



February 11, 2025

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

RE: Zoning Ordinance Update – Initial Draft of Chapter 6. Definitions

Dear Lori,

Attached is information regarding the initial draft of Chapter 6. Definitions for review and approval by the Zoning Commission at their February 17, 2025 meeting.

Discussion

A separate Chapter 6 is created for Definitions. Major updates proposed are a variety of graphics and images for an expanded set of definitions that refer to Iowa Code language when applicable. The attached REDLINE version outlines the proposed changes with commentary, and the CLEAN version shows the resulting restructure.

Recommendation

The Commission is asked to review the initial draft of Chapter 6. Definitions, and then to provide direction to staff for moving forward with the proposal.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Laura Carstens", is written over a light blue horizontal line.

Laura Carstens
Senior Planner

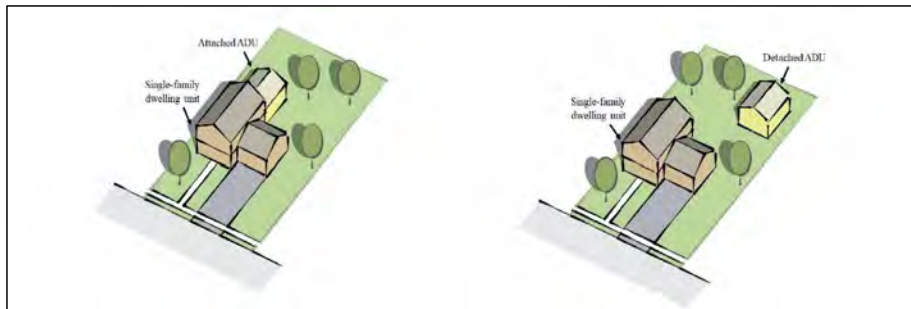
Attachment

CHAPTER 6. DEFINITIONS ~~3-GENERAL PROVISIONS~~

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

Accessory Dwelling Unit (ADU). An internal, attached, or detached single-family dwelling unit located on the same lot as the principal single-family dwelling unit, either within the same building as the principal single-family dwelling unit, in an attached structure, or in a detached structure. An ADU may be classified as one of the following:

1. Internal: A dwelling unit that is located wholly within the primary dwelling without expansion of the footprint (e.g., basement or upper story/attic units).
2. Attached: A dwelling unit that is considered part of the primary dwelling, but results in an expansion of the primary dwelling's footprint (see illustration).
3. A detached dwelling unit that is separate from the primary dwelling, such as a loft apartment over a detached garage or a standalone dwelling (see illustration).



Attached and Detached Accessory Dwelling Units (Source: City of Dyersville, IA accessed 2023)

~~1. **Accessory Use or Structure.** A use or structure subordinate to the principal use of a structure or land on the same lot or parcel of ground and serving a purpose customarily incidental to the use of the principal structure or use of land.~~

Administrator. The Administrative Officer designated or appointed by the Board of Supervisors to administer and enforce the regulations contained in the Zoning Ordinance in accordance with Iowa Code Section 335.9. See also Zoning Administrator.

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

2. — Agriculture. The use of land for agricultural purposes, including farming, dairying, pasturage, horticulture, floriculture, viticulture and animal and poultry husbandry and the necessary accessory uses for treating or storing the produce provided, however, that any such accessory uses shall be secondary to that of normal agricultural activities. Agriculture shall not include commercial animal or poultry feeding or raising in confined lots or buildings as defined herein. See also Farm and Horticulture.

Airport. A piece of land or water that is used for aircraft to land and take off. An airport includes the landing fields, airport buildings, facilities, and rights of way.

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

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

Animal Hospital/Veterinary Clinic. A veterinary practice, where domesticated household animals, large animals, and livestock, are given medical, surgical, dental, and obstetrics treatment, and emergency care, and the boarding of animals is limited to short term care incidental to the hospital or clinic use.

Asphalt Plant, Hot Mix. Defined by the Iowa Department of Natural Resources (DNR) as a stationary or portable drum mix plant producing hot or warm mix asphalt. “Hot mix asphalt” means a material made from a mixture of aggregate and liquid asphalt cement. The DNR requires an air quality construction permit for a hot mix asphalt plant.

Auto Wrecking. A business that dismantles and salvages used vehicles for spare parts.

5. — Basement. A story having part but not more than one-half (1/2) of its height below grade. A basement is counted as a story for the purpose of height regulation.

Bed and Breakfast Home. A private residence which provides lodging and meals for guests, in which the host or hostess resides, and in which no more than four (4) guest families are lodged at the same time. The facility may advertise as a bed and breakfast home but not as a hotel, motel or restaurant. The facility is exempt from licensing and inspection as a hotel or as a food establishment. A bed and breakfast home may serve food only to overnight guests, unless a food establishment license is secured.

Bed and Breakfast Inn. A hotel which has nine (9) or fewer guest rooms.

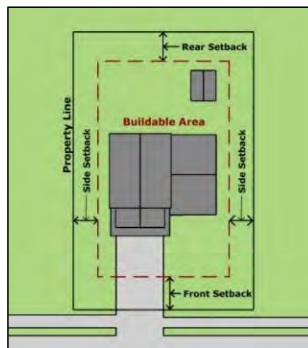
6. **Billboard.** An advertising sign for a business, commodity or service located or offered elsewhere than upon the premises where such sign or billboard is located. This includes painted exterior walls with pictures, words, or logos.

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

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

Boarding or Lodging House – A building other than a motel or hotel where meals or lodging are provided for compensation and by prearrangement for definite periods, and where bathroom(s) or toilet room(s) are shared. Rooms are intended for living or sleeping but not used for cooking or eating purposes.

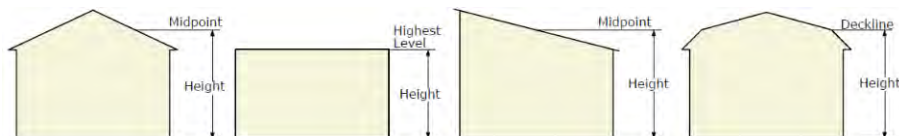
Buildable Area. The portion of a lot remaining after required yards have been provided (see illustration).



Buildable Area (Source: ECIA)

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

Building Height. Height Of A Building. The vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the mean height level between eaves and ridge for gable, hip and gambrel roofs (see illustration).



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

Building Line. The extreme overall dimensions of a building or any projection thereof. Distances are to be measured from the most outwardly extended position of the structure. See also Yard.

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

Building, Principal. A non-accessory building in which a principal use of the lot on which it is located is conducted.

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

Bulk Regulations. An indication of size and setback of buildings and their location with respect to one another, including but not limited to the following: livable area, buildable area, building coverage, building height, lot area, lot frontage, lot coverage, front yard setback, side yard setback, and rear yard setback.

Bulk Station. Distributing stations commonly known as bulk or tank stations used for the storage and distribution of anhydrous ammonia fertilizer under pressure, flammable liquids, or liquefied petroleum products.

Business. Any occupation, employment or enterprises wherein merchandise is exhibited or sold, or where services are offered for compensation.

~~9.~~ **Campground.** An area providing spaces for two (2) or more travel trailers, camping trailers or tent sites for temporary occupancy with necessary incidental services, sanitation and recreation facilities to serve the traveling public.

Camp, Youth or Summer. An establishment, either publicly or privately owned, complete with buildings, structures, and sanitary facilities and services designed for recreation and education of youth or other people, often on a seasonal basis.

Car Wash. Mechanical facilities for the washing, waxing, drying, and vacuuming of private automobiles, vans, and light trucks, but not for commercial fleets.

Cemetery. Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbarium, crematorium, mausoleum, and mortuary when operated in conjunction with and within the boundary of such cemetery.

Commercial Communications Station. Defined in Iowa Code Section 8C.2 as follows:

1. “Base station” means a structure or equipment at a fixed location that enables wireless communications licensed by the federal communications commission or authorized wireless communications between user equipment and a communications network.
2. “Base station” does not mean a tower or equipment associated with a tower.
3. “Base station” includes but is not limited to equipment associated with wireless communications services such as private, broadcast, and public safety services and unlicensed wireless services and fixed wireless services such as microwave backhaul.
4. “Base station” includes but is not limited to radio transceivers, antennas, coaxial or fiberoptic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration.
5. “Base station” includes a structure other than a tower that, at the time the relevant application is filed with the state or local government, supports or houses equipment described in this subsection that has been reviewed and approved under the applicable zoning or siting process, or under another state or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing such support.
6. “Base station” does not include any structure that at the time the relevant application is filed with the state or local government does not support or house equipment described in this subsection.

Commercial Communications Tower. Defined in Iowa Code Section 8C.2, “Tower” means a structure built for the sole or primary purpose of supporting an antenna and the associated facilities authorized or licensed by the Federal Communications Commission (FCC). “Tower” includes structures constructed for wireless communications services, including but not limited to private, broadcast, and public safety services and unlicensed wireless services and fixed wireless services, such as microwave backhaul, and the associated site.

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

Community Recreation Center. See Recreation, Indoor Commercial.

Comprehensive Plan. The duly adopted Comprehensive Plan of Jackson County.

Condominium. A multiple-family dwelling as defined herein whereby the interior of the dwelling unit and garages are titled to each unit is held in separate ownership, and the exterior of the property and the land in which the units are located is held in common ownership solely by the owners of the units with each having an undivided interest in the common real-estate.

Condominium Association. See Homeowner’s Association.

Confined Livestock Building. A lot yard, corral confinement facility enclosed in a building, or other area where livestock are confined, primarily of the purpose of feeding and growth prior to slaughter. The term does not include areas which are used for raising of crops or other vegetation and upon which livestock are allowed to graze or feed.

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

Convenience Store. A retail store engaged in selling primarily food, beverages, and other household supplies to customers, and designed to attract a large volume of stop and go customers, often in conjunction with gas station and car wash facilities.

Cooperative (Co-op). A type of property ownership where all the land and structures are owned by a cooperative corporation. Individual people or entities purchases shares of stock in the corporation. The ownership of stock in the corporation allows the stockholder to occupy a specific dwelling unit in the structure as well as the use of other amenities (like parking areas, reception areas or separate guest rooms).

10.—Cellar. A story having more than one-half (1/2) its height below grade. A cellar is not included in computing the number of stories for the purpose of height measurement.

Cemetery. Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbarium, crematorium, mausoleum, and mortuary when operated in conjunction with and within the boundary of such cemetery.

11.—Commercial Feedlot. The feeding or raising of livestock, poultry or other animals in confined feedlots, dry lots, pens, cages or buildings as a commercial enterprise when not in conjunction with a farming operation. See also Confined Livestock Building and Qualified Confinement Feeding Operation.

12.—Commission. The Zoning Commission of Jackson County, Iowa.

Concrete Plant, Batch. A facility that mixes water, cement, sand, and other ingredients to create dry batch concrete or wet mix concrete.

Concrete Plant, Ready Mix. A facility that mixes concrete ingredients, except for water, and loads the mixture into trucks for delivery to construction sites. Water is then added to the concrete in the truck during transit.

13.—Condominium, Residential. As established in Chapter 499B, Code of Iowa, a building or group of buildings in which units are owned individually, and the structure, common areas and facilities are owned by all the owners on a proportional, undivided basis. Residential condominiums shall be considered multiple-family dwellings for the purpose of this Ordinance.

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

14.—**County.** The unincorporated portions of Jackson County, Iowa.

Data Mining. See Section ~~XX.XX~~ Data Mining.

Daycare, Adult. A facility providing care for the elderly and/or functionally impaired adults in a protective setting for a portion of the 24-hour day.

Daycare, Child. An establishment, licensed by the State of Iowa, which is intended to provide for the care, supervision and protection of children.

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

Development. A human-made change to improved or unimproved real estate, including buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, and other similar uses.

15.—**Directional Signs.** Any sign erected to call attention and direct traffic to businesses located off the primary highway system. Such signs must be placed no more than five (5) miles from the business served and positioned specifically to guide traffic to the service available. Except adjacent to U.S. Highway 61, directional signs must serve businesses in unincorporated areas.

District. A section or sections of the area of Jackson County for which regulations governing the use of buildings and premises or the height and area of buildings are uniform.

Drive In/Drive Through Services. A place which involves the sale of products or provision of services to occupants in vehicles.

16.—~~**Drive in Restaurant.** Any place or premises used for the sale, dispensing or serving of food, refreshments or beverages in automobiles, including those establishments where customers may serve themselves and may eat or drink the food, refreshments or beverages on the premises.~~

Commented [LC1]: Moved to Restaurant, Drive-In.

Driveway. The part of any private approach for motor vehicles to private property that lies between the property line and the back of the curb line or to the roadway of the public street if there is no curb or gutter.

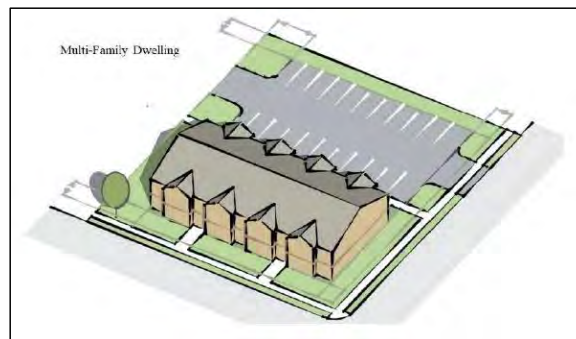
~~17.— Dwelling. Any building or portion thereof which is designed for or used exclusively for residential occupancy, including a manufactured or modular home, but not including mobile homes, trailers, hotels, motels, motor lodges, boarding and lodging houses occupied or intended to be occupied as the place of habitation of human beings, purposes.~~

~~Dwelling, Condominium. A multiple-family dwelling as defined herein whereby the fee title to each dwelling unit is held independently of the other dwelling units.~~

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

18.— Dwelling, Multiple-Family.

A residential building or buildings designed for or occupied by more than one (1) family as defined in this ordinance (see illustration). This definition shall not include mobile homes as herein defined.



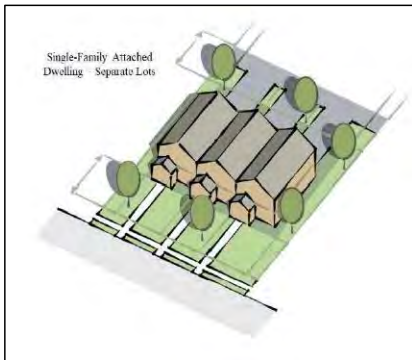
20.— Dwelling, Seasonal. A single-family dwelling, or mobile home, including trailer, or house boats, intended for seasonal or temporary occupancy only and not permanently occupied as a family residence for more than one hundred eighty (180) days during any calendar year.

Multiple-Family Dwelling (Source: City of Dyersville, IA accessed 2023)

19.— Dwelling, Single-Family. A building designed for or occupied by one (1) family (see illustration). This definition shall not include mobile homes as herein defined.

- a. Attached Single-Family dwelling units physically attached housing unit, each situated on its own lot and each having private entrances (see illustration).

a-b. Detached Single-Family dwelling units are separated individual housing units. Each dwelling unit is completed separated by open space on all sides (see illustration).



