

# ZONING AND RESTRICTED RESIDENCE DISTRICT

ECICA - May 12, 2020

# Presentation Outline

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- What is zoning?
- Zoning ordinance.
- Players in the zoning process.
- Common zoning procedures.
- Restricted residence district.
- Common zoning questions.

# What is zoning?

- A zoning ordinance divides a community into districts, or zones, and regulates land use activity in each district, specifying the permitted uses of land and buildings, the intensity or density of such uses, and the bulk (size) of buildings on the land.

# What is zoning?


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- A typical zoning ordinance has two main parts
  - Map
  - Text

# What is zoning? - Map

City of Peosta  
Zoning Map  
July 2017

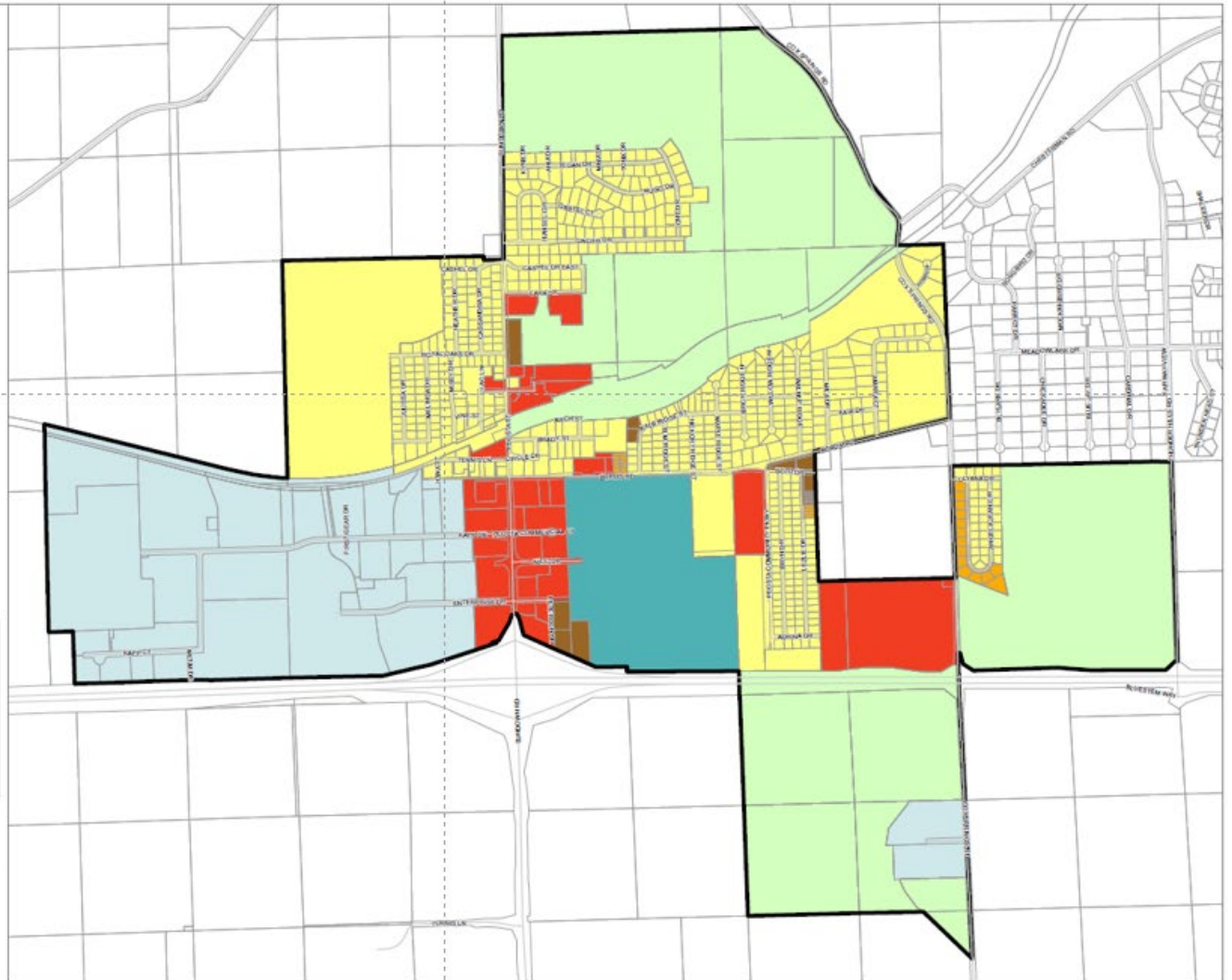
**Zoning District**

-  A-1
-  R-1
-  R-2
-  R-3
-  C-1
-  C-2
-  M-1
-  M-2
-  I-1

Passed, approved, and adopted \_\_\_\_\_  
Larry Mescher, Mayor  
Attest  
Karen Snyder, City Clerk



