Key to changes:

Highlighted indicates a change

~~Strikeout~~ indicates removed text

Bold & Underlined Indicates new text

Note: Page numbers may not be accurate, The page numbers may have shifted because of the addition of the proposed new text without the deletion of the original text.

Note 2: This document includes the 2025 miscellaneous changes as adopted by the Board of Supervisors.

Note 3: This document contains the commission changes to meet compliance with the new Iowa Code section 331.301(27)

(3) Livestock products including but not limited to milk, eggs, meat, fur, and honey.
(4) Vegetable crops intended for human consumption.
(5) Tree products including but not limited to nuts, fruits and maple syrup.

404.5 Anchor

Any device at the **manufactured or** mobile home stand designed for the purpose of securing a **manufactured or** mobile home to the ground.

404.6 Animal Feeding Operation

A lot, yard, corral, building, or other area where animals are confined, fed and maintained for forty-five (45) days or more in any twelve (12) month period. These include:
(1) "Open Feedlot." An unroofed or partially roofed animal feeding operation in which no crop, vegetation, or forage growth or residue is maintained during the period that animals are confined in the operation.
(2) "Confinement Feeding Operation." A totally roofed animal feeding operation in which wastes are stored or removed as a liquid or semi-liquid.
(3) Any other special terms or conditions as defined by Chapter 455B of the Code of Iowa.

404.7 Basement

A story having more than one-half (1/2) of its height below grade. A basement shall not be counted as a story for the purpose of height regulations.

404.8 Bed and Breakfast Home

An accessory use of a single-family residence for the accommodation of overnight guests.

404.9 Billboard

Signs that advertise goods, products, or services not necessarily sold on the premises in which the sign is located and are of three (3) main types:
(1) Poster panels or bulletins normally mounted on a building wall or freestanding structure with advertising copy in the form of posted paper.
(2) Multi-prism sign, same as above, and alternating advertising messages on the one display area.
(3) Painted bulletins, where the advertiser's message is printed directly on the background of a wall-mounted or freestanding display area.

404.25 Construction Compliance Certificate

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

404.26 Corn Suitability Rating (CSR)

The corn suitability rating provides an index for ranking the suitability for row crop production in Iowa. Corn suitability ratings range from zero (0) to one hundred (100), with one hundred (100) reserved for those soils a) located in areas of most favorable weather conditions for Iowa, b) that have high yield potential, and c) that can be continuously row cropped. (A description of the CSR system, including CSR estimates for various soil types, may be found in the "Winneshiek County Soil Survey Report Supplement.")

404.27 County

Winneshiek County, Iowa.

404.28 Development

A man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

404.29 District

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

404.30 Dwelling

Any building or portion thereof which is designed or used exclusively for primary residential purposes but not including a tent, cabin, ~~trailer~~ **recreational camping vehicle, manufactured** or mobile home **unless the manufactured or mobile home has a 911 address**.

404.31 Dwelling, Multiple Family

A residence designed for or occupied by three (3) or more families, with separate housekeeping and cooking facilities for each.

404.32 Dwelling, Single-Family

A detached residence designed for or occupied by one (1) family only.

404.33 Dwelling, Two-Family

A residence designed for or occupied by two (2) families only, with separate housekeeping and cooking facilities for each.

404.34 Dwelling, Unit

A room or group of rooms that are arranged, designed or used as living quarters for the occupancy of one (1) family containing bathroom and~~/or~~ kitchen facilities.

404.35 Factory-Built Home

Any structure, designed for residential use, which is wholly or in substantial part, made, fabricated, formed or assembled in manufacturing facilities for installation or assembly purpose and installation, on a building site. For the purpose of this Ordinance, factory-built homes include mobile homes, manufactured homes and modular homes and also includes "recreational vehicles" which are placed on a site for greater than one hundred eighty (180) consecutive days and may or may not be fully licensed and ready for highway use.

404.36 Factory-Built Structure

Any structure which is wholly or in substantial part made, fabricated, formed or assembled in manufacturing facilities for installation or assembly and installation on a building site. Factory-built structure includes the terms “mobile home”**,** ~~and~~ “manufactured home”**, and “modular home”.**

404.37 Family

An individual, or two or more persons related to one another by blood, marriage or legal adoption, including foster children and not more than two (2) roomers; or in the alternative, not more than three (3) unrelated persons, or as defined by Section 335.25 “Family Homes” by the Code of Iowa.

404.38 Farm

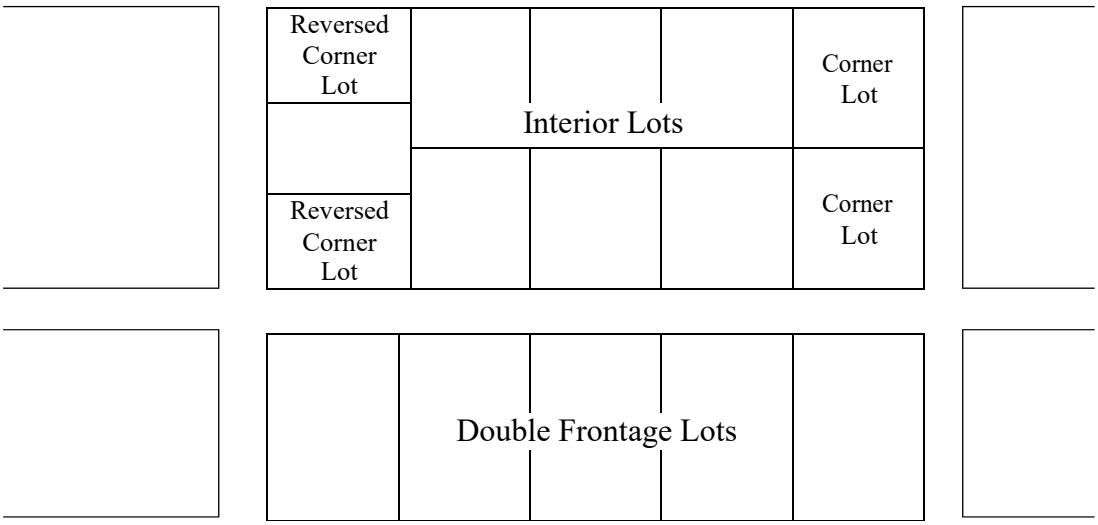
An area which is primarily adapted for use as farmland used for the growing of farm products such as row crops, vegetables, fruits, trees and grain, and their storage on the area as well as for the raising thereon of farm poultry and farm animals. The term "farming” includes the operating of such an area for one (1) or more of the above uses including the necessary accessory uses for treating or storing the produce.

