

Jackson County Zoning Ordinance Update – Discussion Outline
Zoning Commission Work Session 08-18-25

PROJECT INITIATION AND DEVELOPMENT

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

https://www.eciatrans.org/jackson_county_zoning_ordinance_update/index.php

- Jan., Feb., March, April, May, June, July and August Work Session packets posted

REVISED DRAFT OF ZONING ORDINANCE UPDATE

Revised Draft Chapters for review and approval by consensus:

- a. Ch. 4 BOA Extensions for CUPs packet draft 8-12-25 (2 pages) NEW
- b. Ch. 3 Compliance With Other Codes packet draft 08-04-25 (3 pages) NEW
- c. Ch. 2 Revised Development Regs packet draft 08-12-25 (9 pages) UPDATE
- d. Section 2.8.N. Fences and Hedges packet 07-31-25 (13 pages) NEW
- e. Section 2.8 Supplemental Regs Subsections A-L packet Draft 08-04-25 (13 pages) UPDATE
- f. Section 2.9 H. CUPs and I. Special Requirements packet draft 08-12-25 (10 pages) UPDATE
- g. Section 2.1 Schedule of District Regs packet 08-11-25 (9 pages) UPDATE & NEW
- h. Chapter 6 Definitions packet draft 08-12-25 (55 pages) UPDATE



August 12, 2025

Becca Pflughaupt, Interim Zoning Administrator
Jackson County Zoning Department
201 West Platt Street
Maquoketa, IA 52060

RE: Zoning Ordinance Update – Extension Options for Conditional Use Permits (08-12-25)

Dear Becca,

Attached is information regarding Extension Options for Conditional Use Permits (08-12-25) for the Zoning Ordinance Update for review and approval by the Zoning Commission at their August 18, 2025 meeting.

Discussion

In the current ordinance there is no explicit procedure for a special exception / conditional use permit extension. If the ordinance gave the Zoning Administrator explicit authority to approve extensions administratively, and the Board of Adjustment (BOA) had original approval language that said “subject to administrative renewal,” then we could skip a BOA public hearing. Staff recommends adopting new ordinance language allowing administrative extensions for certain situations (e.g., where substantial work has begun and no conditions have changed), so in the future we won’t always have to do a BOA hearing.

Attached is the proposed restructure that provides the pathways:

- Full BOA hearing with notice for new/controversial/unchanged projects where neighbors should be heard.
- Administrative extension for low-risk, mid-construction projects — skipping the full hearing but still notifying neighbors.

The benefits of this amendment”

- Creates clear filing deadlines (no last-minute day-before-expiration requests).
- Ensures fees cover costs for staff time and mailings.
- Protects the County by formalizing when and how extensions can be granted.

Recommendation

The Commission is asked to review the revised draft of Revised Development Regulations (08-12-25), and then to provide direction to staff for moving forward with the proposal. Please let me know if you have any questions. Thank you.

Sincerely,

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

Laura Carstens, Senior Planner

Attachments

CHAPTER 4. BOARD OF ADJUSTMENT

4.5 E. Extension of Conditional Use Permits.

1. Time Limits. The Board of Adjustment may prescribe a time limit within which the action authorized by a conditional use permit shall be begun, completed, or both, subject to administrative renewal. Unless otherwise stated in the approval, such authorization shall expire one (1) year from the date of final approval if substantial construction or establishment of the use has not commenced.
2. Extension Requests – General Requirement. Any request to extend the expiration date of a special exception or conditional use permit shall be submitted in writing to the Zoning Administrator no fewer than thirty (30) days before the expiration date. The request shall include:
 - a. A completed application form and the required fee.
 - b. A statement of the reasons for the delay.
 - c. Evidence of compliance with all conditions of approval to date.
 - d. A revised timeline for completion.
3. Public Hearing Requirement. Extension requests shall be reviewed and acted upon by the Board of Adjustment at a public hearing with notice given in the same manner as the original approval, except as provided in Subsection 4.5.E.4. Public notice for Board-reviewed extensions shall be given in accordance with Subsection 4.5.A.3. for conditional uses permits, including mailed notice to all owners of record within five hundred (500) of the subject property.
4. Administrative Extensions.
 - a. The Zoning Administrator may grant one (1) administrative extension of up to twelve (12) months without a public hearing if all of the following apply:
 - i. The original approval expressly states that administrative renewal is permitted.
 - ii. Substantial construction or establishment of the use has commenced and is being diligently pursued.
 - iii. No complaints or violations related to the approval have been filed.
 - iv. No changes to the site plan, use, or conditions are proposed.
 - b. Upon granting the administrative extension, the Zoning Administrator shall mail a written decision to the applicant, the Board of Adjustment, and surrounding property owners within five hundred (500) feet of the subject property.
5. Limitations.
 - a. No more than two (2) total extensions (administrative and/or Board) may be granted.
 - b. If an extension is denied, all work or use not in compliance with the underlying zoning district regulations must cease by the original expiration date or as otherwise ordered by the Board.
6. Fees. All extension requests, whether administrative or Board-reviewed, shall be accompanied by a fee established by the Board of Supervisors to cover administrative, public notice, and mailing costs.



August 12, 2025

Becca Pflughapt, Interim Zoning Administrator
Jackson County Zoning Department
201 West Platt Street
Maquoketa, IA 52060

RE: Zoning Ordinance Update – **Ch. 3 Compliance With Other Codes (08-04-25)**

Dear Becca,

Attached is the revised draft of Ch. 3 Compliance With Other Codes (08-04-25) for review and consensus approval by the Zoning Commission at their August 18, 2025 meeting.

Discussion

Section 2.8 Supplemental Regulations 11. Compliance With Other County Development Requirements have been moved to Chapter 3. Administration and Enforcement, Section 3.3 General Procedures, Subsection D. The amendment expands to Compliance With Other County, State, and Federal Development Requirements.

The REDLINE Version is omitted. The attached CLEAN version outlines the proposed changes with commentary, and shows the resulting restructure. References are highlighted for relevant sections of the Iowa Code, Zoning Ordinance and other County ordinances; these will become hyperlinks in the online version.

Recommendation

The Commission is asked to review and approve by consensus the revised draft of Ch. 3 Compliance With Other Codes (08-04-25), and then to provide direction to staff for moving forward with the proposal. Please let me know if you have any questions. Thank you.

Sincerely,

Laura Carstens, Senior Planner

Attachment

CHAPTER 2. ZONING DISTRICT REGULATIONS

2.8 Supplemental District Regulations.

11. Compliance With Other County Development Requirements. Applications for Construction and/or Occupancy Compliance Certificates shall not be considered complete until the Zoning Administrator has ascertained that the development proposed is in compliance with other County development requirements as noted below.

1. Provisions of Jackson County Ordinances relating to Flood Plain Management and Tall Structures near airports have been fully met.
2. The land parcel cited in the application was created in compliance with the Jackson County Subdivision Ordinance.
3. All permits required by the County Health Department for water wells and wastewater treatment systems have been properly applied for and means of compliance have been identified.
4. Proper application has been made for a rural address, where appropriate.

Commented [LC1]: Recommend this subsection be moved to Chapter 3. Admin and Enforcement, where it's a better fit, and then modified as shown in subsection D to update County code include state and federal regulations, and clarified the Zoning Administrator interdepartmental review and approval process in Subsection E below.

CHAPTER 3. ADMINISTRATION AND ENFORCEMENT

3.3 General Procedures. The General Procedures provisions in this Subsection establish the methods for review and approval of required applications in this Ordinance. Except where this Ordinance, Iowa Code, or Federal law provides otherwise, the following procedures are required:

D. Compliance With Other County, State, and Federal Development Requirements. Applications for Construction and/or Occupancy Compliance Certificates shall not be considered complete until the Zoning Administrator has ascertained that the proposed development complies with the Zoning Ordinance and with all applicable provisions of the Jackson County Code of Ordinances and other County, State, and Federal development requirements. These development requirements include, but are not limited to, the following as noted below.

1. Jackson County:

- a. All permits and applications required by the County Zoning Department have been properly applied for and means of compliance have been identified in accordance with **Title VI Property and Land Use**, including but not limited to the provisions of the Flood Plain Management Ordinance, the Airport Tall Structures Ordinance, and the Subdivision Ordinance.
- b. All permits required by the County Health Department for water wells and wastewater treatment systems have been properly applied for and means of compliance have been identified in accordance with **Title V Public Order, Safety, and Health**.
- c. All permits required by the County Engineer's Office and Secondary Roads Department have been properly applied for and means of compliance have been identified, including but not limited to, a rural address, and an Entrance Permit in accordance with the **Jackson County Secondary Roads Department Entrance Policy**, where appropriate.

2. **State of Iowa.** All permits and applications required by the State of Iowa have been properly applied for and means of compliance have been identified in accordance with the appropriate Iowa Code (<https://www.legis.iowa.gov/law/iowacode>) and the Iowa Administrative Code (<https://www.legis.iowa.gov/law/administrativeRules/agencies>), including but not limited to those State codes cited in this Ordinance.
3. **Federal Government.** All permits and applications required by the Federal Government have been properly applied for and means of compliance have been identified in accordance with the appropriate Federal laws and regulations (<https://www.usa.gov/laws-and-regulations>), including but not limited to those Federal laws and regulations cited in this Ordinance.

E. Zoning Administrator Approval and Referral.

1. The Zoning Administrator may review and approve any zoning application in this Ordinance that does not require review and approval by the Zoning Commission, Board of Adjustment, Board of Supervisors, other County Department(s), or other agencies.
2. When a zoning application in this Ordinance requires review and approval by other County Department(s) or other agencies, the Zoning Administrator shall refer the application for action to the other County Department(s) or other agencies. The Zoning Administrator shall not approve the zoning application until review and approval by other County Department(s) or other agencies is completed.



August 12, 2025

Becca Pflughaupt, Interim Zoning Administrator
Jackson County Zoning Department
201 West Platt Street
Maquoketa, IA 52060

RE: Zoning Ordinance Update – Revised Development Regulations (08-12-25)

Dear Becca,

Attached is information regarding the Revised Development Regulations (08-12-25) for the Zoning Ordinance Update for review and approval by the Zoning Commission at their August 18, 2025 meeting.

Discussion

The County Health Department recommends the following change to the existing development regulations:

Note 1. Minimum lot area and width may be required by the County Health Department to provide adequate sewage disposal facilities, **which may require compliance with Iowa Administrative Code Chapter 69. Private Sewage Disposal Systems and Chapter 49. Private Wells.**

The County Engineer noted that grading roadways for future paving typically involves acquiring additional right-of-way (ROW) to meet specific roadway design criteria. If structures are located in this additional ROW, this complicates the acquisition process, and increases costs. A thirty (30) foot setback along public roadways was proposed. Since there are no future plans for paving any new roadways in Jackson County, Staff recommends this request be handled on a case-by-case basis (similar to Note 1 above) as follows:

Note 7. Minimum setback of thirty (30) feet along public roadway may be required by the County Engineer to provide adequate setback for future road improvements.

Staff also noted that the current 5-foot rear yard setback for accessory structures was inadvertently omitted.

Attached are the CLEAN version which shows the proposed restructure, and the REDLINE version that tracks the changes recommended by the Zoning Staff, the County Health Department, and the County Engineer for the A-1 Agricultural District. These same changes would be made for the R-1, C-1, M-1, and M-2 districts.

Recommendation

The Commission is asked to review the revised draft of Revised Development Regulations (08-12-25), and then to provide direction to staff for moving forward with the proposal. Please let me know if you have any questions. Thank you.

Sincerely,

Laura Carstens, Senior Planner
Attachments

CHAPTER 2. ZONING DISTRICT REGULATIONS**2.2 A-1 Agricultural District.****F. Development Regulations.**

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

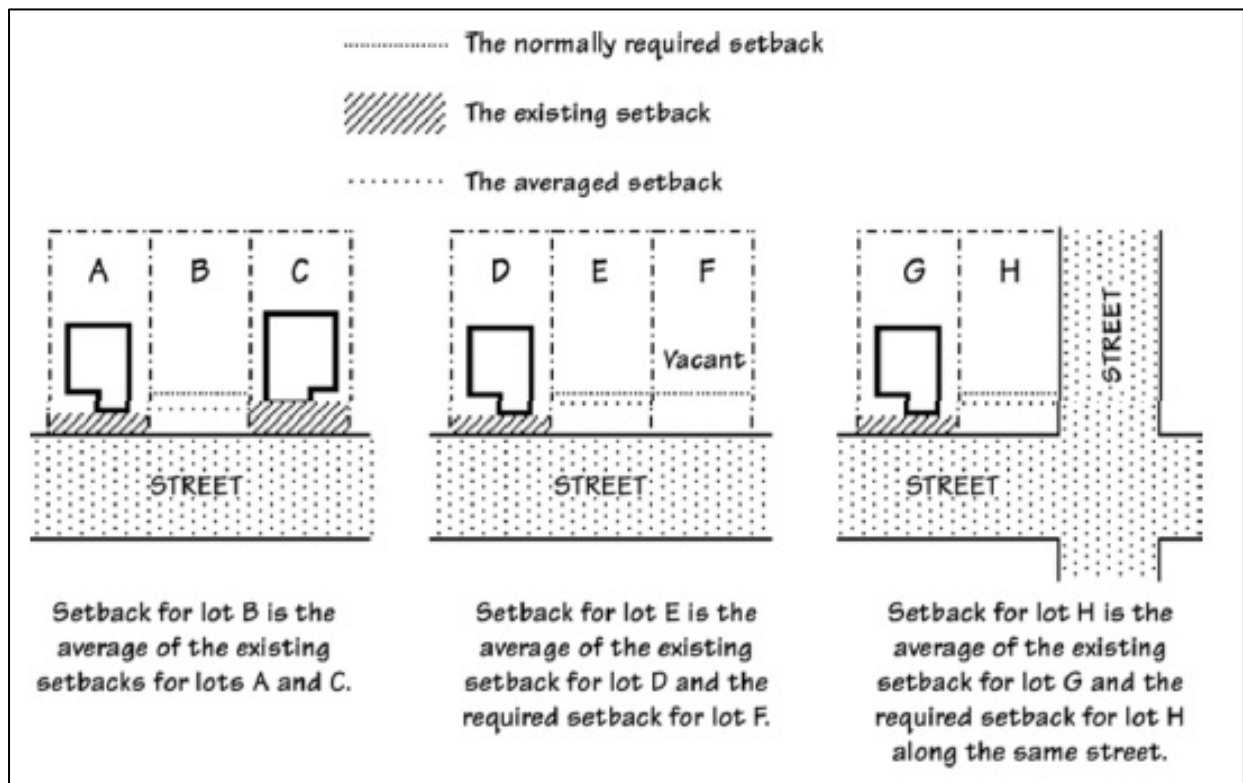
Table F.1. Standard A-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot Size		Minimum Setback Requirements (see Notes 4, 5, 6 and 7)				Maximum Height
	Area	Width	Front	Rear	Side	Street side, corner lot	
Farm Exempt Uses and Structures							
All	See Note 1		None, except see Note 7				None
Principal Uses and Structures							
Single-family dwellings	2 acres per dwelling unit	200 feet	40 feet	30 feet	15 feet	30 feet	2.5 stories or 35 feet
Institutional Uses	2 acres per use	200 feet	40 feet	30 feet	15 feet	30 feet	2.5 stories or 35 feet
All others	See Note 1		40 feet	30 feet	15 feet	30 feet	2.5 stories or 35 feet
Accessory Uses and Structures							
Accessory Dwelling Unit	See Section 2.8 for specific development regulations						
Private garage or carport (see Note 6)	See Note 1		10 or 20 feet	5 feet	10 feet; 5 feet if detached	10 or 20 feet	2.5 stories or 35 feet
All others	See Note 1		40 feet	30 feet; 5 feet if detached	15 feet; 5 feet if detached	30 feet	2.5 stories or 35 feet
Conditional Uses and Structures							
Seasonal resorts (see Note 2)	2 acres per dwelling unit	200 feet	40 feet	30 feet	15 feet	30 feet	2.5 stories or 35 feet
Seasonal resorts (see Note 3)	10,000 square feet per dwelling unit	50 feet	10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
Multiple-family dwellings	2 acres per dwelling unit	200 feet	40 feet	30 feet	15 feet	30 feet	2.5 stories or 35 feet
All others	See Note 1		40 feet	30 feet	15 feet	30 feet	2.5 stories or 35 feet
Temporary Uses and Structures							
All	See Note 1		As per Zoning Administrator				

Table F.2. Alternative A-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot Size		Minimum Setback Requirements (see Notes 4, 5, 6 and 7)				Maximum Height
	Area	Width	Front	Rear	Side	Street side, corner lot	
Private garage or carport (see Note 6)	See Note 1		10 or 20 feet	5 feet	10 feet; 5 feet if detached	10 or 20 feet	2.5 stories or 35 feet
All others	See Note 1		10 feet	5 feet	10 feet; 5 feet if detached	10 feet	2.5 stories or 35 feet
Conditional Uses and Structures							
Seasonal resorts (see Note 3)	20,000 square feet per dwelling unit	100 feet per dwelling unit	10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
Seasonal resorts (see Note 4)	10,000 square feet per dwelling unit	50 feet per dwelling unit	10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
Multiple family dwellings	20,000 square feet per dwelling unit	200 feet	10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
All others	See Note 1		10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
Temporary Uses and Structures							
All	See Note 1		As per Zoning Administrator				

Notes for Alternative A-1 District Development Regulations:
Note 1. Minimum lot area and width may be required by the County Health Department to provide adequate sewage disposal facilities, which may require compliance with Iowa Administrative Code Chapter 69. Private Sewage Disposal Systems and Chapter 49. Private Wells.
Note 2. Served with private well and septic systems.
Note 3. Served by central sewage collection and treatment system or central water distribution system.
Note 4. Average Front and Rear Setbacks: Where legally existing front or rear setbacks on adjacent parcels of continuous frontage are shorter than these minimums, the required setback for a new structure shall be the average of setbacks of principal structures within five hundred (500) feet on parcels of continuous frontage (<i>see illustration</i>).
Note 5. Special Rear Setback: For manufactured homes replacing legally existing nonconforming manufactured homes or mobile homes, the minimum rear setback shall be five (5) feet.
Note 6. Front Setback for Off-Street Parking: For lots subject to Table F.2. regulations, attached and/or detached private garages or carports must maintain a setback of twenty (20) feet from the door or opening of the garage facing the public or private road 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 or private road right-of-way shall comply with the lesser setbacks listed in Table F.2. (<i>see illustrations</i>).
Note 7. Minimum setback of thirty (30) feet along public roadway may be required by the County

Notes for Alternative A-1 District Development Regulations:

Engineer to provide adequate setback for future road improvements.



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

CHAPTER 2. ZONING DISTRICT REGULATIONS

2.2 A-1 Agricultural District.

F. Development Regulations.

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

Table F.1. Standard A-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot Size		Minimum Yard-Setback Requirements (see Notes 4, 5, <u>6</u> and <u>7</u>)				Maximum Height
	Area	Width	Front	Rear	Side	Street side, corner lot	
Farm Exempt Uses and Structures							
All	See Note 1		None, <u>except see Note 7</u>				None
Principal Uses and Structures							
Single-family dwellings	2 acres per dwelling unit	200 feet	40 feet	30 feet	15 feet	30 feet	2.5 stories or 35 feet
Institutional Uses	2 acres per use	200 feet	40 feet	30 feet	15 feet	30 feet	2.5 stories or 35 feet
All others	See Note 1		40 feet	30 feet	15 feet	30 feet	2.5 stories or 35 feet
Accessory Uses and Structures							
Accessory Dwelling Unit	See <u>Section 2.8</u> for specific development regulations						
Private garage or carport (see Note 6)	See Note 1		10 or 20 feet	5 feet	10 feet; <u>5 feet if detached</u>	10 or 20 feet	2.5 stories or 35 feet
All others	See Note 1		40 feet	30 feet; 5 feet if detached	15 feet; <u>5 feet if detached</u>	30 feet	2.5 stories or 35 feet
Conditional Uses and Structures							
Seasonal resorts (see Note 2)	2 acres per dwelling unit	200 feet	40 feet	30 feet	15 feet	30 feet	2.5 stories or 35 feet
Seasonal resorts (see Note 3)	10,000 square feet per dwelling unit	50 feet	10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
Multiple-family dwellings	2 acres per dwelling unit	200 feet	40 feet	30 feet	15 feet	30 feet	2.5 stories or 35 feet
All others	See Note 1		40 feet	30 feet	15 feet	30 feet	2.5 stories or 35 feet
Temporary Uses and Structures							
All	See Note 1		As per Zoning Administrator				

Notes for Standard A-1 District Development Regulations:

Note 1. Minimum lot area and width may be required by the County Health Department to provide adequate sewage disposal facilities, which may require compliance with Iowa Administrative Code Chapter 69. Private Sewage Disposal Systems and Chapter 49. Private Wells.

Note 2. Served with private well and septic systems.