Map Data: Dubuque County 2017,  
City of Peosta 2017.  
Map Created By ECIA, 2017



# What is zoning? - Text

## **R-1 Single-Family Residential**

The R-1 Single-Family Residential district is intended to accommodate detached, single family residential, open lawns, neighborhood and community parks, religious and educational facilities, greenways, on and off-street trails, and interconnected streets. The district shall permit residential development to be integrated with terrain and tree cover with a minimal disruption of natural systems existing in the area.

### **Permitted Uses**

- Cemetery
- Country Club
- Fire Department
- Golf Course
- Group Dwelling
- K-8 School
- Law Enforcement
- Park, Public
- Religious Assembly
- Single-Family Dwelling

### **Conditional Uses**

- Bed & Breakfast
- Boarding or Lodging House
- Daycare
- Funeral Home/Mortuary/Crematory
- Nursing/Retirement/Convalescent Facility
- Preschool

### **Accessory Uses**

- Home-Based Business

# What is zoning? - Text

- Permitted uses are allowed by right. If the use meets the standards of the ordinance approval is automatic.
- Conditional uses may cause additional impacts. Require special approval.
- Accessory Use is subordinate to the principal uses of the building on the lot, and serving the purpose customarily incidental to the use of the principal building

# What is zoning? - Text

- Development standards are the physical requirements for development within the district.

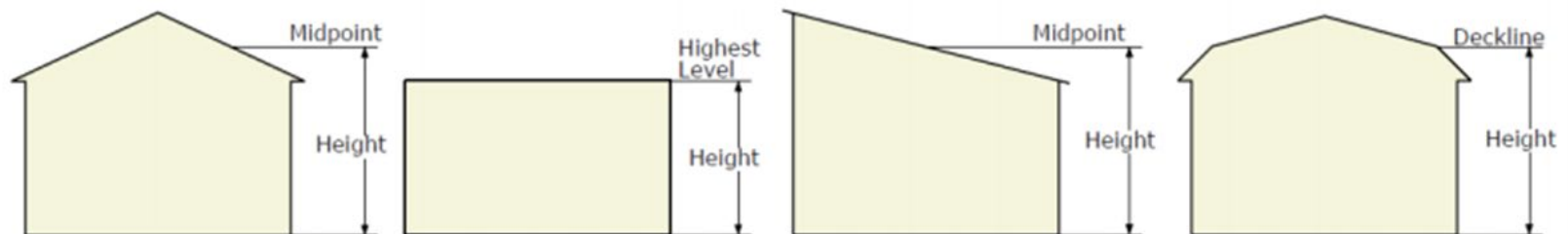
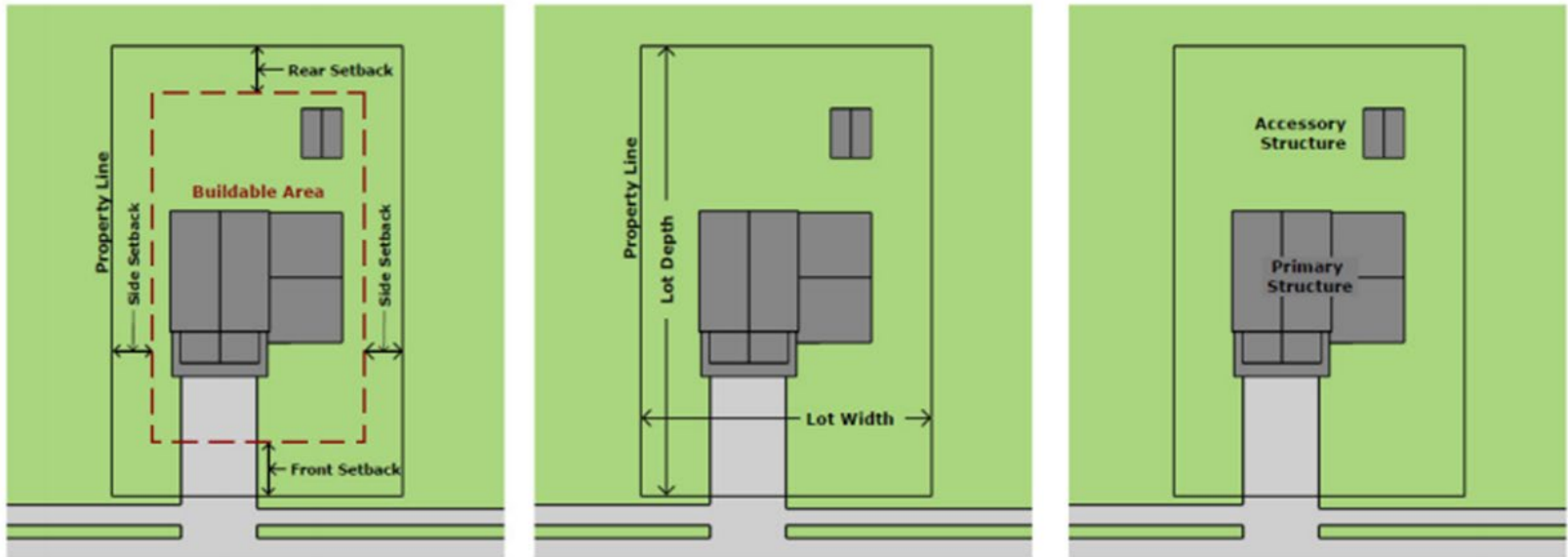
## Bulk Regulations

