



ZONING ORDINANCE MAP AMENDMENT REZONE

An amendment to the zoning ordinance map is intended to reflect the changing use and development patterns in the county and to move the zoning map into compliance with the adopted long range comprehensive plan.



WHO MAY FILE?

A request to amend the zoning ordinance map may be filed by the Board of Supervisors, the Planning & Zoning Commission, or any person with an ownership or contractual interest in the particular real estate.

APPLICATION REQUIREMENTS

- Name & address of the property owner and the applicant.
- Address, if any, and legal description of the property.
- Statement of the current and the requested zoning district classification of the property.
- A map, drawn to scale, showing the subject property and sufficient area surrounding the property with information regarding zoning, land uses, streets, etc. to illustrate the relationship of the property to its environs.
- For planned development zoning districts, either a preliminary or final development plan as described in subsection 2.02-5.E. in the zoning ordinance.
- A statement of the Corn Suitability Rating (CSR) of the property as established by the Natural Resources Conservation Services (NRCS).
- A statement of explanation and justification for the requested change in zoning district classification.
- A filing fee, as established by resolution of the Board of Supervisors to defray administrative costs, shall accompany the application.
- A certified abstractor's listing of the names and mailing addresses of all owners of real property lying within 1,000 feet from the subject property.

EVALUATION CRITERIA

The Zoning Commission shall base their recommendations and the Board of Supervisors shall base their decision on the following criteria:

- Conformance with the goals and objectives set forth in the approved General Development Plan for Woodbury County including the Future Land Use Map.
- Compatibility and conformance with the policies and plans of other agencies with respect to the subject property.
- Consideration of the Corn Suitability Rating (CSR) of the property.
- Compatibility with adjacent land uses.
- Compatibility with other physical and economic factors affecting or affected by the proposed rezoning
- Any other relevant factors.

ZONING COMMISSION RECOMMENDATION

- A public hearing will be conducted with notice mailed to the owners of all real property lying within 1,000 feet of the subject property. Notice will also be published in a newspaper not less than four nor more than twenty days prior to the public hearing date.
- A recommendation to the Board of Supervisors for approval, approval with conditions or disapproval on the proposal, shall be made within 35 days of the conclusion of the public hearing unless the petitioner consents to an extension of time. If no recommendation is made within 35 days from the conclusion of the public hearing, the issue will be forwarded to the Board of Supervisors with no recommendation.

BOARD OF SUPERVISORS ACTION

- Three public hearings will be conducted with notice published in a newspaper of general circulation not less than four nor more than twenty days prior to the public hearing date.

The Board of Supervisors may:

- Defer consideration
- Reject the proposal
- Proceed subject, to the following:
 - Super majority required (60%) if the owners of more than 20% of either the area of subject property or the areas of real property lying within 500 feet of the subject property file a written objection prior to the conclusion of the public hearing;
 - May impose restrictive conditions upon the approval before the conclusion of the public hearing, the owner agrees to the conditions in writing.



Rezoning Application & Zoning Ordinance Map Amendment

Owner Information: Owner _____ Address _____ Phone _____	Applicant Information: Applicant _____ Address _____ Phone _____
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Engineer/Surveyor _____ Phone _____

Property Information:

Property Address
or Address Range _____

Quarter/Quarter _____ Sec _____ Twnshp/Range _____

Parcel ID # _____ or GIS # _____ Total Acres _____

Current Use _____ Proposed Use _____

Current Zoning _____ Proposed Zoning _____

Average Crop Suitability Rating (submit NRCS Statement) _____

The filing of this application is required to be accompanied with all items and information required pursuant to section 2.02(4)(C)(2) through (C)(4) of Woodbury County's zoning ordinances (see attached pages of this application for a list of those items and information).

A formal pre-application meeting is recommended prior to submitting this application.

Pre-app mtg. date _____ Staff present _____

The undersigned is/are the owner(s) of the described property on this application, located in the unincorporated area of Woodbury County, Iowa, assuring that the information provided herein is true and correct. I hereby give my consent for the Woodbury County Planning and Zoning Office and zoning commission members to conduct a site visit and photograph the subject property.

This Rezoning Application / Zoning Ordinance Map Amendment is subject to and shall be required, as a condition of final approval, to comply with all applicable Woodbury County ordinances, policies, requirements and standards that are in effect at the time of final approval.

