
***TWO-MILE FRINGE AREA
POLICY AGREEMENT***

Between
***BUTLER COUNTY, IOWA,
GRUNDY COUNTY, IOWA,***
And the
CITY OF PARKERSBURG, IOWA

Adopted by the Butler County Board of Supervisors on: February 6th, 2024
Adopted by the Grundy County Board of Supervisors on: February 12th, 2024
Adopted by the Parkersburg City Council on: February 5th, 2024

Effective Date: March 1st, 2024

Termination Date: March 1st, 2029

BUTLER COUNTY, IOWA
RESOLUTION 1095-2024

A RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO SIGN AND THE COUNTY AUDITOR TO ATTEST TO THE TWO-MILE FRINGE AREA POLICY AGREEMENT BETWEEN BUTLER COUNTY, IOWA; GRUNDY COUNTY, IOWA; AND THE CITY OF PARKERSBURG, IOWA ESTABLISHING POLICIES FOR DEVELOPMENT OF LAND WITHIN THE TWO-MILE EXTRATERRITORIAL AREA OF PARKERSBURG WITHIN BUTLER COUNTY.

WHEREAS, two (2) or more local governments enabled under Section 354.9 and Chapter 28E of the Code of Iowa to enter into agreements to cooperate for the mutual advantage of the governments involved; and

WHEREAS, Butler County deems a land use policy agreement with the City of Parkersburg for orderly growth and development within the two (2) mile extraterritorial jurisdiction of Parkersburg within Butler and Grundy Counties, to be to the mutual advantage of Parkersburg, Butler County, and Grundy County.

NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors of Butler County hereby authorizes the Chair of the Board of Supervisors to sign and the County Auditor to attest to the attached 28E Agreement between Butler County, Grundy County, and the City of Parkersburg establishing land use policies for the two (2) mile extraterritorial jurisdiction of Parkersburg in Butler County.

Passed and approved this 6th day of February, 2024.


Wayne Dralle, Board of Supervisors Chair

ATTEST:


Leslie Groen, County Auditor

Vote Tabulation

Board of Supervisors	Aye	Nay
Rusty Eddy	X	
Greg Barnett	X	
Wayne Dralle	X	

**GRUNDY COUNTY, IOWA
RESOLUTION #35-2023/2024**

A RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO SIGN AND THE COUNTY AUDITOR TO ATTEST TO THE TWO-MILE FRINGE AREA POLICY AGREEMENT BETWEEN GRUNDY COUNTY, IOWA; BUTLER COUNTY, IOWA; AND THE CITY OF PARKERSBURG, IOWA ESTABLISHING POLICIES FOR DEVELOPMENT OF LAND WITHIN THE TWO-MILE EXTRATERRITORIAL AREA OF PARKERSBURG WITHIN GRUNDY COUNTY.

WHEREAS, two (2) or more local governments enabled under Section 354.9 and Chapter 28E of the Code of Iowa to enter into agreements to cooperate for the mutual advantage of the governments involved; and

WHEREAS, Grundy County deems a land use policy agreement with the City of Parkersburg for orderly growth and development within the two (2) mile extraterritorial jurisdiction of Parkersburg within Grundy and Butler Counties, to be to the mutual advantage of Parkersburg, Grundy County, and Butler County.

NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors of Grundy County hereby authorizes the Chair of the Board of Supervisors to sign and the County Auditor to attest to the attached 28E Agreement between Grundy County, Butler County and the City of Parkersburg establishing land use policies for the two (2) mile extraterritorial jurisdiction of Parkersburg in Grundy County.

Passed and approved this 12th day of February, 2024


Barbara J. Small
Board of Supervisors Chair

ATTEST:


County Auditor

Vote Tabulation

Board of Supervisors	Aye	Nay
Mark Schildroth	11	
Vic Vandelaar	11	
Lucas Halverson	11	
Heidi Nederhoff	11	
Barb Smith	11	

**CITY OF PARKERSBURG, IOWA
RESOLUTION 1116**

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AND THE CITY CLERK TO ATTEST TO THE TWO-MILE FRINGE AREA POLICY AGREEMENT BETWEEN BUTLER COUNTY, IOWA; GRUNDY COUNTY, IOWA; AND THE CITY OF PARKERSBURG, IOWA ESTABLISHING POLICIES FOR DEVELOPMENT OF LAND WITHIN THE TWO-MILE EXTRATERRITORIAL AREA OF PARKERSBURG THAT IS LOCATED WITHIN BUTLER AND GRUNDY COUNTIES.

