



July 1, 2025

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

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

Dear Lori,

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

#### Discussion

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

#### Background Research:

- Subdivisions and individual lots were platted in the County's unincorporated areas prior to the effective date of the first Jackson County Zoning Ordinance on May 6, 1976.
- The report researched and prepared for the Leisure Lake Planned Unit Development (LLPUD) proposal formed the basis for the alternative recommendations. This report included input from the Leisure Lake Property Owners' Association (LLPOA). An analysis of the 549 R-1 zoned parcels in Leisure Lake community are shown in Table 1.

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

#### Standard and Alternative Regulations

- Alternative regulations and requirements have been established to better reflect and accommodate their historical and existing development and land uses patterns. Some of these older subdivisions may have an active property owners' association (POA).
  - Standard regulations apply to all R-1 districts.
  - Alternative regulations only apply to subdivisions and lots platted before May 6, 1976.

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

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

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

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

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

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

**Recommendation**

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

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

Sincerely,

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

Laura Carstens  
Senior Planner

Attachments

**CHAPTER 2. ZONING DISTRICT REGULATIONS****2.3 R-1 Residential District.**

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

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

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

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

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

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

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

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

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

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

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

**Table B.2. Alternative R-1 District Principal Uses and Structures**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Commented [LC9]: Required Parking moved to Section 2.1

#### PERMITTED ACCESSORY USES AND STRUCTURES

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

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

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

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

Commented [LC11]: Delete #5 Addition of accessory structures to principal structures devoted to legal nonconforming uses; required to be a special exception in current ordinance

provided they comply with this Ordinance; applicable county, state, and federal codes; and the specific provisions listed below. These uses and structures shall comply with R-1 district development regulations in Section 2.2.f of this Ordinance unless specified otherwise in their specific conditions for approval in Section 2.9 and as listed below. Subject to Section 2-15(2)-4.5 and the other requirements contained herein, the Board of Adjustment may issue a Conditional Use Permit for the following:

Table D.1. R-1 District Conditional Uses and Structures		
Conditional Uses and Structures	Required Parking	Additional Regulations
Child Care Center		Ch. 6 Definitions; Section <u>2.9</u>
Child Development Home		Ch. 6 Definitions; Section <u>2.9</u>
Preschool		Ch. 6 Definitions; Section <u>2.9</u>
Mobile home parks on tracts of <u>five (5)</u> acres or more	<u>2 parking spaces per unit</u>	Ch. 6 Definitions; Section <u>2.9</u>
Mobile home subdivisions on tracts of <u>ten (10)</u> acres or more	<u>2 spaces per lot</u>	Ch. 6 Definitions; Section <u>2.9</u>
Addition of accessory structures to principal structures devoted to legal nonconforming uses		Ch. 6 Definitions; Section <u>2.9</u>
Multiple-family dwellings, including residential condominiums	<u>2 parking spaces per dwelling unit</u>	Ch. 6 Definitions; Section <u>2.9</u>

Commented [LC12]: Required Parking moved to Section 2.1

### SPECIAL EXCEPTION USES AND STRUCTURES

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

Commented [LC13]: Moved to principal uses

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

- a. ~~That~~ Each mobile home space has a minimum area of three thousand five hundred (3,500) square feet;
- b. ~~That~~ The mobile home park has a maximum density of eight (8) units per acre;
- c. ~~That~~ No mobile home, addition thereto or structure shall be closer than twenty-five (25) feet to any property line of the mobile home park nor closer than twenty (20) feet to another mobile home or any building in the park except where mobile homes are parked end to end, the end clearance shall be at least fifteen (15) feet;
- d. ~~That~~ Two (2) parking spaces per unit be provided;
- e. ~~That~~ All mobile home spaces shall abut on a hard-surfaced roadway of not less than twenty-four (24) feet in width which shall be adequately lighted and drained, and which shall have unobstructed access to a public street or highway.
- f. In addition to the requirements listed elsewhere in this Ordinance, the Board of Adjustment shall also consider:
  - i. The effect of the proposed mobile home park and density of population on adjacent property values and the health, safety, and general welfare of future inhabitants of the mobile home park as well as residents of the surrounding area;
  - ii. The suitability of the site for the proposed development with special attention to topography, subsurface conditions and the availability of necessary utility services;
  - iii. The availability of schools, police protection, fire protection and other community services; ~~and~~
  - iv. The adequacy of streets and highways serving the area.

