

**THE CITY/COUNTY STRATEGIC GROWTH PLAN**

Coordinated land use planning between a city and county promotes compact growth patterns in appropriate locations, reduces public infrastructure costs, and encourages the retention of viable agricultural operations and open space.

To forward these goals, the 2000 Linn County Rural Land Use Plan has called for adoption of City / County Strategic Growth (CCSG) plans and intergovernmental agreements between the County and each city in the County.

This Ely / Linn County CCSG plan and related intergovernmental agreement will provide for coordinated implementation of both the County and City Land Use Plans, specifically in Ely's fringe area. This document looks twenty years into the future, and offers a framework for appropriate growth and development during that period. By considering the impact of future development well into the 21<sup>st</sup> century, a direction can be established to guide the creation of regulatory tools such as the intergovernmental agreement, zoning ordinances, subdivision regulations, and annexation procedures.

In addition, overall goals are outlined and specific policy guidelines are recommended to achieve those goals. The plan, however, is not meant to be a strict blueprint, but rather a guide for officials in their decision-making.

**THE PLANNING PROCESS**

This Plan is the culmination of a seven month-long planning process that involved many citizens in and around Ely in creating a vision for the area's future. The process was managed by the East Central Iowa Council of Governments through monthly public work-sessions.

Public meetings were held to establish a common vision and reachable goals for the next twenty years<sup>1</sup>. Finally, overall goals and policies were established to achieve the stated vision.

The planning process should be an ongoing endeavor. The success of this plan will require the support of citizens as well as the City Council and Board of Supervisors. While no plan could possibly foresee every issue, the goals and strategies developed in this plan will provide flexibility for elected and appointed officials and area residents in successfully planning for the future.

---

<sup>1</sup> Descriptions of each town meeting are listed in Chapter 2 of this Plan.

---

**CHARACTER AND OVERALL**

---

**PUBLIC PARTICIPATION**

The crucial element in any plan is ensuring that the wishes and hopes the residents hold for their community is represented in the content of the plan. If the plan does not accurately reflect the needs and desires of area residents, the plan will have little value.

Five town meetings were held during the planning process. The first meeting was an introduction of the CCSG plan concept. The second meeting was an interactive planning session with over twenty residents taking part to identify a future vision for the area. The session involved three small groups (7-10 people per group) identifying and prioritizing positive qualities that need to be maintained, as well as future concerns of the area that need to be addressed. This exercise was held at the beginning of the process for two reasons:

- The critical elements for the future vision are identified early in the process ensuring that appropriate problem identification occurs at the very beginning;
- Public participation is crucial for creating an effective and appropriate plan. By having town meetings at the beginning of the process, every resident has an opportunity to direct a future vision for the planning area.

Each member of each small group individually identified his or her positive qualities and future concerns on a 3x5 note card. Then, within each group, all members listed those qualities and concerns on a large sheet of paper (many replies were similar between group members and were condensed into a single quality or concern). At that point, each participant awarded points to prioritize the composite small group list of qualities and concerns using a 3 point value system. Three points were given to their highest priority; 2 points to the second highest priority and 1 point for their third highest priority. Totals were then added up to establish an overall prioritized listing for each small group's qualities and concerns.

The following page contains a composite of all three of the small group's prioritized positive qualities and future concerns<sup>2</sup>.

<sup>2</sup>This is only a composite of each group's priorities. Many of the positive qualities and future concerns were condensed into an over-all quality or concern that were deemed equal. This was based on ECICOG staff's interpretation and, while reflective of the overall priorities, may or may not reflect the individual priorities of the citizens present.

The plan's appendix contains a listing of each small group's identified qualities and concerns.

<b>Overall Positive Qualities</b>	<b>Points</b>
Friendly, small town feel / sense of community / quiet / country living	30
Rural, scenic setting / large open spaces / natural / clean air / wildlife	27

Good location / close to CR, Iowa City, airport, highways, parks	24
Good school system, including Kirkwood	17
Low crime / safe community	10
Few local government regulations / low taxes	9
Clean, well maintained city	5
Good fire department	4
Historic preservation	3
Affordable housing options available	2
Cooperative spirit / work ethic	2
Good library	2
Citizens interested in town	1
Good agriculture	1
Low traffic	1
Sparse population	1
Trails	1
Walking distance from everything	1

