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Section 1 Title

This Ordinance shall be known, cited and referred to as the “Linn County Unified Development Code.”
When referred to in this document, it shall be known as “this Ordinance.”

Section 2 Purpose

The purposes of this Ordinance are to:

1. **Implement Comprehensive Plan.** Implement the goals and objectives of the Linn County Comprehensive Plan adopted July 19, 2013 by the Linn County Board of Supervisors, including:
 - (a) Encourage the long-term viability of agriculture
 - (b) Protect private property rights
 - (c) Discourage sprawl and promote smart growth
 - (d) Provide a choice of housing alternatives
 - (e) Protect and conserve natural resources
 - (f) Provide for adequate public facilities and services
 - (g) Provide for a safe, effective transportation system



2. **Incorporate IDO.** Incorporate the Interim Development Ordinance adopted July 1, 2002, and as amended August 5, 2002

Explanatory note:

Def. – Interim Development Ordinance:

The ordinance regulating development in Linn County, passed by resolution of the County Board of Supervisors on June 26, 2002, incorporating specific regulatory recommendations of the 2000 Rural Land Use Plan and to be used as an interim ordinance until the adoption of the Unified Development Code.

3. **Update ordinances.** Unify and update all land development ordinances existing prior to the adoption of this Ordinance, including the Zoning Ordinance, Interim Development Ordinance, Subdivision Regulations, Tower Ordinance, Flood Plain Management Ordinance, and Mobile Home Park Ordinance
4. **Police powers.** Promote and protect the health, safety and general welfare of the County and its residents
5. **Order and consistency.** Establish orderly and consistent procedures to plan and oversee development

Section 3 Statutory Authorization

This Ordinance is adopted pursuant to the authorization in Iowa Code 2003, Chapter 335, *County Zoning*, or its successor statutes.

Section 4 Jurisdiction/Affected Area

The provisions of this Ordinance shall apply to all land within the jurisdiction of Linn County.

Section 5 Compliance Required

No structure shall be erected, converted, enlarged, reconstructed or altered; no land shall be used or subdivided; and no development permit shall be issued, designated, or approved unless such structure, use or permit complies with the provisions of this Ordinance.

Section 6 Rules of Construction and Interpretation

The following rules of construction and interpretation shall apply to this Ordinance:

1. **Conflict.** To the extent of any conflict between this Ordinance and any other County ordinance, regulation or code provision, the more restrictive shall be deemed to be controlling.
2. **Commentary.** Throughout this Ordinance, sections containing commentary, notes and illustrations are included in a separate column from the Ordinance text. The purpose of the commentary, notes and illustrations is to assist in the administration and interpretation of the Ordinance, however, they shall not be considered Ordinance language.
3. **Section and paragraph titles.** Section and paragraph titles appear throughout this Ordinance. These titles are for ease of use only; they shall not be interpreted as regulatory language.

Section 7 Effect on Pending Applications

Prior ordinances shall control the review of applications for required permits submitted in full and pending before the enactment of this Ordinance.



Section 8 Severability

If any section, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance. The Board of Supervisors declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, phrases or portions be declared invalid or unconstitutional.

Section 9 Prior Ordinances Repealed

This Ordinance repeals and replaces all prior land development ordinances including; the Zoning Ordinance, Interim Development Ordinance, Subdivision Regulations, Tower Ordinance, Flood Plain Management Ordinance, and Mobile Home Park Ordinance.

Section 10 Amendments to Text

The Linn County Board of Supervisors may amend the text of this Ordinance by ordinance on its own action or by petition, after recommendation by the Planning and Zoning Commission and after public hearing. No amendment to the floodplain regulations in this Ordinance, however, may be adopted without prior approval from the Iowa Department of Natural Resources.

Explanatory note:

Def. - Zoning Commission: The legal constituted zoning commission, as organized under the provisions of Chapter 335, Code of Iowa, for Linn County, Iowa. Also referred to as the Planning and Zoning Commission.

Section 11 Effective Date

This Ordinance shall be in full force and take effect from and after the date established upon adoption by the Board of Supervisors.

Explanatory note:

The effective date of the Linn County Unified Development Code is Jan. 1, 2006.

