

ORDINANCE No. _____

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 read 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 work “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.

Date of publication:

Chairperson, Board of Supervisors
Johnson County, Iowa

Attest: Travis Weipert, Auditor
Johnson County, Iowa

The following pages show the changes proposed by the ordinance amendment document above in-line with some surrounding text from the ordinance as it currently exists.

These in-line changes are meant to provide context for reading the proposed changes and are for illustrative purposes only.

8:1.4 Definitions.

B. Terms.

...

- 7A. **Agricultural Experience.** Any agriculture-related activity, as a secondary use in conjunction with agricultural production, on a farm which activity is open to the public with the intended purpose of promoting or educating the public about agriculture, agricultural practices, agricultural activities, or agricultural products. Agricultural experiences do not include weddings or overnight stays.
- ~~23. **Auxiliary Dwelling Unit.** A separate residential dwelling unit, located on the same lot as a single-family dwelling unit that is either attached to the primary dwelling unit or integrated within a detached accessory structure. Auxiliary dwelling units have a separate kitchen and bathroom from the primary dwelling unit.~~
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.
- ~~30. **Boat Storage, Outdoor.** An area designed for the commercial outdoor storage of boats.~~
30. **Boat and RV Storage, Outdoor.** An area designed for the commercial outdoor storage of boats and recreational vehicles (including campers).
- 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.
64. **Dwelling.** A building, or a portion thereof, which is designed to be uses for residential purposes. Dwellings, unless located in a manufactured housing park, do not include recreational vehicles, ~~or mobile dwelling units, or travel~~ trailers. Dwellings do not include tents, buses, garages, or other non-dwelling structures.
- ~~85. **Field Day.** An infrequent, non-regularly scheduled exposition of cultivation and animal husbandry practices and industry techniques for practitioners and researchers, which is intended to advance the art and science of 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~~
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.

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.

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.

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.

105. Junk. Garbage, trash, debris, or waste, including unregistered, inoperable, dilapidated, or dismantled automobiles, trucks, motorcycles, tractors, trailers, boats, recreational vehicles, all-terrain vehicles (ATVs) and utility task vehicles (UTVs), and other vehicles and parts thereof; scrap and used building materials; scrap contactor equipment, other equipment, and parts thereof; old or scrap copper, brass, or other metals; used lumber, salvaged wood, or cut tree debris; appliances and parts thereof; tires, tanks, casks, cans, batteries, barrels, boxes, drums, piping, bottles, glass, machinery, rags, papers, excelsior, hair, mattresses, beds or bedding, furniture, or any other scrap or waste materials.

~~**106. Junk Yards.** Any unenclosed area, greater than two hundred (200) cubic 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 place with more than two (2) unregistered, dilapidated, or inoperable automobiles, trucks, tractors, trailers, boats, recreational vehicles, and other vehicles.~~

~~**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.~~

110. Landscaping Business. A business involved in the planting, removal, and maintenance of vegetation including the movement and displacement of earth, soil, rock, and other similar materials. 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

133A. No-Impact Home-Based Business. See Home-Based Business, No-Impact

166. Roadside Stand. A temporary structure, unenclosed, and designed and constructed so that the structure is easily portable and can be moved, which is used for the sale of agricultural products that were grown, raised, or produced on site.

174. **Setback, Front.** The required minimum setback between buildings and structures and all ~~front~~ right of way lines.
185. **Sign, Illuminated.** Any sign in which the features are illuminated, using internal or external sources, including incandescent, fluorescent, LED, neon gas, or other means.
191. **Sign, Yard.** A sign, which is temporary in nature, with no permanent connection to the ground or a structure, typically supported by a wire frame or metal stakes. Signs mounted on or affixed to licensed and operable vehicles or other portable devices shall be regulated as yard signs. Yard signs shall be secured to prevent displacement.
199. **Structure.** Anything constructed or erected on the ground or attached to the ground, including, but not limited to, buildings, signs, fences, retaining walls, solar arrays, swimming pools, shipping containers, and storage tanks.
200. **Structure, Accessory.** A structure which is incidental to the primary structure on the property. Accessory structures are not allowed on platted lots or lots of record that do not have a primary structure. Accessory structures are allowed on outlots in accordance with Chapter 8:2.
212. **Use, Accessory.** A use or structure ~~which~~that is incidental to the primary use on the property. Accessory uses are not allowed on properties that do not have a primary use.

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.

...

8:1.5 Districts and Boundaries Thereof.

...

A – Agricultural	AG-T – Agritourism
AR – Agricultural Residential	C-AG – Agri-Business
SF – Small Farmstead	ML – Light Industrial
R – Residential Single-Family	MH – Heavy Industrial
RM – Residential Multiple-Family	SWDRR – Solid Waste Disposal and Resource Reclamation
RC – Rural Conservation	<u>RE – Renewable Energy</u>
RMH – Manufactured Housing Residential	ERP – Environmental Resource Preservation
RR – Rural Recreation	P – Public
C – Commercial	
CH – Highway Commercial	

...

8:1.6 A – Agricultural Zoning District.

A. Primary Uses. The following primary uses are allowed in the A district. Multiple primary uses are allowed on parcels in the A district and uses not exempt under 8:1.3 may be subject to supplemental conditions found in subsection 8:1.23.

...

~~6. Single-Family Dwellings and Manufactured Homes. Limited to those standards in subsection 8:1.6(M).~~

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).

...

B. Accessory Structures and Uses. The following structures and uses are permitted in the A district, provided that they are incidental to a primary or conditionally permitted use. Structures and uses not exempt under 8:1.3 may be subject to supplemental conditions found in subsection 8:1.23.

0A. Agricultural Experience.

- a. Agricultural experiences do not include weddings or overnight stays.
- b. Where the agricultural experience includes food service, it shall feature food grown, raised, or produced on site.

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.

~~15. Storage of wood, lumber and other material where the land occupied by such storage is confined to one location with a maximum area of one hundred (100) square feet.~~

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

...

C. Conditional Uses. The following uses qualify for Conditional Use Permits, in compliance with 8:1.28, in the A district. These uses not exempt under 8:1.3 may be subject to supplemental conditions found in 8:1.23 and such additional conditions as may be warranted to mitigate any deleterious effects of the proposed use.

...

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

...

8:1.7 AR – Agricultural Residential Zoning District.

A. Primary Uses. The following uses are allowed in the AR district. All uses may be subject to supplemental conditions found in subsection 8:1.23.

~~1. Single-Family Dwellings.~~

~~2. Manufactured Homes.~~

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.

...

B. Accessory Structures and Uses. The following structures and uses are permitted in the AR district, provided that they are incidental to a primary or conditionally permitted use. Structures and uses may be subject to supplemental conditions found in subsection 8:1.23.

0A. Agricultural Experience.

- a. Agricultural experiences do not include weddings or overnight stays.
- b. Where the agricultural experience includes food service, it shall feature food grown, raised, or produced on site.

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.

