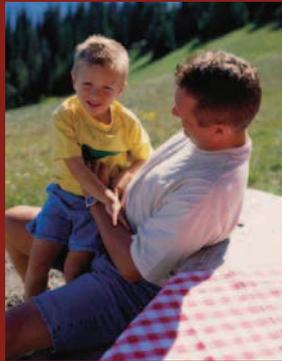


The City of Adel



Chapter 2 - Plan Goals

Prepared February 2009 by:





CHAPTER 2

2.1 Comprehensive Plan Goals

The City of Adel has developed this update of our Comprehensive Plan to achieve multiple goals in support of our vision for our community, and our obligations to our citizenry and neighbors. This update supersedes the previous versions of our plan, most recently adopted in January 15, 2001.

This comprehensive plan will provide guidance to community leaders, residents, property owners and developers, to:

- balance the rights of individuals with the economic, social, and environmental concerns of the public;
- encourage orderly development of our community;
- recognize citizen priorities, market forces, limited resources, and other influences; and
- help shape the character of our community.

2.2 Land Uses and Growth

Support and encourage infill development in suitable areas within the existing city limits. Support and encourage land use types and densities throughout the city and adjacent planned growth areas that are compatible with existing terrain, topography of the North Raccoon River and its floodplains, and compatible with limited availability of water and sewer infrastructure or service from the city.

2.3 Highway 6 Corridor Development and Annexation

Support and encourage annexation and orderly development of properties east of the city along Highway 6 to a future boundary with a Waukee city limits.

Provide land use guidance to support the desired character of housing, businesses and public space along and surrounding the highway corridor; focused on safety, aesthetic character, neighborhood character, and economic viability.

Coordinate annexation and development with construction of needed public infrastructure. Provide sewer service connections to Adel's existing systems, or through cooperative agreements with other providers, such as Dallas County. Provide water service through cooperative agreements with other provider(s).

2.4 Infrastructure Investment

Plan and finance maintenance of existing public infrastructure to extend its serviceable life to optimal cost efficiency. Plan and construct extensions and expansion of needed public infrastructure to accommodate desired growth, following orderly and cost efficient strategies.



2.5 Legal Requirements

The Comprehensive Plan is intended to satisfy compliance requirements defined in the code of the State of Iowa.

Section 414.3 – Basis of regulations for zoning within city limits

This comprehensive plan has been completed in accord with these requirements, continuing Adel's authority to implement and regulate zoning within the city limits.

414.3 Basis of regulations.

The regulations shall be made in accordance with a comprehensive plan and designed to preserve the availability of agricultural land; to consider the protection of soil from wind and water erosion; to encourage efficient urban development patterns; to lessen congestion in the street; to secure safety from fire, flood, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to promote the conservation of energy resources; to promote reasonable access to solar energy; and to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements. However, provisions of this section relating to the objectives of energy conservation and access to solar energy do not void any zoning regulation existing on July 1, 1981, or require zoning in a city that did not have zoning prior to July 1, 1981.

Such regulations shall be made with reasonable consideration, among other things, as to 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 city.

[C24, 27, 31, 35, 39, § 6454; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §414.3; 81 Acts, ch 125, §2; 82 Acts, ch 1245, §18]

Section 414.23 – Authority to regulate zoning to 2 miles outside city limits

The city has authority under Iowa Code to regulate zoning within a 2-mile limit of the city. The Iowa Code has two sections that apply to the 2-mile limit. Chapter 414 Section 23 applies to zoning.

Adel has adopted ordinance number 139 on October 8, 1991, asserting this right. Adel Code of Ordinances Chapter 166 provides additional requirements.

Property owners affected by such zoning regulations shall have the same rights of hearing, protest, and appeal as those within the municipality exercising the power.

Whenever a county in which this power is being exercised by a municipality adopts a county zoning ordinance, the power exercised by the municipality and the specific regulations and districts thereunder shall be terminated within three



months of the establishment of the administrative authority for county zoning, or at such a date as is mutually agreed by the municipality and county.