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

- a. The subdivision complies with applicable subdivision ordinances and platting laws;
- b. Each lot contains not less than ~~six thousand (6,000)~~ square feet of area and has a width of not less than ~~forty-five (45)~~ feet;
- c. Each lot is connected to a community or municipal water supply and sewage disposal system;
- d. No lot sold or leased may be used for other than an independent mobile home or mobile home converted to real estate;
- e. That two ~~(2)~~ off-street parking spaces per lot shall be provided.

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

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

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

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

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

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

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

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

**G.F. Development Regulations.**

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

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

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

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

**Table F.2.** lists the standard development regulations that shall be met for all accessory, conditional, and temporary uses and structures in the R-1 District platted on or after May 6, 1976 unless specified otherwise in this Ordinance.

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

Table F.2. Standard R-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot Size		Minimum Setback Requirements (see Notes 4 and 5)				Maximum Height
	Area	Area	Front	Rear	Side	Street side, corner lot	
Accessory Uses and Structures							
Accessory Dwelling Unit	See Section 2.9 for specific development regulations						
All others	See Note 1		30 feet	5 feet	10 feet	25 feet	2.5 stories or 35 feet
Conditional Uses and Structures							
Mobile home park or subdivision	See Section 2.9. for specific development regulations						
Multiple-family dwelling	See Section 2.9. for specific development regulations						
All others	See Note 1		30 feet	5 feet	20 feet	30 feet	2.5 stories or 35 feet
Temporary Uses and Structures							
All	See Note 1		As per Zoning Administrator				

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

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

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

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

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

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

Table F.3. lists the alternative development regulations that shall be met for all principal uses and structures in the R-1 District located in subdivisions or on lots platted before May 6, 1976 that do not comply with R-1 standard development regulations for lot area, lot width, and/or setbacks, unless specified otherwise in this Ordinance.

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

Table F.4. lists the alternative development regulations that shall be met for all accessory, conditional, and temporary uses and structures in the R-1 District located in subdivisions or on lots platted before May 6, 1976 that do not comply with R-1 standard development regulations for lot area, lot width, and/or setbacks, unless specified otherwise in this Ordinance.

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

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

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

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

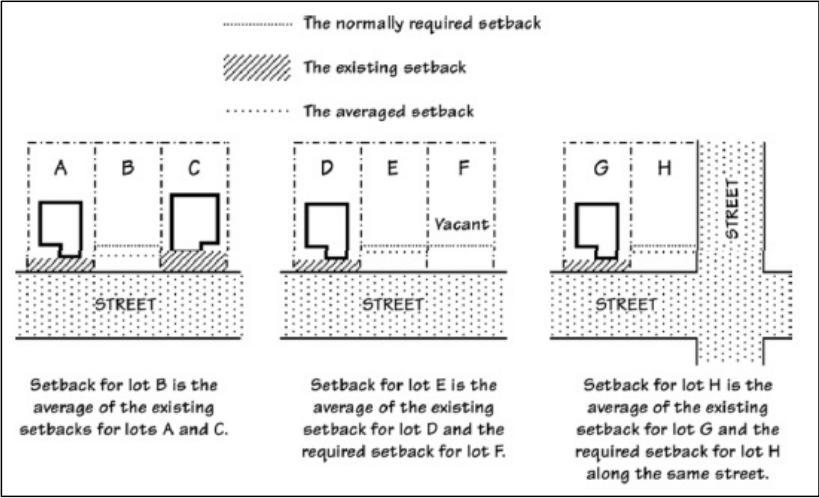
Note 2. Served with private well and septic systems.

