

**LINN COUNTY PLANNING & ZONING COMMISSION**

**MINUTES**

**Tuesday, June 21 , 2022**

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

**QUORUM DETERMINED:**

**PRESENT:** Brock Grenis, Vice-Chair 2023  
Griffin Kuntz 2026  
Curt Eilers 2022  
George Maxwell 2025  
Allen Wagner 2024  
Diane Brecht 2025

**ABSENT:** Tina DuBois, Chair 2025

**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 May 16, 2022 Planning & Zoning Commission meeting were approved as submitted.

**CONSENT AGENDA**

JPS22-0010	Taube Farms First Addition	Residential Parcel Split
JLPS22-0002	Taube Farms Second Addition	Land Preservation Parcel Split
JF22-0019	Miller Acres First Addition	Final Plat
JPS22-0011	Young Farm First Addition	Residential Parcel Split
JPS22-0013	Potts Farm First Addition	Residential Parcel Split

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

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

**REGULAR AGENDA**

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.

Kuntz wondered why off-street parking was a requirement. Tertinger said safety reasons.

Eilers asked if any other Iowa counties had codified any kind of code language similar to this. Tertinger said no, Linn County is the first.

Eilers asked for clarification on the amount of parking spaces required, per square feet. He thought the number of required spaces was too high. Eilers asked how staff came up with said requirement. Tertinger & Lientz explained that they had done a vast amount of research on this particular stipulation. Lientz elaborated by stating that the number of parking spaces was partially determined by building occupancy.

Eilers wondered if this amendment was driven by the Dows Farm project. Tertinger and Lientz said no.

Maxwell asked if it would be beneficial to table the case until more evidence supporting the parking requirement can be presented. Tertinger insisted the requirement is appropriate and tabling the case would not be constructive.

Eilers asked if there was any language about exceptions to the parking requirement. Lientz said the requirement can be flexible, then reiterated that extensive research had been done to support it.

Kuntz asked if existing venues would need to comply with the proposed regulation, should they change or add to the use of their building. Tertinger said yes, but it would vary depending on what the applicant was proposing.

Kuntz insisted that it is all taxpayer's right to park on the side of the road, as it is not illegal. He wondered if the county is overstepping by regulating parking spaces. Tertinger and Lientz both insisted that the proposed parking requirement is mainly for the safety of pedestrians.

Eilers asked if staff would find it helpful to check into what other counties in Iowa are currently doing to regulate parking on agri-tourism sites. Tertinger and Lientz stated they have, and that Linn County is pioneering this project, as other counties have not adopted any related code amendments yet. Eilers said he thought the parking requirement would impede economic development. Kuntz agreed. Tertinger stated that the vast majority of agri-tourism experiences will fall under Tier I, rather than Tier II, which requires a smaller number of parking spaces.

**Motion by Wagner to recommend approval of case JA22-0001 , subject to the conditions of the staff report . Second by Grenis .**

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

Motion failed. Maxwell left the meeting at 7:42pm.

**Motion by Kuntz to refer back to the applicant for more information about parking standards. Second by Eilers.**

Kuntz was of the opinion that parking did not need to be regulated; it would be up to the business owner to do so themselves.

Eilers thought the number of parking spaces is arbitrary and needs to be reconsidered.

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

**OTHER BUSINESS**

### **COMMISSION COMMENTS**

Wagner asked about the Conditional Use Minor Modification case for CIPCO. Lientz explained that CIPCO requested a rehearing at the Board of Adjustment meeting in May, which was granted. The case will be reheard on Wednesday, June 29, 2022. Lientz added that the adjacent property owners are not allowing CIPCO on their property, in order to complete the conditions placed on the case. The rehearing will specifically address the conditions that CIPCO is unable to meet because of this.

### **STAFF COMMENTS**

### **PUBLIC COMMENTS**

### **ADJOURNMENT**

The meeting was adjourned at 7:53 p.m.

Respectfully submitted,

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Tina DuBois, Chair

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Jessie Black, Recording Secretary