R-1	Minimum Lot Area	Minimum Lot Frontage	Minimum Front Setback	Minimum Side Setback	Minimum Rear Setback	Maximum Height
<b>Permitted Uses</b>						
Single Family Dwelling	7,500	50	20	6	20	30
All other permitted Uses	20,000	100	20	6	20	30
<b>Conditional Uses</b>						
Bed & Breakfast	7,500	50	20	6	20	30
Boarding or Lodging House	7,500	50	20	6	20	30
Daycare	7,500	50	20	6	20	30
Funeral Home/ Mortuary/ Crematory	20,000	100	20	6	20	30
Nursing/ Retirement/ Convalescent Facility	20,000	100	20	6	20	30
Preschool	20,000	100	20	6	20	30



# What is zoning? - Text

- Illustrations may be used to better explain the development standards.



# Players in the zoning process.

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- State Legislature
- City Council
- Zoning Administrator
- Planning and Zoning Commission
- Zoning Board of Adjustment

# Players in the zoning process.

- State Legislature
  - ▣ Local governments have the authority to under take zoning only as permitted or required by their own state.
- City Council
  - ▣ Have the most power and responsibility for zoning, but may delegate non-legislative functions to administrative boards.

# Players in the zoning process.

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- Zoning Administrator and Staff
  - ▣ Support the City Council, the Planning Commission, and the Board of Adjustment. Prepare reports on proposed zoning actions, draft amendments to the zoning ordinance, enforce the zoning ordinance, and provide information and applications to the public.

# Players in the zoning process.

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- Planning and Zoning Commission
  - ▣ Appointed by the City Council. Reviews changes to zoning ordinances and maps, site plans, conditional uses and makes a recommendation to the City Council.

# Players in the zoning process.

- Board of Adjustment

- ▣ Appointed by the City Council. The purpose of the board of adjustment is to alleviate cases of hardship that are created by a literal enforcement of the law and to provide a method for citizens to be heard when they disagree with the interpretation and application of zoning.

