

OKOBOJI PLANNING AND ZONING COMMISSION

NOTICE OF PUBLIC HEARING FOR THE AMENDMENT OF THE 2013 OKOBOJI ZONING ORDINANCE BY ADDING A-2 CONSERVATION ZONING DISTRICT AND AMENDING A-1 AGRICULTURE ZONING DISTRICT

The City of Okoboji Planning and Zoning Commission will conduct a public hearing to consider the creation of a new zoning district and to amend the A-1 Agriculture Zoning District on Monday, January 4, 2021 at 5:30 pm via Zoom. Zoom information can be located on agenda. The proposed amendments are as follows:

ARTICLE IV

Agriculture District (A-1)

Article 4: Agriculture District

- Section 4.1. Intent
- Section 4.2. Principal Permitted Uses
- Section 4.3. Conditional Uses
- Section 4.4. Permitted Accessory Uses
- Section 4.5. Bulk Regulations
- Section 4.6. Off-Street Parking
- Section 4.7. Sign Regulations
- Section 4.8. Zoning Permits Required

Section 4.1. INTENT.

The intent of the Agricultural District is one of agricultural uses designed to permit the continuation of agricultural uses. The Agricultural District should preserve land best suited for agriculture from encroachment of incompatible uses and to preserve land suited to eventual development in other uses pending proper timing for economical and practical provisions of streets, utilities and other community facilities to ensure the orderly conversion of these lands to nonagricultural use.

Section 4.2. PRINCIPAL PERMITTED USES.

Within the (A-1) Agricultural District, unless otherwise provided, a building or premises shall be used for only the following purposes.

Agriculture/Conservation Uses	Civic Uses	Commercial Uses
Agriculture Animal Husbandry <i>(limited to no more than 1 animal per 2 acres is permitted)</i> Agricultural Storage Buildings Crop production Farm Farm Dwelling, Principal Farm Dwelling, Support Housing Horticulture Undeveloped or Unimproved Land Water Control/Irrigation/Retention	Cemetery Local Utility Services Government/Public Services <i>(Any addition of impervious surfaces must be mitigated using LID techniques)</i> Religious Assembly Park and Recreation Services	Communication Services

Section 4.3. CONDITIONAL USES.

The following uses and structures are allowed subject to specific conditions and requirements as approved by the Board of Adjustment intended to make them compatible with and acceptable to adjacent uses.

Agriculture/Conservation Uses	Residential Uses	Civic Uses
Stables (Public or Riding) Stables (Riding Club) Winery	Relocated Residential <i>When it is the owner or renter of a farm or associated with agricultural purposes.</i>	Aviation Facilities Major Utility Facilities

Commercial Uses	Industrial Uses
Kennel, Commercial Nursery (<i>provided that no permanent dwelling units shall be erected thereon unless the tract contains ten or more acres</i>)	Resource Extraction

Section 4.4. PERMITTED ACCESSORY USES.

Permitted accessory uses shall not be the principal structure on any lot, and accessory uses are to remain incidental and secondary in size, use, and nature to the principal permitted use. The following accessory uses and structures shall be permitted.

1. Essential services
2. Private garage or carport
3. Private parking lots
4. Radio, television, satellite dish, and other similar receiving antennas (*for personal use*)
5. Personal utility sheds, garden buildings or greenhouses not used for commercial purposes
6. Roadside stands for the sale of agricultural products or other products produced on the premises
7. Kennel, private
8. Home occupations
9. Temporary buildings for uses incidental to construction, in which buildings shall be removed upon completion or abandonment of construction, and in compliance with Section 11.16.
10. Accessory buildings and uses customarily incidental and subordinate to the above permitted and conditional uses, and in accordance with Section 11.12.

Section 4.5. BULK REGULATIONS.

The following minimum requirements shall be provided for light and open space around permitted and conditional uses and structures in the (A-1) Agricultural District, subject to the Supplemental District Regulations.

- Minimum Lot Area - 10 acres
- Minimum Lot Width - 200 feet
- Required Front Yard - 50 feet - minimum setback
- Required Side Yard - 50 feet - minimum setback

Street Side Yard (Corner Lot) -	50 feet - minimum setback
Required Rear Yard -	50 feet - minimum setback
Height -	35 feet maximum height for dwellings and non-agricultural buildings and structures. No limitation for agricultural buildings provided that no structure shall be permitted to extend into approach zones, clear zones or other restricted air space required for the protection of any public airport.
Residential Density -	No more than one (1) principal dwelling per lot, and no more than one (1) support housing per lot.

