

ORDINANCE 781-A

AN ORDINANCE AMENDING CHAPTER 165; ENTITLED, “ZONING REGULATIONS” TO ADD SECTION 51, “ANNEXED TERRITORY”.

WHEREAS, the City of West Branch, Iowa, believes that the clarification of certain sections in the Zoning Code will lead to a clearer understanding of the process of Annexation; and

WHEREAS, the City of West Branch, Iowa, believes that a more uniform and consistent wording in the language contained within certain sections in the Zoning Code will aide interested parties better navigable the state and local process of annexation; thus, lead to more consistent interpretation of the requirements; and

WHEREAS, it is the goal to make development in the City of West Branch user friendly; thus, it is recommended that the City Council of the City of West Branch, adopt these amendment recommendations in the Zoning code; and

WHEREAS, the City Council of the City of West Branch, Iowa has reviewed these recommendations and concurs with the intention of providing a framework for proposals for annexed territory.

NOW, THEREFORE, BE IT ORDAINED:

BE IT ENACTED by the City Council of West Branch, Iowa, that Chapter 165 “ZONING REGULATIONS” of the Code of West Branch, Iowa is hereby amended by revising the following subsections to Chapter 165.

165.51 – Amend Chapter 165 by adding section 51: ANNEXED TERRITORY

165.51 ANNEXED TERRITORY

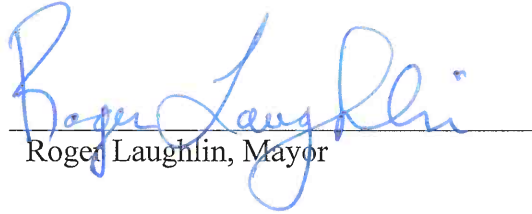
1. Annexation is defined as the addition or incorporation of a land / territory (private and/or commercial) into the City of West Branch.
2. Any area of proposed annexation to the City of West Branch shall be zoned by the City after a recommendation by the Planning and Zoning Commission prior to annexation. Any applicant for annexation must include a requested zoning classification along with the application for annexation. The Notice of Annexation must include the applicant’s requested zoning classification. If the Planning and Zoning Commission makes a recommendation for acceptance of the annexation to the Council, it must include a recommendation of zoning also. If the Council accepts the annexation, it must designate the zoning classification of the territory and it will become effective upon the recording of the resolution. The resolution will not be recorded sooner than three days after its passage, nor will the resolution be sent to the State of Iowa City

Development Board until three days after passage. The applicant for annexation may withdraw the application if desired due to the zoning classification within the three day period before the annexation is recorded or forwarded.

3. The ability to annex and approval of an annexation proposal are subject to section 368 (25, 0) of the Iowa Code.

Passed and approved this 28th day of June, 2021.

First Reading: May 17, 2021
Second Reading: June 7, 2021
Third Reading: June 28, 2021



Roger Laughlin, Mayor

Attest:



Leslie Brick, Deputy City Clerk