~~12. Storage of wood, lumber and other material where the land occupied by such storage is confined to one location with a maximum area of one hundred (100) square feet.~~

12. Personal storage of wood, lumber, and other materials subject to the regulations in subsection 8:1.24.

...

C. Conditional Uses. The following uses qualify for Conditional Use Permits, in compliance with 8:1.28, in the AR district. These uses may be subject to supplemental conditions found in 8:1.23 and such additional conditions as may be warranted to mitigate any deleterious effects of the proposed use.

...

10A. Harvest Markets.

...

8:1.8 SF – Small Farmstead Zoning District.

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B. Accessory Structures and Uses. The following structures and uses are permitted in the SF district, provided that they are incidental to a primary use. Structures and uses may be subject to supplemental conditions found in subsection 8:1.23 unless exempted under 8:1.3.

...

1A. Agricultural Experience.

- a. Agricultural experiences do not include weddings or overnight stays.
- b. Where the agricultural experience includes food service, it shall feature food grown, raised, or produced on site.

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.

~~16. Storage of wood, lumber and other material where the land occupied by such storage is confined to one location with a maximum area of one hundred (100) square feet.~~

16. Personal storage of wood, lumber, and other materials subject to the regulations in subsection 8:1.24.

C. Conditional Uses. The following uses qualify for Conditional Use Permits, in compliance with 8:1.28, in the SF district. These uses may be subject to supplemental conditions found in 8:1.23 and such additional

...

7A. Harvest Markets.

...

8:1.9 RS – Residential Single-Family Zoning Districts.

A. Primary Uses. The following uses are allowed in the RS District. All uses may be subject to supplemental conditions found in subsection 8:1.23.

~~1. Single-Family Dwellings.~~

~~2. Manufactured Homes.~~

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.

...

B. Accessory Structures and Uses. The following structures and uses are permitted in the RS District, provided that they are incidental to a primary use. Structures and uses may be subject to supplemental conditions found in subsection 8:1.23.

0. Auxiliary Dwelling Unit, Attached. Subject to Zoning Administrator approval.

0B. Camping. Subject to Zoning Administrator Approval.

5A.No-Impact Home Based Businesses.

~~9. Storage of wood, lumber and other material where the land occupied by such storage is confined to one location with a maximum area of one hundred (100) square feet.~~

9. Personal storage of wood, lumber, and other materials subject to the regulations in subsection 8:1.24.

...

8:1.10 RM – Residential Multiple-Family Zoning Districts.

...

B. Accessory Structures and Uses. The following structures and uses are permitted in the RM district, provided that they are incidental to a primary or conditionally permitted use. Structures and uses may be subject to supplemental conditions found in subsection 8:1.23.

0. Auxiliary Dwelling Unit, Attached. Subject to Zoning Administrator approval.

4A. No-Impact Home Based Businesses.

~~8. Storage of wood, lumber and other material where the land occupied by such storage is confined to one location with a maximum area of one hundred (100) square feet.~~

8. Personal storage of wood, lumber, and other materials subject to the regulations in subsection 8:1.24.

...

...

8:1.11 RC – Rural Conservation Zoning District.

A. Primary Uses. The following uses are allowed in the RC district. All uses may be subject to supplemental conditions found in subsection 8:1.23.

~~1. Single-Family Dwellings.~~

~~2. Manufactured Homes.~~

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.

...

B. Accessory Structures and Uses. The following structures and uses are permitted in the RC district, provided that they are incidental to a primary or conditionally permitted use. Structures and uses may be subject to supplemental conditions found in subsection 8:1.23.

0. Auxiliary Dwelling Unit, Attached. Subject to Zoning Administrator approval.

0B. Camping. Subject to Zoning Administrator Approval.

5A. No-Impact Home Based Businesses.

~~9. Storage of wood, lumber and other material where the land occupied by such storage is confined to one location with a maximum area of one hundred (100) square feet.~~

9. Personal storage of wood, lumber, and other materials subject to the regulations in subsection 8:1.24.

...

8:1.12 RMH – Manufactured Housing Residential Zoning District.

...

B. Accessory Structures and Uses. The following structures and uses are permitted in the RMH district, provided that they are incidental to a primary use. Structures and uses may be subject to supplemental conditions found in subsection 8:1.23.

...

6A. No-Impact Home Based Businesses.

~~10. Storage of wood, lumber and other material where the land occupied by such storage is confined to one location with a maximum area of one hundred (100) square feet.~~

~~10. Personal storage of wood, lumber, and other materials subject to the regulations in subsection 8:1.24.~~

...

~~**M. Site Plan Review.** A Site Plan Review in accordance with subsection 8:1.25 shall be required prior to issuance of any building permit in the RMH district.~~

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.

...

8:1.14 C – Commercial Zoning District.

A. Primary Uses. The following primary uses are allowed in the C district. Multiple primary uses are allowed on parcels in the C district and all uses may be subject to supplemental conditions found in subsection 8:1.23.

...

4. 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.

...

12. Retail Sales, General.

- a. Including convenience stores, grocery stores, book stores, electronic stores, farmers markets, and the sale of other retail goods.
- b. Not including the sale of display fireworks or dealerships.

...

B. Accessory Structures and Uses. The following structures and uses are permitted in the C district, provided that they are incidental to a primary or conditionally permitted use. Structures and uses may be subject to supplemental conditions found in subsection 8:1.23.

...

- 2. Outdoor Display of goods for sale. Limited to ~~one hundred (100)~~ two hundred fifty (250) square feet.

...

8:1.15 CH – Highway Commercial Zoning District.

A. Primary Uses. The following primary uses are allowed in the CH district. Multiple primary uses are allowed on parcels in the CH district and all uses may be subject to supplemental conditions found in subsection 8:1.23.

0A. Car Washes.

- 4. 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.

- 18. Repair Shops.

- ~~a. Including repair of automobiles, bicycles, boats, electronics, lawn equipment, and other similar goods.~~

- 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.

- b. Not including the repair of construction equipment, commercial-scale agricultural implements, or other non-personal automobiles or equipment.

- 19. Retail Sales.

- a. Not including the sale of display fireworks.

...

8:1.16 AG-T – Agritourism Zoning District.

...

B. Accessory Structures and Uses. The following structures and uses are permitted in the AG-T district, provided that they are incidental to a primary use. Structures and uses may be subject to supplemental conditions found in subsection 8:1.23 unless exempted under 8:1.3.

0A. Agricultural Experience.

- a. Agricultural experiences do not include weddings or overnight stays.
- b. Where the agricultural experience includes food service, it shall feature food grown, raised, or produced on site

4AA. Auxiliary Dwelling Unit, Attached. Subject to Zoning Administrator approval.

11A. Home Occupations

12A. No-Impact Home Based Businesses.

- 18. ~~Single-Family Dwellings and Manufactured Homes. One unit per lot. Limited to one per parcel except where the property owner has obtained separate approval for additional dwelling units as allowed by this ordinance.~~
- 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.

...

8:1.17 C-AG – Agri-Business Zoning District.