414.23 Extending beyond city limits.

The powers granted by this chapter may be extended by ordinance by any city to the unincorporated area up to two miles beyond the limits of such city, except for those areas within a county where a county zoning ordinance exists. The ordinance shall describe in general terms the area to be included. The exemption from regulation granted by section 335.2 to property used for agricultural purposes shall apply to such unincorporated area. If the limits of any such city are at any place less than four miles distant from the limits of any other city which has extended or thereafter extends its zoning jurisdiction under this section, then at such time the powers herein granted shall extend to a line equidistant between the limits of said cities.

A municipality, during the time its zoning jurisdiction is extended under this section, shall increase the size of its planning and zoning commission and its board of adjustment each by two members. The planning and zoning commission shall include a member of the board of supervisors of the affected county, or the board's designee, and a resident of the area outside the city limits over which the zoning jurisdiction is extended. The board's designee, if any, shall be a resident of the county in which such extended area is located. The additional members of the board of adjustment shall be residents of the area outside the city limits over which the zoning jurisdiction is extended. The county supervisor, or the board's designee, and the residents shall be appointed by the board of supervisors of the county in which such extended area is located. The county supervisor, or the board's designee, and the residents shall serve for the same terms of office and have the same rights, privileges, and duties as other members of each of the bodies. However, if the extended zoning jurisdiction of a municipality extends into an adjacent county without a county zoning ordinance, the boards of supervisors of the affected counties, jointly, shall appoint one of their members, or a designee, to the planning and zoning commission.

Property owners affected by such zoning regulations shall have the same rights of hearing, protest, and appeal as those within the municipality exercising this power.

Whenever a county in which this power is being exercised by a municipality adopts a county zoning ordinance the power exercised by the municipality and the specific regulations and districts thereunder shall be terminated within three months of the establishment of the administrative authority for county zoning, or at such date as mutually agreed upon by the municipality and county.

[C71, 73, 75, 77, 79, 81, §414.23]

2002 Acts, ch 1078, §1 ; 2004 Acts, ch 1074, §1



Section 354.9 – Review of plats within two miles of a city

Chapter 354 Section 9 applies to subdivision approval.

354.9 Review of plats within two miles of a city.

1. If a city, which has adopted ordinances regulating the division of land, desires to review subdivision plats or plats of survey for divisions or subdivisions outside the city's boundaries, then the city shall establish by ordinance specifically referring to the authority of this section, the area subject to the city's review and approval. The area of review may be identified by individual tracts, by describing the boundaries of the area, or by including all land within a certain distance of the city's boundaries, which shall not extend more than two miles distance from the city's boundaries. The ordinance establishing the area of review or modifying the area of review by a city, shall be recorded in the office of the recorder and filed with the county auditor.

2. If a subdivision lies in a county, which has adopted ordinances regulating the division of land, and also lies within the area of review established by a city pursuant to this section, then the subdivision plat or plat of survey for the division or subdivision shall be submitted to both the city and county for approval. The standards and conditions applied by a city or county for review and approval of the subdivision shall be the same standards and conditions used for review and approval of subdivisions within the city limits or shall be the standards and conditions for review and approval established by agreement of the city and county pursuant to chapter 28E . Either the city or county may, by resolution, waive its right to review the subdivision or waive the requirements of any of its standards or conditions for approval of subdivisions, and certify the resolution which shall be recorded with the plat.

3. If cities establish overlapping areas of review outside their boundaries, then the cities shall establish by agreement pursuant to chapter 28E reasonable standards and conditions for review of subdivisions within the overlapping area. If no agreement is recorded pursuant to chapter 28E then the city which is closest to the boundary of the subdivision shall have authority to review of the subdivision.

90 Acts, ch 1236, §23

C91, §409A.9

C93, §354.9

2002 Acts, ch 1132, §3 , 11