

ORDINANCE NO. 09-26-24-01

AN ORDINANCE AMENDING THE JOHNSON COUNTY UNIFIED DEVELOPMENT ORDINANCE TO MODIFY DEFINITIONS AND REFERENCES, ALLOWED USES, SUPPLEMENTAL, ADDITIONAL, AND SITE PLAN REGULATIONS, AND CLARIFY DEVELOPMENT APPLICATION REQUIREMENTS AND PROCEDURES INCLUDING SUBDIVISION, FLOODPLAIN, AND BUILDING CODE

Section I. Purpose. The purpose of this ordinance is to further the stated purpose to the Unified Development Ordinance for Johnson County by updating and adding certain definitions; modifying allowed uses in certain zoning districts; updating, adding, and clarifying certain supplemental conditions; updating, adding, and clarifying certain additional regulations related to yard and area requirements, signs, fencing, parking, and temporary storage; updating, adding, and clarifying certain Site Plan regulations; updating and clarifying certain development application requirements and procedures; updating and clarifying certain subdivision regulations and procedures related to plat expiration and renewal, lot access and road standards, and legal documents; updating certain floodplain and building code regulations.

Section II. Amendments.

1. Article 8:1.4.B.7A is hereby amended by adding the words, “or overnight stays” following the word “weddings”.
2. Article 8:1.4.B is hereby amended by deleting subsection 8:1.4.B.23 in its entirety, and replacing it with the two new subsections 8:1.4.B.23 and 8:1.4.B.23A as follows:
 23. **Auxiliary Dwelling Unit, Attached.** An independent residential dwelling unit located on the same lot as, and interconnected with, a stand-alone single family dwelling unit. Attached auxiliary dwelling units have a separate kitchen, bathroom, and living space from the primary dwelling unit, and are interconnected by a shared lockable door.
 - 23A. **Auxiliary Dwelling Unit, Detached.** An independent residential dwelling unit located on the same lot as a stand-alone single family dwelling unit. Can be a standalone structure, or be integrated within a detached accessory structure. Auxiliary dwelling units have a separate kitchen, bathroom, and living space from the primary dwelling unit.
3. Article 8:1.4.B is hereby amended by deleting subsection 8:1.4.B.30 in its entirety and replacing it with the following:
 30. **Boat and RV Storage, Outdoor.** An area designed for the commercial outdoor storage of boats and recreational vehicles (including campers).
4. Article 8:1.4.B is hereby amended by adding two new subsections 8:1.4.B.36A and 8:1.4.B.37A which read as follows:
 - 36A. **Camping.** Temporary stay in a non-dwelling unit for personal use. Includes primitive tent camping and stays in mobile dwelling units.

37A.Car wash. A site or facility used for washing and cleaning of vehicles including automobiles, recreation vehicles, and other light-duty or personal equipment, heavy trucks, buses, trailers, or other commercial or agricultural equipment. Includes facilities designed for washing out the interior of trailers, tankers, or other commercial vehicles or equipment.

5. Article 8:1.4.B.64 is hereby amended by deleting the word “or” and replacing it with the words, “, mobile dwelling units, or travel” between the words “vehicles” and “trailers”.

6. Article 8:1.4.B is hereby amended by deleting subsection 8:1.4.B.85 in its entirety and replacing it with the following:

85. Field Day. An infrequent, non-regularly scheduled exposition of environmental preservation, environmental restoration, cultivation, or animal husbandry practices and industry techniques for practitioners, researchers, and the public. Events shall be intended to advance the art and science of environmental preservation, environmental restoration, or the agricultural industry. In compliance with Johnson County Public Health Department regulations, food service is allowed as an accessory use at a field day event.

7. Article 8:1.4.B is hereby amended by adding a new subsection 8:1.4.B.85A which reads as follows:

85A.Firewood. Wood that is intended to be burned on-site as heating fuel and has been processed down to size to accommodate said on-site use.

8. Article 8:1.4.B is hereby amended by adding a new subsection 8:1.4.B.92A to read as follows:

92A.Gas Station. A site or facility where flammable or combustible liquids or gases used as fuel are stored and dispersed from fixed equipment into the fuel tanks of motor vehicles; or where electrical charging facilities are available for charging battery-powered vehicles. Includes automated facilities with or without an attendant. May include a convenience store and/or carwash as an accessory use.

9. Article 8:1.4.B is hereby amended by adding a new subsection 8:1.4.B.97A to read as follows:

97A.Home-Based Business, No-Impact. A home business operation which meets the definition of a No-Impact Home Business as defined in Iowa Code Section 335.

10. Article 8:1.4.B.105 is hereby amended by adding the word “motorcycles,” between the words “trucks” and “tractors”; and by adding the words “all-terrain vehicles (ATVs) and utility task vehicles (UTVs),” between the words “recreational vehicles” and “and other vehicles and parts thereof”.

11. Article 8:1.4.B is hereby amended by deleting subsection 8:1.4.B.106 in its entirety and replacing it with the following:

106. Junk Yard. Any unenclosed area greater than two hundred (200) square feet or enclosed area greater than one thousand (1000) square feet, where junk, solid waste,

discarded or salvaged materials are stored, bought, exchanged, baled or packed, disassembled, or handled. Junk yards include the dismantling or wrecking of vehicles or machinery, wrecking yards, used lumber yards, salvage yards, other similar areas, and any unenclosed place with more than two (2) or any enclosed place with more than four (4) unregistered, dilapidated, or inoperable automobiles, trucks, tractors, trailers, boats, recreational vehicles, and other vehicles.

12. Article 8:1.4.B.110 is hereby amended by adding the words, “May also include snow removal services. Where tree removal services are offered, may also include processing of trunks and major limbs for resale as lumber or firewood.” following the word, “materials.”
13. Article 8:1.4.B is hereby amended by adding a new subsection 8:1.4.B.133A to read as follows:

133A. No-Impact Home-Based Business. See Home-Based Business, No-Impact
14. Article 8:1.4.B.166 is hereby amended by adding the words “, raised, or produced” between the words “grown” and “on”.
15. Article 8:1.4.B.174 is hereby amended by deleting the words “front lot” and replacing them with the words “right of way” between the words “all” and “lines”.
16. Article 8:1.4.B.185 is hereby amended by adding the words, “internal or external sources, including incandescent, fluorescent,” between the words “using” and “LED”.
17. Article 8:1.4.B.191 is hereby amended by adding the words, “Signs mounted on or affixed to licensed and operable vehicles or other portable devices shall be regulated as yard signs.” between the words “stakes.” and “Yard”
18. Article 8:1.4.B.199 is hereby amended by adding the words “shipping containers,” between the words “pools,” and “and”.
19. Article 8:1.4.B.200 is hereby amended by adding the words, “or lots of record” between the words “lots” and “that”.
20. Article 8:1.4.B.212 is hereby amended by replacing the word “which” with the word “that” between the words “structure” and “is”.
21. Article 8:1.4.B is hereby amended by adding a new subsection 8:1.4.B.215A to read as follows:

215A. Utilities, Public. Companies or entities providing essential utility services which serve the public. Includes any municipal utilities provided by a city, as well as any electric, natural gas, and telecommunications utilities regulated by the Iowa Utilities Commission. Does not include hazardous liquid pipelines.
22. Article 8:1.5 is hereby amended by adding the words “RE – Renewable Energy” to the list of zoning districts between the entries for “SWDRR- Solid Waste Disposal and Resource Reclamation” and “ERP – Environmental Resource Preservation”.