<b>Overall Concerns and Challenges</b>	<b>Points</b>
Uncontrolled growth / loss of farmland due to growth / losing small town atmosphere due to growth	31
Lack of commercial and industrial development / need for tax base	25
Pollution on Hoosier Creek watershed	9
Water quality / sewer system adequacy	9
Zoning and plan development	8
Traffic – congestion / safety, bikes and autos	7
Ely will be surrounded and consumed by CR / cut off from Highway 30 and 380	6
Need for trails	6
Poor and certain municipal budget	6
Lack of recreation facilities for children and youth	5
Cost of utilities / curbs and sidewalks	4
High taxes	4
Junkyards / trash	3
Land owner rights / eminent domain	3
Crime in certain areas	2
Maintenance of public areas	2
Cost of gas to commute is very high	1
Indistinguishable neighborhood identity	1
Lack of destination amenities	1
Resistance to change	1
Rural roads	1

In addition to identifying qualities and concerns, citizens at the second meeting also participated in a mapping exercise. The mapping was intended to identify resident's preferred areas for future growth or for protection from future development.

Staff then created a composite map of each small group's preferred agricultural/open space areas, preferred residential areas and preferred commercial areas. These

composite maps were referenced to establish the overall Future Land Use map for the Ely two-mile planning area.

Goals and policies were drafted and presented during the third public meeting for public review and comment. Two more public meetings were held to gather public input on the Future Land Use Map and overall policies for the area. An open house was held to present several options of the draft plan and map. Next, the City and County held a joint planning and zoning commission meeting to finalize the plan and agreement and recommend them on to the respective City Council and Board of Supervisors.

The plan and agreement will ultimately be adopted by the City Council and the Board of Supervisors and filed with the Secretary of the State of Iowa and with the Linn County Recorder in compliance with Chapter 28E of the *Code of Iowa*.

## **P O S I T I V E   Q U A L I T I E S   A N D   F U T U R E   C O N C E R N S**

Ely's location just minutes southeast of the Cedar Rapids metro area helps define how area residents perceive their community. Many residents live in the area to take advantage of the amenities of a large population center while living in a smaller, rural-setting. During the second town meeting, many residents felt the community's small-town, friendly atmosphere was its best asset along with the attractive, scenic area.

Concerns expressed at this meeting included several planning related issues. Many residents were concerned about sprawling, unplanned development around their community. The benefits of a small-town and rural-like settings are being challenged by increased development and population growth. As a result of these forces, many area residents are concerned that the growing population could have negative impacts on the area. This provides the context for the challenges the area will face over the next 20 years:

- How can the expected growth continue without compromising the small-town, rural atmosphere residents have come to value so highly?

Assuring the quality of life for current and future residents begins with good design of proposed developments. Beyond good schools and public services, quality of life means pedestrian friendly neighborhoods, parks, trails and open space, and appropriately designed commercial areas in suitable locations.

Good design includes development that adapts to the topography of the landscape. Mature trees are incorporated into new developments, while woodlands and wetlands are preserved for recreation, wildlife and watershed protection.

Other aspects must be involved in assuring quality development. Location, amount, sequence and type of development all play a role in assuring new growth fits within the existing community character.

This plan and intergovernmental agreement should be used when reviewing proposed developments within the planning-area. Chapter 3 of the plan establishes areas where future development should be encouraged and areas to be preserved, as well as what development standards should be used in reviewing development proposals. Development standards may include, but are not limited to the County's Rural Land Use Plan and applicable Development Ordinances, the County's Land Evaluation and Site Assessment (LESA) system and Ely's Comprehensive Plan and zoning and subdivision ordinances.

### **The Vision**

Without specific criteria for the preferred character and type of development, land use tools (intergovernmental agreements, zoning and subdivision ordinances) may not fully achieve the vision for the area. Therefore, it is important to identify the preferred vision. This begins with an overriding vision statement:

**Ely and Linn County will manage future growth in the fringe-area by encouraging:**

- 1) Compact, incremental residential growth in the Urban Service Area**
- 2) Commercial growth in appropriate areas**
- 3) Rural-residential growth in appropriate areas**
- 4) The protection of farming operations, environmentally sensitive land and the quality of life area residents have come to expect.**

The establishment of goals and policies provides the opportunity to pursue growth and development where appropriate and to limit growth as necessary to achieve the vision. It is the intergovernmental agreement (contained herein) and specific development ordinances that implement the vision of the plan. As such, specific goals and policies are established in an effort to provide a clear and logical basis for future growth.

## **O V E R A L L   G O A L S   A N D   P O L I C I E S F O R   T H E   E L Y   F R I N G E - A R E A**

### **• Allow compact, incremental development in appropriate locations.**

- 1.1 Establish an Urban Service Area to provide sufficient land for orderly future City development.