(3) Width - The distance between straight lines connecting front and rear lot lines at each side of the lot lines at each side of the lot measured at the minimum building setback line.

404.62 Lot of Record

A lot which is part of a subdivision which is recorded in the Office of the County Recorder or a lot or parcel described by metes and bounds, the deed to which has been so recorded prior to the effective date of this Ordinance.

Illustration of Lot Types



404.63 Lot Types

(See Illustration) Terminology used in this Ordinance with reference to various types of lots is as follows:

(1) "Corner" lot - A lot located at the intersection of two (2) or more streets.

(2) "Interior" lot - A lot other than a corner lot with only one (1) frontage on a street other than an alley.

(3) "Double frontage" lot - A lot other than a corner lot with frontage on two (2) nonintersecting streets may be referred to as “through” lots.

(4) "Reversed corner" lot - A corner lot, the side street line of which is substantially a continuation of the front lot line of the first lot to its rear.

404.64 Manufactured ~~Home~~ **or Mobile Home**

~~A factory-built structure, which is manufactured or constructed under the authority of 42 U.S.C. Section 5403 and is to be used as a place for human habitation, but which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than for the purpose of moving to a permanent site, and which does not have permanently attached to its body or frame any wheels or axles.~~

(1) A Manufactured Home is built in one piece on a nonremovable steel chassis and is towed to its destination in one piece. Manufactured homes may be single, double or triple wide and must be anchored but are not always placed on a permanent foundation. They conform to 1976 HUD code.

(2) A Mobile Home is a pre-1976 Manufactured Home.

404.65 ~~Mobile Home~~ **Manufactured or Mobile Home Park**

~~A vehicle used, or so originally constructed as to permit being used as conveyance upon the public streets or highways and duly licensed as such, and constructed in such a manner as will permit occupancy thereof for human habitation, dwellings, or sleeping places for family; provided further, that this definition shall refer to and include all portable contrivances used or intended to be used generally for living and sleeping quarters and which are capable of being moved by their own powers, towed or transported by another vehicle. This definition shall also include and apply to such vehicles or structures that are located on a permanent or temporary foundation but shall not include mobile homes converted to real estate as defined herein.~~ **Any site, lot, field, or tract of land upon which two (2) or more occupied manufactured or mobile homes are harbored either free of charge or for revenue purposes, including any building, structure, vehicle or enclosure intended for use as part of the equipment of such manufactured or mobile home park.**

404.66 ~~Mobile Home Park~~ **Modular Home**

~~Any site, lot, field, or tract of land upon which two (2) or more occupied mobile homes are harbored either free of charge or for revenue purposes, including any building, structure, vehicle or enclosure intended for use as part of the equipment of such mobile home park.~~ **A home that is built in two or more sections that are transported on trucks and placed on a permanent foundation. They resemble a stick built home and appreciate in value.**

404.67 Motel or Tourist Home

A permanent building, or group of buildings, designed or arranged primarily for temporary occupancy (thirty (30) days or less) as a dwelling for transient guests and arranged to provide space for parking vehicles used by the traveling public. Such building, or group of buildings, may include quarters for the use of operating personnel.

404.68 Museums

An institution devoted to the procurement, care, study and display of objects of lasting historical, educational, or cultural interest or value. Museums may be indoor/outdoor facilities and may include such amenities as restaurant/banquet facilities, meeting rooms, demonstration areas, tourist convenience and souvenir items.

606 CONSTRUCTION COMPLIANCE CERTIFICATE REQUIRED

Pursuant to provisions of Section 508 of this Ordinance, a Construction Compliance Certificate shall be required prior to initiation of any construction or development within any district.

607 OVERLAY DISTRICT COMPLIANCE REQUIRED

All development is subject to the Bluffland Protection Overlay District as described in Section 708 and the Public Water Well Overlay District as described in Section 712. In addition, all land use applications affecting parcels within 10,000 linear feet of the runway centerline for Decorah Municipal Airport may be subject to additional regulatory guidelines prescribed by Chapter 9: Airport Overlay Zone.

608 SCHEDULES OF DISTRICT REGULATIONS

The following schedules of district regulations are hereby adopted and declared to be a part of this Ordinance:

Symbol	Name
A-1	Agricultural District
A-2	Agricultural District
A-R	Agricultural Residential District
R-1	Urban Fringe Residential District
R-2	Unincorporated Residential District
C-1	Highway Commercial District
C-2	Limited Commercial District
M-1	Limited Industrial District
M-2	General Industrial District

A-1 AGRICULTURAL DISTRICT

The A-1 Agricultural District includes areas appropriate for agricultural and related uses, and is intended to reserve areas suitable for nonagricultural use until the land is needed for development in accordance with a future land use plan.

Allowed Principal Uses and Structures

1. Agriculture, horticulture, dairy farms, livestock farming, livestock waste handling facilities, animal waste holding basins, general farming and other agricultural activities, including one farmstead dwelling and one (1) secondary dwelling on said farmstead of active farm operation.
2. Severed farmstead dwelling consisting of one acre or more with no more than two (2) existing dwelling units per farmstead.

3. Non-farm residential uses.
4. Parks, public recreational facilities, and wildlife preserves.
5. Lakes and ponds.
6. Elementary or secondary schools, certified preschools.
7. Churches, temples and associated buildings.
8. Cemeteries and mausoleums.
9. Railroads and public utility distribution systems, substations, terminal facilities and other essential facilities but not including equipment storage or maintenance yards and buildings or general administrative and sales offices.
10. Petting zoos.