23. Article 8:1.6.A is hereby amended by deleting subsection 8:1.6.A.6 in its entirety and replacing it with the following:
 6. Single-Family Dwellings. Limited to one per parcel, except where the property owner has obtained separate approval for additional dwelling units as allowed by this ordinance; and subject to those standards in subsection 8:1.6(M).
24. Article 8:1.6.B.0A.a is hereby amended by adding the words, “or overnight stays” following the word “weddings”.
25. Article 8:1.6.B is hereby amended by adding four new subsections 8:1.6.B.3AA, 8:1.6.B.3C, 8:1.6.B.7A, and 8:1.6.B.8A which read as follows:
 - 3AA. Auxiliary Dwelling Unit, Attached. Subject to Zoning Administrator approval.
 - 3C. Camping. Subject to Zoning Administrator Approval.
 - 7A. Harvest Markets. Limited to 60 days per calendar year.
 - 8A. No-Impact Home Based Businesses.
26. Article 8:1.6.B is hereby amended by deleting subsection 8:1.6.B.15 in its entirety and replacing it with the following:
 15. Personal storage of wood, lumber, and other materials subject to the regulations in subsection 8:1.24.
 - a. Unless the Board of Adjustment has approved a Conditional Use permit for processing of firewood, all firewood shall be used for burning on-site as fuel and shall not be offered for sale.
 - b. Where the Board of Adjustment has approved a Conditional Use permit for processing of firewood, the storage limits shall comply with subsection 8:1.24 or the conditions of approval on the permit, whichever is less restrictive.
27. Article 8:1.6.C is hereby amended by adding four new subsections 8:1.6.C.10A, 8:1.6.C.12A, and 8:1.6.C.17A, 8:1.6.C.19A which read as follows:
 - 10A. Farm Store (including retail nurseries and greenhouses).
 - 12A. Harvest Markets.
 - 17A. Processing of firewood for wholesale or off-site retail sale.
 - a. At the discretion of the Board of Adjustment, on-site sale of processed firewood may also be permitted.
 - 19A. Seasonal Resorts.
28. Article 8:1.7.A is hereby amended by deleting subsections 8:1.7.A.1 and 8:1.7.A.2 in their entirety, and replacing them with the following:
 1. Single-Family Dwellings. Limited to one per parcel except where the property owner has obtained separate approval for additional dwelling units as allowed by this ordinance.

29. Article 8:1.7.B.0A.a is hereby amended by adding the words, “or overnight stays” following the word “weddings”.
30. Article 8:1.7.B is hereby amended by adding four new subsections 8:1.7.B.1AA, 8:1.7.B.1C, 8:1.7.B.5A, and 8:1.7.B.7A which read as follows:
 - 1AA. Auxiliary Dwelling Unit, Attached. Subject to Zoning Administrator approval.
 - 1C. Camping. Subject to Zoning Administrator Approval.
 - 5A. Harvest Markets. Limited to 60 days per calendar year.
 - 7A. No-Impact Home Based Businesses.
31. Article 8:1.7.B is hereby amended by deleting subsection 8:1.7.B.12 in its entirety and replacing it with the following:
 12. Personal storage of wood, lumber, and other materials subject to the regulations in subsection 8:1.24.
32. Article 8:1.7.C is hereby amended by adding a new subsection 8:1.7.C.10A which reads as follows:
 - 10A. Harvest Markets.
33. Article 8:1.8.B.1A.a is hereby amended by adding the words, “or overnight stays” following the word “weddings”.
34. Article 8:1.8.B is hereby amended by adding four new subsections 8:1.8.B.4AA, 8:1.8.B.4C, 8:1.8.B.8A, and 8:1.8.B.9A which read as follows:
 - 4AA. Auxiliary Dwelling Unit, Attached. Subject to Zoning Administrator approval.
 - 4C. Camping. Subject to Zoning Administrator Approval.
 - 8A. Harvest Markets. Limited to 60 days per calendar year.
 - 9A. No-Impact Home Based Businesses.
35. Article 8:1.8.B is hereby amended by deleting subsection 8:1.8.B.16 in its entirety and replacing it with the following:
 16. Personal storage of wood, lumber, and other materials subject to the regulations in subsection 8:1.24.
36. Article 8:1.8.C is hereby amended by adding a new subsection 8:1.8.C.7A which reads as follows:
 - 7A. Harvest Markets.
37. Article 8:1.9.A is hereby amended by deleting subsections 8:1.9.A.1 and 8:1.9.A.2 in their entirety, and replacing them with the following:
 1. Single-Family Dwellings. Limited to one per parcel except where the property owner has obtained separate approval for additional dwelling units as allowed by this ordinance.

38. Article 8:1.9.B is hereby amended by adding three new subsections 8:1.9.B.0, 8:1.9.B.0B, and 8:1.9.B.5A which read as follows:
 0. Auxiliary Dwelling Unit, Attached. Subject to Zoning Administrator approval.
 - 0B. Camping. Subject to Zoning Administrator Approval.
 - 5A. No-Impact Home Based Businesses.
39. Article 8:1.9.B is hereby amended by deleting subsection 8:1.9.B.9 in its entirety and replacing it with the following:
 9. Personal storage of wood, lumber, and other materials subject to the regulations in subsection 8:1.24.
40. Article 8:1.10.B is hereby amended by adding two new subsections 8:1.10.B.0 and 8:1.10.B.4A which read as follows:
 0. Auxiliary Dwelling Unit, Attached. Subject to Zoning Administrator approval.
 - 4A. No-Impact Home Based Businesses.
41. Article 8:1.10.B is hereby amended by deleting subsection 8:1.10.B.8 in its entirety and replacing it with the following:
 8. Personal storage of wood, lumber, and other materials subject to the regulations in subsection 8:1.24.
42. Article 8:1.11.A is hereby amended by deleting subsections 8:1.11.A.1 and 8:1.11.A.2 in their entirety, and replacing them with the following:
 1. Single-Family Dwellings. Limited to one per parcel except where the property owner has obtained separate approval for additional dwelling units as allowed by this ordinance.
43. Article 8:1.11.B is hereby amended by adding three new subsections 8:1.11.B.0, 8:1.11.B.0B, 8:1.11.B.5A which read as follows:
 0. Auxiliary Dwelling Unit, Attached. Subject to Zoning Administrator approval.
 - 0B. Camping. Subject to Zoning Administrator Approval.
 - 5A. No-Impact Home Based Businesses.
44. Article 8:1.11.B is hereby amended by deleting subsection 8:1.11.B.9 in its entirety and replacing it with the following:
 9. Personal storage of wood, lumber, and other materials subject to the regulations in subsection 8:1.24.
45. Article 8:1.12.B is hereby amended by adding a new subsection 8:1.12.B.6A which reads as follows:
 - 6A. No-Impact Home Based Businesses.
46. Article 8:1.12.B is hereby amended by deleting subsection 8:1.12.B.10 in its entirety and replacing it with the following:

10. Personal storage of wood, lumber, and other materials subject to the regulations in subsection 8:1.24.
47. Article 8:1.12 is hereby amended by deleting subsection 8:1.12.M in its entirety and replacing it with the following:
 - M. Site Plan Review.** A Site Plan Review approved by the Zoning Administrator in accordance with the provisions of subsection 8:1.25 and this section shall be required to obtain a building permit in the RHM district.
 1. Landscape Screening shall not be required.
 2. Required parking for each housing lot may be installed at the time the building permit is obtained to place a home on that lot. Installation of individual parking spots is not required prior to issuance of Final Certificate of Occupancy for other buildings in the manufactured housing community.
 3. The site plan does not need to be updated or amended when manufactured homes are placed or standard accessory structures are permitted on any of the lots. Site Plan revision shall only be required for expansion, realignment and/or installation of new shared infrastructure, or revisions that create or eliminate lots.
48. Article 8:1.14.A.4.a is hereby amended by adding the word “Does not include Landscape Businesses.” as a new final sentence following the word “establishments.”
49. Article 8:1.14.A.12.b is hereby amended by adding the word “display” between the words “of” and “fireworks”.
50. Article 8:1.14.B.2 is hereby amended by deleting the words “one hundred (100)” and replacing them with the words (two hundred and fifty (250) between the words “to” and “square”.
51. Article 8:1.15.A is hereby amended by adding a new subsection 8:1.15.A.0A which read as follows:
 - 0A. Car Washes.
52. Article 8:1.15.A.4.a is hereby amended by adding the word “Does not include Landscape Businesses.” as a new final sentence following the word “establishments.”
53. Article 8:1.15.A.18 is hereby amended by deleting subsection 8:1.15.A.18.a in its entirety and replacing it with the following (said deletion does not include subsection 8:1.15.A.18.b):
 - a. Including repair of automobiles, bicycles, boats, lawn equipment, motorcycles, residential-scale agricultural equipment, travel trailers, recreational vehicles, and other personal vehicles; also including repair of electronics, appliances, furniture, and other household goods.
54. Article 8:1.15.A.19.a is hereby amended by adding the word “display” between the words “of” and “fireworks”.

