

ORDINANCE No. 10-22-20-02

AN ORDINANCE AMENDING THE JOHNSON COUNTY UNIFIED DEVELOPMENT ORDINANCE TO REVISE DEFINITIONS AND SUPPLEMENTAL CONDITIONS RELATED TO ANIMAL SLAUGHTER USES, AND ADD LIMITED SLAUGHTER AS AN ADMINISTRATOR-APPROVED ACCESSORY USE IN CERTAIN 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 revising and adding various definitions and supplemental conditions related to animal slaughter facilities, and adding Limited Slaughter Facilities as an accessory use subject to Zoning Administrator approval in the A-Agricultural, AR – Agricultural Residential, SF – Small Farmstead, and AG-T – Agritourism zoning districts.

Section II. Amendments.

A. Article 8:1.4 is hereby amended by deleting subsection 8:1.4(17), and replacing it with the following:

17. Animal Slaughter Facility, Commercial. A structure used for limited slaughtering and processing of animals for wholesale, custom, and on-site retail sales. Limited animal slaughter facilities are restricted in the number of animals that can be slaughtered annually. Restrictions are found in subsection 8:1.23.

B. Article 8:1.4 is hereby amended by deleting subsection 8:1.4(18), and replacing it with the following:

18. Animal Slaughter Facility, Industrial. A structure used for slaughtering and processing of animals for wholesale which exceeds the limits of Commercial or Limited Animal Slaughter Facilities as defined by this Ordinance.

C. Article 8:1.4 is hereby amended by adding subsection 8:1.4(18A), which reads as follows:

18A. Animal Slaughter Facility, Limited. A structure used for limited slaughtering and processing of animals for wholesale and custom sales. Limited Animal Slaughter Facilities are restricted in the number of animals that can be slaughtered annually. Restrictions are found in subsection 8:1.23.

D. Article 8:1.6(B) is hereby amended by adding subsection 8:1.6(B)(3A), which reads as follows:

3A. Animal Slaughter Facility, Limited. Subject to Zoning Administrator Approval.

E. Article 8:1.6(D) is hereby amended by adding a new line to the Bulk regulations table which reads as follows:

Animal Slaughter Facility, Limited.	3 acres	n/a	n/a	150	150	150	35 feet and 2 ½ stories
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F. Article 8:1.7(B) is hereby amended by adding subsection 8:1.7(B)(1A), which reads as follows:

1A. Animal Slaughter Facility, Limited. Subject to Zoning Administrator Approval.

G. Article 8:1.7(D) is hereby amended by adding a new line to the Bulk regulations table which reads as follows:

Animal Slaughter Facility, Limited.	3 acres	n/a	n/a	150	150	150	35 feet and 2 ½ stories
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H. Article 8:1.8(B) is hereby amended by adding subsection 8:1.8(B)(4A), which reads as follows:

4A. Animal Slaughter Facility, Limited. Subject to Zoning Administrator Approval.

I. Article 8:1.8(D) is hereby amended by adding a new line to the Bulk regulations table which reads as follows:

Animal Slaughter Facility, Limited.	3 acres		n/a	150	150	150	35 feet and 2 ½ stories
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J. Article 8:1.16(B) is hereby amended by adding subsection 8:1.16(B)(4A).

4A. Animal Slaughter Facility, Limited. Subject to Zoning Administrator Approval.

K. Article 8:1.16(D) is hereby amended by adding a new line to the Bulk regulations table which reads as follows:

Animal Slaughter Facility, Limited.	3 acres		n/a	150	150	150	35 feet and 2 ½ stories
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L. Article 8:1.17(A) is hereby amended by deleting subsection 8:1.17(A)(4) and replacing it with the following:

4. Animal Slaughter Facility, Commercial.

M. Article 8:1.18(A) is hereby amended by deleting subsection 8:1.18(A)(1) and replacing it with the following:

1. Animal Slaughter Facility, Commercial.

N. Article 8:1.19(C) is hereby amended by deleting subsection 8:1.19(C)(2) and replacing it with the following:

2. Animal Slaughter Facility, Industrial.

O. Article 8:1.23(A)(3) is hereby amended by deleting the phrase "Head on parcel of less than 2 acres" in the second row of the second column of the table and replacing it with the phrase "Animals on parcels of less than 2 acres**".

P. Article 8:1.23(A)(3) is hereby amended by adding the word "head" following the numeral "3" in the third row of the third column of the table.

