

**CITY OF ELY
LINN COUNTY, IOWA**

**ORDINANCE NO. 258
AMENDING TITLE VI PHYSICAL ENVIROMENT, CHAPTER 13 ZONING CODE**

SECTION 1. SECTION 6-13-19 ENACTED. The following is hereby enacted as Section 6-13-19 of the Ely Municipal Code of Ordinances:

ELY GOOD NEIGHBOR MEETING

Good Neighbor meetings are intended to allow public comment on A) potential rezoning cases or B) Change-of-use within a zone that does not comply with the current use of the area around the land in question, prior to the cases being formally submitted to the city. Such comments will alert city staff and the owner to neighborhood issues and may lead the owner to modify the intended application for rezoning.

A. Application.

1. An Application for Rezoning or Change-of-Use must be filed for all private property within the City of Ely with the City Clerk.
2. Upon receipt of the application, a Good Neighbor meeting will be scheduled.
3. A Good Neighbor Fee established by the City Council will be due with the application.

B. Arrangements for the Meeting

1. City staff will make the applicant aware of Good Neighbor meeting and scheduling arrangements. A date and location will be mutually agreed upon.
2. Applicant will identify all property owners within two hundred (200) feet of the boundaries of the property proposed to be rezoned and submit those to City Staff. Staff will prepare a mailing list of those property owners.
3. City staff will prepare two notices: one for mailing to the owners identified in section B.2, and one for publication. The notices will be made available to the applicant for review. Applicant will have a 5-day period to make comments prior to mailing.
4. The notifications will include the time, date and location of the meeting, and a brief plain language description of the proposed rezoning. Other information or material such as a map of the area may be included to clarify the notice.
5. Notifications shall be sent, delivered and/or posted no later than ten (10) days prior to the Good Neighbor meeting.
6. City staff will complete the following:
 - a. Notify the P & Z Commission, Council and Mayor of the meeting.

- b. Send notifications by regular mail to owners identified above.
- c. Post notification of the meeting at regular posting places.

C. The Meeting

1. The Good Neighbor meeting will be facilitated by the developer.
2. A representative from Planning & Zoning will be in attendance for observation and to be able to report back the P & Z Commission.
3. In the event a proposed subdivision is dependent upon the property first being rezoned, the Good Neighbor meeting may include a presentation on both the proposed rezoning and subdivision requests.
4. City Staff can require an additional Good Neighbor meeting contingent upon developer changes to the prior request. This will take place after an additional review by the Planning & Zoning Commission.

D. Timing

1. The Good Neighbor meeting shall be held prior to the P & Z meeting for consideration.
2. Once the Good Neighbor meeting requirements have been fulfilled the rezoning request will be submitted by City Staff to the Planning and Zoning Commission. The Commission will consider the request at its regularly scheduled meeting.
3. The Planning and Zoning Commission will make a recommendation to the Ely City Council as to whether they approve or deny the rezoning request.
4. Upon the P & Z's recommendation, the City Council will consider the request at the next regularly scheduled city council meeting.

Introduced this 10th day of July 2017; and adopted by the City Council of the

City of Ely, Iowa this 10th day of July 2017.



Eldy Miller, Mayor

Attest:



Denise Hoy, Clerk/Administrator

First Reading: 7/10/17

Second Reading: Waived 7/10/17

Third Reading: Waived 7/10/17

Adopted: 07/10/2017

Published: 7/14/17

I certify the foregoing was posted and published as Ordinance #258 on the 14th day of

July, 2017, as required by law.

Denise B. Hoy
Denise Hoy, Clerk/Administrator

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