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Extension to Communities

Iowa Land Use Planning Notebook

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IOWA STATE UNIVERSITY
University Extension

Ames, Iowa

Iowa Land Use Planning Notebook

Introduction and Outline

The notebook is intended to help local elected and appointed officials make important land use decisions fairly, objectively, and in accordance with both the Iowa Code and good land use planning practice. The notebook contains information about those portions of the Iowa Code that deal with land use regulation. It also contains material on good land use practices and procedures. Examples of administrative rules for both the board of adjustment and the planning and zoning commission may be found in the notebook. There's even a glossary and some tips for dealing with angry citizens.

Here is a complete outline of the material contained in the Iowa Land Use Planning Notebook:

| | Reference No. (if applicable) |
|--|--|
| Section I. Overview | |
| Introduction and Outline | PDO-3a |
| Training Sessions and Videotapes | PDO-3b |
| Zoning Administration: Powers, Duties, and Responsibilities of Elected and Appointed Public Officials | Pm-1037 |
| Section II. Planning and Zoning | |
| Municipal Zoning in Iowa | Pm-1469 |
| County Zoning in Iowa | Pm-1184 |
| A Guide to Common Planning and Zoning Procedures | Pm-1354 |
| Selecting Members for Planning and Zoning Commissions | CRD 312 |
| Administrative Rules for the Planning and Zoning Commission and Staff — An Example | Pm-1473 |
| Zoning Checklist | PDO-3c |
| Section III. Subdivision Regulations | |
| Iowa's New Subdivision Law Explained | CRD 113 |
| Subdivision Review Manual | Pm-1358 |
| Section IV. Board of Adjustment | |
| Powers of the Board of Adjustment (includes Sample Notice to Interested Property Owners) | Pm-1470 |
| Administrative Rules for Boards of Adjustment — An Example | Pm-1472 |
| Statutory Powers of Boards of Adjustment to Grant Variances and Special Exceptions | Pm-1471 |
| Variance Review Guidelines | PDO-3d |
| Section V. Legislation | |
| Advisory Note on the Legislative Process | PDO-3e |
| Iowa Planning and Zoning Legislation | Pm-1344 |
| A Guide for Annexation and Other City Development Actions | Pm-1514 |
| Section VI. Glossary | |
| Glossary of Common Planning and Zoning Terms | Pm-1353 |
| Section VII. Other Information | |
| Guidelines for Handling Angry Citizens | PDO-3f |
| A Citizen Planner's Bookshelf | |

Training Sessions and Videotapes

Iowa State University Extension to Communities wants to work with you to meet your land use training needs. To arrange for a training session in your area, contact your local extension office, or Stuart Huntington, ISU Extension planning and development specialist, 291 Design - CRP, Iowa State University, Ames, Iowa 50011. Telephone (515) 294-2973.

Videotapes, including tapes of two video conferences, also are available. Contact your local extension office or the Iowa State University Film/Video Library at (515) 294-1540. There are shipping fees and rental fees for these items.

"Communities Creating Their Futures" (order number: 75688H) 22 minutes.

"Why Plan? A Primer for Concerned Citizens" (order number: S58675H) 21 minutes.

"The Role and Responsibility of the Planning Commissioner" (order number: S5867H) 40 minutes.

"Planning and Zoning Video Conference, April 4, 1989" (order number: 75595H) 2 1/2 hours.

"Practical Planning and Zoning Uplink, April 30, 1991" (order number: 75727H) 2 1/2 hours.

Zoning Checklist

Should a request for a particular zoning amendment be granted? This question plagues both planning boards and city councils wherever there is an effective zoning ordinance. The following checklist is suggested and may be of assistance. Is something like this needed in your community?

| | Yes | No |
|---|--------------------------|--------------------------|
| 1. Is there a public need for additional land to be zoned to the class requested? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. If there is a need for additional land to be zoned as requested, should the rezoning be done in areas requested, or would the public interest be better served if the rezoning were done in other areas of the city? | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Would the granting of the rezoning request conform to the presently accepted future land use plans for the city as well as present land uses? | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Would the granting of the rezoning request conform to presently accepted plans for future handling of traffic as well as present traffic considerations? | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Could adequate parking space be provided if the rezoning request were granted? | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Would the granting of the rezoning request adversely affect property values of adjacent land owners to an unreasonable degree? | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. Would the granting of the rezoning request impose other undue hardships on adjacent land owners such as noise, electric display signs, odors, or other nuisances? | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. If the rezoning request were granted, would the necessary utilities (transportation, rail, truck, air, water, sewer, electricity, gas, or telephone) be available to serve the purpose intended? | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. Would the granting of the rezoning request raise any legal questions such as spot zoning, violation of precedents, or the rule of "reasonableness"? | <input type="checkbox"/> | <input type="checkbox"/> |
| 10. Could the planning commission suggest an alternate area for use that would eliminate the necessity of rezoning? | <input type="checkbox"/> | <input type="checkbox"/> |

Variance Review Guidelines

1. Variance is not the appropriate remedy for a general condition.
2. Self-inflicted hardships are not grounds for a variance.
3. Personal hardships are not grounds for a variance. The hardship must relate to physical character of the property.
4. Economic conditions are not sole grounds for a variance.
5. Hardships must be severe.
6. If granted, variance must not adversely affect the neighborhood.
7. All applicants must be treated equally.

Advisory Note on the Legislative Process

Please Note: The **Code of Iowa** is subject to change through the legislative process. A new code or code supplement is issued soon after the final adjournment of the second regular session of the Iowa General Assembly. In addition, supplements to the Iowa Code may be issued after the first regular session or after special sessions of the General Assembly.

To be sure that you are aware of the most recent changes in planning and zoning legislation, please refer to the most recent edition of the **Code of Iowa**. Most libraries, courthouses, and law offices maintain current editions of the **Code of Iowa**.

To inquire about proposed changes during the legislative session, call the Public Information Office at the State Capitol, (515) 281-5129.

Guidelines for handling angry citizens

1. Remain **positive** and cool.

- Don't take it personally.
- Remind yourself you are doing a good job and they are not attacking you.

2. **Listen** to gain understanding.

- Withhold judgment — show concern.
- Recognize their need to vent a problem that they consider their number 1 priority **now**.
- Listen for feelings **and** information.
- Being "heard" lessens their sense of feeling powerless.

3. **Accept** their feelings.

- Don't oppose them or defend yourself.
- Remain courteous and neutral.
- Communicate using complimentary words.

4. **Clarify** the problem.

- Take notes.
- Ask questions to steer the content.

5. **Provide** information and help on policies and procedures.

- Promise only what you **can** do.
- Be courteous and informative.
- If you must say no, explain why.

6. Take **action**.

- Do what you can to correct the situation.
- Refer (only if necessary) to higher authority.

7. **Follow-up** and DWYSYWD (do what you said you would do).

- Ask the citizen if solution is satisfactory.

8. Keep a brief **record** of the complaint.