



PLANNING AND ZONING Cerro Gordo County Courthouse

220 N Washington Ave Mason City, IA 50401-3254
John Robbins, Planning and Zoning Administrator
Michelle Rush, Executive Assistant

(641) 421-3075
plz@cgcounty.org
cgcounty.org/planning

March 12, 2021

TO: Cerro Gordo County Planning and Zoning Commission
FROM: John Robbins
SUBJECT: Next Meeting – *Thursday, April 1, 2021; 4:00 p.m.; Boardroom*

Ladies and Gentlemen:

The next meeting of the Cerro Gordo County Planning and Zoning Commission is scheduled for **April 1, 2021 at 4:00 p.m., in the Boardroom at the Courthouse.** You will be considering three rezoning requests.

If you have concerns with attending in person due to COVID-19, the option to attend the hearing via teleconference will be made available. Social distancing will be practiced. You may join via teleconference by calling the phone number below and enter 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.

Conference phone: (641) 421-3113
Conference ID: 3044#

REZONING REQUESTS

1. Larry and Deborah Stockberger 18388 Warbler Avenue (NE¼ of the SE¼, Section 3, Portland Township)

The Stockbergers are in the process of purchasing an additional 0.99 acres that they intend to add to the existing 1.99-acre homestead, which is grandfathered within the A-1 District. Since the combined property will be less than 10 acres (2.98 acres), a rezoning from A-1 to A-2 is being requested by the applicant, as the property will no longer be grandfathered with the additional land.

The property contains a house and several accessory buildings (See Figures 1-4). The detached garage and house are 8' apart (See Figure 5). A minimum separation distance of 10' is required between detached accessory buildings. The westernmost accessory building is currently a legally non-conforming structure with an existing 0.8' rear yard setback. It will become conforming as a result of the additional land being added to the property. No new non-conformities will be created as a result of the land transfer.

The parcel is surrounded by fields in agricultural production. Existing accesses to the farmland via 275th Street and Warbler Avenue will not be affected as a result of the request.

The rezoning request is in general compliance with the comprehensive plan: it is an existing building site, no farmland 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 non-conforming structures noted.

2. John L. Klemas and Dennis M. Klemas 19790 290th Street (SE¹/₄ of the SE¹/₄, Section 30, Falls Township)

This 4.9-acre parcel is located in the SE¹/₄ of the SE¹/₄ in Section 29, Bath Township. The parcel was split off in October 1996 without a zone change. Since it is less than 10 acres, it is considered an illegal lot. A change of zone from A-1 to A-2 is being requested to correct the status of the property.

The property contains a house, a detached garage, a pergola and garden shed, and three machine sheds. (See Figures 1-5). There are no non-conforming structures on the property.

The parcel is surrounded by fields in agricultural production. Existing accesses to the farmland via 290th Street and Thrush Avenue will not be affected as a result of the request.

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. The request rectifies the parcel's illegal lot status as well. I recommend the request be forwarded to the Board of Supervisors for approval.

3. Cerro Gordo County SW¹/₄ of the SW¹/₄, Section 18, Clear Lake Township

This is a request to rezone 5.25 acres in the SW¹/₄ of the SW¹/₄ of Section 11, Lake Township, from A-1 Agricultural to A-2 Agricultural (See Figure 1). Cerro Gordo County is in the process of purchasing the land for a new county engineering secondary roads shed and rock stockpiling area. The main building is proposed on the east side of the site while rock stockpiling is planned on the west half of the property (See Figures 2 & 3). The site is adjacent to the western city limits of Ventura (See Figure 4).

The Zoning Ordinance permits city and county buildings and facilities by right in A-2 districts. In other words, a permit can be administratively granted by the Zoning Administrator for city and county buildings and facilities in A-2 districts if all district and general requirements are met. In contrast, the ordinance requires a Special Use Permit for city or county buildings or facilities to be located in an A-1 district.

The intent of the A-2 District is to "serve the agricultural community and guide urban land use development in the rural area." The property is located at the edge of the city of Ventura in the urban fringe. The new county engineering facility will serve the agricultural community's secondary roads in the northwest part of the county and south of the lake. As a result, the new use is in line with the goals of the zoning district.

