 square feet of floor area</u>	<u>Ch. 6 Definitions; Section 2.8</u>

**Commented [LC1]:** Part of new Vehicle Sales, Service, and Repair; allow in C-1, M-1, and M-2 as Principal use

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

**Commented [LC3]:** Added definitions for Wholesaling and Warehousing; recommend using longer combined definition that includes "highly volatile chemicals or materials"

**Commented [LC4]:** 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

M-1 District Principal Uses and Structures		
Principal Uses and Structures	Required Parking	Additional Regulations
Welding, machine, and repair shops	1 space <del>for each</del> per employee plus 1 space <del>for each</del> per company vehicle	<a href="#">Ch. 6 Definitions; Section 2.8</a>
<del>Automobile-Vehicle</del> paint & and body shops	<u>1 per 400 sq ft of floor area plus storage of vehicles for sale or rent</u>	<a href="#">Ch. 6 Definitions; Section 2.8</a>
Plumbing, heating, air conditioning, and sheet metal shops	<u>1 space per employee plus 1 space per company vehicle</u>	<a href="#">Ch. 6 Definitions; Section 2.8</a>
Railroads, <u>public maintenance garage</u> , and public <del>utilities-utility</del> including <u>equipment and materials storage yard, and maintenance yards and building, and administrative or sales office</u>	<u>2 per substation or 1 per employee at the site plus 1 per company vehicle</u>	<a href="#">Ch. 6 Definitions; Section 2.8</a>
<u>Grain storage bin</u>	<u>1 space per employee plus 1 space per company vehicle</u>	<a href="#">Ch. 6 Definitions; Section 2.8</a>
<u>Logging, storage only</u>	<u>1 space per employee at the site plus 1 space per company vehicle</u>	<a href="#">Ch. 6 Definitions; Section 2.8</a>
<u>Loading space (all uses): 1 space per 10,000 sq. ft. of floor area or fraction thereof</u>		

**Commented [LC5]:** Not all uses require loading spaces, so this requirement was limited to select uses as shown

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

**Commented [LC6]:** Moved into table

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. The table below lists the allowed accessory uses and structures clearly incidental to the allowed principal uses and structures of the M-1 District, provided they comply with this Ordinance. Additional Regulations reference related sections in the Zoning Ordinance.

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
Temporary buildings used in conjunction with construction work provided that such buildings are removed promptly upon completion of the construction work.	Off-street parking as determined by Zoning Administrator; Ch. 6 Definitions; Section 2.8
Dwelling units for owners or persons 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 and that 2 off-street parking spaces per unit are provided. 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

#### 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 [LC7]: Moved into table.

**D. Allowed Special Exception Uses and Structures.** Below is the list of the allowed special uses and structures in the M-1 District as defined in Chapter 6 of this Ordinance. These uses and structures shall comply with M-1 District development regulations in Section 2.5.E 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 requirements contained herein the Board of Adjustment may permit the following:

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** 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 #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. **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.

**Commented [LC8]:** Cell tower regulations are under further review.



**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.

- 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.
- c. Prior to the issuance of a Compliance Certificate for a temporary concrete plant, 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 [LC9]:** Same as A-1

- 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.

M-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot		Minimum <del>Yard</del> <u>Setback</u> Requirements			Maximum Height	
	Area	Width	Front	Rear	Side		Street side, corner lot
<u>Principal uses and structures</u>	<u>Minimum lot area and width may be required by the County Health</u>		30 feet	25 feet	20 feet	25 feet	4 stories or 50 feet

M-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot		Minimum <del>Yard</del> <u>Setback</u> Requirements				Maximum Height
	Area	Width	Front	Rear	Side	Street side, corner lot	
	<u>Department to provide adequate sewage disposal facilities</u> <del>None</del>						
<u>Dwelling unit for owners or persons employed on the premises with private well and septic system</u>	<u>20,000 square feet</u>	<u>100 feet</u>	<u>30 feet</u>	<u>35 feet</u>	<u>10 feet</u>	<u>25 feet</u>	<u>2.5 stories or 35 feet</u>
<u>Dwelling unit for owners or persons employed on the premises served by community or municipal water supply and sewage disposal systems</u>	<u>12,000 square feet</u>	<u>80 feet</u>	<u>30 feet</u>	<u>35 feet</u>	<u>10 feet</u>	<u>25 feet</u>	<u>2.5 stories or 35 feet</u>
<u>All other accessory uses and structures</u>	<u>Minimum lot area and width may be required by the County Health Department to provide adequate sewage disposal facilities</u>		<u>30 feet</u>	<u>25 feet</u>	<u>20 feet</u>	<u>25 feet</u>	<u>4 stories or 50 feet</u>
<u>Special Exception uses and structures</u>			<u>30 feet</u>	<u>25 feet</u>	<u>20 feet</u>	<u>25 feet</u>	<u>4 stories or 50 feet</u>

