

JACKSON COUNTY ZONING ORDINANCE

CHAPTER 1

DISTRICT REGULATIONS

1.1 Establishment of Districts. The following districts are hereby established for the unincorporated areas of the county:

A-1	Agricultural
R-1	Residential
C-1	Highway Commercial
M-1	Limited Industrial
M-2	General Industrial

The locations and boundaries of these districts are shown on the Official Zoning Map.

1.2 Adoption of Official Zoning Map. The Official Zoning Map and the explanatory material thereon, is hereby adopted by reference and declared to be a part of this ordinance.

1.3 Identification of Official Zoning Map. The Official Zoning Map shall be identified by the signature of the Chairman of the Board of Supervisors and attested to by the County Auditor under the following statement:

"This is to certify that this is the Official Zoning Map referred to in Chapter 1, Section 1.2, of the Zoning Ordinance of Jackson County, Iowa, as adopted on the 26th day of April, 1976, A. D."

The Official Zoning Map shall be on file in the office of the County Auditor and shall be the final authority as to the current zoning status of land, buildings and other structures in the County.

1.4 Changes In Official Zoning Map. No changes in the Official Zoning Map shall be made except as may be required by amendments to this ordinance under Section 3.2 herein. If required, such changes shall be promptly made and the ordinance number, nature of change, and date of change shall be noted on the map, with the signature of the Chairman of the Board of Supervisors approving such change in the Official Zoning Map. No amendment to this ordinance which involves matter portrayed on the Official Zoning Map shall become effective until after such change and entry has been made on said map.

Any unauthorized change of any kind whatsoever in the Official Zoning Map by any person or persons shall constitute a violation of this ordinance and be punishable as provided in Section 2.4 of this ordinance.

1.5 Interpretation of District Boundaries. Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply.

1. Boundaries indicated as approximately following the centerline of streets, highways or alleys shall be construed to follow such centerlines.

2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.

3. Boundaries indicated as approximately following township lines or section lines shall be construed as following said township lines or section lines.

4. Boundaries indicated as approximately following railroad lines shall be construed to be midway between the main tracks.

5. Boundaries indicated as following shore lines of streams or other bodies of water shall be construed to follow such shore lines, and in the event of change in the shore line, shall be construed as moving with the actual shore line; boundaries indicated as approximately following the centerlines of streams, rivers or other bodies of water shall be construed to follow such centerlines, and in the event of change in the centerline, shall be construed as moving with the actual centerlines.

6. Boundaries indicated as parallel to or extensions of features indicated in subsections 1 through 5 above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.

7. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map or in other circumstances not covered by subsections 1 through 6 above, the Board of Adjustment shall interpret the district boundaries.

8. Where a district boundary line divides a lot of record which was in single ownership at the time of the effective date of this ordinance, the Board of Adjustment may permit, as a special exception, the extension of the regulations for either portion of the lot not to exceed 50 feet beyond the district boundary line into the remaining portion of the lot.

1.6 Farms exempt. No regulation or requirement adopted under the provisions of this ordinance shall be construed to apply to land, farm houses, farm barns, farm outbuildings or other buildings, structures or erections which are primarily adapted, by reason of nature and area, for use for agricultural purposes while so used; provided, however, that such regulations or requirements which relate to any structure, building, dam, construction, deposit or excavation in or on the flood plains of any river or stream which may be contained herein, or which may be subsequently adopted under this ordinance shall apply equally to agricultural and nonagricultural lands, buildings, and structures.

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.

Any farm dwelling, building or structure, while not requiring a Construction Compliance Certificate or Occupancy Compliance Certificate, shall comply with the same flood plain zoning regulations as non-farm buildings and structures.

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

A-1	Agricultural
R-1	Residential
C-1	Highway Commercial
M-1	Limited Industrial
M-2	General Industrial

A-1 AGRICULTURAL DISTRICT

STATEMENT OF INTENT

The A-1 Agricultural District is intended to preserve areas appropriate for agricultural and related uses and to reserve areas suitable for the efficient development of other uses when and if there is a demonstrated need and intent to develop such areas in accordance with the future land use policy.

