



December 30, 2024

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

**RE: Zoning Ordinance Update – Proposed Restructure**

Dear Lori,

Attached is information regarding the Proposed Restructure of the Zoning Ordinance Update for review and approval by the Zoning Commission at their January 20, 2025 meeting.

**Discussion**

The proposal shifts the Zoning Ordinance in a more organized and user-friendly format for easier understanding by the public, Commission, and staff. The attached REDLINE version outlines the proposed changes with commentary, and the CLEAN version shows the resulting restructure.

Major updates proposed are as follows:

- Chapter 1 becomes General Provisions. It is expanded to provide for greater context relative to Iowa Code and overall purpose and format of the ordinance.
- Chapter 2 becomes Zoning District Regulations.
  - Each district is numbered, and its subsections are labeled alphabetically.
  - Development regulations will be placed in tables for clarity.
  - There is a place holder for a new residential district that will be developed to address subdivisions platted before the County zoning regulations were adopted in 1976.
- Chapter 3 becomes Administration and Enforcement.
- The Board of Adjustment is given a separate Chapter 4 for its current regulations.
- The Zoning Commission is given a separate Chapter 5 with its adopted rules and procedures, current regulations, and additional regulations taken from Iowa Code.
- Chapter 6 sets forth the Definitions.

**Recommendation**

The Commission is asked to review the proposed restructure, and then to provide direction to staff for moving forward with the proposal. The proposed restructure is intended to convey the overall update only. All revisions created for the update will be reviewed by the Commission at their meetings to provide consensus direction for staff to produce the final recommended draft for a public hearing at the Commission's June 16, 2025 meeting.

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

Sincerely,

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

Laura Carstens  
Senior Planner

Attachment

**CHAPTER 1. ~~DISTRICT REGULATIONS~~ GENERAL PROVISIONS**

- 1.1 Title.
- 1.2 Jurisdiction.
- 1.3 Purpose.
- 1.4 ~~3.6~~ Effective Date.
- 1.5 Relationship to the Land Use Policy Statement and Comprehensive Plan.
- 1.6 Minimum Requirements Interpretation.
- 1.7 ~~3.4~~ Separability Clause.
- 1.8 Not a Licensing Ordinance.
- 1.9 Private Agreement.
- 1.10 Code References.
- 1.11 Headings or Titles.
- 1.12 Cumulative Provisions.
- 1.13 ~~3.5~~ Repeal of Conflicting Ordinances.
- 1.14 Iowa Open Meetings Law.
- 1.15 Establishment of Districts.
- 1.216 Adoption of Official Zoning Map.
- 1.317 Identification of Official Zoning Map.
- 1.418 Changes in Official Zoning Map.
- 1.519 Interpretation of District Boundaries.
- 1.620 Farms exempt.
- 1.7 ~~Schedules of District Regulations~~

**Commented [LC1]:** Moved from old Chapter 3.

**Commented [LC2]:** Moved from old Chapter 3.

**Commented [LC3]:** Moved from old Chapter 3.

**Commented [LC4]:** Moved to new Chapter 2.

**CHAPTER 2. ZONING DISTRICT REGULATIONS**

- 2.1 ~~1.7~~ Schedules of District Regulations.
- 2.2 A-1 Agricultural District.
  - A. Statement of Intent.
  - B. Permitted Principal Uses and Structures and Required Parking.
  - C. Permitted Accessory Uses and Structures.
  - D. Special Exception Uses and Structures.
  - E. ~~Minimum Lot Area and Width Requirements, Minimum Yard, Maximum Height, Development Regulations.~~
  - F. Permitted Signs.
  - G. Special Requirements.
- 2.3 R-1 Residential District.
  - A. Statement of Intent.
  - B. Permitted Principal Uses and Structures and Required Parking.
  - C. Permitted Accessory Uses and Structures.
  - D. Special Exception Uses and Structures.
  - E. ~~Minimum Lot Area and Width Requirements, Minimum Yard, Maximum Height, Development Regulations.~~
  - F. Permitted Signs.

**Commented [LC5]:** Regulations for Zoning Districts are not well-organized or structured. Current regulations should be restructured as a new Chapter with better organization.

**Commented [LC6]:** Moved from revised Chapter 1.

**Commented [LC7]:** Development regulations will be organized into a table template for clarity.

**Commented [LC8]:** Development regulations will be organized into a table template for clarity.

Jackson County Zoning Ordinance – Proposed Restructure **12-30-24 REDLINE**

G. Special Requirements.

2.4 R-2A Alternative Residential District. (to be determined)

- A. Statement of Intent.
- B. Permitted Principal Uses and Structures and Required Parking.
- C. Permitted Accessory Uses and Structures.
- D. Special Exception Uses and Structures.
- E. Development Regulations.
- F. Permitted Signs.
- G. Special Requirements.