MINIMUM LOT AREA MINIMUM YARD MAXIMUM HEIGHT  
AND WIDTH REQUIREMENTS

None Front 30 feet 4 stories or 50 feet

Commented [LC10]: Moved to table

\_\_\_\_ Rear \_\_\_\_\_ 25 feet \_\_\_\_\_  
\_\_\_\_ Side \_\_\_\_\_ 20 feet \_\_\_\_\_  
\_\_\_\_ Street-side,  
\_\_\_\_ corner lot \_\_\_\_\_ 25 feet \_\_\_\_\_

**G. ~~Permitted~~ Allowed Signs.** The following sign regulations shall be met for all principal, accessory, special exception uses and structures in the M-1 district unless specified otherwise in this Ordinance.

1. Temporary signs advertising the sale or lease of the premises not to exceed twenty-four (24) square feet in area.
2. Billboards and advertising signs, provided that:
  - a. They are not within two hundred (250) feet of a highway intersection, highway structure, residence, park, school, cemetery, public or semi-public building.
  - b. They are not within three hundred (300) feet of another billboard or advertising sign facing the same direction.
  - c. No billboard or advertising sign shall exceed seven hundred fifty (750) square feet in area per face or twenty-five (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 one hundred (100) square feet in area or thirty-five (35) feet in height.
  - b. Signs mounted or painted on the wall of a building shall not cover more than twenty (20) percent of the wall of the building on which they are located or two hundred (200) square feet, whichever is smaller.
  - c. Not more than one (1) sign of each category above may be provided for any single use, although each sign may be a double-faced or ~~back-to-back~~back-to-back sign.
4. No sign shall be located in, overhang or project into a required side or rear yard, setback but permitted signs may be placed in a required front yard setback or street side setback.
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.

## H. SPECIAL REQUIREMENTS

### 1. 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 have been~~ approved by the County and /or State Health Departments where required.

### 2. Screening of Exterior Storage and Display.

- a. 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.
- b. 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. Location and Proximity Considerations.

- a. 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~~ 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.
- ~~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.

**CHAPTER 2. ZONING DISTRICT REGULATIONS****2.4 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 and Required Parking.** The table below lists the allowed principal uses and structures in the M-1 District and their required off-street parking. Additional Regulations reference related sections in the Zoning Ordinance.

<b>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 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	1 space per 2 employees on the maximum shift, 1 space per company vehicle, and 1 loading space per 10,000 square feet of floor area	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	1 space per 400 feet of floor area	Ch. 6 Definitions; Section 2.8
Kennel	1 space per 400 square feet floor area	Ch. 6 Definitions; Section 2.8
Mini-Warehouse/ Rental storage unit	1 space per 5,000 square feet of floor area	Ch. 6 Definitions; Section 2.8
Contract construction office, maintenance shop or storage yard	1 space per employee on maximum shift plus 1 space per company vehicle	Ch. 6 Definitions; Section 2.8
Vehicle sales, service, and repair,	1 space for per 400 square feet of floor area plus storage of vehicles for sale or rent	Ch. 6 Definitions; Section 2.8
Building materials/Lumber yard	1 space per employee plus 1 space per company vehicle	Ch. 6 Definitions; Section 2.8
Wholesaling and warehousing but not including the bulk storage of anhydrous ammonia fertilizer	1 space per employee on maximum shift, plus 1 space per company vehicle, plus 1	Ch. 6 Definitions; Section 2.8

