



## PLANNING AND ZONING

### Cerro Gordo County Courthouse

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April 22, 2022

TO: Cerro Gordo County Planning and Zoning Commission

FROM: John Robbins

SUBJECT: Next Meeting – *Thursday, May 5, 2022; 4:00 p.m.; Boardroom*

Ladies and Gentlemen:

The next meeting of the Cerro Gordo County Planning and Zoning Commission is scheduled for **May 5, 2022 at 4:00 p.m., in the Boardroom at the Courthouse**. You will be considering a rezoning request, a proposed amendment to the Zoning Ordinance for public hearing, and a separate zoning amendment draft intended only for study and comment and not officially being proposed at this time.

If you have concerns with attending in person due to COVID-19, the option to attend the hearing via web conference will be made available. Social distancing will be practiced. You may join the web conference by using the following web address or by calling the phone number and entering the conference ID when prompted. Please let me know if you have any questions or if you are not able to attend in advance of the hearing.

#### **BY COMPUTER**

**Web Conference:** <https://bit.ly/3MesoK9>

#### **BY PHONE (AUDIO ONLY)**

**Conference phone:** (641) 351-6385

**Conference ID:** 560 413 933#

1. Jason and Chad Blake      22219 Indigo Avenue (W½ of the SW¼, Section 16, Lincoln Township)

This 3.31-acre parcel is located in the W½ of the SW¼, Section 16, Lincoln Township. A rezoning from A-1 Agricultural to A-2 Agricultural Residence is being requested because the resulting parcel will be under 10 acres.

The parcel has a house, a barn, several grain bins, and a few machine sheds (See Figures 1-4). The house is 5.4' from the front line. A 50' front yard setback is required in the A-2 District (See Figure 5). The central machine sheds are 8.5' apart, and the westerly grain bins are 5' apart. A 10' minimum separation distance between detached buildings is required on agricultural lots (See Figures 6 & 7).

The property is surrounded by land in agricultural production. The fields can be accessed to the south of the acreage via Indigo Avenue or from the north of the acreage via 315<sup>th</sup> Street.

The rezoning request is in general compliance with the comprehensive plan: it is an existing building site, no agricultural land will be taken out of production, and there are no access issues. I recommend the request be forwarded to the Board of Supervisors for approval with the existing non-conforming structures noted.

## 2. Zoning Amendment – Regarding special event uses

The Board considered this amendment at our last meeting and has been revised based on your comments and additional staff input from other departments. As before, the proposed amendment addresses land uses pertaining to special events. The intent of the amendment is to clean up language and update existing provisions in the ordinance as well as address block parties that are more often being requested in residential neighborhoods). Your input from the last hearing proved very valuable. The amendment has been updated to be more specific and streamlined. Below as before, I summarize the changes with some extrapolation (in red).

The proposed changes are as follows:

- Adds a definition for “Temporary Use Permit” in Article 4. **The definition has been revised to be consistent with terminology in the ordinance regarding use of land.**
- Amends Section 20.2(EE) to clean up language and make the special use category compatible with the amended section for Temporary Use Permits. The amendment also adds some minimum requirements to the category where none previously existed. **Permanent event venues and temporary event facilities have been kept under the same category while the difference in parking minimum requirements for each type has been clarified. However, the others have been simplified and can address both and would be specified in the conditions of the respective Special Use Permit as applicable.**
- Amends the fee for a Temporary Use Permit for temporary occupancy of a travel trailer or recreational vehicle outside of a travel trailer park to the minimum Zoning Permit fee in Article 22. **This has remained the same from the previous draft. It is staff’s opinion that any change should be addressed in the goals and policy developed in an upcoming Comprehensive Plan update. The provision provides flexibility to address public health concerns, such as wastewater matters, in the short term but will continue to be used with discretion from an enforcement perspective.**
- Creates a specific temporary use permit requirement specifically for residential neighborhood block parties that propose to have a public road closure or live music performance. Certain minimum standards are established in the proposed amendment. The minimum requirements are significantly based on input from the County Engineer, CG Public Health, and the County Sheriff. **This is the most significant revision. It has been made specific to block parties with certain criteria as summarized above to address the main purpose of this proposed amendment.**

The Comprehensive Plan does not specifically address special events. The plan encourages the use of performance standards where appropriate.

### 3. Zoning Amendment for study – Regarding lakeshore landscaping within the Environmental Resource Overlay District

This Zoning Amendment draft is for study only for your comments and is not going to be in public hearing during this meeting. The draft pertains to adding lakeshore landscaping rules along the shoreline and banks of Clear Lake within the Environmental Resource Overlay District (EROD). This particular draft amendment is modeled after similar rules from Dickinson County regarding Lake Okaboji. This draft was constructed in consultation with the CLEAR Project, a non-profit specifically created for the protection of the natural resources of the watershed of Clear Lake.

The EROD is a specific overlay district establishing additional rules for the properties contained therein pertaining to the area encompassing the watershed of Clear Lake established in Article 5.6 of the county Zoning Ordinance. The purpose of the EROD is to recognize the special significance of the lake as a natural resource and to protect its water and soil resources. Clear Lake is considered an impaired water of the state by the State of Iowa. While usable by the public, further water quality improvement is needed. As a result, the intent of the potential amendment is to further protect these resources by regulating water runoff and excavation along the lake shoreline to mitigate erosion and siltation into the lake.

The county Comprehensive Plan has an extensive set of goals and policy statements pertaining to protecting environmental resources, water and soil quality, erosion control, and the protection of the Clear Lake Watershed. Generally, the plan is in substantial support of the goals of the intent of this potential zoning amendment. A copy of these goals, objectives, and policies of this section of the plan are included in the packet for reference.

Further, other professionals are being offered the opportunity for comment and input, including the Clear Lake Sanitary District, the cities of Clear Lake and Ventura, the Iowa DNR, and landscaping professionals that work in the area. Any comments received prior to the meeting will be shared with the Commission.