WHEREAS, two (2) or more local governments enabled under Section 354.9 and Chapter 28E of the Code of Iowa to enter into agreements to cooperate for the mutual advantage of the governments involved; and

WHEREAS, the City of Parkersburg deems a land use policy agreement with Butler County and Grundy County for orderly growth and development within the two (2) mile extraterritorial jurisdiction of Parkersburg within Butler County and Grundy County, to be to the mutual advantage of Parkersburg, Butler County, and Grundy County.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Parkersburg hereby authorizes the Mayor to sign and the City Clerk to attest to the attached 28E Agreement between Butler County, Grundy County, and the City of Parkersburg establishing land use policies for the two (2) mile extraterritorial jurisdiction of Parkersburg in Butler County and Grundy County.

Passed and approved this 5TH day of FEBRUARY, 2024.



Mayor Mike Timmer

ATTEST:



Christopher M. Luhring: City Administrator/Clerk

Vote Tabulation

City Council	Aye	Nay
Jim Bellows	X	
Tim Cuvelier	X	
Tom Manifold	X	
Dave Schneiderman	X	
Joe Simon	X	

**TWO (2) MILE FRINGE AREA POLICY AGREEMENT
BETWEEN BUTLER COUNTY, GRUNDY COUNTY, AND THE CITY OF PARKERSBURG, IOWA**

THIS AGREEMENT is entered into pursuant to Section 354.9 and Chapter 28E of the Code of Iowa by and between Butler County, Iowa, Grundy County, Iowa (hereinafter referred to as County or Counties); local governments in the state of Iowa, and the City of Parkersburg, Iowa (hereinafter referred to as City), a local government in the state of Iowa, to wit:

WHEREAS, the Butler County and Grundy County Board of Supervisors support the preparation and adoption of development plans and agreements between Counties and the City regarding the municipality and its environs; and

WHEREAS, the City of Parkersburg Comprehensive Plan outlines the extent of urban development expected in the future and projects annexation of extraterritorial areas; and

WHEREAS, it is in the interest of Butler and Grundy Counties and the City of Parkersburg to establish policies for the orderly growth and development within the two (2) mile extraterritorial jurisdiction of the City within the Counties; and

WHEREAS, Butler and Grundy Counties and the City of Parkersburg mutually agree that such policies are necessary in order to more effectively and economically provide services for future growth and development.

NOW THEREFORE, the parties hereto agree for themselves, and their respective successors as follows:

I. PURPOSE, DEVELOPMENT AREA ESTABLISHMENT, AND IMPLEMENTATION MEASURES.

The parties accept and agree to the following development policies and implementation measures regarding annexation, zoning, and subdivision review of areas located within the two (2) mile extraterritorial jurisdiction of the City of Parkersburg in Butler and Grundy Counties.

A. Statement of Purpose.

This Agreement is developed in order to facilitate the purposes of Chapter 354 of the Code of Iowa and to further the policy of this State to provide for accurate, clear, and concise legal descriptions of real estate in order to prevent, whenever possible, land boundary disputes or real estate title problems; to provide for a balance between land use rights of individual landowners and the economic, social, and environmental concerns of the public when a city or county is developing or enforcing land use regulations; to provide for statewide, uniform procedures and standards for the platting of land while allowing the widest possible latitude for cities and counties to establish and enforce ordinances regulating the division and use of land; to encourage orderly community development and provide for the regulation and control of the extension of public improvements, public services, and utilities, the improvement of land, and the design of subdivisions consistent with approved community plans.

This Agreement was developed in the interest of providing for orderly and effective development patterns in those areas of Butler and Grundy Counties within the two (2) mile extraterritorial jurisdiction of the City of Parkersburg. It also hopes to define how services will be provided for such development at the least cost to all of the citizens of Butler and Grundy Counties. The City of Parkersburg, Butler County, and Grundy County agree, as provided in Chapter 28E of the Code of Iowa, to the following development policies and implementation measures regarding annexation, zoning, and subdivision review for various designated areas outlined herein.

This 28E Agreement, authorized in 354.9 of the Code of Iowa, between Butler County, Grundy County, and the City of Parkersburg will pertain to the two (2) mile extraterritorial jurisdictional area around the City, but located within Butler County and Grundy County, as shown in Exhibit A, which is attached and made part of this Agreement.

B. Development Areas.

1. Area #1 (Area of City Standards).

Development type:

Development served by municipal utilities that are constructed to City subdivision and design standards. Development in this area would, prior to subdivision approval, be annexed and reclassified into the appropriate City zoning district.

Policy:

Primary Land Use:	Residential.
Secondary Land Uses:	Commercial and Industrial Services.
Sewer:	City Subdivision and Design Standards are Required.
Water:	City Subdivision and Design Standards are Required.
Streets:	City Subdivision and Design Standards are Required.
Public Road to Subdivision:	Asphalt.
Zoning:	County (Prior to annexation)/City (Upon annexation).
Building Code, if any:	County (Prior to annexation)/City (Upon annexation).
Design Standards, if any:	City.
Subdivision Standards:	City.
Annexation:	Required by City at the Time of Subdivision and Extension of Municipal Services.
Plat Reviewed by:	County and City Review. City Subdivision and Design Standards are Required.