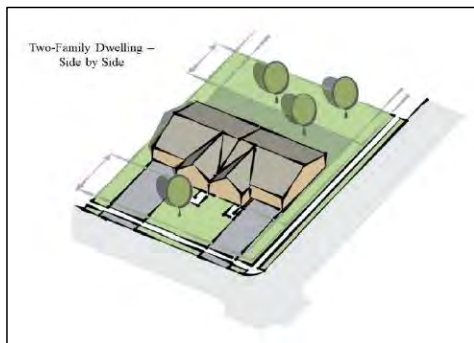
Single Family Attached Dwelling – Separate Lots (Source: City of Dyersville, IA accessed 2023)



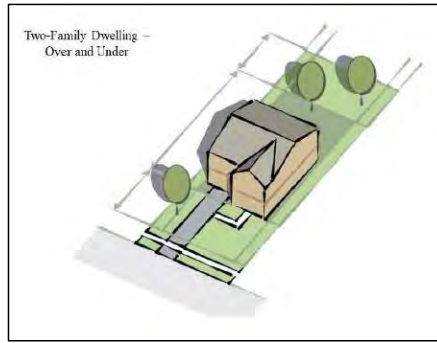
Single Family Detached Dwelling (Source: City of Dyersville, IA accessed 2023)

Dwelling, Townhouse. A one-family residential dwelling unit, where a person or persons owns the entire dwelling unit and the land directly under the structure with a private entrance in a group of three or more units, which part of a structure whose dwelling units are attached horizontally in a linear arrangement, having a total exposed front and at least one other building wall exposed to allow for access, light, and ventilation. The remaining lot areas around the structures are typically owned by a homeowner’s association. This definition shall not include mobile homes as herein defined.

Dwelling, Two-Family. A residential building designed and used exclusively for the occupancy of



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



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

two (2) families living independently of each other and having separate kitchen and toilet facilities for each family. The dwelling units may be arranged side by side or over and under (see illustrations). This definition shall not include mobile homes as herein defined.

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

21.— Dwelling Unit. One (1) room, or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy or rental or lease on a weekly, monthly or longer basis and physically separated from any other rooms or dwelling units which may be in the same structure and containing independent cooking and sleeping facilities.

Elder Group Home – A city council or city zoning commission shall consider an elder group home a family home, as defined in Iowa Code Section 414.22, for purposes of zoning, in accordance with Iowa Code Section 231B.4, and may establish limitations regarding the proximity of one proposed elder group home to another. See also Family Home. (Iowa Code Chapter 414)

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

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

Event Venue. An indoor or outdoor place where events of a specific type are held.

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

Fairgrounds. The real estate, including land, buildings, and improvements where a fair event is conducted. “Fair event” includes an annual gathering of the public on fairgrounds that incorporates agricultural exhibits, demonstrations, shows, or competitions. Other periodic fair events may include but are not limited to: commercial exhibits, educational programs or exhibits, competitions, and expositions. (Iowa Code section 174.1)

~~22.—~~ **Family.** One (1) or more persons occupying a premises and living as a single housekeeping unit, whether or not related to each other by birth or marriage, as distinguished from a group occupying a boarding house, lodging house or hotel. ~~A family as defined herein, shall include not more than four (4) unrelated persons.~~

The following terms are related to the definition of family, according to guidelines of the US Health Resources and Services Administration:

1. Family: A family is a group of two (2) or more persons related by birth, marriage, or adoption who live together; all such related persons are considered as members of one family.
2. Family Unit: Either an unrelated individual (as defined below) or a family (as defined above) constitutes a family unit.
3. Household: A household consists of all the persons who occupy a housing unit (house or apartment), whether they are related to each other or not. If a family and an unrelated individual, or two (2) unrelated individuals, are living in the same housing unit, they would constitute two (2) family units (as defined above), but only one household.
- ~~4.—~~4. Unrelated Individual: An unrelated individual is a person (other than an inmate of an institution) who is not living with any relatives. An unrelated individual may be the only person living in a house or apartment, or may be living in a house or apartment (or in group quarters such as a rooming house) in which one or more persons also live who are not related to the individual in question by birth, marriage, or adoption. Examples of unrelated individuals residing with others include a lodger, a foster child, a ward, or an employee.

Family Home. A community-based residential home which is licensed as a residential care facility under Iowa Code Chapter 135C or as a child foster care facility under Iowa Code Chapter 237 to provide room and board, personal care, habilitation services, and supervision in a family environment exclusively for not more than eight (8) persons with a developmental disability or brain injury and any necessary support personnel. However, family home does not mean an individual foster care family home licensed under Iowa Code Chapter 237. (Iowa Code Section 414.22)

~~23.—~~ **Farm.** An area of not less than ten (10) acres which is primarily adapted by reason of nature and area for use for agricultural purposes and is used for the growing of the usual farm products and their storage on the area as well as for the raising thereof of the usual farm poultry and farm animals. The term "farming" includes the operation of such area for one (1) or more of the above uses with the necessary accessory uses for treating or storing the produce provided, however, that the operation of any such accessory uses shall be secondary to that of the normal farming activities and such accessory uses do not include commercial feedlots or livestock cooperatives as defined herein.

Commented [LC2]: As of 2018, Iowa cities and counties cannot enforce occupancy limits based on family or non-family relationships for rental housing.

The following terms are related to the definition of “farm” in Iowa:

1. Iowa Code Section 352.2: “Farm” means the land, buildings, and machinery used in the commercial production of farm products.
2. Iowa Code Section 96.1A Definitions 16. g. (3) (f): The term “farm” includes livestock, dairy, poultry, fruit, fur-bearing animals, and truck farms, plantations, ranches, nurseries, ranges, greenhouses, or other similar structures used primarily for the raising of agricultural or horticultural commodities, and orchards.
3. Iowa Administrative Code (IAC) 871—23.26(96) Definition of a farm—agricultural labor. 23.26(1): “Farm” as used in Iowa Code section 96.1A(16)“g”(3) and in these rules means one or more plots of land not necessarily contiguous, including structures and buildings, used either primarily for raising or harvesting any agricultural or horticultural commodity, including caring for and the raising, shearing, feeding, training, and management of livestock, bees, poultry and furbearing animals and wildlife or both such uses, if the activities conducted have an agricultural purpose.

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

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

Farmland. Those parcels of land suitable for the production of farm products, as per Iowa Code Section 352.2.

Farm Operation. A condition or activity which occurs on a farm in connection with the production of farm products and includes but is not limited to the raising, harvesting, drying, or storage of crops; the care or feeding of livestock; the handling or transportation of crops or livestock; the treatment or disposal of wastes resulting from livestock; the marketing of products at roadside stands or farm markets; the creation of noise, odor, dust, or fumes; the operation of machinery and irrigation pumps; ground and aerial seeding and spraying; the application of chemical fertilizers, conditioners, insecticides, pesticides, and herbicides; and the employment and use of labor, as per Iowa Code Section 352.2.

Farm Products. Those plants and animals and their products which are useful to people and includes but is not limited to forages and sod crops, grains and feed crops, dairy and dairy products, poultry and poultry products, livestock, fruits, vegetables, flowers, seeds, grasses, trees, fish, honey, and other similar products, or any other plant, animal, or plant or animal product which supplies people with food, feed, fiber, or fur, as per Iowa Code Section 352.2.

Farm Stand. Outdoor display and sales of farm produce and related products that is operated in conjunction with an allowed agriculture principal use on the property as an accessory use.

Fence. A structure more than eighteen inches (18”) in height, constructed of any material or combination of materials erected as a barrier, boundary, or enclosure to screen a property or an area of land, including open, semi-open, and closed fences.

Financial Institution. An establishment engaged in the provision of financial and banking services to consumers or clients, generally with walk-in and drive-thru services provided to consumers on-site, including but not limited to: banks, credit unions, mortgage offices, lending establishments, investment companies, and automated teller machines (ATM).

Fire Department. Fire stations and major pieces of firefighting apparatus, including but not limited to pumpers, quick response vehicles, hook and ladder trucks, and similar equipment, owned and operated by the City or other duly authorized volunteer fire districts.

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

Floor Area, Gross (GFA). The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

27.—Frontage. All the property on one (1) side of a street between two (2) intersecting streets, crossing or terminating, measured along the line of the street, or if the street is dead ended, then all of the property abutting on one (1) side between an intersecting street and the dead end of the street.

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

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

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

Garage, Storage. Any building or premises used for storing motor-driven vehicles, recreational vehicles and trailers, boats, furniture, or other miscellaneous personal property.

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

Garden, Commercial. A plot of ground where vegetables, fruits, herbs or ornamental plants are

cultivated for commercial production.

Garden. A plot of ground where fruit, herbs, flowers, vegetables or other plants are grown unenclosed by any structure other than a fence, and for the personal use of the owner or tenant, and not intended for commercial production.

Garden Center. A place of business where retail and wholesale products and produce are sold to the consumer. The center may include a plant nursery and/or greenhouses, may import most of the items sold, and may include plants, nursery products and stock, potting soil, hardware, power equipment and machinery, and garden and farm variety tools and utensils

Gas Station. A building and/or premises where gasoline, oil and minor auto accessories, and convenience items may be supplied and dispensed at retail and may include an automated customer activated fuel dispensing system. A gas station is not a service station. For other services other than the sale of gasoline, see service station.

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

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

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

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

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

Golf Course, Miniature. A small course where players use a putter to hit a ball into holes while navigating obstacles such as bridges, tunnels, and sharp corners.

~~28.—~~ **Grade.** The average level of the finished surface of the ground adjacent to the exterior walls of the building except when any wall approximately parallels and is not more than five (5) feet from a street line, then the elevation of the street at the center of the wall adjoining the street shall be grade.

Grain Elevator. A tall building used to store grain and containing equipment for conveying grain to the top of a storage bin or bins.

Grain Storage Bin. “Grain bin” as defined by Iowa Code section 423.3(16A) means property that is vented and covered with corrugated metal or similar material, and that is primarily used to hold loose grain for drying or storage.

Greenhouse. A building or accessory structure constructed chiefly of glass or other hard translucent material, which is used to grow plants and control the temperature and humidity. Greenhouses may be considered part of a farm.

Guest Room. Any bedroom or other sleeping quarters for transient guests in a hotel.

Hedge. A solid and unbroken visual screen of self-supporting shrubs, bushes, or similar continuous plantings more than eighteen inches (18”) in height.

~~29.—~~ **Height of a Building.** See Building Height. The vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the mean height level between eaves and ridge for gable, hip and gambrel roofs.

~~30.—~~ **Home Occupation.** A business which

Home-Based Business. For purpose of this definition, in accordance with Iowa Code 335.35:

1. “Goods” means any merchandise, equipment, products, supplies, or materials.
2. “Home-based business” means any business for the manufacture, provision, or sale of goods or services that is owned and operated by the owner or tenant of the residential property on which the business operates.
3. “No-impact home-based business” means a home-based business for which all of the following apply:
 - a. The total number of on-site employees and clients does not exceed the County occupancy limit for the residential property.
 - b. The business activities are characterized by all of the following:
 - i. The activities are limited to the sale of lawful goods and services.

Commented [LC3]: 3. A county shall not prohibit a no-impact home-based business or otherwise require a person to apply, register, or obtain any permit, license, variance, or other type of prior approval from the county to operate a no-impact home-based business.
4. A county may establish reasonable regulations on a home-based business if the regulations are narrowly tailored for any of the following purposes:
a. The protection of the public health and safety, including rules and regulations related to fire or building codes, health and sanitation, transportation or traffic control, solid or hazardous waste, pollution, or noise control.
b. Ensuring that the business is all of the following:
(1) Compatible with residential use of the property and surrounding residential use.
(2) Secondary to the use of the property as a residence.
(3) Complying with state and federal laws and paying applicable taxes.

- ii. The activities do not generate on-street parking or a substantial increase in traffic through the residential area.
- iii. The activities occur inside the residential dwelling or in the yard of the residential property.
- iv. The activities are not visible from an adjacent property or street.

4. Meets all the following Jackson County requirements:

- ~~a. is conducted entirely within a dwelling unit or its customary accessory structures.~~ is conducted on a residential premises, inside or adjacent to the dwelling and/or customary accessory structures.
- ~~a.~~ is carried on by a member of the family residing in the dwelling unit, ~~and.~~
- b. is clearly secondary to the use of the dwelling unit for residential purposes, ~~and.~~
- c. does not employ more than one (1) person outside the immediate family on the premises, ~~and.~~
- d. Has no exterior display, no exterior storage of materials and no other exterior indication of the home based business ~~occupation~~ or variation from the residential character of the principal building other than one (1) sign erected in conformance with the sign provision in its zoning district, ~~and.~~
- e. Does not occupy an area greater than thirty percent (30%) of the floor area of the dwelling unit, ~~and.~~
- f. Produces no offensive noises, vibration, smoke, dust, odors, heat or glare rendering such buildings or premises objectionable or detrimental to the residential character of the neighborhood.

~~31. Home Industry. A business which~~

- ~~a. is conducted on a residential premises, inside or adjacent to the dwelling and/or customary structures, and~~
- ~~b. is carried on by a member of the family residing in the dwelling unit, and~~
- ~~c. is clearly secondary to the use of the dwelling unit for residential purposes, and~~
- ~~d. produces no offensive noises, vibration, smoke, dust, heat or glare rendering the premises objectionable or detrimental to the character of the neighborhood.~~

~~32. Home Occupation~~ Home-Based Business, Farm. For purpose of this definition, in accordance with Iowa Code 335.35:

Commented [LC4]: Deleted. This use is covered by the above definition of home-based business.

1. “Goods” means any merchandise, equipment, products, supplies, or materials.
2. “Home-based business” means any business for the manufacture, provision, or sale of goods or services that is owned and operated by the owner or tenant of the residential property on which the business operates.
3. “No-impact home-based business” means a home-based business for which all of the following apply:
 - a. The total number of on-site employees and clients does not exceed the County occupancy limit for the residential property.
 - b. The business activities are characterized by all of the following:
 - i. The activities are limited to the sale of lawful goods and services.
 - ii. The activities do not generate on-street parking or a substantial increase in traffic through the residential area.
 - iii. The activities are not visible from an adjacent property or street.

4.4. A “farm home-based business” also meets all the following Jackson County requirements for aAn occupation customarily engaged in on a farm, as a supplementary source of income, which:

- a. is clearly incidental and secondary to the operation of the farm, and.
- b. is carried on by a member of the family residing in the farm dwelling, and.
- c. Does not employ more than one (1) person outside the resident family on the premises, and.
- d. is conducted within or adjacent to the farm dwelling or the customary farm outbuildings, and.
- e. Hhas no exterior displays or storage of materials visible from the public road or other exterior indication or variation from the agricultural character of the farm other than not more than one (1) sign identifying the product or service available, which sign shall not exceed thirty-two (32) square feet, and.
- f. Pproduces no offensive noise, vibration, smoke, dust, odors, heat, glare or electrical interference detectable within the limits of the nearest neighboring farm dwelling.

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

Home for Persons with Disabilities. A city council or city zoning commission shall consider a home for persons with disabilities a family home, as defined in Iowa Code Section 414.22, for purposes of zoning in accordance with Iowa Code Chapter 504C. See definition of Family Home. (Iowa Code Chapter 414)

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

Hotel/Motel. Any building or structure, equipped, used, advertised as, or held out to the public to be an inn, hotel, motel, motor inn, or place where sleeping accommodations are furnished transient guests for hire. Supporting facilities may include restaurant, lounge, meeting and banquet rooms or convention facilities, recreational facilities (pool, fitness room), and/or other retail and service shops.

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

1. Wildlife Management Areas (WMAs): Managed by the Iowa Department of Natural Resources, these areas are open to the public for hunting, fishing, and trapping.
2. Public lands: These lands are set aside for conservation, restoration, and outdoor recreation, and can offer many hunting opportunities.
3. Refuge headquarters hunt areas: These areas are part of a refuge and may be open to hunting via lottery.

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

~~33.~~ **Individual Private Access Easement.** Authorization by a property owner of use of a specified part of that owner's property by another single property owner for the purpose of accessing private property. In context the term may also refer to the land specified by such authorization. Excluded from this definition are private access easements which grant such authorization to more than one property owner for access over the same real estate, except where that real estate lies within the right-of-way of a public road.

~~34.~~ **Intermittent Or Temporary Commercial Activity.** An activity which occurs on a one-time temporary or intermittent basis and for which no permanent structures are required, along with associated camping and entertainment, such uses not to exceed 14 days per year, involve more than 15 acres, including parking, and creating no public nuisance. Examples include but are not limited to flea markets, consignment auctions, music or sport events, and commercial exhibitions.