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

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

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

Note 6. Front Setback for Off-Street Parking: For lots subject to Table F.1. regulations, attached and/or detached private garages or carports must maintain a setback of twenty (20) feet from the door or opening of the garage facing the public or private road 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-or private road right-of-way shall comply with the alternative-lesser setbacks listed in Table F.1. (see *illustrations*).

Note 7. Minimum setback of thirty (30) feet along public roadway may be required by the County Engineer to provide adequate setback for future road improvements.

Table F.2. lists the alternative development regulations that shall be met for all principal, accessory, conditional, and temporary uses and structures in the A-1 District located in subdivisions or on lots platted before May 6, 1976 that do not comply with A-1 standard development regulations for lot area, lot width, and/or setbacks, unless specified otherwise in this Ordinance.

Type of Uses and Structures	Minimum Lot Size		Minimum Setback Requirements (see Notes 4, 5, <u>6</u> and <u>7</u>)				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 per dwelling unit or POA use	100 feet per dwelling unit or POA use	10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
Dwellings and POA uses (see Note 3)	12,000 square feet per dwelling unit or POA use	80 feet per dwelling unit or POA use	10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
All others	See Note 1		10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
Accessory Uses and Structures							
Accessory	See Section 2.8 for specific development regulations						

Table F.2. Alternative A-1 District Development Regulations							
Type of Uses and Structures	Minimum Lot Size		Minimum Setback Requirements (see Notes 4, 5, 6 and 7)				Maximum Height
	Area	Width	Front	Rear	Side	Street side, corner lot	
Dwelling Unit							
Private garage or carport (see Note 6)	See Note 1		10 or 20 feet	5 feet	10 feet; <u>5 feet if detached</u>	10 or 20 feet	2.5 stories or 35 feet
All others	See Note 1		10 feet	5 feet	10 feet; <u>5 feet if detached</u>	10 feet	2.5 stories or 35 feet
Conditional Uses and Structures							
Seasonal resorts (see Note 3)	20,000 square feet per dwelling unit	100 feet per dwelling unit	10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
Seasonal resorts (see Note 4)	10,000 square feet per dwelling unit	50 feet per dwelling unit	10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
Multiple family dwellings	20,000 square feet per dwelling unit	200 feet	10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
All others	See Note 1		10 feet	10 feet	10 feet	10 feet	2.5 stories or 35 feet
Temporary Uses and Structures							
All	See Note 1		As per Zoning Administrator				

Notes for Alternative A-1 District Development Regulations:

Note 1. Minimum lot area and width may be required by the County Health Department to provide adequate sewage disposal facilities, **which may require compliance with Iowa Administrative Code Chapter 69. Private Sewage Disposal Systems and Chapter 49. Private Wells.**

Note 2. Served with private well and septic systems.

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

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

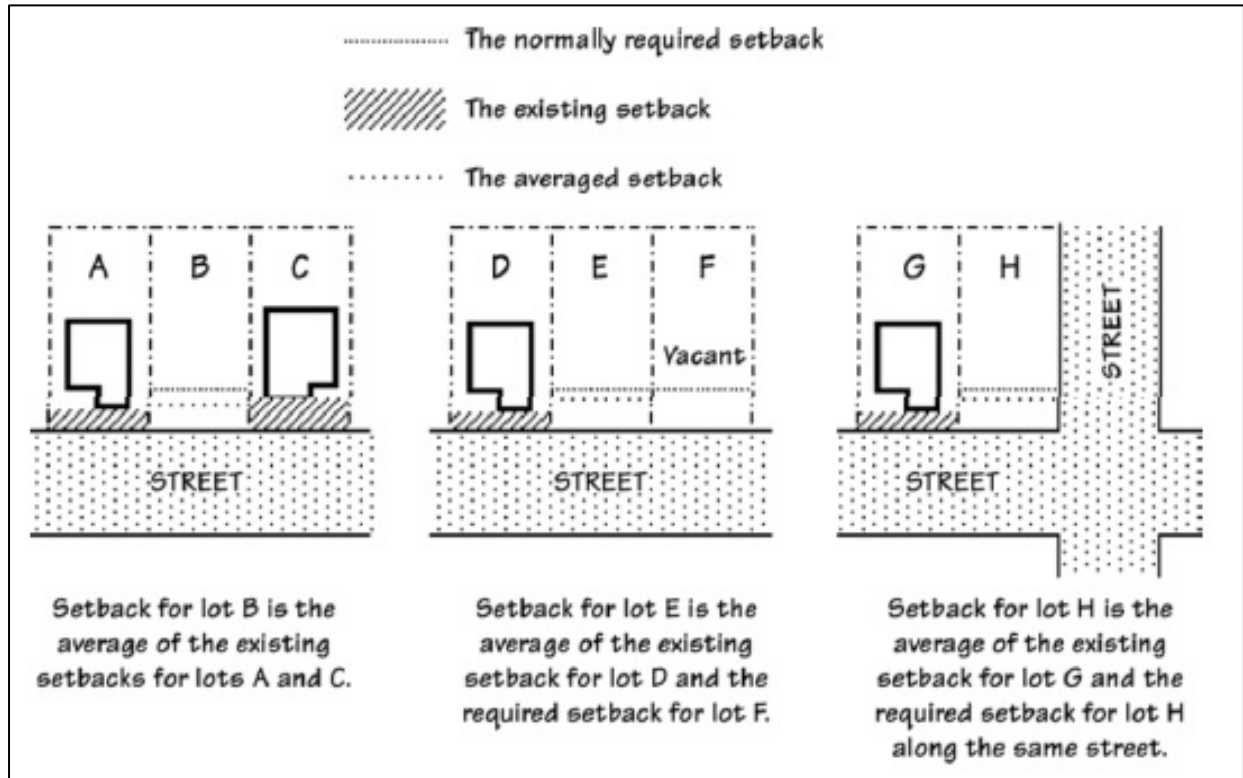
Note 5. Special **Side-Rear** Setback: For manufactured homes replacing legally existing nonconforming manufactured homes or mobile homes, the minimum rear setback shall be five (5) feet.

Note 6. Front Setback for Off-Street Parking: For lots subject to Table F.2. regulations, attached and/or detached private garages or carports must maintain a setback of twenty (20) feet from the door or opening of the garage facing the public **or private road** 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-**or private road** right-of-way shall comply with the **alternative-lesser** setbacks listed in Table F.2. (*see*

Notes for Alternative A-1 District Development Regulations:

illustrations).

Note 7. Minimum setback of thirty (30) feet along public roadway may be required by the County Engineer to provide adequate setback for future road improvements.



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



July 31, 2025

Becca Pflughaupt, Interim Zoning Administrator
Jackson County Zoning Department
201 West Platt Street
Maquoketa, IA 52060

RE: Zoning Ordinance Update – Fences and Hedges (07-31-25)

Dear Becca,

Attached is the revised draft of updated regulations for Fences and Hedges (07-31-25) for review and consensus approval by the Zoning Commission at their August 18, 2025 meeting.

Discussion

Attached are the County's existing regulations for fences and hedges, which are minimal. Fence permits currently are required only in R-1 Residential Districts, and are comparable to other Iowa counties. The CLEAN version shows the resulting restructure. Major updates are:

- Establishing general regulations for fences and hedges that are related to other sections of the Zoning Ordinance and to applicable chapters of the Iowa Code and adding illustrations.
- Establishing procedures for fence permits and fees, administrative waivers, and dimensional variances.

Background

Iowa Code Chapter 359A governs partition fences, which are fences that divide adjacent properties. Landowners are generally not required to build fences to mark boundaries, but they must participate in building and maintaining partition fences if requested by an adjoining landowner. Chapter 359A outlines specific requirements for what constitutes a "lawful fence," including the materials, height, and construction methods. A summary of Iowa fence law is attached. The attached REDLINE version outlines the proposed updates to the current regulations.

Recommendation

The Commission is asked to review and approve by consensus the proposed regulations for Fences and Hedges (07-31-25), and then to provide direction to staff for moving forward with the proposal. Please let me know if you have any questions. Thank you.

Sincerely,

Laura Carstens
Senior Planner

Attachments

Jackson County Zoning Ordinance: Current regulations for fences, hedges, walls

1.6 Farms exempt.

No Construction Compliance Certificate or Occupancy Compliance Certificate shall be required for the construction, reconstruction, alteration, remodeling or expansion of buildings and uses customarily associated with the pursuit of agricultural enterprises in the County, including farm buildings, farm dwellings, farm fences, farm ponds, soil conservation or similar buildings and uses when so used.

1.7 Schedules of District Regulations. The following schedules of district regulations are hereby adopted and declared to be a part of this ordinance:

R-1 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).

M-2 SPECIAL EXCEPTION USES AND STRUCTURES

Subject to Section 2.15 (2) and the requirements contained herein, the Board of Adjustment may permit the following:

3. Auto wrecking and junkyards on sites of 5 acres or more provided that the front yard be maintained as an open space free of weeds and debris; that the site be enclosed with a fence or a suitable landscape planting that will screen the operation from the view of adjacent public streets and places of public assembly, parks, recreation areas and residential properties; and that a minimum of 2 off-street parking space for each employee and 1 off-street space for each vehicle used by the facility be provided.

1.8 Supplementary District Regulations. Subject to Section 1.6, the following provisions, regulations or exceptions shall apply equally to all districts except as hereinafter provided.

1. **Visibility At Intersection.** On a corner lot in any district, no fence, wall, hedge or other planting or structure that will obstruct vision between a height of two and one-half (2 1/2) feet and ten (10) feet above the centerline grades of the intersecting streets shall be erected, placed or maintained within the triangular area formed by connecting the right-of-way lines at points which are twenty-five (25) feet distance from the intersection of the right-of-way lines, and measured along the right-of-way lines, or within the triangular area formed by connecting the centerlines of the intersecting streets at points which are one hundred (100) feet from their point of intersection, whichever is greater.

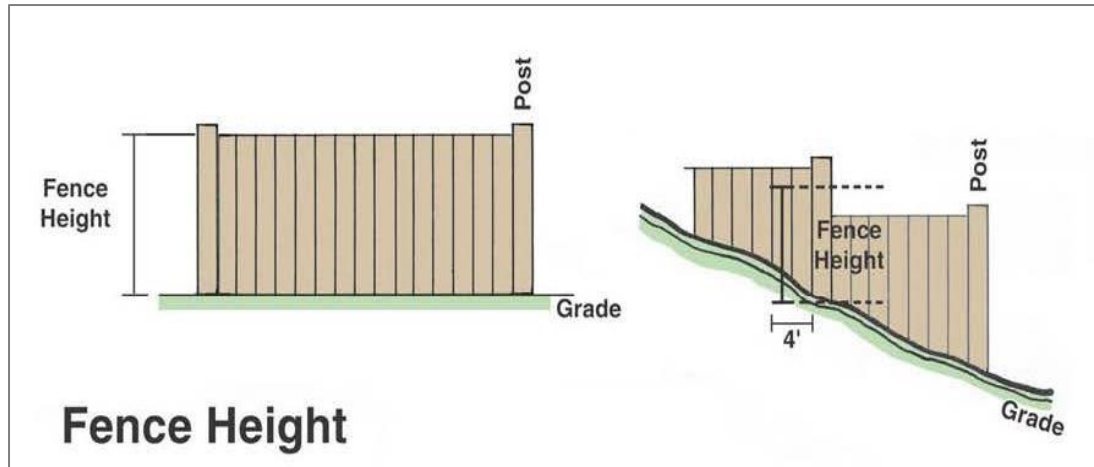
2.8 Zoning Permit Not Required. A Zoning Permit shall not be required for any maintenance item such as a new roof, windows, siding, doors, and other repair items which do not enlarge the structure or change the use. A Zoning Permit shall not be required for the construction, reconstruction, alteration, remodeling or expansion of buildings and uses customarily associated with the pursuit of agricultural enterprises in the County, including farm buildings, farm dwellings, farm fences, farm ponds, soil conservation or similar buildings and uses when so used in accordance with farm exemption per Section 1.6 of this ordinance.

2.8 Supplemental District Regulations. Subject to **Section 1.20 Farms Exempt**, the following provisions, regulations or exceptions shall apply equally to all districts except as hereinafter provided.

O. Fences and Hedges. Except as otherwise provided herein, all fences and hedges as defined that are located within the unincorporated areas of the County shall be subject to the following provisions:

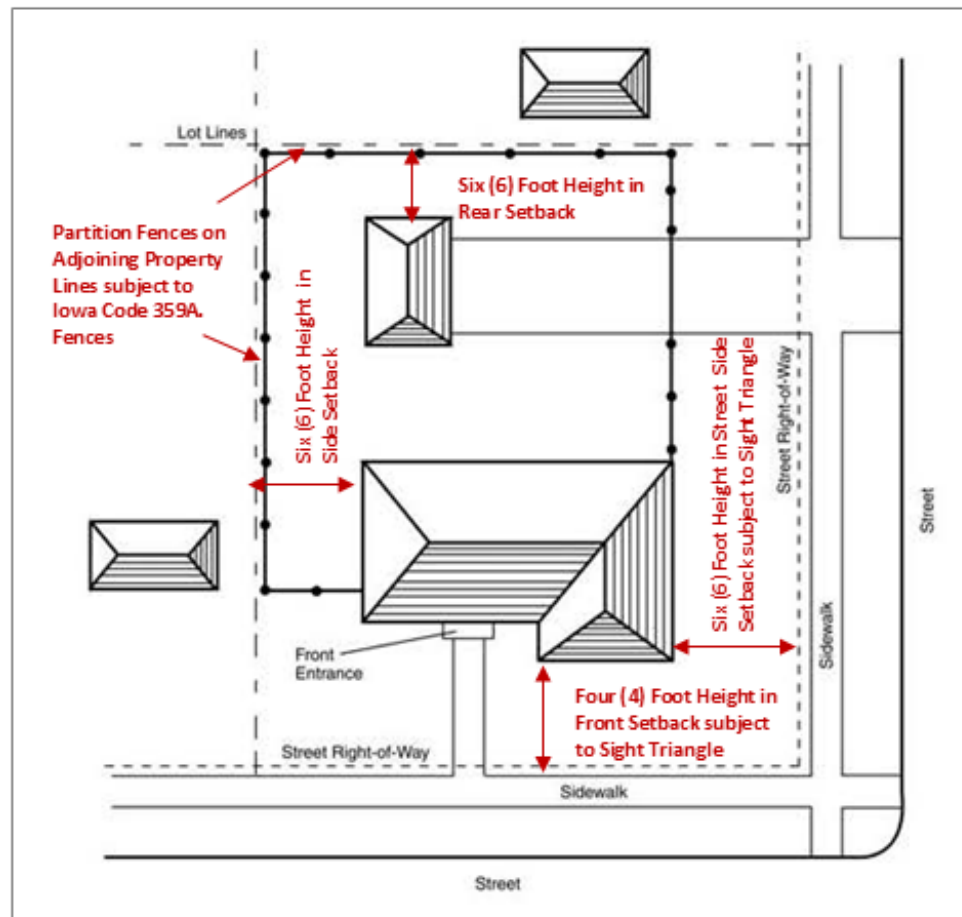
1. Definitions.

- a. **Fence.** A structure more than eighteen (18) inches 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.
 - b. **Hedge.** A solid and unbroken visual screen of self-supporting shrubs, bushes, or similar continuous plantings more than eighteen (18) inches in height.
- 2. Visibility at Intersections and Entrances.** No fence or hedge shall be allowed within the sight triangle at street intersections and entrances in accordance with **Subsection 2.8 A. Visibility at Intersections and Entrances.**
- 3. Placement on Public Right-of-Way.** No fence or hedge shall be placed on or extend into the public right-of-way in accordance with **Subsection 2.8 E. Use of Public Right-of-Way** and **Iowa Code 318. Obstructions in Highway Rights-of-Way.**
- 4. Placement on Access and Utility Easements.** No fence or hedge shall be placed on or extend into an access or utility easement in accordance with **Iowa Code Chapter 564. Easements.**
- 5. Partition Fences.** Partition fences, which are fences that divide adjacent properties, are governed by **Iowa Code Chapter 359A. Fences** and this Subsection. If a partition fence is a hedge, the hedge shall be trimmed and cut in accordance with **Iowa Code Chapter 359A. Fences.**
- 6. Survey.** A certificate of survey may be required by the Zoning Administrator for all fences and hedges to be installed on the boundary line of an access or utility easement, on the public right-of-way, or on a property line, unless corner property stakes are in place and marked and a survey is filed with the County.
- 7. Measurement of Fence and Hedge Height.** Fence and hedge height shall be measured from ground level adjacent to the highest point of the fence or hedge. Fill shall not be used for the purpose of achieving a higher fence or hedge than otherwise permitted. Variations in height shall be allowed between fence support posts or hedge plantings to account for undulating, sloping, or otherwise uneven terrain. Where the grade is not level, the maximum fence height shall be equal to the average fence height within four (4) feet of any fence post (*see illustration*).



Measurement of Fence Height (Source: City of Sandusky, MI accessed 2023)

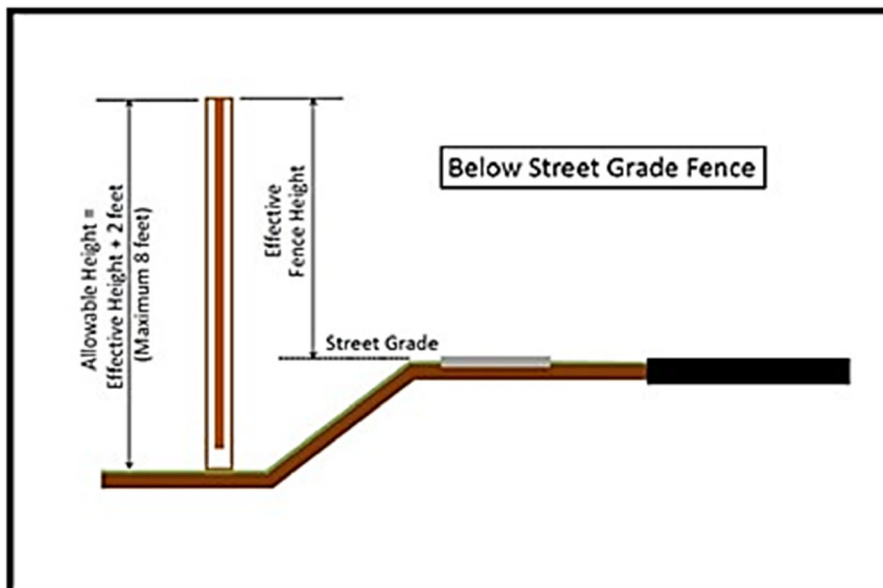
8. **Maintenance.** Both sides of any fence or hedge shall be maintained in a condition of reasonable repair and appearance by its owner and shall not be allowed to become and remain in a condition of disrepair or danger, or constitute a nuisance, public or private.
9. **Damage.** No physical damage of any kind shall occur to abutting property during installation of a fence or hedge unless it is allowed under agreement with the abutting property owner(s).
10. **Barbed Wire.** The use of barbed wire for any fence shall not be allowed in an R-1 Residential District.
11. **Electrical Fence.** The use of an electrical fence is allowed only for farm exempt uses in an A-1 Agriculture District, provided adequate notices are posted to warn the public of any potential dangers should they touch the fence. Such notice shall indicate the amount of current being carried by the electrical fence.
12. **R-1 Residential District Special Requirements.**
 - a. **Height and Setback.** Hedges and fences shall not exceed four (4) feet in height in a required front setback; and fences and hedges shall not exceed six (6) feet in height in a required side, street side, or rear setback; subject to further restriction of Subsection 2.8 A. Visibility at Intersections and Entrances (see illustration).



Heights and Setbacks for Fences and Hedges in R-1 Residential Districts

(Source: City of Sandusky, MI accessed 2023)

- b. Waiver of Allowable Height due to Slope. Where a fence or hedge is to be installed below street grade, the Zoning Administrator is authorized to allow a fence or hedge to be higher than the allowable height in a required front, side, rear, or street side yard setback where a slope exists with the adjacent lot or street right-of-way. Up to an additional two (2) feet of height may be allowed to achieve an effective height that equals the maximum allowable height for the zoning district, subject to further restriction of Subsection 2.8 A. Visibility at Intersections and Entrances (see illustration) and 2.8 A. Visibility at Intersections and Entrances.



Allowable and Effective Fence Heights due to Slope

(Source: City of West Des Moines, IA accessed 2023)

13. Fence Permit.

a. R-1 Residential Districts.

- i. Permit Required. Except as otherwise provided herein, no person shall erect, alter or relocate any fence within the County without first having been issued a fence permit.
- ii. Permit Fee. There shall be no permit fee for fences that are six feet (6') in height or lower. A fence permit application and related fence permit fee, in accordance with the fee schedule approved by the County, shall be required for fences that exceed six feet (6') in height or are requests for a waiver of allowable height due to slope, an administrative waiver, or a dimensional variance.
- iii. Application Procedures. Each application for a fence permit shall be submitted to the Zoning Administrator on forms provided by the County. Each application shall include a site plan drawn to scale and showing the location of the principal uses and structures, accessory uses and structures, other improvements on the lot, and the location of the fencing to be erected, altered or relocated.

b. Non-Residential Districts. A fence permit shall not be required in non-residential districts.

