

The Board of Supervisors of Cerro Gordo County, Iowa, met in regular session pursuant to adjournment. Present: Chairman Tim Latham, Vice Chairman Casey Callanan, Supervisor Chris Watts and various members of the public.

Chairman Latham convened the meeting at 10:00 a.m.

Callanan moved with Watts seconding, to approve today's agenda and the meeting minutes for the October 12, 2020 special session and the October 13, 2020 regular session. Motion passed unanimously.

Public comment session was held.

Watts moved with Callanan seconding, to approve claims. Motion passed unanimously.

Callanan moved with Watts seconding, to approve the payroll register for period ending 10/10/2020. Motion passed unanimously.

Watts moved with Callanan seconding, to authorize Rodney McKinney to conduct field review of Drainage District 33. Motion passed unanimously.

Callanan moved with Watts seconding, to approve the Auditor's Quarterly Report of Fees. Motion passed unanimously.

Watts moved with Callanan seconding, to authorize the Chair to sign Amendment One Agreement for inmate telephone services, commissary services, and trust accounting software with Prodigy Solutions. Motion passed unanimously.

Chairman Latham opened the public hearing regarding the Amendments to Zoning Ordinance No. 15 at 10:05 a.m.

Callanan moved with Watts seconding, to close the public hearing. Motion passed unanimously.

Watts moved with Callanan seconding, to approve Resolution 2020-78 WHEREAS, the Zoning Ordinance of Cerro Gordo County regulates land use within its jurisdictional boundaries; and WHEREAS, from time to time, it is necessary and prudent to make updates to said ordinance for proper regulation; and WHEREAS, this amendment pertains to miscellaneous provisions of the Zoning Ordinance intended to promote the public, safety, and general welfare; and WHEREAS, the Cerro Gordo County Planning and Zoning Commission, after study and public hearing, has recommended amendments to the Zoning Ordinance be made, upon the application of the Zoning Administrator; and WHEREAS, the final public hearing has been held with notice as required by law. NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Cerro Gordo County, Iowa, that the following amendments are hereby made to the Cerro Gordo County Zoning Ordinance:

1. Article 6, General Regulations, shall be amended as follows:

A. *Repeal* the provisions of Article 6.28, Other Exceptions to Yard Requirements and replace with the following:

The following exceptions shall apply to yard requirements:

- A. Every part of a required yard shall be open to the sky unobstructed with any building or structure except for an accessory building as permitted in Article 6.9 and except for ordinary projections not to exceed twenty-four (24) inches including roof overhang.
- B. Porches, canopies, decks, or similar architectural features as a part of a dwelling that are open and unenclosed may encroach into the required front yard but shall not exceed more than twenty percent (20%) of the front yard requirement. This exception shall not apply to a front yard setback average as applied in Article 6.11. On lake lots, open decks or raised patios without a roof or canopy may encroach into a required side yard but shall not encroach closer than fifty percent (50%)

into the required side yard of the applicable district.

C. Front and rear yard requirements shall not apply to the projection of usual steps. Steps may encroach into a required side yard but shall not encroach closer than fifty percent (50%) into the required side yard of the applicable district.

D. Yard requirements shall not apply to typical exterior appurtenances incidental and necessary to the use of a dwelling, such as air conditioning units, LP tanks used for home heating, or similar appurtenances as determined by the Zoning Administrator. This exception shall not apply to buildings. It shall be the property owner's responsibility to ensure said appurtenances meet all applicable federal, state, and local rules.

B. *Repeal* the provisions of Article 6.33(A), and replace with the following:

For any use which requires a site plan that affects an area of one (1) acre or less, the fee shall be \$100.00. For any use which requires a site plan that affects an area more than one (1) acre, the fee shall be \$200.00. For any use which requires a site plan and is located on more than one (1) non-contiguous lot, an additional \$100 fee shall be assessed for each additional site. The fees are described in this section are for site plan review only.

2. Article 7, A-1 Agricultural District, shall be amended as follows

A. *Repeal* the provisions of Article 7.1, Declaration of Intent, and replace with the following:

The A-1 Agricultural District is one of agricultural uses which is designed to permit the continued use of such land for agricultural purposes. Such areas shall not be less than ten (10) acres in size.

The following regulation and the General Regulations contained in Article 6 shall apply in the A-1 Agricultural District.

3. Article 22, Application for Zoning Permits, shall be amended as follows

A. *Repeal* the provisions of Article 22 (H) and replace with the following

Fees. The following fees shall be charged for Zoning Permits and are based on the projected cost of the erection, construction, or structural alteration on the building or structure or other applicable costs:

Construction Costs	Fee
\$0 to \$4,999	\$25.00
\$5,000 to \$14,999	\$50.00
\$15,000 to \$29,999	\$75.00
\$30,000 to \$49,999	\$100.00
\$50,000 to \$74,999	\$150.00
\$75,000 to \$99,999	\$200.00
\$100,000 to \$249,999	\$250.00
\$250,000 to \$499,999	\$500.00
\$500,000 to \$750,000	\$750.00
>\$750,000	\$1000.00

A Zoning Permit that has been issued may be renewed by submitting a fee equal to the permit fee assessed for the permit. Said renewal shall expire after twelve (12) months from the date of issue. No Zoning Permit issued shall be renewed more than once.