~~35.~~—**Junk Yard.** Any area where waste, discarded or salvaged materials are bought, sold, exchanged, baled or packed, disassembled, stored, abandoned or handled, including the dismantling or "wrecking" of automobiles or other machinery, used ~~lumber~~lumber yards and places or yards for storage of salvage, house wrecking and structural steel materials and equipment, but not including areas where such uses are conducted entirely within a completely enclosed building.

~~36.~~—**Kenel.** An establishment which performs grooming, boarding, or training services for dogs or cats ~~where dogs are boarded~~ for compensation or where dogs or cats are bred or raised for commercial purposes or sale, in accordance with Iowa Code Chapter 162.

Land-Leased Community. Any site, lot, field or tract of land under common ownership upon which three (3) or more occupied manufactured homes are harbored, either free of charge or for revenue purposes, and shall include any building, structure, or enclosure used or intended for use as part of the equipment of the land-leased community. It does not include mobile home parks as defined herein. It also does not include homes, buildings, or other structures temporarily maintained by an individual, educational institution, or company on their own premises and used exclusively to house their own labor or students. (Iowa Code Chapter 414)

Library. A public or private facility that consists of shelved books and other materials, reading rooms or areas, and meeting or programming rooms.

Livestock Auction Sale. A public sale where livestock is sold to the highest bidder. Livestock auctions typically market cattle, swine, sheep, goats, horses, and other agricultural production animals.

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

~~37.~~—**Loading Space.** An off-street space within the main building or on the same lot, or contiguous to a group of buildings, for providing for the standing, loading or unloading of ~~trucks~~ commercial vehicles, and which abuts a street, alley, or other appropriate means of ingress and egress. The loading space shall have ~~having~~ a minimum dimension of twelve (12) by thirty-five (35) feet and vertical clearance of at least fourteen (14) feet. The loading space is required to be scaled to delivery vehicles expected to be used, and accessible to such vehicles. Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking space.

Logging. The business of buying standing timber or cut logs, from timber growers, for sawing into lumber for processing or resale. This does not include a person who occasionally purchases timber for sawing or processing for that person's own use and not for resale. "Timber" means trees, standing or felled, and logs which can be used for sawing or processing into lumber for building or structural purposes or for the manufacture of an article. However, "timber" does

not include firewood, Christmas trees, or fruit or ornamental trees. (Iowa Code section 456A.36)
Logging may also include the storage, processing, sale, and distribution of raw forest products.
“Raw forest products” means logs, pilings, posts, poles, cord wood products, woodchips,
sawdust, pulpwood, intermediary lumber, fuel wood, mulch, tree bark, and Christmas trees not
altered by a manufacturing process off the land, sawmill, or factory from which the products
were taken. (Iowa Code section 321E.26)

38.—Lot. A parcel of land with an officially approved legal description occupied or intended for occupancy by one (1) or more main buildings together with accessory buildings. The boundaries of the lot shall be determined by its lot lines.

39.—Lot Area. The area included within the boundaries of a lot, including area over which public or private easements have been granted, but excluding that portion of a flag lot which is used primarily for access (the flagpole portion).

40.—Lot, Corner. A lot abutting upon two (2) or more streets at their intersection.

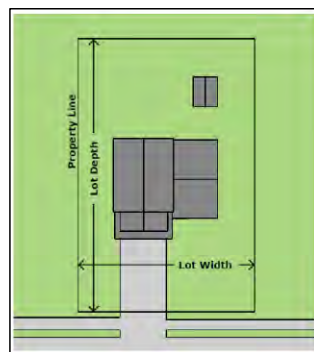
41.—Lot, Depth Of. The mean horizontal distance between the front and rear lot lines.

Lot, Double Frontage. A lot which fronts upon two parallel streets, or which fronts upon two streets which do not intersect at the boundaries of the lot (see illustration).

42.—Lot, Flag. A lot having no frontage or access to a street or place except by a narrow strip of land which is included within the lot.

Lot Frontage. All sides of a lot abutting a street and measured along the front property line as it abuts the street right of way.

Lot, Interior. A lot other than a corner lot or a double frontage lot (see illustration).



Lot Depth and Width (Source: ECIA)

Lot Line. The property boundary line of a lot.

Lot Line, Front. The property line abutting a street right-of-way (see illustration).

Lot Line, Rear. A property line not abutting a street right of way which is opposite and generally most distant from the front lot line (see illustration).

Lot Line, Side. Any property line not a front lot line or rear lot line (see illustration).

43.— Lot of Record. A lot which is a part of a subdivision, the plat of which has been recorded in the office of the County Recorder.

Lot, Through. See Lot, Double Frontage.

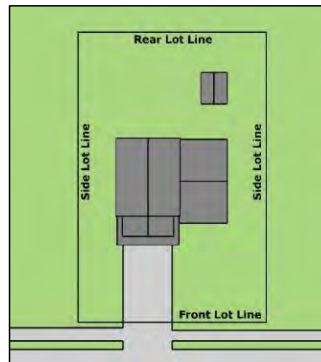
44.— Lot Width. The width of a lot measured at the front of the principal structure and at right angles to its depth.

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

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

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

Manufactured Home. A factory built structure manufactured or constructed under the authority of 42 USC § 5403 to be used for residential occupancy upon connection with utilities, exclusive of any structure which: has a width (the shorter of the rectangular sides) of less than 24 feet, exclusive of projections of porches, decks, carports, canopies, garages, sheds and other attached accessory structures; is constructed or equipped with a permanent hitch or other device allowing it to be moved other than for the purpose of moving to a permanent site or has



Types of Lot Lines (Source: ECIA)

its own motor power; has permanently attached to its body or frame any wheels or axles; or does not have a permanent foundation. The structure is required by federal law to display a seal from the United States Department of Housing and Urban Development (HUD), and was constructed on or after June 15, 1976. (Iowa Code Chapters 414 and 435)

Manufacturer. Defined in Iowa Code section 423.3(47) as “a business that primarily purchases, receives, or holds personal property of any description for the purpose of adding to its value by any process of manufacturing with a view to selling the property for gain or profit.” Manufacturing includes refining, purifying, combining of different materials, packing of meats, and activities subsequent to the extraction of quarrying or mining materials.

Manufactured Home Community. Means the same as land-leased community defined herein and in Iowa Code Chapter 414. The term “manufactured home community” shall not be construed to include manufactured or mobile homes, buildings, tents, or other structures temporarily maintained by any individual, educational institution, or company on their own premises and used exclusively to house their own labor or students. (Iowa Code Chapter 435)

Mini-Warehouse. A building or buildings in which several “self-storage” units or vaults are rented for the storage of goods. Each unit is separated from the other units, and access usually is provided through an overhead door or other common access point.

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

45.—Mobile Home. A vehicle or vehicles without motive power used, or so originally manufactured or constructed as to permit being used, as a conveyance upon the public streets or highways and duly licensed as such and constructed in such a manner as will permit occupancy for human habitation, dwellings or sleeping places for one (1) or more persons, provided further that this definition shall refer to and include all portable contrivances used or intended to be used generally for living and sleeping quarters and which are capable of being moved by their own power, towed or transported by another vehicle or vehicles. This definition shall also include and apply to such vehicles or structures that are located on a permanent or temporary foundation but shall not include mobile homes converted to real estate as defined herein.

46.—Mobile Home Converted To Real Estate. An unencumbered mobile home which has been attached to a permanent foundation on real estate owned by the mobile home owner, which has had the vehicular frame modified or destroyed, rendering it impossible to reconvert to a mobile home and which has been inspected by the assessor, the mobile home title, registration and license plates collected from the owner and the property entered on the tax rolls of the County.

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

47.—Mobile Home Park. Any site, lot, field or tract of land upon which two (2) or more occupied mobile homes are harbored either free of charge or for revenue purposes including any building, structure, vehicle or enclosure intended for use as part of the equipment of such mobile home park.

Modular Home. A factory-built structure which is manufactured to be used as a place of human habitation, is constructed to comply with the Iowa State Building Code for modular factory-built structures, as adopted pursuant to Iowa Code Chapter 103A, and must display the seal issued by the State Building Code Commissioner in or on each section of the home. (Iowa Code Chapter 435)

Museum. A public or private facility that includes displays, shows, exhibits, and/or demonstrations of history, science, art, nature, entertainment, or other cultural significance.

Nightclub/Bar/Tavern. An establishment used primarily for the serving of alcoholic beverages by the drink to the general public and where food or packaged alcoholic beverages may be served or sold as accessory to the primary use.

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

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

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

Nursery. A business that grows, maintains, and sells nursery stock. In Iowa, nursery stock is defined as “hardy, cultivated or wild woody plants, such as trees, evergreens, shrubs and vines, and small fruits such as strawberries and raspberries.” Nursery stock may be dug from the wild. Herbaceous vegetables and annuals are not considered nursery stock. Land which is used primarily for the raising of nursery stock from seeds, cuttings or transplanted stock is a farm. If the land is used both for the raising of nursery stock and for display of nursery stock or allied products for sale, the parcel or portion is not a farm if the raising is not the primary operation. Land which is used primarily to display nursery stock for sale, or to display an allied product for sale, or both, is not a farm. “Allied product” includes but is not limited to, garden supplies, lawn supplies, tools, equipment, fertilizers, sprays, insecticides or pottery as per Iowa Administrative Code 871-23.26(96) 23.26(2).

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

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

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

Owner. Any person, agent, firm corporation, or partnership that alone, jointly, or severally with others: (1) has legal or equitable title to any premises, dwelling, or dwelling unit, with or without accompanying actual possession thereof; or (2) has charge, care, or control of any premises, dwelling or dwelling unit, as agent of the owner or as executor, administrator, trustee, or guardian of the estate of the beneficial owner. The person shown on the records of the recorder of deeds of the county to be the owner of a particular property shall be presumed to be the person in control of that property.

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

Park. Any public or private land available for recreational, educational, cultural or aesthetic use.

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

48.—Parking Space. An area surfaced with not less than four (4) inches of gravel or crushed stone or equally suitable material, enclosed in the main building or in any accessory building, or unenclosed, having an area of not less than one hundred eighty (180) square feet exclusive of driveways, permanently reserved for the temporary storage of one (1) automobile and connected with a street or alley by a surfaced driveway which affords satisfactory ingress or egress for automobiles.

Personal Service. Establishments or places of business primarily engaged in the provision of services of a personal nature. Personal services include establishments providing for the administration of massage or massage therapy carried out only by person licensed by the State of Iowa under the provisions of Iowa Code Chapters 148, 148A, 148B, 148C, 149, 150, 150A, 151, 152, 152B, 152C, 157 or 158 when performing massage services as part of the profession or trade for which licensed or persons performing massage services or therapy pursuant to the written direction of a licensed physician. Typical uses include but are not limited to: beauty and barber shops; nail and spa services seamstress, tailor, or shoe repair shops; photography studios; television or electronics repair; or laundry and dry-cleaning services.

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

Place of Assembly. A building where people gather for non-commercial civic, educational, religious or cultural purposes. A place of assembly may include a kitchen, bar and/or dining facilities available for use by members or non-members. Typical uses include but are not limited to: places of worship, meeting halls, lecture halls, fraternal organizations, or community center. This does not include indoor or outdoor commercial recreation.

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

Preschool. A facility for organized instruction of children who have not reached the age for enrollment in kindergarten.

Processing. Defined in rule 701—215.15(3) as "a series of operations in which materials are manufactured, refined, purified, created, combined, transformed, or stored by a manufacturer, ultimately into tangible personal property." In general, processing begins with receiving or producing raw materials and ends at the point the products are delivered for shipment or transferred from the manufacturer.

Qualified Confinement Feeding Operation. A confinement feeding operation having an animal weight capacity of two million (2,000,000) or more pounds for animals other than animals kept in a swine farrow to finish operation or bovine kept in a confinement feeding operation; a swine farrow to finish operation having an animal weight capacity of two million five hundred thousand (2,500,000) or more pounds; or a confinement feeding operation having an animal weight capacity of six million (6,000,000) or more pounds for bovine in accordance with Iowa Code.

51.—Quarry, Active. Any site used primarily for extraction of sand, gravel, or stone for commercial purposes in compliance with the provisions of this Ordinance.

52.—Recreational Lodge. A short-term lodging facility whose primary appeal is its rural and/or natural setting, with direct access to public or private recreational land, with a maximum of ten (10) units.

Recreational Vehicle (RV). A vehicular unit designed for recreational camping or travel under its own power or designed to be mounted or drawn by a motor vehicle. Recreational vehicle includes motor home, truck camper, travel trailer, and camping trailer.

Recreational Vehicle Park. A tract of land upon which two or more recreational vehicle sites are located, established, or maintained for occupancy by residential vehicles of the general public as temporary living quarters for recreation or vacation purposes by campers, vacationers, or travelers.

Recreation, Indoor Commercial. Uses that provide recreational opportunities indoors for the public (open to the community) or residents of a subdivision or development which commercial in nature, including but not limited to: recreational lodges, community recreation centers; health and exercise clubs; bowling alleys; indoor theaters; dance halls; arcades; skating rinks; swimming pools; country club; private club or lodge; other indoor athletic facilities; and other functionally similar uses.

Recreation, Outdoor Commercial. Uses that provide commercial amusement outdoors and that have higher traffic demands, space requirements, and external effects, including but not limited to: miniature golf; batting cages; go-carts; bumper cars or boats; skateboard parks; BMX or mountain bike courses; ski slopes; ice skating rinks; golf driving ranges; rodeo facilities; gun clubs; drive-in and outdoor theaters; marinas; docking facilities; tennis courts; ball fields; other outdoor athletic facilities; and other functionally similar uses; but not including campgrounds, resorts, youth or summer camps, or golf courses.

Recreation, Public. An indoor or outdoor public recreation area, building, site, or facility that is dedicated to recreation purposes and administered by a public or private nonprofit agency to serve the recreation needs of community residents, including but not limited to parks; lakes; ponds; rivers, creeks; playgrounds; picnic areas; hunting areas; wildlife preserves; trails for hiking, biking, horseback riding, paddling, or recreation vehicles; interpretive centers; historic and cultural sites; campgrounds; marinas; docking facilities; and other functionally similar uses.

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

Rental Storage Unit. See Mini-warehouse.

Restaurant. A use engaged in the preparation and retail sale of food and beverages for consumption on-site or off-site, including the sale of alcoholic beverages on-site when conducted as a secondary feature of the use, producing less than fifty percent (50%) of the establishment's gross income.

Drive-in Restaurant, Drive-in. Any place or premises used for the sale, dispensing or serving of food, refreshments or beverages in automobiles, including those establishments where

customers may serve themselves and may eat or drink the food, refreshments or beverages on the premises.

Rezoning. The action or process of assigning land or property to a different category of restriction on use and development.

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

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

Right-of-Way. Defined in Iowa Code Section 318.1(3) as “the total area of land, whether reserved by public ownership or easement, that is reserved for the operation and maintenance of a legally established public roadway.” This usually

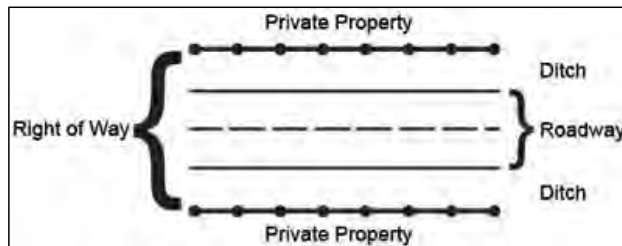


Diagram of Right-of-Way

includes the road, shoulder, portions of the ditch, and/or buffer land. It is the portion of land upon which facilities such as streets and utilities are constructed. It is the legal right of a person, vehicle, or utility to use this parcel of land, as granted, to pass over property owned by another party (see illustrations).



