

PLANNING & DEVELOPMENT

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Timothy Huey
Director

To: Dee F Bruemmer, County Administrator

From: Timothy Huey, Planning Director

Date: December 10, 2013

Re: First of two readings of ordinance to rezone approximately 7 acres from Agricultural-Preservation District (A-P) to Agriculture Service Floating Zone (A-F) legally described as the south 865 feet of the west 355 feet of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19, Princeton Township.

Following the public hearing the Board will now consider the first of two readings of the ordinance to rezone 7 acres (more or less) in Princeton Township from A-P to A-F. The A-F regulations state that the Planning Commission reviews the Site Plan at the same time as the rezoning application and all conditions of the Site Plan Review will be included in the ordinance amendment. The Planning Commission approved the Site Plan for Flenker Brothers Trucking with the following conditions:

- 1) The applicant shall plant tree buffer strips along portions of the west, north, and south edges of the site so as to limit the impact of the development upon 240th Avenue. The plantings shall include at least 50% evergreens or other non-deciduous plants which will provide buffering during all seasons. Such plantings shall not extend west into the road right-of-way or obstruct traffic visibility for either motorists along 240th Avenue or for traffic turning out of the site.
- 2) The applicant's proposed security fencing shall enclose the entire site and include a lockable front gate at the main entrance. This shall be completed prior to the beginning of any operations.
- 3) Any parking or circulation area must be paved, while any storage area may be graveled and shall have controlled access. The County Engineer's Office must approve the driveway approach and all paving and surfacing.
- 4) Any building shall obtain a building permit and comply with all Scott County building codes.
- 5) Copies of any state and federal permits held by Flenker Bros, LLC shall be submitted to the Scott County Planning and Development Office prior to operation.
- 6) All requirements of the Scott County Health Department shall be met.

Those conditions have been included in the attached ordinance amendment. With its final approval the Board of Supervisors would be permitted to amend those conditions if it was determined to be appropriate by the Board prior to approval of the second and final reading of the ordinance amendment.

SCOTT COUNTY ORDINANCE NO. 13-_____

AN ORDINANCE TO AMEND THE SCOTT COUNTY OFFICIAL ZONING MAP BY REZONING APPROXIMATELY 7 ACRES (NAMELY THE SOUTH 865 FEET OF THE WEST 355 FEET) IN THE SW¼NW¼ SECTION 19 OF TOWNSHIP 80 NORTH, RANGE 5 EAST OF THE 5TH PRINCIPAL MERIDIAN (PRINCETON TOWNSHIP) FROM "A-P" AGRICULTURAL PRESERVATION DISTRICT TO "A-F" AGRICULTURE SERVICE FLOATING ZONE IN UNINCORPORATED SCOTT COUNTY

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF SCOTT COUNTY, IOWA:

Section 1. In accordance with Section 6-31 Scott County Code, the seven (7) acre parcel more or less legally described as the south 865 feet of the west 355 feet of the SW¼ NW¼ of Section 19, Township 78 North, Range 5 East of the 5th Principal Meridian (Princeton Township) is hereby rezoned from "A-P" Agricultural Preservation District to "A-F" Agriculture Service Floating Zone with the following conditions:

- 1) The applicant shall plant tree buffer strips along portions of the west, north, and south edges of the site so as to limit the impact of the development upon 240th Avenue. The plantings shall include at least 50% evergreens or other non-deciduous plants which will provide buffering during all seasons. Such plantings shall not extend west into the road right-of-way or obstruct traffic visibility for either motorists along 240th Avenue or for traffic turning out of the site.
- 2) The applicant's proposed security fencing shall enclose the entire site and include a lockable front gate at the main entrance. This shall be completed prior to the beginning of any operations.
- 3) Any parking or circulation area must be paved, while any storage area may be graveled and shall have controlled access. The County Engineer's Office must approve the driveway approach and all paving and surfacing.
- 4) Any building shall obtain a building permit and comply with all Scott County building codes.
- 5) Copies of any state and federal permits held by Flenker Bros, LLC shall be submitted to the Scott County Planning and Development Office prior to operation.
- 6) All requirements of the Scott County Health Department shall be met.

Section 2. The County Auditor is directed to record this ordinance in the County Recorder's Office.

Section 3. Severability Clause. If any of the provisions of this Ordinance are for any reason illegal or void, then the lawful provisions of the Ordinance, which are separate from said unlawful provisions shall be and remain in full force and effect, the same as if the Ordinance contained no illegal or void provisions.

Section 4. Repealer. All ordinances or part of ordinances in conflict with the provisions of the Ordinance are hereby repealed.

Section 5. Effective Date. This Ordinance shall be in full force and effect after its final passage and publication as by law provided.

Approved this _____ day of _____, 2013

Larry Minard, Chairman
Scott County Board of Supervisors

Roxanna Moritz, Scott County Auditor