Allowed Accessory Uses and Structures

1. Private garages, swimming pools, tennis courts and greenhouses not operated for commercial purpose.
2. Uses and structures clearly incidental to the permitted uses or structures of this district, not involving the conduct of business on the premises, except home occupations and farmstead home occupations and located on the same lot or a contiguous lot under the same ownership.
3. Roadside stands for the sale of produce raised on the premises.
4. Temporary buildings (for one (1) year with one (1) six (6) month extension or a maximum of eighteen (18) months) used in conjunction with construction work, provided that such buildings are removed promptly upon the completion of the construction work.
5. **Accessory Dwelling Units,** Mobile and/or manufactured homes on a permanent foundation, with one mobile home per farmstead, and any additional homes inhabited by the immediate family or employees of the farming operation.
6. Recycling drop boxes.
7. Home-occupation and home-occupation, farmstead.
8. Bed and breakfast home. A Certificate of Compliance must be applied for and may be issued upon meeting the following: Accommodations must be in the family home that the host/hostess is in residence.
    a. Accommodations are limited to a maximum of one (1) family per guest room at any one time.
    b. Food shall be served only to overnight guests and not to the general public.
    c. A sign not to exceed thirty-two (32) square feet in area carrying the name of the bed and breakfast home and host/hostess is permitted on the premises.

d. In addition to the required parking spaces for the residence, one (1) additional parking space shall be provided for each family accommodated.

e. Upon arrival, guests shall register with the host/hostess their names, address and license plate number of the vehicle being used by the guests. Records shall be kept for a period of three years and shall be made available for examination by Winneshiek County officials upon request.

f. Compliance with the above certifies conformance to zoning regulations only. Other local and state regulations regarding any related permits and licenses are the responsibility of the applicant.

Conditional Uses See Section 505

Special Exception Uses and Structure

The Board of Adjustment may approve Special Exception Uses and Structures as listed below and provided in accordance with provisions of this Ordinance.

1. Sanitary landfill or waste disposal area provided the owner/developer shall follow the standards as adopted by the Iowa Department of Natural Resources and the Winneshiek County Board of Supervisors. Parking shall consist of one (1) space per employee and one (1) space per business vehicle.
2. Conversion of existing single-family farmstead dwellings to a two (2) family dwelling.
3. A lot of record created prior to Zoning Ordinance amendment providing that the lot meets minimum requirements of one (1) acre excluding right of way.

Minimum Bulk Requirements

1. Density
   Non-farm single-family dwellings other than severed farmstead dwellings.
   One unit per thirty-five (35) acres using quarter quarter section boundaries.
   Density limits shall not apply to Accessory Dwelling Units.
2. Lot area
   a. Non-farm single-family dwellings other than severed farmstead dwellings. One acre minimum (exclusive of road right-of-way and easements) or greater based on recommendation of County Sanitarian and shall contain no more than one (1) non-farm residential use with a front lot width not less than one hundred twenty (120) feet.
   b. Farmstead severed from farm. A farmstead in existence at the time of adoption of this Ordinance may be severed from the farm. The severed farmstead shall contain no more than two (2) existing dwelling units with a minimum of one (1) acre of land for each dwelling unit, exclusive of road right-of-way / easement, with all side and rear yard setback requirements being met.

~~3. Structure width~~
~~For all single-family dwellings, the minimum width of the main body of the dwelling unit shall not be less than fourteen (14) feet and shall be placed on a permanent foundation.~~

3 Minimum required front, side and rear yards and maximum height

a. Non-farm dwellings and other non-institutional uses:

Yard	Minimum Standard
Front	25 feet
Rear	30 feet
Side	15 feet
Street side, corner lot	30 feet
Maximum height	35 feet or 2 ½ stories

b. Schools, churches or other public or institutional buildings:

Yard	Minimum Standard
Front	50 feet
Rear	40 feet
Side	30 feet
Street side, corner lot	40 feet
Maximum height	35 feet or 2 ½ stories

4. Building lot lines for all non-farm residential uses within an A-1 District shall be kept a minimum distance of twelve hundred fifty (1250) feet from the edge of an animal wastewater treatment lagoon or wastewater storage facility for an existing poultry, livestock, or fur-bearing animal feeding / confinement operation.

Off-Street Parking and Loading See Section 706

Allowed Signs See Section 704

Special Requirements

1. New non-farm dwellings and public or institutional buildings shall be kept a minimum distance of twelve hundred fifty (1250) feet from the property line of an existing poultry, livestock, or fur-bearing animal confinement facility or feedlot. This does not apply to pasture land or the usual keeping of household pets not for commercial use.
2. No building permit shall be issued for a dwelling in the A-1 District for any parcel of land that is designated for commercial or industrial uses on the future land use plan of the county.
3. Buildings or structures authorized in this District shall not obstruct drainage courses and floodways. Equipment, materials and wastes stored in areas subject to flooding shall have a specific gravity substantially heavier than water, or shall be otherwise secured against floating away and shall not become a source of water pollution or contamination.

A-2 AGRICULTURAL DISTRICT

The A-2 Agricultural District is intended and designed to provide for activities that are strongly interrelated with agricultural, open space or recreational uses that are best suited for location in agricultural areas. When possible, it is intended that an A-2 district will be surrounded on all sides by an A-1 district.

Allowed Principal Uses and Structures

1. All those Allowed Principal Uses and Structures permitted in and as regulated by the A-1 District regulations with the exception of non-farm, single-family dwellings not part of a farmstead.
2. Convenience commercial and gas sales associated with ag-related support services such as seed and supply sales, feed supplies, and farm supplies.
3. Animal hospitals, veterinary clinics, and kennels.
4. Stables, riding academies and equestrian clubs.
5. Anhydrous ammonia storage and/or pumping facilities.
6. Fertilizer and agricultural chemical and seed sales.
7. Grain elevators.
8. Livestock feed and grain sales providing dust is effectively controlled.
9. Seed research facility including lab facilities, storage and refrigeration.
10. Agricultural service businesses involving the processing, storage and sale of grain for seed or for livestock and poultry feed.
11. The sale of feed supplies.
12. The sale of dry or slurry mix fertilizers, liquid fertilizer under pressure, agricultural lime and agricultural chemicals.
13. Forest products concentration yards with processing, not including sawmills.
14. Production winery/brewery/distillery/cidery including a tasting room.