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

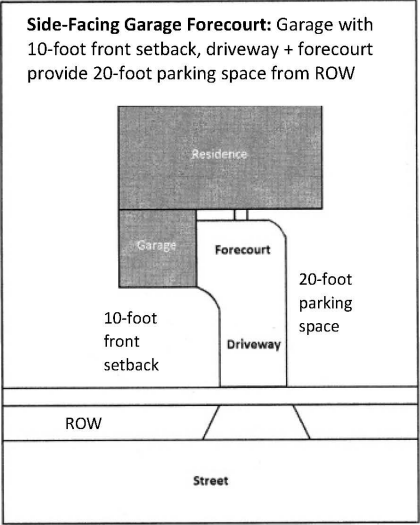
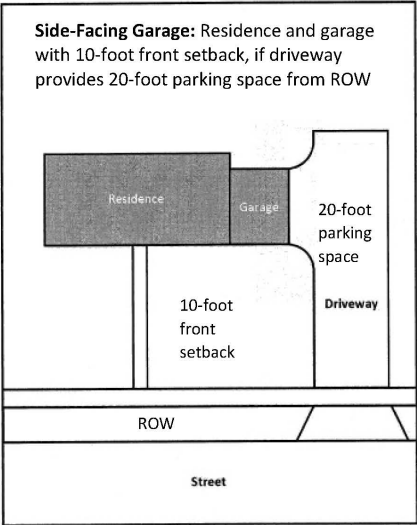
4. Average Front and Rear Setbacks: Where legally existing front or rear ~~yards-setbacks~~ on adjacent parcels of continuous frontage are shorter than these minimums, the required setback for a new structure shall be the average of setbacks of principal structures within five hundred ~~(500') feet~~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

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

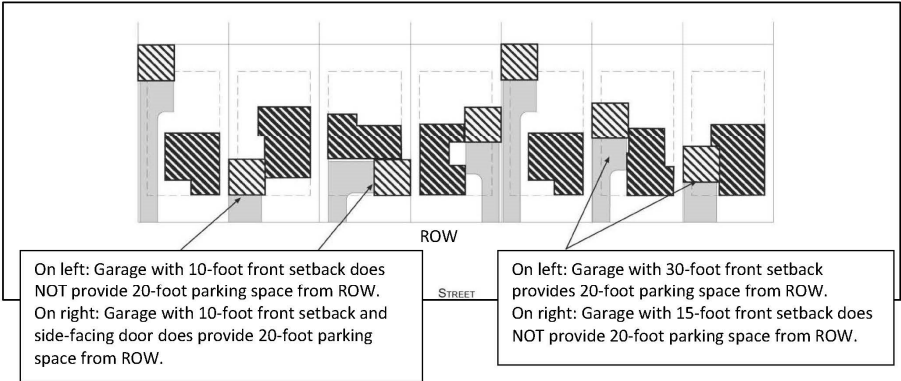
6. Front Setback for Off-Street Parking: For lots subject to Table F.4. regulations, attached and/or detached private garages or carports must maintain a setback of twenty (20) feet from the door or opening of the garage facing the public right-of way. This setback is necessary to allow sufficient room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



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



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



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

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

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

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

Commented [LC16]: Moved into table format

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

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

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

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

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

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

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

## CHAPTER 2. ZONING DISTRICT REGULATIONS

### 2.3 R-1 Residential District.

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

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

**B. Allowed Principal Uses and Structures.**

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

Table B.1. Standard R-1 District Principal Uses and Structures	
Principal Uses and Structures	Additional Regulations
Single family dwelling	Ch. 6 Definitions; Section 2.8
Seasonal dwelling	Ch. 6 Definitions; Section 2.8
Recreation, Public	Ch. 6 Definitions; Section 2.8
Recreation, Indoor Commercial	Ch. 6 Definitions; Section 2.8
Golf course and clubhouse but not including miniature course operated for a profit	Ch. 6 Definitions; Section 2.8
Adult Day Care Center	Ch. 6 Definitions; Section 2.8
Family Home	Ch. 6 Definitions; Section 2.8
Elementary School	Ch. 6 Definitions; Section 2.8
Secondary School	Ch. 6 Definitions; Section 2.8
Place of Assembly	Ch. 6 Definitions; Section 2.8
Cemetery	Ch. 6 Definitions; Section 2.8
Railroads, public maintenance, and public utility facilities, but not including equipment storage or maintenance yards and buildings or administrative and sales office	Ch. 6 Definitions; Section 2.8

