

RESOLUTION

No. 2022-____

A RESOLUTION AMENDING THE ZONING ORDINANCE OF CERRO GORDO COUNTY (Ordinance No. 15), REGARDING BOAT HOIST STORAGE

WHEREAS, the Zoning Ordinance of Cerro Gordo County regulates land use within its jurisdictional boundaries; and,

WHEREAS, Clear Lake is an important natural resource to the area, and it is necessary to provide proper regulation to allow for essential services to the lake community; and,

WHEREAS, this amendment intends to expressly implement regulatory processes and land uses within the Zoning Ordinance for commercial boat hoist and watercraft storage to promote the public health, safety, and general welfare; and

WHEREAS, the Cerro Gordo County Planning and Zoning Commission, after study and public hearing, has recommended amendment 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 4, Definitions**, shall be amended as follows:

Add the following definition of **BOAT HOIST**:

A structure placed in the water or below the ordinary high water mark of Clear Lake for boat or watercraft storage, including platforms for storage of personal watercrafts.

Add the following definition of **BOAT HOIST STORAGE FACILITY**:

Any land or building used for the purpose of storing boat hoists or watercraft for any period of time for lease, profit, or any commercial purpose. Any property storing more than six (6) boat hoists or watercraft for any purpose shall be considered a boat hoist storage facility for the purpose of this Ordinance.

2. **Article 6.9, Accessory Structures for Uses in Residence Districts and Agricultural Districts**, shall be amended as follows:

Repeal Subsection E and replace with the following:

- E. In any residential or agricultural district, no more than six (6) boat hoists shall be permitted to be stored on any lot except as otherwise provided for in this Ordinance.

3. **Article 16.3, Principal Permitted Uses**, shall be amended as follows:

Repeal Subsection (R) and replace with the following:

- R. Boat hoist storage facility, mini-storage, wholesale warehouse, or wholesale business.

4. **Article 20, Special Uses**, shall be amended as follows:

Repeal Subsection 20.2(FF) and replace with the following:

FF. Boat hoist storage facility. A-1 and A-2 Districts.

Minimum Requirements:

1. No land used for the agricultural production of crops shall be used, converted, or taken out of production for the purpose of establishing a boat hoist storage facility.
2. Boat hoists or watercraft shall not be visible from any adjacent public road to a boat hoist storage facility. The facility owner shall provide adequate screening or fencing as necessary.
3. All boat hoists or watercraft shall be stored a minimum of fifty (50) feet from all lot lines.
4. Boat hoists or watercraft may be stored within an enclosed building for the purposes of a boat hoist storage facility. For any outdoor storage, boats hoists or watercraft, shall be stored no closer than the rear side of the principal building, or the rear side of the closest accessory building if there is no principal building, from the public right-of-way. If there are no buildings on an applicable lot, boat hoists shall be stored a minimum of fifty (50) feet from any public right-of-way.
5. The facility owner, at his/her expense, shall provide dust control up to twice per year on applicable gravel-surfaced roads adjacent to any property having a dwelling along said road used to transport boat hoists or watercraft to and from a boat hoist storage facility if desired by the owner of said property. The facility owner shall offer annually to provide said dust control to applicable property owners. All dust control shall be applied by a contractor licensed by the County Engineer's Office following established procedures. The facility owner shall keep records including contacts made to said property owners and dust control applied. Those records shall be made available to the Zoning Administrator upon request.

Repeal Subsection 20.2(GG) and replace with the following:

GG. Reserved.

NOW, THEREFORE, BE IT RESOLVED by the Cerro Gordo County Board of Supervisors that Ordinance No. 15 is hereby amended and that this Amendment shall be in full force and effect from and after its passage.

Motion was made by Supervisor _____ and seconded by Supervisor _____ that the foregoing Resolution be adopted.

Ayes –

Nays –

Absent/Not Voting –

Date of First Consideration:

Date of Second Consideration:

Date of Third Consideration:

Resolution adopted this ___ day of August 2022.

Chairman, Board of Supervisors
Cerro Gordo County, Iowa

I hereby certify that the foregoing is a full, true, and complete copy of Resolution as full, true, and complete as the same remains on file and of Record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the Auditor's Office in Mason City, Iowa, this ___ day of August 2022.

Adam V. Wedmore, Auditor
Cerro Gordo County, Iowa