55. Article 8:1.16.B.0A.a is hereby amended by adding the words, “or overnight stays” following the word “weddings”.
56. Article 8:1.16.B is hereby amended by adding five new subsections 8:1.16.B.4AA, 8:1.16.B.11A, 8:1.16.B.12A, 8:1.16.B.25, and 8:1.16.B.26 which read as follows:
- 4AA. Auxiliary Dwelling Unit, Attached. Subject to Zoning Administrator approval.
 - 11A. Home Occupations
 - 12A. No-Impact Home Based Businesses.
 - 25. Personal storage of wood, lumber, and other materials subject to the regulations in subsection 8:1.24.
 - 26. Private garages, sheds, greenhouses, pergolas, ornamental gates, barbeque ovens, fireplaces, swimming pools, landscaping, gardens, and other uses and structures not open to the public that are customary to residential use.
57. Article 8:1.16.B.18 is hereby amended by deleting the words “and Manufactured Homes. One unit per lot” and replacing it with the words “Limited to one per parcel except where the property owner has obtained separate approval for additional dwelling units as allowed by this ordinance.”
58. Article 8:1.17 is amended by replacing the word “and” with the word “or” between the words “community,” and “b)” in the introduction paragraph of subsection 8:1.17.
59. Article 8:1.17.A is hereby amended by deleting subsection 8:1.17.A.1 in its entirety and by adding the new subsections 8:1.17.A.5A, 8:1.17.A.6A, 8:1.17.A.13A, 8:1.17.A.17A, 8:1.17.A.17B, and 8:1.17.A.20:
- 5A. Commercial Condominiums.
 - 6A. Dealerships.
 - a. Including sale of lawn equipment, residential-scale agricultural equipment including trailers, commercial-scale agricultural implements, construction vehicles and equipment, all-terrain and utility-task vehicles (ATV/UTV), and snowmobiles.
 - b. Not including sale of automobiles, motorcycles, travel trailers, recreational vehicles, boats, or other personal automobiles or equipment.
 - 13A. Harvest Markets.
 - 17A. Retail Nurseries and Greenhouses.
 - 17B. Retail Sale of Consumer Fireworks.
 - 20. Other uses similar in nature and intensity.
60. Article 8:1.17.A.18 is hereby amended by adding a new subsection 8:1.17.A.18.a which reads as follows:
- a. Includes processing of firewood for wholesale or retail sale.
61. Article 8:1.17.C is hereby amended by adding a new subsection 8:1.17.C.0A which reads as follows:

- 0A. Car Washes. Shall be designed to serve agricultural equipment and for washing out the interior of trailers, tankers, or other commercial vehicles or equipment which serves the agricultural community.
62. Article 8:1.18.A is hereby amended by adding three new subsections 8:1.18.A.1A, 8:1.18.A.3A, and 8:1.18.A.17 which read as follows:
- 1A. Car Washes.
 - 3A. Construction Services, General.
 - a. Includes contractors, electrical, plumbing, mechanical, and other trade shops, well drilling businesses, septic system installers, and other similar establishments. Does not include Landscape Businesses.
 - 17. Other uses similar in nature and intensity.
63. Article 8:1.18.A.14.a is hereby amended by adding the word “display” between the words “of” and “fireworks”.
64. Article 8:1.19.A is hereby amended by adding by adding the words “unless those uses are specifically allowed in other districts” between the words “district” and “Multiple”.
65. Article 8:1.19.A is hereby amended by adding three new subsections 8:1.19.A.2A, 8:1.19.A.5A, and 8:1.19.A.10 which read as follows:
- 2A. Distribution, Truck Terminals, Wholesaling, and Warehousing.
 - 5A. Manufacturing, General.
 - 10. Other uses similar in nature and intensity.
66. Article 8:1.21.C is hereby amended by adding a new subsection 8:1.21.C.1A which reads as follows:
- 1A. Camping. Subject to Zoning Administrator Approval.
67. Article 8:1.23.A is hereby amended by deleting subsection 8:1.23.A.2 in its entirety.
68. Article 8:1.23.A.3 is hereby amended by deleting the table in subsection 8:1.23.A.3 in its entirety and replacing it with the following (said deletion does not include any of the text in subsection 8:1.23.A.3 that is not included within the table, and also does not include the footnote marked by an asterisk below the current table):

District	Parcel Size	Animal Classification based on AU		
		Greater than 0.99	0.1 to 0.99	Less than 0.1
A SF AG-T	Parcels of less than 2 acres*	3 head	5 head	1 AU
	Minimum 2 acre parcel	30 AU	15 AU	5 AU
	Additional per acre for each acre over 2	5 AU	2.5 AU	0.5 AU
AR	Parcels of less than 2 acres	None	None	0.2 AU per acre
	Minimum 2 acre parcel	25 AU	12.5 AU	2.5 AU

	Additional per acre for each acre over 2	2.5 AU	1.25 AU	0.25 AU
RS	Parcels of less than 2 acres	None	None	0.2 AU per acre
	Additional per acre for each acre over 2	1 AU	0.5 AU	0.2 AU

69. Article 8:1.23.D is hereby amended by adding the words “Attached auxiliary dwelling units are accessory uses and detached” between the words “Unit.” and “Auxiliary”.
70. Article 8:1.23.D.2 is hereby amended by replacing the word “gross” with the word “net” between the words “the” and “square”, and by adding a new subsection 8:1.23.D.2.a which read as follows:
- a. Net floor area calculations do not include garages, uncovered decks, uninhabitable attics, and uninhabitable below-grade storage areas with ceiling height less than six (6) feet eight (8) inches.
71. Article 8:1.23.D is hereby amended by deleting subsection 8:1.23.D.6 in its entirety and replacing it with the following:
6. Where an auxiliary dwelling unit is attached to the primary structure, the units shall be interconnected with a lockable door, shall be supplied by a single (shared) electrical utility service, and shall contain interconnected smoke alarms where the actuation of one alarm will activate all of the alarms in both dwelling units.
72. Article 8:1.23.D1.9 is hereby amended by adding the words, “At a minimum the plan shall comply with NFPA 855 Standard for Installation of Stationary Energy Storage Systems.” as a new final sentence following the word “condition”.
73. Article 8:1.23 is hereby amended by deleting subsection 8:1.23.F in its entirety and replacing it with the following (said deletion includes existing subsections 1 – 6):
- F. Boat and RV Storage, Outdoor. Outdoor boat and RV storage is conditionally permitted in the AR district and is subject to the following conditions:
 1. Outdoor boat and RV storage shall not be located on parcels of fewer than five (5) acres.
 2. A maximum of five (5) boats or RVs per acre can be stored on any site.
 3. Landscaping and Buffering. All storage areas shall be screened in a manner that minimizes their visual impact to surrounding properties through the use of fencing, landscaping, and/or earthen berms. A plan for screening shall be provided with the application.
 4. Boats and RVs may be stored on site between October 1 and May 31.
 5. All vehicles or vessels shall be removed from the property at least once every 365 days.
 6. Vehicles shall not be occupied while stored on site.
 7. The storage area and the vehicles shall be maintained in good order and appearance. Vehicles or vessels which are inoperable and/or un-seaworthy or generally in poor condition shall not be stored.

8. The commercial repair or maintenance of vehicles not stored on site shall be prohibited unless otherwise permitted in accordance with these regulations.
9. The sale of boats, recreational vehicles, campers, parts, accessories, fuels, lubricants, or other items shall be prohibited.

74. Article 8:1.23 is hereby amended by adding a new subsection 8:1.23.F1 which reads as follows:

F1. Camping. Camping is allowed as an accessory use in the A, AR, SF, RS, RC, and ERP districts and is subject to the following conditions.