Allowed Accessory Uses and Structures

All those Accessory Uses and Structures permitted in and as regulated by the A-1 District regulations**, excluding ADUs**.

Conditional Uses See Section 505

Special Exception Uses and Structure

All those Special Exception Uses and Structures permitted in and as regulated by the A-1 District regulations.

Minimum Bulk Requirements

1. Lot area
   The minimum total lot area shall be the area necessary to meet the stipulated yard setback and all parking, loading, buffering, sewage or other space requirements set forth the

particular use in this ordinance. The minimum lot area shall be not less one (1) acre (exclusive of road right-of-way and easements) depending on review by County Health Department and the lot width not less than one hundred twenty (120) feet.

2. Lot Coverage Regulations: Not more than fifty percent (50%) of the lot shall be occupied by a building.
3. Minimum required front, side and rear yards and maximum height

Yard	Minimum Standard
Front	50 feet
Rear	40 feet
Side	30 feet
Street side, corner lot	40 feet
Maximum height	35 feet or 2 ½ stories

Off-Street Parking and Loading See Section 706

Allowed Signs See Section 704

Special Requirements

1. Buildings or structures authorized in this District shall not obstruct drainage courses and floodways. Equipment, materials and wastes stored in areas subject to flooding shall have a specific gravity substantially heavier than water, or shall be otherwise secured against floating away and shall not become a source of water pollution or contamination.

A-R AGRICULTURAL RESIDENTIAL DISTRICT

The A-R Agricultural Residential District is intended to provide for single-family residential uses on a minimum of five (5) acres. Cluster development as described in Section 709 is encouraged in the A-R District. This District is not intended to permit isolated rural dwellings.

Allowed Principal Uses and Structures

1. Non-farm, single-family dwellings and cluster developments subject to Section 709: Cluster Development on not less than five (5) acres, exclusive of right-of-way and easements. (To include manufactured homes when placed on a permanent foundation and converted to real property and taxed as site-built dwellings as provided by law.)
2. Parks, public recreational facilities and open space.

Allowed Accessory Uses and Structures

All those Accessory Uses and Structures permitted in and as regulated by the A-1 District regulations except roadside stands used for the sale of produce raised on the premises.

Conditional Uses See Section 505

Special Exception Uses and Structure

All those Special Exception Uses and Structures permitted in and as regulated by the A-1 District regulations.

Minimum Bulk Requirements

1. Rezoning developments – Five (5) acre minimum required for rezoning, in addition all cluster developments are also subject to density standards established by Section 709: Cluster Development. The maximum number of residential units in a cluster subdivision, regardless of the maximum number of acres rezoned, shall not exceed ten (10). Minimum front footage for rezoning parcel along a public roadway is one hundred (100) feet.
2. Minimum lot area
   a. Single-family dwelling(s) with private septic system(s) and private well(s). One (1) acre (exclusive of road right-of-way and easements) or greater depending on review of County Sanitarian and a front lot width not less than one hundred twenty (120) feet along a public street,
   b. Single-family cluster development with common septic systems and common wells. 12,000 sq. ft., (exclusive of road right-of-way and easements) and a front lot width not less than one hundred (100) feet along a public street.

~~3. Structure width~~

~~For all single-family dwellings, the minimum width of the main body of the dwelling unit shall not be less than twenty (20) feet and shall be placed on a permanent foundation.~~

3. Minimum required front, side and rear yards and maximum height

Yard	Minimum Standard
Front	25 feet
Rear	25 feet
Side	12 feet
Street side, corner lot	35 feet
Maximum height	35 feet or 2 ½ stories

4. Building lot lines for all non-farm residential uses within an A-R District shall be kept a minimum distance of twelve hundred fifty (1250) feet from the edge of a animal wastewater treatment lagoon or wastewater storage facility an existing poultry, livestock, or fur-bearing animal feeding / confinement operation.

Off-Street Parking and Loading See Section 706

Allowed Signs See Section 704

Special Requirements

1. Buildings or structures authorized in this District shall not obstruct drainage courses and floodways. Equipment, materials and wastes stored in areas subject to flooding shall

have a specific gravity substantially heavier than water, or shall be otherwise secured against floating away and shall not become a source of water pollution or contamination.

R-1 URBAN FRINGE RESIDENTIAL DISTRICT

The R-1 Urban Fringe Residential District is intended for rural portions of the County where public utility systems are likely to occur over a period of 3 to 5 years. R-1 provides an opportunity for low density, single and two-family dwellings relying on individual wells and septic systems, and encourages clustered development on common wells and septic systems.

Allowed Principal Uses and Structures

1. Single- and two-family dwellings. (To include manufactured homes when placed on a permanent foundation and converted to real property and taxed as site-built dwellings as provided by law.)
2. Cluster development on five (5) or more acres subject to Section 709.
3. Parks and public recreational facilities.
4. Community meeting or recreation buildings.
5. Cemeteries.
6. Churches.
7. Elementary and secondary schools.

Allowed Accessory Uses and Structures

All those Accessory Uses and Structures permitted in and as regulated by the A-1 District regulations except roadside stands used for the sale of produce raised on the premises.

Conditional Uses See Section 505

Special Exception Uses and Structure

All those Special Exception Uses and Structures permitted in and as regulated by the A-1 District regulations.