- 1.2 Direct new residential and commercial growth to areas as shown in the Future Land Use map within the Urban Service Area. These areas should have the natural and man-made capacity to support development.
- 1.3 Direct low-density rural residential development to areas designated on the Future Land Use map. This type of development may be allowed in areas adequately served by public facilities, near existing rural residential development, meeting appropriate LESA thresholds and will not infringe on neighboring agricultural activities.
- 1.4 Encourage office park commercial development in areas designated Commercial on the Future Land Use Map. Discourage the proliferation of “strip mall” or sprawling commercial development.
- 1.5 Encourage the appropriate use of conservation subdivision/cluster design within the Rural Residential district to better address open space needs and maintain the rural character of the area.
- 1.6 Require adequate facilities and services at the time of development.
- 1.7 Encourage a land use pattern which efficiently utilizes the capacity of the existing transportation system.

• **Protect prime farmland and viable agricultural uses.**

- 2.1 Retain prime agricultural land, as designated on the Future Land Use Map.
- 2.2 Direct new growth away from agricultural areas, as designated on the Future Land Use Map.
- 2.3 Minimize conflicts and incompatibilities between agricultural and non-agricultural land uses.

• **Conserve natural areas and promote watershed protection.**

- 3.1 Protect fragile and critical natural resource areas, including flood plain areas, wetlands, natural prairies, wooded areas and other environmentally sensitive areas.
- 3.2 Protect and enhance the quantity and quality of potable groundwater and surface water supplies through watershed planning and best-management practices.

- 3.3 Address drainage and stormwater management as a regional issue through best-management practices such as rain gardens, wetlands, and green infrastructure.
- 3.4 Preserve and incorporate existing mature trees into proposed developments and design streets and lots around important natural features.

**• Provide and protect community recreational and open space and quality of life.**

- 4.1 Encourage pedestrian/bike trails and greenway linkages to existing trail systems.
- 4.2 Encourage the appropriate use of conservation subdivision/cluster design to better address open space needs and maintain the rural character of the area.
- 4.3 Ensure new developments minimize light pollution through updated zoning standards.

**• Protect private property rights.**

- 5.1 Ensure that development regulations are reflective of and proportional to a real need.
- 5.2 Equitably balance the rights of property owners with responsibilities to adjacent property owners and the community at large.

## **IMPLEMENTATION CHAPTER 3**

---

### **P L A N R E V I E W A N D R E V I S I O N**

This plan is intended to serve as a guide for land use decisions, as well as public and private development, through the year 2027. As local and regional conditions change,

accordant changes to the policies and the Future Land Use Map will be required to keep the plan current.

It is recommended that the entire plan and intergovernmental agreement be carefully reviewed annually to insure that the policies and land use maps are consistent with current trends. The result of the annual review may be to recommend revisions to the policies, the Future Land Use Map, or the implementation program.

The Planning and Zoning Commission from the City and County (as well as staff) shall review the plan and identify recommended revisions and forward recommendations to the Council and Board of Supervisors respectively, which shall then make the final decision on any changes. This authority should be used with discretion, however, since much of the value of the plan can easily be lost through frequent or arbitrary changes.

## **I N T E R G O V E R N M E N T A L   A G R E E M E N T**

The fringe-area agreement between the City of Ely and Linn County, on the following pages, establishes the framework for orderly growth and development and the maintenance of the positive qualities within the planning area. By utilizing the agreement, the vision contained in this CCSG plan can be realized.

---

---

**Fringe-Area Policy Agreement  
Between  
The City of Ely, Iowa and Linn County, Iowa  
\_\_\_\_\_, 2007**

***This Agreement*** is entered into pursuant to Chapter 28E of the *Code of Iowa*, by and between the City of Ely, Iowa, hereinafter referred to as “City” and Linn County, Iowa, hereinafter referred to as “County” to-wit:



**Whereas**, Chapter 354, *Code of Iowa*, allows the City to establish a fringe-area within two miles of the city for the purpose of reviewing and approving subdivisions, and Chapter 354 further grants the City the authority to require subdivisions within the fringe- area to adhere to the City’s subdivision standards and conditions unless the City establishes alternative standards and conditions for subdivisions by means of a 28E Fringe-Area Agreement with the County; and

**Whereas**, it is in the interest of the City and the County to establish policies for the orderly growth and development within the two-mile extraterritorial jurisdiction of the City; and

**Whereas**, the City and County mutually agree that such policies are necessary to effectively and economically provide appropriate services for future growth and development.

**Now, Therefore**, the parties hereto, do agree for themselves and their respective successors as follows:

**SECTION 1. Statement of Intent**

The purpose of this agreement is to provide for the orderly and coordinated development of land, as well as to preserve the availability and use of land for agricultural production and the protection of environmentally sensitive land.

