

# Form 7: Application for Vacation

City of Iowa City Planning & Zoning Commission, (319) 356-5230 ♦ www.ICgov.org/PCD

**Return Completed Form To:** City Clerk, City of Iowa City, 410 E. Washington St., Iowa City, IA 52240

## Applicant Information

### Applicant

Name .....

Address .....

..... ZIP .....

Phone..... email.....

### Contact Person (if other than Applicant)

Name .....

Address .....

..... ZIP .....

Phone..... email.....

The City has a Good Neighbor Policy that encourages applicants to meet with neighbors prior to submitting an application. Copies of the policy are attached to this application form or are available from the Department of Planning and Community Development. Please check one of the following:

- Applicant plans **to use** the Good Neighbor Policy
- Applicant chooses **not to use** the Good Neighbor Policy

Description of the area to be vacated

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Reason for seeking a vacation (attach additional pages if necessary)

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## Application Requirements Checklist

Please attach the following items. Additional materials may be required during the review process. Failure to submit complete application materials may result in delays in processing, so please use the following checklist to confirm that your application is complete.

1.  Location map of the area requested for vacation
2.  Legal description of the property (if more than 25 words, deliver or email electronic version to [PlanningZoning@iowa-city.org](mailto:PlanningZoning@iowa-city.org))
3.  Application fee

### FOR STAFF USE:

Date submitted .....

Case # .....

\$..... fee paid on ..... (date)

Application received by .....

Copy to Applicant     Copy to PCD     Original to City Clerk

## GENERAL INFORMATION ON PURCHASING VACATED RIGHT-OF-WAY

In conjunction with submitting an Application for Vacation, many adjacent property owners often desire to purchase the vacated right-of-way. This memo provides general information regarding the procedure you must follow to make such a purchase and the factors the City Council considers when determining whether to accept your purchase offer and convey the vacated property to you.

In order for the City Council to consider conveying the vacated right-of-way to you, you must first submit a purchase offer to the City Attorney's office. This purchase offer is in addition to the Application for Vacation and will be considered separately. Once the City Attorney's office has received your offer, the City Council will consider a "Resolution of Intent to Convey" the vacated right-of-way. A public hearing on the offer and resolution will be set, ideally on a date that coincides with the Council's final reading of the proposed ordinance to vacate the property. If, after public hearing, the Council agrees that your offer reflects fair market value and the conveyance is in the public interest, it may pass a "Resolution Authorizing Conveyance." All of these steps are necessary for the City to pass clear title of the former right-of-way to a private party.

It is important to recognize that the City holds property "in trust" for the use and benefit of the public, and thus, City property can be disposed of only in accordance with the public interest. As "trustee" of public property, the City Council must dispose of such property in good faith, upon adequate consideration, and upon reasonable and lawful terms. Generally, "adequate consideration" has meant the City must obtain fair market value for the property to be conveyed, assuming the transaction does not entail other public benefit.

Determining "adequate consideration" or fair market value for parcels of public property, particularly former right-of-way property, can be difficult. The City Council considers the specific facts of each situation when determining the appropriate payment for conveyance of such property. In past conveyances, the amount of consideration has been based on the assessed value of neighboring property or recent sales of neighboring or comparable property (on a price per square foot basis). Although an appraisal is not necessary, when one is available, appraised value of neighboring property can also serve as a basis for determining the appropriate consideration. The existence of easements which limit the buildable area or use of the property may support a lower valuation.

These figures of course do not take into account any "public benefit" or other unique circumstances you may believe exist in relationship to your proposal to acquire the parcel from the City. Please take all of these factors into consideration when submitting your offer, as prospective purchasers are often asked to explain how their offer was arrived at and how this relates to the fair market value of the property.

For more information on making an offer to purchase a vacated right-of-way, please contact Assistant City Attorney Sara Greenwood Hektoen at (319)356-5030 or [sara-hektoen@iowa-city.org](mailto:sara-hektoen@iowa-city.org).