14. Exception to Dimensional Requirements. A property owner may seek an exception from the dimensional requirements of this Subsection by application to the Zoning Administrator in accordance with **Section 3.10 Administrative Waiver** or by application to the Board of Adjustment in accordance with **Section 4.6 Dimensional Variances**, subject to provisions of **Iowa Code Chapter 359A. Fences**. If a waiver or variance is granted, the property owner shall apply for a fence permit in accordance with this Subsection.

Under Iowa Law, Good Neighbors Must Sometimes Build Good Fences

We often receive questions at CALT about Iowa fence law and the obligations it imposes on landowners. The Iowa Supreme Court has noted that “Iowa fencing statutes date from our earliest times, even predating the Iowa Code of 1851.” Although the law is long-standing, property owners are sometimes surprised by the obligations imposed. This article provides a brief overview of Iowa Code § 359A. Although fences located fully within the boundaries of a city are subject to municipal law, it is important to note that Iowa fence law applies whether or not farming is conducted on the land.

Partition Fences

In general, Iowa landowners are not required to maintain a partition fence to separate their parcels from other owners. If one adjoining landowner, however, chooses to erect a partition fence, he or she may compel the neighbor to contribute to one-half of the cost of the construction and maintenance of that fence. This is true even if the person requesting the fence is the only party with livestock.

Non-livestock owners have challenged the constitutionality of this rule, arguing that they should not have to contribute to the cost of a fence designed only to keep their neighbor’s livestock in. The Iowa Supreme Court, however, has found the law constitutional. The Court reasoned that a law may serve the public purpose even if it benefits certain individuals more than others. The Court also found that landowners who do not own livestock do derive some benefits from a fence, including increased privacy and freedom from unwanted intrusion by the neighbor’s livestock.

Requesting a Fence

To compel a neighbor to contribute to the cost of a fence, a landowner must send the neighbor a written request. The partition fence is to be built on the property line, “partly on one side” of the property line and “partly on the other.” Both parties have the right to maintain the fence as if it were wholly on his or her property.

When one party initiates a request for a partition fence, the parties generally agree upon the best way to erect it. Some choose to follow the right-hand rule, meaning that each party is responsible to build and maintain that portion of the fence to their right of the midpoint. Landowners, however, can agree to any arrangement

they choose for erection and maintenance of the partition fence. A fence agreement is enforceable in court if the parties file with the county recorder a written agreement, signed and acknowledged by all owners.

Resolving a Dispute

If the parties cannot agree as to their obligations under the Iowa fence law, they may contact “fence viewers” to settle the dispute. The fence viewers are typically the trustees of the township in which the property is located. Either landowner may initiate a decision from the fence viewers by sending them a written request. The trustees then provide the opposite party or parties five days’ written notice, setting a time and a place to meet and “hear” the controversy. After the meeting, the fence viewers issue a written order allocating responsibility for the fence equally between the neighboring landowners. This order is binding, but either party may appeal the decision to the district court.

If the fence is not erected or repaired within 30 days of the date required by the fence viewers, a landowner may ask the fence viewers to erect or repair the fence. To initiate such action, the complaining landowner deposits with the fence viewers the full amount of money required to build or repair the fence (along with the fence viewer fees and costs). The fence viewers will then build or repair the fence and bill the opposing landowner for his or her share. If the landowner does not pay the billed amount within 10 days, the fence viewers will ask the county auditor to collect the sum as a property tax. After the fence viewers collect the money from the opposing landowner, that amount is refunded to the complaining landowner.

It is important to note that fence viewers only have the power to decide disputes regarding a landowner’s obligations to construct or maintain a fence under Iowa law. They cannot settle boundary disputes. A party wishing to settle a boundary dispute typically files an action to quiet title in the district court of the county where the land is located.

What is a Lawful Fence?

The statute details six categories of fences that qualify as a “lawful fence” in Iowa. These include:

1. Three rails of “good substantial material” fastened to “good substantial posts” not more than ten feet apart.
2. Three boards not less than six inches wide and three-quarters of an inch thick, fastened to “good substantial posts” not more than eight feet apart.
3. Three wires, barbed with not less than thirty-six iron barbs of two points each, or twenty-six iron barbs of four points each, on each rod of wire, or of four wires, two thus barbed and two smooth, the wires to be firmly fastened to posts not more than two rods apart, with not less than two stays between posts, or with posts not more than one rod apart without such stays, the top wire to be not more than fifty-four nor less than forty-eight inches in height.
4. Wire either wholly or in part, substantially built and kept in good repair, the lowest or bottom rail, wire, or board not more than twenty nor less than sixteen inches from the

ground, the top rail, wire, or board to be between forty-eight and fifty-four inches in height and the middle rail, wire, or board not less than twelve nor more than eighteen inches above the bottom rail, wire, or board.

5. A fence consisting of four parallel, coated steel, smooth high-tensile wire which meets requirements adopted by ASTM (American Society for Testing and Materials) international, including but not limited to requirements relating to the grade, tensile strength, elongation, dimensions, and tolerances of the wire. The wire must be firmly fastened to plastic, metal, or wooden posts securely planted in the earth. The posts shall not be more than two rods apart. The top wire shall be at least forty inches in height.
6. Any other kind of fence which the fence viewers consider to be equivalent to a lawful fence or which meets standards established by the department of agriculture and land stewardship by rule as equivalent to a lawful fence.

If landowners desires a “tight” fence, which is better suited to keep in sheep or hogs, they must make their portion of the fence tight. The adjoining landowners must then do the same. A “tight” fence is defined as follows:

1. Not less than twenty-six inches of substantial woven wire on the bottom, with three strands of barbed wire with not less than thirty-six barbs of at least two points to the rod, on top, the top wire to be not less than forty-eight inches, nor more than fifty-four inches high.
2. Good substantial woven wire not less than forty-eight inches nor more than fifty-four inches high with one barbed wire of not less than thirty-six barbs of two points to the rod, not more than four inches above said woven wire.
3. Any other kind of fence which the fence viewers consider to be equivalent to a tight partition fence or which meets standards established by the department of agriculture and land stewardship by rule as equivalent to a tight partition fence.

Conclusion

Carl Sandburg once wrote, “Love your neighbor as yourself, but don’t take down the fence.” Iowa law supports that sentiment. The Iowa Supreme Court has stated, “Shared responsibility for partition fences minimizes conflict among neighbors. The fencing statute does not merely benefit livestock owners. It serves the broader public good by mediating boundary, fence and trespass disputes.” For a more detailed review of Iowa fence law, please see the article, [Iowa Fence Law](#), on the CALT website.

Small Farm Sustainability

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2.8 Supplemental District Regulations. Subject to Section 1.20 Farms Exempt, the following provisions, regulations or exceptions shall apply equally to all districts except as hereinafter provided.

O. Fences and Hedges. Except as otherwise provided herein, all fences and hedges as defined that are located within the unincorporated areas of the County shall be subject to the following provisions:

1. Definitions.

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

2. Visibility at Intersections and Entrances. No fence or hedge shall be allowed within the sight triangle at street intersections and entrances in accordance with Subsection 2.8 A. Visibility at Intersections and Entrances.

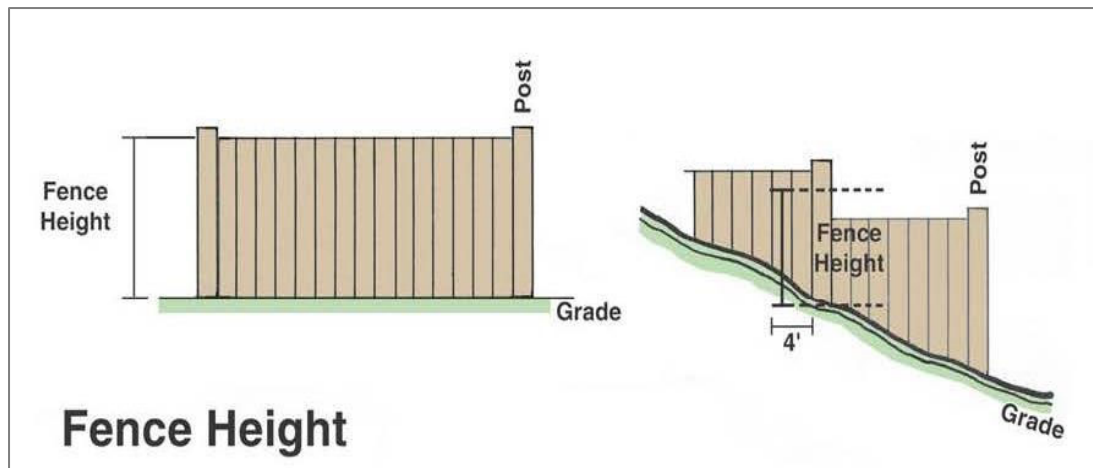
3. Placement on Public Right-of-Way. No fence or hedge shall be placed on or extend into the public right-of-way in accordance with Subsection 2.8 E. Use of Public Right-of-Way and Iowa Code 318. Obstructions in Highway Rights-of-Way.

4. Placement on Access and Utility Easements. No fence or hedge shall be placed on or extend into an access or utility easement in accordance with Iowa Code Chapter 564. Easements.

5. Partition Fences. Partition fences, which are fences that divide adjacent properties, are governed by Iowa Code Chapter 359A. Fences and this Subsection. If a partition fence is a hedge, the hedge shall be trimmed and cut in accordance with Iowa Code Chapter 359A. Fences.

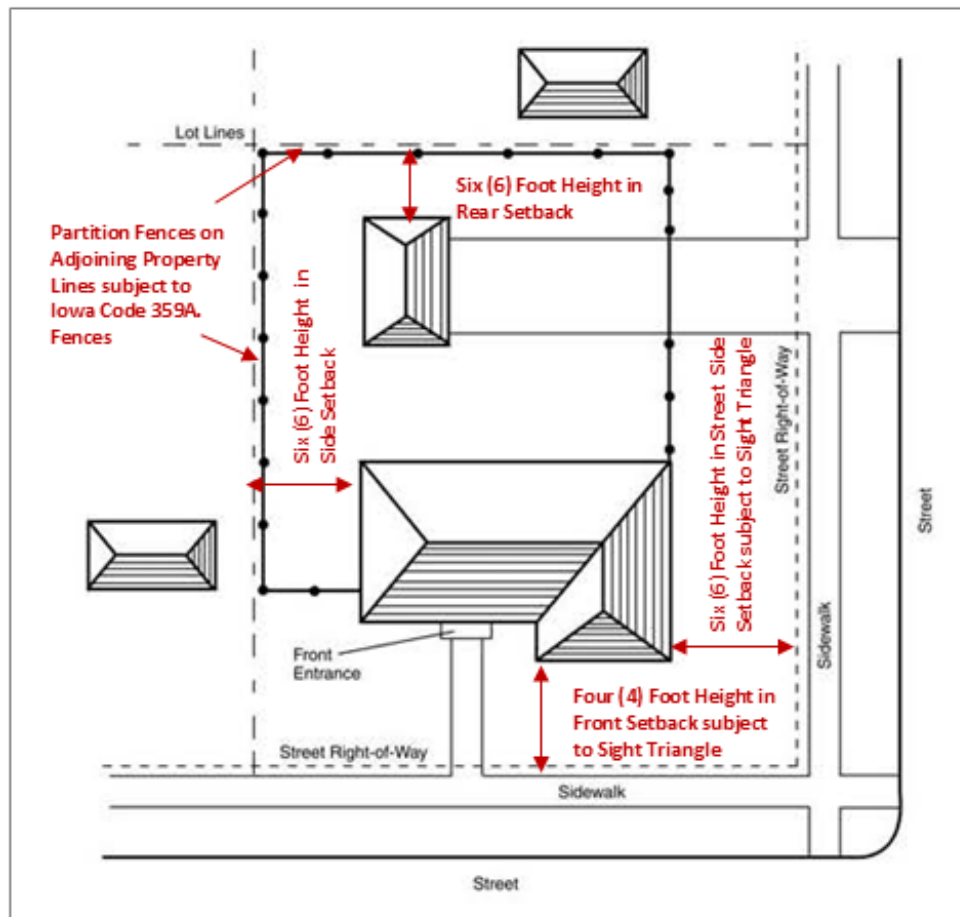
6. Survey. A certificate of survey may be required by the Zoning Administrator for all fences and hedges to be installed on the boundary line of an access or utility easement, on the public right-of-way, or on a property line, unless corner property stakes are in place and marked and a survey is filed with the County.

7. Measurement of Fence and Hedge Height. Fence and hedge height shall be measured from ground level adjacent to the highest point of the fence or hedge. Fill shall not be used for the purpose of achieving a higher fence or hedge than otherwise permitted. Variations in height shall be allowed between fence support posts or hedge plantings to account for undulating, sloping, or otherwise uneven terrain. Where the grade is not level, the maximum fence height shall be equal to the average fence height within four (4) feet of any fence post (*see illustration*).



Measurement of Fence Height (Source: City of Sandusky, MI accessed 2023)

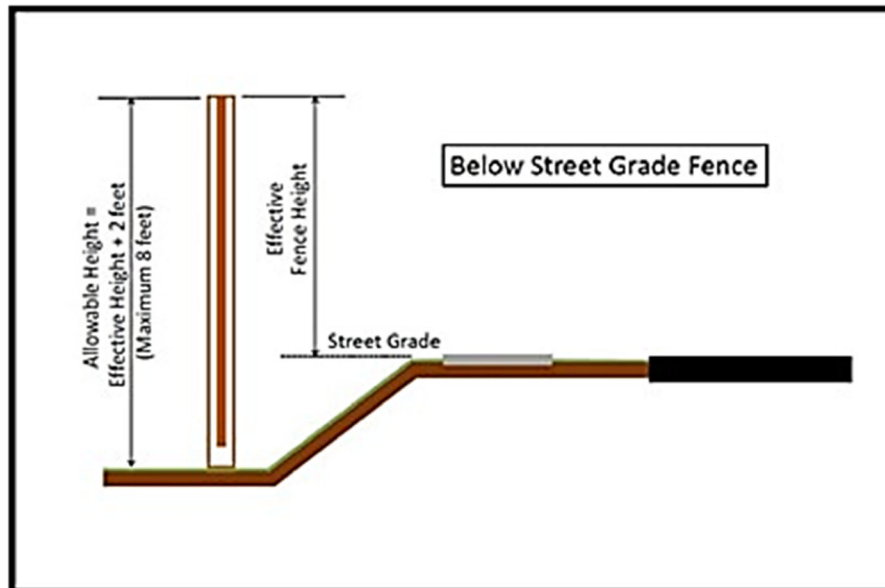
- 8. Maintenance.** Both sides of any fence or hedge shall be maintained in a condition of reasonable repair and appearance by its owner and shall not be allowed to become and remain in a condition of disrepair or danger, or constitute a nuisance, public or private.
- 9. Damage.** No physical damage of any kind shall occur to abutting property during installation of a fence or hedge unless it is allowed under agreement with the abutting property owner(s).
- 10. Barbed Wire.** The use of barbed wire for any fence shall not be allowed in an R-1 Residential District.
- 11. Electrical Fence.** The use of an electrical fence is allowed only for farm exempt uses in an A-1 Agriculture District, provided adequate notices are posted to warn the public of any potential dangers should they touch the fence. Such notice shall indicate the amount of current being carried by the electrical fence.
- 12. R-1 Residential District Special Requirements.**
 - a. Height and Setback.** Hedges and fences shall not exceed four (4) feet in height in a required front ~~yard-setback~~; and fences and hedges shall not exceed six (6) feet in height in a required side, street side, or rear ~~yard-setback~~; subject to further restriction of Subsection ~~1.8(1)~~ **2.8 A. Visibility at Intersections and Entrances** (see illustration).



Heights and Setbacks for Fences and Hedges in R-1 Residential Districts

(Source: City of Sandusky, MI accessed 2023)

- b. Waiver of Allowable Height due to Slope. Where a fence or hedge is to be installed below street grade, the Zoning Administrator is authorized to allow a fence or hedge to be higher than the allowable height in a required front, side, rear, or street side yard setback where a slope exists with the adjacent lot or street right-of-way. Up to an additional two (2) feet of height may be allowed to achieve an effective height that equals the maximum allowable height for the zoning district, subject to further restriction of Subsection 2.8 A. Visibility at Intersections and Entrances (see illustration) and 2.8 A. Visibility at Intersections and Entrances.



Allowable and Effective Fence Heights due to Slope

(Source: City of West Des Moines, IA accessed 2023)

13. Fence Permit.

a. R-1 Residential Districts.

- i. Permit Required. Except as otherwise provided herein, no person shall erect, alter or relocate any fence within the County without first having been issued a fence permit.
- ii. Permit Fee. There shall be no permit fee for fences that are six feet (6') in height or lower. A fence permit application and related fence permit fee, in accordance with the fee schedule approved by the County, shall be required for fences that exceed six feet (6') in height or are requests for a waiver of allowable height due to slope, an administrative waiver, or a dimensional variance.
- iii. Application Procedures. Each application for a fence permit shall be submitted to the Zoning Administrator on forms provided by the County. Each application shall include a site plan drawn to scale and showing the location of the principal uses and structures, accessory uses and structures, other improvements on the lot, and the location of the fencing to be erected, altered or relocated.

b. Non-Residential Districts. A fence permit shall not be required in non-residential districts.

- 1-14. Exception to Dimensional Requirements.** A property owner may seek an exception from the dimensional requirements of this Subsection by application to the Zoning Administrator in accordance with **Section 3.10 Administrative Waiver** or by application to the Board of Adjustment in accordance with **Section 4.6 Dimensional Variances**, subject to provisions of **Iowa Code Chapter 359A. Fences**. If a waiver or variance is granted, the property owner shall apply for a fence permit in accordance with this Subsection.



August 4, 2025

Becca Pflughapt, Interim Zoning Administrator
Jackson County Zoning Department
201 West Platt Street
Maquoketa, IA 52060

RE: Zoning Ordinance Update – **Section 2.8 Supplemental Regulations Subsections A-L (08-04-25)**

Dear Becca,

Attached is the revised draft of Section 2.8 Supplemental Regulations Subsections A-L (08-04-25) for review and consensus approval by the Zoning Commission at their August 18, 2025 meeting.

Discussion

Section 2.8 Supplemental Regulations Subsections A-L have been made based on discussion at previous Commission meetings, and comments from Zoning Administrators about Accessory Dwelling Units (ADUs). Also attached is the new Iowa Code subsection of ADU regulations for counties. The attached REDLINE version outlines the proposed changes with commentary, and the CLEAN version shows the resulting restructure. Major updates proposed are as follows:

- Visibility at intersections has been revised per discussion at the Commission's March meeting.
- New language re: County Health Dept. regarding more than one principal structure on a lot per discussion at the Commission's June meeting.
- New subsection for Accessory Dwelling Units has been updated based on new Iowa Code (attached) and compliance with development regulations for single-family residences in A-1 and R-1 Districts as well as more than one principal structure on a lot, and a webinar for Zoning Administrators in July.
- References are highlighted for relevant sections of the Iowa Code, Zoning Ordinance and other County ordinances; these will become hyperlinks in the online version.

Recommendation

The Commission is asked to review and approve by consensus the revised draft of Section 2.8 Supplemental Regulations Subsections A-L (08-04-25), and then to provide direction to staff for moving forward with the proposal. Please let me know if you have any questions. Thank you.

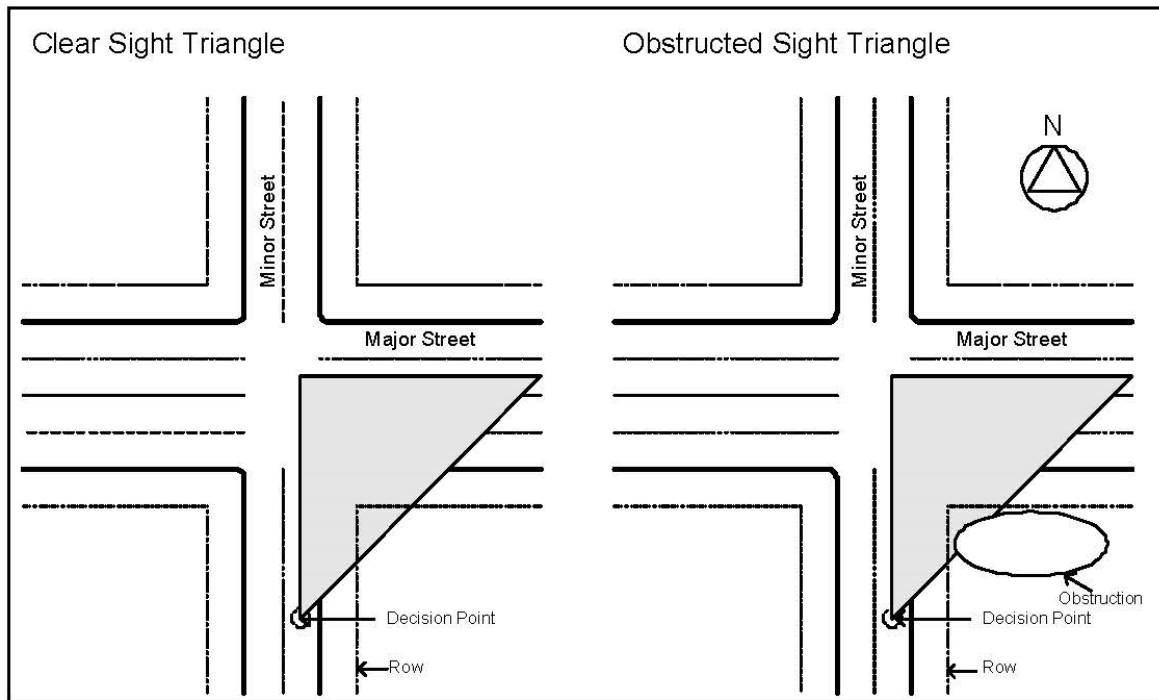
Sincerely,

Laura Carstens, Senior Planner
Attachments

CHAPTER 2. ZONING DISTRICT REGULATIONS

2.8 Supplemental District Regulations. Subject to Section 1.20 Farms Exempt, the following provisions, regulations or exceptions shall apply equally to all districts except as hereinafter provided.