**SECTION 2. Development Policies for the Fringe Area**

As provided in Chapter 28E in the *Code of Iowa*, the City and County agree that each area shall have applied to it the following development policies. The areas are within the two-mile jurisdiction of the City. The policies will affect growth patterns, annexation, zoning and subdivision review, and coordination of land use regulations between the City and County. The areas are as follows:

- Area 1: Agricultural Area
- Area 2: Rural-Residential Development Area
- Area 3: Urban Service Area
- Area 4: Rural Commercial Area

**AREA 1: AGRICULTURAL AREA (AA)**

**Location:** All properties located outside of the corporate boundaries of the City of Ely as shown on the Future Land Use Map as AA.

**Policy:** To enhance and protect the viability of agricultural operations in such areas by restricting the proliferation of non-compatible uses as established in the County’s Rural Land Use Plan.

**Recommended Land Uses:** Agricultural  
Agricultural Commercial  
Limited Rural Residential

Park, Recreation and Open Space  
Exclusive Uses (as defined in the County's Rural Land Use Plan)

**Justification:** This area is not included in the City's long-range growth plan. Land in this area is best suited for agricultural uses.

**Zoning Procedure:** Rezoning and Conditional Use Permit applications shall be sent to both the City and County. Review and comment by the City is required before final action by the County.

**Subdivision Procedure:** Subdivision applications shall be sent to both the City and County. Final action by the City is required before final action by the County.

**Minimum Levels Of Service:** Follow the levels of service established within this agreement for Agricultural Areas (AA).

**Other Design Standards:** Follow the County's Rural Land Use Plan and all applicable development ordinances and standards.

**AREA 2 : RURAL-RESIDENTIAL  
DEVELOPMENT  
AREA (RRDA)**

**Location:** All properties located outside of the corporate boundaries of the City of Ely as shown on the Intergovernmental Agreement map as RRDA.

**Policy:** To allow for low density, rural character residential development as established in the County's Rural Land Use Plan. (RRD2 as defined)

**Recommended Land Uses:** Rural-Residential  
Agricultural

**Justification:** This area is not included in the City’s long-range growth plan. Land in this area is best suited for low density, rural residential development.

**Zoning Procedure:** Rezoning and Conditional Use Permit applications shall be sent to both the City and County. Review and comment by the City is required before final action by the County.

**Subdivision Procedure:** Subdivision applications shall be sent to both the City and County. Final action by the City is required before final action by the County.

**Minimum Levels Of Service:** Follow the levels of service established within this agreement for Rura- Residential Development Areas (RRDA).

**Other Design Standards:** Follow the County’s Rural Land Use Plan and all applicable development ordinances and standards.

### **AREA 3 : URBAN SERVICE AREA (USA)**

**Location:** All properties located outside of the corporate boundaries of the City of Ely as shown on the Intergovernmental Agreement map lying within the proposed Urban Service Area (USA) boundary.

**Policy:** To provide sufficient land for orderly future City development.

**Recommended Land Uses:** Residential. Any other land use type would require a CCSG Plan amendment or concurrent annexation into the City.

**Justification:** Development in this area may have significant impacts on City traffic patterns, floodplain management, and property valuations.

Therefore, growth in this area should be carefully integrated with existing City developments by utilizing City standards and conditions.

This area is contiguous to the existing City limits. The development potential of the City of Ely is quantified by the population expansion of the City in recent years. Between the years 1990 and 2000, the City's population increased 122.2 percent from 517 in 1990 to 1,149 in 2000<sup>3</sup>. The City's population is projected to continue, albeit at a slower pace. The 2005 Census estimate puts the City's population at 1,452. By the year 2020, the City is projected to have nearly 2,000 residents.

In development terms, the projected population increase is equivalent to approximately 188 new housing units by the year 2020. This represents an average annual construction rate of approximately 13 new units per year. At the current allowable density of 3 units per acre, the new units would require approximately 63 acres of land.

(this does not account for the rights-of-way for streets and other utilities. As a general rule, 10 percent of developed land is consumed by rights-of-way. This makes an additional 6 acres of land to be used for streets and other utilities to serve the projected residential needs. All told, it is projected that 69 acres of land will be needed to account for new residential development in Ely over the next fifteen years).

This does not include land for other types of uses such as commercial, industrial, recreational, etc. Factoring other land use types with the above mentioned residential and ROW acres, the City may need 100 acres of land during the planning period to meet the projected growth.

