



Special Exception Application Guide

A use listed as a special exception in a zoning district is permitted only after approval from the Board of Adjustment, subject to the specific and general approval criteria contained in the Municipal Code. Use this application to apply for a use that requires a Special Exception.

Tip: A pre-application application meeting is recommended. Please contact Urban Planning staff for assistance in identifying Special Exception requirements

For more information about variances, the Board of Adjustment, or application schedules, please see the [\[Board of Adjustment Information Guide\]](#). To learn more about the City's Good Neighbor program, please see the [\[Good Neighbor Program Guide\]](#).

APPLICATION INSTRUCTIONS-

It is the goal of the Department of Neighborhood & Development Services to provide adequate public notification all applications. For your application to be considered complete, you must provide responses to all required information below. Failure to provide this information may delay the hearing date for your application.

As the applicant, you bear the burden of proof for showing that the requested exception should be granted. Because this application will be presented to the Board of Adjustment as your official statement, you should address all the applicable criteria in a clear and concise manner.

Locations Tab

Add Location:

Add the location of where the proposed project will occur. You may search for the location by parcel number or project address using the address number and street name only."

Type Tab

Description:

Please explain the purpose of the Special Exception you are requesting. (Examples: parking reduction, expansion or establishment of a new daycare, drive-thru or gas station, reduction in screening requirements). Please contact Urban Planning staff for assistance in identifying Special Exception requirements."

Contacts Tab

Add Contacts:

Add required contacts, including the applicant, and the property owner or contact person if different from the applicant. Make sure contact information is current for each contact. When entering a name, try not to create duplicate copies of the same contact by searching the existing list first.

More Info Tab



Did you hold a Good Neighbor Meeting?

Iowa City's Good Neighbor Policy was developed to create more opportunities for early and effective citizen participation in projects and to encourage applicant participation beyond current legal requirements for notification. Good Neighbor meetings are NOT required as part of the review process but are strongly encouraged in most instances. The Neighborhood Outreach Coordinator is available to assist by arranging meeting rooms, coordinating City staff attendance, providing sample meeting notices, notifying neighborhood association contacts, and providing other information and advice. Contact by phone at 319-356-5230 or by email at Marcia-Bollinger@iowa-city.org.

To participate in the program, the applicant must complete the following steps:

- Hold a Good Neighbor Meeting no less than 7 days prior to the scheduled board meeting to provide adequate time for input. Meeting facilities shall be as close to the subject property and neighbors as possible. A City staff representative must be in attendance if necessary, to act as a resource and to respond to questions related to process, schedule, and zoning, etc.
- Send out a Good Neighbor meeting notice to all property owners within 300' of the subject property not less than 7 days prior to Good Neighbor meeting date. The notice must be approved by City staff prior to distribution.
- Complete a Summary Report for the Good Neighbor Meeting and submit prior to board review. A fill-in form of the Summary Report is available at www.icgov.org/goodneighbor.

If you followed these steps and held a Good Neighbor Meeting, please attach Summary Report to the attachments section of this application. Learn more about the program by contacting the Neighborhood Outreach Coordinator or by visiting icgov.org/goodneighbor.

Has a pre-application meeting been held?

A pre-application meeting and/or consultation with City Planning staff is strongly recommended to provide a full understanding of the variance process and related requirements, including ensuring that your application addresses all applicable criteria.

Date of previous application or appeal filed

If this special exception is associated with a previous application or appeal, please mark the date that the application was initially submitted to the City.

Provide code section(s) here:

Please list the description and section number in the zoning code that addresses the specific special exception you are seeking. If you cannot find this information or do not know which section of the code to look in, please contact us at 319-356-5230 or e-mail planningzoning@iowa-city.org.

Attachments Tab



Attach plans, specifications and other documents indicated below to provide the information necessary to accurately review this project for code compliance. Provide all sheets of a plan drawing submittal as one file unless directed otherwise. File size is capped at 250 MB. Files may be rejected if illegible.

Site Plan

Site Plan(s) must be drawn to scale showing all of the following information:

1. Lot with dimensions;
2. North point and scale;
3. Existing and proposed structures with distances from property lines;
4. Abutting streets and alleys;
5. Surrounding land uses, including location and record owner of each property opposite or abutting the property in question;
6. Parking spaces and trees - existing and proposed.
7. Any other site elements that are to be addressed in the specific criteria for your special exception (i.e., some uses require landscape screening, buffers, stacking spaces, etc.)

Specific Approval Criteria

To grant a special exception, the Board must find that the requested special exception meets any certain specific approval criteria listed within the Zoning Code. In this attachment, address each of the specific approval criteria that apply to the special exception being sought. Your responses to these criteria may be opinions but should provide specific information demonstrating that the criteria are being met.

Specific approval criteria for uses listed as special exceptions are described in 14-4B-4 of the Zoning Code. Other types of special exceptions to modify requirements for the property are listed elsewhere in the Code. *If you do not know where to find the specific criteria that must be addressed, please contact us at 319-356-5230 or email planningzoning@iowa-city.org.* Failure to provide this information will constitute an incomplete application and may lead to a delay in its consideration before the Board of Adjustment.

General Approval Criteria

In addition to the specific approval criteria, the Board must also find that the requested special exception meets the following general approval criteria or that the following criteria do not apply (14-4B-3). In your attachment, provide specific information, not just opinions, that demonstrate that the specific requested special exception meets the general approval criteria listed below or that the approval criteria are not relevant in your particular case.

1. The specific proposed exception will not be detrimental to or endanger the public health, safety, comfort, or general welfare.



2. The specific proposed exception will not be injurious to the use and enjoyment of other property in the immediate vicinity and will not substantially diminish and impair property values in the neighborhood.
3. Establishment of the specific proposed exception will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district in which such property is located.
4. Adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.
5. Adequate measures have been or will be taken to provide ingress or egress designed to minimize traffic congestion on public streets.
6. Except for the specific regulations and standards applicable to the special exception being considered, the specific proposed exception in all other respects conforms to the applicable regulations or standards of the zone in which it is to be located. [Depending on the type of special exception requested, certain specific conditions may need to be met. The applicant will demonstrate compliance with the specific conditions required for a particular use as provided in the City Code section 14-4B as well as requirements listed in the base zone or applicable overlay zone and applicable site development standards (14-5A through K).]
7. The proposed use will be consistent with the Comprehensive Plan of the City.

Legal Description of Property

Attach a document containing a clear and legible legal description of the property. You can find the legal description and parcel number for your property by doing a parcel search for your address on the Assessor's website at www.iowacity.iowaassessors.com/ or by calling 319-356-6066.

List of Neighboring Properties/Neighboring Property Listing

Attach an Excel or Excel-compatible document listing the following information for record owners of all property located within 300 feet of the exterior limits of the parcel involved in this application, including public ways:

- Property Addresses (including Multi-Residential unit numbers)
- Property Class
- Parcel Numbers
- Mailing Names
- Mailing Addresses 1 / Mailing Addresses 2
- Mailing Cities
- Mailing Zip Codes

This information is available at the City Assessors Office or the Johnson County Auditor's Office located at 913 S. Dubuque Street, or can be obtained from the Johnson County



Property Information Viewer or <http://iowacity.iowaassessors.com/search.php>. Note: Unit numbers MUST be included for all Multi-Residential Parcels.

Review and Submit Tab

Make sure all the information is accurate and current. Staff will review the application for completion, after which they will contact you with the date your application will be considered by the Board of Adjustment. Additional questions can be directed to planningzoning@iowa-city.org or by phone at 319-356-5230.