

Posted 08-25-2020

The following zoning clarification was incorporated in the 2015 General Updates and can be found on page 6-17 of the current Tier 2 Site Cleanup Report Guidance.

Zoning Documentation - An additional appendix is required if non-residential zoning is used to derive a target level for a vapor pathway. Documentation in this appendix must include the name, official title, and telephone number of the person(s) contacted to confirm the zoning information. Provide a map showing the zoning and associated boundaries in the area. The zoning map must be legible and rendered at an appropriate scale. If symbols are used for zoning designations on the map, provide a legend which defines the symbols and indicates whether land use is residential or restricted to non-residential. Note: A zoning designation other than residential (e.g., business district, commercial, etc.) does not necessarily preclude residential land use in some cases. It is incumbent on the CGP to verify that no buildings which would qualify as residential (e.g., houses, apartments, nursing homes, schools, child care facilities, prisons, etc.) exist or can be established in areas designated nonresidential.

Please note zoning is determined by city ordinance within city limits and county ordinance in unincorporated areas of the county. Information on the county assessor's web page should not be relied upon to reflect zoning determinations. The zoning designation definition and potential land uses allowed by ordinance within the designation must also be included if nonresidential target levels are being applied.

Site-specific circumstances for reclassification of potential residential vapor receptors may be considered despite the zoning designation if the certified groundwater professional can provide justification for why new residential vapor receptors will not be installed within an area of concern (e.g. an institutional control is established which prevents installation of new residential vapor receptors, site conditions make it highly unlikely new residential vapor receptors would be installed).

City of Des Moines

Effective December 15, 2019 the entire City of Des Moines had the zoning map repealed and adopted a new zoning map. Special attention should be made to verify zoning as part of the potential receptor summary section of Site Monitoring Reports for LUST sites in the City of Des Moines.