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2.5 C-1 Highway Commercial District.

- A. Statement of Intent.
- B. Permitted Principal Uses and Structures and Required Parking.
- C. Permitted Accessory Uses and Structures.
- D. Special Exception Uses and Structures.
- E. ~~Minimum Lot Area and Width Requirements, Minimum Yard, Maximum Height,~~ Development Regulations.
- F. Permitted Signs.
- G. Special Requirements.

Commented [LC10]: Development regulations will be organized into a table template for clarity.

2.6 M-1 Limited Industrial District.

- A. Statement of Intent.
- B. Permitted Principal Uses and Structures and Required Parking.
- C. Permitted Accessory Uses and Structures.
- D. Special Exception Uses and Structures.
- E. ~~Minimum Lot Area and Width Requirements, Minimum Yard, Maximum Height,~~ Development Regulations.
- F. Permitted Signs.
- G. Special Requirements.

Commented [LC11]: Development regulations will be organized into a table template for clarity.

2.7 M-2 General Industrial District.

- A. Statement of Intent.
- B. Permitted Principal Uses and Structures and Required Parking.
- C. Permitted Accessory Uses and Structures.
- D. Special Exception Uses and Structures.
- E. ~~Minimum Lot Area and Width Requirements, Minimum Yard, Maximum Height,~~ Development Regulations.
- F. Permitted Signs.
- G. Special Requirements.

Commented [LC12]: Development regulations will be organized into a table template for clarity.

2.8 PUD Planned Unit Development District.

- A. Statement of Intent.
- B. Special Requirements.

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1-82.9 Supplemental District Regulations.

- A. ~~1.~~ Visibility At Intersection.
- B. ~~2.~~ Accessory Buildings.
- C. ~~3.~~ More Than One Principal Structure on A Lot.
- D. ~~4.~~ Height Regulation Exceptions.
- E. ~~5.~~ Use of Public Right-of-Way.
- F. ~~6.~~ Proposed Use Not Covered in Ordinance.
- G. ~~7.~~ Buildings to have Access.
- H. ~~8.~~ Off-Street Parking.
- I. ~~9.~~ Existing Farm Dwellings.
- J. ~~10.~~ Flag Lots.
- K. ~~11.~~ Compliance With Other County Development Requirements.

1-92.10 Application of District Regulations.

- A. ~~1.~~ Regulations To Be Uniformly Applied.
- B. ~~2.~~ All Uses and Structures to Conform.
- C. ~~3.~~ Height, Density or Yards Shall Not Be Violated.
- D. ~~4.~~ Separate Yards, Open Space and Off-Street Parking Required.
- E. ~~5.~~ Minimum Yard and Lot Areas May Not Be Reduced.
- F. ~~6.~~ New Areas.

12.10 Nonconformities.

- A. ~~1-11~~ Nonconforming Lots of Record.
- B. ~~1-12~~ Nonconforming Uses of Land.
- C. ~~1-13~~ Nonconforming Structures.
- D. ~~1-14~~ Nonconforming Uses of Structures.
- E. ~~1-15~~ Repairs and Maintenance.
- F. ~~1-16~~ Uses Under Exception Provision.

**CHAPTER 23. ADMINISTRATION AND ENFORCEMENT.**

2-13.1 Administration and Enforcement.

2-23.2 Appeals from Decision of Administrator.

2-33.3 Interpretation of Provisions.

2-43.4 Violation and Penalties.

2-53.5 Separate Offenses May Be Charged.

2-63.6 Injunction, Mandamus.

2-73.7 Zoning Permit Required.

2-83.8 Zoning Permit Not Required.

2-93.9 Application for Zoning Permit.

- A. Construction Compliance Certificate.
- B. Occupancy Compliance Certificate.

2-103.10 Fees.

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**CHAPTER 4. BOARD OF ADJUSTMENT**

- ~~2-114.1~~ Board of Adjustment Created.
- ~~2-124.2~~ Proceedings of ~~The the~~ Board of Adjustment.
- ~~2-134.3~~ Hearings; Appeals; Notice.
- ~~2-144.4~~ Stay of Proceedings.
- ~~2-154.5~~ The Board of Adjustment: Powers and Duties:
  - ~~1-4.6~~ Administrative Review.
  - ~~2-4.7~~ Special Exceptions: ~~Conditions Governing Applications: Procedures.~~
  - ~~3-4.8~~ Variances: ~~Conditions Governing Applications: Procedures.~~
- ~~2-164.9~~ Decisions of ~~The the~~ Board of Adjustment.
- ~~2-174.10~~ Remanding of Variances by the Board of Supervisors.
- ~~2-184.11~~ Appeals from ~~The the~~ Board of Adjustment.