Implementation:

- Zoning requests that do not involve annexation by the City shall be submitted and approved by the County. The County shall provide the City with the opportunity to comment on all requests for conformance with the policies established for Area #1.
- City subdivision regulations and design standards will be applied to regulate development. The City will provide the County with the opportunity to comment on all requests for conformance with the policies established for Area #1. The cost of improvements shall be borne by the developer.
- Annexation of, or within, this area is required if the City provides services during the term of this Agreement and shall be concurrent with individual subdivision activity and with the extension of utility systems.

Geographic areas:

See Exhibit A, which is attached and made part of this Agreement.

2. Area #2 (Area of Butler County Standards).

Development type:

Development served either by a common water system, individual private wells, common sewage treatment facility, and/or individual septic system. Smaller lots may be permitted in the event that either a common water system or a common sewage treatment facility is required. The location of these properties is such that they are beyond a reasonable expectation of future annexation by the City during the life of this Agreement.

Policy:

Primary Land Use:	Agricultural and Agriculturally-Related.
Secondary Land Uses:	Residential, Commercial, and Industrial.
Sewer:	Septic System and/or Common Sewer Collection and Treatment Facilities that are consistent with Iowa Department of Natural Resources (IDNR) and Butler County standards.
Water:	Private Wells and/or Common Water Distribution and Treatment Facilities that are consistent with IDNR and Butler County standards.
Streets:	Butler County Subdivision and Design Standards are Required.
Zoning:	Butler County.
Building Code, if any:	Butler County.
Design Standards, if any:	Butler County.
Subdivision Standards:	Butler County.
Annexation:	Not Required.
Plat Reviewed by:	Butler County and City. Butler County Subdivision and Design Standards are Required.

Implementation:

- Zoning requests shall be submitted and approved by Butler County. Butler County shall provide the City with the opportunity to comment on all requests for conformance with the policies established for Area #2.
- Butler County subdivision and design standards shall be applied in order to regulate development. Butler County shall provide the City with the opportunity to comment on all requests for conformance with the policies established for Area #2. The cost of improvements shall be borne by the developer.
- Annexation of significant portions of this area is not anticipated during the term of this Agreement. However, limited annexation of those areas adjacent to the City's corporate limits that require municipal services may occur.

Geographic areas:

See Exhibit A, which is attached and made part of this Agreement.

3. Area #3 (Area of Grundy County Standards).

Development type:

Development served either by a common water system, individual private wells, common sewage treatment facility, and/or individual septic system. Smaller lots may be permitted in the event that either a common water system or a common sewage treatment facility is required. The location of these properties is such that they are beyond a reasonable expectation of future annexation by the City during the life of this Agreement.

Policy:

Primary Land Use:	Agricultural and Agriculturally-Related.
Secondary Land Uses:	Residential, Commercial, and Industrial.
Sewer:	Septic System and/or Common Sewer Collection and Treatment Facilities that are consistent with Iowa Department of Natural Resources (IDNR) and Grundy County standards.
Water:	Private Wells and/or Common Water Distribution and Treatment Facilities that are consistent with IDNR and Grundy County standards.
Streets:	Grundy County Subdivision and Design Standards are Required.
Zoning:	Grundy County.
Building Code, if any:	Grundy County.
Design Standard, if any:	Grundy County.
Subdivision Standards:	Grundy County.
Annexation:	Not Required.
Plat Reviewed by:	Grundy County and City. Grundy County Subdivision and Design Standards are Required.

Implementation:

- Zoning requests shall be submitted and approved by Grundy County. Grundy County shall provide the City with the opportunity to comment on all requests for conformance with the policies established for Area #3.
- Grundy County subdivision and design standards shall be applied in order to regulate development. Grundy County shall provide the City with the opportunity to comment on all requests for conformance with the policies established for Area #3. The cost of improvements shall be borne by the developer.
- Annexation of significant portions of this area is not anticipated during the term of this Agreement. However, limited annexation of those areas adjacent to the City's corporate limits that require municipal services may occur.

Geographic areas:

See Exhibit A, which is attached and made part of this Agreement.

II. ADMINISTRATIVE POLICIES.

Butler and Grundy Counties, referred to as the Counties, and the City of Parkersburg, referred to as the City, accept and agree to the following Administrative Policies, which will be used to implement this Agreement:

Zoning regulation, as a rule, is the Counties' prerogative while subdivision regulation in these areas comes under both the Counties' and City's authority. Annexation is under exclusive rule of the City. Each of these activities, however, affects all three jurisdictions and has produced a clear and pressing need for coordination and joint administration. To that end, the Counties and the City agree to the following procedures for administration of land use regulations.