*Good Neighbor meetings are NOT required as part of the review process in Iowa City but they are strongly encouraged in most instances. If you state that you will or have participated in the program, **the following steps must be followed by the applicant:***

- **Meeting facilities located as close to the subject property and neighbors as possible.** The Neighborhood Outreach Coordinator can make suggestions and final arrangements in most cases.
- **Good Neighbor meeting notice reviewed by City staff prior to distribution.** The Neighborhood Outreach Coordinator will ensure that it is reviewed/approved and be responsible for sending it on to representatives of impacted neighborhood associations for their distribution.
- **Meeting notice sent by applicant to all property owners within 300' of the subject property by applicant and sent out not less than 7 days prior to Good Neighbor meeting date.**
- **Good Neighbor Meeting occurs no less than 7 days prior to the scheduled board/commission meeting** to enable adequate time to provide input.
- **Good Neighbor meeting attended by a City staff representative if necessary.** Staff will be available as a resource to respond to questions related to process, schedule, and zoning, etc. Staff can be arranged by the Neighborhood Outreach Coordinator.
- **Summary Report for Good Neighbor Meeting completed by applicant and submitted prior to board/commission review.** A fill-in form of the Summary Report is available at [www.icgov.org/goodneighbor](http://www.icgov.org/goodneighbor).



Neighborhood and  
Development Services  
410 E. Washington Street  
Iowa City, IA 52240

Phone: 319-356-5230  
Fax: 319-356-5217

# Good Neighbor Program

[www.icgov.org/goodneighbor](http://www.icgov.org/goodneighbor)

City of Iowa City  
Neighborhood and  
Development Services

The Office of Neighborhood Outreach is available to assist with the Good Neighbor Program by arranging meeting rooms, providing sample meeting notices, notifying neighborhood association contacts, and other information and advice.

Contact Marcia Bollinger, Neighborhood Outreach Coordinator

Phone: 319-356-5237

E-mail: [Marcia-Bollinger@iowa-city.org](mailto:Marcia-Bollinger@iowa-city.org)

## History and Background

Iowa City's Good Neighbor Program is part of an effort to make the development process run more smoothly between property owners and developers who seek zoning and related changes, and the neighborhoods that may be affected by those changes. The Good Neighbor Program is not a requirement, but rather a recommended approach that encourages proactive dialogue between property owners, developers, and neighbors that may help identify and resolve issues before the project is reviewed by the Planning and Zoning Commission or the Board of Adjustment.

For minor projects, such as a yard setback reduction, the approach may be as simple as knocking on neighbors' doors to discuss the proposed project with them. For a rezoning or subdivision, it may be appropriate to hold a neighborhood meeting or open house to present the project and invite questions and comments from your neighbors.

While the Good Neighbor Program does not guarantee specific outcomes, answering neighbors' questions and hearing their concerns or suggestions may provide the opportunity to developers/applicants to address concerns or objections before the project is reviewed in a public forum. This can minimize controversy and delays when a project is reviewed by the Board of Adjustment, Planning and Zoning Commission, or the City Council.

## Helpful Tips for a Good Neighbor Meeting

### ▼ ***What information can you provide that neighbors will find useful?***

- Background information including a description of your project and the public process it must go through.
- Site plans, elevations, models, aerial photos, drawings, etc. This will help them visualize the changes you wish to make.
- Information or other resources that discuss the zoning or land development process. The Neighborhood Outreach Coordinator can provide you with this information or is available at [www.icgov.org/goodneighbor](http://www.icgov.org/goodneighbor)

### ▼ ***View it from their perspective: How will neighbors see your project?***

- Put yourself in the place of the people who surround your property. Will they view your project as an enhancement or unexpected change?
- How might your project impact traffic or pedestrian safety in the area?
- Does your project enhance or complement existing

neighborhood character or does it contrast with what surrounds it?

- Will your project alter the natural landscape, impact views, etc.?
- Might your project reduce the sense of privacy for a neighboring property owner?

### ▼ ***Ways to respond to concerns***

- Listen and be respectful—give people the chance to be heard.
- Focus on identifying problems. This meeting is a chance for you to gather input that may be useful to you in getting your project through the review process. The issues that your neighbors raise are often the same issues that may be raised by the Planning and Zoning Commission or the Board of Adjustment.
- Be open to options that could be reasonable or affordable ways to alleviate or address problems.
- Resolving problems at the meeting is not necessary, but it may be helpful to identify areas where there is some flexibility in your plans.
- Know that you won't necessarily be able to please everyone, but that you are providing an opportunity for dialogue. The neighbors will appreciate your effort and the opportunity to share their views.