1. Maximum of one (1) primitive camp site or mobile dwelling unit parking spot per parcel.
2. Length of stay. In all cases, temporary stays are limited to a maximum of one hundred and eighty (180) days in a calendar year.
 - a. Camping on parcels which have a permanent residential dwelling is allowed by right.
 - b. Camping on parcels that do not have a permanent residential dwelling up to thirty (30) days in a calendar year is allowed by right.
 - c. Camping on parcels that do not have a permanent residential dwelling for more than thirty (30) days in a calendar year is subject to Zoning Administrator approval.
3. Mobile dwelling units may only be stored outdoors on a platted outlot or a parcel which contains a residential dwelling.
 - a. At the discretion of the Zoning Administrator, mobile dwelling units may be stored outdoors on a parcel which do not contain a residential dwelling.
4. Mobile dwelling units used for camping must remain licensed, operable, and road-worthy.
5. At the discretion of the Zoning Administrator, accessory structures including, but not limited to, decks, awnings, shade structures, and pergolas may be allowed.
6. The applicant shall sign an acknowledgement that the mobile dwelling unit cannot be maintained as a permanent dwelling and that they will maintain a separate permanent address.
7. Off-street parking shall be provided in accordance with subsection 8:1.24.
8. The request shall comply with all Johnson County Public Health requirements and all other applicable state and local regulations.
9. Camping in the ERP district is limited to primitive and tent camping.

75. Article 8:1.23.G is hereby amended by adding three new subsections 8:1.23.G.2A, 8:1.23.G.2B, and 8:1.23.G.2C which read as follows:

- 2A. Each boat or RV storage space in an outdoor storage area shall count as a unit.
- 2B. Units within Commercial Storage Facilities shall not be used as the primary location or place of business for the tenant. Units in a commercial storage facility may be used to

store business equipment and materials provided that the business maintains a separate off-site location for uses such as office, workshop, and staff reporting.

2C. Commercial storage facilities may utilize shipping containers as storage unit structures to the extent allowed by the underlying shipping container restrictions of the district/property.

76. Article 8:1.23.H.2 is hereby amended by adding a new subsection 8:1.23.H.2.c which reads as follows:

c. The Board of Adjustment may allow a reduced setback to property lines where the applicant has obtained an easement on neighboring properties to ensure any new occupied structures will be setback a minimum distance of one hundred and ten (110) percent the height of the tower from tower base.

77. Article 8:1.23.N is hereby amended by deleting the introductory paragraph in its entirety and replacing it with the following (said deletion does not include any subsections within subsection 8:1.23.N):

N. Fireworks, retail sales, wholesale, and storage. The retail sale, wholesale, and storage of consumer fireworks is a primary use in the C, CH, C-AG, ML, and MH districts. The retail sale, wholesale, and storage of display fireworks is also allowed in the MH District. All such uses are subject to the following conditions:

78. Article 8:1.23.P is hereby amended by deleting the introductory paragraph in its entirety and replacing it with the following (said deletion does not include any subsections within subsection 8:1.23.P).

P. Home Occupations, Home Businesses, Home Industries, and No-Impact Home-Based Businesses. Home occupations and no-impact home-based businesses are accessory uses in the A, AR, SF, RS, RM, RC, RMH, and AG-T districts; home businesses are conditionally permitted in the A, AR, SF, RS, RM, RC, RMH, and AG-T districts; and home industries are conditionally permitted in the A, AR, SF, RS, RC, and AG-T Districts. All are subject to the following conditions:

79. Article 8:1.23.P is hereby amended by deleting subsection 8:1.23.P.1 in its entirety and replacing it with the following:

1. Permitting.

- a. No-impact home-based businesses and home occupations where no customers or members of the public visit the site are allowed as accessory uses and are not subject to permitting.
- b. Home occupations where customers or members of the public visit the site are subject to approval by the Zoning Administrator.
- c. Home businesses and home industries are conditionally permitted through the Board of Adjustment.

80. Article 8:1.23.P.2 is hereby amended by adding the words, "With the exception of no-impact home-based businesses," prior to the word "each"; and by adding a double asterisk (**) next

to the table entry for “nonresident employees (full time equivalent)” (column 1, line 2 of the table), and adding a corresponding foot note below the table which reads as follows:

** At the discretion of Board of Adjustment, the limit of nonresident employees (full time equivalent) may be increased up to two (2) times the listed maximum where the primary activity of the business occurs at off-premise job sites and there are no customer visits on-premises.

81. Article 8:1.23.P.4 is hereby amended by adding a new subsection 8:1.23.P.4.0 preceding subsection 8:1.23.P.4.a which reads as follows:

0. No-Impact Home-Based Business. Applicant shall reside in the dwelling in which the business is located.

82. Article 8:1.23.P is hereby amended by deleting subsection 8:1.23.P.5A in its entirety and replacing it with the following:

5A. Outdoor storage

a. Any outdoor storage associated with a no-impact home-based business shall be fully screened from view of the right of way and neighboring properties.

b. Where outdoor storage is proposed as part of the Home Occupation, Home Business, or Home Industry, screening may be required at the discretion of the approving authority.

83. Article 8:1.23.P.6 is hereby amended by adding the words, “unless the use qualifies as a no-impact home-based business.” following the word, “site”.

84. Article 8:1.23.P.9 is hereby amended by adding a new subsection 8:1.23.P.9.e1 which reads as follows:

e1. Landscape businesses

85. Article 8:1.23.R is hereby amended by deleting subsections 8:1.23.R.2 and 8:1.23.R.3 in their entirety and replacing them new subsections 8:1.23.R.2, 8:1.23.R.3, and 8:1.23.R.3A as follows:

2. Stockpiling of materials that do not originate onsite shall be limited to landscaping materials as well as tree trunks and substantial limbs intended for processing into firewood or lumber.

a. Outdoor storage of landscaping materials, tree trucks and substantial limbs, and equipment shall be limited to an area of two (2) acres.

3. Landscaping materials and equipment shall be stored inside a structure or be fully screened from view from neighboring properties zoned or used for residential purposes. At the discretion of the approving authority, screening may also be required along the road right of way.

3A. There shall be no burning of any materials that do not originate onsite.

86. Article 8:1.23.Z is hereby amended by adding the word, “A,” between the words “the” and “AR”.

87. Article 8:1.23.Z is hereby amended by deleting subsection 8:1.23.Z.2 in its entirety and replacing it with the following (said deletion also includes current subsection 8:1.23.Z.2.a):

2. Number of Sites.

- a. Resorts in the A, AR, and Ag-T districts are limited to ten (10) total camp sites (including but not limited to primitive cabins, recreational vehicle sites, and primitive camp sites).
- b. Resorts in the RR district are limited to ten (10) recreational vehicle/camp sites per acre OR four (4) primitive cabins per acre.

88. Article 8:1.23.Z is hereby amended by adding a three new subsections 8:1.23.Z.2A, 8:1.23.Z.7A, and 8:1.23.Z.9A which reads as follows:

2A. Seasonal resorts shall not accommodate a single individual for more than thirty (30) days in any calendar year.

7A. If the proposed use is located on a crushed rock or gravel road, the applicant shall apply dust control at the County Engineer's discretion. When required, dust control shall be applied in accordance with Johnson County Secondary Roads standards.

9A. All permanent structures associated with the Seasonal Resort use shall comply with Building Code in Chapter 8:6.

- a. Semi-permanent structures including but not limited to yurts, wall tents, or RVs which are not eligible to obtain a building permit in accordance with Chapter 8:6 may be held out for rent provided there is an annual inspection from a qualified professional verifying that the unit is safe for overnight occupancy.

89. Article 8:1.23.Z is hereby amended by deleting subsection 8:1.23.Z.3 in its entirety and replacing it with the following:

3. Seasonal Resorts shall provide permanent bathroom facilities in each unit or in a central facility/ facilities.

- a. All sites not provided with in-unit bathroom facilities shall be located within one thousand (1000) feet of a central bathroom facility.
- b. RV sites or primitive cabins with in-unit bathroom facilities may be located any distance from central bathroom facilities.

90. Article 8:1.23.Z.5 is hereby amended by adding a new subsection 8:1.23.Z.5.a which reads as follows:

- a. For seasonal resorts located in the A and AR districts, the applicant shall reside in an existing dwelling unit on the parcel or an adjacent parcel to the parcel that contains the seasonal resort.

