

LINN COUNTY PLANNING & ZONING COMMISSION

MINUTES

Monday, July 18 , 2022

The Linn County Planning and Zoning Commission meeting was called to order at 6:33 p.m. by Chair, Tina DuBois. The meeting was held in the Jean Oxley Public Service Center Formal Board Room, 935 2nd Street SW, Cedar Rapids, Iowa.

QUORUM DETERMINED:

PRESENT:	Tina DuBois, Chair	2025
	Brock Grenis, Vice-Chair	2023
	Griffin Kuntz	2026
	George Maxwell	2025
	Allen Wagner	2024
	Diane Brecht	2025

ABSENT:	Curt Eilers	2022
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STAFF:	Stephanie Lientz, Planning & Zoning Division Manager
	Mike Tertinger, Senior Planner
	Jessie Black, Recording Secretary
	Brady Hill, Planning & Development Intern

See attendance sheet for community sign in.

APPROVAL OF MINUTES

The minutes of the June 21, 2022 Planning & Zoning Commission meeting were approved as submitted.

CONSENT AGENDA

JF2-0020	Wilder Acres First Addition	Final Plat
JF22-0021	Rose Third Addition	Final Plat

Motion by Maxwell to approve the consent agenda, subject to the conditions of the staff reports. Second by Kuntz.

Maxwell	Aye
Wagner	Aye
Brecht	Aye
DuBois	Aye
Grenis	Aye
Kuntz	Aye
Eilers	Absent

**REGULAR
AGENDA**

JA22-0002

Land Use Map Amendment

RRD3 to AA

Mike Tertinger presented the staff report.

The applicant is proposing to change the Linn County Land Use Map designation of the approximately 0.75-acre subject property from RRD3 (Rural Residential Development 3-Acre Area) to AA (Agricultural Area).

An associated Residential Parcel Split case (JPS22-0014) is proposed to split 2.96 total acres from two parent parcels. The 0.75-acre area proposed for the land use map amendment is a portion of the 2.96 acres. The map amendment will avoid creating dual land uses designations on one property.

This proposal meets the standards for approval in Article IV Section 107-75 of the Linn County Unified Development Code (UDC). Rural Land Use Map Amendments are not subject to MLS or LESA requirements.

Staff recommends approval subject to the conditions of the staff report.

There were no questions from commission members or public.

Motion by Kuntz to recommend approval of case JA22-0002 , subject to the conditions of the staff report . Second by Wagner .

Eilers	Absent
Kuntz	Aye
Brecht	Aye
DuBois	Aye
Grenis	Aye
Wagner	Aye
Maxwell	Aye

JPS22-0014

ArloAnn Sieck Addition

Residential Parcel Split

Mike Tertinger presented the staff report.

This applicant is requesting a residential parcel split of 2.96 acres (proposed lot 1) with an additional 0.34 acres of proposed road right-of-way (lot A). The property is zoned AG (Agricultural). The remainder of the parent parcel in the N ½ of the SW ¼ Sec. 34-85-08 is approximately 58.75 acres and will retain buildable rights. The remainder of the adjacent parent parcel in the W ½ NW ¼ SE ¼ of Sec. 34-85-08 is approximately 19.25 acres, an existing legal lot of record, and will retain buildable rights. Proposed Lot 1 contains an existing dwelling, accessory structures, well and septic.

The proposal is running concurrently with Land Use Map Amendment (case #JA22-0002) to avoid a dual land use map designation on proposed Lot 1. It will change the map designation of the east portion (approx. 0.75 acres) of proposed Lot 1 from RRD3 (Rural Residential District 3-Acre Area) to AA (Agricultural Area).

This proposal meets the standards for approval per Article IV, Section 107-72, § (4) of the Linn County Unified Development Code (UDC). Residential Parcel Splits are not subject to Minimum Levels of Service (MLS) or Land Evaluation Site Assessment (LESA) requirements.

Staff recommends approval subject to the conditions of the staff report.

There were no questions from commission members or public.

Motion by Grenis to recommend approval of case JPS22-0014 , subject to the conditions of the staff report . Second by Maxwell.

Wagner	Aye
Eilers	Absent
Kuntz	Aye
Brecht	Aye
DuBois	Aye
Maxwell	Aye
Grenis	Aye

JA22-0001

UDC Text Amendment

Agricultural Experiences

Mike Tertinger presented the staff report.

Staff is proposing several text amendments and additions to the Unified Development Code (UDC) related to the concept of agricultural tourism or agricultural experiences in Linn County. Per the recent passage of Iowa Code 335.26, an “Agricultural Experience” as defined as:

- *Any agriculture-related activity, as a secondary use in conjunction with agricultural production, on a farm which activity is open to the public with the intended purpose of promoting or educating the public about agriculture, agricultural practices, agricultural activities, or agricultural products.*

If a property is determined to meet the definition of an “Agricultural Experience”, 335.26 further states:

- *To assist in the promotion of agricultural experiences, a county shall not require a conditional use permit, special use permit, special exception, or variance for agricultural experiences on property of which the primary use is agricultural production.*

Prior to, and following the passage of *Iowa Code 335.26*, the Planning & Development Department, in collaboration with the Linn County Food Systems Council (FSC), and several Linn County farmers whom already utilize Agricultural Experiences on their property, have been working toward a Unified Development Code update to expand these types of opportunities for Linn County farmers. The goal was to do so in a manner that maintains our rural character, simplifies the review process, preserves farmland and protects the health, safety and welfare of our farmers, workers, adjoining property owners and farm visitors.

It is the Planning & Development staff’s opinion that Agricultural Experiences in Iowa present a unique opportunity to combine the economic benefits of tourism with our one-of-a-kind agricultural destinations

Staff recommends approval of the proposed UDC text amendments.

Brady Hill, Planning Intern, shared a PowerPoint presentation with the commission. The PowerPoint showcased in-depth research Hill had conducted to support the parking standards that were in question at the last Planning & Zoning Commission Meeting. Hill provided local examples to support staff's recommendation.

DuBois, Brecht, and Kuntz commended Hill for his thorough research.

Motion by Maxwell to recommend approval of case JA22-0001, subject to the conditions of the staff report. Second by Brecht.

DuBois	Aye
Brecht	Aye
Grenis	Aye
Wagner	Aye
Kuntz	Nay
Eilers	Absent
Maxwell	Aye

OTHER BUSINESS

COMMISSION COMMENTS

STAFF COMMENTS

Lientz reminded commission members of the upcoming Planning & Zoning Commission meeting to discuss Duane Arnold Solar I & II rezoning proposals. The meeting will be held at the Palo Community Center on July 28, 2022, at 6pm.

Lientz asked those who hadn't already done so, to let staff know of their availability between August 8-12th, in the event a second Planning & Zoning Commission meeting would be necessary.

Lientz said she would send an email to all PZC members with a link to Duane Arnold Solar I & II application documents, which have been uploaded to the Linn County website (www.linncountyiowa.gov).

PUBLIC COMMENTS

ADJOURNMENT

The meeting was adjourned at 7:26 p.m.

Respectfully submitted,

Tina DuBois, Chair

Jessie Black, Recording Secretary