M-1 District Principal Uses and Structures		
Principal Uses and Structures	Required Parking	Additional Regulations
under pressure or petroleum products under pressure, or highly volatile chemicals or materials	loading space per 10,000 sq. ft. of floor area	
Truck and freight terminals	1 space per employee plus 1 space per company vehicle	Ch. 6 Definitions; Section 2.8
Agricultural sales, service and supply	1 space per 400 square feet of floor area	Ch. 6 Definitions; Section 2.8
Welding, machine, and repair shop	1 space per employee plus 1 space per company vehicle	Ch. 6 Definitions; Section 2.8
Vehicle paint and body shop	1 per 400 sq ft of floor area plus storage of vehicles for sale or rent	Ch. 6 Definitions; Section 2.8
Plumbing, heating, air conditioning, and sheet metal shop	1 space per employee plus 1 space per company vehicle	Ch. 6 Definitions; Section 2.8
Railroad, public maintenance garage, and public utility including equipment and materials storage yard, maintenance yard and building, and administrative or sales office	2 per substation or 1 per employee at the site plus 1 per company vehicle	Ch. 6 Definitions; Section 2.8
Grain storage bin	1 space per employee plus 1 space per company vehicle	Ch. 6 Definitions; Section 2.8
Logging, storage only	1 space per employee at the site plus 1 space per company vehicle	Ch. 6 Definitions; Section 2.8

**C. Allowed Accessory Uses and Structures.** The table below lists the allowed accessory uses and structures clearly incidental to the allowed principal uses and structures of the M-1 District, provided they comply with this Ordinance. Additional Regulations reference related sections in the Zoning Ordinance.

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
Temporary buildings used in conjunction with construction work provided that such buildings are removed promptly upon completion of the construction work.	Off-street parking as determined by Zoning Administrator; Ch. 6 Definitions; Section 2.8
Dwelling units for owners or persons 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 and that 2 off-street parking spaces per unit are provided. 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 Special Exception Uses and Structures.** Below is the list of the allowed special uses and structures in the M-1 District as defined in Chapter 6 of this Ordinance. These uses and structures shall comply with M-1 District development regulations in Section 2.5.E of this Ordinance unless specified otherwise in their specific conditions for approval listed below. Subject to Section 4.5 of this Ordinance and the requirements contained herein the Board of Adjustment may permit the following:

1. **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. 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. One (1) parking space per employee, two (2) spaces per company vehicle, 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** 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. They will not interfere with the operation of any airport or landing strip.
- c. 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 #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. 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.

**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 may be allowed by the Zoning Administrator, provided they comply with this Ordinance and the specific provisions listed below.

**1. 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.
- c. Prior to the issuance of a Compliance Certificate for a temporary concrete plant, 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.

**2. 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.** The following development regulations shall be met for all principal, accessory, special exception uses and structures in the M-1 District unless specified otherwise in this Ordinance.

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	Minimum lot area and width may be required by the County Health Department to provide adequate sewage disposal facilities		30 feet	25 feet	20 feet	25 feet	4 stories or 50 feet
Dwelling unit for owners or persons employed on the premises with private	20,000 square feet	100 feet	30 feet	35 feet	10 feet	25 feet	2.5 stories or 35 feet

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	
well and septic system							
Dwelling unit for owners or persons employed on the premises served by community or municipal water supply and sewage disposal systems	12,000 square feet	80 feet	30 feet	35 feet	10 feet	25 feet	2.5 stories or 35 feet
All other accessory uses and structures	Minimum lot area and width may be required by the County Health Department to provide adequate sewage disposal facilities		30 feet	25 feet	20 feet	25 feet	4 stories or 50 feet
Special Exception uses and structures			30 feet	25 feet	20 feet	25 feet	4 stories or 50 feet

**G. Allowed Signs.** The following sign regulations shall be met for all principal, accessory, special exception uses and structures in the M-1 district unless specified otherwise in this Ordinance.

1. Temporary signs advertising the sale or lease of the premises not to exceed twenty-four (24) square feet in area.
2. Billboards and advertising signs, provided that:
  - a. They are not within two hundred (250) feet of a highway intersection, highway structure, residence, park, school, cemetery, public or semi-public building.