91. Article 8:1.23.Z.7 is hereby amended by adding a new subsection 8:1.23.Z.7.a which reads as follows:

- a. Interior roads may be maintained at a width less than twenty-two (22) feet where all of the following apply:

- i. Guests are not allowed to bring personal oversized vehicles, such as recreational vehicles, travel trailers, or mobile dwelling units onto the property.
 - ii. The existing driveway meets all minimum requirements of the Iowa DOT or Johnson County Secondary Roads Department.
92. Article 8:1.23.BB.8 is hereby amended by adding the words, “Site plans shall be prepared by a Land Surveyor licensed in the State of Iowa, or be certified by a Professional Engineer licensed in the State of Iowa.” Between the words “Administrator” and “After”.
93. Article 8:1.23.CC.2.a is hereby amended by deleting the words, “Tier 1” between the words “district,” and “events”.
94. Article 8:1.23.CC.13 is hereby amended by deleting subsection 8:1.23.CC.13.f in its entirety.
95. Article 8:1.24.B.1 is hereby amended by adding two new subsections 8:1.24.B.1.j and 8:1.24.B.1.k which read as follows:
- j. Personal Outdoor Storage
 - i. Storage of equipment or materials related to a business use is prohibited unless there is a no-impact home based business, home occupation, home business, or home industry permitted on the property in accordance with 8:1.28 and 8:1.23.P.
 - ii. Storage of junk is allowed in accordance with the following:
 - a) Storage of junk in an unenclosed area is permitted where the land occupied by such storage is confined to one location with a maximum area of two hundred (200) square feet and no more than two (2) unlicensed or inoperable vehicles.
 - b) Storage of junk in an enclosed area is permitted where the land occupied by such storage is confined to one location with a maximum area of one thousand (1000) square feet and not more than four (4) unlicensed or inoperable vehicles. In applying these regulations, enclosed shall mean entirely surrounded behind a privacy fence or maintained landscape screening which is tall enough to fully block the view of any stored materials from the right of way and all neighboring properties.
 - c) Storage shall be for personal use only, shall meet the setbacks for primary structures, and shall not be located in the front yard. Vehicles must be stored in a manner that prevents illicit discharge of pollutants.
 - iii. Storage of wood and other natural materials (other than firewood) is permitted where the land occupied by such storage is confined to one location with a maximum area of two hundred and fifty (250) square feet.
 - iv. For properties without an active building permit, outdoor storage of building materials may be allowed in accordance with the following:
 - a) Materials shall be intended for improvement of the site where they are stored.
 - b) Materials shall be contained to a single area and stored in an orderly fashion.

- c) Storage shall be limited to one hundred and eighty (180) calendar days. This limit may be extended at the discretion of the Zoning Administrator.
 - k. There may be no more than three (3) shipping containers on any parcel. Where two or more containers that have been modified to be connected or joined together or otherwise function as a single structure, they shall not count as a single unit and the total number of containers prior to interconnection shall be counted to determine conformance with this section.
96. Article 8:1.24.B.3 is hereby amended by adding three new subsections 8:1.24.B.3.l, 8:1.24.B.3.m, and 8:1.24.B.3.n which read as follows:
- l. Storage of junk is allowed in accordance with the following:
 - i. Storage of junk in an unenclosed area is permitted where the land occupied by such storage is confined to one location with a maximum area of two hundred (200) square feet and no more than two (2) unlicensed or inoperable vehicles.
 - ii. Storage of junk in an enclosed area is permitted where the land occupied by such storage is confined to one location with a maximum area of one thousand (1000) square feet and not more than four (4) unlicensed or inoperable vehicles. In applying these regulations, enclosed shall mean entirely surrounded behind a privacy fence or maintained landscape screening which is tall enough to fully block the view of any stored materials from the right of way and all neighboring properties.
 - iii. Storage shall meet the setbacks for primary structures and shall not be located in the front yard. Vehicles must be stored in a manner that prevents illicit discharge of pollutants.
 - iv. Area limits may be exceeded on properties in the MH district.
 - m. At the Zoning Administrator's discretion, outdoor storage of building materials on properties without an active building permit may be allowed in accordance with the following:
 - i. Materials shall be intended for improvement of the site where they are stored.
 - ii. Materials shall be stored in an orderly fashion and contained to a single area.
 - iii. Storage shall be limited to one hundred and eighty (180) calendar days. This limit may be extended at the discretion of the Zoning Administrator.
 - n. There may be no more than three (3) shipping containers on any parcel. Where two or more containers that have been modified to be connected or joined together or otherwise function as a single structure, they shall not count as a single unit and the total number of containers prior to interconnection shall be counted to determine conformance with this section.
97. Article 8:1.24.C.1.a is hereby amended by adding a new subsection 8:1.24.c.1.a.vii which reads as follows:

- vii. The Zoning Administrator may reduce the required parking by up to 25% where an applicant has provided a parking needs assessment completed by a licensed engineer showing a lower number of spots will be sufficient to serve the proposed use(s).
98. Article 8:1.24.C.1.b.v is hereby amended by replacing the words, “Four (4) spaces per one thousand (1,000)” with the words “Five (5) spaces per two thousand (2000)” between the words “condominiums:” and “square”.
99. Article 8:1.24.C.1.b.vi is hereby amended by replacing the words, “one (1) space per ten (10) storage spaces.” with the words “One (1) space per twenty five (25) storage spaces, provided there is sufficient room between structures for temporary loading and unloading by tenants.” following the word “Facility”.
100. Article 8:1.24.C.1.b.x is hereby amended by adding the words, “and Harvest Markets” following the word “Markets”.
101. Article 8:1.24.C.4 is hereby amended by adding the word “and” between the words “C-AG” and “ML” and by removing the words, “and MH” between the words “ML” and “districts”.
102. Article 8:1.24.C.4.a is hereby amended by adding the words “beyond the first fifty (50)” between the words “spaces” and “to”.
103. Article 8:1.24.C.4 is hereby amended by adding a new subsection 8:1.24.C.4.d which reads as follows:
- d. At the discretion of the Zoning Administrator, the bike parking requirement of this subsection may be waived for an individual site upon showing of good cause by the applicant.
104. Article 8:1.24.C.5 is hereby amended by adding a new subsection 8:1.24.C.5.f which reads as follows:
- f. Electric Vehicle-Ready Charging Infrastructure. All site plans in the RR, C, CH, AG-T, C-AG, ML, and MH districts must plan for future provision of infrastructure for electric vehicle charging facilities in the following rate and manner:
 - i. The site plan shall indicate that the electrical switchgear for the primary structure(s) on site will be installed with sufficient space and capacity to support the future installation of level two (2) electric vehicle charging facilities for at least two (2) parking spaces.
 - ii. Underground conduit to support electric vehicle charging facilities shall be installed during site development to minimize future damage to landscaping and flatwork.
 - iii. Charging pedestals do not have to be installed prior to receiving Certificate of Occupancy for any structures or conducting any use on the site.
105. Article 8:1.24.D.1.b is hereby amended by adding a new subsection 8:1.24.D.1.b.i which reads as follows:

- i. Signs shall also be anchored and/or secured so as to prevent any risk of displacement or movement in such a way that the sign may enter the right of way or otherwise obscure or physically interfere with vehicular traffic.
106. Article 8:1.24.D.1.f is hereby amended by adding the words, “Electronic message signs displaying any information other than public service information are prohibited.” as a new final sentence.
107. Article 8:1.24.D.1.g is hereby amended by adding the words, “Signs mounted on or affixed to licensed and operable vehicles or portable devices shall be regulated as yard signs.” as a new final sentence following the word “device.”
108. Article 8:1.24.D.1 is hereby amended by adding two new subsections 8:1.24.D.1.n and 8:1.24.D.1.o which read as follows:
- n. Yard, banner, and other signs which are allowed on a temporary basis may be erected for a period not to exceed 180 consecutive days. Signs shall be removed for 30 consecutive days between periods of temporary display.
 - o. The Zoning Administrator may approve requests to exceed the allowed signage limits on a temporary basis. Permits shall be obtained in accordance with Permitting requirement in subsection 8:1.26 and with the following:
 - i. Expanded signage may be authorized for up to 72 hours.
 - ii. Where expanded signage is advertising for an event, the event shall be authorized in accordance with these regulations.
 - iii. Where the applicant is not the owner of the property on which the signage will be placed, an acknowledgement from the property owner that they consent to placement of the signage.
 - iv. A description of the event, including the hours of the event and the time window for which the expanded signage is being requested.
 - v. The applicant shall provide a site plan showing the proposed location of all temporary signage in relation to the right of way.
109. Article 8:1.24.D.2 is hereby amended by adding a new subsection 8:1.24.D.2.e which reads as follows:
- e. Signs associated with a manufactured housing community/park. Internal navigation and traffic control signs are exempt from these standards.
 - i. Freestanding, yard, banner, awning, wall, monument, or hanging signs installed by park management for park identification are limited to thirty two (32) total square feet, signs with more than one (1) face visible from the road right of way are allowed up to thirty two (32) maximum square feet per side (sixty four (64) square feet total). Limited to one (1) sign per approved access onto a public or private road. Where more than one sign is allowed, each sign may be built to the full size standards in this subsection.