---

<sup>3</sup> According to the 2000 U.S. Census

That development should be focused within properly planned areas of the City limits. However, due to development constraints (i.e. steep slopes, wetlands, floodplain, timing or sequencing of development, etc.) some development may be prohibited within the existing City limits - in short, all of the projected 100 acres may not fit within existing City limits by 2020.

Therefore an Urban Service Area outside of the City limits is established to provide a properly planned growth area for Ely, market flexibility, and protection of the City's interests (i.e. protection of gateway entrances, traffic concerns, sprawling development, etc.)

**Zoning Procedure:** Rezoning applications shall be sent to both the City and County. Final action by the County is required before final action by the City. If the proposal calls for concurrent annexation into the City, the County then waives its right of approval authority.

Conditional Use Permit applications shall be sent to both the City and County. Review and comment by the City is required before final action by the County.

**Subdivision Procedure:** Subdivision applications shall be sent to both the City and County. Final action by the County is required before final action by the City. If the proposal calls for concurrent annexation into the City, the County then waives its right of approval authority.

**Minimum Levels Of Service:** Follow the levels of service established within this agreement for Urban Service Area (USA).

**Other Design Standards:** Follow the City's Land Use Plan and all applicable development ordinances and standards.

## **AREA 4 : RURAL COMMERCIAL (COM)**

**Location:** All properties located outside of the corporate boundaries of the City of Ely as shown on the Intergovernmental Agreement map as COM.

**Policy:** To allow for limited commercial use to accommodate the needs of the agricultural community, rural residents and the traveling public.

**Recommended Land Uses:** Neighborhood and General Commercial  
Highway Commercial  
Office

**Justification:** This plan supports the economic development activities of the surrounding cities by limiting commercial uses in the planning area to those that are essential.

**Zoning Procedure:** Rezoning and Conditional Use Permit applications shall be sent to both the City and County. Review and comment by the City is required before final action by the County.

**Subdivision Procedure:** Subdivision applications shall be sent to both the City and County. Final action by the City is required before final action by the County.

**Minimum Levels Of Service:** Follow the levels of service established within this agreement for Commercial Areas (COM).

**Other Design Standards:** Follow the County's Rural Land Use Plan and all applicable development ordinances and standards.

## **O T H E R   U S E S**

**Policy:** While there is no plan designation for other types of uses as described below, such uses may be permitted as per the County's Rural Land Use Plan and all applicable development ordinances and procedures.

**Other Uses as Defined in the County's Rural Land Use Plan:** Public- and Semi-Public  
Park, Recreation and Open Space  
Exclusive Uses

**Justification:** A limited number of activities do not permit classification in the usual agricultural, residential and commercial land use categories.

Proposals for these uses shall revert to the County’s Rural Land Use Plan and all applicable development ordinances and procedures.

**Zoning Procedure:** Rezoning applications shall be sent to both the City and County. In the Urban Service Area, the City retains zoning approval authority and final action by the County is required before final action by the City. In all other Area Designations, review and comment by the City is required before final action by the County. If the proposal calls for concurrent annexation into the City, the County then waives its right of approval authority.

Conditional Use Permit applications shall be sent to both the City and County. Review and comment by the City is required before final action by the County.

**Subdivision Procedure:** Subdivision applications shall be sent to both the City and County. Final action by the City is required before final action by the County.

**Minimum Levels Of Service:** Follow the County’s Rural Land Use Plan and all applicable development ordinances and procedures.

**Other Design Standards:** Follow the County’s Rural Land Use Plan and all applicable development ordinances and standards.

## REVIEW AND APPROVAL AUTHORITY

The following table contains the zoning and subdivision responsibilities for Ely and the County within each area. In all Area Designations, Conditional Use Permit applications shall be sent to both the City and County. Review and comment by the City is required before final action by the County.

Review and Approval Authority Matrix					
Area Designations	Rezoning Procedure		Subdivision Procedure		Government standards to be followed
	City	County	City	County	
Agricultural Area (AA)	Review	Approval	Approval	Approval	County

Rural Residential Development Area (RRDA)	Review	Approval	Approval	Approval	County
Urban Service Area (USA)	Review	Approval *	Approval	Approval *	Ely
Rural Commercial (COM)	Review	Approval	Approval	Approval	County
Other Uses**	Review	Approval	Approval	Approval	County
Metro Urban Service Area (MUSA)	Review	Approval	Review	Approval	Metro

\* If the proposal calls for concurrent annexation into the City, the County then waives its right of approval authority.

\*\* For all area designations except “Urban Service Area”

## MINIMUM LEVELS OF SERVICE

The following tables contain the minimum levels of service expected at the time development occurs.