No minimum requirements for local utility facilities and essential services, except that buildings other above ground structures or devices constructed in support of utilities or essential services must comply with minimum yard setback requirements.

Section 4.6. OFF-STREET PARKING.

Off-street parking and loading requirements shall be required for activities in the (A-1) Agricultural District in accordance with the provisions of Article XII of this ordinance.

Section 4.7. SIGN REGULATIONS.

Sign regulations shall be required for activities in the (A-1) Agricultural District in accordance with the provisions of Article XIII of the ordinance.

Section 4.8. ZONING PERMIT REQUIRED.

Zoning permits shall be required in accordance with the provisions of Section 15.4 of this ordinance.

ARTICLE V

Conservation District (A-2)

Article 5: Agriculture District

- Section 5.1. Intent
- Section 5.2. Principal Permitted Uses
- Section 5.3. Conditional Uses
- Section 5.4. Permitted Accessory Uses
- Section 5.5. Bulk Regulations
- Section 5.6. Off-Street Parking
- Section 5.7. Sign Regulations
- Section 5.8. Zoning Permits Required

Section 5.1 INTENT.

The intent of the Conservation District is to provide for water quality and conservation, protection of wildlife habitat, protect erosion control, protect natural drainage ways and to generally provide for ecologically sound land use of environmentally sensitive or critical areas. The Conservation District is also intended to preserve those areas otherwise best suited as open space buffers between land uses and not suitable for structural developments. This district should also prevent, in those areas which are subject to periodic or potential flooding, such development as would result in hazard to health or safety, or otherwise incompatible to the surrounding environment.

Section 5.2 PRINCIPAL PERMITTED USES

Within the (A-2) Conservation District, unless otherwise provided, only the following uses and structures shall be permitted by right.

Conservation Uses	Civic Uses
Conservation Areas Critical Area Floodplain Undeveloped or Unimproved Land Water Control Structures, Irrigation or Retention Basins. Wetland Wildlife Management Area/Preserve	Local Utility Services Park and Recreation Services

Section 5.3 CONDITIONAL USES

The following uses and structures are allowed subject to specific conditions and requirements as approved by the Board of Adjustment intended to make them compatible with and acceptable to adjacent uses.

Commercial Uses
Communication Services

Section 5.4 PERMITTED ACCESSORY USES

Permitted accessory uses shall not be the principal structure on any lot, and accessory uses are to remain incidental and secondary in size, use, and nature to the principal permitted use. The following accessory uses and structures shall be permitted.

1. Essential Services
2. Accessory uses and structures normally incidental and subordinate to the permitted uses and structures

Section 5.5 BULK REGULATIONS

The following minimum requirements shall be provided for light and open space around permitted and special exception uses and structures in the (A-2) Conservation District, and subject to the Supplemental District Regulations (NOTE: Bulk regulations do not apply to wetlands, water settling basins, or water detention ponds).

Lot Area -	1 Acre – Unless the district follows a floodway, floodplain, river, or other natural feature, then no minimum lot area is required.
Lot Width -	None – minimum lot width.
Front Yard -	50 feet – minimum required setback unless otherwise permitted.
Side Yard -	25 feet - minimum require setback unless other permitted.
Street Side Yard (Corner Lot) -	50 feet – minimum required setback unless otherwise permitted.
Rear Yard -	50 feet – minimum required setback unless otherwise permitted.
Height -	35 feet – maximum height for structures.

Section 5.6 OFF STREET PARKING

Off-street parking and loading requirements for shall be required for activities in the (A-2) Conservation District in accordance with the provisions of Article XII of this ordinance.

Section 5.7 SIGN REGULATIONS

Sign regulations shall be required for activities in the (A-2) Conservation District in accordance with the provisions of Article XIII of the ordinance.

Section 5.8 ZONING PERMIT REQUIRED

Zoning permits shall be required in accordance with the provisions of Section 15.4 of this ordinance.

The City of Okoboji Planning and Zoning Commission will hold a public hearing on the 4th day of January, 2021 at the hour of 5:30 PM via Zoom. The terms and conditions of this amended/new/replaced language will be discussed/ revised/changed and determined by the City's Planning and Zoning Commission and may be modified at the public hearing. Following said hearing the Planning and Zoning Commission may take action and make a recommendation to the City of Okoboji City Council.

Michael Meyers, City Administrator / Clerk.