Q. Article 8:1.23(A)(3) is hereby amended by deleting the numeral "3" in the third row of the fourth column of the table and replacing it with "5 head".

R. Article 8:1.23(A)(3) is hereby amended by deleting the numeral "3" in the third row of the fifth column of the table and replacing it with "1 AU".

S. Article 8:1.23(A)(3) is hereby amended by adding the phrase, "**Animal limits for parcels of less than two (2) acres in the A, SF, and AG-T districts are limited to either head count or animal unit count based on the size of the animal." following the table.

T. Article 8:1.23(B) is hereby amended by deleting the introduction paragraph of subsection 8:1.23(B) and replacing it with the following introduction paragraph (said deletion does not include any subsections within subsection 8:1.23(B)):

B. Animal Slaughter Facility, Commercial. Commercial Animal Slaughter Facilities are a primary use in the C-AG and ML districts and are subject to the following conditions:

U. Article 8:1.23(B)(2) is hereby amended by deleting subsection 8:1.23(B)(2) in its entirety (including both tables currently found under 8:1.23(B)(2) and replacing it with the following:

2. Commercial Animal Slaughter Facilities are restricted in size and intensity based on annual animal unit counts. Commercial slaughter facilities may slaughter and/or process a maximum of two thousand five hundred (2,500) animal units in a calendar year.
 - a. This shall be a cumulative total where the animal unit count of any animal slaughtered or processed at the facility shall count toward the total.
 - b. Where an animal is both slaughtered and processed at the facility, the animal unit shall only be counted once.
 - c. In addition to the cumulative limit of 2,500 animal units, additional limits apply to slaughter of certain types of animals based on animal unit count as outlined in the table below:

Commercial Animal Slaughter Facilities	Animal Classification based on AU		
	Greater than 0.99	0.1 to 0.99	Less than 0.1
Annual Animal Unit Maximum	2,500	1,200	200

V. Article 8:1.23(B)(3) is hereby amended deleting the word "Limited" before the word "animal" and replacing it with the word "Commercial".

W. Article 8:1.23(B)(7) is hereby amended deleting the word "Limited" before the word "animal" and replacing it with the word "Commercial".

X. 8:1.23 is hereby amended by adding a new subsection 8:1.23(B1) which reads as follows:

B1. Animal Slaughter Facility, Limited. Limited slaughter is an accessory use in the A, AR, SF, and AG-T districts and is subject to Zoning Administrator approval and the following conditions:

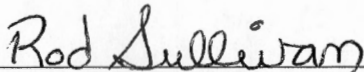
1. One (1) Limited slaughter facility may be permitted per parcel or parcel group.
2. Limited slaughter facilities may slaughter and/or process a maximum of fifty (50) animal units in a calendar year.
 - a. This shall be a cumulative total where the animal unit count of any animal slaughtered or processed at the facility shall count toward the total.
 - b. Where an animal is both slaughtered and processed at the facility, the animal unit shall only be counted once.
 - c. Poultry processed on the property under the Slaughter and Processing of Birds accessory use as allowed in this ordinance does not count towards the 50 animal unit limit.
3. All animal slaughter and processing shall occur inside a fully closed structure.
4. All structures used for animal slaughter must meet and follow facility licensing requirements of the Iowa Department of Agriculture and Land Stewardship (IDALS).
 - a. Where the IDALS-licensed facility is not certified for poultry processing, poultry processed on the property under the Slaughter and Processing of Birds accessory use as allowed in this ordinance does not need to occur in the IDALS-licensed facility.
5. The applicant must obtain written approval from the Iowa Department of Natural Resources (DNR) for disposal of the offal and other animal waste created by the slaughtering of animals. The facility must maintain compliance with DNR regulations for offal and other animal waste disposal at all times.
6. Limited slaughter facilities shall not be located on parcels smaller than three (3) acres.

7. All structures used for Limited animal slaughter shall be setback no less than one hundred fifty (150) feet from all property lines.
8. Off-street parking shall be provided in accordance with subsection 8:1.24.
9. On-site retail sales are prohibited.
10. The facility shall comply with all applicable federal, state, and local regulations.

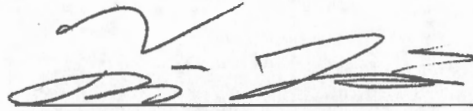
Section III. Repealer. All other ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

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.



Chairperson, Board of Supervisors
Johnson County, Iowa



Attest: Travis Weipert, Auditor
Johnson County, Iowa