B. *Repeal* the provisions of Section 22(I) and replace with the following:

Administrative Fee. Any person, firm, or corporation not conforming to Section 22(A) above will be assessed a \$200.00 fee or a fee equal to the Zoning Permit fee, whichever is greater, in addition to the Zoning Permit fee.

NOW, THEREFORE, BE IT RESOLVED by the Cerro Gordo County Board of Supervisors that Ordinance No.

15 is hereby amended and that this Resolution shall be in full force and effect from and after its passage. Motion passed unanimously.

Callanan moved with Watts seconding, to approve Resolution 2020-79, WHEREAS, pursuant to the provisions of Chapter 404, *Code of Iowa*, as amended (the "Act") before designating any area a revitalization area, the County must prepare a proposed plan for such revitalization area; and, WHEREAS, pursuant to the provisions of the Act, the County has prepared a proposed plan for the Cerro Gordo County East Thornton Urban Revitalization Area, held the public hearing thereon, as required by the Act, such public hearing having been held at the Cerro Gordo County Courthouse on the 15th day of September, 2020, and, WHEREAS, the County has not received within thirty days after the holding of the first public hearing, referred to above, a valid petition requesting a second public hearing containing the signatures and current addresses of property owners that represent at least ten percent of the privately owned property within the Cerro Gordo County East Thornton Urban Revitalization Area, or the signatures and addresses of tenants that represent at least ten percent of the residential units within the Cerro Gordo County East Thornton Urban Revitalization Area; NOW, THEREFORE BE IT RESOLVED, by the Board of Supervisors of Cerro Gordo County, Iowa, as follows: Section 1. That no objections were received at the public hearing on the proposed Cerro Gordo County East Thornton Urban Revitalization Plan. Section 2. That the proposed plan for the Cerro Gordo County East Thornton Urban Revitalization Area is hereby adopted. Section 3. That all resolutions or parts of resolutions passed prior to or that in conflict herewith be and the same are hereby repealed. Motion passed unanimously.

Callanan moved with Watts seconding, approving Ordinance No. 65, An Ordinance Designating Certain Areas of Cerro Gordo County, Iowa as Urban Revitalization Areas Section 1. Purpose and Intent. Chapter 404 of the *Code of Iowa* provides that a county may designate areas as revitalization areas eligible for property tax exemptions and authorizes cities to issue revenue bonds for improvements made within those revitalization areas. On August 11, 2020, the Board of Supervisors of Cerro Gordo County adopted a Resolution finding that the rehabilitation and redevelopment of certain areas of Cerro Gordo County would be desirable and that said area qualifies under Section 404.1 of the *Code of Iowa*, for designation as a Revitalization Area. The Cerro Gordo County Board of Supervisors has deemed it appropriate to utilize the incentives of the Revitalization Act as contained in Chapter 404 of the *Code of Iowa*, to promote rehabilitation and redevelopment as well as new development. The Cerro Gordo County Board of Supervisors has complied with all of the provisions of Chapter 404 of the *Code of Iowa*, relating to the designation of certain areas of counties as revitalization areas, and has waived the requirement of notification of tenants as there is no reliable mailing list, and has heretofore adopted a revitalization plan covering specific areas of the Cerro Gordo County as described below. NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF CERRO GORDO COUNTY, IOWA, as follows: Section 2. Description. The following described real estate is hereby designated as the Cerro Gordo County East Thornton Urban Revitalization Area: Parcel: 14-19-326-002-00-North Iowa Cooperative Elevator PARCEL A LOCATED IN THE NORTHEAST QUARTER (NE1/4) OF THE FRACTIONAL SOUTHWEST QUARTER (FRL SW1/4) OF SECTION NINETEEN (19), TOWNSHIP NINETY-FOUR (94) NORTH, RANGE TWENTY-ONE (21) WEST OF THE 5TH P.M., CERRO GORDO COUNTY, IOWA, AS DESCRIBED AND DEPICTED ON THE PLAT OF SURVEY DATED JULY 19, 2018 AND FILED JULY 30, 2018 AS DOCUMENT NO. 2018-4347 Section 3. Benefits. The benefits of revitalization shall be only to the extent provided by the revitalization plan as heretofore adopted by the Cerro Gordo County Board of Supervisors, and that any person, firm, corporation or other entity seeking to utilize the benefits of revitalization shall comply with the requirements set forth in that revitalization plan as hereby adopted. Section 4. Repealer. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed to the extent of such conflict. Section 5. Severability. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the

validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional. Section 6. Effective Date. This ordinance shall be in full force and effect from and after its publication, approval and passage as provided by law.

First Consideration: October 20, 2020

Second Consideration: Waived October 20, 2020

Third Consideration: Waived October 20, 2020

Roll call vote: Callanan- Aye; Latham- Aye; Watts- Aye

Motion passed unanimously.

Watts moved with Callanan seconding, to adjourn at 10:11 a.m. Motion passed unanimously.

Various tabulations, reports, correspondence and other documents that were presented at today's meeting are placed on file with the supplemental minutes.

Chairman Tim Latham
Board of Supervisors

ATTEST:

Adam V. Wedmore, Auditor
Cerro Gordo County