

Planning and Zoning Commission Information Guide

The Planning and Zoning Commission is made up of 7 members of the Iowa City community who are appointed by the Mayor subject to approval by the City Council. The Commission is established to advise the City Council on all matters pertaining to the physical development of Iowa City, including the comprehensive plan and any laws pertaining to land development necessary to implement the comprehensive plan. Land development process items that the Commission routinely advises the City Council on include the following; annexations, Comprehensive Plan amendments, planned development overlays, rezonings, subdivisions, and vacations.

This information guides provides a summary of these land development processes. **Application submittal deadlines and the fee schedule can be found at the end of the guide.**

Land development applications must be submitted online here: <https://egov.iowa-city.org/energovprod/selfservice#/home>. Staff is available to answer questions regarding the application process. We also have specific application guides for each type of land development application. Please feel free to contact Planning Staff at 319-356-5230 or email planningzoning@iowa-city.org with any questions.

Annexations-

Annexation is the legal process for expanding the City's boundaries. A territory may be added to a city through a voluntary application by the owners of land adjoining the City, an 80/20 voluntary annexation, or involuntarily annexation through a city petition. Land that can potentially be annexed into the City must be contiguous with the current city limits and must be able to satisfy the City's Urban Design standards upon annexation. All land annexed into the City will be rezoned to one of the City's zoning designations.

The State of Iowa classifies annexations as either voluntary or involuntary. A 100% voluntary annexation occurs when all affected property owners agree to be annexed. An 80/20 voluntary annexation occurs when owners of 80% of the affected property owners agree to be annexed. An involuntary annexation occurs when less than 80% of the affected property owners agree to be annexed. The City Council makes annexation decisions for Iowa City after receiving a recommendation from the Planning and Zoning Commission.

Comprehensive Plan Amendments-

The Comprehensive Plan is a guide for directing growth and change over time. The plan provides a broad set of goals and objectives for both preservation and change within the City. The City Council may, from time to time, on its own motion or on petition, amend by resolution the city's Comprehensive Plan, including any district plans. Any proposed amendment initiated by the City Council shall first be submitted to the Planning and Zoning Commission for its recommendation and report.

A Comprehensive Plan amendment to the City's Future Land Use Map is not the same as a Zoning Map amendment. An amendment to the Comprehensive Plan allows for a change in land use or density of development, as prescribed in the Plan. These land use directions are often, but not always, aligned with the land use designations that are codified in the City's Zoning Ordinance. Whereas an amendment to the Comprehensive Plan changes the planning direction and guidance of the City, an amendment to the City's Zoning Map changes the legal bounds of what land uses are permitted.

Procedurally, the Planning and Zoning Commission sets a Public Hearing for the Commission to review a Comprehensive Plan amendment application. After the Public Hearing, the Commission makes a recommendation to the City Council for their decision.

Rezoning-

Zoning is the tool by which local governments can control urban form by specifying the building use, size, and placement on a property. A rezoning is a process that changes the zoning of a property or group of properties. The City Council makes land-use and zoning decisions for Iowa City after receiving a recommendation from the Planning and Zoning Commission.

In Iowa City, the Planning and Zoning Commission advises the City Council on all rezoning applications that take place within the City limits, and within the City's extraterritorial Fringe Area with Johnson County (the Johnson County Board of Supervisors makes the final determination on rezoning applications in the County).

When reviewing rezoning applications, City staff and the Planning and Zoning Commission review the application against the following guidelines:

1. Consistency with the Comprehensive Plan
2. Compatibility with the Existing Neighborhood

Planned Development Overlay (OPD) Rezoning-

Zoning is the tool by which local governments can control urban form by specifying the building use, size, and placement on a property. A rezoning is a process that changes the zoning of a property or group of properties. More specifically, the planned development overlay zone (OPD) is established to permit flexibility in the use and design of structures and land in situations where conventional development may be inappropriate and where modification to requirements of the underlying zone will not be contrary to the intent and purpose of the Zoning Ordinance, inconsistent with the Comprehensive Plan, as amended, or harmful to the surrounding neighborhood. There are several categories of planned developments:

- Sensitive Areas Development – Contains regulated sensitive features.
- Conservation Development – Preservation for land designated as permanent open space.
- Neo-Traditional Development– Characterized by lot configurations and street patterns platted prior to 1950.
- Mixed Use Development – Mix of residential and commercial uses to form an urban neighborhood.
- Infill Development – Development on land surrounded by existing development.
- Alternative Ownership Development – Manufactured housing parks, condominium development.

Subdivisions-

The Iowa City Code defines a subdivision as “Division of a tract, lot, or parcel into three (3) or more lots. The City uses subdivision plats as an official record documenting the graphical representation of a subdivision of land. Subdivision plats are prepared by a registered land surveyor, have a number or letter designation for each lot within the plat, and a succinct name or title that is unique for the county where the land is located.