Minimum Bulk Requirements

1. Lot area
    a. Single and two-family dwellings with private septic systems and private wells. One (1) acre (exclusive of road right-of-way and easements) or greater depending on review of County Sanitarian, and a front lot width not less than one hundred twenty (120) feet.

b. Single- and two-family dwellings with common septic systems and common wells. 12,000 sq. ft., exclusive of road right-of-way and easements and a front lot width not less than one hundred (100) feet.

c. Cluster development: one (1) acre or more on lots served by private sewer; 12,000 sq. ft. on lots served by common sewer; lot width not less than one hundred (100) feet along public roadways

~~2. Structure width~~

~~For all single-family dwellings, the minimum dimension of the main body of the dwelling unit shall not be less than twenty (20) feet.~~

2. Minimum required front, side and rear yards and maximum height

a. Non-farm dwellings and other non-institutional uses:

Yard	Minimum Standard
Front	25 feet
Rear	25 feet
Side	12 feet
Street side, corner lot	35 feet
Maximum height	35 feet or 2 ½ stories

b. Schools, churches or other public or institutional buildings:

Yard	Minimum Standard
Front	50 feet
Rear	40 feet
Side	30 feet
Street side, corner lot	40 feet
Maximum height	35 feet or 2 ½ stories

3. Building lot lines for all non-farm residential uses within an R-1 District shall be kept a minimum distance of twelve hundred fifty (1250) feet from the edge of a animal wastewater treatment lagoon or wastewater storage facility for an existing poultry, livestock, or fur-bearing animal feeding / confinement operation.

Off-Street Parking and Loading See Section 706

Allowed Signs See Section 704

Special Requirements

1. Buildings or structures authorized in this District shall not obstruct drainage courses and floodways. Equipment, materials and wastes stored in areas subject to flooding shall have a specific gravity substantially heavier than water, or shall be otherwise secured against floating away and shall not become a source of water pollution or contamination.

R-2 UNINCORPORATED RESIDENTIAL DISTRICT

The R-2 Unincorporated Residential District is intended for already developed areas in the County, but may be expanded to include appropriate areas for new development of low-cost single-family and / or multifamily housing. R-2 provides an opportunity for low density, single- and two-family and multi-family dwellings relying on individual wells and septic systems, or common and / or public wells and wastewater collection and treatment systems.

Allowed Principal Uses and Structures

1. Single-family, two-family and multi-family dwellings. (To include manufactured homes when placed on a permanent foundation and converted to real property and taxed as site-built dwellings as provided by law.)
2. Cluster development on five (5) or more acres subject to Section 709.
3. Parks and public recreational facilities.
4. Community meeting or recreation buildings.
5. Cemeteries.
6. Churches.
7. Elementary schools and secondary schools.

Allowed Accessory Uses and Structures

All those Accessory Uses and Structures permitted in and as regulated by the A-1 District regulations except roadside stands used for the sale of produce raised on the premises.

Conditional Use See Section 505.

Special Exception Uses and Structure

All those Special Exception Uses and Structures permitted in and as regulated by the A-1 District regulations.

Minimum Bulk Requirements

1. Lot area
    a. Single-, two-, and multi-family dwellings with private septic systems and private wells. One (1) acre (exclusive of road right-of-way and easements) or greater depending on review of County Sanitarian, and a front lot width not less than one hundred twenty (120) feet.
    b. Single-, two-, and multi-family dwellings with common septic systems and common wells. 12,000 sq. ft., exclusive of road right-of-way and easements and a front lot width not less than one hundred (100) feet.

c. Cluster development: one (1) acre or more on lots served by private sewer; 12,000 sq. ft. on lots served by common sewer; lot width not less than one hundred (100) feet along public roadways.

d. Parcels served by a public sewer collection system and public water: 8,000 square foot.

~~2. Structure width~~

~~For all single-family dwellings, the minimum width of the main body of the dwelling unit shall not be less than twenty (20) feet. For all two- and multi-family dwellings, the minimum width of the main body of the dwelling unit shall not be less than forty (40) feet~~

2. Minimum required front, side and rear yards and maximum height

a. Single- and two-family dwellings and other non-institutional uses:

Yard	Minimum Standard
Front	25 feet
Rear	25 feet
Side	5 feet
Street side, corner lot	35 feet
Maximum height	35 feet or 2 ½ stories

b. Multi-family, schools, churches or other public or institutional buildings:

Yard	Minimum Standard
Front	50 feet
Rear	40 feet
Side	30 feet
Street side, corner lot	40 Feet
Maximum height	35 feet or 2 ½ stories

3. Building lot lines for all non-farm residential uses within an R-2 District shall be kept a minimum distance of twelve hundred fifty (1250) feet from the edge of a animal wastewater treatment lagoon or wastewater storage facility for an existing poultry, livestock, or fur-bearing animal feeding / confinement operation.

Off-Street Parking and Loading See Section 706

Allowed Signs See Section 704

Special Requirements

1. Buildings or structures authorized in this District shall not obstruct drainage courses and floodways. Equipment, materials and wastes stored in areas subject to flooding shall have a specific gravity substantially heavier than water, or shall be otherwise secured against floating away and shall not become a source of water pollution or contamination.

CHAPTER 7: PERFORMANCE STANDARDS

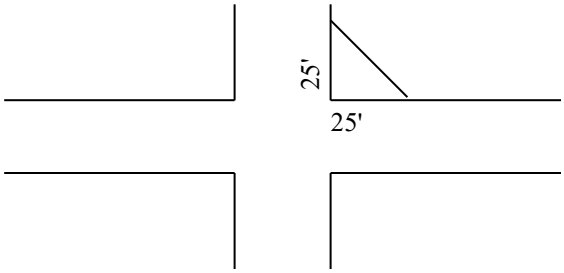
701 APPLICATION OF STANDARDS

The following provisions, regulations or exceptions listed in the Chapter shall apply equally to all districts except as hereinafter provided.

702 GENERAL PROVISIONS

702.1 Visibility at Intersection

On a corner lot in any non-agricultural district, no fence, wall, hedge or other planting or structure that will obstruct vision between a height of two (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 distant from the intersecting of the right-of-way lines, and measured along the right-of-way lines.



702.2 Accessory Buildings/Structures

No accessory building/structure shall be erected in any required front, rear or side yard setback and no separate accessory buildings shall be erected within five (5) feet of any main building.

702.3 More Than One Principal Structure on a Lot

In any district, no more than one principal structure housing a permitted principal use may be erected on a single lot, except in the case of agricultural farmsteads **and ADU's** within the A-1 District.