Owner _____ Applicant _____
Date _____ Date _____

Fee: \$400 Case #: _____

Check #: _____

Receipt #: _____

Date Received _____

Woodbury County Zoning Ordinances Section 2.02(4)

Adopted July 22, 2008; Effective August 01, 2008

Zoning Ordinance Map Amendment. (Re-zoning)

- A. Authority. The Board of Supervisors shall amend the zoning district map (except the flood hazard overlay zones) pursuant to the procedures set out in this subsection and Section 335 of the Iowa Code.
- B. Purpose. An amendment to the zoning ordinance map is intended to reflect changing use and development patterns in the county and to move the zoning map into compliance with the adopted long range comprehensive plan.
- C. Filing.
 - (1) Right of amendment. A request to amend the zoning ordinance map may be filed by the Board of Supervisors, the planning and zoning commission or any person with an ownership or contractual interest in the particular real estate.
 - (2) Form of application. An application to amend the official zoning map shall be submitted to the zoning director and shall include at least the following information:
 - (a) The name and address of the property owner and the applicant;
 - (b) The address, if any, and legal description of the property;
 - (c) A statement of the current and the requested zoning district classification of the property;
 - (d) A map, drawn to scale, showing the subject property and sufficient area surrounding the property with information regarding zoning, land uses, streets, etc. to illustrate the relationship of the property to its environs;
 - (e) For planned development zoning districts, either a preliminary or final development plan as described in subsection 2.02-5.E. below;
 - (f) A statement of the Corn Suitability Rating (CSR) of the property as established by the Natural Resource Conservation Service (NRCS), and
 - (g) A statement of explanation and justification for the requested change in zoning district classification.
 - (3) Fee. A filing fee, as established by resolution of the Board of Supervisors to defray administrative costs, shall accompany the application of a property owner to amend the zoning district map.
 - (4) A certified abstractor's listing of the names and mailing addresses of all owners of real property lying within 1,000 feet from the subject property.
- D. Review and decision-making process.

- (1) Evaluation criteria. The Planning and Zoning Commission shall base their recommendations and the Board of Supervisors shall base their decision on any requested amendment of the zoning district map on the following criteria:
 - (a) Conformance with the goals and objectives set forth in the approved General Development Plan for Woodbury County including the Future Land Use Map;
 - (b) Compatibility and conformance with the policies and plans of other agencies with respect to the subject property;
 - (c) Consideration of the Corn Suitability Rating (CSR) of the property;
 - (d) Compatibility with adjacent land uses;
 - (e) Compatibility with other physical and economic factors affecting or affected by the proposed rezoning; and
 - (f) Any other relevant factors.
- (2) Planning and zoning commission recommendation. The planning and zoning commission shall review and make a recommendation on any proposed amendment to the zoning district map as follows:
 - (a) Hearing required. The planning and zoning commission shall conduct a public hearing on the proposed zoning district map amendment in accordance with subsection 2.02-1.B.
 - (b) Notification. Public notification of the planning and zoning commission hearing on the proposed amendment of the official zoning map shall be as required by subsection 2.02-1.B(1). Such notices shall provide information on the time, date and location of the hearing and a brief description of the proposed change in zoning district classification.
 - (c) Time limit for recommendation. A recommendation to the Board of Supervisors for approval, approval with conditions or disapproval on the proposal, shall be made within 35 days of the conclusion of the public hearing unless the petitioner consents to an extension of time. If no recommendation is made within 35 days from the conclusion of the public hearing, the issue will be forwarded to the Board of Supervisors with no recommendation.
- (3) Board of Supervisors action. Following receipt of the recommendation of the planning and zoning commission, the Board of Supervisors shall consider and act upon a proposed amendment to the zoning district map as follows:
 - (a) Hearing required. The Board of Supervisors shall conduct a public hearing on the proposed zoning district map amendment in accordance with the procedure outlined at subsection 2.02-1.B.
 - (b) Notification. Public notification of the Board of Supervisors hearing on the proposal shall be as required by subsection 2.02-1.B(1).
 - (c) Decision. Following the public hearing, the Board of Supervisors may:

- (i) Defer consideration of the proposal; or
- (ii) Reject the proposal; or
- (iii) Proceed subject to subsections (iv) and (v) below, to adopt an ordinance approving the amendment to the zoning district map.
- (iv) Super majority required. A 60 percent majority of the Board of Supervisors shall be required to adopt the proposed amendment of the zoning district map if the owners of more than 20 percent of either, (a) the area of the subject property or (b) the area of real property lying within 500 feet of the subject property file a written objection prior to the conclusion of the public hearing,
- (v) The Board of Supervisors may impose restrictive conditions upon the approval of an amendment to the zoning district map if, before the conclusion of the public hearing, the owner agrees to the conditions in writing.