PERMITTED PRINCIPAL USES AND STRUCTURES

REQUIRED PARKING

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| 1. Agriculture, horticulture, farms, farming and the usual farm buildings including farm dwelling | None |
| 2. Grain storage bins | None |
| 3. Single-family dwellings | 2 spaces per unit |
| 4. Seasonal dwellings | 2 spaces per unit |
| 5. Elementary & secondary schools | 1 space per classroom or office |
| 6. Churches | 1 space for every 5 seats in the main auditorium |
| 7. Cemeteries | 20 spaces off the right-of-way on drives or parking areas |
| 8. Public exposition & fairgrounds | 1 space for every 3 seats at the main arena |
| 9. Intermittent or temporary commercial activity | 50 spaces |
| 10. Public parks, playgrounds, campgrounds and recreation areas | 5 spaces for each acre developed for active usage |
| 11. Wildlife preserves, hunting areas, lakes ponds | |
| 12. Kennels and riding stables | 2 spaces plus 2 space for every 100 square feet of floor area |
| 13. Railroads, utilities and public maintenance garages and equipment and materials storage yards, but not including administrative or sales offices, and temporary concrete plants placed on active quarry sites | 1 space for each employee on site plus 1 space for each company vehicle |

PERMITTED ACCESSORY USES AND STRUCTURES

1. Uses and structures clearly incidental to the permitted principal uses and structures of this district including home occupations and farm home occupations as defined.
2. Secondary farm dwellings.
3. Private garages.
4. Private swimming pools, tennis courts, gardens and greenhouses.
5. Temporary buildings used in conjunction with construction work provided that such buildings are removed promptly upon completion of the work.
6. Roadside stands for the sale of produce provided that access to such stands shall be so located so as to afford a minimum site distance of 750 feet to motor vehicles on adjacent roads, that no parking space shall be located closer than 20 feet to the road right-of-way and that not less than 4 parking spaces be provided.

SPECIAL EXCEPTION USES AND STRUCTURES

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

1. Agricultural service businesses involving the processing, storage, and sale of grain for seed, or for livestock and poultry feed; alfalfa dehydrating, the sale of feeds, feed supplements, and miscellaneous farm supplies; the storage, distribution or sale of agricultural lime, agricultural chemicals or fertilizers; the storage, distribution and sale of petroleum products, including sale from tank trucks; the buying and temporary storage of wool or hides; trenching or well drilling; but not including the sale or display of farm machinery, building materials or appliances; provided that the business produces no offensive noise, vibration, smoke, dust, odor, heat, glare or electrical interference detectable within the limits of the nearest dwelling. The foregoing includes bulk storage for retail distribution of anhydrous ammonia fertilizer under pressure and petroleum products under pressure, provided that such use is located not closer than 1,000 feet to any school, church or place of public assembly, and is located so that prevailing winds will not cause gases or odors to create a nuisance or hazard for developed properties in the vicinity.
2. Livestock auction sales, provided that the business produces no offensive noise, vibration, smoke, dust, odor, heat, glare or electrical interference detectable within the limits of the nearest dwelling; that 1 parking space for each employee and company vehicle and 1 parking space for every 2 seats in the sales arena are provided.
3. Commercial feedlots provided that such use is not closer than 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; that adequate provision for drainage, sanitation and waste disposal are provided; that it is located so that prevailing winds will not cause dust or odors to create a nuisance for developed properties in the vicinity; that 1 parking space for each employee and 1 space for each company vehicle be provided.
4. Mining and extraction of minerals or raw materials, including necessary processing equipment, provided that the extraction site shall be located at least 50' from any property line or public road right-

of-way and no closer than 500' to any dwelling, park, or school; that access to a public road shall not cause a real or potential traffic hazard; and that 1 off-street parking space for each employee plus 1 off-street space for each company vehicle be provided. The Board of Adjustment shall prescribe additional site restrictions if deemed necessary for the protection of life and property.

In addition, any person seeking a special exception for the mining or extraction of minerals or other raw materials shall submit a plan whereby the land so used would be restored by the applicant to a condition compatible with the surrounding area upon conclusion of the operations.

5. Ready mix concrete plants, permanently placed on quarry sites, provided that the plant is located at least 50 feet from the nearest property line or public road right-of-way and at least 1000' from any dwelling, park or school; that sufficient off-street parking area be provided; that facilities be provided for controlling air and water pollution; and that access to a public road shall not create a real or potential traffic hazard.

6. Sanitary landfills, sanitary transfer stations, sanitary composting facilities, and sanitary recycling operations provided that that no such operation shall be located closer than 1,000 feet to any dwelling, park or school. Such site shall be restored to a condition compatible with the adjacent area upon the conclusion of the operation.

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

8. Privately operated recreational lodges, campgrounds, youth or summer camps, ski slopes, gun clubs, marinas, docking facilities and recreation vehicle riding areas, race courses and similar outdoor recreation activities provided, however, that the applicant shall submit a plan for the proposed development and show what measures will be taken to minimize adverse effects the proposed development might have on the environs.

9. Seasonal resorts which include three (3) or more seasonal dwellings are herein defined which are rented or leased or located on land that is rented or leased for such seasonal dwellings including uses and structures clearly accessory and incidental thereto, providing that the following requirements be met:

Where served by a central sewage collection and treatment system or a central water distribution system, an area of not less than 10,000 square feet shall be provided for each dwelling unit, and the minimum yard requirements shall be 10 feet for all yards. Where neither central sewage collection or central water systems are provided, or where an individual lot or dwelling is severed from the development, such lot shall meet the yard, area and width requirements of the A-1 Agricultural District as a separate lot.