- ii. At the discretion of the Zoning Administrator, signs for the above listed uses may also utilize internal or external illumination in accordance with the downcast lighting standards in this section.
- iii. Each individual lot shown on the site plan for the park may erect signage in accordance with subsections a – c of this section.

110. Article 8:1.24.D.4.a.x is hereby amended by adding the words, “Limited to 30% of the wall face to which the sign is affixed or the sign face size limits listed in subsection 8:1.24.D.4.c, whichever is greater.” following the words “Wall signs.”

111. Article 8:1.24.D.4 is hereby amended by deleting subsection 8:1.24.D.4.c in its entirety and replacing it with the following:

- c. Sign Size. Internal signs are exempt from this regulation. Wall signs may exceed the sign face requirements as outlined in this section, but shall conform to the total signage requirements in this subsection.
 - i. Limited to five hundred (500) total square feet of signs per parcel.
 - ii. For signs adjacent to gravel roads, no single sign face may be larger than one hundred (100) square feet.
 - iii. For signs adjacent to paved or chip seal roads, no single sign face may be larger than two hundred fifty (250) square feet.

112. Article 8:1.24.D.4 is hereby amended by adding a new subsection 8:1.24.D.4.d which reads as follows:

- d. Where there are multiple commercial condo structures on a single parcel, each commercial condo structure may erect wall signage in accordance with this section.
 - i. For the purposes of determining the amount of allowed signage, each structure will be treated as a separate parcel and may install wall signage in accordance with subsection 8:1.24.D.4.a.x.
 - ii. All signage other than wall signs on the larger property shall comply with the regulations in 8:1.24.D.4.c.

113. Article 8:1.24.E.3 is hereby amended by adding two new subsections 8:1.24.E.3.a and 8:1.24.E.3.b which read as follows:

- a. At the discretion of the Zoning Administrator, a fence that otherwise meets the definition of a privacy fence may be allowed in the front yard if it is modified so that only fifty percent (50%) of the area above three and a half (3.5) feet above grade is designed to block views across the property line.
- b. At the discretion of the Zoning Administrator, where a property has more than one (1) front yard, a privacy fence may be installed as a boundary fence in the front yard(s) which function as side or rear yards.

114. Article 8:1.24 is hereby amended by adding a new subsection 8:1.24.H with reads as follows:

H. Temporary Storage Regulations. Permits for temporary storage are approved by the Zoning Administrator in accordance with 8:1.26. The following standards shall apply to temporary outdoor storage on all properties:

1. Temporary storage may be allowed for a period of up to one (1) calendar year.
 - a. At the discretion of the Zoning Administrator, one (1) extension of up to one hundred and eight (180) days may be issued for the property.
2. Storage is limited to soil, rock, concrete, asphalt millings, or tree debris.
3. The applicant must provide a site plan showing the defined footprint of the proposed storage. The site plan shall include an erosion control plan.
4. The site of the proposed storage on the property shall be located no closer than fifty (50) feet from the right-of-way, and no closer than five hundred (500) feet to any occupied dwelling unless the occupant waives the required separation distance in writing.
 - a. At the Zoning Administrator's discretion, the separation distance may also be reduced if sufficient natural buffer exists between the site and neighboring residences.
5. At the Zoning Administrator's discretion, the use may also be required to comply with the Environmental Regulations in Chapter 8:3.
6. At the Zoning Administrator's discretion, associated equipment for moving or handling the materials may also be kept at the site for the duration of the temporary storage permit.
7. Processing of any stored materials shall be prohibited unless separately permitted in accordance with this ordinance.
 - a. Processing includes, but is not limited to, crushing, chipping, shredding, mulching, or otherwise breaking down the materials beyond the state in which they entered the property.
8. At the Zoning Administrator's discretion, the applicant may be required to provide a performance agreement with associated financial assurance covering the cost of removing the materials and returning the site to its predevelopment condition.

115. Article 8:1.25.A is hereby amended by adding a new subsection 8:1.25.A.1A which reads as follows:

- 1A. Building permits may be issued for new structures or structure additions in the RMH district and in legal non-conforming manufactured housing communities established prior the effective date of this ordinance without first being shown on an approved Site Plan.

116. Article 8:1.25.A.4.a is hereby amended by adding the words "or on property required to obtain Site Plan approval through subsection 8:1.23," between the words "districts," and "can"

117. Article 8:1.25.A.4.a.iv is hereby amended by replacing the numeral “(3)” with the numeral “(4)”.
118. Article 8:1.25.A.4.b is hereby amended by adding the words “or on property required to obtain Site Plan approval through subsection 8:1.23,” between the words “districts,” and “which”
119. Article 8:1.25.A.4.c is hereby amended by adding two new subsections 8.1.25.A.4.c.vi and 8.1.25.A.4.c.vii which read as follows:
- vi. At the discretion of the approving authority, site plan design standards related to landscape screening and permanent dust free surface for parking and drive areas may be waived for the duration of the temporary use.
 - vii. At the discretion of the approving authority, proposed temporary structures may be installed over platted lot lines.
120. Article 8:1.25.C.6 is hereby amended by deleting the words “Secondary Roads Department” between the words “Department” and “and”.
121. Article 8:1.25.D.2.b.i is hereby amended by adding the word “, and” following the word “plan”.
122. Article 8:1.25.D.2.b is hereby amended by deleting subsection 8:1.25.D.2.b.ii in its entirety.
123. Article 8:1.25.E is hereby amended by adding a new subsection 8:1.25.E.7 which read as follows:
- 7. Maintenance. Any infrastructure or screening required for site plan approval must be maintained to a level that complies with Site Planning regulations in effect when the most recent Site Plan was approved.
124. Article 8:1.25.F.3 is hereby amended by adding a new subsection 8:1.25.F.3.e which reads as follows:
- e. Properties located in the RMH – Manufactured Housing Residential district may install the parking required for each housing lot at the time the building permit is obtained to place a home on that lot. Installation of individual parking spots is not required prior to issuance of Final Certificate of Occupancy for other buildings in the manufactured housing community.
125. Article 8:1.25.F is hereby amended by adding a new subsection 8:1.25.F.3A which reads as follows:
- 3A. Outdoor storage and laydown areas. Where the underlying zoning district allows outdoor storage of materials related to the business, areas identified for outdoor storage do not have to be constructed of a permanent dust free surface, provided the site is designed such that those storage areas can be accessed from an Interior Travel Surface which meets the requirements of this section.
126. Article 8:1.25.F.5.c is hereby amended by adding the words, “up to fifty percent (50%) of” between the words “achieve” and “the”.

127. Article 8:1.25.F.5.c.i is hereby amended by adding the words, “but shall not include fabric or mesh attached to a chain link or other non-privacy fence.” between the words “ordinance” and “Fencing”.

128. Article 8:1.25.F.6 is hereby amended by deleting subsection 8:1.25.F.6.a in its entirety (said deletion includes subsection 8:1.25.F.6.a.i) and replacing it with the following:

- a. Application. Landscaping shall be installed in accordance with this section
 - i. Properties located in the RMH – Manufactured Housing Residential district shall not be required to install perimeter landscape screening.
 - ii. Landscaping shall be installed along all areas that front a public or private road and in all required rear and side bufferyards.
 - a) Where properties immediately opposing each other on opposite sides of a public or private road are both subject to the requirements of this section, landscaping shall not be required along the portion of the road frontage where the properties overlap.
 - iii. For the purposes of administering this section, the “use area” shall include all areas associated with the use including, but not limited to, the furthest extent of fences, structures, parking, outdoor storage of materials where allowed by the underlying zoning district, or other areas used in association with the approved or permitted use. At the discretion of the approving authority, freestanding or monument signs may be excluded from determining the use area.

129. Article 8:1.25.F.6.b.i is hereby amended by adding the words “or naturalized” between the words “native” and “species”.