- A. Visibility at Intersections and Entrances.** In any district, no fence, wall, hedge or other planting or structure that will obstruct vision at intersections or entrances shall be erected, placed or maintained within the sight triangle as determined by the County Engineer in accordance with the Jackson County Secondary Roads Department Entrance Policy.



Clear versus Obstructed Sight Triangles (Source: Iowa Project TR-455 Handbook of Simplified Practice Traffic Studies: Iowa State University, 2002; p. 59)

- B. Accessory Buildings.** No accessory building shall be erected in any required front or side setback and no separate accessory buildings shall be erected within five (5) feet of any rear lot line. See also development regulations for each zoning district in Chapter 2. Zoning District Regulations.
- C. More Than One Principal Structure on a Lot.** In any district, more than one (1) principal structure housing an allowed principal use may be erected on a single lot provided that the development regulations for each zoning district in Chapter 2. Zoning District Regulations of this Ordinance shall be met for each structure as though it were on an individual lot and any required water and sewage disposal facilities shall be installed as approved by the County Health Department. See also Section 2.8.L. Accessory Dwelling Unit.
- D. Height Regulation Exceptions.** The height limitations contained in development regulations for each zoning district in Chapter 2. Zoning District Regulations do not apply to grain storage bins, grain elevators, feed mills or to spires, belfries, cupolas, chimneys, antennas, water tanks, utility poles or

towers, ventilators, elevator housing or other structures placed above the roof level and not intended for human occupancy.

- E. Use of Public Right-of-Way.** The Jackson County Secondary Road Department possesses an easement in order to maintain the road for public usage. The amount of right-of-way varies from road to road. No portion of the public road, street or alley right-of-way shall be used or occupied by an abutting use of land or structures for storage or display purposes or to provide any parking or loading space required by this Ordinance or for any other purpose that would obstruct the use or maintenance of the public right-of-way as determined by the County Engineer and in accordance with Iowa Code Chapter 318.
- F. Proposed Use or Structure Not Covered in Ordinance.** Any proposed use or structure not covered in this Ordinance as a principal, accessory, conditional, or temporary use or structure shall be referred to the Zoning Commission for a recommendation as to the proper district in which such use or structure should be permitted and the Ordinance amended as provided in Section 5.4 Text Changes and Amendments before a permit is issued for such proposed use or structure.
- G. Buildings to have Access.** Unless alternate access is specifically approved by official action of the Board of Supervisors, every building hereafter erected shall be on a lot or parcel having access to the public road system as determined by the County Engineer as follows:
 - 1. Direct access to a public road via an entrance constructed in accordance with a permit issued by the appropriate authority or via a legally established entrance already in use for a residence;
 - 2. Direct access to a private road established and approved as part of an approved and recorded subdivision plat; or
 - 3. Access as in items “a” or “b” above, but indirectly by means of an individual private access easement, as defined.

For subdivision lots created by plats filed after October 21, 1999, no permit for construction shall be issued without submittal of an inspection report signed by the County Engineer indicating the driveway entrance has been constructed in accordance with applicable plans and specifications or that the inspection requirement was waived for this lot by the Board of Supervisors.

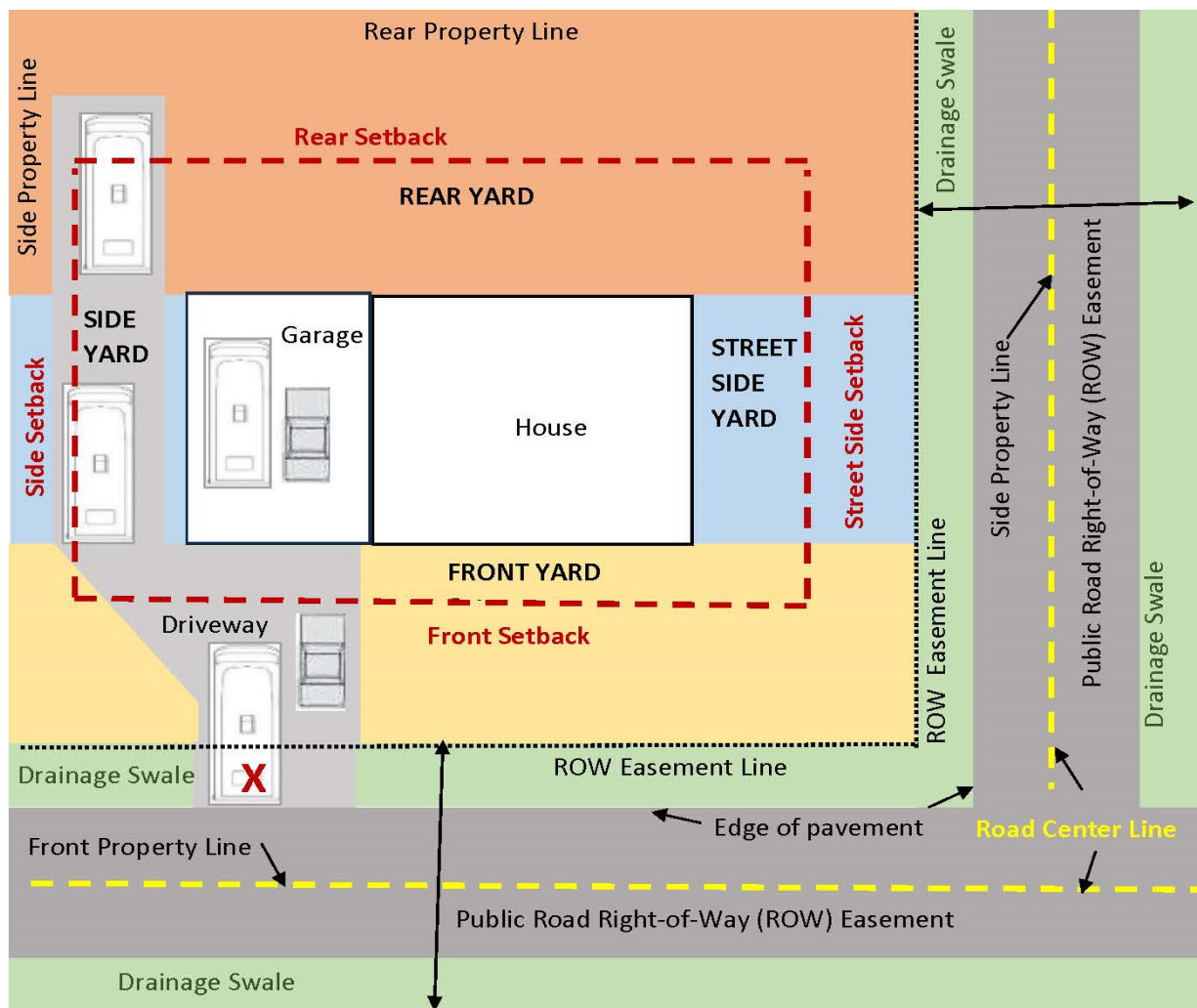
- H. Off-Street Parking, Stacking, Loading and Storage Provisions.** The provisions of this section shall apply to uses and structures within all zoning districts of the County. No such use or structure shall be commenced, expanded, or enlarged in any manner unless the provisions of this section are met. These provisions shall be in addition to the requirements set forth in Section 2.1 Schedules of District Regulations.
 - 1. Site Plan Required.** A site plan shall be required for the construction or creation of any off-street parking, stacking, loading, or storage facility, or the expansion of any existing off-street parking, storage, or loading facility, in conjunction with the procedures for application for a zoning permit in Chapter 3. Administration and Enforcement.
 - 2. Design Standards.**
 - a. Driveways, Entrances and Exits.** All driveways, entrances and exits for off-street parking, stacking, loading, and storage spaces shall be surfaced with not less than four (4) inches

of gravel or crushed stone or equally suitable material and shall comply with Subsection 2.8.G. Buildings to Have Access.

- b. 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 or drive aisles, permanently reserved for the temporary storage of one (1) vehicle and connected with a street or alley by a surfaced driveway which affords satisfactory ingress or egress for vehicles.
- c. Stacking Space. Stacking spaces shall be surfaced with not less than four (4) inches of gravel or crushed stone or equally suitable material, having a minimum dimension of not less than nine feet (9') wide by twenty feet (20') long and located in accordance with Section 2.1 Schedules of District Regulations.
- d. Loading Space. A space within the main building or on the same lot providing for the standing, loading or unloading of trucks and other larger vehicles, surfaced with not less than four (4) inches of gravel or crushed stone or equally suitable material, having a minimum dimension of twelve (12) by thirty-five (35) feet and vertical clearance of at least fourteen (14) feet.
- e. Accessible Parking for Persons with Disabilities. Parking for persons with disabilities shall be provided as required by Iowa Administrative Code 661.18 Parking for Persons with Disabilities. Such accessible parking spaces shall count toward meeting the off-street parking requirements of this Ordinance as set forth in Section 2.1 Schedules of District Regulations.

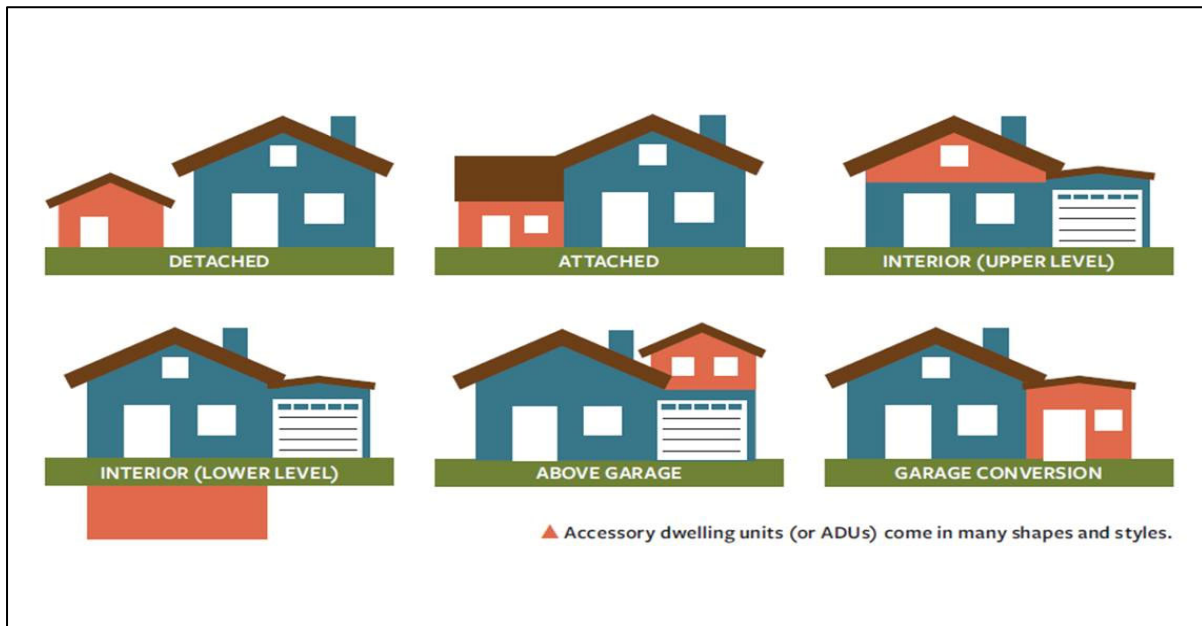
3. Location in Required Setbacks Allowed.

- a. Residential District. Any required parking space may be provided in any required front setback or in the first five (5) feet inside the property line of any required street side, side or rear setback in a residential district, but not in the public right-of-way as per Subsection 2.8.E (see Illustration).
- b. Non-Residential District. Any required parking, stacking, or loading space, driveway, or any allowed merchandise, display or exterior storage of vehicles, may be provided in any required front setback or in the first five (5) feet inside the property line of any required side or rear setback in a non-residential industrial district, but not in the public right-of-way as per Subsection 2.8.E.



Allowable Setback Parking in Residential Districts (Source: ECIA)

- I. **Existing Farm Dwellings.** Nothing in this Ordinance shall require any person or persons occupying a farm dwelling at the date of passage of this Ordinance to vacate the dwelling or involuntarily sever it from the remainder of the farm. If the dwelling is voluntarily severed from the farm to be used and maintained as a non-farm residence by the occupant or for sale or lease to others, it shall conform to the lot area and yard requirements of the district in which it is located.
- J. **Flag Lots.** Flag lots as defined in Chapter 6 shall be regulated by the Jackson County Subdivision Ordinance (see illustration).
- K. **Accessory Dwelling Unit.** The siting, design, and construction of an attached or detached accessory dwelling unit (ADU) on the same lot as a single-family residence in the A-1 Agricultural District and the R-1 Residential District shall be regulated in accordance with Iowa Code Section 331.301, Subsection 27 and the County regulations in this Section. For purposes of this Section, attached ADUs shall include interior (upper level or lower level), above garage (or other attached accessory structure) and attached garage conversion (see illustration).



Types of Accessory Dwelling Units (Source: Iowa State University Extension and Outreach, 2025)

1. **Definitions.** For purposes of this subsection, the definitions set forth in Iowa Code Section 331.301, Subsection 27.e. and in Chapter 6. Definitions shall apply.
2. **Maximum Number.** A maximum of one (1) ADU shall be allowed on the same lot as a single-family residence in accordance with Iowa Code Section 331.301, Subsection 27.a.(1) and Section 2.8.C. More Than One Principal Structure on a Lot.
3. **Maximum Size.** An ADU shall be no larger than floor area of the single-family residence on the same lot or one thousand (1,000) square feet, whichever is smaller, in accordance with Iowa Code Section 331.301, Subsection 27.b.(1) and Subsection 2.8.C. More Than One Principal Structure on a Lot.
4. **Development Regulations.** An ADU shall comply with the development regulations in related to the placement or height of a single-family residence as determined in accordance with Subsection 2.8.C. More Than One Principal Structure on a Lot and in accordance with Iowa Code Section 331.301, Subsection 27. b.
5. **ADU Permit Application.** The Zoning Administrator shall review and approve an ADU permit application in accordance with Iowa Code Section 331.301, Subsection 27.c. and in accordance with Chapter 3. Administration and Enforcement.
6. **Timing of Construction.** If the construction of an ADU is prior to the timing of the construction of the single-family residence on the same lot, the size and placement of the planned single-family residence must be reviewed by the Zoning Administrator and County Health Department. Before a Construction Compliance Certificate is issued for the ADU, all required permits for the

planned single-family residence must be on file with the Zoning Administrator in accordance with Chapter 3. Administration and Enforcement.

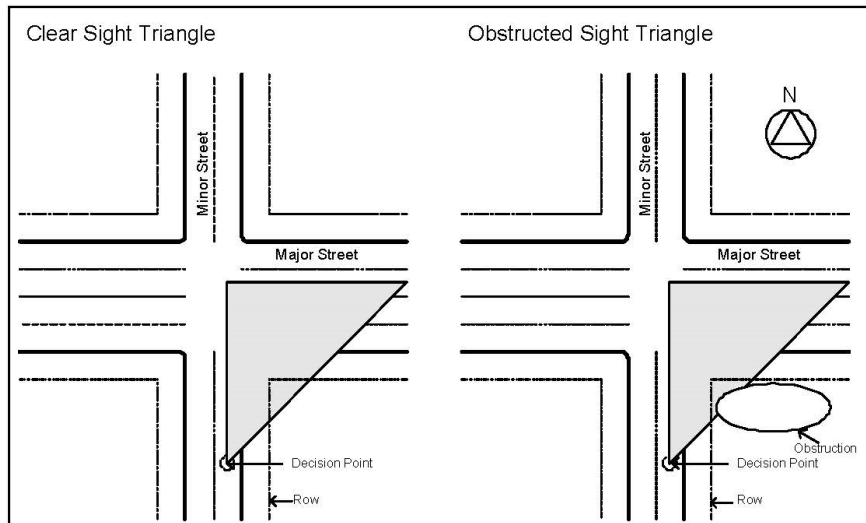
- L. Conversion of Existing Dwellings or Other Structures to a Two-Family Dwelling.** Conversion of existing dwellings or other structures to a two-family dwelling shall comply with Section 2.8.L. Accessory Dwelling Unit.

CHAPTER 2. ZONING DISTRICT REGULATIONS

2.8 Supplemental District Regulations. Subject to **Section 1.620 Farms Exempt**, the following provisions, regulations or exceptions shall apply equally to all districts except as hereinafter provided.

A. Visibility at Intersections and Entrances. ~~On a corner lot~~ In any district, no fence, wall, hedge or other planting or structure that will obstruct vision ~~at intersections or entrances between a height of two and one-half (2 1/2) feet and ten (10) feet above the centerline grades of the intersecting streets~~ shall be erected, placed or maintained within the ~~triangular area~~ sight triangle as determined by the County Engineer in accordance with the **Jackson County Secondary Roads Department Entrance Policy**, ~~formed by connecting the right-of-way lines at points which are twenty five (25) feet distance from the intersection of the right-of-way lines, and measured along the right-of-way lines, or within the triangular area formed by connecting the centerlines of the intersecting streets at points which are one hundred (100) feet from their point of intersection, whichever is greater.~~

Commented [LC1]: Recommend removing conflicting zoning regulations, and instead refer to the County Engineer, who enforces the Jackson County Secondary Roads Department Entrance Policy.



Clear versus Obstructed Sight Triangles (Source: *Iowa Project TR-455 Handbook of Simplified Practice Traffic Studies*: Iowa State University, 2002; p. 59)

A.B. Accessory Buildings. No accessory building shall be erected in any required front or side setback and no separate accessory buildings shall be erected within five (5) feet of any **rear** lot line. **See also development regulations for each zoning district in Chapter 2. Zoning District Regulations.**

B.C. More Than One Principal Structure on a Lot. In any district, more than one (1) principal structure housing ~~a permitted~~ **an allowed** principal use may be erected on a single lot provided that the ~~area, yard and other requirements~~ **development regulations for each zoning district in Chapter 2. Zoning District Regulations** of this Ordinance shall be met for each structure as though it were on an

individual lot; and any required water and sewage disposal facilities shall be installed as approved by the County Health Department. See also Section 2.8.L. Accessory Dwelling Unit.

G.D. **Height Regulation Exceptions.** The height limitations contained in the Schedules of development regulations for each zoning district in Chapter 2. Zoning District Regulations do not apply to grain storage bins, grain elevators, feed mills or to spires, belfries, cupolas, chimneys, antennas, water tanks, utility poles or towers, ventilators, elevator housing or other structures placed above the roof level and not intended for human occupancy.

D.E. **Use of Public Right-of-Way.** The Jackson County Secondary Road Department possesses an easement in order to maintain the road for public usage. The amount of right-of-way varies from road to road. No portion of the public road, street or alley right-of-way shall be used or occupied by an abutting use of land or structures for storage or display purposes or to provide any parking or loading space required by this Ordinance or for any other purpose that would obstruct the use or maintenance of the public right-of-way as determined by the County Engineer and in accordance with Iowa Code Chapter 318.

F. **Proposed Use or Structure Not Covered in Ordinance.** Any proposed use or structure not covered in this Ordinance as a permitted principal, accessory, use or special exception conditional, or temporary use or structure shall be referred to the Zoning Commission for a recommendation as to the proper district in which such use or structure should be permitted and the Ordinance amended as provided in Section 3-25.4 Text Changes and Amendments before a permit is issued for such proposed use or structure.

E.G.

Buildings to have Access. Unless alternate access is specifically approved by official action of the Board of Supervisors, every building hereafter erected shall be on a lot or parcel having access to the public road system as determined by the County Engineer as follows:

1. Direct access to a public road via an entrance constructed in accordance with a permit issued by the appropriate authority or via a legally established entrance already in use for a residence;
2. Direct access to a private road established and approved as part of an approved and recorded subdivision plat; or
3. Access as in items "a" or "b" above, but indirectly by means of an individual private access easement, as defined.

For subdivision lots created by plats filed after October 21, 1999, no permit for construction shall be issued without submittal of an inspection report signed by the County Engineer indicating the driveway entrance has been constructed in accordance with applicable plans and specifications or that the inspection requirement was waived for this lot by the Board of Supervisors.

