

ORDINANCE No. 01-11-18-01

AN ORDINANCE AMENDING THE JOHNSON COUNTY UNIFIED DEVELOPMENT
ORDINANCE TO UPDATE DEFINITIONS AND PROVIDE SUPPLEMENTAL
CONDITIONS FOR SEVERAL CONDITIONAL USES IN THE A-AGRICULTURAL
AND AR-AGRICULTURAL RESIDENTIAL ZONING DISTRICTS

Section I. Purpose. The Purpose of this ordinance is to further the stated purpose to the Unified Development Ordinance for Johnson County by clarifying the definitions of Campground, Orchard, and Retail Orchard; and adding supplemental regulations for Seasonal Homes and Cabins, Retail Orchards, and Recreational Vehicle Parks and Campgrounds.

Section II. Amendments.

A. Article 8:1.4 amended by adding subsection 8:1.4(32A), which reads as follows:

32A. Campground. Land used for camp sites that are rented to the public for overnight stay in tents.

B. Article 8:1.4 is hereby amended by deleting subsection 8:1.4(131) in its entirety and replacing it with the following:

131. Orchard. Land primarily used for the growing and limited sale of trees, fruits, and nuts including self-pick operations.

C. Article 8:1.4 is hereby amended by deleting subsection 8:1.4(132) in its entirety and replacing it with the following:

132. Orchard, Retail. Land primarily used for the growing and limited sale of trees, fruits, and nuts including self-pick operations. Accessory uses may include events related to horticulture, the retail sale of assorted products not produced on site, and limited food service, not including restaurants.

D. Article 8:1.4(172) is hereby amended by deleting the word “**Summer**” and inserting in its place the word “**Seasonal**”.

E. Article 8:1.6 is hereby amended by adding a new subsection 8:1.6(L) which reads as follows:

L. Site Plan Requirements. A Site Plan Review in accordance with the provisions of Section 8:1.24 shall be required to obtain a building permit associated with a retail orchard. This requirement may be waived by the administrator if the proposed building would be permitted on the site despite the site’s designation as a retail orchard.

F. Article 8:1.7 is hereby amended by deleting subsection 8:1.7(C)(18) in its entirety and replacing it with the following:

18. Seasonal Homes and Cabins in accordance with subsection 8:1.22(B)(8)(o).

G. Article 8:1.7 is hereby amended by adding a new subsection 8:1.7(L) which reads as follows:

L. Site Plan Requirements. A Site Plan Review in accordance with the provisions of Section 8:1.24 shall be required to obtain a building permit associated with a retail orchard. This requirement may be waived by the administrator if the proposed building would be permitted on the site despite the site's designation as a retail orchard.

H. Article 8:1.22 is hereby amended by deleting subsection 8:1.22(B)(8)(f)(iii) in its entirety and replace it with the following:

- iii. Recreational Vehicle Parks and Campgrounds shall be limited to no more than 10 total sites. Recreational vehicle sites shall be at least 2500 square feet in area and contain a stabilized vehicle parking pad of rock, marl, paving, or other suitable surfacing. A minimum of 25 feet is required between parking pads.

I. Article 8:1.22 is hereby amended by adding subsection 8:1.22(B)(8)(o), which reads as follows:


- o. **Seasonal Homes and Cabins** are conditionally permitted in the AR-Agricultural Residential District and are subject to the following conditions and any other conditions the Board of Adjustment determines are appropriate for the site:
 - i. Seasonal homes and cabins do not need to front upon an official street, highway, or place.
 - ii. A maximum of four (4) seasonal homes and cabins can be located on any one parcel.
 - iii. Seasonal homes and cabins may be occupied a maximum of 180 days per year.
 - iv. Seasonal homes and cabins may not be rented out to the general public.

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.

ATTEST:



Mike Carberry, Chairperson
Board of Supervisors



Travis Weipert, Auditor
Johnson County, Iowa