Subdivision plats are categorized as either Major plats or Minor plats. A major plat involves a subdivision where there is the construction of one or more new streets, selective access drives or street extensions. A minor plat involves a subdivision that does not require any new construction or extension of streets. The majority of plats that the City reviews are major plats.

Typically, a major subdivision plat will go through a three-step process before it is officially recorded with the County. The first step involves the applicant submitting a concept plan to the Urban Planning Department for review, prior to submission of the preliminary plat. This is done so that staff can help to outline potential impediments to development, such as conflict with sensitive areas, storm water detention problems, transportation or parking related complications, and a variety of other conditions.

The second step of the subdivision process involves what is called a preliminary plat. A preliminary plat is an initial graphical representation of subdivision of land that is intended to serve as a guide for the creation of final development plans. In addition to City staff's review, preliminary plats are formally reviewed by both the Planning and Zoning Commission and City Council. Approval of the preliminary plat by the City Council authorizes the applicant to begin preparing the subdivision's final plat.

The last step of the subdivision process involves what is called a final plat. A final plat is a final graphical representation of subdivision of land. Final Plats are reviewed by City staff and the City Council. Once a final plat is approved by the City Council, the applicant may officially record the subdivision with the County.

Vacations-

A vacation is the process by which the City discontinues the use of a street, alley or easement as a public way. Vacations are reviewed by City staff, the Planning and Zoning Commission, and the City Council, with the City Council granting final approval. Staff review vacation requests based on the following factors:

1. Impact on pedestrian and vehicular access and circulation.
2. Impact on emergency and utility vehicle access and circulation.
3. Impact on access of adjacent private properties.
4. Desirability of right of way for access or circulation needs.
5. Location of utilities and other easements or restrictions on the property.
6. Any other relevant factors pertaining to the specific requested vacation.

In conjunction with submitting an Application for Vacation, the applicant must also make a purchase offer for the area proposed to be vacated. After the recommendation and report of the Planning and Zoning Commission have been filed, and a written purchase offer has been received from the applicant, the City Council will hold a public hearing on an ordinance to vacate the subject right of way and on a resolution to dispose of the property to the applicant.

In order for the City Council to consider conveying the vacated right-of-way to you, you must first submit a purchase offer to the City Attorney's office. This purchase offer is in addition to the Application for Vacation and will be considered separately. Once the City Attorney's office has received your offer, the City Council will consider a "Resolution of Intent to Convey" the vacated right-of-way. A public hearing on the offer and resolution will be set, ideally on a date that coincides with the Council's final reading of the proposed ordinance to vacate the property. If, after public hearing, the Council agrees that your offer reflects fair market value and the conveyance is in the public interest, it may pass a "Resolution Authorizing Conveyance." All of

these steps are necessary for the City to pass clear title of the former right-of-way to a private party. It is important to recognize that the City holds property “in trust” for the use and benefit of the public, and thus, City property can be disposed of only in accordance with the public interest. As “trustee” of public property, the City Council must dispose of such property in good faith, upon adequate consideration, and upon reasonable and lawful terms. Generally, “adequate consideration” has meant the City must obtain fair market value for the property to be conveyed, assuming the transaction does not entail other public benefit. Determining “adequate consideration” or fair market value for parcels of public property, particularly former right-of-way property, can be difficult. The City Council considers the specific facts of each situation when determining the appropriate payment for conveyance of such property. In past conveyances, the amount of consideration has been based on the assessed value of neighboring property or recent sales of neighboring or comparable property (on a price per square foot basis). Although an appraisal is not necessary, when one is available, appraised value of neighboring property can also serve as a basis for determining the appropriate consideration. The existence of easements which limit the buildable area or use of the property may support a lower valuation. These figures of course do not take into account any “public benefit” or other unique circumstances you may believe exist in relationship to your proposal to acquire the parcel from the City. Please take all of these factors into consideration when submitting your offer, as prospective purchasers are often asked to explain how their offer was arrived at and how this relates to the fair market value of the property.

For more information on making an offer to purchase a vacated right-of-way, please contact the City Attorney’s Office at (319)356-5030.

Review Process-

A land development application to the Planning and Zoning Commission is a request. The Commission decides on whether to recommend a specific request only after City staff have provided a review of an application and the public has had an opportunity to make its concerns known. For rezoning applications, the Commission may also choose to approve the request subject to certain conditions.

In making decisions, the Commission may only consider comments and evidence relevant to the specific standards provided in the code. City Planning Staff provide reports to the Planning and Zoning Commission for each application on the agenda. The Staff Report provides background information on the application, informs the Commission of all the criteria in the Code that a particular application must satisfy, and interprets whether and how an application has satisfied these criteria.