The Agri-Business Zoning District is intended to provide locations for businesses, commercial and industrial in nature, that, a) serve the agricultural community, ~~and or~~ b) are, due to their high intensity and limited traffic production, appropriate in certain rural areas. This district recognizes the unique needs of businesses that serve the agricultural community.

A. Primary Uses. The following primary uses are allowed in the C-AG district. Multiple primary uses are allowed on parcels in the C-AG district and all uses may be subject to supplemental conditions found in subsection 8:1.23.

~~1. Agricultural Implement Dealerships.~~

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.

18. Saw Mills

a. Includes processing of firewood for wholesale or retail sale.

20. Other uses similar in nature and intensity.

...

C. Conditional Uses. The following uses qualify for Conditional Use Permits, in compliance with 8:1.28, in the C-AG zoning district. These uses may be subject to supplemental conditions found in 8:1.23 and such additional conditions as may be warranted to mitigate any deleterious effects of the proposed use.

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.

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8:1.18 ML – Light Industrial Zoning District.

A. Primary Uses. The following primary uses are allowed in the ML zoning district. Multiple primary uses are allowed on parcels in the ML district and all uses may be subject to supplemental conditions found in subsection 8:1.23.

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.

14. Retail Sales.

a. Not including the sale of display fireworks.

17. Other uses similar in nature and intensity.

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8:1.19 MH – Heavy Industrial Zoning District.

A. Primary Uses. The following primary uses are allowed in the MH zoning district. All primary uses allowed in the MH district shall only be allowed in the MH district unless those uses are specifically allowed in other districts. Multiple primary uses are allowed on parcels in the MH district and all uses may be subject to supplemental conditions found in subsection 8:1.23.

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2A.Distribution, Truck Terminals, Wholesaling, and Warehousing.

5A.Manufacturing, General.

10. Other uses similar in nature and intensity.

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8:1.21 ERP – Environmental Resource Preservation Zoning District.

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C. Accessory Structures and Uses. The following structures and uses are permitted in the ERP district, provided that they are incidental to a primary or conditionally permitted use. Structures and uses may be subject to supplemental conditions found in subsection 8:1.23

1A.Camping. Subject to Zoning Administrator Approval.

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8:1.23 Supplemental Conditions.

A. Animal Husbandry and Keeping of Animals. Animal husbandry is a primary use in the A, SF, and AG-T districts and keeping of animals is an accessory use in the AR, RS, RC, and C-Ag districts. Both uses are subject to the following limits unless a property is agriculturally exempt:

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~~2. No animals with an animal unit (AU) of one tenth (0.1) or greater shall be kept on a parcel of fewer than two (2) acres in the AR and RS Districts.~~

3. Number of animals allowed on parcels is determined based on their assigned animal unit and the size of the parcel. The following table outlines the number of animal units allowed per acre in the various zoning district. All animals shall be considered in combination with other animal types and limits shall be based on cumulative animal units.

District	Animal unit limit	Animal Classification based on AU		
		Greater than 0.99	0.1 to 0.99	Less than 0.1
A SF AG-T	Animals on parcels of less than 2 acres*	3 head	5 head	1 AU
	AU on minimum 2 acre parcel	30	15	5
	AU per each additional acre over 2	5	2.5	0.5
AR	AU on minimum 2 acre parcel	25	12.5	2.5
	AU per each additional acre over 2	2.5	1.25	0.25
RS	AU per acre	1	0.5	0.1

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

	<u>Minimum 2 acre parcel</u>	<u>25 AU</u>	<u>12.5 AU</u>	<u>2.5 AU</u>
	<u>Additional per acre for each acre over 2</u>	<u>2.5 AU</u>	<u>1.25 AU</u>	<u>0.25 AU</u>
<u>RS</u>	<u>Parcels of less than 2 acres</u>	<u>None</u>	<u>None</u>	<u>0.2 AU per acre</u>
	<u>Additional per acre for each acre over 2</u>	<u>1 AU</u>	<u>0.5 AU</u>	<u>0.2 AU</u>

*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.

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D. Auxiliary Dwelling Unit. Attached auxiliary dwelling units are accessory uses and detached Auxiliary dwelling units are conditionally permitted in the A, AR, SF, RS, RM, RC, and AG-T districts and are subject to the following conditions:

1. A maximum of one (1) auxiliary dwelling unit may be permitted per property.
2. The gross square footage of the auxiliary dwelling unit shall not exceed one thousand three hundred (1,300) square feet of gross net floor area, or fifty (50) percent of the gross floor area of the primary dwelling unit, whichever is less.
 - 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.
3. The auxiliary dwelling unit shall meet the setback requirements of the primary dwelling unit and shall not cause the lot coverage requirement of the zone to be exceeded.
4. Parcel Size
 - a. Auxiliary dwelling units on parcels less than two (2) acres shall be attached to the primary dwelling unit, or be attached to or integrated within an existing accessory structure.
 - b. Auxiliary dwelling units on parcels two (2) acres or larger may be built as a standalone secondary dwelling.
5. Auxiliary dwelling units may be utilized as short term rentals as allowed by this ordinance. Where an auxiliary dwelling unit is utilized as a short term rental, the legal owner of the property shall reside on the property.
- ~~6. The auxiliary dwelling unit shall be architecturally compatible with the primary dwelling unit.~~
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.
7. Mobile Dwelling Units shall not be permitted as Auxiliary Dwelling Units.
8. Off-street parking shall be provided in accordance with subsection 8:1.24.

D1. Battery Energy Storage Systems, Tier 2. Tier 2 Battery energy storage systems are allowed as primary uses in the RE district, accessory uses in the ML and MH districts, and are conditionally permitted in the A and CH districts. All Tier 2 Battery Energy Storage Systems are subject to the following conditions regardless of district in which they are located:

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9. Fire Safety Compliance Plan. The applicant shall document and describe how the fire safety system and its associated controls will function and be maintained in proper working condition. At a minimum the plan shall comply with NFPA 855 Standard for Installation of Stationary Energy Storage Systems.

...

~~**F. Boat Storage, Outdoor.** Outdoor boat storage is conditionally permitted in the AR district and is subject to the following conditions:~~

- ~~1. Outdoor boat storage shall not be located on parcels of fewer than five (5) acres.~~
- ~~2. A maximum of three (3) boats for every one (1) acre can be stored on any site.~~
- ~~3. Landscaping and Buffering. All boat 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 may be stored on site between October 1 and May 31.~~
- ~~5. The storage area and the boats shall be maintained in good order and appearance. Un-seaworthy vessels, uninsured vessels, vessels in poor appearance and/or poor condition shall not be stored.~~
- ~~6. The sale of boats, parts, accessories, fuels, and lubricants shall be prohibited.~~

~~**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.~~

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.

G. Commercial Storage Facilities. Commercial storage facilities are conditionally permitted in the A district and are subject to the following conditions:

1. All structures and outdoor storage areas shall comply with the primary structure setbacks in the district for which they are located.
2. One (1) commercial storage facility may be permitted on a single parcel or parcel group.

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.

...

H. Communication Towers, Commercial. Commercial communication towers are conditionally permitted in the all zoning districts, except for the ERP district, and are subject to the following conditions:

...