H. **Off-Street Parking, Stacking, Loading and Storage Provisions.** The provisions of this section shall apply to uses and structures within all zoning districts of the County. No such use or structure shall be commenced, expanded, or enlarged in any manner unless the provisions of this section are met. These provisions shall be in addition to the requirements set forth in Section 2.1 Schedules of District Regulations.

1. Site Plan Required. A site plan shall be required for the construction or creation of any off-street parking, stacking, loading, or storage facility, or the expansion of any existing off-street parking, storage, or loading facility, in conjunction with the procedures for application for a zoning permit in Chapter 3. Administration and Enforcement.

2. Design Standards.

a. **Driveways, Entrances and Exits.** All driveways, entrances and exits for off-street parking, stacking, loading, and storage spaces shall be surfaced with not less than four (4) inches of gravel or crushed stone or equally suitable material and shall comply with Subsection 2.8.G. Buildings to Have Access.

b. **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 or drive aisles, permanently reserved for the temporary storage of one (1) automobile-vehicle and connected with a street or alley by a surfaced driveway which affords satisfactory ingress or egress for automobiles/vehicles.

Commented [LC2]: Based on current definition

c. **Stacking Space.** Stacking spaces shall be surfaced with not less than four (4) inches of gravel or crushed stone or equally suitable material, having a minimum dimension of not less than nine feet (9') wide by twenty feet (20') long and located in accordance with Section 2.1 Schedules of District Regulations.

d. **Loading Space.** A space within the main building or on the same lot providing for the standing, loading or unloading of trucks and other larger vehicles, surfaced with not less than four (4) inches of gravel or crushed stone or equally suitable material, having a minimum dimension of twelve (12) by thirty-five (35) feet and vertical clearance of at least fourteen (14) feet.

Commented [LC3]: Based on current definition

e. **Accessible Parking for Persons with Disabilities.** Parking for persons with disabilities shall be provided as required by Iowa Administrative Code 661.18 Parking for Persons with Disabilities. Such accessible parking spaces shall count toward meeting the off-street parking requirements of this Ordinance as set forth in Section 2.1 Schedules of District Regulations.

3. Parking Location in Required Setbacks Allowed.

a. **Residential District.** No Any required parking space required by this Ordinance shall may be provided in any required front-yard setback or in the first five (5) feet inside the property line of any required street side, side or rear setback in a residential district, but not in the public right-of-way as per Subsection 2.8.E (see Illustration) and no

b. **Non-Residential District.** Any required parking, stacking, or loading space, driveway, or any allowed merchandise, display or exterior storage of vehicles, shall may be provided in any required front yard-setback or in the first five (5) feet inside the property line of any

~~as stated above. The flagpole portion shall be excluded from the calculation of lot area for the purposes of this Ordinance only.~~

Compliance With Other County Development Requirements. Applications for Construction and/or Occupancy Compliance Certificates shall not be considered complete until the Zoning Administrator has ascertained that the development proposed is in compliance with other County development requirements as noted below.

1. Provisions of Jackson County Ordinances relating to Flood Plain Management and Tall Structures near airports have been fully met.
2. The land parcel cited in the application was created in compliance with the Jackson County Subdivision Ordinance.
3. All permits required by the County Health Department for water wells and wastewater treatment systems have been properly applied for and means of compliance have been identified.
4. Proper application has been made for a rural address, where appropriate.

K. Accessory Dwelling Unit. The siting, design, and construction of an attached or detached accessory dwelling unit (ADU) on the same lot as a single-family residence in the A-1 Agricultural District and the R-1 Residential District shall be regulated in accordance with Iowa Code Section 331.301, Subsection 27 and the County regulations in this Section. For purposes of this Section, attached ADUs shall include interior (upper level or lower level), above garage (or other attached accessory structure) and attached garage conversion (see illustration).

Commented [LC4]: Recommend this be moved to Chapter 3. Admin and Enforcement, where it's a better fit.

Commented [LC5]: Iowa Code Chapter 331 County Home Rule Implementation, Section 301 General powers and limitations, NEW SUBSECTION 27. See attachment.



Types of Accessory Dwelling Units (Source: Iowa State University Extension and Outreach, 2025)

1. **Definitions.** For purposes of this subsection, the definitions set forth in Iowa Code Section 331.301, Subsection 27.e. and in Chapter 6. Definitions shall apply.

- 2. Maximum Number.** A maximum of one (1) ADU shall be allowed on the same lot as a single-family residence in accordance with Iowa Code Section 331.301, Subsection 27.a.(1) and Section 2.8.C. More Than One Principal Structure on a Lot.
- 3. Maximum Size.** An ADU shall be no larger than floor area of the single-family residence on the same lot or one thousand (1,000) square feet, whichever is smaller, in accordance with Iowa Code Section 331.301, Subsection 27.b.(1) and Subsection 2.8.C. More Than One Principal Structure on a Lot.
- 4. Development Regulations.** An ADU shall comply with the development regulations in related to the placement or height of a single-family residence as determined in accordance with Subsection 2.8.C. More Than One Principal Structure on a Lot and in accordance with Iowa Code Section 331.301, Subsection 27. b.
- 5. ADU Permit Application.** The Zoning Administrator shall review and approve an ADU permit application in accordance with Iowa Code Section 331.301, Subsection 27.c. and in accordance with Chapter 3. Administration and Enforcement.
- 4.6. Timing of Construction.** If the construction of an ADU is prior to the timing of the construction of the single-family residence on the same lot, the size and placement of the planned single-family residence must be reviewed by the Zoning Administrator and County Health Department. Before a Construction Compliance Certificate is issued for the ADU, all required permits for the planned single-family residence must be on file with the Zoning Administrator in accordance with Chapter 3. Administration and Enforcement.

K.L. Conversion of Existing Dwellings or Other Structures to a Two-Family Dwelling. Conversion of existing dwellings or other structures to a two-family dwelling shall comply with Section 2.8.L. Accessory Dwelling Unit.

Commented [LC6]: Currently a conditional use (special exception) in A-1 District. Recommend move to accessory use subject to ADU regulations for review and approval by Zoning Administrator.



August 12, 2025

Becca Pflughaupt, Interim Zoning Administrator
Jackson County Zoning Department
201 West Platt Street
Maquoketa, IA 52060

RE: Zoning Ordinance Update – Section 2.9 H. CUPs and I. Special Requirements (08-05-25)

Dear Becca,

Attached is information regarding Section 2.9 H. CUPs and I. Special Requirements (08-05-25) for the Zoning Ordinance Update for review and approval by the Zoning Commission at their August 18, 2025 meeting.

Discussion

In the current ordinance Special Exception Uses and Structures and Special Requirements are listed in each district. Since the Commission has reviewed marked-up versions of the CUPs with review of each zoning district, there is no REDLINE version for these amendments. Attached is the CLEAN version that shows the proposed restructure. Major updates are as follows:

- Special Exceptions have been renamed to Conditional Uses and Structures. They require approval of a Conditional Use Permit (CUP) by the Board of Adjustment.
- These CUPs have been consolidated into Section 2.9, Subsection H. The Special Requirements have reduced to the small Subsection I.
- A set of General Provisions is established as overarching requirements to reduce repetition.
- Conditional Uses and Structures are listed within the same major land use categories as found in Section 2.1 Schedule of District Regulations for easier comparison and reference.
- Most development regulations are listed in the individual zoning district.
- Most off-street parking, stacking, and loading requirements are now in Section 2.1.C. of the Ordinance.

Recommendation

The Commission is asked to review Section 2.9 H. CUPs and I. Special Requirements (08-05-25), and then to provide direction to staff for moving forward with the proposal. Please let me know if you have any questions. Thank you.

Sincerely,

Laura Carstens, Senior Planner

Attachments

CHAPTER 2. ZONING DISTRICT REGULATIONS

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

H. Requirements for Conditional Uses and Structures. The following provisions shall apply to all conditional uses and structures in all zoning districts in the unincorporated areas of the County:

- 1. General Provisions.** All conditional uses and structures shall comply with the following Sections of this Ordinance, unless provided otherwise in this section:
 - a. **Section 2.1 Schedule of District Regulations**, including but not limited to the minimum off-street parking, stacking, and loading requirements.
 - b. The development regulations for each zoning district in **Chapter 2. Zoning District Regulations**.
 - c. **Section 2.8 Supplemental Regulations**.
 - d. **Section 2.9 Application of District Regulations**, including but not limited to sign regulations.
 - e. **Chapter 3. Administration and Enforcement**, including but not limited to compliance with county, state, and federal development requirements.
 - f. **Section 4.5. Conditional Use Permits**. In granting special uses which pose a potential threat to the health, safety and well-being of persons or property in the area, the Board of Adjustment shall consider the location and proximity of existing and proposed residential areas, schools, places of public assembly and any other pertinent factors and shall require that adequate safeguards be taken to minimize the potential danger. In the event adequate safeguards and precautions cannot be met or complied with, the Board of Adjustment shall not grant approval for such use.
 - g. Specific requirements set forth below by land use category for conditional uses and structures.

2. RESIDENTIAL CATEGORY

- a. **Mobile home parks on tracts of five (5) acres or more**, provided that:
 - i. Each mobile home space has a minimum area of three thousand five hundred (3,500) square feet.
 - ii. The mobile home park has a maximum density of eight (8) units per acre.
 - iii. 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.
 - iv. 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.
 - v. In addition to the requirements listed elsewhere in this ordinance, the Board of Adjustment shall also consider:
 - (1) 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.
 - (2) The suitability of the site for the proposed development with special attention to topography, subsurface conditions and the availability of necessary utility services.

(3) The availability of schools, police protection, fire protection and other community services; and the adequacy of streets and highways serving the area.

- b. Mobile home subdivisions on tracts of ten (10) acres or more**, provided that:
 - i. The subdivision complies with the **Jackson County Subdivision Regulations**.
 - ii. 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.
 - iii. Each lot is connected to a community or municipal water supply and sewage disposal system.
 - iv. No lot sold or leased may be used for other than an independent mobile home or mobile home converted to real estate.
- c. Multiple family dwellings, including residential condominiums**, provided that:
 - i. Such units are located no further than five (5) miles by normal travel routes from the nearest fire station.
 - ii. Such units maintain a maximum density of one (1) dwelling unit per two (2) acres.
 - iii. The maximum number of dwelling units per structure shall not exceed eight (8).

3. EDUCATION AND ASSEMBLY CATEGORY

- a. Adult day care center**, provided that the operation complies with **Iowa Administrative Code Chapter 481.70 Adult Day Services**. For purposes of this Zoning Ordinance, Adult Day Care shall be regulated as a Family Home as defined herein. See Family Home.
- b. Child care center**, provided that the operation complies with **Iowa Chapter 237A** and **441 Iowa Administrative Code Chapter 110**.
- c. Child development home**, provided that the operation complies with **Iowa Chapter 237A** and **441 Iowa Administrative Code Chapter 110**.
- d. Preschool**, provided that the operation complies with **Iowa Code Section 256.2**.

4. COMMERCIAL CATEGORY

- a. Agricultural sales, service, and supply businesses.**
- b. Airport and landing fields** approved by the Federal Aviation Agency.
- c. Animal hospital/Veterinary Clinic.**
- d. Building materials and distribution/Lumber yard sales and distribution.**
- e. Bulk storage and retail distribution of anhydrous ammonia fertilizer under pressure and petroleum products under pressure**, provided that:
 - i. In A-1 Agricultural Districts, such use is located not closer than one thousand (1,000) feet to any school, church or place of public assembly.

- ii. In C-1 Highway Commercial Districts and in M-1 Limited Industrial Districts, such use is located not closer than one thousand (1,000) feet to any existing dwelling other than that of the owner or operator or any park, school, church or place of public assembly.
- f. **Bulk storage of oils, petroleum, flammable liquids and chemicals and the wholesale, but not retail, storage and distribution of anhydrous ammonia fertilizer and petroleum products under pressure**, provided that such use is located not closer than one thousand (1,000) feet to any existing dwelling other than that of the owner or operator or any park, school, church or place of public assembly.
- g. **Car Wash.**
- h. **Cemeteries**, provided that the applicant shall submit a site plan for the proposed development that shows provision for off-street parking.
- i. **Commercial cell communications station and tower – Existing**, provided that in accordance with the **Iowa Code 8C Iowa Cell Siting Act**, the request is for the following:
 - i. “Existing tower” or “existing base station” means a tower or base station that has been reviewed and approved under the applicable zoning or siting process, or under another state or local regulatory review process. “Existing tower” includes a tower that was not reviewed and approved because it was not in a zoned area when it was built and lawfully constructed.
 - ii. “*Substantial change*” means a change in the existing support structure which results in one or more of the following:
 - (1) Increase in the height of a tower
 - (2) Increase in the height of existing support structures
 - (3) Addition of an appurtenance to the body of the tower
 - (4) Addition of an appurtenance to an existing support structure
 - (5) Installation of any new equipment cabinets
 - (6) Installation of ground cabinets that are more than ten percent larger
 - (7) Excavation or deployment outside the current site
 - (8) Defeat of concealment elements of the existing support structure
 - (9) Noncompliance with conditions associated with the siting approval
 - iii. They are not closer to a dwelling, place of public assembly, or the boundary of the parcel owned or leased for the purpose a distance equal to the one and a half (1.5) times the height of the tower.
 - iv. They will not interfere with the operation of any airport or landing strip.
 - v. The Zoning Administrator shall provide direct notification to all landowners within one (1) mile of the of the property lines of the cell station and/or tower sites.
 - vi. Review by the Board of Adjustment shall comply with the **Iowa Code 8C Iowa Cell Siting Act**.
 - vii. The Board of Adjustment may approve a tower over the height of four-hundred (400) feet above average ground level (AGL) upon a showing of good cause and with FCC and FAA approval if required.

- viii. No Construction Compliance Certificate shall be issued until evidence is provided that a communication service provider has contracted for space on the tower and that proper access has been approved from the public road system.

j. Commercial cell communications station and tower – New, provided that in accordance with the **Iowa Code 8C Iowa Cell Siting Act**, the request is for the following:

- i. *“Initial placement or installation”* means the first time that transmission equipment is placed or installed on a wireless support structure.
- ii. They are not closer to a dwelling, place of public assembly, or the boundary of the parcel owned or leased for the purpose a distance equal to the one and a half (1.5) times the height of the tower
- iii. They will not interfere with the operation of any airport or landing strip.
- iv. Base screening and camouflage techniques are used unless prohibited by Federal Aviation Agency (FAA) regulations. The maximum total height of the tower shall be four-hundred (400) feet above average ground level (AGL).
- v. Towers and transmission equipment shall not be illuminated unless required to conform to Federal Communications Commission (FCC), FAA, or other State or federal requirements. If lighting is required, the lighting alternative or design chosen shall cause the least disturbance to surrounding views and/or surrounding properties. Security lighting may be provided around the base of a tower if zero cut-off luminaries with a maximum mounting height of twelve (12) feet are used to limit lighting to the tower site. Aircraft detection lighting system (ADLS) shall be provided unless prohibited by FAA regulations.
- vi. The Discontinuation, Catastrophic Failure, and Decommissioning regulations in the **Jackson County WECS Ordinance** shall apply to new station and tower sites.
- vii. The Zoning Administrator shall provide direct notification to all landowners within one (1) mile of the of the property lines of the cell station and/or tower sites.
- viii. Review by the Board of Adjustment shall comply with the **Iowa Code 8C Iowa Cell Siting Act**.
- ix. The Board of Adjustment may approve a tower over the height of four-hundred (400) feet above AGL upon a showing of good cause and with FCC and FAA approval if required.
- x. No Construction Compliance Certificate shall be issued until evidence is provided that a communication service provider has contracted for space on the tower and that proper access has been approved from the public road system.

k. Event Venue.

l. Garden center in conjunction with nursery.

m. Home Industry, provided that:

- i. Any proposed home-based business not specifically prohibited by this ordinance or Iowa Code and that employs two (2) or more persons who do not reside on the premises herein shall be considered as the conditional use of “Home Industry”, and may be granted or denied by the Board of Adjustment upon finding that the proposed home industry can meet the provisions of this section and **Section 4.5** of this Ordinance.

- ii. For purpose of this section, a home industry shall operate as a “no impact home-based business” as defined and regulated by this section and **Iowa Code Section 335.35**, with the exception of **Iowa Code Section 335.35 Subsections 1.c.(1) and 1.c.(2) (c).**
- iii. The business activities shall be characterized by all of the following:
 - (1) is conducted on a residential premises, inside or adjacent to the dwelling and/or customary accessory structures, and
 - (2) is carried on by a member of the family residing in the dwelling unit, and
 - (3) is clearly secondary to the use of the dwelling unit for residential purposes, and
 - (4) has no exterior display, no exterior storage of materials and no other exterior indication of the home industry 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
 - (5) does not occupy an area greater than the floor area of the dwelling unit, and
 - (6) is compatible with residential use of the property and surrounding residential use.
- n. Livestock market sales.**
- o. Mini-Warehouse/Rental storage unit.**
- p. Mobile home/Manufactured home sales, service or repair.**
- q. Wind energy conversion system: commercial**, provided that the operation complies with the **Jackson County Wind Energy Conversion System (WECS) Ordinance.**

6. RECREATION CATEGORY

- a. Indoor Commercial Recreation, including recreational lodges with a maximum of ten (10) units**, provided that:
 - i. The applicant shall submit a site plan for the proposed development that shows that shows the provision of necessary incidental services, sanitation and recreation facilities and what measures will be taken to minimize adverse effects the proposed development might have on the environs.
 - ii. Vehicular access for the indoor commercial recreation shall be approved by the County Engineer and shall not travel across or through a platted subdivision or leased-land community.
 - iii. No building or structure shall be located within fifty (50) feet of a Residential District.
- b. Commercial campgrounds and recreational vehicle (RV) parks on less than 5 acres of developed area**, provided that the applicant shall submit a site plan for the proposed development that shows:
 - i. What measures will be taken to minimize adverse effects the proposed development might have on the environs.
 - ii. Provision of necessary incidental services, sanitation and recreation facilities as follows:
 - (1) The maximum number of campsites shall be four (4) per acre.
 - (2) Vehicular access for the campground shall be approved by the County Engineer and shall not travel across or through a platted subdivision or land-lease community.

- (3) Based on the campground development type as defined in this Ordinance, any required water and sewage disposal facilities shall be approved by the County Health Department.
- (4) No campsite shall be located within fifty (50) feet of a Residential District.
- (5) Recreation facilities shall be limited to passive recreation activities only.

c. Commercial campgrounds, recreational vehicle (RV) parks, and tourist camps on sites of at least five (5) acres, provided that the applicant shall submit a site plan for the proposed development that shows provision of necessary incidental services, sanitation and recreation facilities as follows:

- i. The maximum number of campsites and/or cabins shall be fifteen (15) per acre.
- ii. Vehicular access for the campground shall be approved by the County Engineer and shall not travel across or through a platted subdivision or leased-land community.
- iii. Based on the campground development type as defined in this Ordinance, any required water and sewage disposal facilities shall be approved by the County Health Department.
- iv. No campsite or cabin shall be located within fifty (50) feet of a Residential District.
- v. Recreation facilities may include both active and passive recreation activities.

d. Golf courses and clubhouses not including miniature courses operated for a profit, provided that:

- i. The applicant shall submit a site plan for the proposed development that shows that shows the provision of necessary incidental services, sanitation and recreation facilities and what measures will be taken to minimize adverse effects the proposed development might have on the environs.
- ii. Vehicular access for the campground shall be approved by the County Engineer and shall not travel across or through a platted subdivision or leased-land community.
- iii. No clubhouse shall be located within fifty (50) feet of a Residential District.

e. Outdoor Commercial Recreation, on site of less than five (5) acres, provided that:

- i. The applicant shall submit a site plan for the proposed development that shows that shows the provision of necessary incidental services, sanitation and recreation facilities and what measures will be taken to minimize adverse effects the proposed development might have on the environs.
- ii. Vehicular access for the campground shall be approved by the County Engineer and shall not travel across or through a platted subdivision or leased-land community.
- iii. No building or structure shall be located within fifty (50) feet of a Residential District.

f. Private campground on site of less than five (5) acres, provided that:

- i. There shall be no on-site sewage disposal.
- ii. There shall be only non-commercial operation for use by family and friends of the owner without payment or other consideration.

g. Seasonal resorts, which include three (3) or more seasonal dwellings, provided that the following requirements be met:

- i. The seasonal dwellings are rented or leased or located on land that is rented or leased for such seasonal dwellings, including uses and structures clearly accessory and incidental thereto.
- ii. Where served by a central sewage collection and treatment system or a central water distribution system, an area of not less than ten thousand (10,000) square feet shall be provided for each dwelling unit, and the minimum yard requirements shall be ten (10) feet for all yards.
- iii. Where neither central sewage collection or central water systems are provided, or where an individual lot or dwelling is severed from the development, such lot shall meet the development regulations of the A-1 Agricultural District as a separate lot.
- iv. The applicant shall submit a plan for the proposed development showing the locations or seasonal dwellings, proposed utilities and other facilities including an all-weather road designed to serve the development during its season of use including emergency vehicles. The plan shall be accompanied by a statement from the applicant that the development is for seasonal dwellings only and not for dwellings for year-round occupancy other than that of the owner or operator of the resort.

h. Youth or Summer Camps, provided that:

- i. The applicant shall submit a site plan for the proposed development that shows that shows the provision of necessary incidental services, sanitation and recreation facilities and what measures will be taken to minimize adverse effects the proposed development might have on the environs.
- ii. Vehicular access for the indoor commercial recreation shall be approved by the County Engineer and shall not travel across or through a platted subdivision or leased-land community.
- iii. No building or structure shall be located within fifty (50) feet of a Residential District.