# Common zoning procedures.

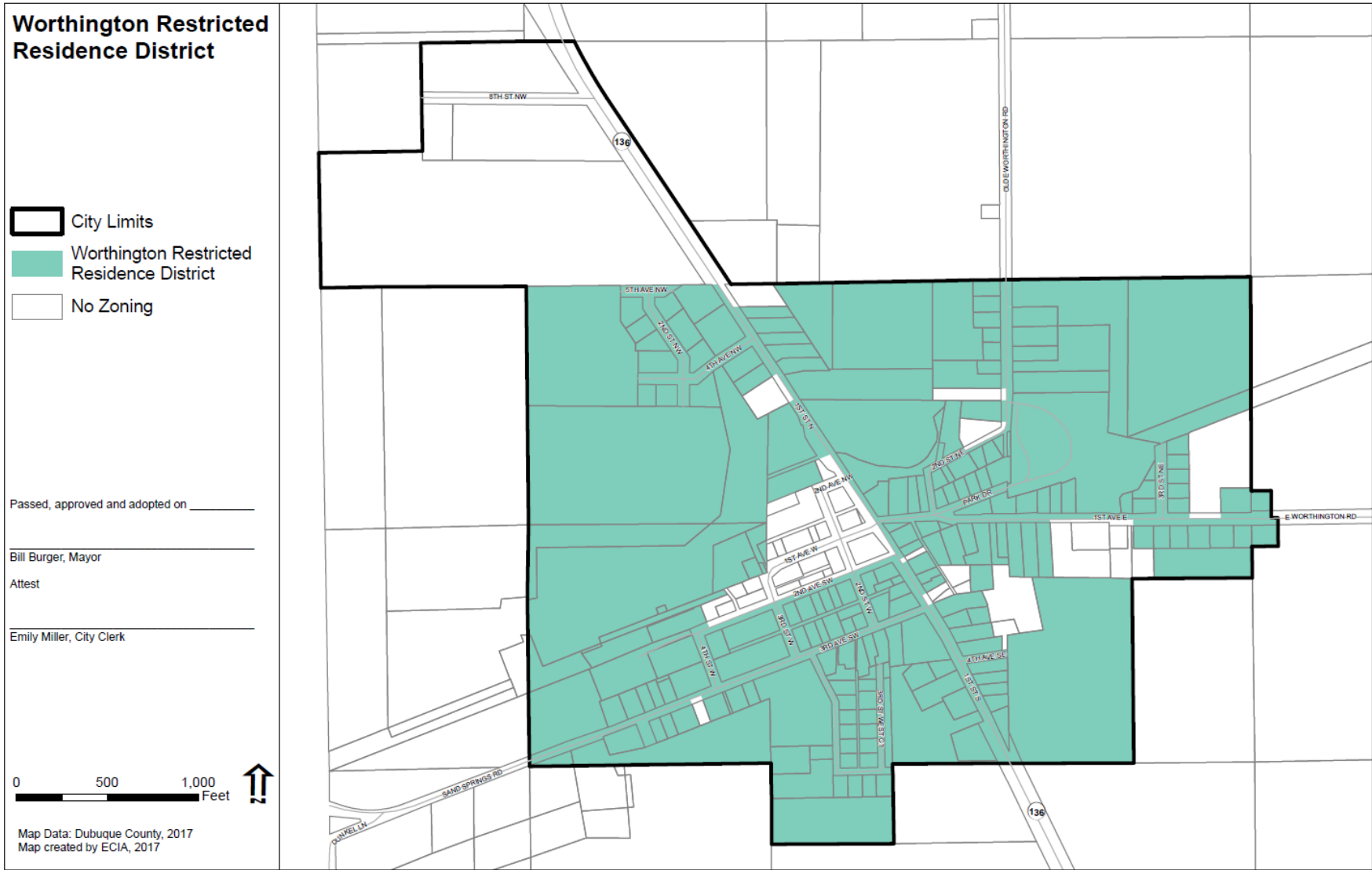
- Legislative
  - Zoning ordinance adoption
  - Zoning amendments
- Administrative
  - Site Plan Review
  - Zoning Permits
  - Zoning Enforcement
- Zoning Board of Adjustment
  - Appeals
  - Special Exceptions and Conditional Uses
  - Variance

# Restricted Residence District

- Restricted Residence District
  - Simplified version of zoning
  - Less complex
  - Easier to Administer
- Restricted Residence District Ordinance
  - Establishes Districts
  - Establishes rules for land uses allowed in districts
  - Houses, schools, churches



# Restricted Residence Map



# Zoning ordinance vs restricted residence district.

- Advantages of Restricted Residence
  - ▣ Simplicity
  - ▣ Easy to administer / lower cost
  - ▣ City Council does everything
- Disadvantages of Restricted Residence
  - ▣ Only Residential Areas
  - ▣ City Council does everything

# Common zoning questions

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- Legal nonconforming uses
- Spot zoning
- Zoning “runs with the land”

# Thank you

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