2. Planned Development

- A. Authority. The Board of Supervisors may amend the zoning district map to provide for a –PD Planned Development Overlay Zone pursuant to the procedures set out in this subsection and Chapter 335 of the Iowa Code.
- B. Purpose. As set forth in subsection 3.01-9.A, the purpose of the –PD Planned Development Overlay Zone is to allow greater flexibility and encourage more creative, innovative development with specific design features not otherwise required or allowed by the provisions of other zoning district regulations. As the title describes, the –PD overlay zone is not intended to be a free-standing zoning district; it is to be applied as an overlay to one of the other zoning districts.
- C. Development Plan Required: Any development in a –PD Planned Development Overlay Zone requires approval of a final development plan pursuant to the procedures set forth in this Section. At the option of the developer, a preliminary development plan may be provided for review and approval as part of an incremental process leading to approval of a final development plan. If a preliminary development plan is reviewed and approved in conjunction with the request to establish a –PD Planned Development Overlay Zone, a final development plan must be submitted, reviewed and approved by the same procedure provided in subsections 2.02-5.D, E and F below.
- D. Filing.
A request to amend the zoning ordinance map to create a –PD Planned Development Overlay Zone may be filed by any person with an ownership or contractual interest in the particular real estate. Such a request may be filed independently or in conjunction with a request to amend the underlying base zoning district designation. The request must include the following:
 - (1) An application to amend the official zoning map to establish a –PD Planned Development Overlay Zone including at least the following information:
 - (a) The name and address of the property owner and the applicant;

- (b) The address, if any, and legal description of the property;
 - (c) A statement of the current and the requested zoning district classification of the property;
 - (d) A statement of explanation and justification for the requested change in zoning district classification.
- (2) A preliminary or final development plan as described in subsection 2.02-5.E below. Either a preliminary or final development plan must be approved as part of approval of a –PD Planned Development Overlay Zone. A preliminary development plan is recommended if the developer wishes to minimize costs in the initial stages of project approval or if the project has multiple phases.
 - (3) Fee. A filing fee, as established by resolution of the Board of Supervisors to defray administrative costs, shall accompany the application of a property owner to amend the zoning district map.
 - (4) A certified abstractor's listing of the names and mailing addresses of all owners of real property lying within 1,000 feet from the subject property.

E. Development Plan Requirements.

- (1) Preliminary development plan. A preliminary development plan submittal shall include:
 - (a) A vicinity map, drawn to scale, showing the subject property and sufficient area surrounding the property with information regarding zoning, land uses, streets, etc. to illustrate the relationship of the property to its environs;
 - (b) A dimensioned, scale drawing of the site plan at an appropriate scale showing the location of proposed structures (including signs), open space, parking and loading areas with access drives and queuing areas, service areas for utilities and waste disposal, and minimum setbacks. Construction site envelopes with minimum setbacks and separations may be indicated to allow flexibility in locating structures on the site.
 - (c) Land uses to be allowed on the site should be identified either by a listing or reference to allowed uses in the underlying zoning district.
 - (d) Tabulations of dwelling units, parking spaces and land coverage by structures, open space and paved surfaces in square feet and percentage of total site area.
 - (e) A preliminary grading plan showing existing and proposed topography.
 - (f) Existing and proposed utility services.
 - (g) A preliminary storm water management plan showing retention/detention areas, storm sewers and drainage ways. Any flood hazard areas on the site should be identified.
 - (h) A preliminary landscaping plan illustrating screening and buffering intended to minimize conflicts with nearby properties and uses.

- (i) Proposed phasing of the project.
 - (j) Any other information necessary to describe the intended development plan.
- (2) Final development plan. A final development plan submittal shall include:
- (a) A vicinity map, drawn to scale, showing the subject property and sufficient area surrounding the property with information regarding zoning, land uses, streets, etc. to illustrate the relationship of the property to its environs;
 - (b) A dimensioned drawing of the site plan at a scale of 1" = 100' showing the location of proposed principal and accessory structures (including signs), open space, parking and loading areas with access drives and queuing areas, service areas for utilities and waste disposal, and minimum setbacks. Construction site envelopes with minimum setbacks and separations may be indicated to allow flexibility in locating structures on the site.
 - (c) Land uses to be allowed on the site should be identified either by a listing or reference to allowed uses in the underlying zoning district.
 - (d) Tabulations of dwelling units, parking spaces and land coverage by structures, open space and paved surfaces in square feet and percentage of total site area.
 - (e) A grading plan with 2-foot contours showing existing and proposed topography.
 - (f) Existing and proposed utility services including size and locations.
 - (g) A storm water management plan showing retention/detention areas, storm sewers and drainage ways. A drainage report certified by a professional engineer is required to verify the size of retention or detention facilities and outflows from the site. Any flood hazard areas on the site should be identified.
 - (h) A landscaping plan illustrating screening and buffering intended to minimize conflicts with nearby properties and uses. Species, numbers and initial sizes of plant materials should be indicated.
 - (i) Any other information necessary to describe the intended development plan.