The County's Comprehensive Plan places this property within the coordination/cooperation area and urban fringe of Ventura. Comments have been requested from the city of Ventura; any comments received will be shared with the Commission. The plan contains numerous objectives and policies applicable to the proposed rezoning. These are listed below:

- Policy 2.1.4 Grant zoning changes only when it can be demonstrated that rezoning will result in community benefit which will outweigh any potential adverse impact upon surrounding properties. Conformance with the goals, objectives, and policies of the Comprehensive Plan and other adopted County plans or ordinances may be used as a basis for demonstrating community benefit.
- Objective 2.3 Encourage the majority of future development to locate within existing cities, or adjacent to existing cities in urban fringe areas planned for annexation, where adequate public services are planned or can be provided.
- Policy 2.4.1 In order to preserve productive agricultural soils and active agricultural areas of the County, non-farm uses should be limited to areas of marginal or poor agricultural soils, where it is least disruptive of existing agricultural activities; where it can be developed in an efficient and compact manner; and where it can be shown that there is a recognized need for such development.
- Objective 3.1 Recognize agricultural land as a principal natural resource of the County, and preserve those agricultural soils that have historically exhibited high crop yields and are considered the most suitable for agricultural production.
- Policy 3.1.1 Discourage development of productive agricultural soils by non-farm uses.
- Policy 3.1.2 Utilize the Corn Suitability Rating (CSR) of 70 to be applied by the County in reviewing development plans and projects, for the preservation of agricultural land areas.
- Policy 3.1.3 Other factors besides CSR may be considered to determine whether agricultural land preservation is appropriate; such as the physical characteristics and topography of the property, the location of the property and the compatibility of surrounding land uses, the land capability classification, and historic yields per acre of the property.
- Objective 10.1 Establish a system for planning purposes which will evaluate the costs and benefits of necessary County facilities and services.
- Policy 10.1.2 Provide facilities and services in locations compatible with planned growth areas, uses, populations, and needs.

The County intends to utilize city utilities for the onsite facilities. An aerial map illustrating the location of existing services is included in your packets (wastewater = green; water = brown). There are existing wastewater facilities that run along 255th Street with a lift station that sits in front of the property (See Figure 5). Existing water lines end about 300' to the east of the site and will be extended to feed the site (See Figure 6). The property sits adjacent to city limits with recent growth occurring on the west side of Ventura, as evidenced by the end utilities and recent development in the area (See Figure 5 & 6). These factors address Objective 2.3 and Policies 10.1.2.

This is land that has been in agricultural production since the late 1970's, as confirmed by historical aerial photography. The small farm field has a varied CSR rating from unreported on the west side to the low 80's on the eastern third of the property, which ranges from low productivity to above the rating of 70 raised by Policy 3.1.2 and considered highly productive land. Several of the objectives and policies discourage taking productive soils out of production. The proposed facility would take less than four acres out of production.

The balance of the remainder of objectives and policies weigh community benefits, costs, and the nature of development location and scale. One of the reasons that this site was chosen is due to the lack of available property for sale sizeable enough for the intended facilities that is in an ideal location to serve the rural community in the northwest part of the county. Due to it being undeveloped, property acquisition costs are low. Secondly, the site offers opportunity for

expansion. Third, the proposed facility is not out of scale with nearby residential development on a property that will not impede any potential growth to the city (See Figures 6 & 7). Additionally, the County Engineer stated that screening trees will be installed along the eastern property line and the building will be a stick-built construction to be in line with the character of the adjacent neighborhood to the east (See Figure 4). Fourth, the location is ideal to serve the northwest part of the county and just south of the lake.

Policy 2.1.4 states that—along with the objectives and policies of the Comprehensive Plan—other plans and ordinances may also be used as a basis for demonstrating community benefit. In the Zoning Ordinance, the purpose of the A-2 District is intended to “serve the agricultural community and guide urban land use development in the rural area.” The new facility is part of a comprehensive effort to reorganize and update the county’s engineering facilities throughout the county, which will serve the agricultural community. The location is in the western urban fringe of Ventura and consistent with the stated purpose of the requested change of zone.

While there is some conflict between the goals of preserving productive agricultural soils and overall community benefits, the characteristics of the proposed project appear to be more supported by the Comprehensive Plan than discouraged by it for the following reasons:

1. The primary purpose of the project is to better serve the agricultural community as a whole.
2. The site’s location and low acquisition cost help to create a more efficient layout for county engineering facilities, reduces costs by updating facilities, and better serves the agricultural community in the northwest part of the county.
3. The location is in the urban fringe of Ventura and will be appropriate for the A-2 District designation.

I recommend that the proposed rezoning be forwarded to the Board of Supervisors for approval.