7. INDUSTRIAL CATEGORY

a. Animal feeding operation, provided that:

- i. Such use is not closer than one thousand (1,000) feet to any dwelling unit other than that of the owner or operator, and any park, school, church or place of public assembly.
- ii. That adequate provision for drainage, sanitation and waste disposal are provided.

b. Auto wrecking and junkyards on sites of 5 acres or more, provided that:

- i. The front yard shall be maintained as an open space free of weeds and debris.
- ii. The site shall be enclosed with a fence or a suitable landscape planting that will screen the operation from the view of adjacent public streets and places of public assembly, parks, recreation areas and residential properties.

c. Data Processing Center, provided that the operation complies with the Jackson County Data Processing Centers Ordinance.

d. Manufacturing and processing (limited by Section 2.6.D. of this Ordinance), provided that:

- i. The uses are not closer than one thousand (1,000) feet to any dwelling unit other than that of the owner or operator, or any park, school, church or place of public assembly.
- ii. The uses are limited to the following:
 - (1) Chemical plants

- (2) Explosives manufacture or storage
- (3) Fertilizer manufacturing
- (4) Garbage, offal, or dead animal reduction or dumping
- (5) Gas manufacture
- (6) Refining of petroleum and natural gas and their products
- (7) Stockyard or slaughter of animals
- (8) Asphalt plants (permanently placed)

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

- i. The applicant shall submit a site plan for the proposed development that shows:
 - (1) The location of planned structures and facilities.
 - (2) What measures will be taken to minimize adverse effects the proposed development might have on the environs.
 - (3) Whereby the land so used would be restored by the applicant to a condition compatible with the surrounding area upon conclusion of the operations.
- ii. Access to a public road shall not cause a real or potential traffic hazard as determined by the County Engineer. If the site is accessed by a gravel road, a performance bond approved by the County Engineer shall be posted to ensure repair of damage to the haul route.
- iii. Such operation shall be located:
 - (1) At least fifty (50) feet from any property line or public road right-of-way.
 - (2) At least five hundred (500) feet from any dwelling, park, or institutional use.

f. Ready mix concrete plants, permanently placed on quarry sites, provided that:

- i. The applicant shall submit a site plan for the proposed development that shows:
 - (1) The location of planned structures and facilities.
 - (2) What measures will be taken to minimize adverse effects the proposed development might have on the environs.
 - (3) Whereby the land so used would be restored by the applicant to a condition compatible with the surrounding area upon conclusion of the operations.
- ii. Access to a public road shall not cause a real or potential traffic hazard as determined by the County Engineer. If the site is accessed by a gravel road, a performance bond approved by the County Engineer shall be posted to ensure repair of damage to the haul route.
- iii. Such operation shall be located:
 - (1) At least fifty (50) feet from any property line or public road right-of-way.
 - (2) At least five hundred (500) feet from any dwelling, park, or institutional use.

g. Solar energy system: utility-scale freestanding. *Reserved.*

h. Solid Waste Facilities, provided that:

- i. The applicant shall submit a site plan for the proposed development that shows:
 - (1) The location of planned structures and facilities.
 - (2) What measures will be taken to minimize adverse effects the proposed development might have on the environs.
 - (3) Whereby the land so used would be restored by the applicant to a condition compatible with the surrounding area upon conclusion of the operations.

- ii. Prior to the issuance of compliance certificates, evidence shall be provided to the Zoning Administrator that the use will comply with applicable state and local environmental and transportation regulations.
- iii. Access to a public road shall not cause a real or potential traffic hazard as determined by the County Engineer. If the site is accessed by a gravel road, a performance bond approved by the County Engineer shall be posted to ensure repair of damage to the haul route.
- iv. Such operation shall be located:
 - (1) At least fifty (50) feet from any property line or public road right-of-way.
 - (2) At least five hundred (500) feet from any dwelling, park, or institutional use.

8. OTHER USES

a. Addition of accessory structure to principal structure devoted to legal nonconforming use.

I. Special Requirements for Commercial and Industrial Districts. The following provisions shall apply to uses and structures in the commercial and industrial zoning districts as set forth below:

- i. Lighting. Overhead or area light fixtures shall be located and focused so as to avoid casting direct light upon any adjacent residential property.
- ii. Water Supply and Sewage Disposal. Prior to the issuance of a certificate for any use in this district, the applicant shall submit plans for water supply and sewage disposal including anticipated water usage and shall provide satisfactory evidence to the County Health Department that such facilities, including sewage lagoons, where needed, are adequate for the proposed development. Water supply and sewage disposal facilities shall be approved by the County and State Health Departments where required.
- iii. Screening of Exterior Storage in C-1 Highway Commercial Districts and M-1 Limited Industrial Districts. No raw material, finished product or waste product which may cause dust or odor which would adversely affect adjoining properties shall be stored outside a building nor shall any other debris or waste product be permitted to accumulate on the site. Exterior storage or display established after the effective date of this provision, other than display of vehicles used offered for sale, shall be screened from public view by means of distance, topography, fencing, or vegetation as approved by the Zoning Administrator.



August 13, 2025

Becca Pflughaupt, Interim Zoning Administrator
Jackson County Zoning Department
201 West Platt Street
Maquoketa, IA 52060

RE: Zoning Ordinance Update – Revised Draft of Section 2.1 Schedule of District Regulations (08-13-25)

Dear Becca,

Attached is the revised draft of Section 2.1 Schedule of District Regulations (08-13-25) for the Zoning Ordinance Update for review and approval by the Zoning Commission at their August 18, 2025 work session.

Discussion

Section 2.1 Schedule of District Regulations has been expanded to use tables and refer to other sections to provide for a more user-friendly layout of regulations and additional resources. The Commission reviewed and approved the draft at their meeting on July 21, 2025.

Subsequently, we discussed the need for greater clarification. Consequently, additional clarifying language has been added to the initial subsections (see pages numbered 1-3), and a new Subsection 2.1.D. Schedule of Development Regulations has been added to the end (see pages numbered 17-25) to augment the sparse regulations in the current ordinance.

Since the Commission reviewed the initial REDLINE draft of this whole Section 2.1, and the new subsection is almost entirely new, a REDLINE version is not included. Instead, attached is the CLEAN version of the proposed changes with commentary. Major updates are as follows:

- The initial subsections are updated with the intent that they serve as a guide for the step-by-step review process for a zoning inquiry.
- Provisions are added to explain the scope and context of development regulations, again with the intent that they serve as a guide for review and more consistent interpretation.

Recommendation

The Commission is asked to review and approve the draft of Section 2.1 Schedule of District Regulations (08-13-25) 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 black ink, appearing to read 'Laura Carstens', is written over a light blue horizontal line.

Laura Carstens, Senior Planner

Attachments

CHAPTER 2. ZONING DISTRICT REGULATIONS

2.1 Schedules of District Regulations. The following schedules of zoning district regulations are hereby adopted and declared to be a part of this ordinance.

A. Schedule of Zoning Districts. A zoning district is a section of the unincorporated areas of Jackson County in which zoning regulations and standards are uniform. **Table A.1. Schedule of Zoning Districts** lists the symbol and name of each zoning district. The A-1, R-1, C-1, M-1 and M-2 zoning districts each include a statement of intent; regulations for allowed principal, accessory, conditional, and temporary uses and structures; development regulations; allowed signs; and required off-street parking, stacking and loading spaces. The PUD zoning district includes a statement of intent and special requirements. These symbols shall be used on the Official Zoning Map (see **Chapter 1. General Provisions**).

Table A.1. Schedule of Zoning Districts	
Symbol	Name
A-1	Agricultural
R-1	Residential
C-1	Highway Commercial
M-1	Limited Industrial
M-2	General Industrial
PUD	Planned Unit Development

Commented [LC1]: Added language about PUDs and Official Zoning Map.

B. Schedule of Land Uses and Structures. Land uses and structures in each zoning district are allowed as Farm Exempt, Principal, Accessory, Conditional, Temporary, or Not Allowed, subject to special standards and processes. **Table B.1. Schedule of Land Uses and Structures** lists the symbol and the name of each type of land use and structure. Examples of uses and structures also are listed.

Table B.1. Schedule of Land Uses and Structures			
Symbol	Type	Examples of Uses	Examples of Structures
F	Farm Exempt	Agriculture, Nursery	Barn, Greenhouse
P	Principal	Residential, Education	Single-family dwelling, School building
A	Accessory	Garden, Parking	Fence, Porch, Garage, Parking lot, Sign
C	Conditional	Bulk storage, Mining	Storage tanks, Processing equipment
T	Temporary	Construction site	Construction trailer
N	Not Allowed	Industry in R-1 district	Concrete plant in R-1 district

Commented [LC2]: Examples added to table for greater clarity.

- 1. Application.** The standards listed in this Section apply to development on all parcels in the unincorporated areas of the County upon the effective date of this Zoning Ordinance. In accordance with **Section 2.10 Nonconformities**, existing uses and structures that do not comply shall be subject to the requirements of **Section 2.10**. Planned Unit Developments (PUDs) may have flexibility in these development requirements, subject to the PUD approval process. Additional requirements.

Commented [LC3]: Added language about PUDs

- 2. Types of Uses and Structures.** Within zoning districts in the unincorporated areas of County, different types of uses and structures are allowed with different conditions and levels of

permission. These uses and structures are displayed in **Table B.2. Matrix of Principal and Conditional Uses and Structures**. Levels of permission include:

- a. **Farm Exempt Uses and Structures.** In accordance with **Section 1.20 Farms Exempt**, farms as defined in **Chapter 6** of this Ordinance shall be exempt from any regulation or requirement adopted under the provisions of this Ordinance; however, this Ordinance may apply to any structure, building, dam, construction, deposit or excavation in or on the floodplains of any river or stream in accordance with the Jackson County Floodplain Management Ordinance. Farm exempt uses and structures are indicated in **Table B.3. Matrix of Farm Exempt, Accessory, and Temporary Uses and Structures** by a “F” in the applicable cell.

Commented [LC4]: New general category to more clearly identify farm exempt use and structures. Definition of Farm revised to refer to relevant Iowa Code and Iowa Administrative Code sections. See recommendations for **Farm Definition**

b. **Principal Uses and Structures.**

- i. A “principal use” refers to the primary or main purpose for which a particular piece of land, building, or structure is used. A “principal structure” refers to the main building on a property in terms of size, area, and function, or a building where the principal use of the site is conducted.
- ii. Principal uses and structures are permitted by right, subject to compliance with all regulations of this Ordinance. “Permitted by right” means a property owner can use their land or structure for a specific purpose as outlined in the Zoning Ordinance, without needing special permission or discretionary approval, in contrast to conditional uses and structures, which require Board of Adjustment review and approval.
- iii. Principal uses and structures may subject to issuance of a zoning permit by the Zoning Administrator, and other applicable regulations in the Jackson County Code of Ordinances. Principal uses and structures may be subject to additional regulations in **Chapter 6**, **Section 2.8**, and **Section 2.9** of this Ordinance. These uses and structures are indicated in **Table B.2. Matrix of Principal and Conditional Uses and Structures** by a “P” in the applicable cell.

Commented [LC5]: Additional explanation for greater clarity.

c. **Accessory Uses and Structures.**

- i. An “accessory use” is a subordinate and incidental use of land that is located on the same lot as the principal use or structure and customarily associated with it. It is a use that is supportive of, related to, and dependent on, the primary activity on the property. An “accessory structure” is a subordinate and incidental building or structure located on the same lot as the principal use or structure and devoted to an accessory use.
- ii. An accessory use or structure cannot exist independently; it relies on the presence and function of the principal use, except as provided otherwise, such as with Alternative Residential Regulations (see **Subsection 2.1.B.2.g. below**).
- iii. Accessory uses and structures are allowed subject to compliance with all regulations of this Ordinance. Accessory uses and structures may be subject to issuance of a zoning permit by the Zoning Administrator, and other applicable regulations in the Jackson County Code of Ordinances. Accessory uses and structures may be subject to additional regulations in **Chapter 6**, **Section 2.8**, and **Section 2.9** of this Ordinance. These uses and

Commented [LC6]: Additional explanation for greater clarity.

Commented [LC7]: Notes the exception to the rule for pre-1976 residential subdivisions.

structures are indicated in **Table B.3. Matrix of Farm Exempt, Accessory, and Temporary Uses and Structures** by an “A” in the applicable cell.

d. **Conditional Uses and Structures.**

- i. These uses and structures are subject to a review process to ensure they are compatible with the surrounding area and comply with specific conditions outlined in this Ordinance. They require approval of a Conditional Use Permit by the Board of Adjustment following the procedure set forth in **Section 4.5 Conditional Use Permit**, and are subject to compliance with all regulations of this Ordinance.
- ii. Conditional uses and structures may be subject to issuance of a zoning permit by the Zoning Administrator, and other applicable regulations in the Jackson County Code of Ordinances. Conditional uses and structures may be subject to other additional regulations in **Chapter 6, Section 2.8**, and **Section 2.9** of this Ordinance. These uses and structures are indicated in **Table B.2. Matrix of Principal and Conditional Uses and Structures** by a “C” in the applicable cell.

Commented [LC8]: New name for special exception uses and structures

Commented [LC9]: Additional explanation for greater clarity.

- e. **Temporary Uses and Structures.** These uses and structures are allowed only on a temporary basis subject to compliance with all regulations of this Ordinance. Temporary uses and structures may be subject to issuance of a zoning permit by the Zoning Administrator, and other applicable regulations in the Jackson County Code of Ordinances. Temporary uses and structures may be subject to other additional regulations in **Chapter 6, Section 2.8**, and **Section 2.9** of this Ordinance. These uses and structures are indicated in **Table B.3. Matrix of Farm Exempt, Accessory, and Temporary Uses and Structures** by a “T” in the applicable cell.

Commented [LC10]: Moved into new category for approval by Zoning Administrator instead of Board of Adjustment

- f. **Not Allowed Uses and Structures.** These uses and structures are not allowed in the specific zoning district. These uses and structures are indicated in **Table B.2. Matrix of Principal and Conditional Uses and Structures** and in **Table B.3. Matrix of Farm Exempt, Accessory, and Temporary Uses and Structures** by an “N” in the applicable cell.

Commented [LC11]: The Zoning Commission requested that this classification be added to the matrix.

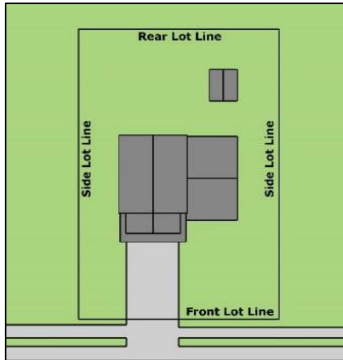
g. **Standard and Alternative Residential Regulations.**

- i. Subdivisions and individual lots were platted in the County’s unincorporated areas prior to the effective date of the first Jackson County Zoning Ordinance on May 6, 1976. Alternative regulations and requirements have been established to better reflect and accommodate their historical and existing development and land uses patterns. Some of these older subdivisions may have an active property owners' association (POA).
- ii. The following subcategories for levels of permission were developed to accommodate existing and future development on parcels platted before May 6, 1976. Residential - Standard regulations apply in all A-1 and R-1 Districts for principal and accessory uses and structures while Residential - Alternative regulations only apply to subdivisions and lots platted before May 6, 1976. Residential – Alternative regulations and Residential - Standard regulations are shown for principal uses and structures in **Table B.2. Matrix of Principal and Conditional Uses and Structures** and for accessory uses and structures in **Table B.3. Matrix of Farm Exempt, Accessory, and Temporary Uses and Structures**.

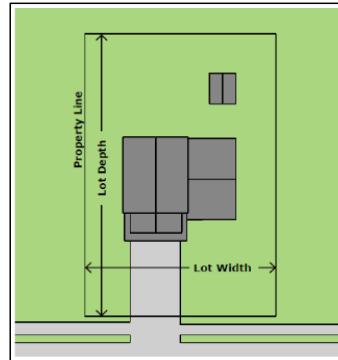
D. Schedule of Development Regulations. Development regulations refer to dimensional zoning requirements that control the size and placement of buildings, uses, and structures on a property for the underlying zoning district. They establish minimum lot area and width, minimum yards and setbacks from property lines, and maximum building height, subject to other required approvals in accordance with Chapter 3. Administration and Enforcement. They shape the physical dimensions of a structure and its relationship to the surrounding land. Development Regulations are set forth in each zoning district for principal, accessory, conditional, and temporary uses. Subject to Section 1.20 Farms Exempt, Section 4.5 Conditional Use Permit, and Chapter 6. Definitions, the following provisions, regulations, or exceptions shall apply equally to allowed land uses and types in all zoning districts as hereinafter provided. Planned Unit Developments (PUDs) may have flexibility in these requirements, subject to the PUD approval process.

1. **Measurement of Lot Area and Width.** As defined in Chapter 6 of this Ordinance, a lot needs to be large enough to accommodate buildings and other structures while also meeting minimum standards for setbacks, open space, and other zoning requirements. Minimum lot area and width are intended to manage land use and ensure public health with the provision of adequate water supply and sewage disposal systems. A lot served by a private well and septic system generally requires more lot area and width than a lot served by a community or municipal water supply and sewage disposal system. Minimum lot area and width may be required by the County Health Department to provide adequate sewage disposal facilities, which may require compliance with Iowa Administrative Code Chapter 49. Nonpublic Water Wells and Chapter 69. Private Sewage Disposal Systems.
 - a. **Lot Area** is the total horizontal area included within the lot lines forming 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 area generally is determined by multiplying lot depth by lot width (*see illustrations*).
 - b. **Lot Depth** is the mean horizontal distance between the front and rear lot lines.
 - c. **Lot Width** is the mean horizontal distance between the side lot lines.

Commented [LC30]: New Subsection created to provide guidance on development regulations. Current regulations are scattered in definitions, merely implied, or entirely absent.



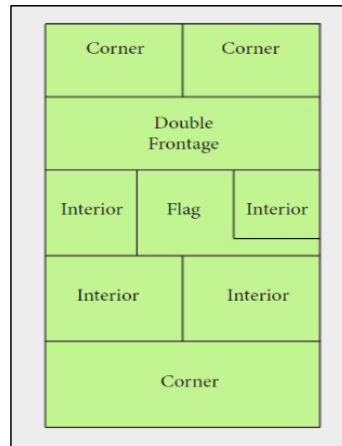
Types of Lot Lines (Source: ECIA)



Lot Depth and Width (Source: ECIA)

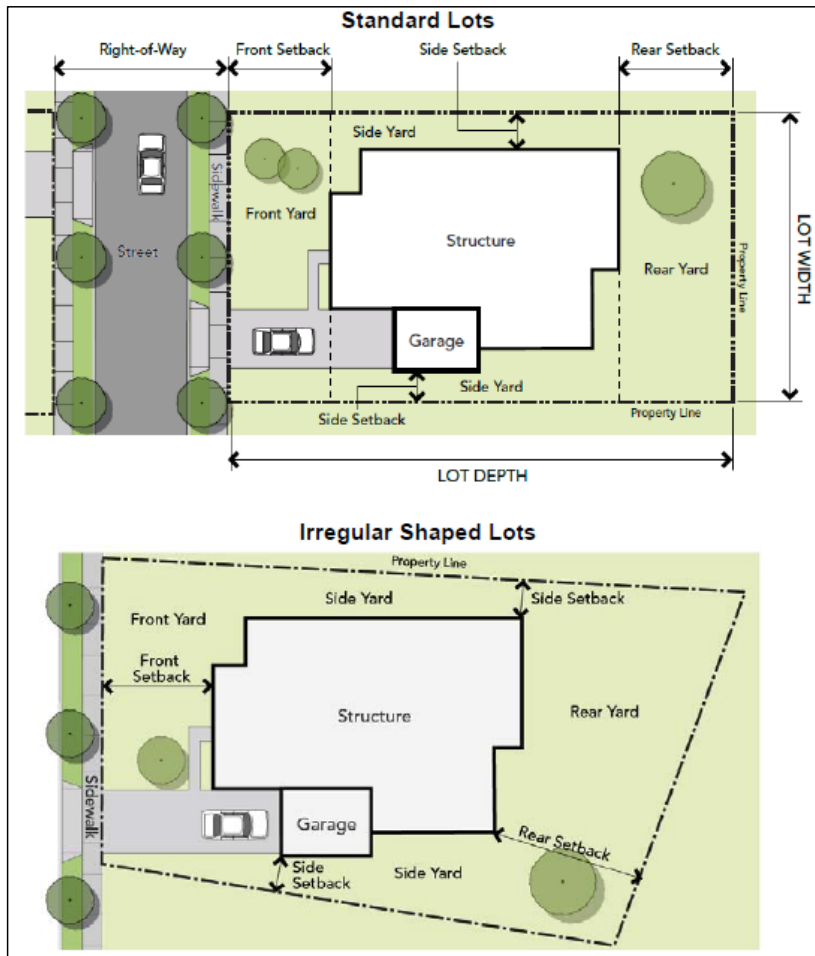
- d. **Types of Lots.** While standard lots are rectangular or square in shape, variations in lot shape and lot frontage can result in different types of lots. Lot frontage is all the sides of a lot that abut a street right-of-way or roadway easement (*see illustration*).