130. Article 8:1.26.A.1.a is hereby amended by deleting subsection 8:1.26.A.1.a.i in its entirety and replacing it with the following:

- i. Permits are also required for any sign with permanent attachment to the ground, permanent attachment to a structure, or containing any electrical components including but not limited to internal or external lighting. All signage shall comply with the requirements of section 8:1.24.D.

131. Article 8:1.26.A.1 is hereby amended by adding two new subsections 8:1.26.A.1.e and 8:1.26.A.1.f which read as follows:

- e. The erection, installation, enlargement, alteration, repair, removal, conversion, or replacement of any electrical, gas, mechanical, or plumbing system.
- f. Building permits shall not be issued for structures which will obstruct or encroach on an easement shown on any recorded plat unless allowed by said easement.

132. Article 8:1.26.A is hereby amended by deleting subsection 8:1.26.A.5 in its entirety.

133. Article 8:1.27.B.5.c is hereby amended by adding the words, “, nor shall the Board of Supervisors issue final disposition,” between the words “application” and “prior”.

134. Article 8:1.27.B.5.d is hereby amended by adding the words, “Extraterritorial review for Board of Adjustment Applications other than Conditional Use Permits is not required.” as a new final sentence following the words, “section 8:1.28.B.7.”

135. Article 8:1.27.B.11.c is hereby amended by replacing the words “recorded as” with the words “included on an application submitted for” between the words “is” and “a”.

136. Article 8:1.27.B.12 is hereby amended by adding the words “, the restoration of a site in connection with an approved permit, or other situations as may be deemed appropriate by the County” between the words “development” and Performance”.

137. Article 8:1.27.F is hereby amended by adding two new subsections 8:1.27.F.7A and 8:1.27.F.11A which read as follows:

7A. Preliminary Plat modification. Where an applicant has an approved preliminary plat and wishes to modify said preliminary plat prior to submission of the final plat, the applicant shall submit a new application in accordance with this chapter. The request to modify the approved preliminary plat shall be reviewed as a new application in accordance with this section.

11A. Amendments to an Approved Plat. Amendments to a previously approved combined or final plat may be approved by the Zoning Administrator in accordance with the following:

- a. Amendments are only allowed to revise easements or other elements of the plat which were not required by this ordinance or as a condition of approval of the Board of Supervisors.
- b. Requests to amend a previously approved plat shall be accompanied by the following:
 - i. A subdivision plat prepared by a Land Surveyor licensed in the State of Iowa which is clearly labeled as a revision of the original subdivision.
 - ii. An affidavit of explanation signed by the applicant and the Zoning Administrator detailing the requested change.
 - iii. Where the amendment request involves changing or eliminating an easement, all parties benefited by the easement shall sign a document memorializing their agreement to vacate said easement.
- c. Upon approval by the Zoning Administrator, all required documentation shall be recorded in the office of the Johnson County Recorder at the applicant’s expense.
- d. Requests which propose to change the legal description of any lot or outlot in a platted subdivision – including creating or eliminating entire lots or outlots – shall not be allowed as amendments and require a new application which shall be submitted in accordance with the specified procedures for an initial application.

138. Article 8:1.27.H.2.b.i is hereby amended by the words, “or due cause has been shown by the city” between the words “extension” and “if”

139. Article 8:1.28.B.9.b is hereby amended by adding a new subsection 8:1.28.B.9.b.i which reads as follows:

- i. Unless due cause can be shown by the city, if a city has not provided official comment within 60 days of receipt of notice of the application from the County, the City's position will be considered to be one of no opposition and the Board may approve on a simple majority vote pursuant to this section.

140. Article 8:1.28.D.1 is hereby amended by deleting subsection 8:1.28.D.1.b in its entirety

141. Article 8:1.29.D.1.c is hereby amended by adding a new subsection 8:1.29.D.1.c.iii which reads as follows:

- iii. Where the legal nonconforming residential structure was built utilizing agricultural exemption prior to the effective date of this ordinance, the Zoning Administrator may issue building permits for primary structures and such structures may be rebuilt without first having to comply with the provisions of Chapter 8:2.

142. Article 8:1.29.D.1.d is hereby amended by adding a new subsection 8:1.29.D.1.d.iii which reads as follows:

- iii. Where the legal nonconforming residential use was built utilizing agricultural exemption prior to the effective date of this ordinance, the Zoning Administrator may issue building permits for primary structures and such structures may be rebuilt without first having to comply with the provisions of chapter 8:2.

143. Article 8:1.29.D.2 is hereby amended by adding a new subsection 8:1.29.D.2.i which reads as follows:

- i. Where a property exceeds the legally established limits for signs – including, but not limited to, height, number of signs, total sign area, or sign face dimensions – any voluntary or involuntary destruction or removal of any on-site sign(s) shall end the non-conformity and the sign(s) may only be replace or reconstructed in accordance with these regulations.

144. Article 8:2.5.G is hereby amended by deleting subsection 8:2.5.G.5 in its entirety and replacing it with the following:

5. Preliminary Plat Expiration. Failure to meet any of the submission deadlines outlined above will result in expiration of all portions of the preliminary plat that have not been submitted for final platting.
 - i. To proceed with final platting where an approved preliminary plat has expired but is within six (6) months of the expiration date, the preliminary plat may be reauthorized by a Resolution of the Board of Supervisors without having to be resubmitted and reapproved in accordance with this Chapter and Chapter 8:1.27.
 - ii. To proceed with final platting where an approved preliminary plat is more than six (6) months past the preliminary plat expiration date and the Board of Supervisors has not issued an extension, the preliminary plat shall be resubmitted and reapproved by the Board in accordance with this Chapter and Chapter 8:1.27.

145. Article 8:2.7.C is hereby amended by adding a new subsection 8:2.7.C.3 which reads as follows:

3. Where an application to subdivide includes any part of a lot or outlot shown on a previously recorded plat, the entirety of those same previously platted lot(s) shall be included within in the new subdivision boundary.

146. Article 8:2.8.C is hereby amended by deleting subsection 8:2.8.C.2 in its entirety and replacing it with the following:

2. Access and Frontage. All lots and outlots shall be provided access to a public or private road which meets current Subdivision Road Design Standards in accordance with this subsection. Where access is provided through an access easement in lieu of dedicated frontage, a perpetual access easement shall be shown on the final plat and an associated access easement agreement shall be recorded with the legal documents of the subdivision. Said easement shall also comply with the requirements of subsection 8:2.8.D.5.
 - a. Buildable Lots: Shall have at minimum either forty (40) feet of frontage or be granted access though a forty (40) foot wide access easement shown on the final plat.
 - b. Future Development Outlots: Shall have at minimum sixty six (66) feet of frontage onto a public or private road.
 - c. General Outlots: Shall have at minimum either forty (40) feet of frontage or be granted access though a forty (40) foot wide access easement shown on the final plat.
 - d. Agricultural, Infrastructure, Open Space, and Preservation Outlots: Shall have at minimum either twenty five (25) feet of frontage or be granted access though a twenty five (25) foot wide access easement shown on the final plat.
 - e. At the discretion of the Board, newly platted lots and outlots may be approved which access existing private roads that do not meet the current Subdivision Road Design Standards if the applicant can demonstrate that there will be adequate access for emergency vehicles. This provision to waive requirements shall only be allowed where said existing platted road was constructed prior to the effective date of this Ordinance.

147. Article 8:2.8.D.5.e is hereby amended to add a double asterisk (**) to the “Maximum Ditch Grade” table heading with an accompanying footnote to read as follows, “** Where it is infeasible or impractical to achieve the maximum ditch grade standards listed, the maximum grades may be exceeded if the developer installs guardrails that meet all applicable state and federal safety standards adjacent to the areas exceeding the maximum listed grades.”

148. Article 8:2.8.D.5.f is hereby amended to add a double asterisk (**) to the “Maximum Ditch Grade” table heading with an accompanying footnote to read as follows, “** Where it is infeasible or impractical to achieve the maximum ditch grade standards listed, the maximum grades may be exceeded if the developer installs guardrails that meet all applicable state and federal safety standards adjacent to the areas exceeding the maximum listed grades.”

149. Article 8:2.9.C.2.b is hereby amended by adding a new subsection 8:2.9.C.2.b.i which reads as follows:

- i. The Title Opinion should reference an abstract that is up to date within six (6) months of the filing date of the application.