Right-of-Way Image (Source: Iowa State University)

Right-of-Way, Public Road. Defined in Iowa Code 3036.3 as “Public road right-of-way” means an area of land, the right to possession of which is secured or reserved by the state or a governmental subdivision for roadway purposes. The right-of-way for all secondary roads is sixty-six (66) feet in width, unless otherwise specified by the Jackson County Board of Supervisors.

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

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

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

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

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

Seasonal resort. A resort which includes three (3) or more seasonal dwellings which are rented or leased or located on land that is rented or leased for such seasonal dwellings including accessory uses and structures, providing that the sewage, water, and access requirements in Section XX.XX are met.

53.—Sewer System, Community. A public or private sewerage collection system with treatment and disposal facilities providing secondary treatment meeting applicable County and State effluent standards. A community sewer system as herein defined shall not include septic tanks.

School, Elementary. A public, private or parochial school offering instruction at the elementary school level in the branches of learning and study required to be taught in schools within the State of Iowa.

School, Post High School. An educational institution that provides full-time or part-time education beyond high school, including but not limited to: two-year junior, community or technical colleges; trade or business schools; and four-year (or more) colleges and universities.

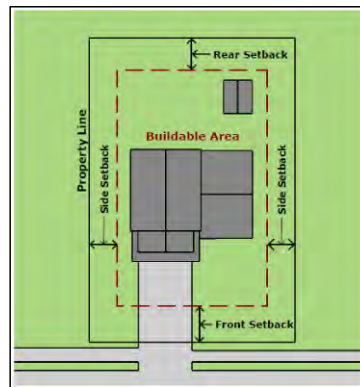
School, Secondary. A public, private or parochial school offering instruction at the middle school, junior high or high school level in the branches of learning and study required to be taught in schools within the State of Iowa.

Setback. The distance required between a property line or roadway easement line and the buildable area on a lot. See also Buildable Area.

Setback Encroachment. Encroachments may be located within an otherwise required setback, provided they are used in conjunction with a use permitted in the underlying zoning district, in accordance with Subsection XXX (see illustration).

Setback, Front. A line which defines the required minimum distance between a building or structure and right of way or roadway easement line. The front setback line shall be parallel with the primary right of way (or roadway easement line). Corner lots shall have a side yard setback along the secondary street frontage. Double frontage lots shall have a front setback along both street frontages (see illustrations).

Types of Setbacks (Source: ECIA)



Setback Line, Building. A line which defines the required minimum distance between a building or structure and the right of way or roadway easement line. The building setback line shall be parallel with the right of way or roadway easement line. Building setback lines are measured from the existing right-of-way, access easement, or property line, and then in a straight line to the closest point of the foundation of the building or structure (see illustrations). See also Buildable Area.

Setback, Rear. A line which defines the required minimum distance between a building or structure and the property line opposite the right of way line or roadway easement line. The rear setback line shall be parallel with the rear property line except for corner lots and double frontage lots (see illustrations).

Setback, Side. A line which defines the required minimum distance between a building or structure and an interior property line, extending between the front and rear setback lines. The side setback line shall be parallel with the nearest interior property line. For purposes of accessory buildings and structures, the side setback shall be extended to the rear property line (see illustrations).

Setback, Street Side. The horizontal distance between a street side lot line and a structure (see illustrations). See also Yard, Street Side.

Short-Term Rental Property. Defined in Iowa Code Section 414.1 as any individually or collectively owned single-family house or dwelling unit; any unit or group of units in a condominium, cooperative, or timeshare; or an owner-occupied residential home that is offered for a fee for thirty days or less. "Short-term rental property" does not include a unit that is used for any retail, restaurant, banquet space, event center, or other similar use.

54.—Signs. Any device designed to inform or attract the attention of persons not on the premises on which the sign is located, provided, however, that the following shall not be included in the application of the regulations herein:

- a. Signs not exceeding two (2) square feet in area and bearing only property numbers, post box numbers, names of occupants of premises or other identification of premises not having commercial connotations.
- b. Flags and insignia of any government except when displayed in connection with commercial promotion.
- c. Legal notices, identification, informational or directional signs erected or required by governmental bodies.
- d. Signs directing and guiding traffic and parking on public or private property but bearing no advertising matter.
- e. Warning signs, no trespassing, no hunting and similar signs not to exceed two (2) square feet in area located on the premises.
- f. Integral decorative or architectural features of buildings, except letters, trademarks moving parts or moving lights.

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

Slaughterhouse. A facility that kills animals for food. The establishment includes all premises where animals or poultry are slaughtered or otherwise prepared for custom, resale, or retail, for food purposes, meat or poultry canneries, sausage factories, smoking or curing operations, restaurants, grocery stores, brokerages, cold storage plants, and similar places. (Iowa Code 189A meat and Poultry Inspection)

55.—Special Exception. A use or structure that would not be appropriate generally or without restriction throughout the zoning division or district but which, if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare. Such uses may be permitted in zoning divisions or district as special exceptions if specific provisions for such special exceptions are made in this Zoning Ordinance.

Solar Energy System. See Section XX.XX Solar Energy Systems.

Solid Waste Facilities. The Iowa Department of Natural Resources regulates solid waste handling and disposal facilities, which include but are not limited to: sanitary landfill, composting, and recycling facilities; and sanitary transfer stations.

State. Means the State of Iowa.

Stockyard. A facility that is under state or federal veterinary supervision and is used for the buying, selling, or exchanging of livestock.

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

56.—Story. That portion of a building, other than a cellar, included between the surface of any floor and the surface of the floor next above it or, if there be no floor above it, then the space between the floor and the ceiling next above it.

57.—Story, Half. A partial story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls are not more than three (3) feet above the floor of such story, except that any partial story used for residence purposes, other than for a janitor or caretaker or their family or by a family occupying the floor immediately below it, shall be deemed a full story.

58.—Street, Road. A public or private thoroughfare which affords the principal means of access to abutting property. Defined in Iowa Code Section 306.3 as “Road” or “street” means the entire width between property lines through private property or the designated width through public property of every way or place of whatever nature if any part of such way or place is open to the use of the public, as a matter of right, for purposes of vehicular traffic.

59.—Street Line. The right-of-way line of a street.

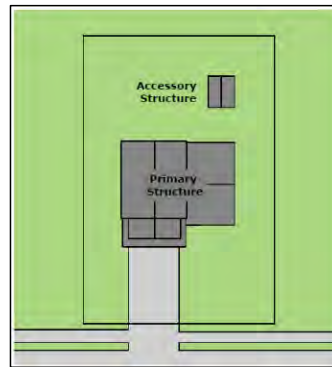
Structural Alteration. See Alteration, Structural.

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

Structure, Accessory. A detached subordinate structure, located on the same lot as the principal structure, the use of which is incidental and accessory to that of the principal structure (see illustration). See also Use, Accessory.

Structure, Principal. A non-accessory structure in which a principal use of the lot on which it is to be located is conducted. See also Use, Principal.

Structure, Temporary. A building or structure erected for a one-time temporary use, lacking a permanent foundation, connections to water and sewer, and generally having open walls, distinct from a permanent structure.



Accessory Structure (Source: ECIA)

Subdivision. A tract of land divided into three or more lots.

Subdivision Plat. A graphical representation of the subdivision of land, prepared by a licensed land surveyor, having a number or letter designation for each lot within the plat and a succinct name or title that is unique.

61.—Temporary Concrete Plant. Portland cement or asphaltic concrete mixing or batching facility for temporary use during the construction, repair, or maintenance of public roads, highways, or other public facilities.

Theater, Indoor. An indoor area, building or part of a building used primarily for the presentation of film, television, music video, or multimedia video, or for dramatic, dance, musical, or other live performances, that may or may not be open to the general public. Such establishments may include related services such as food and beverage sales and other concessions.

62.—Travel Trailer or Camping Trailer. A vehicle without motive power used or so manufactured or constructed as to permit its being used as a conveyance upon the public streets and highways and so designed to permit the vehicle to be used as a place of human habitation by one (1) or more persons. Said vehicle may be up to eight (8) feet in width and any length provided its gross weight does not exceed 4,500 pounds, which shall be the manufacturer's shipping or the actual weight of the vehicle fully equipped, or any weight provided its overall length does not exceed twenty-eight (28) feet. Such vehicle shall be customarily or ordinarily used for vacation or recreation purposes and not used as a place of human habitation for more than ninety (90) days in any twelve (12) month period or it shall be classed as a mobile home, regardless of the size and weight limitation provided herein. This definition shall also include house cars and camp cars having motive power and designed for temporary occupancy as defined herein.

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

Tourist Camp. A place where tents, tent houses, camp cottages, cabins or other structures are located and offered to the public or any segment thereof for transient lodging.

Use. The purpose or activity which land our buildings are designed, arranged, or intended or for which land or buildings are occupied or maintained.

Use, Accessory. A use incidental, related, appropriate, and clearly subordinate to the principal use of the lot or building. See also Structure, Accessory.

Use, Allowed – Any land use allowed within a zoning district.

Use, Principal. The primary use of land or structure. See also definition of Structure, Principal.

Use, Prohibited. Any use of land, other than non-conforming, which is not listed as an allowed use within a zoning district.

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

~~63.~~ **Variance.** A variance is a relaxation of the terms of the zoning ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship. As used in this ordinance, a variance is authorized only for height, area and size of structure or size of yards and open spaces. Establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning district or uses in an adjoining zoning district.

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

Vehicle Paint and Body Shop. Any building or portion thereof used for the repair or straightening of a motor vehicle or frame and the painting of motor vehicles. Maintenance, service, and engine repair may be ancillary functions of the body work.

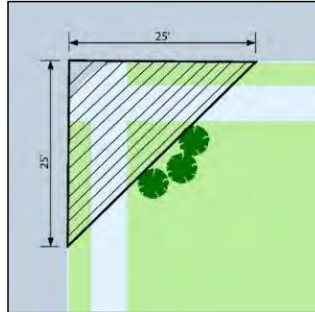
Vehicle Sales, Service, and Repair. The storage and display for the retail or wholesale sale, rental, or lease of more than two new or used vehicles, and which may include facilities for the maintenance, replacement of parts, service, incidental repair or body work of vehicles.

Veterinary Clinic. See Animal Hospital.

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

Visibility Triangle. A triangular space bounded by two intersecting right-of-way lines and a straight line connecting the two points on the street right-of-way lines twenty-five feet (25') from their intersection (see illustration).

Visibility Triangle (Source: ECIA)



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

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

~~64.~~ **Water System, Community.** A public or private water distribution system having a common source of supply and necessary treatment facilities.

Warehousing. The process of storing goods until they're ready for transport to retailers, distributors, or customers.

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

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

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

Wind Energy Conversion System. See Section XX.XX Wind Energy Conversion Systems.

65.—Yard. An open space between a building and the adjoining lot lines unoccupied and unobstructed by any portion of a structure from two and one-half (2 1/2) feet above the ground upward except as otherwise provided herein.

66.—Yard, Front. A yard extending across the front of a lot and being the minimum horizontal distance between the street or place line and the main building or any projection thereof, other than the projection of the usual uncovered steps, uncovered balconies or uncovered porch. On corner lots, the front yard shall be considered as parallel to the street upon which the lot has its least dimensions, except where the owner shall elect to front their building on the street parallel to the lot line having the greater dimension.



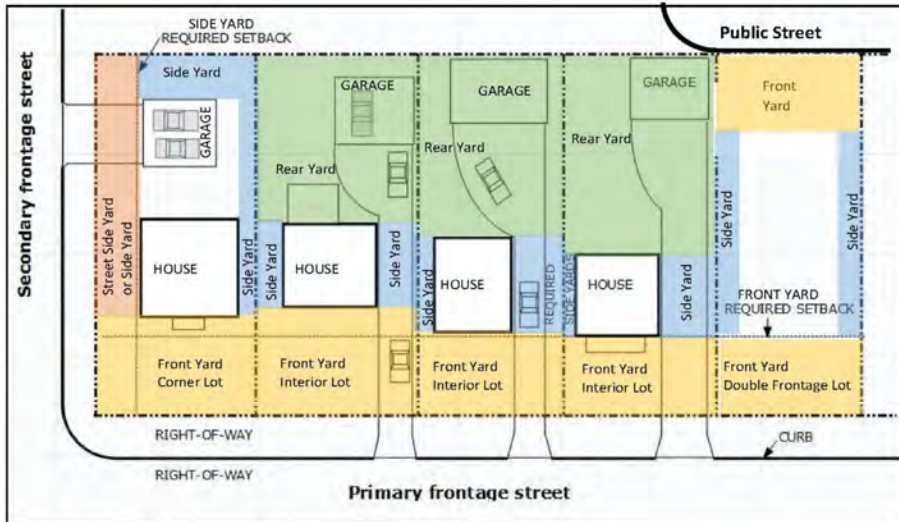
Types of Yards (Source: ECIA)

67.—Yard, Rear. A yard extending across the rear of a lot and being the required minimum horizontal distance between the rear lot line and the rear of the main building or any projection thereof, other than the projections of uncovered steps, unenclosed balconies or unenclosed porches. On all lots the rear yard shall be in the rear of the front yard.

Yard, Required. See [Setback](#).

68.—Yard, Side. A yard between the main building and the side line of the lot and extending from the required front yard to the required rear yard and being the minimum horizontal distance between a side lot line and the side of the main building or any projection thereto, except on the street side of a corner lot, the side yard shall extend from the required front yard to the rear lot line.

Yard, Street Side. The side yard of a corner lot that is adjacent to a street, extending across the full width of the lot and measured between the rear line of the lot and nearest line of the main building (see illustration).



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

Yard, Special. A yard behind any required yard adjacent to a public street, required to perform the same functions as a side or rear yard, but adjacent to a lot line so placed or oriented that neither the term "side yard" nor the term "rear yard" clearly applies. In such cases, the Administrator shall require a yard with minimum dimensions as generally required for a side yard or a rear yard in the district, determining which shall apply by the relation of the portion of the lot on which the yard is to be located to the adjoining lot or lots, with due regard to the orientation and location of structures and build able areas thereon.

Zoning Administrator. The Administrative Officer designated or appointed by the Board of Supervisors to administer and enforce the regulations contained in the Zoning Ordinance in accordance with Iowa Code Section 335.9. See also Administrator.

Zoning District. A section of the City in which zoning regulations and standards are uniform.

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

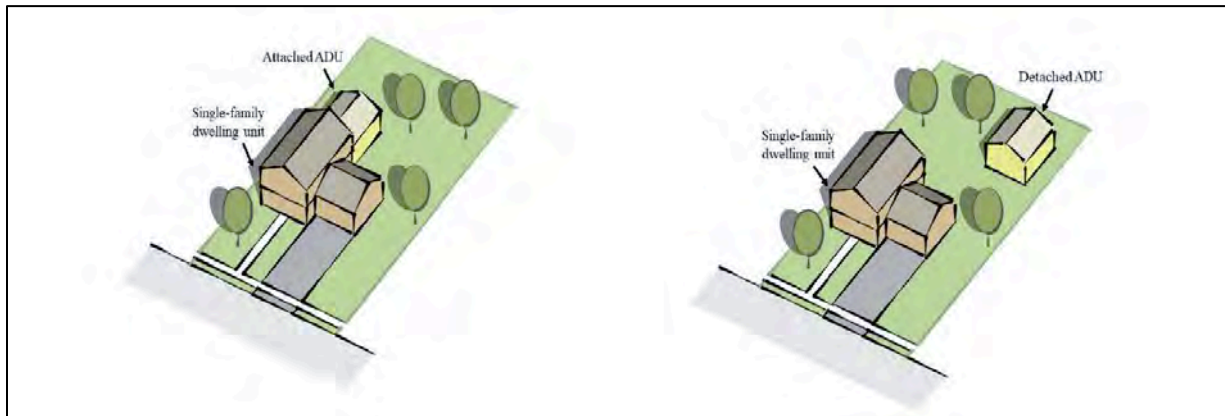
Zoning Permit. A written statement issued by the Zoning Administrator authorizing buildings, structures or use consistent with the terms of this Ordinance and for the purpose of carrying out and enforcing its provisions.