- (1) **Corner Lot.** A lot abutting upon two (2) or more streets at their intersection.
- (2) **Double Frontage Lot.** A lot which fronts on two parallel streets, or which fronts upon two streets which do not intersect at the boundaries of the lot.
- (3) **Flag Lot.** 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.
- (4) **Interior Lot.** A lot other than a corner lot or a double frontage lot.



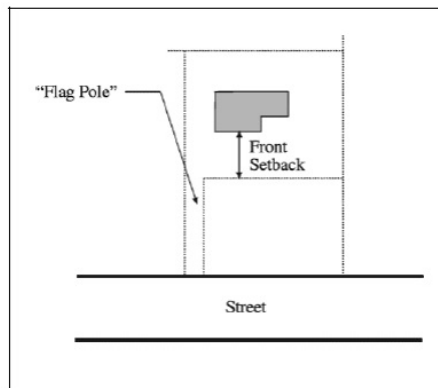
Types of Lots (Source: ECIA)

2. **Measurement of Required Setbacks.** As defined in Chapter 6 of this Ordinance, a setback is the minimum horizontal distance between the closest part of a building or structure and a lot line. The diagrams below provide examples of how front, side, and rear setbacks are measured on standard lots and irregular lots. Specific provisions follow.



Examples of Measuring Setback on Standard and Irregular Lots
(Source: Arcadia, CA 2025)

- a. **Front Setback** shall be measured at right angles from the nearest point on the front lot line of the parcel to the closest part of the structure, establishing a setback line parallel to the front lot line, which extends between the side yards, except as follows:
- (1) Corner and Double Frontage Lots. The measurement shall be taken from the closest part of the structure to the nearest point of the lot line abutting the street which provides the street address of the site.
 - (2) Owner's Choice -- Corner and Double Frontage Lots. The front setback 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. If these lot dimensions are equal, the owner may elect to front their building on either lot line.
 - (3) Flag Lots. For a parcel with a fee ownership strip extending from a street or right-of-way to the building area of the parcel, the front setback measurement shall be taken from the closest part of the structure to the point where the access strip ("flag pole") meets the bulk of the parcel along a continuous line, establishing a parallel setback line (see illustration).

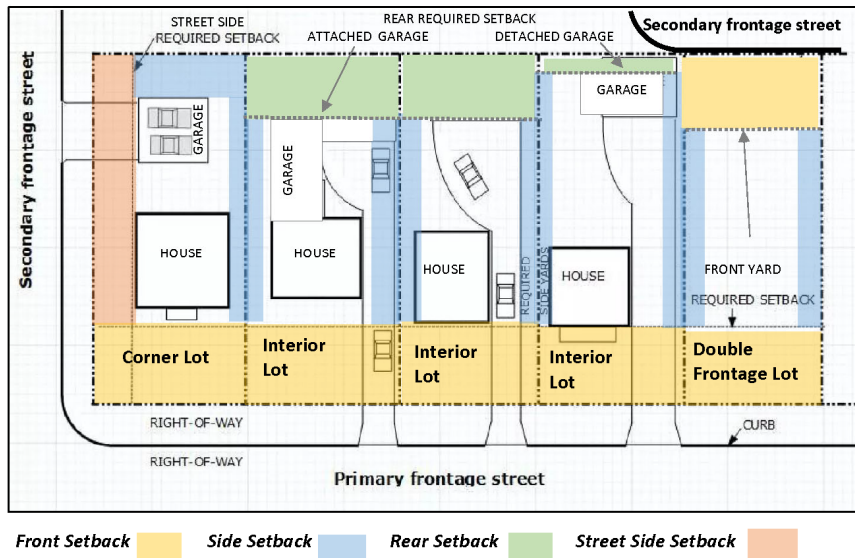


Measuring Flag Lot Setbacks
(Source: Pismo Beach, CA 2025)

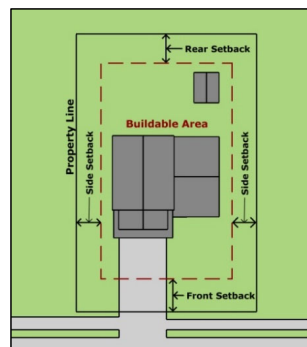
- b. **Rear Setback** shall be measured at right angles from the nearest point on the rear lot line to the closest part of the structure, establishing a setback line parallel to the rear lot line which extends between the side yards, except there shall be no rear yard on a corner lot.
- c. **Side Setback** shall be measured at right angles from the nearest point on the side lot line of the parcel to the closest part of the structure; establishing a setback line parallel to the side lot line, which extends between the front and rear setbacks.
- d. **Street Side Setback** shall be measured at right angles from the nearest point of the side lot line bounding the street, or the easement for a private road, to the nearest point of the structure as follows.
- (1) On the street side of a corner lot, the street side setback shall extend from the required front setback to the rear lot line (see illustration).
 - (2) On the street sides of a double frontage lot, the side yards shall extend between the two (2) required front yards and there shall be no rear yard, unless the owner chooses a front yard as described above in Subsection 2.1.D.2.a.(1).

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

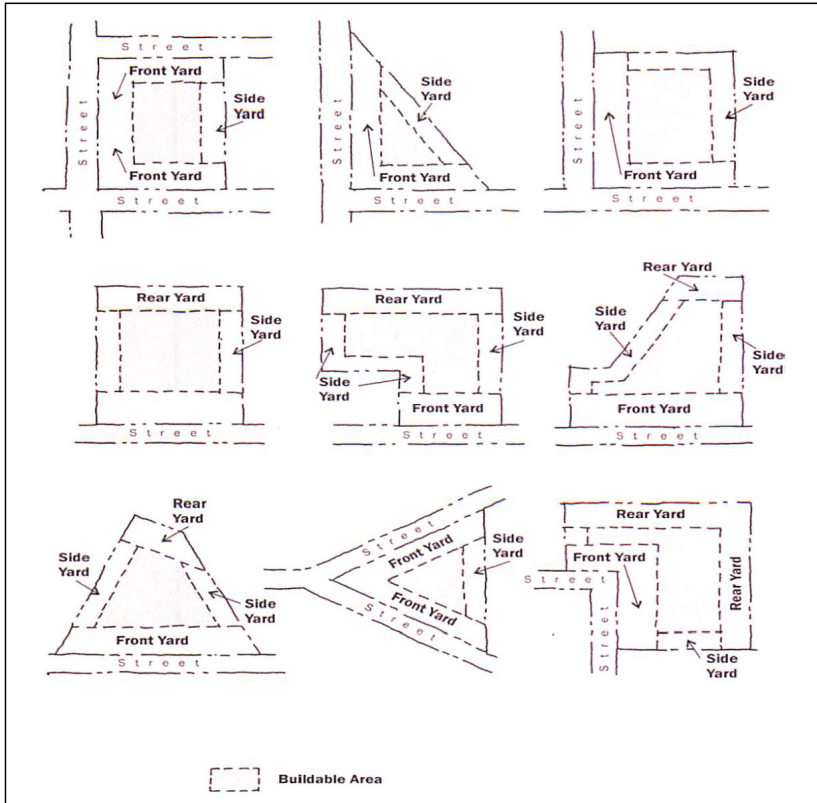
(Source: City of Columbus, OH accessed 2024)



- e. **Special Setback.** If a lot configuration is oriented so that neither the term "side yard" nor the term "rear yard" clearly applies, the Zoning Administrator shall require a "special 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 buildable areas.
- f. **Buildable Area** is the portion of a lot remaining after all required front, side, and rear setbacks have been provided (see illustration on right). On corner and double frontage lots, and lots with special setbacks, the buildable area can take many shapes (see illustration below).



Buildable Area on Standard Lot
(Source: ECIA)



Types of Setbacks and Buildable Area on Corner and Double Frontage Lots, and Lots with Special Setbacks (Source: Gun Barrel City, TX accessed 2025)

3. **Encroachments Allowed Within Required Setback Area.** As defined in Chapter 6 of this Ordinance, a setback encroachment is the extension or placement of a structure or architectural feature into a required setback area. The following encroachments may be located within an otherwise required setback, provided they are used in conjunction with a use or structure allowed in the underlying zoning district, and provided that their location complies with Section 2.8.A. Visibility at Intersections and Entrances of this Ordinance.

a. Allowable Encroachments by Land Use and Zoning District.

- (1) All principal, accessory, conditional, and temporary uses and structures in any Zoning District on lots platted on or after May 6, 1976: None; must comply with the required setbacks.

Commented [LC31]: Current ordinance: "the projection of the usual uncovered steps, uncovered balconies or uncovered porch." Staff's assumption is that "uncovered" means without a roof. No guidance is provided as to how to measure or regulate projections.

- (2) All principal, accessory, conditional, and temporary uses and structures in a C-1, M-1, or M-2 Zoning District on lots platted on or after May 6, 1976: None; must comply with the required setbacks.
- (3) All accessory and temporary uses and structures in an A-1 or R-1 Zoning District on lots platted before May 6, 1976: None; must comply with the required setbacks.
- (4) All principal and conditional uses and structures in an A-1 or R-1 Zoning District on lots platted before May 6, 1976: As set forth in Table D.1 Allowable Encroachments in a Required Setback using the diagram of Setback Encroachments below.

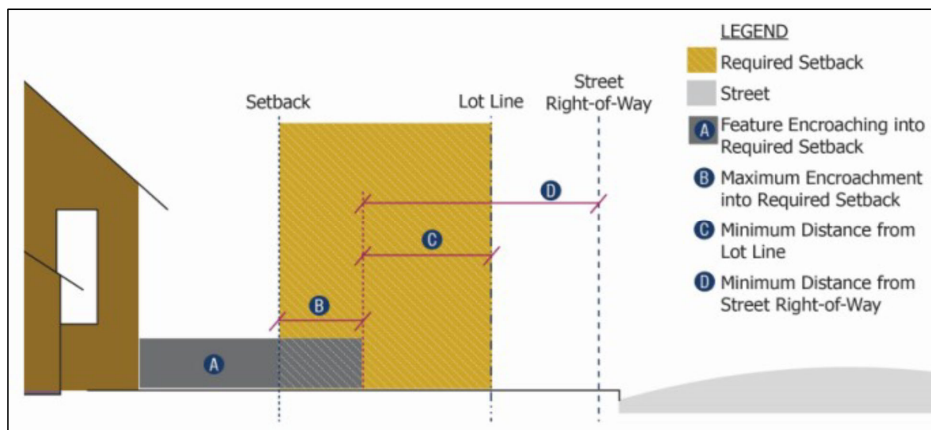


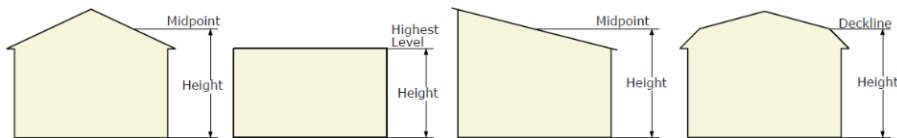
Diagram of Setback Encroachments (Source: Zebulon, NC 2025)

Table D.1 Allowable Encroachments in Required Setback			
A	B	C	D
Accessibility Features			
Fire escapes	Three (3) feet	Two (2) feet	Section 2.8.A.
Stairways that function as the principal means of access to dwelling units located on second floor or above	None	Required setbacks	Section 2.8.A.
Open-air access structures	Three (3) feet	Two (2) feet	Section 2.8.A.
Enclosed access structures	None	Required setbacks	Section 2.8.A.
Architectural Features	Three (3) feet	Two (2) feet	Section 2.8.A.
At-Grade Features	Three (3) feet	Two (2) feet	Section 2.8.A.
Fences and hedges used as fences	Section 2.8.N.	Section 2.8.N.	Section 2.8.A.
Landscaping	No limit	No limit	Section 2.8.A.
Driveways and Parking Features	Section 2.8.H.	Section 2.8.H.	Section 2.8.A.

b. Description of Features Encroaching into Required Setback

- (1) Accessibility Features. Accessibility features include steps, porch, stoop, deck, patio, stairway, fire escape, access ramp and similar features that function as a means of access to a structure.
- (2) Architectural Features. Awnings, shutters, canopies, arbors, trellises, balconies, bay windows, chimneys, cornices, sills, roof overhangs, eaves, gutters, and other similar features
- (3) At-Grade Features. Play equipment, outdoor furniture, ornamental entry columns and gates, flag poles, lamp posts, HVAC equipment, mailboxes, outdoor fireplaces, grills, ornamental pools, planting boxes, sculptures, birdbaths, and other customary yard accessories.
- (4) Fences and hedges used as fences. See Section 2.8. N. Fences and Hedges.
- (5) Landscaping. Other landscape plantings.
- (6) Driveways and Parking Features. See Section 2.8.H. Off-Street Parking, Stacking, Loading and Storage Provisions.

4. **Maximum Height.** Maximum height regulations are established to promote a reasonable building scale and relationship between buildings. Building height is measured as 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). Exceptions are found in Section 2.8. D. Height Regulation Exceptions.



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

5. Continuing Maintenance Required.

- a. All setbacks required by this Ordinance shall be provided and remain as open, unobstructed space.
- b. No part of a setback or open space required by this Zoning Ordinance for any structure shall be included as part of a setback or open space for any other structure, unless otherwise allowed by this Ordinance.
- c. The maintenance of any yard, setback, open space, minimum lot area, or off-street parking spaces required by this Ordinance shall be a continuing obligation of the owner of the property to which such requirements apply.

- d. No yard, setback, open space, lot area, or off-street parking area required by this Ordinance for any building, structure or use shall, by virtue of change of ownership or any other reason be used to satisfy any yard, setback, open space, lot area, or off-street parking area required for any other building, structure, or use, except as may be otherwise specifically provided in this Ordinance.
- e. In addition, no yard setback or lot existing at the effective date of this Ordinance shall be reduced in dimension or area below the minimum requirements set forth herein for the underlying zoning district, except as may be otherwise specifically provided in this Ordinance.



August 13, 2025

Becca Pflughaupt, Interim Zoning Administrator
Jackson County Zoning Department
201 West Platt Street
Maquoketa, IA 52060

RE: Zoning Ordinance Update – Revised Draft of Chapter 6. Definitions (08-13-25)

Dear Becca,

Attached is information regarding the revised draft of Chapter 6. Definitions (08-13-25) for review and approval by the Zoning Commission at their August 18, 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 for uses, structures and terms included in the Zoning Ordinance Update. Definitions that included regulations for lots and setbacks, have been relocated to Section 2.1.D. Schedule of Development Regulations.

Since the Commission reviewed the initial draft of Chapter 6 in February, they have seen revised definitions in various reports, such as campground zoning, adult and child daycare, and other. In addition, references to Iowa Code have replaced prior definitions to ensure that the definitions remain up to date with future Iowa Code revisions. Definitions for yards have been deleted since they are similar to setbacks and therefore confusing.

Recommendation

The Commission is asked to review the revised draft of Chapter 6. Definitions (08-13-25), and then to provide direction to staff for moving forward with the proposal.

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

Sincerely,

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

Laura Carstens
Senior Planner

Attachment

CHAPTER 6. DEFINITIONS

6.1 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). As defined and regulated in Iowa Code Section 331.301, Subsection 27 and Subsection 2.8.K. of this Ordinance.

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. See Section 2.1 of this Ordinance. See also Principal Use or Structure, and Conditional Use or Structure.

Adult Day Care Center. As defined and regulated in Iowa Administrative Code Chapter 481. For purposes of this Ordinance, Adult Day Care shall be regulated as a Family Home as defined herein. See Family Home.

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. Defined as “Agricultural Production” in Iowa Administrative Code 701—200.1(423). See also Animal Feeding Operation, Commercial Greenhouse, Livestock, and Farm.

Airport. A portion 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.

Animal Feeding Operation (AFO). As defined and regulated in Iowa Code Chapter 459 and Iowa Administrative Code Chapter 65. See Livestock Market.

Apartment. As defined in Iowa Code Section 499b.1.

Appeal. As defined and regulated in Iowa Code Section 335.15.1. An appeal may be granted by the Board of Adjustment in accordance with Section 4.4 of this Ordinance.

Asphalt Plant, Hot Mix. As defined and regulated by the Iowa Department of Natural Resources (DNR).

Auto Wrecking. Defined as “Vehicle Recycler” in Iowa Code Section 321H.2. See Junkyard.

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. As defined and regulated in Iowa Administrative Code 661-202.3(137C).

Bed and Breakfast Inn. As defined and regulated in Iowa Administrative Code 661-202.3(137C).

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

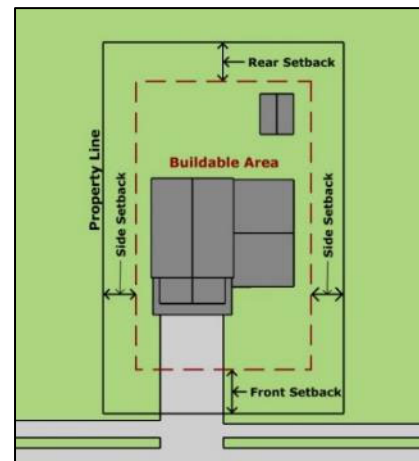
Board of Supervisors. The Board of Supervisors of Jackson County.

Boarding and Lodging Houses. As defined and regulated in Iowa Code Chapter 1350 Boarding Homes.

Buildable Area. The portion of a lot remaining after required yards and setbacks have been provided (see illustration. See Section 2.1.D. of this Ordinance.

Building or 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 or Structure 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 Subsection 2.1.D. of this Ordinance.



Buildable Area (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, Main or Primary. See Principal Use or Structure.

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 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 Storage. Distributing stations commonly known as bulk or tank stations used for the storage and retail or wholesale distribution of oils, petroleum, flammable liquids and chemicals, anhydrous ammonia fertilizer under pressure, petroleum products under pressure, or liquefied petroleum products.

Burial site: As defined and regulated in Iowa Code Chapter 523I.

Business. Any occupation, employment or enterprises wherein merchandise is exhibited or sold, or whereservices are offered for compensation. See General Retail, General Office, General Services, and Personal Services.

Campground. An area providing campsites for two (2) or more recreational vehicles, travel trailers, truck campers or tent camping for temporary occupancy with necessary incidental services, sanitation and recreation facilities, as defined by Iowa Code Section 557B.1 and Iowa Administrative Code 701—216.4(423). See Commercial Campground and Public Campground.

Campground, Commercial. A commercial campground is a business that provides designated areas for people to camp, typically involving a charge for use, and often offering amenities like tent camping, recreational vehicle hookups, cabins, and other recreational facilities. These campgrounds are privately owned or operated, typically by an individual, family, company or entity, but not a governmental agency. They seek to generate income from the land and its use, usually as a for-profit venture. They often offer themed experiences or tailored settings in rural, suburban, or urban areas near tourist attractions. They may offer a wide range of amenities from primitive to semi-developed to fully developed. They may be open to the general public or to select groups of people and/or organizations. See Public Campground.



Commercial Campground, Bellevue, Iowa (Source: Google Maps accessed 2025)

Campground Development Types. Campground may be developed in variations of these basic types.

1. A *primitive campground* is accessible only by walk-in, pack-in, or equestrian campers where no facilities are provided for the comfort or convenience of the campers.
2. A *semi-developed campground* is accessible by walk-in, pack-in, equestrian campers, or motorized vehicles where roads and rudimentary facilities (portable or pit toilets, fire pits) may be provided for the comfort or convenience of the campers.

3. A *developed campground* is accessible by vehicular traffic where campsites are substantially developed and facilities such as tables, flush toilets, showers, drinking water, refuse containers, and/or grills are provided at campsites or in service buildings. Some or all campsites may have individual water, sewer, and/or electrical connections.

Campground, Membership. As defined and regulated by Iowa Code Chapter 557B.

Campground, Personal. See Private Campground.

Campground, Private. A non-commercial campground for use by family and friends of the owner without payment or other consideration.

Campground, Public. A public campground is a designated area within a public park, forest, or other public land where the general public can camp for recreational or other purposes, often for a fee. These campgrounds are owned, operated, and/or managed by federal, state, county, or city governmental agencies. See Commercial Campground.



Public Campground. Spruce Creek County Park, Jackson County, Iowa. (Source: Google Maps accessed 2025)

Camping Unit. Any trailer, camper, recreational vehicle, tent, yurt, or similar structure established or maintained or operated in a campground as temporary living quarters for recreation, education, or vacation purposes.