Area Type and Requirements	Agricultural Areas (AA)				
	Limited Rural Residential w/ Cluster	Limited Rural Residential w/o Cluster	Agricultural Commercial	Park, Recreational and Open Space	Exclusive Uses
<b>WATER</b>					
Municipal					
Centralized	X				
Individual Well		X			
Site and Use Dependant			X	X	X
<b>WASTEWATER</b>					
Municipal					



Centralized *					
Onsite		X			
Site and Use Dependant	X		X	X	X
<b>TRANSPORTATION</b>					
Class A County Road					
Class A County Road within ¼ Mile of Hard Surface Road	X	X			
Class A County Road within ½ Mile of Hard Surface Road					
Entrance onto a Hard Surface Road					
Entrance onto a Paved Road					
Site and Use Dependant			X	X	X
<b>FIRE PROTECTION</b>					
5 mile Radius to a Fire Station	X	X		X	
2.5 mile Radius to a Fire Station			X		X
<b>COUNTY DESIGN CRITERIA</b>					
	X		X		X

\* Centralized sewage systems and on-site sewage systems shall conform with the minimum standards shown in the County's Development Regulations and shall be maintained by the property owner in conformance with the requirements of the Linn County Health Department and the Iowa Department of Natural Resources.

Area Type and Requirements	Rural Residential Development Areas (RRDA)		Urban Service Areas (USA)
	Residential w/ Cluster	Residential w/o Cluster	Residential
<b>WATER</b>			
Municipal			X
Centralized	X		
Individual Well		X	
Site and Use Dependant			
<b>WASTEWATER</b>			
Municipal			X
Centralized *			
Onsite		X	
Site and Use Dependant	X		
<b>TRANSPORTATION</b>			
Class A County Road			
Class A County Road within ¼ Mile of Hard Surface Road	X		

Class A County Road within ½ Mile of Hard Surface Road		X	
Entrance onto a Hard Surface Road			X
Entrance onto a Paved Road			
Site and Use Dependant			
<b>FIRE PROTECTION</b>			
5 mile Radius to a Fire Station	X	X	
2.5 mile Radius to a Fire Station			X
<b>COUNTY DESIGN CRITERIA</b>			
	X		

\* Centralized sewage systems and on-site sewage systems shall conform with the minimum standards shown in the County's Development Regulations and shall be maintained by the property owner in conformance with the requirements of the Linn County Health Department and the Iowa Department of Natural Resources.

Area Type and Requirements	Rural Commercial (COM)		Other Uses**
	General and neighborhood	Highway and office	
<b>WATER</b>			
Municipal			
Centralized			
Individual Well			
Site and Use Dependant	X	X	X
<b>WASTEWATER</b>			
Municipal			
Onsite			
Centralized			
Site and Use Dependant	X	X	X
<b>TRANSPORTATION</b>			
Class A County Road			
Class A County Road within ¼ Mile of Hard Surface Road			
Class A County Road within ½ Mile of Hard Surface Road			

Entrance onto a Hard Surface Road	X		
Entrance onto a Paved Road		X	
Site and Use Dependant			X
<b>FIRE PROTECTION</b>			
5 mile Radius to a Fire Station			
2.5 mile Radius to a Fire Station	X	X	X
<b>COUNTY DESIGN CRITERIA</b>			
	X	X	X

\*\* Revert to the County's Rural Land Use Plan and all applicable development ordinances and procedures.

### **SECTION 3. Administrative Policies**

Growth management within the fringe area of the City of Ely affects both the City and the County. There is a clear need for coordination and joint administration of development policies in this area. To that end, the City and County agree to the following procedures for administration of land use regulations.

#### **1. Correspondence between authorized representatives of the City and County.**

The City may appoint, from time to time, an authorized representative to coordinate activities with County officials. The City shall provide a written notice of the authorized Representative's name, title, address and telephone number, and the extent of his/her authority to act on behalf of the City for the coordination of land use regulations. The County's authorized representative is the Planning and Development Director or his/her designee.

These representatives may establish practical guidelines for the transmission of information, coordination of activities and documentation of decisions as they may affect this agreement.

#### **2. Subdivision plats received by the County**

Persons proposing subdivisions as affected by this agreement shall submit plats and all necessary application materials to the County in accordance with County requirements and regulations. The County shall review all plats.