CHAPTER 6. DEFINITIONS

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

Accessory Dwelling Unit (ADU). An internal, attached, or detached single-family dwelling unit located on the same lot as the principal single-family dwelling unit, either within the same building as the principal single-family dwelling unit, in an attached structure, or in a detached structure. An ADU may be classified as one of the following:

1. Internal: A dwelling unit that is located wholly within the primary dwelling without expansion of the footprint (e.g., basement or upper story/attic units).
2. Attached: A dwelling unit that is considered part of the primary dwelling, but results in an expansion of the primary dwelling's footprint (*see illustration*).
3. A detached dwelling unit that is separate from the primary dwelling, such as a loft apartment over a detached garage or a standalone dwelling (*see illustration*).



Attached and Detached Accessory Dwelling Units (Source: City of Dyersville, IA accessed 2023)

Administrator. The Administrative Officer designated or appointed by the Board of Supervisors to administer and enforce the regulations contained in the Zoning Ordinance in accordance with Iowa Code Section 335.9. See also Zoning Administrator.

Agricultural Sales, Service, and Supply. An establishment engaged in retail sales, service, and supply directly related to the day-to-day activities of agricultural production, including but not limited to: Retail sales of agricultural fertilizers, chemicals, seeds, feed and feed supplements, buildings, supplies or fuels, or the buying, storing, processing and sale of grains for seed, or for livestock and poultry feed and other non-animal farm products; alfalfa dehydrating; the sale of feeds, feed supplements, and miscellaneous farm supplies; the storage, distribution or sale of

agricultural lime, agricultural chemicals or fertilizers; the storage, distribution and sale of petroleum products, including sale from tank trucks; the buying and temporary storage of wool or hides; trenching or well drilling; but not to include the bulk storage of anhydrous ammonia fertilizer under pressure or petroleum products under pressure, and not including the sale or display of farm machinery, building materials or appliances. See also Bulk Storage.

Agriculture. The use of land for agricultural purposes, including farming, dairying, pasturage, horticulture, floriculture, viticulture and animal and poultry husbandry and the necessary accessory uses for treating or storing the produce provided, however, that any such accessory uses shall be secondary to that of normal agricultural activities. Agriculture shall not include commercial animal or poultry feeding or raising in confined lots or buildings as defined herein. See also Farm and Horticulture.

Airport. A piece of land or water that is used for aircraft to land and take off. An airport includes the landing fields, airport buildings, facilities, and rights of way.

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

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

Animal Hospital/Veterinary Clinic. A veterinary practice, where domesticated household animals, large animals, and livestock, are given medical, surgical, dental, and obstetrics treatment, and emergency care, and the boarding of animals is limited to short term care incidental to the hospital or clinic use.

Asphalt Plant, Hot Mix. Defined by the Iowa Department of Natural Resources (DNR) as a stationary or portable drum mix plant producing hot or warm mix asphalt. "Hot mix asphalt" means a material made from a mixture of aggregate and liquid asphalt cement. The DNR requires an air quality construction permit for a hot mix asphalt plant.

Auto Wrecking. A business that dismantles and salvages used vehicles for spare parts.

Basement. A story having part but not more than one-half (1/2) of its height below grade. A basement is counted as a story for the purpose of height regulation.

Bed and Breakfast Home. A private residence which provides lodging and meals for guests, in which the host or hostess resides, and in which no more than four (4) guest families are lodged at the same time. The facility may advertise as a bed and breakfast home but not as a hotel, motel or restaurant. The facility is exempt from licensing and inspection as a hotel or as a food establishment. A bed and breakfast home may serve food only to overnight guests, unless a food establishment license is secured.

Bed and Breakfast Inn. A hotel which has nine (9) or fewer guest rooms.

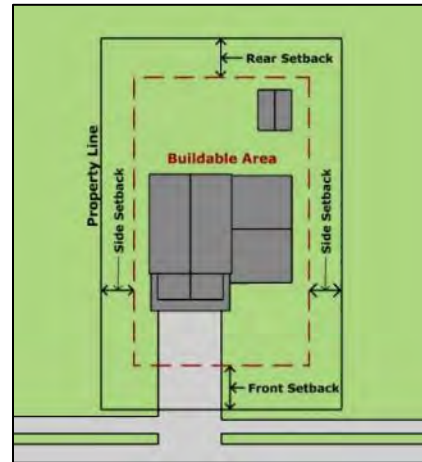
Billboard. An advertising sign for a business, commodity or service located or offered elsewhere than upon the premises where such sign or billboard is located. This includes painted exterior walls with pictures, words, or logos.

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

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

Boarding or Lodging House – A building other than a motel or hotel where meals or lodging are provided for compensation and by prearrangement for definite periods, and where bathroom(s) or toilet room(s) are shared. Rooms are intended for living or sleeping but not used for cooking or eating purposes.

Buildable Area. The portion of a lot remaining after required yards have been provided (*see illustration*).

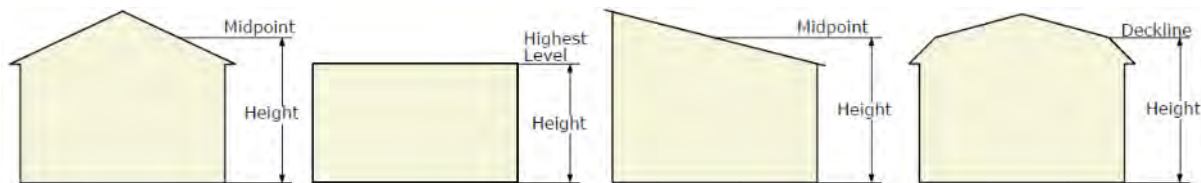


Buildable Area (Source: ECIA)

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

Building Height. The vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the mean height level between eaves and ridge for gable, hip and gambrel roofs (*see illustration*).

Building Line. The extreme overall dimensions of a building or any projection thereof. Distances



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

are to be measured from the most outwardly extended position of the structure. See also Yard.

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

Building, Principal. A non-accessory building in which a principal use of the lot on which it is located is conducted.

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

Bulk Regulations. An indication of size and setback of buildings and their location with respect to one another, including but not limited to the following: livable area, buildable area, building coverage, building height, lot area, lot frontage, lot coverage, front yard setback, side yard setback, and rear yard setback.

Bulk Station. Distributing stations commonly known as bulk or tank stations used for the storage and distribution of anhydrous ammonia fertilizer under pressure, flammable liquids, or liquefied petroleum products.

Business. Any occupation, employment or enterprises wherein merchandise is exhibited or sold, or where services are offered for compensation.

Campground. An area providing spaces for two (2) or more travel trailers, camping trailers or tent sites for temporary occupancy with necessary incidental services, sanitation and recreation facilities to serve the traveling public.

Camp, Youth or Summer. An establishment, either publicly or privately owned, complete with buildings, structures, and sanitary facilities and services designed for recreation and education of youth or other people, often on a seasonal basis.

Car Wash. Mechanical facilities for the washing, waxing, drying, and vacuuming of private automobiles, vans, and light trucks, but not for commercial fleets.

Cemetery. Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbarium, crematorium, mausoleum, and mortuary when operated in conjunction with and within the boundary of such cemetery.

Commercial Communications Station. Defined in Iowa Code Section 8C.2 as follows:

1. "Base station" means a structure or equipment at a fixed location that enables wireless communications licensed by the federal communications commission or authorized wireless communications between user equipment and a communications network.
2. "Base station" does not mean a tower or equipment associated with a tower.

3. “Base station” includes but is not limited to equipment associated with wireless communications services such as private, broadcast, and public safety services and unlicensed wireless services and fixed wireless services such as microwave backhaul.
4. “Base station” includes but is not limited to radio transceivers, antennas, coaxial or fiberoptic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration.
5. “Base station” includes a structure other than a tower that, at the time the relevant application is filed with the state or local government, supports or houses equipment described in this subsection that has been reviewed and approved under the applicable zoning or siting process, or under another state or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing such support.
6. “Base station” does not include any structure that at the time the relevant application is filed with the state or local government does not support or house equipment described in this subsection.

Commercial Communications Tower. Defined in Iowa Code Section 8C.2, “Tower” means a structure built for the sole or primary purpose of supporting an antenna and the associated facilities authorized or licensed by the Federal Communications Commission (FCC). “Tower” includes structures constructed for wireless communications services, including but not limited to private, broadcast, and public safety services and unlicensed wireless services and fixed wireless services, such as microwave backhaul, and the associated site.

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

Community Recreation Center. See Recreation, Indoor Commercial.

Comprehensive Plan. The duly adopted Comprehensive Plan of Jackson County.

Condominium. A multiple-family dwelling as defined herein whereby the interior of the dwelling unit and garages are titled to each unit is held in separate ownership, and the exterior of the property and the land in which the units are located is held in common ownership solely by the owners of the units with each having an undivided interest in the common real-estate.

Condominium Association. See Homeowner’s Association.

Confined Livestock Building. A lot yard, corral confinement facility enclosed in a building, or other area where livestock are confined, primarily of the purpose of feeding and growth prior to slaughter. The term does not include areas which are used for raising of crops or other vegetation and upon which livestock are allowed to graze or feed.

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

Convenience Store. A retail store engaged in selling primarily food, beverages, and other household supplies to customers, and designed to attract a large volume of stop and go customers, often in conjunction with gas station and car wash facilities.

Cooperative (Co-op). A type of property ownership where all the land and structures are owned by a cooperative corporation. Individual people or entities purchases shares of stock in the corporation. The ownership of stock in the corporation allows the stockholder to occupy a specific dwelling unit in the structure as well as the use of other amenities (like parking areas, reception areas or separate guest rooms).

Cellar. A story having more than one-half (1/2) its height below grade. A cellar is not included in computing the number of stories for the purpose of height measurement.

Cemetery. Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbarium, crematorium, mausoleum, and mortuary when operated in conjunction with and within the boundary of such cemetery.

Commercial Feedlot. The feeding or raising of livestock, poultry or other animals in confined feedlots, dry lots, pens, cages or buildings as a commercial enterprise when not in conjunction with a farming operation. See also Confined Livestock Building and Qualified Confinement Feeding Operation.

Commission. The Zoning Commission of Jackson County, Iowa.

Concrete Plant, Batch. A facility that mixes water, cement, sand, and other ingredients to create dry batch concrete or wet mix concrete.

Concrete Plant, Ready Mix. A facility that mixes concrete ingredients, except for water, and loads the mixture into trucks for delivery to construction sites. Water is then added to the concrete in the truck during transit.

Condominium, Residential. As established in Chapter 499B, Code of Iowa, a building or group of buildings in which units are owned individually, and the structure, common areas and facilities are owned by all the owners on a proportional, undivided basis. Residential condominiums shall be considered multiple-family dwellings for the purpose of this Ordinance.

Construction Compliance Certificate. A written statement issued by the Administrator that the proposed construction complies with all provisions of this Ordinance and other applicable building, health, and development-related ordinances of Jackson County and no subsequent modifications shall be made to plans or to actual construction that would be in violation of this

Ordinance. It is required before any building or structure shall be erected, reconstructed or structurally altered to increase the exterior dimensions, height, floor area, number of dwellings units or to accommodate a change in use of the building and/or premises or part thereof.

County. The unincorporated portions of Jackson County, Iowa.

Data Mining. See Section XX.XX Data Mining.

Daycare, Adult. A facility providing care for the elderly and/or functionally impaired adults in a protective setting for a portion of the 24-hour day.

Daycare, Child. An establishment, licensed by the State of Iowa, which is intended to provide for the care, supervision and protection of children.

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

Development. A human-made change to improved or unimproved real estate, including buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, and other similar uses.

Directional Signs. Any sign erected to call attention and direct traffic to businesses located off the primary highway system. Such signs must be placed no more than five (5) miles from the business served and positioned specifically to guide traffic to the service available. Except adjacent to U.S. Highway 61, directional signs must serve businesses in unincorporated areas.

District. A section or sections of the area of Jackson County for which regulations governing the use of buildings and premises or the height and area of buildings are uniform.

Drive In/Drive Through Services. A place which involves the sale of products or provision of services to occupants in vehicles.

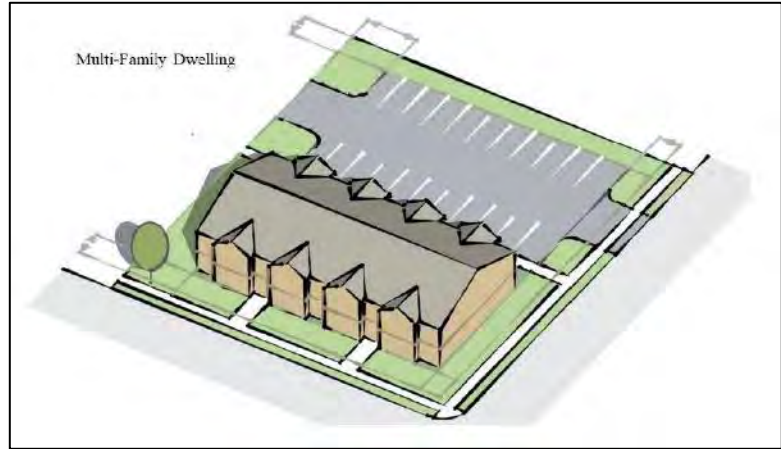
Driveway. The part of any private approach for motor vehicles to private property that lies between the property line and the back of the curb line or to the roadway of the public street if there is no curb or gutter.

Dwelling. Any building or portion thereof which is designed for or used exclusively for residential occupancy, including a manufactured or modular home, but not including mobile homes, trailers, hotels, motels, motor lodges, boarding and lodging houses occupied or intended to be occupied as the place of habitation of human beings.

Dwelling, Condominium. A multiple-family dwelling as defined herein whereby the fee title to each dwelling unit is held independently of the other dwelling units.

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

Dwelling, Multiple-Family. A residential building or buildings designed for or occupied by more three (3) or more families, all living independently of each other and having separate kitchen and toilet facilities for each family (see illustration). This definition shall not include mobile homes as herein defined.

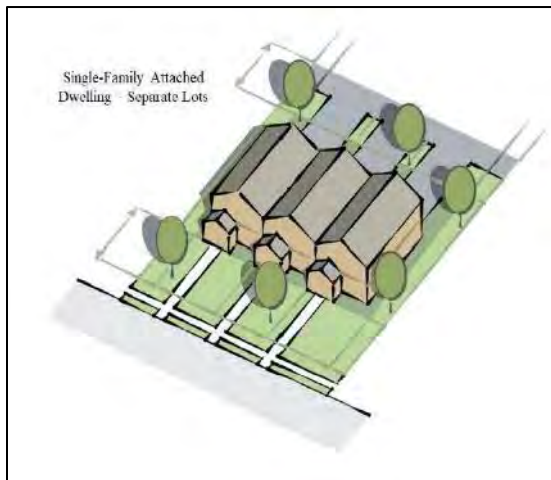


Multiple-Family Dwelling (Source: City of Dyersville, IA accessed 2023)

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

Dwelling, Single-Family. A building designed for or occupied by one (1) family (see illustration). This definition shall not include mobile homes as herein defined.