Public Participation-

Because most applications will be reviewed and decided upon at a single public meeting, it is important for interested parties to respond in a timely and informed manner. Those who wish to speak for or against an application are given an opportunity to be heard by the Commission at the meeting but may also submit written comments prior to the meeting.

City staff will post a sign at the time an application is filed for annexations, rezonings, preliminary plats, and vacations. The sign must remain until the application is approved or denied. These signs will contain general information regarding the application and will provide a phone number for persons to contact the City with questions regarding the application. Staff will be responsible for removing the signs. If the applicant notices the sign has been removed or damaged between the time of application and final approval or denial of the request, the City Planning staff should be notified.

The Commission considers the application, the recommendation of staff (in the staff report), and any additional information, correspondence, or testimony provided at the hearing. Planning and Zoning Commission meetings are usually held on the first and third Thursday of each month at 7:00 p.m. in Emma J. Harvat Hall in City Hall.

The Staff Report can be very useful to anyone who is unfamiliar with the Planning and Zoning Commission process or with the Zoning Code and will provide an understanding of the criteria that the Commission must consider in rendering its decision. Staff Reports may be obtained from the Department of Neighborhood and Development Services. Email planningzoning@iowa-city.org to request a copy of a report or visit <https://www.icgov.org/city-government/boards/planning-and-zoning-commission> the Monday prior to the meeting.

If you have questions about an application or if you simply want more information about issues related to the Planning and Zoning Commission, please feel free to contact Planning Staff at 319-356-5230 or email planningzoning@iowa-city.org.

City of Iowa City Planning and Zoning Commission
2021-2022 Application Deadlines

APPLICATION DEADLINE (12:00 p.m.)	MEETING DATE
January 14, 2021 January 28, 2021	February 4 or February 18, 2021 February 18 or March 4, 2021
February 11, 2021 February 25, 2021	March 4 or March 18, 2021 March 18 or April 1, 2021
March 11, 2021 March 25, 2021	April 1 or April 15, 2021 April 15 or May 6, 2021
April 15, 2021 April 29, 2021	May 6 or May 20, 2021 May 20 or June 3, 2021
May 13, 2021 May 27, 2021	June 3 or June 17, 2021 June 17 or July 1, 2021
June 10, 2021 June 24, 2021	July 1 or July 15, 2021 July 15 or August 5, 2021
July 15, 2021 July 29, 2021	August 5 or August 19, 2021 August 19 or September 2, 2021
August 12, 2021 August 26, 2021	September 2 or September 16, 2021 September 16 or October 7, 2021
September 16, 2021 September 30, 2021	October 7 or October 21, 2021 October 21 or November 4, 2021
October 14, 2021 October 28, 2021	November 4 or November 18, 2021 November 18 or December 2, 2021
November 11, 2021 November 24, 2021	December 2 or December 16, 2021 December 16 or January 6, 2022
December 16, 2021 December 30, 2021	January 6 or January 20, 2022 January 20 or February 3, 2022
January 13, 2022 January 27, 2022	February 3 or February 17, 2022 February 17 or March 3, 2022
February 10, 2022 February 24, 2022	March 3 or March 17, 2022 March 17 or April 7, 2022
March 17, 2022 March 31, 2022	April 7 or April 21, 2022 April 21 or May 5, 2022

Submit Online Application by Noon at

www.egov.iowa-city.org/energovprod/selfservice

Meeting time and location

Planning and Zoning formal meetings are scheduled for the first and third Thursday of every. If needed, Planning and Zoning informal meetings are held at 5:15 p.m. on the Monday preceding each formal meeting. Attendees are advised to check the meeting agenda at www.icgov.org/p&z or contact the Department of Neighborhood and Development Services at 319-356-5230 for any possible changes.

For more information contact Anne Russett at 319-356-5251 or anne-russett@iowa-city.org.

2021 FEES FOR REVIEW OF APPLICATIONS
 City of Iowa City Planning & Zoning Commission

<u>TYPE</u>	<u>FEE</u>
Subdivision	
Preliminary (Minor)	\$774
Preliminary (Major)	\$774 + \$20 per lot
Final	\$774
Combination: Preliminary/Final	\$847 + \$20 per lot
Planned Area Development (OPD)	
Preliminary	\$774 + \$20 per lot
Final administrative review	\$286
Submit to Development Services – 2 nd Floor City Hall	
Combination: OPD and Subdivision	
Preliminary	\$774 + \$20 per lot
Final	\$774
Combination: Preliminary/Final	\$847 + \$20 per lot
Rezoning	
Comprehensive Plan Amendment	\$535
Voluntary Annexation	\$535
Street or Alley Vacation	\$223

Submit Payment with Online Application at
www.egov.iowa-city.org/energovprod/selfservice

*These fees will be updated in February 2022 to reflect changes in the rate of inflation.