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.

10. Commercial communications stations and towers provided that 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 height of the tower; that they will not interfere with the operation of any airport or landing strip; and that base screening and camouflage techniques are used unless prohibited by F.A.A. regulations.

The applicant shall show that their site has relatively low esthetic impact compared to other locations within the area of technical feasibility for the service being provided. 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. The Zoning Administrator shall provide direct notification to all landowners within one-half mile of the site.

11. Airports and landing fields approved by the Federal Aviation Agency.
12. Temporary permits not to exceed 60 days for the location of car crushers or similar equipment used in the processing, removal or disposal of junk. Such permit may be granted for the purpose of facilitating the removal of junk from nonconforming junkyards, but shall not be granted for the purpose of establishing new junkyards or serve as a basis for the permanent expansion of nonconforming junkyards. In considering such permit, the Board of Adjustment shall determine the positive and negative effects on the environment anticipated both during and after the conclusion of such operation. Upon appeal, the Board of Adjustment may grant an extension not to exceed 30 days.
13. Conversion of existing dwellings or other structures to a two-family dwelling, provided that a permit is obtained from the Jackson County Health Department for the sanitary system, and that the property meets the requirements for lot area and width and yards in the district, and that there be two parking spaces for each dwelling in the unit.
14. Golf courses and clubhouses, provided that parking shall include 3 spaces per green or 1 space for every 100 square feet of clubhouse floor area, whichever is greater. In deciding such appeals, the Board of Adjustment shall consider the suitability of the proposed site for agricultural production.
15. Home industries as defined.
16. Garden centers in conjunction with plant nurseries.
17. Addition of accessory structures to principal structures devoted to legal nonconforming uses.
18. Multiple family dwellings, including residential condominiums, provided that such units abut a hard-surfaced road, are located no further than five (5) miles by normal travel routes from the nearest fire station, and maintain a maximum density of one (1) dwelling unit per two (2) acres. The maximum number of dwelling units per structure shall not exceed eight (8). Two (2) parking spaces per dwelling unit shall be provided.

Before a Construction Compliance Certificate is issued for this use, a permit for wastewater treatment facilities must be on file from the Jackson County Health Department or the Iowa Department of Natural Resources.

**MINIMUM LOT AREA
AND WIDTH REQUIREMENTS**

MINIMUM YARD MAXIMUM HEIGHT

Non-farm dwellings and institutional uses Area 2 acres Width 200 feet	Front 40 feet Rear 30 feet Side 15 feet Street side, corner lot 30 feet	2 and one half stories or 35 feet
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Other Uses: None; except as may be required by the County Health Department to provide adequate sewage disposal facilities.

PERMITTED SIGNS

1. Directional signs as defined not to exceed 150 square feet in area only along U.S.Highway 61 or 32 square feet in area elsewhere in the county, provided that no business shall have more than three (3) such signs in all districts combined.
2. Church or public bulletin boards not to exceed 16 square feet in area.
3. Identification signs for permitted principal uses, accessory uses and special exception uses of this district identifying the business or service on the premises not to exceed 32 square feet in area.
4. Temporary signs advertising the sale or lease of the premises not to exceed 16 square feet in area.
5. No use shall have more than 1 of each type of sign permitted for that use on each street or road frontage; however, each sign may be a double-faced or back to back sign.
6. Directional signs may be placed in required front yards. Other permitted signs shall be located at least 20 feet from any lot line or not more than 5 feet from the main building.
7. Illumination of signs and bulletin boards shall be indirect, non-intermittent lighting.
8. All signs shall be maintained in a neat, safe and presentable condition and in the event their use shall cease, they shall be promptly removed.

SPECIAL REQUIREMENTS

The establishment of feed lots, sanitary landfills or other uses potentially hazardous to the environment, shall, where applicable, comply with the requirements of the appropriate division of the Iowa Department of Environmental Quality as provided for in Chapter 455B of the Code of Iowa.

Prior to the issuance of compliance certificates for temporary concrete plants, evidence shall be provided to the zoning administrator that the use will comply with applicable state and local environmental and transportation regulations, and, if the site is accessed by a gravel road, a performance bond approved by the County Engineer shall be posted to ensure repair of damage to the haul route.

R-1 RESIDENTIAL DISTRICT

STATEMENT OF INTENT

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

PERMITTED PRINCIPAL USES AND STRUCTURES REQUIRED PARKING

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| 1. Single family dwellings | 2 spaces per unit |
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