702.4 Height Regulation Exception

The height limitations contained in the schedules of district regulations do not apply to grain storage bins, grain elevators, feed mills, or to spires, wind generator towers, belfries, cupolas, chimneys, antennas, water tanks, ventilators, elevator housings or other structures placed above the roof level and not intended for human occupancy.

702.5 Use of Public Right-of-Way

No portion of the public road, street or alley rights-of-way shall be used or occupied by any 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. Mailboxes shall be exempt.

702.6 Proposed Use Not Covered in Ordinance

Any proposed use not covered in this Ordinance as a permitted use, special exception, or conditional use shall be referred to the Commission for a recommendation as to the proper district in which such use should be permitted and the Ordinance amended as provided in Section 504.2 before a permit is issued for such proposed use.

702.7 Buildings to Have Access

Every building hereafter erected or structurally altered, shall be on a lot or parcel having access to a street, road, or easement.

702.8 **Manufactured or** Mobile Homes ~~or Trailers~~

Manufactured or Mobile homes occupied as a permanent or temporary place of residence shall be located only in an approved **manufactured/**mobile home park with the exception of those occupied by the immediate family or persons involved in the farming operation either full-time or part- time~~.~~ **or those used as an ADU.**

702.9 Traffic Control

The traffic generated by any use shall be channeled and controlled in a manner that will avoid: (a) congestion on the public streets, (b) traffic hazards, and (c) excessive traffic through residential areas, particularly truck traffic. Internal traffic shall be so regulated as to ensure its safe and orderly flow. Traffic into and out of business areas shall in all cases be forward moving with no backing onto streets. Traffic control plans must be reviewed by the County Engineer. Costs incurred for traffic control shall be the responsibility of the developer.

702.10 Access Drives and Access

Access drives onto any public roads shall require a review by the County Engineer. The County Engineer shall determine the appropriate location, size, and design of such access drives and may limit the number of access drives in the interest of public safety and efficient traffic flow.

Access drive to principal structures that traverse wooded, steep, or open field areas shall be constructed and maintained to a width and base material depth sufficient to support access by emergency vehicles. All driveways shall have a minimum width capable of

706.4 Dimensions

The following are minimum guidelines for all parking stalls:

Parking Angle	Module wall to wall	Stall depth to wall	Stall depth to interlock	Aisle width
45° (1-way aisle)				
8.5 ft. stall	48 ft.	16.5 ft.	14.5 ft.	15 ft.
9.0 ft. stall				
60° (1-way aisle)				
8.5 ft. stall	54 ft.	18 ft.	16.5 ft.	18 ft.
9.0 ft. stall				
60° (2-way aisle)				
8.5 ft. stall	62 ft.	18 ft.	16.5 ft.	26 ft.
9.0 ft. stall				
75° (1-way aisle)				
8.5 ft. stall	59 ft.	18.5 ft.	17.5 ft.	22 ft.
9.0 ft. stall				
90° (2-way aisle)				
8.5 ft. stall	61 ft.	17.5 ft.	17.5 ft.	26 ft.
9.0 ft. stall				

Note: 8.5 ft. stalls should serve as compact car measurements.

706.5 Parking Stall Requirements

The following uses shall be required to have the designated number of off-street parking stalls:

Use	Requirement
Art galleries/museums	1 stall for every one thousand (1,000) sq. ft.
Auction house	1 stall for every four (4) seats
Automobile sales and service garages	1 stall for every six hundred (600) sq. ft. of gross floor area
Banks	1 stall for each two hundred (200) sq. ft. of gross floor area plus four (4) stalls for each teller station within the bank
Beauty shops and barbers	3 stalls for every operator or 1 stall per one hundred (100) square ft. of gross floor area, whichever is larger, plus 1 stall per each employee on the largest work shift
Bowling alleys	5 stalls for each lane
Child day care centers and preschools	1 stall for every principal teacher plus one space for every employee on the largest work shift plus 1 loading place for each six (6) children
Churches and schools	1 stall for every four (4) seats of principal auditorium, including a balcony, if any, and 1 stall for each staff member
Commercial campgrounds	2 stalls for each campsite, plus five (5) additional stalls
Community center	4 stalls for every one thousand (1,000) sq. ft.
Dance halls, assembly halls	1 stall for every one hundred (100) sq. ft. of floor area used for dancing or assembly
Farm implement dealership	1 stall for every nine hundred (900) sq. ft. of gross floor area and 1 stall for every full time employee

Use	Requirement
Fire and police stations	1 stall for each person on duty during a normal shift
Funeral home	1 stall for every four (4) seats and 1 stall for every two (2) employees, plus 1 reserved stall for each hearse, ambulance or company vehicle
Furniture store	1 stall for each one thousand (1,000) sq. ft.
Golf course	36 stalls per 9 holes, plus 1 stall per employee on the largest work shift, plus fifty percent (50%) of the space otherwise required for any accessory uses (bars, restaurants)
Home businesses	1 stall for every employee plus the required amount set otherwise in these regulations
Hospitals	1 stall for each five (5) beds, plus 1 stall for each three (3) employees, plus 1 stall for each two (2) staff doctors
Hotels, motels, tourist courts, and lodging houses	1 stall for each bedroom and 1 stall for each employee on the maximum work shift
Junk yard/salvage yard	1 stall for every employee on the largest work shift and 1 stall for every one thousand (1,000) sq. ft.
Kennels, dog	1 stall for every employee on the largest work shift and 1 stall for every one thousand (1,000) sq. ft.
Lodging	Bed and breakfast home: 2 parking stalls plus 1 for each guest bedroom
Lumberyard	1 stall for every five hundred (500) sq. ft. of floor area
Manufacturing plants	1 stall for each three (3) employees on the maximum working shift but in no case less than 1 stall for each five hundred (500) square ft. of gross floor area
Miniature golf course	2 stalls for every hole and 1 stall for every employee on the maximum work shift
Manufactured/Mobile home	2 parking stalls for each lot.
Nursing, convalescent, and retirement homes	1 stall per eight (8) beds, plus 1 stall per three (3) employees, plus 1stall for each resident staff member
Other dwelling units	2 stalls per unit.
Post office	1 stall for every employee on the largest shift and 1 stall for every one thousand (1,000) sq. ft
Research and development facilities	1 stall for each employee on the greatest work shift
Restaurants, taverns, and nightclubs	1 stall for every fifty (50) sq. ft.
Shooting/rifle range	1 stall for every target area
Shopping center	5 stalls for each one thousand (1,000) sq. ft. gross leasable area
Single-family dwelling	2 parking stalls for each family or dwelling unit
Skating rink, ice or roller	5 stalls for every one thousand (1,000) square ft. of floor area and 1 stall for every employee on the maximum work shift
Sororities and fraternities	1 stall for each sleeping room
Stables, horses	1 stall for every pen or stable
Stores, shops, grocery stores, etc., over two thousand (2,000) square ft. gross floor area	1 stall for every two hundred fifty (250) sq. ft. of gross floor area
Stores, shops, grocery stores, etc., under two thousand (2,000) square ft. gross floor area	1 stall for every one hundred (100) sq. ft. of gross floor area

