

MEMORANDUM

June 21, 2023

TO: Polk County Zoning Commission

FROM: Brian McDonough, Land Use Planning Coordinator

RE: Public Hearing on Zoning Ordinance Amendments – Monday, June 26, 2023

Staff is proposing amendments to the Polk County Zoning Ordinance and Official Zoning Map. The full changes were previously provided to the Commission and discussed during formal public hearing at the May 22, 2023 meeting. During that meeting the Commission expressed concerns regarding proposed language permitting Accessory Dwelling Units (ADUs), including potential impacts on neighborhood character. The Commission voted unanimously to continue the public hearing until the June 26, 2023 regularly scheduled meeting to allow staff time to research and revise the recommended Ordinance changes relative to ADUs. In response, staff has modified the language in this section. Staff is still proposing that ADUs be a permitted use in all residential zoning districts. However, the language has been amended as follows to address the Commission's concerns.

Updated language regarding Accessory Dwelling Units (ADUs):

- Clarify that ADUs shall only be permitted as attached to the principal residence or within a portion of a legitimate accessory structure.
- A standalone residential structure shall not be permitted as an ADU, including stick-built house, manufactured home, single-wide mobile home, travel trailer or recreational vehicle, tiny home or other temporary/portable structures.
- An ADU within an accessory structure shall take up no more than 50% of the total floor area of that structure.
- Allowance for a temporary exception to the deed restriction requirement that the legal owner reside in either the primary dwelling or ADU. Exceptional circumstances (military service, temporary job assignments, owner placed in assisted living, etc.) can be considered to extend the deed restriction renewal for up to 12 months. This requires approval of a Conditional Use Permit by the Board of Adjustment.

As a reminder, the proposed Ordinance changes also address renewable energy standards, changes to the Ag Support permitted uses, updated storm water regulations and other minor corrections and modifications, as well as updates to the Official Polk County Zoning Map per the recommendations of the newly adopted Polk 2050 Comprehensive Plan and Future Land Use Map. Following the public hearing and discussion on June 26th, the Commission shall make a formal recommendation on the proposed Ordinance changes to be forwarded to the Board of Supervisors for their final consideration.

If you have any questions, comments or concerns as we proceed through this process please contact either myself at (515) 286-2291 / Brian.McDonough@polkcountyiowa.gov, or Bret VandeLune, Planning & Development Manager, at (515) 286-2290 / Bret.VandeLune@polkcountyiowa.gov.