

**Ordinance # 2024-01**

**“An Ordinance to Rezone Property Located in Van Meter, Iowa, and to Amend the Zoning Map”**

WHEREAS, the City Administrator presented a final zoning determination to the Van Meter Planning & Zoning Commission for property owned by Donna M Lauterbach 2015 Family Trust and by Lauterbach Family Farm LP with the following Legal Description;

Legal Description for Donna M Lauterbach 2015 Family Trust

Parcel B of the S ½ Section 23 & N ½ Section 26, Township 78 N, Range 27 W of the 5th Principal Meridian as described in plat of survey recorded in book 2008 page 8993. Subtotal 200.13 acres

Legal Descriptions for Properties Owned by Lauterbach Family Farm LP (Voluntary)

West 1/2 of the SW1/4 of the NE1/4 and the W 1/4 of the SE1/4, except the SW 1/4 of the SW 1/4 of the SE 1/4 of Section 23, Township 78 N, Range 27 W of the 5th Principal Meridian. 49.50 acres

The E 1/2 of the SE1/4 of the NW1/4, except Parcel B and the E 1/4 of the SW1/4 except the SE 1/4 of the SE 1/4 of the SW 1/4 of Section 23, Township 78 N, Range 27 W of the 5th Principal Meridian. 47.74 acres

The NW 1/4 of the SW 1/4, except part of Parcel A, of Section 23, Township 78 N, Range 27 W of the 5th Principal Meridian. 34.14 acres

The SE1/4 of the NE 1/4 and the NE1/4 of the SE 1/4 lying south of the road, except part of Parcel A and except Parcel D of the SE 1/4, Section 22, Township 78 N, Range 27 W of the 5th Principal Meridian. 10.61 acres

The SW 1/4 of the NW1/4 lying south of the road Section 23, Township 78 N, Range 27 W of the 5th Principal Meridian. 14.96 acres

The SW 1/4 of the SW1/4, except part of Parcel A, Section 23, Township 78 N, Range 27 W of the 5th Principal Meridian. 16.61 acres

WHEREAS, the Planning & Zoning Commission met on October 5, 2023 to review the zoning request from I-1 – Light Industrial District to BP-1 Business Park District and make recommendation to the City Council; and

WHEREAS, Notice of Public Hearing regarding the proposed rezoning was given on December 28, 2023 in the Dallas County News; and

WHEREAS, a Public Hearing was held, as published, on January 8, 2024 at 7 P.M. during the regularly scheduled business meeting of the Van Meter City Council; now

WHEREAS, the Official Zoning Map for the City of Van Meter, Iowa, will be amended per Chapter 165, Section 165.05 Boundaries of the Code of Ordinances and Chapter 165.09, Amendments to the Ordinance of the City of Van Meter.

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF VAN METER, IOWA:**

SECTION 1: REZONING. The property as fully described and set forth herein will be rezoned from “I-1 – Light Industrial District” to “BP-1 – Business Park District” and the Official Zoning Map for the City of Van Meter, Iowa, will be amended.

SECTION 2: SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 3: EFFECTIVE DATE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law and upon occurrence of the condition set forth herein with the effective date of this Ordinance being no sooner than the date for which the annexation process for property identified in this Ordinance is complete.

**PASSED AND APPROVED this 8<sup>th</sup> Day of January 8, 2024**

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Joe Herman, Mayor

ATTEST:

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Jessica Drake, City Clerk