2. Setback Standards.

- a. Communication Towers shall be setback from parcel lines and occupied structures a minimum distance of one hundred and ten (110) percent the height of the tower.
- b. All guy-wire anchors, support structures, or associated structures shall comply with the setback requirements for the district for which it is located.
- 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.

...

~~**N. Fireworks, Consumer and Display, retail sales, wholesale, and storage.** The retail sale, wholesale, and storage of consumer and display fireworks is a primary use in the MH district and is subject to the following conditions:~~

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:

1. The applicant must provide documentation to the Zoning Administrator prior to operation that the State Fire Marshall has approved the use and location, along with a copy of the valid and unexpired or unrevoked Firework Sellers License issued by the State to the named operator at the proposed location.
2. All sales of Consumer and Display Fireworks must occur only during designated sales windows allowed by the most recent Code of Iowa.
3. All sales and storage of Consumer and Display Fireworks must occur in a structure, whether temporary or permanent, that has been permitted in advance in accordance with the Johnson County Building Code and, if a permanent structure, is protected by a sprinkler system.

...

~~**P. Home Occupations, Home Businesses, and Home Industries.** Home occupations 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:~~

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:

~~1. Home occupations shall be approved by the Zoning Administrator if customers or members of the public visit the site. Home occupations where no customers or members of the public visit the site are allowed as accessory uses and are not subject to permitting. Home businesses and home industries are conditionally permitted through the Board of Adjustment.~~

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.

2. With the exception of no-impact home-based businesses, Each permit type is limited by a variety of intensity criteria. Uses shall not exceed any of the criteria listed below. The Board of Adjustment may impose stricter limits if necessary to adequately safeguard the health, safety, and welfare of the surrounding residents and landowners and the general public.

Intensity Criteria	Home Occupation	Home Business	Home Industry
Nonresident employees (full time equivalent)**	0	2	5
Employees working at one time	0	4	10
Non-standard deliveries per month	0	4	8
Customers on site at any one time	2	10	50
Customers on site per month	30	150	500
Approval	Administrator*	CUP	CUP

* Home Occupations with no customer visits on site are allowed without prior authorization by the Zoning Administrator.

** 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.

a. To ensure that operations permitted as a home occupation, home business, or home industry do not exceed the intensity criteria, the Zoning Administrator may request and the permit holder shall provide information about the operation, including, but not limited to, number of employees, days of operation, and amount of customers.

3. One (1) home business or home industry may be permitted per parcel or parcel group.

4. Residency Requirements.

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

a. Home Occupation. Applicant shall reside on the parcel.

- b. Home Business. Applicant shall reside on the parcel or an adjacent parcel and within one quarter (1/4) mile.
 - c. Home Industry. Applicant shall reside on the parcel, on an adjacent parcel, or within one quarter (1/4) mile.
5. Off-street parking shall be provided in accordance with subsection 8:1.24.

~~5A. Outdoor storage of materials related to the home occupation, home business, or home industry may be allowed if fully screened from view of the right of way and all neighboring property.~~

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.
6. The applicant shall provide a severe weather plan if customers will visit the site unless the use qualifies as a no-impact home-based business.
7. The application shall comply with all Johnson County Public Health requirements and all other applicable federal, state, and local regulations.
8. No use which is conditionally permitted in the district in which the property is located may otherwise be permitted as a home occupation, home business, or home industry.
9. The following uses shall not be permitted as home occupations, businesses, or industries:
- a. Animal Slaughter facilities.
 - b. Event Centers.
 - c. Farmer’s Markets.
 - d. Fermented Beverage Production Facilities.
 - e. Food Service Establishments.
- e1. Landscape Businesses
- f. Overnight lodging for guests
 - g. Any uses specifically confined to the MH or SWDRR districts.

...

R. Landscaping Businesses. Landscaping businesses are conditionally permitted in the A and AR districts, are a primary use in the C-AG district, and are subject to the following conditions:

- 1. Landscaping businesses can include the sale and storage of landscaping materials on site.
- ~~2. Landscaping materials and equipment shall be stored inside a structure or be screened from sight from neighboring properties and the right of way.~~

- ~~3. Excluding landscaping products, there shall be no stockpiling or burning of any materials that do not originate onsite.~~
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 trunks 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.

4. Unless located in the C-AG district, landscaping businesses shall not exceed the intensity criteria for home industries, in this subsection.
5. The application shall comply with all Environmental Standards in Chapter 8.3.
6. Off-street parking shall be provided in accordance with subsection 8:1.24.
7. The application shall comply with all Johnson County Public Health requirements and all other applicable federal, state, and local regulations.

...

Z. Seasonal Resorts. Seasonal resorts are conditionally permitted in the A, AR, RR, and AG-T districts and are subject to the following conditions:

1. Seasonal resorts shall not be located on parcels of fewer than five (5) acres.

~~2. Number of Sites. All resorts shall be limited to ten (10) recreational vehicle/camp sites per acre or four (4) primitive cabins per acre.~~

~~a. Resorts in the AR and AG-T districts are limited to ten (10) total recreational vehicle/camp sites and primitive cabins.~~

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.

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

~~3. Seasonal resorts shall have a permanent central bathroom facility or facilities.~~

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.

4. Allowed accessory uses and structures include:

a. Management headquarters.

b. Picnic shelters.

c. Recreation facilities.

d. Shower facilities.

e. Storage facilities.

f. Limited retail sale of goods incidental to camping.

5. One (1) single-family dwelling is allowed on-site for year round resort management.

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.

6. Recreational vehicle sites shall be a minimum of two thousand five hundred (2,500) square feet in area and contain a stabilized vehicle parking pad of rock, marl, paving, or other suitable surface. A minimum twenty five (25) feet is required between parking pads.

7. All interior roads shall be designed for safe and convenient movement of vehicles with trailers onto and off of the public road. Interior roads shall have a twenty two (22) foot wide travel surface and be constructed of rock, marl, paving, or other suitable material.

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.

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.

8. The applicant shall provide a severe weather plan.

9. Off-street parking shall be provided in accordance with subsection 8:1.24.

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.

10. The application shall comply with all Environmental Standards in Chapter 8.3.

11. The application shall comply with all Johnson County Public Health requirements and all other applicable federal, state, and local regulations.

...

BB. Solar Energy Systems, Utility Scale. Utility Scale Solar Energy Systems with a total use area of twenty (20) acres or less are allowed as a primary use in the RE district, and are conditionally permitted in the A district. Utility scale solar energy systems with a total use area of greater than twenty (20) acres are allowed as primary uses in the RE district. All utility scale solar energy systems are subject to the following conditions regardless of use area size:

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8. Site Plan. A site plan shall be submitted showing preliminary array details and location, fencing details and location, landscaping plan (if applicable), signage, location of underground and above ground transmission facilities, project development timeline, and any other pertinent information as required by the Zoning Administrator. 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. After approval is issued, and prior to ground disturbance or issuance of building permit(s), the Zoning Administrator may approve minor modifications to the preliminary site plan to account for reasonable engineering optimization and final selection of equipment. The site plan application shall additionally include and conform to the following:

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CC.Special Events. Special events are conditionally permitted in all districts and are subject to the following conditions:

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2. For each parcel or parcel group, the maximum number event points per calendar is based on the parcel or parcel group size.

