

# Notes Regarding Potential Extension of Zoning County Wide

## What is Zoning?

On ordinance describing rules related to land use, for the purpose of preserving the “*character of the area of the district and the peculiar suitability of such area for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout such county.*” (Ref: IA code 335.5.2) Inclusive of the ordinance is a description of various land use zone designations to guide appropriate development based on zone assignment.

Current Zoning Districts		
Class code	Classification name	Explanation
A-1	Agriculture	Agriculture and ancillary use
R-1	Low Density Residence	Single family in conjunction with Ag. AKA rural residential
R-2	Moderate Denity Residence	Mixed residential with common utilities
R-MH	Residential Mobile Home	Mobile Home park
PUD	Planned Unit Development	Open land set aside for private development not consistent with other zoning
C (AKA C-1)	Commercial	Commercial shopping/retail shops
C-2	Highway commercial	Highway services not permitted by C1 and not close to residential
C-R	Commercial Recreation	Commercial recreational (golf courses, campgrounds, fairgrounds, etc...
I-L	Light industrial	Ag service, seed processing, bulk storage, body/repair shops, etc...
I-H	Heavy Industrial	Scrap yards, Manufacturing, cement processing, power plants, acid storage, etc...

## Ag exemption per State code and County Zoning Ordinance

Items that are in direct support of the production of agriculture are exempt from zoning restrictions and do not require permitting. (Ref IA code 335.2). I.E. Zoning has no direct impact on farming operations in A-1 zones.

## Why is expanded zoning being considered?

- Even though county-wide zoning was recommended in the County Development Plan approved by Supervisors in 2006, the Zoning Ordinance has only been applied to Hartland, Brookfield and Danville townships, and with historically little attention paid except as regards to commercial development and a few other instances.
- The year 2021 raised a need for a county-wide ordinance related to commercial wind development, as result of its oversized impacts.
- Supervisors have been advised that if the county continues with land use oversight via zoning in only three townships, that the wind ordinance may not stand as a county-wide ordinance.
- Zoning Commission voted an initial recommendation to lift the geographical limitation of zoning from just the three townships and extend those rules county wide.

## Purpose of this public hearing.

- Inform the public of the actions under way and things under consideration so as to obtain feedback
  - “We intend to start with assessor tax data showing parcels that have a commercial or Industrial tax classification assignment, then look at those to ID parcels that clearly have an operating commercial or industrial activity and assign

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*the appropriate zone designation per the existing county zoning ordinance. Everything else will default to Ag (A-1)."*

- The approach will likely miss smaller, non-obvious operations which will get the default Ag designation. Those can be addressed at a later date.
- All facilities/activities currently operating that may not meet zoning requirements would remain grandfathered as 'non conforming structures' per the zoning ordinance and can continue in operation as those rules allow.
- No changes are being considered at the current time to the text of the existing Zoning Ordinance or zone assignments in Hartland, Brookfield or Danville Townships. It is likely that changes in the future will be required to address discrepancies.

### **Future actions**

- After feedback from this meeting, zoning Commission will make zone assignments on township-level maps and publish them for public review/comment
- Letters will be sent to affected landowners informing them of zone assignments.
- A second public hearing will be held to discuss those specific proposed assignments, likely in mid to late March

### **Recommendations to the Supervisors**

- The Zoning Commission is a 'recommendation body'. Our recommendations are provided to the Supervisors in accordance with the State Law and County Zoning Ordinance.
- The Supervisors have decision-making authority and will determine whether the recommendations are acted on.
- If the Supervisors decide to move forward on recommendations, they will hold their own public hearings on the topic and ultimately determine whether zoning should be expanded county-wide.
- If the decision is made to apply the Zoning Ordinance county-wide, then zoning assignments would be made based on the text of the Ordinance as determined by the Supervisors.