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

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

### C. Allowed Accessory Uses and Structures.

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

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

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

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

### D. Allowed Conditional Uses and Structures

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

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

Table D.1. R-1 District Conditional Uses and Structures	
Conditional Uses and Structures	Additional Regulations
Child Care Center	Ch. 6 Definitions; Section 2.9
Child Development Home	Ch. 6 Definitions; Section 2.9
Preschool	Ch. 6 Definitions; Section 2.9
Mobile home parks on tracts of five (5) acres or more	Ch. 6 Definitions; Section 2.9
Mobile home subdivisions on tracts of ten (10) acres or more	Ch. 6 Definitions; Section 2.9
Addition of accessory structures to principal structures devoted to legal nonconforming uses	Ch. 6 Definitions; Section 2.9
Multiple-family dwellings, including residential condominiums	Ch. 6 Definitions; Section 2.9

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

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

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

**F. Development Regulations.**

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

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

**Table F.2.** lists the standard development regulations that shall be met for all accessory, conditional, and temporary uses and structures in the R-1 District platted on or after May 6, 1976 unless specified

otherwise in this Ordinance.

Table F.2. Standard R-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot Size		Minimum Setback Requirements (see Notes 4 and 5)				Maximum Height
	Area	Area	Front	Rear	Side	Street side, corner lot	
Accessory Uses and Structures							
Accessory Dwelling Unit	See Section 2.9 for specific development regulations						
All others	See Note 1		30 feet	5 feet	10 feet	25 feet	2.5 stories or 35 feet
Conditional Uses and Structures							
Mobile home park or subdivision	See Section 2.9. for specific development regulations						
Multiple-family dwelling	See Section 2.9. for specific development regulations						
All others	See Note 1		30 feet	5 feet	20 feet	30 feet	2.5 stories or 35 feet
Temporary Uses and Structures							
All	See Note 1		As per Zoning Administrator				

Notes for Standard R-1 District Development Regulations:							
Note 1. Minimum lot area and width may be required by the County Health Department to provide adequate sewage disposal facilities.							
Note 2. Served with private well and septic systems.							
Note 3. Served by community or municipal water supply and sewage disposal systems.							
Note 4. Average Front and Rear Setbacks: Where legally existing front or rear setbacks on adjacent parcels of continuous frontage are shorter than these minimums, the required setback for a new structure shall be the average of setbacks of principal structures within five hundred (500) on parcels of continuous frontage (see illustration).							
5. Special Side Setback: For manufactured homes replacing legally existing nonconforming manufactured homes or mobile homes, the minimum rear setback shall be five (5) feet.							

**Table F.3.** lists the alternative development regulations that shall be met for all principal uses and structures in the R-1 District located in subdivisions or on lots platted before May 6, 1976 that do not comply with R-1 standard development regulations for lot area, lot width, and/or setbacks, unless specified otherwise in this Ordinance.

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

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

**Table F.4.** lists the alternative development regulations that shall be met for all accessory, conditional, and temporary uses and structures in the R-1 District located in subdivisions or on lots platted before May 6, 1976 that do not comply with R-1 standard development regulations for lot area, lot width, and/or setbacks, unless specified otherwise in this Ordinance.