Parcel/Parcel Group Size	Annual Event Points
Less than 5 acres	36
Greater than 5 acres	42

a. For properties located in the AG-T district, ~~Tier 1~~ events held as Accessory Uses shall not count toward the maximum number of annual event points on the parcel or parcel group.

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13. Administrator Approval. The Zoning Administrator may approve up to one (1) event every two (2) years on any parcel or parcel group. The event points associated with this request shall be included in the annual limit. Approval is subject to the following conditions and any other conditions deemed appropriate to protect public health, safety, and welfare:

- a. Review and approval by the Johnson County Secondary Roads Department or appropriate agency.
- b. Review and approval by the Johnson County Public Health Department.

- c. Submission of a severe weather plan for review by the Emergency Management Department.
- d. Adequate Off-street parking shall be provided in accordance with subsection 8:1.24.
- e. Application shall be made in accordance with subsection 8:1.27.
- f. ~~Notice shall be sent to all property owners within five hundred (500) feet of the property in question.~~

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8:1.24 Additional Regulations.

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B. Yard and Area Regulations. The following yard and area regulations shall be observed:

1. Residential and Agricultural Yard Regulations. The following regulations for yards shall be observed for all properties located in the A, AR, SF, RS, RM, or RC zoning districts:

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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.

3. Commercial and Industrial Yard Regulations. The following regulations for yards shall be observed for all properties located in the RR, C, CH, AG-T, C-AG, ML, MH, or SWDRR zoning districts:

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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.

...

C. Off-Street Parking Regulations. The following parking regulations shall be used in all cases that provision of off-street parking is required. Parking and loading is prohibited in the right-of-way of any public road.

1. Required number of spots, by use. The following shall be used to determine the number of off-street spaces that shall be required.

a. Determination of required number of parking spots.

...

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).

b. Commercial and Industrial.

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v. Commercial Condominiums: ~~Four (4) spaces per one thousand (1,000)~~ five (5) spaces per two thousand (2000) square feet of gross floor area.

vi. Commercial Storage Facility: ~~One (1) space per ten (10) storage spaces.~~ One (1) space per twenty five (25) storage spaces, provided there is sufficient room between structures for temporary loading and unloading by tenants.

x. Farmers Markets and Harvest Markets: Five (5) spaces per one thousand (1,000) square feet of gross area occupied by vendors and patrons.

...

4. Bicycle Parking Facilities. All site plans in the RR, C, CH, AG-T, C-AG, and ML,~~and MH~~ districts must provide bicycle parking in the following rate and manner:

a. Two (2) bicycle parking spaces per property. Two (2) additional spaces for each fifty (50) required parking spaces beyond the first fifty (50) to a maximum of 10 bicycle parking spaces.

...

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.

5. Parking Lot Design Standards. The following minimum standards shall be used in the design of any parking lot.

...

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.

D. Sign Regulations. The following regulations shall apply to signs. For permitting requirements, refer to Permit Application Administration and Procedures in Section 8:1.26. For construction standards (as applicable), see Building Code in Chapter 8:6.

1. General Sign Regulations. Unless specifically stated otherwise, the following standards apply to signs in all zoning districts:

...

b. No sign shall be located in the right-of-way of any county road, state highway, or interstate highway.

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.

...

f. No sign shall be illuminated by flashing, intermittent, or animated lights except those giving such public service information as the time, date, temperature, and weather. Electronic message signs displaying any information other than public service information are prohibited.

g. With the exception of operable and licensed vehicles, no sign shall be constructed upon or affixed to a mobile or portable device. Signs mounted on or affixed to licensed and operable vehicles or portable devices shall be regulated as yard signs.

...

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.

2. Residential Sign Regulations. In addition to general regulations, the following regulations for signs apply to all properties located in the AR, RS, RM, RC, and RMH zoning districts:

...

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.

...

4. Commercial and Industrial Sign Regulations. In addition to general regulations, the following regulations for signs apply to all properties located in the RR, C, CH, AG-T, C-AG, ML, MH, and SWDRR zoning districts:
- a. Permitted Signs. The following sign types are permitted in the RR, C, CH, AG-T, C-AG, ML, MH, and SWDRR districts. Signs types that are not listed are prohibited in these districts.
 - i. Awning signs.
 - ii. Balloon signs. Limited to 30 consecutive days.
 - iii. Banner signs.
 - iv. Freestanding signs. Limited one (1) sign per parcel.
 - v. Hanging signs.
 - vi. Illuminated signs. Shall also comply with Downcast Lighting Regulations.
 - vii. Internal signs. Limited to thirty two (32) square feet per sign.
 - viii. Monument signs.
 - ix. Projecting Signs. Cannot extend more than five (5) feet from the structure for which it is attached.
 - x. Wall signs. 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.
 - xi. Yard signs.
 - b. Sign Height. Signs cannot exceed 30 feet above the highest established grade of the highest adjacent public or private road.
 - ~~c. Sign Size. Limited to four hundred (400) total square feet of signs per parcel, no single sign face may be larger than 100 square feet. Internal signs are exempt from this regulation.~~
 - 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.

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.

...

E. Fence Regulations. The following regulations apply to the installation of fencing in all zoning districts. For permitting requirements, refer to Chapter 8:6 Building Code.

1. Height Regulations. The following regulations apply to all fences. In all cases, due to grade changes and slopes, no portion of a fence may extend more than one-half (½) foot above the maximum average height.

a. Boundary Fences. Cannot exceed six (6) feet in height on average in any yard.

b. Interior Fences. Cannot exceed eight (8) feet in height on average in the any yard.

2. Structural support for fencing shall be facing the interior of the parcel.

3. Privacy Fences. Only allowed as boundary fences in the side and rear yard. Privacy fences are allowed as interior fences in the front and must meet the required front yard setback for primary structures.

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.

4. Swimming Pool Fences. Fencing for swimming pools shall be installed in accordance with the standards set forth in Chapter 8:6 Building Code and this subsection.

5. Certain Fences Exempt. Any security fencing required by section 8:1.23 shall be exempt from the height regulations of this section and shall adhere to the applicable requirements in section 8:1.23. Where security fencing is required as a condition of approval by the Zoning Board of Adjustment, the height requirement specified in said condition shall supersede the height regulations of this subsection.

...

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.

8:1.25 Site Plan Review.

The intent of the site plan review regulations is to provide a uniform set of requirements for the development of commercial, industrial, and agritourism properties. The requirements are meant to protect the health, safety, and welfare of those who work on site, the public who visit the site, surrounding properties, and the general public.

A. Application of Regulations.

1. No building permit shall be issued for a new structure or addition in the RR, C, CH, AG-T, C-AG, ML, MH, or SWDRR districts which has not been shown on an approved site plan.
- 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.