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



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

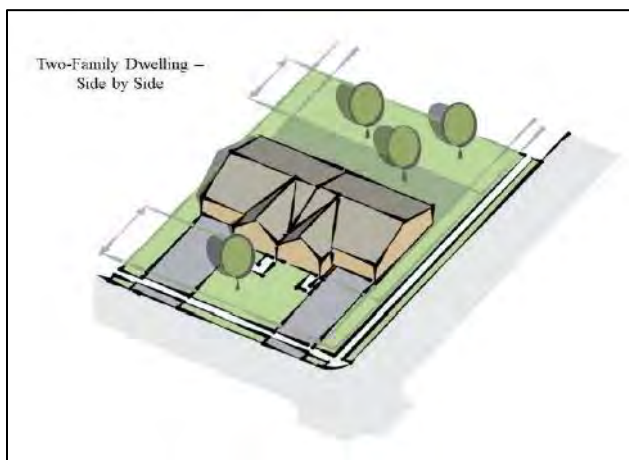


Single Family Detached Dwelling (Source: City of Dyersville, IA accessed 2023)

Dwelling, Townhouse. A one-family residential

dwelling unit, where a person or persons owns the entire dwelling unit and the land directly under the structure with a private entrance in a group of three or more units, which part of a structure whose dwelling units are attached horizontally in a linear arrangement, having a total exposed front and at least one other building wall exposed to allow for access, light, and ventilation. The remaining lot areas around the structures are typically owned by a homeowner's association. This definition shall not include mobile homes as herein defined.

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



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



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

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

Dwelling Unit. One (1) room, or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy or rental or lease on a weekly, monthly or longer basis and physically separated from any other rooms or dwelling units which may be in the same structure and containing independent cooking and sleeping facilities.

Elder Group Home – A city council or city zoning commission shall consider an elder group home a family home, as defined in Iowa Code Section 414.22, for purposes of zoning, in accordance with Iowa Code Section 231B.4, and may establish limitations regarding the proximity of one proposed elder group home to another. See also Family Home. (Iowa Code Chapter 414)

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

Encroachment. The advancement of a structure or improvements beyond established limits, lot lines, easements, or service areas. **Event Venue.** An indoor or outdoor place where events of a specific type are held.

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

Fairgrounds. The real estate, including land, buildings, and improvements where a fair event is conducted. “Fair event” includes an annual gathering of the public on fairgrounds that incorporates agricultural exhibits, demonstrations, shows, or competitions. Other periodic fair events may include but are not limited to: commercial exhibits, educational programs or exhibits, competitions, and expositions. (*Iowa Code section 174.1*)

Family. One (1) or more persons occupying a premises and living as a single housekeeping unit, whether or not related to each other by birth or marriage, as distinguished from a group occupying a boarding house, lodging house or hotel.

The following terms are related to the definition of family, according to guidelines of the US Health Resources and Services Administration:

1. Family: A family is a group of two (2) or more persons related by birth, marriage, or adoption who live together; all such related persons are considered as members of one family.
2. Family Unit: Either an unrelated individual (as defined below) or a family (as defined above) constitutes a family unit.
3. Household: A household consists of all the persons who occupy a housing unit (house or apartment), whether they are related to each other or not. If a family and an unrelated individual, or two (2) unrelated individuals, are living in the same housing unit, they would constitute two (2) family units (as defined above), but only one household.
4. Unrelated Individual: An unrelated individual is a person (other than an inmate of an institution) who is not living with any relatives. An unrelated individual may be the only person living in a house or apartment, or may be living in a house or apartment (or in group quarters such as a rooming house) in which one or more persons also live who are not related to the individual in question by birth, marriage, or adoption. Examples of unrelated individuals residing with others include a lodger, a foster child, a ward, or an employee. **Family Home.** A community-based residential home which is licensed as a

residential care facility under Iowa Code Chapter 135C or as a child foster care facility under Iowa Code Chapter 237 to provide room and board, personal care, habilitation services, and supervision in a family environment exclusively for not more than eight (8) persons with a developmental disability or brain injury and any necessary support personnel. However, family home does not mean an individual foster care family home licensed under Iowa Code Chapter 237. (*Iowa Code Section 414.22*)

Farm. An area of not less than ten (10) acres which is primarily adapted by reason of nature and area for use for agricultural purposes and is used for the growing of the usual farm products and their storage on the area as well as for the raising thereof of the usual farm poultry and farm animals. The term "farming" includes the operation of such area for one (1) or more of the above uses with the necessary accessory uses for treating or storing the produce provided, however, that the operation of any such accessory uses shall be secondary to that of the normal farming activities and such accessory uses do not include commercial feedlots or livestock cooperatives as defined herein. The following terms are related to the definition of "farm" in Iowa:

1. Iowa Code Section 352.2: "Farm" means the land, buildings, and machinery used in the commercial production of farm products.
2. Iowa Code Section 96.1A Definitions 16. g. (3) (f): The term "farm" includes livestock, dairy, poultry, fruit, fur-bearing animals, and truck farms, plantations, ranches, nurseries, ranges, greenhouses, or other similar structures used primarily for the raising of agricultural or horticultural commodities, and orchards.
3. Iowa Administrative Code (IAC) 871—23.26(96) Definition of a farm—agricultural labor. 23.26(1): "Farm" as used in Iowa Code section 96.1A(16)"g"(3) and in these rules means one or more plots of land not necessarily contiguous, including structures and buildings, used either primarily for raising or harvesting any agricultural or horticultural commodity, including caring for and the raising, shearing, feeding, training, and management of livestock, bees, poultry and furbearing animals and wildlife or both such uses, if the activities conducted have an agricultural purpose.

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

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

Farmland. Those parcels of land suitable for the production of farm products, as per Iowa Code Section 352.2.

Farm Operation. A condition or activity which occurs on a farm in connection with the production of farm products and includes but is not limited to the raising, harvesting, drying, or storage of crops; the care or feeding of livestock; the handling or transportation of crops or

livestock; the treatment or disposal of wastes resulting from livestock; the marketing of products at roadside stands or farm markets; the creation of noise, odor, dust, or fumes; the operation of machinery and irrigation pumps; ground and aerial seeding and spraying; the application of chemical fertilizers, conditioners, insecticides, pesticides, and herbicides; and the employment and use of labor, as per Iowa Code Section 352.2.

Farm Products. Those plants and animals and their products which are useful to people and includes but is not limited to forages and sod crops, grains and feed crops, dairy and dairy products, poultry and poultry products, livestock, fruits, vegetables, flowers, seeds, grasses, trees, fish, honey, and other similar products, or any other plant, animal, or plant or animal product which supplies people with food, feed, fiber, or fur, as per Iowa Code Section 352.2.

Farm Stand. Outdoor display and sales of farm produce and related products that is operated in conjunction with an allowed agriculture principal use on the property as an accessory use.

Fence. A structure more than eighteen inches (18”) in height, constructed of any material or combination of materials erected as a barrier, boundary, or enclosure to screen a property or an area of land, including open, semi-open, and closed fences.

Financial Institution. An establishment engaged in the provision of financial and banking services to consumers or clients, generally with walk-in and drive-thru services provided to consumers on-site, including but not limited to: banks, credit unions, mortgage offices, lending establishments, investment companies, and automated teller machines (ATM).

Fire Department. Fire stations and major pieces of firefighting apparatus, including but not limited to pumpers, quick response vehicles, hook and ladder trucks, and similar equipment, owned and operated by the City or other duly authorized volunteer fire districts.

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

Floor Area, Gross (GFA). The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

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

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

Garage, Private. An accessory building designed or used for the storage of motor-driven

vehicles owned and used by the occupants of the building to which it is accessory.

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

Garage, Storage. Any building or premises used for storing motor-driven vehicles, recreational vehicles and trailers, boats, furniture, or other miscellaneous personal property.

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

Garden, Commercial. A plot of ground where vegetables, fruits, herbs or ornamental plants are cultivated for commercial production.

Garden. A plot of ground where fruit, herbs, flowers, vegetables or other plants are grown unenclosed by any structure other than a fence, and for the personal use of the owner or tenant, and not intended for commercial production.

Garden Center. A place of business where retail and wholesale products and produce are sold to the consumer. The center may include a plant nursery and/or greenhouses, may import most of the items sold, and may include plants, nursery products and stock, potting soil, hardware, power equipment and machinery, and garden and farm variety tools and utensils

Gas Station. A building and/or premises where gasoline, oil and minor auto accessories, and convenience items may be supplied and dispensed at retail and may include an automated customer activated fuel dispensing system. A gas station is not a service station. For other services other than the sale of gasoline, see service station.

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

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

General Services. Establishments primarily engaged in the provision of services to customers by

appointment or drop-in basis, not including personal services. These uses may require additional on-site storage for inventory of vehicles. Typical uses include, but are not limited to: schools of private instruction (art, dance, music, etc.), television studios, telecommunication service centers, film and sound recording facilities, office equipment and supply firms, small business machine repair shops, hotel equipment and supply firms, messenger and delivery services, custodial or maintenance services, convenience printing and copying, financial institutions, bakery and confectionary shops, catering service, carpet and upholstery cleaning and repair, automated banking machines, appliance repair shops, watch and jewelry repair shops, and musical instrument repair shops.

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

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

Golf Course, Miniature. A small course where players use a putter to hit a ball into holes while navigating obstacles such as bridges, tunnels, and sharp corners.

Grade. The average level of the finished surface of the ground adjacent to the exterior walls of the building except when any wall approximately parallels and is not more than five (5) feet from a street line, then the elevation of the street at the center of the wall adjoining the street shall be grade.

Grain Elevator. A tall building used to store grain and containing equipment for conveying grain to the top of a storage bin or bins.

Grain Storage Bin. “Grain bin” as defined by Iowa Code section 423.3(16A) means property that is vented and covered with corrugated metal or similar material, and that is primarily used to hold loose grain for drying or storage.

Greenhouse. A building or accessory structure constructed chiefly of glass or other hard translucent material, which is used to grow plants and control the temperature and humidity. Greenhouses may be considered part of a farm.

Guest Room. Any bedroom or other sleeping quarters for transient guests in a hotel.

Hedge. A solid and unbroken visual screen of self-supporting shrubs, bushes, or similar continuous plantings more than eighteen inches (18”) in height.

Height of a Building. See Building Height.

Home-Based Business. For purpose of this definition, in accordance with Iowa Code 335.35:

1. “Goods” means any merchandise, equipment, products, supplies, or materials.

2. “Home-based business” means any business for the manufacture, provision, or sale of goods or services that is owned and operated by the owner or tenant of the residential property on which the business operates.
3. “No-impact home-based business” means a home-based business for which all of the following apply:
 - a. The total number of on-site employees and clients does not exceed the County occupancy limit for the residential property.
 - b. The business activities are characterized by all of the following:
 - i. The activities are limited to the sale of lawful goods and services.
 - ii. The activities do not generate on-street parking or a substantial increase in traffic through the residential area.
 - iii. The activities occur inside the residential dwelling or in the yard of the residential property.
 - iv. The activities are not visible from an adjacent property or street.
4. Meets all the following Jackson County requirements:
 - a. Is conducted on a residential premises, inside or adjacent to the dwelling and/or customary accessory structures.
 - b. Is carried on by a member of the family residing in the dwelling unit.is clearly secondary to the use of the dwelling unit for residential purposes.
 - c. Does not employ more than one (1) person outside the immediate family on the premises.
 - d. Has no exterior display, no exterior storage of materials and no other exterior indication of the home-based business or variation from the residential character of the principal building other than one (1) sign erected in conformance with the sign provision in its zoning district.
 - e. Does not occupy an area greater than thirty percent (30%) of the floor area of the dwelling unit.
 - f. Produces no offensive noises, vibration, smoke, dust, odors, heat or glare rendering such buildings or premises objectionable or detrimental to the residential character of the neighborhood.

Home-Based Business, Farm. For purpose of this definition, in accordance with Iowa Code 335.35:

1. “Goods” means any merchandise, equipment, products, supplies, or materials.
2. “Home-based business” means any business for the manufacture, provision, or sale of goods or services that is owned and operated by the owner or tenant of the residential property on which the business operates.
3. “No-impact home-based business” means a home-based business for which all of the following apply:
 - a. The total number of on-site employees and clients does not exceed the County occupancy limit for the residential property.
 - b. The business activities are characterized by all of the following:
 - i. The activities are limited to the sale of lawful goods and services.

- ii. The activities do not generate on-street parking or a substantial increase in traffic through the residential area.
 - iii. The activities are not visible from an adjacent property or street.
4. A “farm home-based business” also meets all the following Jackson County requirements for an occupation customarily engaged in on a farm, as a supplementary source of income, which:
- a. Is clearly incidental and secondary to the operation of the farm.
 - b. Is carried on by a member of the family residing in the farm dwelling.
 - c. Does not employ more than one (1) person outside the resident family on the premises.
 - d. Is conducted within or adjacent to the farm dwelling or the customary farm outbuildings.
 - e. Has no exterior displays or storage of materials visible from the public road or other exterior indication or variation from the agricultural character of the farm other than not more than one (1) sign identifying the product or service available, which sign shall not exceed thirty-two (32) square feet.
 - f. Produces no offensive noise, vibration, smoke, dust, odors, heat, glare or electrical interference detectable within the limits of the nearest neighboring farm dwelling.

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

Home for Persons with Disabilities. A city council or city zoning commission shall consider a home for persons with disabilities a family home, as defined in Iowa Code Section 414.22, for purposes of zoning in accordance with Iowa Code Chapter 504C. See definition of Family Home. (*Iowa Code Chapter 414*)

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

Hotel/Motel. Any building or structure, equipped, used, advertised as, or held out to the public to be an inn, hotel, motel, motor inn, or place where sleeping accommodations are furnished transient guests for hire. Supporting facilities may include restaurant, lounge, meeting and banquet rooms or convention facilities, recreational facilities (pool, fitness room), and/or other retail and service shops.

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

Examples of hunting areas:

1. Wildlife Management Areas (WMAs): Managed by the Iowa Department of Natural Resources, these areas are open to the public for hunting, fishing, and trapping.
2. Public lands: These lands are set aside for conservation, restoration, and outdoor

recreation, and can offer many hunting opportunities.

3. Refuge headquarters hunt areas: These areas are part of a refuge and may be open to hunting via lottery.

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

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

Intermittent Or Temporary Commercial Activity. An activity which occurs on a one-time temporary or intermittent basis and for which no permanent structures are required, along with associated camping and entertainment, such uses not to exceed 14 days per year, involve more than 15 acres, including parking, and creating no public nuisance. Examples include but are not limited to flea markets, consignment auctions, music or sport events, and commercial exhibitions.

Junk Yard. Any area where waste, discarded or salvaged materials are bought, sold, exchanged, baled or packed, disassembled, stored, abandoned or handled, including the dismantling or "wrecking" of automobiles or other machinery, used lumber yards and places or yards for storage of salvage, house wrecking and structural steel materials and equipment, but not including areas where such uses are conducted entirely within a completely enclosed building.

Kennel. An establishment which performs grooming, boarding, or training services for dogs or cats for compensation or where dogs or cats are bred or raised for commercial purposes or sale, in accordance with Iowa Code Chapter 162.

Land-Leased Community. Any site, lot, field or tract of land under common ownership upon which three (3) or more occupied manufactured homes are harbored, either free of charge or for revenue purposes, and shall include any building, structure, or enclosure used or intended for use as part of the equipment of the land-leased community. It does not include mobile home parks as defined herein. It also does not include homes, buildings, or other structures temporarily maintained by an individual, educational institution, or company on their own premises and used exclusively to house their own labor or students. (*Iowa Code Chapter 414*)

Library. A public or private facility that consists of shelved books and other materials, reading rooms or areas, and meeting or programming rooms.

Livestock Auction Sale. A public sale where livestock is sold to the highest bidder. Livestock

auctions typically market cattle, swine, sheep, goats, horses, and other agricultural production animals.

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

Loading Space. An off-street space within the main building or on the same lot, or contiguous to a group of buildings, for providing for the standing, loading or unloading of commercial vehicles, and which abuts a street, alley, or other appropriate means of ingress and egress. The loading space shall have a minimum dimension of twelve (12) by thirty-five (35) feet and vertical clearance of at least fourteen (14) feet. The loading space is required to be scaled to delivery vehicles expected to be used, and accessible to such vehicles. Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking space.