A. Zoning Regulation:

Zoning regulation for all of the unincorporated areas of Butler and Grundy Counties shall remain under the authority of the Butler County and Grundy County Zoning Ordinances and the provisions of Chapter 335 of the Code of Iowa, as amended.

Each request for zoning property within areas specified in this Agreement shall be forwarded to the City for comment prior to the public hearing of the appropriate County Planning and Zoning Commission. Any zoning change will conform to the policies identified for the area in which the requested change is located.

B. Subdivision Regulations:

Subdivision of land with the two (2) mile extraterritorial jurisdiction of the City within Butler and Grundy Counties shall be required to conform to either the subdivision and design standards of the appropriate County or the City, in accordance with the area policies and implementation measures specified in this Agreement.

Persons wishing to subdivide land within Area #1, as specified in this Agreement, shall be required to file a subdivision application with the appropriate County and City. Although the City design standards are required for subdivisions in Area #1, each request will be forwarded to the appropriate County for review and comment prior to the public hearing of the City Planning and Zoning Commission.

Persons wishing to subdivide land within Area #2 or Area #3, as specified in this Agreement, shall be required to file a subdivision application with the City and appropriate County. Although appropriate County design standards are required for subdivisions in Area #2 or Area #3, each request will be forwarded to the City for review and comment prior to the public hearing of the appropriate County Planning and Zoning Commission.

The appropriate County or developer shall forward all subdivisions, as classified by the appropriate County Subdivision Ordinance, to the City accordingly. And if required, minor subdivisions, as classified by the appropriate County Subdivision Ordinance, shall also be forwarded to the City as well.

C. Annexation:

The City of Parkersburg will annex territory only in accordance with the policy statements and implementation measures specified in this Agreement and consistent with State law.

Requests for annexation, within the areas covered under this Agreement, will be forwarded to the appropriate County, for comment, prior to consideration by the City Planning and Zoning Commission or City Council.

D. Development in Several Areas:

If a subdivision is located more than one (1) different development areas, the policy and procedures of the most restrictive shall apply. For the purposes of this Agreement, Area #1 shall be considered the most restrictive and Area #2 or Area #3 shall be considered the least restrictive.

III. REVIEW AND AMENDMENT.

The Chair of the Butler County Board of Supervisors, Grundy County Board of Supervisors, or the Mayor of the City of Parkersburg shall initiate a review of the area development policies, implementation measures, and administrative policies each year during the term of this Agreement. Parties to this Agreement shall consider amendments to this Agreement in a manner similar to its initial adoption.

IV. AGREEMENT TERMINATION.

Any two (2) parties to this Agreement shall have the authority to terminate the Agreement. The parties wishing to terminate the Agreement shall do so by providing written notification to the other party. Said notification shall be sent by registered mail and shall be effective thirty (30) days after the mailing date of the notification.

V. SAVINGS OR SEVERABILITY CLAUSE.

Should any provisions of this Agreement be deemed unenforceable by a court of law, all of the other provisions shall remain in effect.

VI. ADOPTION, EFFECTIVE DATE, AND RECORDING.

The Agreement shall be adopted by resolution by the governing body (Board of Supervisors or City Council) of each of the parties. This Agreement shall be effective for a period of five (5) years, beginning on the agreed-to effective date of the Agreement.

At least six (6) months prior to the end of each five-year period, the parties shall initiate a review of the 28E agreement to assess its continued relevance, accuracy, and compliance with applicable laws and regulations. The review shall be conducted in good faith by representatives designated by each party.

Following the review, the parties shall engage in good faith to determine whether the Agreement should be continued, amended, or replaced. If parties mutually agree on the continued approval of the Agreement, they shall document by resolution of their respective governing body (Board of Supervisors or City Council) of each of the parties.

If, during the review process, the parties agree that the Agreement requires amendments or replacement, they shall outline the proposed changes in writing. The amended or replacement Agreement shall be subject to the same approval process as outlined above.

Upon mutual agreement to continue, the terms of this Agreement shall be automatically extended for an additional five (5) years from the date of the following the Agreement being filed and recorded in accordance with Chapter 28E of the Code of Iowa, as amended.

BUTLER COUNTY, IOWA

BY: 
Board of Supervisors Chair

ATTEST: 
County Auditor

Dated this 27th day of February, 2024

GRUNDY COUNTY, IOWA

BY: 
Board of Supervisors Chair

ATTEST: 
County Auditor

Dated this 12th day of February, 2024

PARKERSBURG, IOWA

BY: 
Mayor

ATTEST: 
City Clerk

Dated this 5 day of February, 2024.

EXHIBIT A: MAP OF AREAS

EXHIBIT A: MAP OF AREAS
PARKERSBURG TWO-MILE FRINGE AREA POLICY AGREEMENT