...

4. Exceptions. In the following circumstances, no site plan is required prior to issuance of a building permit:
- a. Site Plan Revision. Any application for building permit or permits on a property located in the RR, C, CH, AG-T, C-AG, ML, MH, or SWDRR districts or on property required to obtain Site Plan approval through subsection 8:1.23, can be approved by the Zoning Administrator in accordance with the following:
 - i. The property in question was previously developed in accordance with an approved site plan.
 - ii. The total footprint of all proposed new structures or additions does not exceed twenty five (25) percent of the total footprint of all existing structures located on the site, and
 - iii. The gross floor area of all proposed new structures or additions and the area other new impervious surfaces does not exceed one thousand two hundred (1,200) square feet.
 - iv. The total area (either footprint or gross floor area) of all new structures or additions that were built after adoption of this ordinance under the site plan revision exception, shall be considered for both 8.1.25(A)~~(3)~~(4)(a)(ii) and (iii).
 - v. Any additional parking, as required by subsection 8:1.24, is installed without exceeding the maximum increase to impervious surface as allowed by 8:1.25(A)(4)(a)(iii).
 - vi. A revised site plan, is submitted and approved by the Zoning Administrator showing the location of all proposed new structures or structure additions.
 - b. Structure Remodel. Any application for a building permit or permits on a property located in the RR, C, CH, AG-T, C-AG, ML, MH, or SWDRR districts or on property required to obtain Site Plan approval through subsection 8:1.23, which meets the following, is exempt from site planning requirements.
 - i. The proposed building permit or permits do not increase the footprint of the existing structures.
 - ii. The applicant demonstrates that the required number of parking for the proposed occupancy, is already provided in accordance with subsection 8:1.24.
 - c. Temporary Structures and uses. Any application for building permit or permits for temporary uses on a property located in the RR, C, CH, AG-T, C-AG, ML, MH, or SWDRR districts, can be approved by the Zoning Administrator in accordance with the following:
 - i. The property in question was previously developed in accordance with an approved site plan.
 - ii. The temporary use is located on a portion of the property which is accounted for in an approved storm water management plan.
 - iii. The use shall be removed and the site shall be restored to its original state within 18 months.
 - a) A site restoration plan and performance guarantee with financial assurance shall be submitted and approved prior to the beginning of operations.
 - b) The performance guarantee shall be in accordance with the standards set in Section 8:1.27(B)(12).

- iv. Any additional parking, as required by subsection 8:1.24, can be accommodated without requiring an increase to the impervious surface allowed under the approved storm water management plan.
- v. A revised site plan is submitted and approved by the Zoning Administrator showing the location of all proposed structures or structure additions.
- 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.

...

C. Site Plan Specifications. The application for site plan shall adhere to the following standards and contain the following information. All facilities, improvements, and structures shall be clearly denoted as either existing or proposed.

...

- 6. Signature Block. Signature blocks shall be included for the applicant, Public Health Department, ~~Secondary Roads Department~~, and the Zoning Administrator.

...

D. Site Plan Tiers. Site plan design standards and principles are determined based on zone, intensity, proposed use, and existing development status.

...

- 2. Tier Two. Development applications are eligible for site plan approval in accordance with the standards set under Tier Two if the site and proposed development meet one of the following standards:
 - b. Any application for a building permit or permits on a property for which this subsection applies, which meets the following:
 - i. The property in question was previously developed in accordance with an approved site plan, ~~and~~.
 - ii. ~~The footprint of all proposed new structures or additions exceeds fifty (50) percent of the total footprint of all existing structures located on site, and~~
 - iii. The gross floor area of all proposed new structures or additions does not exceed five thousand (5,000) square feet.

...

E. Site Plan Principles. All site plans shall be designed in accordance with the following principles.

...

- 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.

F. Site Plan Design Standards. Applications for site plan approval shall meet the following standards. Unless stated otherwise, all standards are minimum.

...

3. Parking.

- a. Parking lots shall be designed in accordance with off-street parking standards in subsection 8:1.24.
- b. Parking lots shall provide the required number of parking spots in accordance with subsection 8:1.24.
- c. Parking Surface Type:
 - i. Tier One: All parking shall be of a permanent dust free surface.
 - ii. Tier Two: Half of the required parking shall be of a permanent dust free surface.
 - iii. Tier Three: Twenty (20) percent of required parking shall be of a permanent dust free surface.
- d. Accessible parking shall be provided in accordance with subsection 8:1.24(C).

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.

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.

...

5. Bufferyards. Bufferyards are intended to provide some separation between differing uses. Bufferyards shall be designed to provide a visual and physical barrier between commercial and industrial uses and properties used residentially or those that are being preserved.

...

- c. Bufferyard Separation. Visual and physical separation shall be provided through the use of vegetative screening, or vegetative screening and privacy fencing in combination. In either case berms may also be used to achieve up to fifty percent (50%) of the necessary height required for screening. Vegetative screening shall be installed in accordance with the landscaping standards in this section.
 - i. Where fencing is used to achieve required separation, the fencing shall be privacy fencing as defined by this ordinance but shall not include fabric or mesh attached to a chain link or other non-privacy fence. Fencing shall comply with the requirements for boundary fences found in section 8:1.24 of this ordinance with the exception that fencing shall be at least six (6) feet in height on average with variations of no more than one-half (1/2) foot below the minimum average height due to grade changes and slopes.

6. Landscaping. The intent of landscaping requirements is to promote and protect the health, safety, and welfare of the public, safeguard and enhance property values, reduce the negative effects of commercial and industrial development, and mitigate air, dust, noise, light, and heat pollution as a result from commercial and industrial development or use.

~~a. Application. Landscaping shall be installed along all areas that front a public or private road and in all required rear and side bufferyards.~~

~~i. 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.~~

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.

b. Landscaping Standards. Landscaping shall meet the following standards and shall be designed to, and serve as a visual screen from, the right-of-way and adjacent residentially and publicly used properties to the commercial or industrial property or use.

i. Landscaping shall utilize native or naturalized species.

...

8:1.26 Permit Application Administration and Procedures.

A. Permit Types and Application of Regulations. The following permit(s) shall be obtained from the Zoning Administrator in writing before starting or proceeding with any of the work described herein:

1. Building Permit. A building permit is required before starting or proceeding with any of the following:

a. The construction, alteration, movement, enlargement, replacement, repair, equipment, or location, of any building or structure, or as otherwise required by Chapter 8:6 of this ordinance.

~~i. Permits are also required for fences over six (6) feet in height.~~

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.

d. Excavating for any building or structure.

e. The removal or demolition of any building or structure, or part thereof which would require a building permit to construct.

i. A permit will be required even if the structure was involuntarily damaged by fire, wind, flood, age, or other cause. The permit will cover removal of any remaining debris and foundation from the site.

ii. Separate permits for the demolition or removal of buildings or structures shall not be required when a building permit is issued for construction, alteration, movement, enlargement, replacement, or repair of an existing structure to be removed.

f. Changing the use or occupancy of any building or structure from one classification to another.

g. The erection, installation, enlargement, alteration, repair, removal, conversion, or replacement of any electrical, gas, mechanical, or plumbing system.

h. 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.