When required by this agreement, the applicant will also submit plats and necessary application materials to the City. Within sixty (60) days from submission, the City's Planning and Zoning Commission will forward a recommendation of favorable or unfavorable comment to the City Council. Within thirty (30) days of the City's Planning and Zoning Commission action, the City Council will forward their final action to the County. Failure of either City entity to comply with the above time frame shall be deemed a waiver of any objection to the application; however, this time frame shall be extended no more than 30 days upon initiation of the dispute resolution process as provided in section 3.8.

When required by this agreement (i.e. the Urban Service Area plan designation), the County Planning and Zoning Commission, within sixty (60) days from submission, will forward a recommendation of favorable or unfavorable comment to the Board of Supervisors. Within thirty (30) days of the County's Planning and Zoning Commission action, the Board of Supervisors will forward their final action to the City. Failure of either County entity to comply with the above time frame shall be deemed a waiver of any objection to the application; however, this time frame shall be extended no more than 30 days upon initiation of the dispute resolution process as provided in section 3.8.

Applicants may request a joint consultation with the City and County authorized representatives to determine probable requirements for subdivision approval. A record of this meeting shall be presented to both the City and County planning commissions. This meeting is meant to be informational only, and will not bind the City Council, Board of Supervisors, or either Planning and Zoning Commissions.

### **3. Rezoning requests**

Rezoning applications shall be submitted to the County. Where required by this agreement, rezoning applications, maps and related information shall be promptly forwarded to the City for review and action as defined herein prior to the County Planning and Zoning Commission consideration. Within sixty (60) days from submission, the City's Planning and Zoning Commission will forward a recommendation of favorable or unfavorable comment to the City Council. Within thirty (30) days of the City's Planning and Zoning Commission action, the City Council will forward their recommendation to the County. Failure of either City entity to comply with the above time frame shall be deemed a waiver of any objection to the application; however, this time frame shall be extended no more than 30 days upon initiation of the dispute resolution process as provided in section 3.8.

When required by this agreement (i.e. the Urban Service Area plan designation), the County Planning and Zoning Commission, within sixty (60) days from submission, will forward a recommendation of favorable or unfavorable comment to the Board of Supervisors. Within thirty (30) days of the County's Planning and Zoning Commission action, the Board of Supervisors will forward their final action to the City. Failure of either County entity to comply with the above time frame shall be deemed a waiver of any objection to the application; however, this time frame shall be extended no more than 30 days upon initiation of the dispute resolution process as provided in section 3.8.

#### **4. Conditional Use Permits**

Conditional Use Permit applications shall be submitted to the County. The applications and related information shall be promptly forwarded to the City for review and action as defined herein prior to the County Planning and Zoning Commission consideration. Within sixty (60) days from submission, the City's Planning and Zoning Commission will forward a recommendation of favorable or unfavorable comment to the City Council. Within thirty (30) days of the City's Planning and Zoning Commission action, the City Council will forward their recommendation to the County. Failure of either City entity to comply with the above time frame shall be deemed a waiver of any objection to the application; however, this time frame shall be extended no more than 30 days upon initiation of the dispute resolution process as provided in section 3.8.

#### **5. Advance notification of annexation**

The City will provide written notification to the County of all anticipated annexation requests no less than ten (10) days before Council approval. The notice will identify the property to be annexed, and describe any requested amendment to the agreement resulting from the annexation. The County shall respond to any request for amendment to this agreement. In addition, the County shall have the right to comment on the annexation request.

In addition, the City shall provide details of the provision of infrastructure to the area to be annexed, along with a corresponding timeline for such work to be completed.

#### **6. Exchange of information on land use regulations.**

The City shall provide the County's representative with current copies of the City's zoning and subdivision ordinances, maps, and all other land use regulations. The County shall provide the City's representative with current copies of all County land use standards and regulations, including the plan and all applicable ordinances and codes.

**7. Effective periods and updating the provisions of this agreement.**

This agreement shall become effective upon acceptance and execution by both parties, and shall be in effect for twenty (20) years after the date of execution of this agreement. This agreement shall be automatically renewed unless the County or the City objects to such renewal prior to the renewal date.

The agreement may be modified and extended by the written consent of both parties. The Urban Service Area may be modified, but only after considering actual and projected growth of the City, planned infrastructure improvements and other factors affecting future growth of the City.

**8. Disputes.**

If the City and County are in conflict over a proposed subdivision, rezoning or other matter which affects this agreement, a review committee appointed by the City Council and Board of Supervisors shall be established to negotiate a resolution. The committee shall be comprised of one member each of the City Council and Board of Supervisors, one member each of the City and County Planning and Zoning Commissions, and one staff member of each respective local government. Within thirty (30) days of the committee's appointment, a proposed solution will be recommended to the City Council and Board of Supervisors for approval. If no resolution is achieved, the findings of the review committee shall be forwarded to the City Council and Board of Supervisors.

