

# Hiawatha

Are bees allowed? Yes, in A – Agricultural Zone District. See full code at

<http://www.hiawatha-iowa.com/mod/press/documents/Ch.%20165%20UDC%20Oct.%2015%20Supp.pdf>

165.96 DEFINITIONS. The following definitions shall govern the interpretation of the regulations of the City of Hiawatha Unified Development Code.

12. "Agriculture" means the raising of food and feed crops and products, and including tree and vine products, animal husbandry including bee-keeping, dairying, poultry, and pasturage and the like, but excluding commercial feed lots, fur farms, kennels, and boarding kennels, and boarding and riding stables. It includes the ordinary accessory uses and structures for preparing, treating, and storing products, equipment and machinery, provided, however, that the operation of any such accessory uses shall be secondary to that of ordinary agricultural activities.

165.16 LAND USES AND REGULATIONS BY DISTRICT. Land use regulations and standards for development in all districts are provided by zone districts. 1. A-Agriculture Zone District. Agriculture is a permitted use.

If a nuisance was called: Per Zoning, situation needs to match the definition to be valid.

50.01 DEFINITION OF NUISANCE. Whatever is injurious to health, indecent, or unreasonably offensive to the senses, or an obstruction to the free use of property so as essentially to interfere unreasonably with the comfortable enjoyment of life or property is a nuisance. (Code of Iowa, Sec. 657.1)

Additional notes: Staff noted there had been at least one inquiry about bees.

The only agricultural uses allowed in "R" zoning districts on lots greater than 3 acres are grazing animals and crop production. Bees are not grazing animals. Staff does not recognize honey as a crop.

ZONING DISTRICTS AND ZONING MAPS

B. Annexed Territory. All territory which may be annexed to the City of Hiawatha after adoption of this chapter shall be zoned automatically classified in the Agricultural District until otherwise amended according to procedures established in Sections 165.90 and 165.91 of this Code.

(1) Voluntary Annexation. All applications for voluntary annexation of land to the City of Hiawatha may, in addition to the necessary requirements for annexation, include a request by the applicant for a zone classification for the property other than agricultural. Upon receipt thereof, the application shall be referred to the Planning and Zoning Commission for recommendation on the requested zoning pursuant to Sections 165.90 and 165.91 of this Code. The Planning and Zoning Commission shall consider zoning requests in accordance with the land use portion of the Comprehensive Plan and Sections 165.90 and 165.91 of this Code.

(2) Involuntary Annexation. All territory which may be annexed shall be automatically classified in the Agriculture District until otherwise amended according to procedures established in Sections 165.90 and 165.91 of this Code. However, if a majority of the property owners who also represent a majority of the property being annexed, request a zone classification which the Planning and Zoning Commission finds compatible with the land use portion of the Comprehensive Plan, the Commission may consider the request in a report to the City Council.

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