...

~~5. Sign Permit. A sign permit shall be obtained from the Zoning Administrator in accordance with this section and Chapter 8:1.24.~~

...

8:1.27 Development Application Administration and Procedures.

...

B. General Provisions.

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5. Extraterritorial review. Development applications located within 2 miles of a city may be subject to review by said city in accordance with this section.

c. Unless authorized under a 28E Fringe Area Agreement, the Commission shall not close the public hearing or make official recommendation on an application, nor shall the Board of Supervisors issue final disposition, prior to receiving official comment from the City Council, or the Council's duly authorized representative.

d. Extraterritorial review for Conditional Use Permits shall be in accordance with section 8:1.28.B.7. Extraterritorial review for Board of Adjustment Applications other than Conditional Use Permits is not required.

...

11. Expiration

...

- c. Approval of a preliminary plat shall expire two (2) years from the date of approval by the Board of Supervisors, unless all or a part of the area shown on such plat is ~~recorded as~~ included on an application submitted for a Final Plat in accordance with final plat phasing requirements in Chapter 8:2.5(G).

...

- 12. Performance Guarantees. This subsection shall apply to applications where a developer is required to enter into an agreement in accordance with this ordinance to guarantee the construction of required improvements for a development, the restoration of a site in connection with an approved permit, or other situations as may be deemed appropriate by the County. Performance guarantees may be referred to as performance agreements.

...

- F. Subdivision.** Any person intending to subdivide land within the terms of these regulations shall comply with the procedures established in this subsection.

...

- 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.

...

H. Applications reviewed by the Board of Adjustment

...

- 2. Submission. The applicant shall prepare and submit an application, together with the appropriate fees, for approval in accordance with this section. Submittal shall be made on the form prescribed by the Zoning Administrator and include any supplemental information required by this ordinance, or by the application procedures established by the Zoning Administrator.

...

- b. Where a conditional use permit is sought on property located within the extraterritorial jurisdiction of one or more municipalities, an application will not be considered complete and will not be placed on an agenda for public hearing until official comment or waiver has been received from the Council or their duly authorized representative, for all municipalities involved.
 - i. Unless the applicant has agreed to an extension or due cause has been 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 Board may take final action on the item.

...

8:1.28 Establishment of the Board of Adjustment.

...

B. General Provisions:

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- 9. Necessary votes. The concurring vote of three (3) members of the Board of Adjustment shall be necessary to reverse any requirement, decision, order, or determination of the Zoning Administrator; to decide in favor of the applicant in regard to an application; or to provide final disposition on any matter upon which the Board is authorized by this Ordinance to render a decision.

Extra-Ordinary Requirement for Conditional Use Permits. A Conditional Use Permit shall require the concurring vote of 4 members of the Board of Adjustment to be approved in the following cases:

...

- b. If the proposed use is opposed by a vote of a city council whose extraterritorial jurisdiction includes the property involved in the proceedings.
 - 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.

...

- D. Variances. To authorize, upon appeal, in specific cases, such variance from the terms of the Zoning Regulations as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the Zoning Regulations will result in unnecessary hardship, and so that the spirit of the Zoning Regulations shall be observed and substantial justice done.

- 1. The Board shall have the power to vary the following standards in the zoning ordinance:

- a. The setback, frontage, height, or other lot area regulations where there is an exceptional or unusual physical condition of a lot, which condition is not generally prevalent in the vicinity and which condition when related to the setback, frontage, height, or other lot area regulations of this section would prevent a reasonable arrangement of buildings on the lot.
- ~~b. The parking regulations where an applicant demonstrates conclusively that the specific use of a building would make unnecessary the parking spaces required by this article but providing that such a reduction not be more than fifty (50) percent of the usual requirement.~~

...

8:1.29 Legal Nonconforming Regulations.

...

D. Legal Nonconforming Structures. Legal nonconforming structures with conforming uses are subject to the provisions contained in this section.

1. Legal Nonconforming Residential Structures.

...

- c. Restoration of a legal nonconforming residential structure that is *voluntarily* removed or damaged must commence within one (1) year and diligent progress must be maintained.
 - i. Any reconstruction shall be in conformity with the provisions of this Ordinance.
 - ii. The structure may only be rebuilt or replaced if it conforms with all setback and other bulk standards of the district in which it is located unless issued a variance or special exception by the Board of Adjustment.
 - 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.
- d. Restoration of a legal nonconforming residential structure that is *involuntarily* removed or damaged must commence within two (2) years and diligent progress must be maintained.
 - i. Any reconstruction shall be in conformity with the provisions of this Ordinance.
 - ii. The structure may be rebuilt on its original footprint, or any footprint which decreases the nonconformity, without obtaining a variance or special exception.
 - 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.

...

2. Nonresidential Legal Nonconforming Structures (all other than legal nonconforming residential structures).

- a. A legal nonconforming structure may continue.

- i. A legal nonconforming primary structure may be enlarged or altered so long as such enlargement or alteration does not increase its nonconformity. Any yards not currently in compliance cannot be reduced from their existing distance by such enlargement, alteration, or reconstruction
- ii. A legal nonconforming accessory structure may not be enlarged unless the expansion is built in compliance with the standards for the district in which it is located.

...

h. A sign is considered legally established if it was erected and maintained prior to the effective date of this ordinance or subsequent amendment thereto.

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.

...

8:2 Subdivision Regulations

...

8:2.5 General Provisions.

...

G. Final Plat Approval. After approval of an application for preliminary plat by the Board, the subdivider may begin installation of improvements in accordance with the approved preliminary plat and the regulations of this ordinance.

...

~~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. To proceed with final platting after expiration, the preliminary plat shall be resubmitted and reapproved by the Board in accordance with this Chapter and Chapter 8:1.27.~~

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.

...

8:2.7 Subdivision Principles.

...

C. Conformance to Chapter 8:1 Zoning Regulations.

1. The Board shall not approve any preliminary, combined, or final plat, which does not comply with lot size, width, use, or any other provisions in Chapter 8:1.
2. The Board shall not approve a preliminary, combined, or final plat that has more than one (1) zoning designation per lot or outlot.
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.

...

8:2.8 Subdivision Design Standards.

...

C. Lot and Outlot Design Standards.

1. General Standards.
 - a. All buildable lots shall comply with the bulk standards for the district for which they are located.
 - b. Flag pole lots are permitted, provided that they meet the following standards:
 - i. The pole portion of all flag pole lots and outlots shall maintain no less then forty (40) feet in width for the entirety of its length.

~~2. Frontage.~~

- ~~a. Buildable Lots: Shall have at minimum forty (40) feet of frontage onto a public or private road which meets current Subdivision Road Design Standards.~~
 - ~~i. At the discretion of the Board, new buildable lots 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.~~
- ~~g. Future Development Outlots: Shall have at minimum sixty six (66) feet of frontage onto a public or private road.~~
- ~~h. General Outlots: Shall have at minimum fifty (50) feet of frontage onto a public or private road.~~
- ~~d. Agricultural, Infrastructure, Open Space, and Preservation Outlots: No required frontage if an access is granted through a twenty five (25) foot wide access easement.~~

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 through 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 through 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 through 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.