150. Article 8:2.9.C.3.c is hereby amended by replacing the word "Easements" with the words "Easement agreements, where applicable," before the word "for"; and by adding a new subsection 8:2.9.C.3.c.i which reads as follows:

- i. Where any lots in a subdivision are provided access via easement in lieu of dedicated frontage meeting the minimum standards of subsection 8:2.8.C.2, the subdivider shall include an access easement agreement. At a minimum the agreement shall:
 - a) Include a statement that the agreement shall run with the land;
 - b) Include a statement that the agreement shall be binding on the parties, heirs, and assigns; and
 - c) Include a statement indicating that the agreement is required for the plat to conform with the standards of the Unified Development Ordinance, and said easement cannot be vacated without written consent of the Zoning Administrator.

151. Article 8:2.9.C.3 is hereby amended by adding a new subsection 8:2.9.C.3.j which read as follows:

- j. Agreement for Private Stormwater Management.

152. Article 8:4.4.B.12 is hereby amended by adding the words "or Subdivision" following the word "Park".

153. Article 8:4.6.B.3 is hereby amended by deleting subsections 8:4.6.B.3.b, 8:4.6.B.3.c, and 8:4.6.B.3.d in their entirety and replacing them with the following (said deletion includes all subsection under subsection 8:4.6.B.3.d):

- b. Fill of five hundred (500) cubic yards or less may be placed within the Floodway Fringe, General Floodplain, and Shallow Flooding overlay districts after obtaining a permit in accordance with subsection 8:4.6(B)(2), and in accordance with the following:
 - i. In no instance shall the depth of fill in a floodway fringe exceed five (5) feet. In an inland depressional floodplain, the depth of fill measured from the natural grade to the new surface shall not exceed five (5) feet.
 - ii. In no instance shall any fill be placed within twenty-five (25) feet of the floodway or in a location which might be endangered by, or accelerate, a meander.
 - iii. Fill shall consist of soil or rock materials only; sanitary landfills shall not be permitted in any portion of a floodplain.
 - iv. All fill areas shall be stabilized with material which will protect against erosion hazards, undercutting, and undermining.
- c. Fill in excess of five hundred (500) cubic yards may be placed within the Floodway Fringe, General Floodplain, and Shallow Flooding overlay districts after obtaining a permit in accordance with subsection 8:4.6(B)(2), and after receiving approval from the

Floodplain Administrator of a Fill Plan which complies with this section. The location and method of installation of fill associated with a Fill Plan shall be subject to the following:

- i. The Fill Plan shall include the following:
 - a) The existing and proposed elevations in one (1) foot contours,
 - b) The location of the floodway and floodway fringe,
 - c) The location and depth of the proposed fill,
 - d) The footprint and description of any structures proposed to be placed on the fill (if applicable),
 - e) Any other information requested by the Floodplain Administrator.
- ii. The placement of fill must comply with all Environmental Regulations in Chapter 8:3 of this ordinance.
- iii. The cross-sectional area of a floodplain shall not be reduced by more than two and one-half percent (2.5%) on either side of the centerline of the watercourse.
- iv. Compensatory storage shall be provided to offset the storage lost through filling.
- v. In no instance shall the depth of fill in a floodway fringe exceed five (5) feet. In an inland depressional floodplain, the depth of fill measured from the natural grade to the new surface shall not exceed five (5) feet.
- vi. In no instance shall any fill be placed within twenty-five (25) feet of the floodway or in a location which might be endangered by, or accelerate, a meander.
- vii. Fill shall consist of soil or rock materials only; sanitary landfills shall not be permitted in any portion of a floodplain.
- viii. All fill areas shall be stabilized with material which will protect against erosion hazards, undercutting, and undermining.
- ix. Fill that is being placed in accordance with a county project located in the road right-of-way, or a berm or levee project that has been authorized and/or permitted by FEMA or the Iowa DNR may exceed the limitations set forth in items (ii), (iv), and (v) of this subsection

154. Article 8:4.7 is hereby amended by deleting subsection 8:4.7.A in its entirety and replacing it with the following:

A. Permitted Uses. All development within the Floodway Overlay District shall be permitted to the extent that it is not prohibited by any other ordinance (or underlying zoning district) and provided they meet applicable performance standards of the Floodway Overlay District.

155. Article 8:4.7.B.5 is hereby amended by replacing the word "Buildings" with the word "Structures" before the word "if".

156. Article 8:4.8 is hereby amended by deleting the introductory paragraph subsection 8:4.8.B replacing it with the following (said deletion does not include any subsections within 8:4.8.B):

B. Performance Standards. All development must be consistent with the need to minimize flood damage and meet the following applicable performance standards. Until a regulatory floodway is designated, no development may increase the Base Flood Elevation more than one (1) foot. The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such determination.

157. Article 8:4.8.B is hereby amended by deleting subsection 8:4.8.B.1 in its entirety and replacing it with the following (said deletion includes all subsections within 8:4.8.B.1):

1. All development shall:
 - a. Be designed and adequately anchored to prevent flotation, collapse, or lateral movement.
 - b. Use construction methods and practices that will minimize flood damage.
 - c. Use construction materials and utility equipment that are resistant to flood damage.

158. Article 8:4.8.B.4 is hereby amended by deleting subsection 8:4.8.B.4.c in its entirety and replacing it with the following:

- c. New and substantially improved structures shall be constructed with electric meter, electrical service panel box, hot water heater, heating, air conditioning, ventilation equipment (including ductwork), and other similar machinery and equipment elevated (or in the case of non-residential structures, optionally floodproofed to) a minimum of one (1) foot above the base flood elevation.

159. Article 8:4.8.B.4 is hereby amended by adding a new subsection 8:4.8.B.4.d which reads as follows:

- d. New and substantially improved structures shall be constructed with plumbing, gas lines, water/gas meters, and other similar service utilities either elevated (or in the case of non-residential structures, optionally floodproofed to) a minimum of one (1) foot above the base flood elevation or designed to be watertight and withstand inundation to such a level.

160. Article 8:4.8.B.10 is hereby amended by adding a new subsection 8:4.8.B.10.d which reads as follows:

- d. Proposals for subdivisions greater than five (5) acres or fifty (50) lots (whichever is less) shall include base flood elevation data for those areas located within the Floodway Fringe (Overlay) District.

161. Article 8:4.9 is hereby amended by deleting subsection 8:4.9.A and replacing it with the following (said deletion does not include any subsections within 8:4.9.A):

- A. Permitted Uses.** All development within the General Floodplain Overlay District shall be permitted to the extent that they are not prohibited by any other ordinance (or underlying zoning district) and provided they meet the applicable performance standards of the General Floodplain Overlay District.

162. Article 8:4.9.A is hereby amended by deleting subsection 8:4.9.A.1 in its entirety and replacing it with the following:

1. Any development which involves placement of structures, factory-built homes, fill or other obstructions, storage of materials or equipment, excavation or alteration of a watercourse shall be reviewed by the Department of Natural Resources to determine (i) whether the land involved is either wholly or partly within the floodway or floodway fringe and (ii) the base flood elevation. The applicant shall be responsible for providing the Department of Natural Resources with sufficient technical information to make the determination.

163. Article 8:4.10 is hereby amended by deleting subsection 8:4.10.A in its entirety and replacing it with the following:

- A. **Permitted Uses.** All development within the Shallow Flooding Overlay District shall be permitted to the extent that it is not prohibited by any other ordinance (or underlying zoning district) and provided they meet the applicable performance standards of the Shallow Flooding Overlay District.

164. Article 8:6.6 is hereby amended by deleting subsection 8:6.6.C in its entirety.

Section III. Repealer. All other ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section IV. Savings Clause. If any section, provision, or part of this ordinance shall be adjudged invalid, illegal, or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged, invalid, illegal or unconstitutional.

Section V. Effective Date. This ordinance shall be in effect after its final passage and publication as part of the proceeding of the Board of Supervisors.

Dates of Publication:

Iowa City Press Citizen, October 10, 2024

The News, October 10, 2024

Solon Economist, October 10, 2024

Rod Sullivan
Rod Sullivan, Chairperson
Board of Supervisors

9/26/24
Date

ATTEST:

Erin Shane
Erin Shane, Auditor
Johnson County, Iowa