- b. They are not within three hundred (300) feet of another billboard or advertising sign facing the same direction.
  - c. No billboard or advertising sign shall exceed seven hundred fifty (750) square feet in area per face or twenty-five (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 one hundred (100) square feet in area or thirty-five (35) feet in height.
  - b. Signs mounted or painted on the wall of a building shall not cover more than twenty (20) percent of the wall of the building on which they are located or two hundred (200) square feet, whichever is smaller.
  - c. Not more than one (1) 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, setback but permitted signs may be placed in a required front yard setback or street side setback.
- 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.

## **H. SPECIAL REQUIREMENTS**

### **1. 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.
- b. No Construction Compliance Certificate shall be issued until evidence is provided that the water supply and sewage disposal facilities have been approved by the County and/or State Health Departments where required.

### **2. Screening of Exterior Storage and Display.**

- a. 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.
- b. 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. Location and Proximity Considerations.**

- a. 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 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.
- 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.



April 16, 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 (04-16-25)**

Dear Lori,

Attached is the revised draft of Section 2.6 M-2 General Industrial District (04-16-25) for the Zoning Ordinance Update for consideration by the Zoning Commission at their April 21, 2025 meeting.

**Discussion**

The M-2 District has been reformatted to use tables and an outline format 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 proposed are as follows:

- Tables are used for Principal and Accessory Uses and Structures.
- Land uses and parking requirements are revised according to the Matrix of Allowed Uses.
- References are shown for relevant sections of the Zoning Ordinance and other County ordinances; these will become hyperlinks in the online version.
- An outline format has been used for Special Exception Uses and Structures, with additional conditions such as parking requirements for consistency and clarification.
- A new section has been added for Temporary Uses and Structures.

**Recommendation**

The Commission is asked to review the revised draft of Section 2.5 M-2 General Industrial District (04-08-25), 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 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.** The table below lists the allowed principal uses and structures in the M-2 District and their required off-street parking. Additional Regulations reference related sections in the Zoning Ordinance.

M-2 District Principal Uses and Structures		
Principal Uses and Structures	Required Parking	Additional Regulations
Manufacturing and processing, except that certain uses shall be permitted only as special exceptions	1 space <del>for every</del> <u>per</u> 2 employees on the maximum shift, plus 1 space <del>for each</del> <u>per</u> company vehicle	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Building materials/Lumber yard</u> <del>Lumber yards and building materials</del> <del>sales and storage</del>	1 space <del>for each</del> <u>per</u> employee plus 1 space <del>for each</del> <u>per</u> company vehicle	<u>Ch. 6 Definitions; Section 2.8</u>
Concrete products	1 space <del>for each</del> <u>per</u> employee plus 1 space <del>for each</del> <u>per</u> company vehicle	<u>Ch. 6 Definitions; Section 2.8</u>
Ready mix <u>concrete</u> plants	1 space <del>for each</del> <u>per</u> employee plus 1 space <del>for each</del> <u>per</u> company vehicle	<u>Ch. 6 Definitions; Section 2.8</u>
Contract construction office, maintenance shop or storage yard	<u>1 space per employee on the maximum shift, plus 1 space for per company vehicle</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<del>Farm implement or truck</del> <u>Vehicle</u> sales, service and repair	<del>1 parking space for every 300</del> <u>per 400</u> square feet of <del>sales, service, or office floor space</del> <u>area plus storage of vehicles for sale or rent</u>	<u>Ch. 6 Definitions; Section 2.8</u>
Wholesaling and warehousing but not including the bulk storage of anhydrous ammonia fertilizer under pressure, petroleum	<u>1 space per employee on maximum shift, plus 1 space per company vehicle, plus 1 loading space per 10,000 sq. ft. of floor area</u>	<u>Ch. 6 Definitions; Section 2.8</u>

**Commented [LC1]:** Combined Building material sales, distribution, storage with Lumber yard

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

M-2 District Principal Uses and Structures		
Principal Uses and Structures	Required Parking	Additional Regulations
products under pressure, explosives or highly volatile chemicals or materials		
<u>Truck and freight terminals</u>	<u>1 space per employee plus 1 space per company vehicle</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Logging, production and storage</u>	<u>1 space per employee on the site plus 1 space per company vehicle</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Railroads, public maintenance garage, and public utilities-utility including equipment and materials storage yard, and maintenance yards and building, and administrative or sales office</u>	<u>2 spaces per substation or 1 space per employee at the site, plus 1 space per company vehicle</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Loading space (all uses); 1 space per 10,000 square feet of floor area or fraction thereof</u>		