D. Subdivision Road Design Standards. All subdivision roads shall be constructed and installed to meet the following minimum design standards.

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- 5. Access Classification and Design Standards. Subdivision roads shall be classified into one of the following road classifications based on service level and type of traffic that travel the road.

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- e. Residential Subdivision Roads Design Standards. All subdivision roads that primarily serve residential uses shall meet the following design standards:

Classification	ROW Width (feet)	Travel Surface Width* (feet)	Maximum Vertical Grade	Maximum Ditch Grade **	Minimum Surface Type
Marginal Access	40	21	15%	3:1	3” Class A crushed rock
Local Road	50	24	12%	3:1	Oil Chip Seal
Collector Road	66	26	10%	3:1	Oil Chip Seal

* Adapted for the purpose of this Ordinance from Iowa SUDAS, Chapter 5 – Roadway Design, 2018 Edition

** 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.

- f. Commercial and Industrial Subdivision Road Design Standards. All subdivision roads that primarily serve commercial and industrial uses shall meet the following design standards:

Classification	ROW Width (feet)	Travel Surface Width* (feet)	Maximum Vertical Grade	Maximum Ditch Grade **	Minimum Surface Type
Local Road	60	26	10%	3:1	Paved
Collector Road	66	30	10%	3:1	Paved

* Adapted for the purpose of this Ordinance from Iowa SUDAS, Chapter 5 – Roadway Design, 2018 Edition

** 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.

...

8:2.9 Other Requirements and Legal Documentation.

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C. General Legal Documentation. All applications for final and combined plat approval shall include legal documentation in accordance with this subsection.

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2. General Documents. The following documents are required with all final and combined plat applications:

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b. Title Opinion.

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

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3. Specific Documentation. Depending on the application, specific documentation in this section will be required as dictated by the design of the subdivision.

...

c. ~~Easements~~ Easement agreements, where applicable, for items including, but not limited to, access, wells and waterlines, septic systems, and utilities.

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.

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j. Agreement for Private Stormwater Management.

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8:4 Floodplain Management Regulations

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8:4.4 Definitions.

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B. Terms.

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12. **Factory-Built Home Park or Subdivision**. A parcel or contiguous parcels of land divided into two or more factory-built home lots for sale or lease.

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8:4.6 Administration.

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B. Floodplain Development Permit.

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3. Installation of Fill Materials.

- a. Fill shall only be allowed in the Floodway Overlay District in accordance with Section 8:4.7 of this chapter.
 - ~~i. Fill of 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).~~
 - ~~j. To obtain a permit for fill in excess of 500 cubic yards within the Floodway Fringe, General Floodplain, and Shallow Flooding overlay districts, the applicant shall submit a fill plan in addition to the general application requirements in subsection 8:4.6(B)(2). The fill plan must include existing and proposed conditions of the site including elevations, boundary of the floodway fringe and floodway, and any structures proposed to be placed on the fill.~~
 - ~~k. The location and method of installation of fill shall be subject to the following:
 - ~~i. The placement of fill must comply with all Environmental Regulations in Chapter 8:3 of this ordinance.~~
 - ~~ii. 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.~~
 - ~~iii. Compensatory storage shall be provided to offset the storage lost through filling.~~
 - ~~iv. In no instance shall the depth of fill in a floodway fringe exceed five (5) feet.~~
 - ~~v. 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. In an inland depression floodplain, the depth of fill measured from the natural grade to the new surface shall not exceed five (5) feet.~~
 - ~~vi. Fill shall consist of soil or rock materials only; sanitary landfills shall not be permitted in any portion of a floodplain.~~
 - ~~vii. All fill areas shall be stabilized with material which will protect against erosion hazards, undercutting, and undermining.~~
 - ~~viii. Fill that is being placed in accordance with 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.~~~~

- 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

...

8:4.7 FWO – Floodway Overlay District.

The Floodway Overlay District refers to those areas identified as Floodway on the Official Floodplain Zoning Map.

~~A. **Permitted Uses.** All uses and development within the Floodway 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 applicable performance standards of the Floodway Overlay District.~~

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.

B. Performance Standards. All Floodway Overlay District uses allowed as a Permitted Use shall meet the following standards:

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5. BuildingsStructures, if permitted, shall have low flood damage potential and shall not be for human habitation.

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8:4.8 FFO – Floodway Fringe Overlay District.

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~~B. **Performance Standards.** All uses must be consistent with the need to minimize flood damage and meet the following applicable performance standards:~~

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:

~~1. All new and substantially improved structures shall:~~

~~a. Be designed and adequately anchored to prevent flotation, collapse or lateral movement of the structure.~~

~~l. Use construction methods and practices that will minimize flood damage.~~

~~m. Use construction materials and utility equipment that are resistant to flood damage.~~

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.

...

4. All new and substantially improved structures.

...

~~c. New and substantially improved structures shall be constructed with electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities (including ductwork) elevated or floodproofed to a minimum of one (1) foot above the base flood elevation.~~

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.

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.

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10. Subdivisions. Subdivisions, including factory-built home parks, shall be consistent with the need to minimize flood damages and shall have adequate drainage provided to reduce exposure to flood damage.

a. Development associated with subdivision proposals (including the installation of public utilities) shall meet the applicable performance standards of this Chapter, and Chapter 8:2.

b. Subdivision proposals intended for residential, commercial, or industrial use shall provide all lots with a means of access which will be passable by wheeled vehicles during the base flood.

c. Subdivision proposals intended for residential, commercial, or industrial use shall include base flood elevation data for those areas located within the Floodway Fringe Overlay District on the appropriate plat exhibit.

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.

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8:4.9 GFO – General Floodplain Overlay District.

The General Floodplain Overlay District refers to those areas identified as Zone A on the Official Floodplain Zoning Map.

~~**A. Permitted Uses.** All uses 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.~~

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.

~~1. Any uses which involve 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.~~

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.

8:4.10 SFO – Shallow Flooding Overlay District.

The Shallow Flooding Overlay District refers to those areas identified as Zone AO or AH on the Official Floodplain Zoning Map.

~~A. Permitted Uses.~~ All uses within the Shallow Flooding 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 Shallow Flooding Overlay District.

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.

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8:6 Building Code

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8:6.6 Amendments to Codes.

The following sections of the 2021 International Building Code, the 2021 International Residential Code, the Iowa State Electrical Code, the Iowa State Mechanical Code, and the Iowa State Plumbing Code are amended as follows:

...

~~C. Sections 105.5 and R105.5.~~ Amend Sections 105.5 and R105.5 by adding the following sentence to the end of the section:

~~In no case shall the permit be effective unless the work covered by the permit has a documented inspection every one hundred and eighty (180) days minimum and is completed within twenty four (24) months of the date on which the original permit was issued.~~

...