**Commented [LC13]:** Separated into Chapter 4 for Board of Adjustment.

**CHAPTER 5. ZONING COMMISSION.**

- ~~5.1~~ Zoning Commission Created.
- ~~5.2~~ Proceedings of the Zoning Commission.
- ~~5.3~~ The Zoning Commission: Powers and Duties.
- ~~5.4~~ ~~3-2-Text~~ Changes and Amendments.
- ~~5.5~~ ~~3-3-Map~~ Change of Zoning District Boundaries (Rezoning), ~~Application and Procedures.~~
- ~~5.6~~ Comprehensive Plan Adoption and Amendments.

**Commented [LC14]:** New Chapter 5 for Zoning Commission.

**Commented [LC15]:** The proceedings section is based on Resolution #1002-01-02-2024 establishing rules and procedures for the Commission

**Commented [LC16]:** Moved from old Chapter 3.

**CHAPTER 36. GENERAL PROVISIONS/DEFINITIONS.**

- ~~36.1~~ Definitions.
- ~~3.2~~ Changes and Amendments.
- ~~3.3~~ Change of Zoning District Boundaries, Application and Procedures.
- ~~3.4~~ Separability Clause.
- ~~3.5~~ Repeal of Conflicting Ordinances.
- ~~3.6~~ Effective Date.

**Commented [LC17]:** Moved to new Chapter 5.

**Commented [LC18]:** Moved to revised Chapter 1.

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- 1.2 Jurisdiction.
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- 1.15 Establishment of Districts.
- 1.16 Adoption of Official Zoning Map.
- 1.17 Identification of Official Zoning Map.
- 1.18 Changes in Official Zoning Map.
- 1.19 Interpretation of District Boundaries.
- 1.20 Farms exempt.

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- 2.2 A-1 Agricultural District.
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  - B. Permitted Principal Uses and Structures and Required Parking.
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  - E. Development Regulations.
  - F. Permitted Signs.
  - G. Special Requirements.
  
- 2.3 R-1 Residential District.
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  - D. Special Exception Uses and Structures.
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  - F. Permitted Signs.
  - G. Special Requirements.
- 2.5 C-1 Highway Commercial District.
- A. Statement of Intent.
  - B. Permitted Principal Uses and Structures and Required Parking.
  - C. Permitted Accessory Uses and Structures.
  - D. Special Exception Uses and Structures.
  - E. Development Regulations.
  - F. Permitted Signs.
  - G. Special Requirements.
- 2.6 M-1 Limited Industrial District.
- A. Statement of Intent.
  - B. Permitted Principal Uses and Structures and Required Parking.
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  - D. Special Exception Uses and Structures.
  - E. Development Regulations.
  - F. Permitted Signs.
  - G. Special Requirements.
- 2.7 M-2 General Industrial District.
- A. Statement of Intent.
  - B. Permitted Principal Uses and Structures and Required Parking.
  - C. Permitted Accessory Uses and Structures.
  - D. Special Exception Uses and Structures.
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  - G. Special Requirements.
- 2.8 PUD Planned Unit Development District.
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  - C. More Than One Principal Structure on A Lot.
  - D. Height Regulation Exceptions.



- E. Use of Public Right-of-Way.
- F. Proposed Use Not Covered in Ordinance.
- G. Buildings to have Access.
- H. Off-Street Parking.
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- D. Nonconforming Uses of Structures.
- E. Repairs and Maintenance.
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- 3.1 Administration and Enforcement.
- 3.2 Appeals from Decision of Administrator.
- 3.3 Interpretation of Provisions.
- 3.4 Violation and Penalties.
- 3.5 Separate Offenses May Be Charged.
- 3.6 Injunction, Mandamus.
- 3.7 Zoning Permit Required.
  - A. Construction Compliance Certificate.
  - B. Occupancy Compliance Certificate.
- 3.8 Zoning Permit Not Required.
- 3.9 Application for Zoning Permit.
- 3.10 Fees.

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- 4.1 Board of Adjustment Created.
- 4.2 Proceedings of the Board of Adjustment.
- 4.3 Hearings; Appeals; Notice.
- 4.4 Stay of Proceedings.
- 4.5 The Board of Adjustment: Powers and Duties.

- 4.6 Administrative Review.
- 4.7 Special Exceptions.
- 4.8 Variances.
- 4.9 Decisions of the Board of Adjustment.
- 4.10 Remanding of Variances by the Board of Supervisors.
- 4.11 Appeals from the Board of Adjustment.

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- 5.2 Proceedings of the Zoning Commission.
- 5.3 The Zoning Commission: Powers and Duties.
- 5.4 Text Changes and Amendments.
- 5.5 Map Change of Zoning District Boundaries (Rezoning).
- 5.6 Comprehensive Plan Adoption and Amendments.

**CHAPTER 6. DEFINITIONS.**

- 6.1 Definitions.