Logging. The business of buying standing timber or cut logs, from timber growers, for sawing into lumber for processing or resale. This does not include a person who occasionally purchases timber for sawing or processing for that person's own use and not for resale. "Timber" means trees, standing or felled, and logs which can be used for sawing or processing into lumber for building or structural purposes or for the manufacture of an article. However, "timber" does not include firewood, Christmas trees, or fruit or ornamental trees. (*Iowa Code section 456A.36*) Logging may also include the storage, processing, sale, and distribution of raw forest products. "Raw forest products" means logs, pilings, posts, poles, cord wood products, woodchips, sawdust, pulpwood, intermediary lumber, fuel wood, mulch, tree bark, and Christmas trees not altered by a manufacturing process off the land, sawmill, or factory from which the products were taken. (*Iowa Code section 321E.26*)**Lot.** A parcel of land with an officially approved legal description occupied or intended for occupancy by one (1) or more main buildings together with accessory buildings. The boundaries of the lot shall be determined by its lot lines.

Lot Area. The area included within the boundaries of a lot, including area over which public or private easements have been granted, but excluding that portion of a flag lot which is used primarily for access (the flagpole portion).

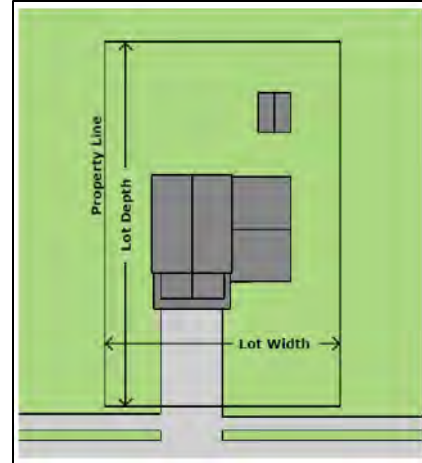
Lot, Corner. A lot abutting upon two (2) or more streets at their intersection.

Lot, Depth Of. The mean horizontal distance between the front and rear lot lines.

Lot, Double Frontage. A lot which fronts upon two parallel streets, or which fronts upon two streets which do not intersect at the boundaries of the lot (*see illustration*).

Lot, Flag. A lot having no frontage or access to a street or place except by a narrow strip of land which is included within the lot.

Lot Frontage. All sides of a lot abutting a street and measured along the front property line as it abuts the street right of way.



Lot Depth and Width (Source: ECIA)

Lot, Interior. A lot other than a corner lot or a double frontage lot (*see illustration*).

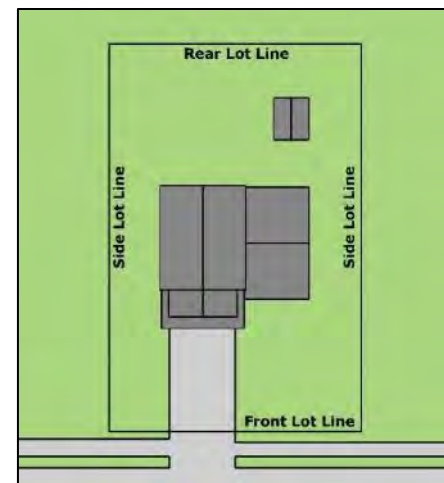
Lot Line. The property boundary line of a lot.

Lot Line, Front. The property line abutting a street right-of-way (*see illustration*).

Lot Line, Rear. A property line not abutting a street right of way which is opposite and generally most distant from the front lot line (*see illustration*).

Lot Line, Side. Any property line not a front lot line or rear lot line (*see illustration*).

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



Types of Lot Lines (Source: ECIA)

Lot, Through. See Lot, Double Frontage.

Lot Width. The width of a lot measured at the front of the principal structure and at right angles to its depth.

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

1. A single lot of record;
2. A portion of a lot of record;

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

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

Manufactured Home. A factory built structure manufactured or constructed under the authority of 42 USC § 5403 to be used for residential occupancy upon connection with utilities, exclusive of any structure which: has a width (the shorter of the rectangular sides) of less than 24 feet, exclusive of projections of porches, decks, carports, canopies, garages, sheds and other attached accessory structures; is constructed or equipped with a permanent hitch or other device allowing it to be moved other than for the purpose of moving to a permanent site or has its own motor power; has permanently attached to its body or frame any wheels or axles; or does not have a permanent foundation. The structure is required by federal law to display a seal from the United States Department of Housing and Urban Development (HUD), and was constructed on or after June 15, 1976. (*Iowa Code Chapters 414 and 435*)

Manufacturer. Defined in Iowa Code section 423.3(47) as “a business that primarily purchases, receives, or holds personal property of any description for the purpose of adding to its value by any process of manufacturing with a view to selling the property for gain or profit.”

Manufacturing includes refining, purifying, combining of different materials, packing of meats, and activities subsequent to the extraction of quarrying or mining materials.

Manufactured Home Community. Means the same as land-leased community defined herein and in Iowa Code Chapter 414. The term “manufactured home community” shall not be construed to include manufactured or mobile homes, buildings, tents, or other structures temporarily maintained by any individual, educational institution, or company on their own premises and used exclusively to house their own labor or students. (*Iowa Code Chapter 435*)

Mini-Warehouse. A building or buildings in which several “self-storage” units or vaults are rented for the storage of goods. Each unit is separated from the other units, and access usually is provided through an overhead door or other common access point.

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

Mobile Home. A vehicle or vehicles without motive power used, or so originally manufactured or constructed as to permit being used, as a conveyance upon the public streets or highways and duly licensed as such and constructed in such a manner as will permit occupancy for human

habitation, dwellings or sleeping places for one (1) or more persons, provided further that this definition shall refer to and include all portable contrivances used or intended to be used generally for living and sleeping quarters and which are capable of being moved by their own power, towed or transported by another vehicle or vehicles. This definition shall also include and apply to such vehicles or structures that are located on a permanent or temporary foundation but shall not include mobile homes converted to real estate as defined herein.

Mobile Home Converted To Real Estate. An unencumbered mobile home which has been attached to a permanent foundation on real estate owned by the mobile home owner, which has had the vehicular frame modified or destroyed, rendering it impossible to reconvert to a mobile home and which has been inspected by the assessor, the mobile home title, registration and license plates collected from the owner and the property entered on the tax rolls of the County.

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

Mobile Home Park. Any site, lot, field or tract of land upon which two (2) or more occupied mobile homes are harbored either free of charge or for revenue purposes including any building, structure, vehicle or enclosure intended for use as part of the equipment of such mobile home park.

Modular Home. A factory-built structure which is manufactured to be used as a place of human habitation, is constructed to comply with the Iowa State Building Code for modular factory-built structures, as adopted pursuant to Iowa Code Chapter 103A, and must display the seal issued by the State Building Code Commissioner in or on each section of the home. (*Iowa Code Chapter 435*)

Museum. A public or private facility that includes displays, shows, exhibits, and/or demonstrations of history, science, art, nature, entertainment, or other cultural significance.

Nightclub/Bar/Tavern. An establishment used primarily for the serving of alcoholic beverages by the drink to the general public and where food or packaged alcoholic beverages may be served or sold as accessory to the primary use.

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

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

Nonconforming Use. A use lawful when established but which does not conform to this Zoning

Ordinance or subsequent amendments.

Nursery. A business that grows, maintains, and sells nursery stock. In Iowa, nursery stock is defined as “hardy, cultivated or wild woody plants, such as trees, evergreens, shrubs and vines, and small fruits such as strawberries and raspberries.” Nursery stock may be dug from the wild. Herbaceous vegetables and annuals are not considered nursery stock. Land which is used primarily for the raising of nursery stock from seeds, cuttings or transplanted stock is a farm. If the land is used both for the raising of nursery stock and for display of nursery stock or allied products for sale, the parcel or portion is not a farm if the raising is not the primary operation. Land which is used primarily to display nursery stock for sale, or to display an allied product for sale, or both, is not a farm. “Allied product” includes but is not limited to, garden supplies, lawn supplies, tools, equipment, fertilizers, sprays, insecticides or pottery as per Iowa Administrative Code 871-23.26(96) 23.26(2).

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

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

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

Owner. Any person, agent, firm corporation, or partnership that alone, jointly, or severally with others: (1) has legal or equitable title to any premises, dwelling, or dwelling unit, with or without accompanying actual possession thereof; or (2) has charge, care, or control of any premises, dwelling or dwelling unit, as agent of the owner or as executor, administrator, trustee, or guardian of the estate of the beneficial owner. The person shown on the records of the recorder of deeds of the county to be the owner of a particular property shall be presumed to be the person in control of that property.

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

Park. Any public or private land available for recreational, educational, cultural or aesthetic use.

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

Parking Space. An area surfaced with not less than four (4) inches of gravel or crushed stone or equally suitable material, enclosed in the main building or in any accessory building, or unenclosed, having an area of not less than one hundred eighty (180) square feet exclusive of driveways, permanently reserved for the temporary storage of one (1) automobile and connected with a street or alley by a surfaced driveway which affords satisfactory ingress or egress for automobiles.

Personal Service. Establishments or places of business primarily engaged in the provision of services of a personal nature. Personal services include establishments providing for the administration of massage or massage therapy carried out only by person licensed by the State of Iowa under the provisions of Iowa Code Chapters 148, 148A, 148B, 148C, 149, 150, 150A, 151, 152, 152B, 152C, 157 or 158 when performing massage services as part of the profession or trade for which licensed or persons performing massage services or therapy pursuant to the written direction of a licensed physician. Typical uses include but are not limited to: beauty and barber shops; nail and spa services seamstress, tailor, or shoe repair shops; photography studios; television or electronics repair; or laundry and dry-cleaning services.

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

Place of Assembly. A building where people gather for non-commercial civic, educational, religious or cultural purposes. A place of assembly may include a kitchen, bar and/or dining facilities available for use by members or non-members. Typical uses include but are not limited to: places of worship, meeting halls, lecture halls, fraternal organizations, or community center. This does not include indoor or outdoor commercial recreation,

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

Preschool. A facility for organized instruction of children who have not reached the age for enrollment in kindergarten.

Processing. Defined in rule 701—215.15(3) as "a series of operations in which materials are manufactured, refined, purified, created, combined, transformed, or stored by a manufacturer, ultimately into tangible personal property." In general, processing begins with receiving or producing raw materials and ends at the point the products are delivered for shipment or transferred from the manufacturer.

Qualified Confinement Feeding Operation. A confinement feeding operation having an animal

weight capacity of two million (2,000,000) or more pounds for animals other than animals kept in a swine farrow to finish operation or bovine kept in a confinement feeding operation; a swine farrow to finish operation having an animal weight capacity of two million five hundred thousand (2,500,000) or more pounds; or a confinement feeding operation having an animal weight capacity of six million (6,000,000) or more pounds for bovine in accordance with Iowa Code.

Quarry, Active. Any site used primarily for extraction of sand, gravel, or stone for commercial purposes in compliance with the provisions of this Ordinance.

Recreational Lodge. A short-term lodging facility whose primary appeal is its rural and/or natural setting, with direct access to public or private recreational land, with a maximum of ten (10) units.

Recreational Vehicle (RV). A vehicular unit designed for recreational camping or travel under its own power or designed to be mounted or drawn by a motor vehicle. Recreational vehicle includes motor home, truck camper, travel trailer, and camping trailer.

Recreational Vehicle Park. A tract of land upon which two or more recreational vehicle sites are located, established, or maintained for occupancy by residential vehicles of the general public as temporary living quarters for recreation or vacation purposes by campers, vacationers, or travelers.

Recreation, Indoor Commercial. Uses that provide recreational opportunities indoors for the public (open to the community) or residents of a subdivision or development which commercial in nature, including but not limited to: recreational lodges, community recreation centers; health and exercise clubs; bowling alleys; indoor theaters; dance halls; arcades; skating rinks; swimming pools; country club; private club or lodge; other indoor athletic facilities; and other functionally similar uses.

Recreation, Outdoor Commercial. Uses that provide commercial amusement outdoors and that have higher traffic demands, space requirements, and external effects, including but not limited to: miniature golf; batting cages; go-carts; bumper cars or boats; skateboard parks; BMX or mountain bike courses; ski slopes; ice skating rinks; golf driving ranges; rodeo facilities; gun clubs; drive-in and outdoor theaters; marinas; docking facilities; tennis courts; ball fields; other outdoor athletic facilities; and other functionally similar uses; but not including campgrounds, resorts, youth or summer camps, or golf courses.

Recreation, Public. An indoor or outdoor public recreation area, building, site, or facility that is dedicated to recreation purposes and administered by a public or private nonprofit agency to serve the recreation needs of community residents, including but not limited to parks; lakes; ponds; rivers, creeks; playgrounds; picnic areas; hunting areas; wildlife preserves; trails for hiking, biking, horseback riding, paddling, or recreation vehicles; interpretive centers; historic and cultural sites; campgrounds; marinas; docking facilities; and other functionally similar uses.

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

Rental Storage Unit. See Mini-warehouse.

Restaurant. A use engaged in the preparation and retail sale of food and beverages for consumption on-site or off-site, including the sale of alcoholic beverages on-site when conducted as a secondary feature of the use, producing less than fifty percent (50%) of the establishment's gross income.

Restaurant, Drive-in. Any place or premises used for the sale, dispensing or serving of food, refreshments or beverages in automobiles, including those establishments where customers may serve themselves and may eat or drink the food, refreshments or beverages on the premises.

Rezoning. The action or process of assigning land or property to a different category of restriction on use and development.

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

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

Right-of-Way. Defined in Iowa Code Section 318.1(3) as “the total area of land, whether reserved by public ownership or easement, that is reserved for the operation and maintenance of a legally established public roadway.” This usually includes the road, shoulder, portions of the ditch, and/or buffer land. It is the portion of land upon which facilities such as streets and utilities are constructed. It is the legal right of a person, vehicle, or utility to use this parcel of land, as granted, to pass over property



Right-of-Way Image (Source: Iowa State University)

owned by another party (*see illustrations*).

Right-of-Way, Public Road. Defined in Iowa Code 3036.3 as “Public road right-of-way” means an area of land, the right to possession of which is secured or reserved by the state or a governmental subdivision for roadway purposes. The right-of-way for all secondary roads is sixty-six (66) feet in width, unless otherwise specified by the Jackson County Board of Supervisors.

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

Routine Maintenance of Existing Buildings and Facilities. Repairs necessary to keep a structure in a safe and habitable condition that do not trigger a building permit, provided they are not associated with a general improvement of the structure or repair of a damaged structure. Such repairs include but are not limited to:

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

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

Seasonal resort. A resort which includes three (3) or more seasonal dwellings which are rented or leased or located on land that is rented or leased for such seasonal dwellings including accessory uses and structures, providing that the sewage, water, and access requirements in Section XX.XX are met.

Sewer System, Community. A public or private sewerage collection system with treatment and disposal facilities providing secondary treatment meeting applicable County and State effluent standards. A community sewer system as herein defined shall not include septic tanks.

School, Elementary. A public, private or parochial school offering instruction at the elementary school level in the branches of learning and study required to be taught in schools within the State of Iowa.

School, Post High School. An educational institution that provides full-time or part-time education beyond high school, including but not limited to: two-year junior, community or technical colleges; trade or business schools; and four-year (or more) colleges and universities.

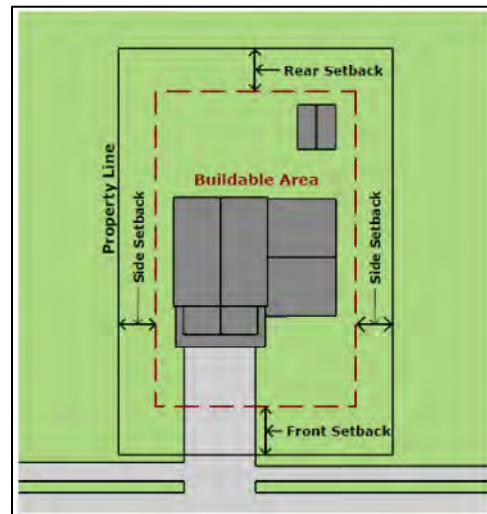
School, Secondary. A public, private or parochial school offering instruction at the middle school, junior high or high school level in the branches of learning and study required to be taught in schools within the State of Iowa.