CITY OF IOWA CITY  
**Planning and Zoning Commission**  
2020-2021 Application Deadline

**APPLICATION DEADLINE**

January 16, 2020  
January 30, 2020

February 13, 2020  
February 27, 2020

March 12, 2020  
March 26, 2020

April 16, 2020  
April 30, 2020

May 14, 2020  
May 28, 2020

June 11, 2020  
June 25, 2020

July 16, 2020  
July 30, 2020

August 13, 2020  
August 27, 2020

September 10, 2020  
September 24, 2020

October 15, 2020  
October 29, 2020

November 12, 2020  
November 25, 2020

December 17, 2020  
December 31, 2020

January 14, 2021  
January 28, 2021

February 11, 2021  
February 25, 2021

March 11, 2021  
March 25, 2021

**FORMAL MEETING**

February 6 or February 20, 2020  
February 20 or March 5, 2020

March 5 or March 19, 2020  
March 19 or April 2, 2020

April 2 or April 16, 2020  
April 16 or May 7, 2020

May 7 or May 21, 2020  
May 21 or June 4, 2020

June 4 or June 18, 2020  
June 18 or July 2, 2020

July 2 or July 16, 2020  
July 16 or August 6, 2020

August 6 or August 20, 2020  
August 20 or September 3, 2020

September 3 or September 17, 2020  
September 17 or October 1, 2020

October 1 or October 15, 2020  
October 15 or November 5, 2020

November 5 or November 19, 2020  
November 19 or December 3, 2020

December 3 or December 17, 2020  
December 17, 2020 or January 7,  
2021

January 7 or January 21, 2021  
January 21 or February 4, 2021

February 4 or February 18, 2021  
February 18 or March 4, 2021

March 4 or March 18, 2021  
March 18 or April 1, 2021

April 1 or April 15, 2021  
April 15 or May 6, 2021

**Submit Application by Noon to:**  
City Clerk's Office, City Hall, 410 E. Washington Street, Iowa City

**Meeting time and location**

Planning and Zoning formal meetings are scheduled for the first and third Thursday of every month at 7 p.m. in Emma Harvat Hall, City Hall, 410 East Washington Street. (If needed, Planning and Zoning informal meetings are held at 5:15 p.m. on the Monday preceding each formal meeting.) Attendees are advised to check the meeting agenda at [www.icgov.org/p&z](http://www.icgov.org/p&z) or contact the Department of Development Services at 319-356-5230 for any possible changes.

**For more information contact Anne Russett at 319-356-5251 or [anne-russett@iowa-city.org](mailto:anne-russett@iowa-city.org).**

# 2018 FEES FOR REVIEW OF APPLICATIONS

City of Iowa City  
Planning & Zoning Commission  
and  
Board of Adjustment

<b><u>TYPE</u></b>	<b><u>FEE</u></b>
<b>Subdivision</b>	
Preliminary (Minor)	\$775
Preliminary (Major)	\$775 + \$20 per lot
Final	\$775
Combination: Preliminary/Final	\$845 + \$20 per lot
<b>Planned Area Development (OPD)</b>	
Preliminary	\$775 + \$20 per lot
Final administrative review Submit to Development Services – 2 <sup>nd</sup> Floor City Hall	\$275
<b>Combination: OPD and Subdivision</b>	
Preliminary	\$775 + \$20 per lot
Final	\$775
Combination: Preliminary/Final	\$845 + \$20 per lot
<b>Rezoning</b>	\$535
Comprehensive Plan Amendment	\$535
<b>Voluntary Annexation</b>	\$535
<b>Street or Alley Vacation</b>	\$225
<b>Variance</b>	\$450
<b>Special Exception</b>	\$450
<b>Other BOA actions</b>	\$450
<b>Combination BOA actions</b>	\$525

**Submit completed form(s) and payment to City Clerk, 410 E Washington Street.**

\*These fees will be updated in February 2019 to reflect changes in the rate of inflation.