**Commented [LC3]:** Not all uses require loading spaces, so this requirement was limited to select uses as shown

#### **PERMITTED PRINCIPAL USES AND STRUCTURES**

- |                                                                                                                                                                                                           |                                                                                            |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
| 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 |

**Commented [LC4]:** Moved into table

C. ~~Permitted~~ **Allowed** Accessory Uses and Structures. The table below lists the allowed accessory uses and structures clearly incidental to the allowed principal uses and structures of the M-2 District, provided they comply with this Ordinance. Additional Regulations reference related sections in the Zoning Ordinance.

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.	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Storage buildings in conjunction with an allowed principal use or structure of this district.</u>	<u>Ch. 6 Definitions; Section 2.8</u>
Temporary buildings used in conjunction with construction work, provided that such buildings are removed promptly upon completion of the construction work.	<u>Off-street parking as determined by Zoning Administrator; Ch. 6 Definitions; Section 2.8</u>
Dwelling units for <del>watchmen or caretakers</del> <u>owners or persons</u> employed on the premises <del>provided that an open yard of at least 2,400 square feet is reserved and maintained for use by the occupants.</del>	Provided that an open yard of at least 2,400 square feet is reserved and maintained for use by the occupants. <u>Ch. 6 Definitions; Section 2.8</u>
<u>Consumer-scale solar array: building mounted or freestanding</u>	<u>Ch. 6 Definitions; Section 2.8</u>
<u>Wind energy conversion system: non-commercial</u>	<u>Ch. 6 Definitions; Section 2.8</u>

#### ~~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.~~

D. **Allowed** Special Exception Uses and Structures. Below is the list of the allowed special uses and structures in the M-1 District as defined in Chapter 6 of this Ordinance. These uses and structures shall comply with M-1 District development regulations in Section 2.6.E 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 requirements contained herein,

Commented [LC5]: Moved to table



the Board of Adjustment may permit the following:

1. The following **restricted manufacturing and processing uses** 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 or slaughter ~~house of animals~~
  - viii. Asphalt plants ~~s~~ (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.

- b. ~~or~~ When above ground in tanks located at least one hundred fifty (150) feet from any property line.
- c. 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.
- d. 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** 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; ~~and~~
- 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 #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.
- ~~d.~~ 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.
5. **Mining and extraction of minerals or raw materials** including necessary processing equipment provided that:

**Commented [LC6]:** These conditions match M-1 district

**Commented [LC7]:** Cell tower regulations are under further review

- 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 may be allowed by the Zoning Administrator, provided they comply with this Ordinance and the specific provisions listed below.

**1. 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.
- c. Prior to the issuance of a Compliance Certificate for a temporary concrete plant, 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.

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

Commented [LC8]: Same as A-1

- 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.** The following development regulations shall be met for all principal, accessory, special exception uses and structures in the M-2 District unless specified otherwise in this Ordinance.

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>Principal uses and structures</u>	<u>Minimum lot area and width may be required by the County Health Department to provide adequate sewage disposal facilities</u>		30 feet	25 feet	20 feet	25 feet	4 stories or 50 feet
<u>Dwelling unit for owners or persons employed on the premises with private well and septic system</u>	<u>20,000 square feet</u>	<u>100 feet</u>	<u>30 feet</u>	<u>35 feet</u>	<u>10 feet</u>	<u>25 feet</u>	<u>2.5 stories or 35 feet</u>
<u>Dwelling unit for owners or persons employed on the premises</u>	<u>12,000 square feet</u>	<u>80 feet</u>	<u>30 feet</u>	<u>35 feet</u>	<u>10 feet</u>	<u>25 feet</u>	<u>2.5 stories or 35 feet</u>

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>served by community or municipal water supply and sewage disposal systems</u>							
<u>All other accessory uses and structures</u>	<u>Minimum lot area and width may be required by the County Health Department to provide adequate sewage disposal facilities</u>		<u>30 feet</u>	<u>25 feet</u>	<u>20 feet</u>	<u>25 feet</u>	<u>4 stories or 50 feet</u>
<u>All Special Exception uses and structures shall comply with the above Development Regulations for principal uses and structures, except when specific conditions are required in accordance with Section 2.6.D above.</u>							
<u>Where adjacent to an operating railroad, no yard shall be required along such lot line</u>							

**Commented [LC9]:** Recommend deletion. If railroad ceases operation, setbacks would be required.

**Commented [LC10]:** Moved to table

#### 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

**G. ~~Permitted-Allowed~~ Signs.** The following sign regulations shall be met for all principal, accessory, special exception uses and structures in the M-2 district unless specified otherwise in this Ordinance.