F. Review and decision-making process.

- (1) Planning and zoning commission recommendation. The planning and zoning commission shall review and make a recommendation on any proposed establishment of a –PD Planned Development Overlay Zone and development plan as follows:
 - (a) Hearing required. The planning and zoning commission shall conduct a public hearing on the proposed establishment of a –PD Planned Development Overlay Zone and development plan in accordance with subsection 2.02-1.B.
 - (b) Notification. Public notification of the planning and zoning commission hearing on the establishment of a –PD Planned

Development Overlay Zone and development plan shall be as required by subsection 2.02-1.B(1). Such notices shall provide information on the time, date and location of the hearing and a brief description of the –PD Planned Development Overlay Zone and development plan.

- (c) Time limit for recommendation. A recommendation to the Board of Supervisors for approval, approval with conditions or disapproval on the proposal, shall be made within 35 days of the conclusion of the public hearing unless the petitioner consents to an extension of time. If no recommendation is made within 35 days from the conclusion of the public hearing, the issue will be forwarded to the Board of Supervisors with no recommendation
- (2) Board of Supervisors action. Following receipt of the recommendation of the planning and zoning commission, the Board of Supervisors shall consider and act upon a proposed amendment to the zoning district map as follows:
 - (a) Hearing required. The Board of Supervisors shall conduct a public hearing on the establishment of a –PD Planned Development Overlay Zone and development plan in accordance with the procedure outlined at subsection 2.02-1.B.
 - (b) Notification. Public notification of the Board of Supervisors hearing on the proposal shall be as required by subsection 2.02-1.B(1).
- (3) Decision. Following the public hearing, the Board of Supervisors may:
 - (a) Defer consideration of the proposal; or
 - (b) Reject the proposal; or
 - (c) Proceed subject to subsections (d) and (e) below, to adopt an ordinance approving the amendment to the zoning district map.
 - (d) Super majority required. A 60 percent majority of the Board of Supervisors shall be required to adopt the proposed amendment of the zoning district map if the owners of more than 20 percent of either, (i) the area of the subject property or (ii) the area of real property lying within 500 feet of the subject property file a written objection prior to the conclusion of the public hearing,
 - (e) The Board of Supervisors may impose restrictive conditions upon the approval of establishment of a –PD Planned Development Overlay Zone and development plan if, before the conclusion of the public hearing, the owner agrees to the conditions in writing.

3. Conservation Development

- A. Authority. The Board of Supervisors shall amend the zoning district map to provide for a CD, Conservation Development Overlay Zone pursuant to the procedures set out in this subsection and Section 335 of the Iowa Code.
- B. Purpose. As set forth in subsection 3.01-10.A, the purpose of the CD, Conservation Development Overlay Zone is to allow a transfer of development rights for residential units between portions of a contiguous development site. As the title describes, the CD overlay zone is not intended to be a free-standing

zoning district; it is to be applied as an overlay to the AP, AE, NR and SR zoning districts.

C. Procedure.

- (1) Rezoning. The procedure for amending the zoning ordinance map to create a CD, Conservation Development Overlay Zone is the same as rezoning to one of the base zones as described in subsection 2.02-4 above.
- (2) Coordination with subdivision. A rezoning to a CD overlay zone may be carried out concurrently with the review and approval process for a preliminary plat pursuant to the requirements of the County subdivision regulations. The transfer of development rights permitted within a development permitted in a CD, Conservation Development Overlay Zone will be accomplished as part of the subdivision platting process.

Below is reproduced the portion of Woodbury County, Iowa's fee schedule relative to Zoning Ordinance Map Amendments (Re-zoning).

Fee Schedule
Woodbury County Iowa
Department of Planning and Zoning
Effective August 01, 2003

Zoning Amendment: Text or Map	\$400.00
Planned Unit Development Review	\$150.00

Fees payable to the Woodbury County Treasurer