Campsite. Any plot of land within a campground intended for exclusive occupancy by a camping unit.

Camp, Tourist. 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. These may include hunting and fishing camps. See Campground.

Camp, Youth or Summer. An establishment for the provision of indoor or outdoor activities with buildings, structures, and sanitary facilities and services, which may include overnight accommodations, designed for recreation and education of youth or other people, often on a seasonal basis. If secondary to the camp use, camp facilities may be used to provide meeting, recreation, or social facilities for a private association or group.

Car Wash. Mechanical facilities for the washing, waxing, drying, and vacuuming of private automobiles, vans, and light trucks, but not for commercial fleets. **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: As defined and regulated in Iowa Code Chapter 523I.

Child Care Center. As defined and regulated in Iowa Chapter 237A and 441 Iowa Administrative Code Chapter 110.

Child Care Home. As defined and regulated in Iowa Chapter 237A.

Child Development Home. As defined and regulated in Iowa Chapter 237A and 441 Iowa Administrative Code Chapter 110.

Commercial Communications Station. As defined and regulated in Iowa Code Chapter 8C Iowa Cell Siting Act.

Commercial Communications Tower. As defined and regulated in Iowa Code Chapter 8C.

Commercial Feedlot. See Animal Feeding Operation.

Commission. The Zoning Commission of Jackson County, Iowa.

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 Comprehensive Plan of Jackson County duly adopted in accordance with Iowa Code 18B.2.

Concrete Plant, Batch. As defined in Iowa Administrative Code 701-110.23 and regulated by the Iowa Department of Natural Resources and the Iowa Department of Transportation.

Concrete Plant, Ready Mix. See Concrete Plant, Batch.

Concrete Plant, Temporary. See Concrete Plant, Batch.

Conditional Use or Structure. A use or structure that would not be appropriate generally or without restriction throughout the zoning 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 allowed by the Board of Adjustment in accordance with Section 4.5 of this Ordinance. A conditional use or structure may be considered to be a principal uses or structure, or an accessory use or structure, which requires Board approval. See Section 2.1 of this Ordinance. See also Accessory Use or Structure, and Principal Use or Structure.

Condominium. Property defined and regulated by Iowa Chapter 499A or Iowa Code Chapter 499B.

Condominium, Residential. As defined and regulated in Iowa Code Chapter 499B. Residential condominiums shall be considered multiple-family dwellings for the purpose of this Ordinance. See also Multi-Family Dwelling and Apartment.

Construction Compliance Certificate. A written statement issued by the Zoning 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. See Chapter 3 of this Ordinance.

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

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). As defined and regulated by Iowa Code Chapter 499.

County. The unincorporated portions of Jackson County, Iowa.

Data Processing Center. See Jackson County Data Processing Center Ordinance.

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. As defined in Iowa Code Section 18B.2.

Dimensional Variance. As defined and regulated in Iowa Code Section 335.15.4. A variance may be granted by the Board of Adjustment in accordance with Section 4.6 of this Ordinance. See Variance.

District. See Zoning District.

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

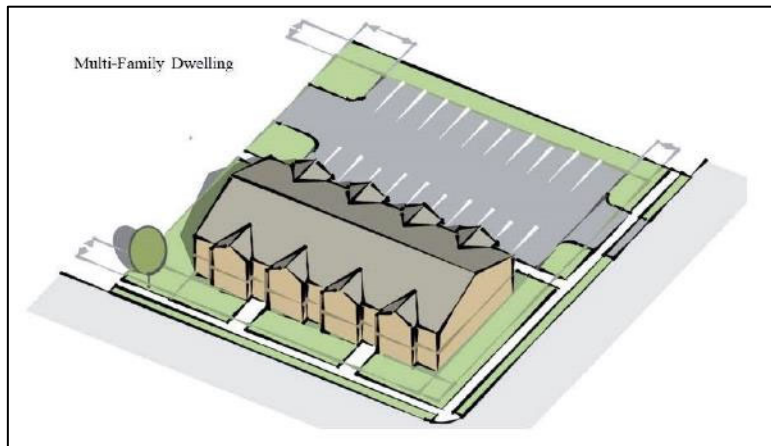
Driveway. A private roadway providing vehicle access between a property and a public street or other public roadway

Dwelling. As defined in Iowa Code Section 702.10.

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

Dwelling, Multiple-Family.

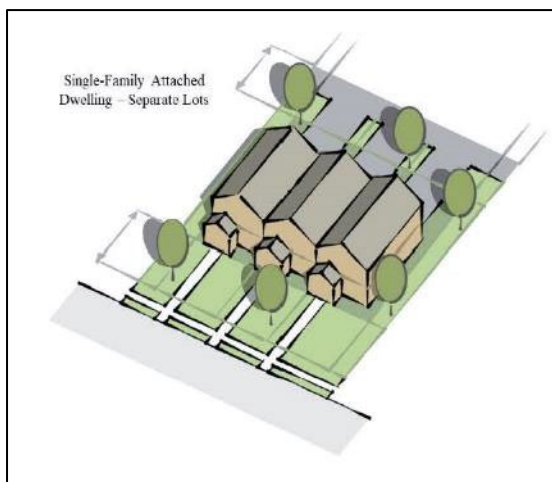
A “multiple-unit residential building” as defined in Iowa Administrative Code 661—201.16(10A) (see illustration). This definition shall not include mobile homes as herein defined.



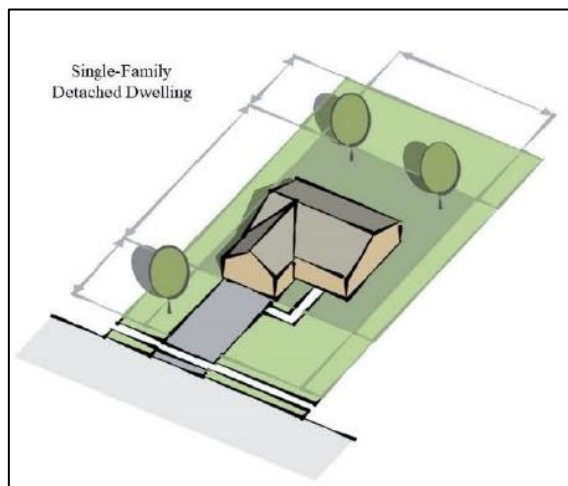
Multiple-Family Dwelling (Source: City of Dyersville, IA accessed 2023)

Dwelling, Single-Family. A building designed for or occupied by one (1) family and defined as a “single family residence” in Iowa Code Section 562A.6, Subsection 15. 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 completely separated by open space on all sides (see illustration).



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

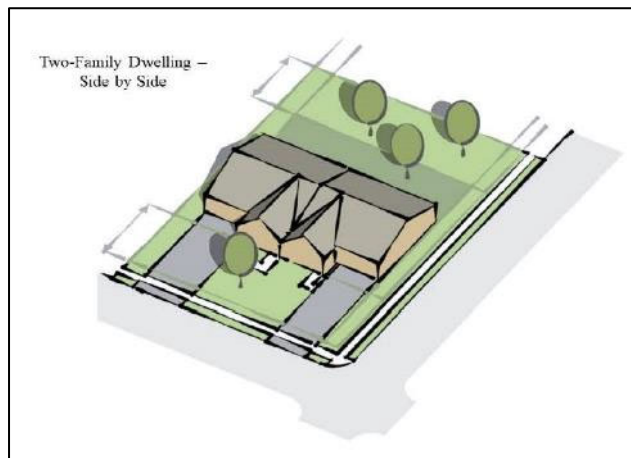


Single Family Detached Dwelling (Source: City of Dyersville, IA accessed 2023)

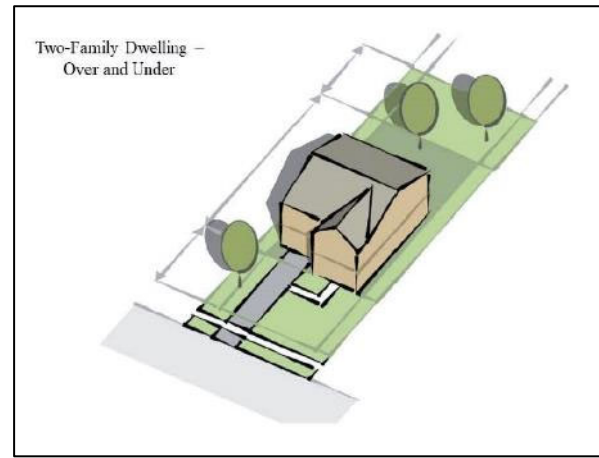
Dwelling, Townhouse. A building consisting of attached dwelling units, each extending from foundation to roof, with separate means of egress. Townhouses are typically not stacked and are limited to a maximum of three stories. This definition shall not include mobile homes as herein defined.

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. As defined in Iowa Code Section 562A.6, subsection 3.

Elder Group Home. As defined and regulated in Iowa Code Section 335.33. See Family Home.

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 are held; may also be regulated in Iowa Administrative Code Chapter 44.

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. See Event Venue.

Fairgrounds. As defined and regulated in Iowa Code Chapter 174 pertaining to county and district fairs.

Family. As defined in Iowa Administrative Code 441—130.1(234) Definitions.

Family Home. As defined and regulated in Iowa Code Section 335.25.

Farm. As defined and regulated in: Iowa Code Section 335.2 Farms exempt.; Iowa Code 352.2 Definitions for 4. “Farm,” 5. “Farmland,” 6. “Farm operation,” 7. “Farm products,” and 8. “Livestock;” Iowa Code Section 96.1A Definitions 16. g. (3) (f) for “farm;” Iowa Administrative Code 265—44.2 (16) Definitions for “Agricultural improvement,” “Agricultural land,” “Farm,” and “Farming;” and Iowa Administrative Code 871—23.26(96) Definition of “Farm.”

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. As defined in Iowa Code Section 352.2.

Farm Operation. As defined and regulated in Iowa Code Section 352.2.

Farm Products. As defined and regulated in Iowa Code Section 352.2.

Farm or Roadside 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 (18) inches 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. See Section 2.8. N. of this Ordinance.

Financial Institution. As defined in Iowa Code Section 535A.1. See General Services.

Fire Department. As defined in Iowa Code Section 233.1.

Fire Station. As defined in Iowa Code Section 233.1.

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.

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 an accessory structure.

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. See Mini-Warehouse.

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 with the intent of making money from the products grown, not solely for personal use or recreation.

Garden, Non-Commercial. A plot of ground where fruit, herbs, flowers, vegetables or other plants are grown for the personal use of the owner or tenant, and not intended for commercial production.

Garden Center. A retail or wholesale business used primarily to display nursery stock and/or allied products, which include but are not limited to garden supplies, lawn supplies, tools, equipment, fertilizers, sprays, insecticides or pottery. See Farm and Nursery.

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. As defined and regulated by Iowa Code 428.35 and Iowa Administrative Code 567—22.10(455B).

Grain Storage Bin. “Grain bin” as defined and regulated by Iowa Code Section 423.3(16A).

Greenhouse, Commercial. A structure used mainly for the raising of flowering, ornamental, or vegetable plants for sale in the ordinary course of business and to display and sell nursery stock or related products (like garden supplies). See Garden Center.

Greenhouse, Non-Commercial or Agricultural. A structure used mainly for the growing plants, nursery stock, or other agricultural or horticultural products for agricultural purposes, rather than operating as a retail sales outlet. See Agriculture and 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 (18) inches in height. See Section 2.8.N. of this Ordinance.

Home-Based Business. As defined and regulated in Iowa Code Section 335.35, and that employs members of the family residing on the premises and no more than one (1) other person who does not reside at the premises. See Section 2.8.M. of this Ordinance.

Home Industry. A business which complies with the requirements of a home-based business as defined in this Ordinance but employs more than one (1) other person who does not reside at the premises, and therefore requires a conditional use permit from the Board of Adjustment. See Home-Based Business.

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. As defined in Iowa Code Section 335.32. See Family Home.

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. See Agriculture.

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.

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.

Junkyard. As defined and regulated in Iowa Code Section 306C.1, and Iowa Administrative Code 761—116.1(306C). See Auto Wrecker.

Kennel. As defined and regulated in Iowa Code Chapter 162.

Land-Leased Community. As defined and regulated in Iowa Code 335.30A.

Library. As defined in Iowa Administrative Code 286—1.1(256).

Livestock. As defined in Iowa Administrative Code 701—200.1(423). See also Agriculture, Animal Feeding Operation, Commercial Greenhouse, and Farm.

Livestock Market. As defined in Iowa Code Section 172E.1, and regulated in Iowa Administrative Code 21—66.1(163). See Stockyard.

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.

Logging. As defined and regulated in Iowa Code Section 456A.36. Logging may also include the storage, processing, sale, and distribution of raw forest products as defined in Iowa Code section 321E.26.

Lot. A parcel of land with sufficient size to meet minimum zoning requirements for use, coverage, and area, including required yards and open space. It can be a single lot of record, a portion of a lot, or a combination of lots, and can also be described by “metes and bounds”, which uses specific measurements and angles to define the boundaries of the parcel. Additionally, in some contexts, "lot" can refer to a tract of land identified by number or letter on an official plat, or a parcel under one ownership against which a separate assessment is made. See also See Section 2.1.D. and Section 2.10 of this Ordinance and the Jackson County Subdivision Ordinance.

Lot Area. See Section 2.1.D. of this Ordinance.

Lot, Corner. See Section 2.1.D. of this Ordinance.

Lot Depth. See Section 2.1.D. of this Ordinance.

Lot, Double Frontage. See Section 2.1.D. of this Ordinance.

Lot, Flag. See Section 2.1.D. of this Ordinance.

Lot Frontage. See Section 2.1.D. of this Ordinance.

Lot, Interior. See Section 2.1.D. of this Ordinance.

Lot Line. See Section 2.1.D. of this Ordinance.

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. See Jackson County Subdivision Ordinance.

Lot Width. See Section 2.1.D. of this Ordinance.

Lot, Through. See Lot, Double Frontage.

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. See Welding.

Manufactured Home. As defined in Iowa Code Section 435.1 and regulated in Iowa Code Section 335.20.

Manufacturer. As defined in Iowa Code section 423.3(47).

Manufactured Home Community. As defined in Iowa Code Section 435.1. See Land-Leased Community.

Mini-Warehouse. Defined as “mini-storage” in Iowa Administrative Code 701—211.14(423).

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. As defined in Iowa Code Section 435.1 and regulated in Iowa Code Section 335.20.

Mobile Home or Manufactured Home Converted To Real Property. A mobile home or manufactured home may be converted to real property pursuant to Iowa Code Section 435.26.

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. As defined in Iowa Code Section 435.1.

Modular Home. As defined in Iowa Code Section 435.1.

Museum. As defined by Iowa Code Chapter 305B.2.

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. See Section 2.10 of this Ordinance.

Nonconforming Structure. A structure or portion thereof which was lawful when established but which does not conform to this Zoning Ordinance or subsequent amendments. See Section 2.10 of this Ordinance.

Nonconforming Use. A use lawful when established but which does not conform to this Zoning Ordinance or subsequent amendments. See Section 2.10 of this Ordinance.

Nursery. As defined in Iowa Administrative Code 21—46.5(177A). See Agriculture, Farm, and Garden Center.

Occupancy Compliance Certificate. A written statement issued by the Zoning 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 Zoning Administrator. See Chapter 3 of this Ordinance.

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. As defined in Iowa Code Section 562A.6.

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 enclosed in the main building or in any accessory building, or unenclosed, permanently reserved for the temporary storage of one (1) vehicle 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. 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. As defined and regulated in Iowa Code Section 256.2.

Principal Use or Structure. A “principal use” refers to the primary or main purpose for which a particular property, building, or structure is used. A “principal structure” refers to the main building or structure on a property in terms of size, area, and function, or a building where the principal use of the site is conducted. See Section 2.1 of this Ordinance. See also Accessory Use or Structure, and Conditional Use or Structure.

Processing. As defined in Iowa Administrative Code 701—215.15(3).

Property. As defined in Iowa Code 702.14.

Quarry, Active. As defined and regulated in Iowa Code Chapter 208, Iowa Code Chapter 353, and Iowa Administrative Code 567 Chapter 60.

Recreation, Active. These activities typically require physical alteration of the existing site and some constructed facilities. Active recreation often involves organized activities usually performed with others, requiring equipment, and taking place at prescribed places, sites, or fields. This type of recreation usually has high vehicle trip generation, intensive use, and/or the potential for greater nuisance to adjacent properties due to noise, light, glare, or odor. Examples include but are not limited to swimming pools, court games, field sports, ball courts, golf courses, and playgrounds. See Passive Recreation.

Recreational Lodge. A day-use or short-term lodging facility whose primary appeal is its rural and/or natural setting, with direct access to public or private recreational land.

Recreational Vehicle (RV). A park model recreational vehicle or a towable recreational vehicle as defined and regulated by Iowa Code Section 322C.2. See Travel Trailer and Truck Camper.

Recreational Vehicle Park. A campground upon which two or more recreational vehicle (RV) sites are located, established, or maintained for RVs as temporary living quarters for recreation or vacation purposes by campers, vacationers, or travelers. See Campground.

Recreation, Commercial. Any commercial enterprise which receives a fee in return for the provision of some recreational activity. See Indoor Commercial Recreation, Outdoor Commercial Recreation, and Public Recreation.

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, Passive. These activities can be carried out with little alteration or disruption of the existing topography and natural resources, have low vehicle trip generation, and usually are nonmotorized activities with a low potential for nuisance to adjacent properties. Examples include but are not limited to walking, hiking, picnicking, bicycling, birdwatching, and horseback riding. See Active Recreation.

Recreation, Public. An indoor or outdoor public recreation area, building, site, or facility that is dedicated to recreation purposes and owned, operated, and/or managed by federal, state, county, or city governmental agencies 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. See Section 5.5 of this Ordinance.

Right-of-Way, Public Road. Defined in Iowa Code Section 306.3.

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.

School, Elementary. As defined in Iowa Administrative Code Rule 641-7.1.

School, Post High School. As defined in Iowa Administrative Code Rule 641-7.1.

School, Secondary. As defined in Iowa Administrative Code Rule 641-7.1.

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 2.9 of this Ordinance are met.

Septic System, Private. As defined and regulated in Iowa Administrative Code 69 and Iowa Code Section 455B.171.

Setback. The distance required between a property line or roadway easement line and the buildable area on a lot. See Section 2.1.D. of this Ordinance. See also Buildable Area.

Setback Encroachment. The extension or placement of any structure, or a component of such, into a required setback or right-of-way. This can include various structures like buildings, fences, driveways, or landscaping features. See Section 2.1.D. of this Ordinance.

Setback, Front. See Section 2.1.D. of this Ordinance.

Setback, Rear. See Section 2.1.D. of this Ordinance.

Setback, Side. See Section 2.1.D. of this Ordinance.

Setback, Street Side. See Section 2.1.D. of this Ordinance.

Sewage Disposal System, Private. As defined and regulated in Iowa Administrative Code 69.

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.

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. As defined and regulated in Iowa Code Section 163.6 and Iowa Code Chapter 189A.

Solar Energy System. See Section 2.8.O. of this Ordinance.

Solid Waste Facility. As defined and regulated in Iowa Administrative Code rule 565—113.3 and Iowa Code Section 455B301.

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.

State. Means the State of Iowa.

Stockyard. As defined and regulated in Iowa Administrative Code 21—66.1(163). See Livestock Market.

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 as defined in Iowa Code Section 306.3.

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

Structural Alteration. See Alteration, Structural.

Structure. See Building.

Subdivision. See Jackson County Subdivision Ordinance.

Subdivision Plat. See Jackson County Subdivision Ordinance.

Temporary Use or Structure. A use or structure of limited and temporary duration as allowed in the underlying zoning district, subject to review and approval by the Zoning Administrator in accordance with Section 3.11 of this Ordinance. See Section 2.1 of this Ordinance.

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. As defined and regulated by Iowa Code Section 322C.2. See Recreational Vehicle.

Truck Camper. As defined and regulated by Iowa Code Section 322C.2. See Recreational Vehicle.

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 for land or buildings are designed, arranged, or intended or for which land or buildings are occupied or maintained.

Use, Allowed. Any land use allowed within a zoning district. See Section 2.1 of this Ordinance.

Use, Not Allowed. Any land use, other than non-conforming, which is not allowed within a zoning district. See Section 2.1 and Section 2.10 of this Ordinance.

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. As defined and regulated in Iowa Code Section 335.15.3. A variance may be granted by the Board of Adjustment in accordance with Section 4.7 of this Ordinance. See Dimensional Variance.

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.

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. As defined by Iowa Administrative Code 567—40.2(455B); also defined as “Community public water supply” in Iowa Administrative Code 567—50.2(455B).

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.

Well, Private. As defined and regulated in Iowa Administrative Code Chapter 49.

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 Jackson County Wind Energy Conversion Systems Ordinance.

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 Chapter 3 of this Ordinance.

Zoning 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.

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. See Chapter 1 of this Ordinance.

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. See Chapter 3 of this Ordinance.