1. Temporary signs advertising the sale or lease of the premises not to exceed twenty-four (24) square feet in area.
2. Billboards and advertising signs, provided that:
  - a. They are not within two hundred fifty (250) feet of a highway intersection, highway structure, residence, park, school, cemetery, public or semi-public building.
  - b. They are not within three hundred (300) feet of another billboard or advertising sign facing the same direction.
  - c. No billboard or advertising sign shall exceed seven hundred fifty (750) square feet in area per face or twenty-four (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 one hundred (100) square feet in area or thirty-five (35) feet in height.
  - b. Signs mounted or painted on the wall of a building shall not cover more than twenty (20) percent of the face of the building on which they are located or two hundred (200) square feet, whichever is smaller.
  - c. 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.
  - d. Not more than one (1) sign of each category above may be provided for any single use, although each sign may be a double-faced or ~~back-to-back~~back-to-back sign.
4. No sign shall be located in, overhang, or project into a required side or rear yard setback, but permitted signs may be placed in a required front yard setback or street side yard setback.
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.

#### F.H. Special Requirements.

1. ~~1.~~ 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.

## 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 and Required Parking.** The table below lists the allowed principal uses and structures in the M-2 District and their required off-street parking. Additional Regulations reference related sections in the Zoning Ordinance.

M-2 District Principal Uses and Structures		
Principal Uses and Structures	Required Parking	Additional Regulations
Manufacturing and processing, except that certain uses shall be permitted only as special exceptions	1 space per 2 employees on the maximum shift, plus 1 space per company vehicle	Ch. 6 Definitions; Section 2.8
Building materials/Lumber yard	1 space per employee plus 1 space per company vehicle	Ch. 6 Definitions; Section 2.8
Concrete products	1 space per employee plus 1 space per company vehicle	Ch. 6 Definitions; Section 2.8
Ready mix concrete plant	1 space per employee plus 1 space per company vehicle	Ch. 6 Definitions; Section 2.8
Contract construction office, maintenance shop or storage yard	1 space per employee on the maximum shift, plus 1 space for per company vehicle	Ch. 6 Definitions; Section 2.8
Vehicle sales, service and repair	1 space per 400 square feet of floor area plus storage of vehicles for sale or rent	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	1 space per employee on maximum shift, plus 1 space per company vehicle, plus 1 loading space per 10,000 sq. ft. of floor area	Ch. 6 Definitions; Section 2.8
Truck and freight terminals	1 space per employee plus 1 space per company vehicle	Ch. 6 Definitions; Section 2.8



M-2 District Principal Uses and Structures		
Principal Uses and Structures	Required Parking	Additional Regulations
Logging, production and storage	1 space per employee on the site plus 1 space per company vehicle	Ch. 6 Definitions; Section 2.8
Railroad, public maintenance garage, and public utility including equipment and materials storage yard, maintenance yard and building, and administrative or sales office	2 spaces per substation or 1 space per employee at the site, plus 1 space per company vehicle	Ch. 6 Definitions; Section 2.8

**C. Allowed Accessory Uses and Structures.** The table below lists the allowed accessory uses and structures clearly incidental to the allowed principal uses and structures of the M-2 District, provided they comply with this Ordinance. Additional Regulations reference related sections in the Zoning Ordinance.

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
Temporary buildings used in conjunction with construction work, provided that such buildings are removed promptly upon completion of the construction work.	Off-street parking as determined by Zoning Administrator; Ch. 6 Definitions; Section 2.8
Dwelling units for owners or persons 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. 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 Special Exception Uses and Structures.** Below is the list of the allowed special uses and structures in the M-1 District as defined in Chapter 6 of this Ordinance. These uses and structures shall comply with M-1 District development regulations in Section 2.6.E of this Ordinance unless specified otherwise in their specific conditions for approval listed below.

