

## ORDINANCE \_\_\_\_\_

### AN ORDINANCE AMENDING THE JOHNSON COUNTY UNIFIED DEVELOPMENT ORDINANCE TO REVISE THE DEFINITION OF STREAM CORRIDOR AND TO UPDATE AND MODIFY CERTAIN REQUIREMENTS FOR STORMWATER MANAGEMENT.

**Section I. Purpose.** The Purpose of this ordinance is to further the stated purpose to the Unified Development Ordinance for Johnson County by revising the definition of Stream Corridor and updating and modifying certain requirements for stormwater management.

#### **Section II. Amendments.**

- A. Article 8:3.4.B is hereby amended by deleting subsection 8:3.4.B.35 in its entirety and replacing it with the following:
35. **Stream Corridor.** A watercourse such as a river, stream or drainageway, which is shown in blue (the blue line) on the current United States Geological Survey (USGS) quadrangle topographic maps, and its floodway as delineated on the official Flood Insurance Rate Map (FIRM) for Johnson County. In cases where no floodway is delineated, the blue line will serve as the centerline within a thirty foot (30') wide stream corridor.
- B. Article 8:3.6.A.1 is hereby amended by adding two new subsections 8:3.6.A.1.b and 8:3.6.A.1.c which read as follows:
- b. At the Zoning Administrator's discretion, stormwater management planning may be deferred to time of building permit application for lots in a residential subdivision which were developed prior to the effective date of this ordinance.
- c. At the Zoning Administrator's discretion, stormwater management planning may be deferred to time of building permit application for properties subject to the Site Planning requirements in chapter 8:1.25 or on sites where stormwater management is required in association with an approved Conditional Use Permit, if a stormwater runoff analysis, in accordance with the Iowa Stormwater Management Manual, clearly demonstrates that post-developed runoff rates will be decreased or remain unchanged relative to pre-developed runoff rates.
- C. Article 8:3.6.A.2 is hereby amended by deleting the words "one (1) buildable lot" between the words "than" and "shall" and replacing them with the words "one (1) additional buildable lot since the effective date of this ordinance".
- E. Article 8:3.6.A.2.a is hereby amended by deleting the words "one (1) buildable lot" between the words "than" and "and" and replacing them with the words "one (1) additional buildable lot since the effective date of this ordinance".
- F. Article 8:3.6.A.3 is hereby amended by adding a new subsection 8:3.6.A.3.a which reads as follows:
- a. For expansion of sites developed prior to the effective date of this ordinance, stormwater management planning will only be required to address the areas which will be impacted by development associated with the proposed expansion.
- G. Article 8:3.6.A.6 is hereby amended by adding the words "some or all of" between the words "waive" and "the".

H. Article 8:3.6.A.6 is hereby amended by adding a new subsection 8:3.6.A.6.c, including two new subsections 8:3.6.A.6.c.i and 8:3.6.A.6.c.ii which reads as follows:

- c. The property is subject to the Site Planning requirements in chapter 8:1.25, or stormwater management is required in association with an approved Conditional Use Permit, and both of the following apply:
  - i. A stormwater runoff analysis, in accordance with the Iowa Stormwater Management Manual, clearly demonstrates that post-developed runoff rates will be decreased or remain unchanged relative to pre-developed runoff rates.
  - ii. All existing and proposed stormwater discharges are and will be authorized under an active National Pollutant Discharge Elimination System (NPDES) permit.

I. Article 8:3.6.E is hereby amended by deleting subsection 8:3.6.E.1 in its entirety and replacing it with the following:

- 1. Residential subdivisions which propose no more than one (1) additional buildable lot, and do not exceed five thousand (5000) square feet of new impervious rooftop shall submit a Stormwater Quality Improvement Plan in compliance with this section.

J. Article 8:3.6.E is hereby amended by adding two new subsections 8:3.6.E.1A and 8:3.6.E.1B which read as follows:

- 1A. Where the Zoning Administrator has deferred stormwater management planning to time of building permit application, lots in a residential subdivision which were developed prior to the effective date of this ordinance, and do not exceed five thousand (5000) square feet of new impervious rooftop, shall submit a Stormwater Quality Improvement Plan in compliance with this section.
- 1B. Where the Zoning Administrator has deferred stormwater management planning to time of building permit application, properties subject to Site Planning requirements or certain Conditional Use Permits where a stormwater runoff analysis, in accordance with the Iowa Stormwater Management Manual, clearly demonstrates that post-developed runoff rates will be decreased or remain unchanged relative to pre-developed runoff rates, shall submit a Stormwater Quality Improvement Plan in compliance with this section.

**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:

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Chairperson, Board of Supervisors

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Attest: Travis Weipert, Auditor

Johnson County, Iowa

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