

ORDINANCE No. 08-21-18-03

AN ORDINANCE AMENDING THE JOHNSON COUNTY UNIFIED DEVELOPMENT
ORDINANCE TO ADD SEASONAL AGRICULTURAL EVENTS AS A CONDITIONAL
USE IN THE A-AGRICULTURAL AND AR-AGRICULTURAL RESIDENTIAL ZONING
DISTRICTS

Section I. Purpose. The purpose of this ordinance is to further the stated goals of the Johnson County 2018 Comprehensive Plan by adding flexibility to the zoning ordinance for the purpose of agritourism.

Section II. Amendments.

- A. Article 8:1.4 is hereby amended by adding subsection 8:1.4(151A), which reads as follows:

151A. Seasonal Agricultural Events. Seasonal activities related to on-site agricultural production, which bring the general public to working farms. These activities may include any combination of agricultural festivals, farm to table dinners, farm related cooking classes, and other similar activities. Seasonal agricultural events may include food and beverage service and limited sales of products not produced on site. Seasonal Agricultural Events do not include weddings. With the exception of crop mazes, activities listed as special events in subsection 8:1.22(B)(8)(h) must be permitted as special events.

- B. Article 8:1.6 is hereby amended by adding a new subsection 8:1.6(C)(17) which reads as follows:

17. Seasonal agricultural events.

- C. Article 8:1.7 is hereby amended by adding a new subsection 8:1.7(C)(20) which reads as follows:

20. Seasonal agricultural events.

- D. Article 8:1.22 is hereby amended by deleting subsection 8:1.22(B)(8)(h)(i), in its entirety and replacing it with the following:

i. Antique show and flea market, not including the sale of firearms or live animals.

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

o. Seasonal agricultural events are permitted in the A and AR Districts. The Board of Adjustment can permit temporary establishment of seasonal agricultural events during an specified event window of up to 120 days each calendar year. The permit shall expire at the end of the specified event window. Seasonal agricultural events are subject to the following conditions:


- i. A maximum of two (2) event windows, totaling a maximum of 120 days can be permitted each calendar year. The Board of Adjustment may limit the number of event days based on the unique characteristics of the land and area, to adequately safeguard the health, safety, and welfare of the surrounding residents and landowners and the general public.
- ii. The applicant must provide adequate off street parking.
- iii. If the proposed use is located on a gravel road, the applicant shall apply dust control at the County Engineer's discretion. When required, dust control shall be applied prior to the beginning of the event window, in accordance with Johnson County Secondary Roads standards,
- iv. The applicant shall obtain written approval for the proposed entrance to the public roadway from the appropriate authority.
- v. Any permanent structures where employees and the visiting public congregate must have a valid occupancy permit for the proposed use. If no occupancy permit is applicable, the applicant shall provide written certification from an appropriately licensed professional indicating said structure is safe for the expected occupancy related to the events.
- vi. The request shall comply with all Johnson County Public Health requirements and all other applicable state and local regulations.
- vii. The request must comply with the requirements of the Sensitive Areas Ordinance and the Stormwater Management Regulations.

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.

Date of publication:



Chairperson, Board of Supervisors
Mike Carberry
Johnson County, Iowa



Attest: Travis Weipert, Auditor
Johnson County, Iowa