Table F.4. Alternative R-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot Size		Minimum Setback Requirements (see Notes 2 and 3)				Maximum Height
	Area	Width	Front	Rear	Side	Street side, corner lot	
Accessory Uses and Structures							
Accessory Dwelling Unit	See Section 2.9 for specific development regulations						
Private garage or carport (see Note 6)	See Note 1.		10 or 20 feet	5 feet	10 feet	10 or 20 feet	2.5 stories or 35 feet
Other Accessory uses and structures	See Note 1.		10 feet	5 feet	10 feet	10 feet	2.5 stories or 35 feet
Conditional Uses and Structures							
Mobile home park or subdivision	See Section 2.9 for specific development regulations						
Multiple-family dwelling	See Section 2.9 for specific development regulations						
All others	See Note 1.		10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
Temporary Uses and Structures							
All	See Note 1.		As per Zoning Administrator				

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

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

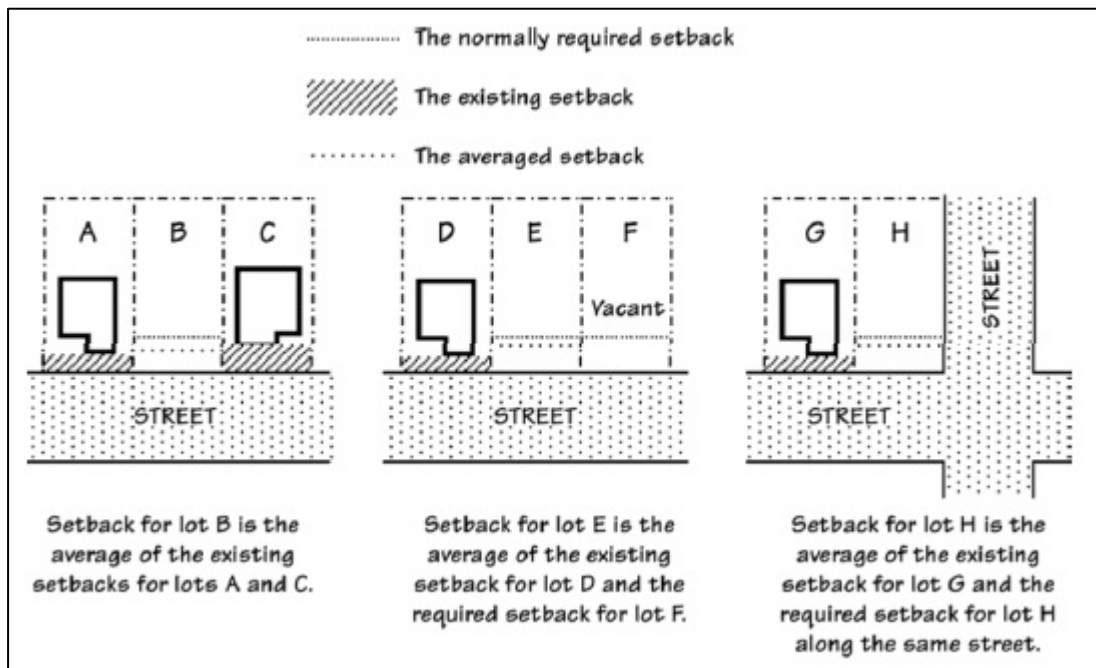
Note 2. Served with private well and septic systems.

