



PLANNING AND ZONING

Cerro Gordo County Courthouse

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April 21, 2023

TO: Cerro Gordo County Planning and Zoning Commission

FROM: John Robbins, Planning and Zoning Administrator

SUBJECT: Next Meeting – **Thursday, May 4, 2023; 4:00 p.m.; Boardroom**

Ladies and Gentlemen:

The next meeting of the Cerro Gordo County Planning and Zoning Commission is scheduled for **May 4, 2023 at 4:00 p.m., in the Boardroom at the Courthouse**. You will be considering a subdivision request and a proposed ordinance.

The option to attend the hearing via web conference will be made available. 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/41IPNS2>

BY PHONE (AUDIO ONLY)

Conference phone: (641) 351-6385

Conference ID: 285 913 595#

1. David W. & Catherine S Beck Beck First Subdivision (Lot 1 except north of the creek in the Subdivision in the SE¼ of the NW¼, Section 28, Lime Creek Township, including 15250 300th Stret)

This property is located on County Road B-20 (300th Street) just west of US Highway 65 (Orchid Avenue). The proposed two-lot subdivision of 6.40 acres is a replat of the area south of the Winnebago River on Lot 1 in the Subdivision in the SE¼ of the NW¼, Section 28, Lime Creek Township. Both lots are zoned R-1 Single Family Residential. No rezoning is being requested with the proposed subdivision. The applicant intends to sell Lot 1A once subdivided.

Proposed Lot 1A is just over 43,560 square feet in area and has a 120' lot width, which meets the minimum lot size of 20,000 square feet and minimum 120'-lot width. The lot has an existing house and chicken coop (See Figures 1 & 2). Both the existing house and the chicken coop are 7.3' from the west side lot line where a 25' side yard setback is required in the R-1 District (See Figures 3-6). The existing well is located just southeast of the house (See Figure 7). The existing leech field for the septic system is located just north of the house (Figure 8). The lot is accessed from an existing driveway from 300th Street.

Proposed Lot 1B is 5.49 acres in size, well above the minimum size required for the R-1 District. The property has been used as a hay field for decades. There is an existing field access from 300th Street at the southeast corner of the proposed parcel.

Review of Final Plat, Dedication of Plat, and Declaration of Covenants

A proposed Final Plat and Dedication of Plat have been submitted with the Final Plat Application and are included in your packets. The following revisions to the Final Plat and Dedication of Plat will need to be made and submitted to the Planning and Zoning Office prior to being heard by the Board of Supervisors:

- County Road B-20/300th Street should be labelled on the Final Plat.
- Any existing utility easements should be illustrated on the Final Plat, or if no easements currently exist, 5'-wide utility easements should be provided and illustrated along side and rear lot lines as practical.
- Building lines and setback requirements should be illustrated and labelled for each lot on the Final Plat.

Utilities and Services

Electrical Service: The existing house on proposed Lot 1A has electrical service. No development is planned for proposed Lot 1B in the foreseeable future.

Well Service: CG Public Health noted the existing well off the southeast corner of the house on proposed Lot 1A (See Figure 7). The well tested safe for coliform bacteria, E.coli bacteria, nitrates, and arsenic in 2019, though it has tested positive for coliform bacteria in recent years. Annual water quality tests are recommended. No well-share is planned between the lots. There is no record of a well being developed on proposed Lot 1B. A well permit is required from CG Public Health for any new wells.

Wastewater Service: There is an existing septic system and leech field on proposed Lot 1A (See Figure 8). It is old enough that it is not a permitted system from CG Public Health. There is no developed system on proposed Lot 1B. Any new system will require a permit from CG Public Health. A Time-of-Transfer inspection will be required at the time the property transfers to new ownership.

Department Comments

The Auditor's Office has approved the subdivision name, "Beck First Subdivision, Cerro Gordo County, Iowa." The County Treasurer noted that property taxes are current and that there are no liens applied to the property. The County Recorder, County Assessor, and County Engineer had no concerns.

Conformance with the Comprehensive Plan

The property is a developed residential area and zoned appropriately in the urban fringe of Mason City. There are no access issues. The proposed subdivision is generally in compliance with the goals and policies of the Comprehensive Plan.

Summary and Conclusion

The plat is within 2 miles of the city of Mason City. The City Councils' approval will be required before the plat is considered by the Board of Supervisors. The city noted that the Final Plat's scale will need to be adjusted for city review, though the current format is sufficient for the purposes of county review. There are no access issues. The proposed subdivision is generally in line with the goals and policies of the county Comprehensive Plan. I recommend the request for waiver of the preliminary plat be approved. The approval should be contingent on the above revisions being made and a revised Final Plat being received by the Planning and Zoning Office before the hearing occurs.

2. Renewable Energy Moratorium Ordinance

The proposed ordinance would impose a moratorium for the county in accepting new applications or issuing permits for utility-scale wind energy conversion systems (CWECS, generally wind turbines), solar installations, or battery storage installations as regulated under the Cerro Gordo County Zoning Ordinance. Under current rules, these types of uses may be constructed with the granting of a Special Use Permit with attached conditions by the county Board of Adjustment under Article 20.2(J), "Commercial microwave, radio and television towers, public utility structures and accessory equipment, including their transmitting stations and towers, and wireless telecommunications facilities," which includes the aforementioned public utility structures.

In July 2022, the county began the process of developing a new Comprehensive Plan jointly with the cities of Mason City and Clear Lake. The county intends to develop a high-level vision, goals, objectives, and policy pertaining to renewable energy to provide guidance for the future as a part of the plan that would be implemented with potential Zoning Ordinance amendments following as applicable. As a result, the county requires time to complete the process to develop the plan, conduct further study, and conduct any potential revision process to the ordinance to implement the plan. The purpose of the proposed ordinance would be to provide the needed time to conduct those activities.