



## PLANNING AND ZONING

### Cerro Gordo County Courthouse

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May 20, 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 **June 2, 2022 at 4:00 p.m., in the Board of Supervisors Office at the Courthouse.** Due to the primary elections taking place in the Boardroom where we regularly meet, we will have to meet at the different location You will be considering two proposed amendments to the Zoning Ordinance.

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:** 3025#

#### 1. 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 the County Engineer. 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. As before, the proposed amendment addresses land uses pertaining to special events uses.

Below as before, I summarize the changes with some extrapolation (in red) regarding revisions from last month's hearing.

The proposed changes are as follows:

- Adds a definition for “Temporary Use Permit” and “Special Events” in Article 4. **A definition for special events has been added as suggested. The list of types of special**

event uses has been put in the definition of special events and removed from the category itself.

- 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. I amended the portion pertaining to Section 20.2(EE)(3) to pertain only to live music taking place outdoors, in tents, or in a temporary structure. It also gives the Board discretion to allow for later times with the Special Use Permit condition.
- 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.
- 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. I changed “residential neighborhood” to “residential district” to have more consistent language with the Zoning Ordinance. Additionally, I amended the language for the minimum number of signatures for events with road closures to 75% of adjacent property owners. I consulted the County Engineer, and we both agreed that the requirement needed to be simplified for clarity.

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

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

The proposed amendment 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 proposed draft does the following:

- Reorganizes the sections of Article 5.6 to accommodate the new Lakeshore Landscaping and definitions sections. The other sections included in the draft amendment are otherwise the same but inputted in a different section.
- Requires a Zoning Permit for lakeshore landscaping as defined in the amendment.
- Introduces new standards for lakeshore landscaping, which includes requirements and best practices for stormwater management, erosion and siltation control, and bank stabilization.

- Promotes the use of natural vegetation in lakeshore landscaping.
- Creates a basis for review by reference to the Iowa Stormwater Management Manual and NRCS Critical Area Seeding Specifications and use of a standardized checklist for review.

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. Thus far, the City of Clear Lake has stated support for the goals of the amendment.

Additionally, Scott Grumm, a wildlife biologist with the Iowa DNR at the Clear Lake Office, offers support for the amendment's goals. He provided further input that more can be done to include more beyond the lakeshore, as runoff and siltation also occurs from the other areas of lake lots and in stormwater from other nearby lots.

Any other comments received will be shared with the Commission at the hearing.