Subject to Section 4.5 of this Ordinance and the requirements contained herein, the Board of Adjustment may permit the following:

1. **The following restricted manufacturing and processing uses** provided that:
  - a. 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.
  - b. 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.
    - i. Chemical plant
    - 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 or slaughterhouse
    - viii. Asphalt plant (permanently placed)
2. **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.
  - b. One (1) off-street parking space per two (2) employees plus one (1) off-street parking space per company vehicle be provided.
  - c. Such site shall be restored to a condition compatible with the adjacent area upon the conclusion of the operation.
3. **Auto wrecking and junkyard** provided that:
  - a. The site shall be a minimum of five (5) acres.
  - b. The front yard shall be maintained as an open space free of weeds and debris.
  - c. 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.
  - d. A minimum of two (2) off-street parking space per employee and one (1) off-street parking space per vehicle used by the facility be provided.
4. **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.
  - b. When above ground in tanks located at least one hundred fifty (150) feet from any property line.

- c. 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.
- d. 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.

5. **Commercial communications (cell) station and tower** 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. They will not interfere with the operation of any airport or landing strip.
- c. 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 #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.

6. **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. Such operation shall not be closer than fifty (50) feet to any dwelling, park or school.

- c. Access to a public road shall not cause a real or potential traffic hazard.
- d. One 1 off-street parking space per employee plus 1 off-street space per company vehicle be provided.
- e. 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.

**7. 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.

**8. 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.

**9. 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 may be allowed by the Zoning Administrator, provided they comply with this Ordinance and the specific provisions listed below.

**1. 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.
- c. Prior to the issuance of a Compliance Certificate for a temporary concrete plant, 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.

**2. 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.** The following development regulations shall be met for all principal, accessory, special exception uses and structures in the M-2 District unless specified otherwise in this Ordinance.

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	
Principal uses and structures	Minimum lot area and width may be required by the County Health Department to provide adequate sewage disposal facilities		30 feet	25 feet	20 feet	25 feet	4 stories or 50 feet
Dwelling unit for owners or persons employed on the premises with private well and septic system	20,000 square feet	100 feet	30 feet	35 feet	10 feet	25 feet	2.5 stories or 35 feet
Dwelling unit for owners or persons employed on the premises served by community or municipal water supply and sewage disposal systems	12,000 square feet	80 feet	30 feet	35 feet	10 feet	25 feet	2.5 stories or 35 feet
All other accessory	Minimum lot area and width		30 feet	25 feet	20 feet	25 feet	4 stories or 50 feet

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	
uses and structures	may be required by the County Health Department to provide adequate sewage disposal facilities						
All Special Exception uses and structures shall comply with the above Development Regulations for principal uses and structures, except when specific conditions are required in accordance with Section 2.6.D above.							

**G. Allowed Signs.** The following sign regulations shall be met for all principal, accessory, special exception uses and structures in the M-2 district unless specified otherwise in this Ordinance.

1. Temporary signs advertising the sale or lease of the premises not to exceed twenty-four (24) square feet in area.
2. Billboards and advertising signs, provided that:
  - a. They are not within two hundred fifty (250) feet of a highway intersection, highway structure, residence, park, school, cemetery, public or semi-public building.
  - b. They are not within three hundred (300) feet of another billboard or advertising sign facing the same direction.
  - c. No billboard or advertising sign shall exceed seven hundred fifty (750) square feet in area per face or twenty-four (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 one hundred (100) square feet in area or thirty-five (35) feet in height.
  - b. Signs mounted or painted on the wall of a building shall not cover more than twenty (20) percent of the face of the building on which they are located or two hundred (200) square feet, whichever is smaller.

- c. 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.
  - d. Not more than one (1) 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 setback, but permitted signs may be placed in a required front yard setback or street side yard setback.
  - 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.

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

##### **1. 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.
- 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. Where applicable, proposed uses shall comply with the requirements of the appropriate division of the Iowa Department of Natural Resources as provided for in Iowa Code Section 455B.**

##### **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 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.
- 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.