Setback. The distance required between a property line or roadway easement line and the buildable area on a lot. See also Buildable Area.

Setback Encroachment. Encroachments may be located within an otherwise required setback, provided they are used in conjunction with a use permitted in the underlying zoning district, in accordance with Subsection XXX (see illustration).

Setback, Front. A line which defines the required minimum distance between a building or structure and right of way or roadway easement line. The front setback line shall be parallel with the primary right of way (or roadway easement line). Corner lots shall have a side yard setback along the secondary street frontage. Double frontage lots shall have a front setback along both street frontages (see illustrations).

Types of Setbacks (Source: ECIA)



Setback Line, Building. A line which defines the required minimum distance between a building or structure and the right of way or roadway easement line. The building setback line shall be parallel with the right of way or roadway easement line. Building setback lines are measured from the existing right-of-way, access easement, or property line, and then in a straight line to the closest point of the foundation of the building or structure (see illustrations). See also Buildable Area.

Setback, Rear. A line which defines the required minimum distance between a building or structure and the property line opposite the right of way line or roadway easement line. The rear setback line shall be parallel with the rear property line except for corner lots and double frontage lots (see illustrations).

Setback, Side. A line which defines the required minimum distance between a building or structure and an interior property line, extending between the front and rear setback lines. The side setback line shall be parallel with the nearest interior property line. For purposes of accessory buildings and structures, the side setback shall be extended to the rear property line (see illustrations).

Setback, Street Side. The horizontal distance between a street side lot line and a structure (see illustrations). See also Yard, Street Side.

Short-Term Rental Property. Defined in Iowa Code Section 414.1 as any individually or collectively owned single-family house or dwelling unit; any unit or group of units in a condominium, cooperative, or timeshare; or an owner-occupied residential home that is offered for a fee for thirty days or less. “Short-term rental property” does not include a unit that is used for any retail, restaurant, banquet space, event center, or other similar use.

Signs. Any device designed to inform or attract the attention of persons not on the premises on which the sign is located, provided, however, that the following shall not be included in the application of the regulations herein:

1. Signs not exceeding two (2) square feet in area and bearing only property numbers, post box numbers, names of occupants of premises or other identification of premises not having commercial connotations.
2. Flags and insignia of any government except when displayed in connection with commercial promotion.
3. Legal notices, identification, informational or directional signs erected or required by governmental bodies.
4. Signs directing and guiding traffic and parking on public or private property but bearing no advertising matter.
5. Warning signs, no trespassing, no hunting and similar signs not to exceed two (2) square feet in area located on the premises.
6. Integral decorative or architectural features of buildings, except letters, trademarks moving parts or moving lights.

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

Slaughterhouse. A facility that kills animals for food. The establishment includes all premises where animals or poultry are slaughtered or otherwise prepared for custom, resale, or retail, for food purposes, meat or poultry canneries, sausage factories, smoking or curing operations, restaurants, grocery stores, brokerages, cold storage plants, and similar places. (*Iowa Code 189A meat and Poultry Inspection*)

Special Exception. A use or structure that would not be appropriate generally or without restriction throughout the zoning division or district but which, if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare. Such uses may be permitted in zoning divisions or district as special exceptions if specific provisions for such special exceptions are made in this Zoning Ordinance.

Solar Energy System. See Section XX.XX Solar Energy Systems.

Solid Waste Facilities. The Iowa Department of Natural Resources regulates solid waste handling and disposal facilities, which include but are not limited to: sanitary landfill, composting, and recycling facilities; and sanitary transfer stations.

State. Means the State of Iowa.

Stockyard. A facility that is under state or federal veterinary supervision and is used for the buying, selling, or exchanging of livestock.

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

Story. That portion of a building, other than a cellar, included between the surface of any floor and the surface of the floor next above it or, if there be no floor above it, then the space between the floor and the ceiling next above it.

Story, Half. A partial story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls are not more than three (3) feet above the floor of such story, except that any partial story used for residence purposes, other than for a janitor or caretaker or their family or by a family occupying the floor immediately below it, shall be deemed a full story.

Street, Road. A public or private thoroughfare which affords the principal means of access to abutting property. Defined in Iowa Code Section 306.3 as “Road” or “street” means the entire width between property lines through private property or the designated width through public property of every way or place of whatever nature if any part of such way or place is open to the use of the public, as a matter of right, for purposes of vehicular traffic.

Street Line. The right-of-way line of a street.

Structural Alteration. See Alteration, Structural.

Structure. See Building.

Structure, Accessory. A detached subordinate structure, located on the same lot as the principal structure, the use of which is incidental and accessory to that of the principal structure (*see illustration*). See also Use, Accessory.

Structure, Principal. A non-accessory structure in which a principal use of the lot on which it is to be located is conducted. See also Use, Principal.

Structure, Temporary. A building or structure erected for a one-time temporary use, lacking a permanent foundation, connections to water and sewer, and generally having open walls, distinct from a permanent structure.

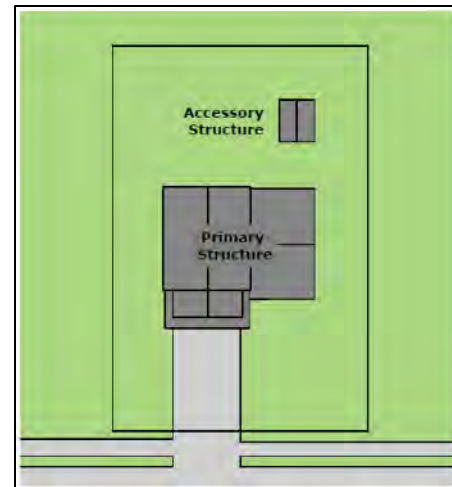
Subdivision. A tract of land divided into three or more lots.

Subdivision Plat. A graphical representation of the subdivision of land, prepared by a licensed land surveyor, having a number or letter designation for each lot within the plat and a succinct name or title that is unique.

Temporary Concrete Plant. Portland cement or asphaltic concrete mixing or batching facility for temporary use during the construction, repair, or maintenance of public roads, highways, or other public facilities.

Theater, Indoor. An indoor area, building or part of a building used primarily for the presentation of film, television, music video, or multimedia video, or for dramatic, dance, musical, or other live performances, that may or may not be open to the general public. Such establishments may include related services such as food and beverage sales and other concessions.

Travel Trailer or Camping Trailer. A vehicle without motive power used or so manufactured or constructed as to permit its being used as a conveyance upon the public streets and highways and so designed to permit the vehicle to be used as a place of human habitation by one (1) or more persons. Said vehicle may be up to eight (8) feet in width and any length provided its gross weight does not exceed 4,500 pounds, which shall be the manufacturer's shipping or the actual weight of the vehicle fully equipped, or any weight provided its overall length does not exceed twenty-eight (28) feet. Such vehicle shall be customarily or ordinarily used for vacation or recreation purposes and not used as a place of human habitation for more than ninety (90) days in any twelve (12) month period or it shall be classed as a mobile home, regardless of the size and weight limitation provided herein. This definition shall also include house cars and camp cars having motive power and designed for temporary occupancy as defined herein.



Accessory Structure (Source: ECIA)

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

Tourist Camp. A place where tents, tent houses, camp cottages, cabins or other structures are located and offered to the public or any segment thereof for transient lodging.

Use. The purpose or activity which land or buildings are designed, arranged, or intended or for which land or buildings are occupied or maintained.

Use, Accessory. A use incidental, related, appropriate, and clearly subordinate to the principal use of the lot or building. See also Structure, Accessory.

Use, Allowed. Any land use allowed within a zoning district.

Use, Principal. The primary use of land or structure. See also definition of Structure, Principal.

Use, Prohibited. Any use of land, other than non-conforming, which is not listed as an allowed use within a zoning district.

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

Variance. A variance is a relaxation of the terms of the zoning ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship. As used in this ordinance, a variance is authorized only for height, area and size of structure or size of yards and open spaces. Establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning district or uses in an adjoining zoning district.

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

Vehicle Paint and Body Shop. Any building or portion thereof used for the repair or straightening of a motor vehicle or frame and the painting of motor vehicles. Maintenance, service, and engine repair may be ancillary functions of the body work.

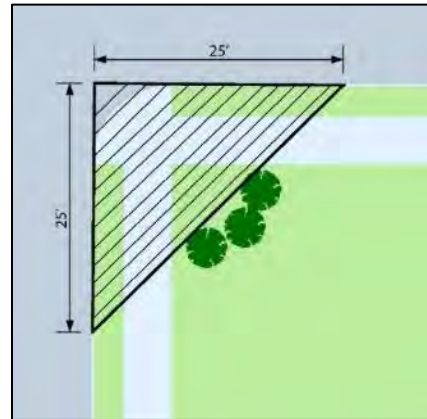
Vehicle Sales, Service, and Repair. The storage and display for the retail or wholesale sale, rental, or lease of more than two new or used vehicles, and which may include facilities for the maintenance, replacement of parts, service, incidental repair or body work of vehicles.

Veterinary Clinic. See Animal Hospital.

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

Visibility Triangle. A triangular space bounded by two intersecting right-of-way lines and a straight line connecting the two points on the street right-of-way lines twenty-five feet (25') from their intersection (see illustration).

Visibility Triangle (Source: ECIA)



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

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

Water System, Community. A public or private water distribution system having a common source of supply and necessary treatment facilities.

Warehousing. The process of storing goods until they're ready for transport to retailers, distributors, or customers.

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

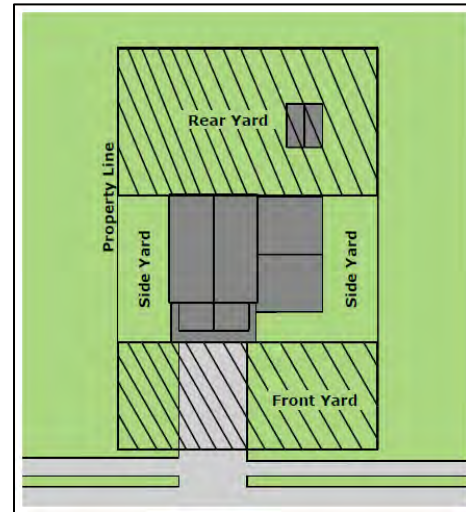
Wholesaling. The act of buying goods in bulk from a manufacturer at a discounted price and selling to a retailer for a higher price, for them to repackage and in turn resell in smaller quantities at an even higher price to consumers.

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

Wind Energy Conversion System. See Section XX.XX Wind Energy Conversion Systems.

Yard. An open space between a building and the adjoining lot lines unoccupied and unobstructed by any portion of a structure from two and one-half (2 1/2) feet above the ground upward except as otherwise provided herein.

Yard, Front. A yard extending across the front of a lot and being the minimum horizontal distance between the street or place line and the main building or any projection thereof, other than the projection of the usual uncovered steps, uncovered balconies or uncovered porch. On corner lots, the front yard shall be considered as parallel to the street upon which the lot has its least dimensions, except where the owner shall elect to front their building on the street parallel to the lot line having the greater dimension.



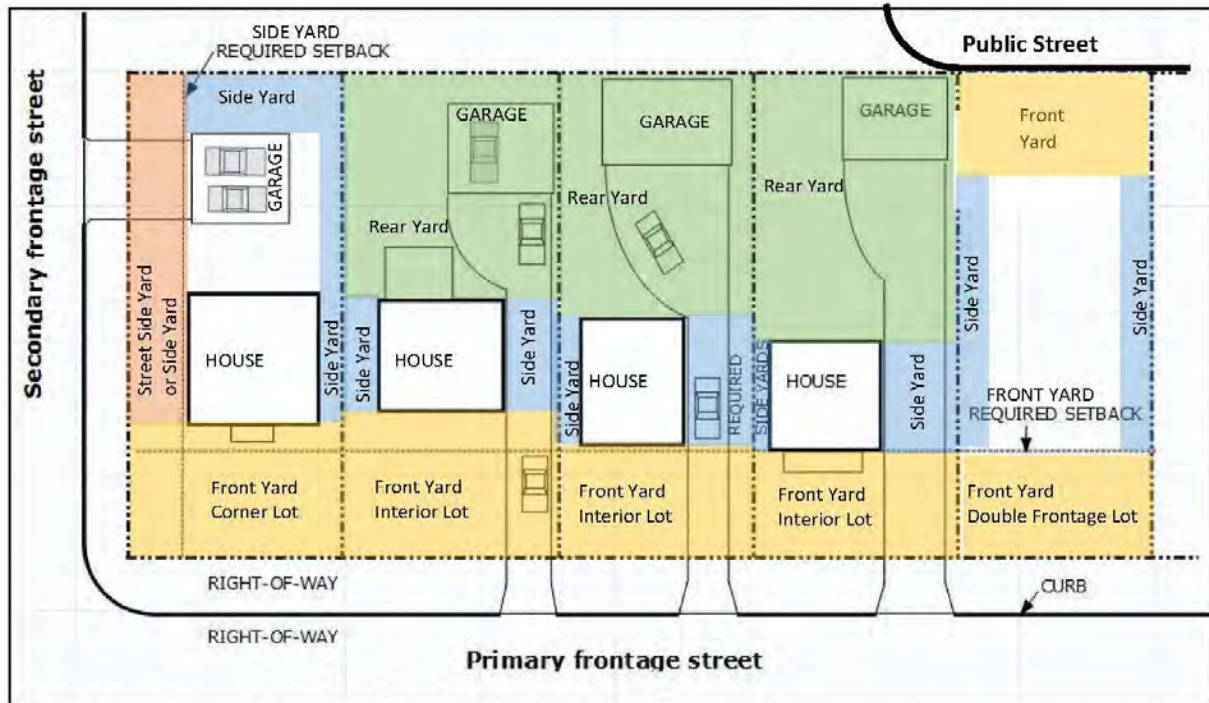
Types of Yards (Source: ECIA)

Yard, Rear. A yard extending across the rear of a lot and being the required minimum horizontal distance between the rear lot line and the rear of the main building or any projection thereof, other than the projections of uncovered steps, unenclosed balconies or unenclosed porches. On all lots the rear yard shall be in the rear of the front yard.

Yard, Required. See Setback.

Yard, Side. A yard between the main building and the side line of the lot and extending from the required front yard to the required rear yard and being the minimum horizontal distance between a side lot line and the side of the main building or any projection thereto, except on the street side of a corner lot, the side yard shall extend from the required front yard to the rear lot line.

Yard, Street Side. The side yard of a corner lot that is adjacent to a street, extending across the full width of the lot and measured between the rear line of the lot and nearest line of the main building (*see illustration*).



Types of Yards on Corner, Interior, and Double Frontage Lots

(Source: City of Columbus, OH accessed 2024)

Yard, Special. A yard behind any required yard adjacent to a public street, required to perform the same functions as a side or rear yard, but adjacent to a lot line so placed or oriented that neither the term "side yard" nor the term "rear yard" clearly applies. In such cases, the Administrator shall require a yard with minimum dimensions as generally required for a side yard or a rear yard in the district, determining which shall apply by the relation of the portion of the lot on which the yard is to be located to the adjoining lot or lots, with due regard to the orientation and location of structures and build able areas thereon.

Zoning Administrator. The Administrative Officer designated or appointed by the Board of Supervisors to administer and enforce the regulations contained in the Zoning Ordinance in accordance with Iowa Code Section 335.9. See also Administrator.

Zoning District. A section of the City in which zoning regulations and standards are uniform.

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

Zoning Permit. A written statement issued by the Zoning Administrator authorizing buildings, structures or use consistent with the terms of this Ordinance and for the purpose of carrying out and enforcing its provisions.