(a) Each loading stall shall be not less than twelve (12) feet in width and forty (40) feet in length.

(b) Such space may occupy all or any part of a required yard or open space, except when adjoining a residential district it shall be set back ten (10) feet and screened from adjacent property by a planting screen not less than ten (10) feet in width and six (6) feet in height or by a fence, wall, berm, or other comparable means.

707 ~~MOBILE/~~MANUFACTURED/MOBILE HOME PARKS

The following are the minimum additional requirements for manufactured housing subdivision development:

707.1 Allowed Accessory Uses and Structures

(1) Uses and structures clearly incidental and necessary to the permitted principal uses or structures of this district, not involving the conduct of business on the premises except home occupation, not employing more than two (2) persons outside the immediate family and is located on same lot or a contiguous lot under same ownership that will not adversely affect surrounding properties, that all necessary precautions and safe guards be taken to minimize the non-residential character, traffic, parking and noise of the residential district.

(2) Temporary buildings used in conjunction with construction work, provided that such buildings are removed promptly upon completion of the construction work.

(3) Subordinate buildings or structures that are in addition to or supplement the facilities provided by a manufactured home, such as awnings, cabanas, storage structures, garages, carports, and porches.

(4) Common facility service buildings or community buildings intended exclusively for the use of the manufactured housing development's residents, including recreational vehicle and boat storage area, laundry facilities, sanitary facilities, recreational facilities, storm shelter facilities, or non-automotive commercial uses supplying essential goods or services.

(5) Management buildings, maintenance buildings, one dwelling unit to be occupied by the owner or administrator of the development and other uses similar in nature.

707.2 Common Open Space

A minimum of three hundred (300) square feet for each lot shall be provided for one (1) or more common open space areas that shall be easily accessible to all residents. The required area shall be computed in addition to the minimum lot area specified herein. At least fifty percent (50%) of the common open space shall be of a character suitable for active recreation and shall provide recreational equipment and facilities. Recreational equipment and facilities may include playgrounds, ball fields, indoor recreation areas, swimming pools, hobby shops, and similar uses.

(b) Two-way with on-street parking one side: 31 feet minimum.
(c) Two-way with on-street parking both sides: 36 feet minimum.

(3) Street improvements:

(a) All streets shall be provided with a smooth, hard, dust-free and dense surface that shall be durable and well drained under normal use and weather conditions. The surface shall be maintained free of cracks and holes, and its edges shall be protected by a suitable means to prevent raveling of the wearing surface and shifting of the base.

(b) Interior streets with direct access onto a paved public road or highway shall be improved to either of the following standards:

(i) Portland cement concrete: Six (6) inches;

(ii) Asphaltic cement concrete: Four and one-half (4½) inch base course with a one and one-half (1½) inch surface course.

(iii) All construction work and materials incorporated into an approved development shall meet all requirements of the current Standard Specifications for Highway and Bridge Construction, Iowa Department of Transportation, and supplements thereto.

(4) Relation to adjoining street systems:

(a) As appropriate, a new manufactured home development, or any expansion to an existing development, shall make provision for the continuation of existing streets in the adjoining area.

707.9 Lot Area

(1) Single-wide unit. Three thousand, five hundred (3,500) square feet minimum (exclusive of road right-of-way and easements) with a front lot width not less than thirty-three (33) feet.

(2) Double-wide unit (exceeding 19 feet wide). Six thousand (6,000) square feet minimum (exclusive of road right-of-way and easements) with a front lot width not less than forty-four (44) feet.

707.10 Set Backs

(1) **Manufactured/**Mobile homes

Yard	Minimum Standard
Front	10 feet
Rear	5 feet
Side	10 feet
Maximum height	18 feet

(2) Permanent built homes and structures

Yard	Minimum Standard
Front	10 feet
Rear	5 feet
Side	10 feet
Maximum height	18 feet

(3) Building lot lines for all residential uses shall be kept a minimum distance of twelve hundred fifty feet (1,250) from the property line of an existing poultry, livestock or fur-bearing animal feeding/confinement facility.

707.11 Lighting

Adequate lighting shall be provided for all streets, walkways, buildings, and other facilities subject to night-time use. As a general guideline, street lights shall be placed at all street intersections and at other intermediate points as necessary.

707.12 Fire Protection Access

Access for fire protection services shall be such as to permit fire apparatus to approach within at least one hundred (100) feet of each manufactured home.

707.13 Site Development Plan

Prior to the issuance of a permit for the construction or expansion of a manufactured housing development, a comprehensive site plan shall be submitted for review and approval of the Board of Supervisors after review and recommendation of the Planning and Zoning Commission. The Board of Supervisors may approve the plan or require such changes as are deemed necessary to carry out the spirit and intent of this Ordinance. The site plan shall be at a scale of not more than one hundred (100) feet to the inch, and shall show at a minimum the following:

(1) Name and address of the owner and developer and the title under which the proposed development is to be known. Also, north point, scale, date, name and address of the surveyor and engineer, as appropriate.
(2) The complete legal description, including area, of the property to be developed.
(3) A vicinity sketch at a scale of not more than five hundred (500) feet to the inch shall be shown on or accompany the site development plan. This sketch shall show how streets in the proposed development may connect with existing and proposed streets and roads in the surrounding area, and shall show the location of any nearby parks, schools, or other public facilities.
(4) The location of property lines and boundary dimensions of the tract of land and all such surface and subsurface features as may affect the development of the land.
(5) The number, location, and dimensions of all manufactured home lots, stands and parking areas.