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

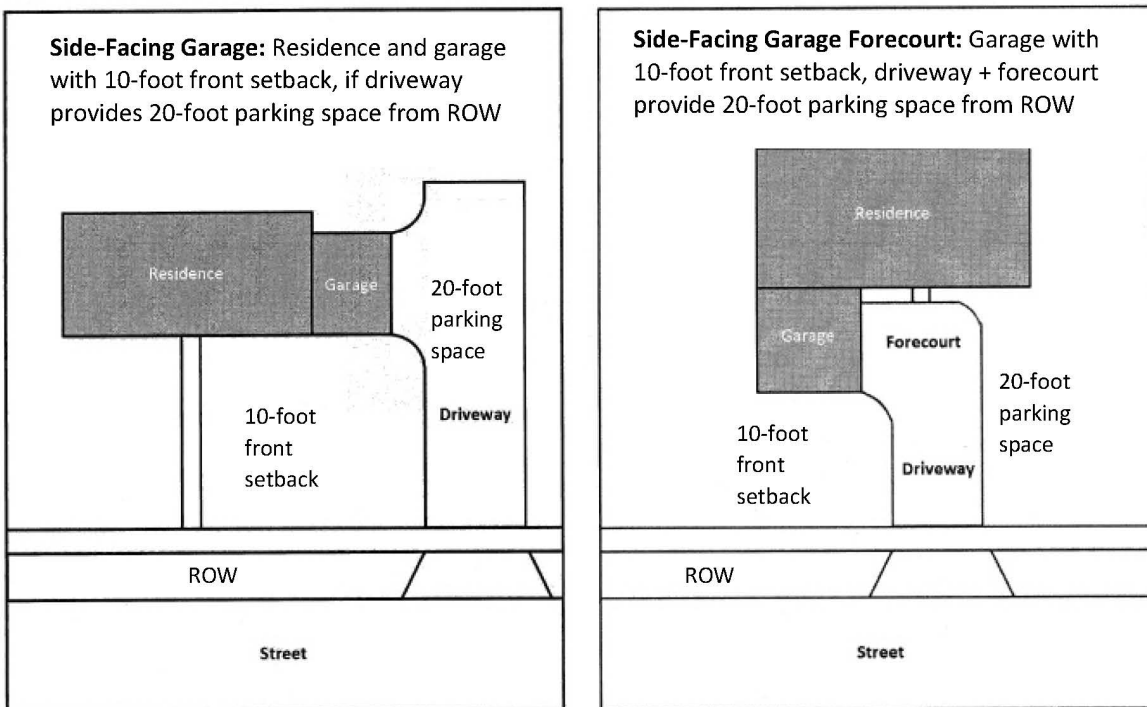
4. Average Front and Rear Setbacks: Where legally existing front or rear setbacks on adjacent parcels of continuous frontage are shorter than these minimums, the required setback for a new structure shall be the average of setbacks of principal structures within five hundred (500) feet on parcels of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

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

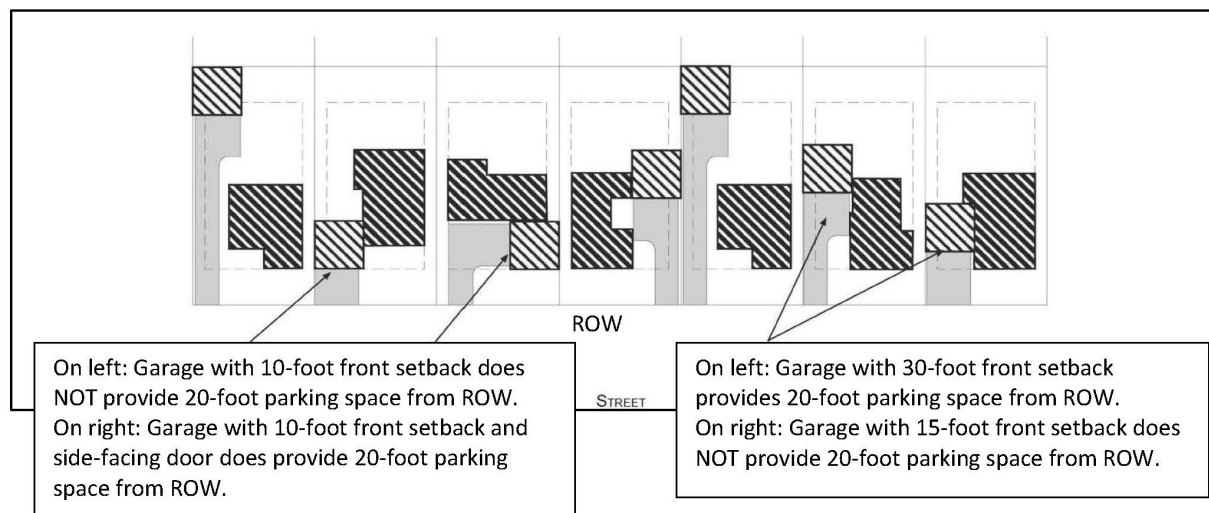
6. Front Setback for Off-Street Parking: For lots subject to Table F.4. regulations, attached and/or detached private garages or carports must maintain a setback of twenty (20) feet from the door or opening of the garage facing the public right-of way. This setback is necessary to allow sufficient room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



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



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



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

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