(6) The location and width of streets and walkways and proposed names for all streets in the development.

(7) The location of recreation areas and facilities, including community buildings, playgrounds, ball fields, indoor recreation areas, swimming pools, hobby shops, and similar uses; the location of storm shelter facilities, if proposed.

(8) The location of lighting to be provided for all streets, walkways, buildings and other facilities subject to common use.

(9) The location and size of existing and proposed water, sewer, gas, electric, cable TV, telephone and other utility lines and facilities.

(10) Approval by appropriate agencies of the plans for and specifications of the water supply and sewage treatment facilities.

(11) Existing contours shown at intervals of not more than five (5) feet, provided, however that a minimum of two (2) contours shall be shown. Contour intervals of less than five (5) feet may be required at the County Engineer's discretion.

(12) Landscape plan showing the location, size and description of all proposed and existing plant materials, existing plant materials to be removed, and existing plant materials to be retained. The objectives of the landscape plan are to:

(a) Define private outdoor living and recreation space;

(b) Screen undesirable views;

(c) Reduce adverse effects upon the subject property and adjacent and nearby property;

(d) Buffer noise and objectionable light; and

(e) Provide for shade, protection from elements and the comfort and convenience of residents.

(13) Determination of slope conditions and applicability of Bluffland Protection Overlay Zone.

(14) Determination of flood elevations and relationship of proposed development to flood prone areas, if applicable.

(15) Traffic control plan.

(16) For areas to be phased in at a later date, the site development plan shall show a conceptual layout illustrating general street and lot arrangements, location of open space areas, etc. All required plans, specifications and approvals must be received prior to development of each subsequent phase. The minimum size for any construction phase within an approved manufactured home development shall be as follows:

(a) Phase 1 shall include a minimum of twenty-five percent (25%) of the number of manufactured**/mobile** home spaces indicated in the total plan approved, but in no event less than ten (10) spaces, and shall be completed within one calendar year from the date of commencement of construction.

(b) Each subsequent construction phase shall contain a minimum of fifteen percent (15%) of the total number of **manufactured/**mobile home spaces shown on the approved plan. Proportionate open space areas as required by this Ordinance shall be met for each construction phase.

716 RESERVED FOR FUTURE USE

717 ACCESSORY DWELLING UNITS (ADU)

717.1 Purpose

The purpose of this section 717 is to retain usable farmland while simultaneously increasing the housing supply in Winneshiek County. Allowing construction of Accessory Dwelling Units (ADU) would assist families caring for aged or disabled family members by permitting private but nearby dwelling units.

717.2 Definitions

(1) Accessory Dwelling Unit (ADU): An additional residential dwelling unit located on the same lot as a single-family residence that is either attached to or detached from the single-family residence.
(2) Principal Dwelling Unit: The primary, permitted single family dwelling on a lot.
(3) Total Gross Living Area: The interior habitable area of a dwelling unit that is above ground including finished attics but does not include finished basements, a garage or any accessory structure.

717.3 Administration

The applicant(s) must be the landowner(s) of the lot on which the proposed ADU will be located. If the County denies an ADU construction compliance certificate, the reason for denial shall be provided in writing to the applicant and include any remedy necessary to secure approval.

717.4 Required Information

The applicant(s) requesting the building permit will provide the following information to the Zoning Administrator:

(1) Name, Address and contact information of applicant(s)
(2) Plot plan sketch indicating.
  (a) Property lines and physical dimensions of the subject property
  (b) Location of principal dwelling unit with dimensions indicated
  (c) Location of proposed Accessory Dwelling Unit with dimension indicated
  (d) Location of other accessory structures on the property
  (e) Location of present and proposed access road(s) to the property
  (f) Location of present and proposed utilities
  (g) Location of present and proposed septic systems on the property
  (h) Location of present and proposed well(s) on the property
  (i) Location of present and proposed easement, if any, on the property
(3) Deed restriction as specified in 717.5(17)

717.5 General Requirements

(1) Accessory Dwelling Units (ADU) are designed to fill a long-term housing need

(2) Accessory Dwelling Units (ADU) are permitted in Zoning Districts A-1, A-R, R-1, and R-2

(3) Density limits shall not apply to Accessory Dwelling Units.

(4) Construction of a new ADU or the remodel of an existing structure into an ADU shall require a construction compliance certificate.

(5) A nonconforming accessory structure cannot be renovated or reconstructed to an ADU.

(6) An ADU shall require a 911 address that is separate from the 911 address of the principal dwelling unit.

(7) Only one ADU is allowed per single-family principal dwelling unit.

(8) A principal dwelling unit cannot have both an ADU and a cabin associated with it.

(9) Minimum lot size will be dependent upon the septic system installation and all dwelling units meeting minimum setback requirements.

(10) An ADU must be on a permanent foundation and comply with Iowa Code section 435.26.

(11) The size of an ADU shall not exceed 1000 square feet or fifty percent (50%) of the size of the principal dwelling unit, whichever is larger, based on total gross living area.

(12) The maximum height of the ADU and setback requirements are the same as for all single-family principal dwelling units within the zoning district.

(13) If detached, the ADU must be at least five (5) feet from the principal dwelling unit.

(14) The ADU must be supplied with separately-metered utilities in accordance with all applicable statutes and regulations.

(15) All access drives to the ADU must comply with the principal structure requirements in sect 702.10 of this ordinance.

(16) The ADU may have an attached garage.

(17) The ADU cannot be sold separately from the principal dwelling unit. The property owner shall provide a deed restriction in a form provided by or acceptable to Winneshiek County and suitable for recording with the County, providing notice to prospective future buyers or owners of the property, that the ADU cannot be sold separately from the principal dwelling unit.

(18) The ADU can be removed, deconstructed or restored to its original use.