**9. Appeal of review or disapproval**

When application is made for approval of a proposed development subject to this Agreement, either the applicant or a second governing body which also has jurisdiction for approval, may be aggrieved by any of the following:

1. The requirements imposed by a governing body as a condition of approval.
2. The denial of the application.

If the proposed development is disapproved by a governing body, such disapproval shall state how the proposed development is objectionable. The applicant has the right to appeal, within twenty days, the failure of the governing body to issue final approval of the proposed development.

Either the applicant or an aggrieved governing body has the right to appeal to the district court within twenty days after the date of the denial of the application or the date of the receipt by the applicant of the requirements for approval of the proposed development. Notice of appeal shall be served on the governing body in the manner provided for the service of original notice pursuant to the rules of civil procedure. The appeal shall be tried de novo as an equitable proceeding.

**10. Termination of agreement.**

This agreement may be terminated by either the City or County by submitting a written notice of termination to the other party no less than thirty days before the end date of this agreement.

**11. Execution and recording of this agreement.**

This agreement shall be filed with the Secretary of the State of Iowa and with the Linn County Recorder in compliance with Chapter 28E of the *Code of Iowa*.

\*\*\*

SIGNED: \_\_\_\_\_  
Chair, Linn County Board of Supervisors

ATTEST: \_\_\_\_\_  
Linn County Auditor

Date Signed: \_\_\_\_\_

\*\*\*

SIGNED: \_\_\_\_\_

Mayor, City of Ely

ATTEST: \_\_\_\_\_  
Ely, City Administrator

Date Signed: \_\_\_\_\_

## PLAN APPENDIX

### GLOSSARY OF PLANNING TERMS

**Amenity:** A natural or created feature that enhances the aesthetic quality, visual appeal or makes more attractive a particular property, place or area.

**Annexation:** To incorporate a land area currently outside of the existing city limits into a municipality, with a resulting expansion in the boundaries of the municipality.

**Buffering:** A common planning tool used to minimize negative impacts between neighboring uses. Buffering can include open space, landscaped areas, fences, walls, berms or any combination thereof to physically separate or screen one use or property from another.

**Built Environment:** Artificially created fixed elements, such as buildings, structures, devices and surfaces, that together create the physical character of an area.

**Contiguous:** Having a common boundary, next to, abutting or touching an adjoining property.

**Density:** The number of housing units or structures allowed per unit of land.

**Design Standards:** A set of guidelines defining parameters to be followed in site and/or building design and development. Can also be used to define standards for infrastructure improvements as well.

**Development:** The physical construction of buildings and/or the preparation of land. Development activities include: subdivision of land; construction or alternation of structures, roads, utilities and other facilities; installation of septic systems; grading; and clearing of natural vegetative cover (with the exception of agricultural activities).



**Environmentally Sensitive Land:** An area with one or more of the following characteristics: (1) steep slopes, (2) flood plain, (3) soils with high water tables including wetlands and wetlands transition areas, (4) soils that are highly erodible or subject to erosion, (5) land incapable of meeting percolation requirements, (6) stream or river corridor, (7) mature stands of native vegetation, and (8) habitats of endangered species.

**Fringe-Area Agreement:** See *Intergovernmental Agreement*.

**Goal:** Description of a future desired state of affairs for the community. Goals are the broad public purposes toward which policies and programs are directed. Generally, more than one set of actions (objectives) may be required to achieve each goal.

**Growth Management:** A wide-range of techniques used in combination to manage or influence the amount, type, location, density, timing and/or rate of growth. Growth management objectives often form the backbone of a comprehensive plan. Techniques used to execute growth management policies may include: zoning and subdivision ordinances, capital improvements, design standards and designation of future growth or urban service boundaries.

**Hard surfaced road:** Includes any Portland Cement Concrete (PCC) or Asphalt Cement Concrete (ACC) paved surface or seal coated surfaced road and committed to be maintained by a public entity. See also *Paved Road*.

**Implementation:** Carrying out or fulfilling plans and proposals.

**Incremental Design:** Method of development to maintain small-town atmosphere and reducing sprawl by utilizing compact, contiguous growth to existing development.

**Infill Development:** The development of new housing or other buildings on scattered vacant sites in a built-up area. Infill development takes pressure away from the fringe-area of a community and allows growth to occur where infrastructure (streets, sewer, water, etc.) is already in place.

**Infrastructure:** Public services and facilities needed to sustain residential, commercial, industrial and all other types of development activities. Infrastructure includes, but is not limited to sewage disposal systems, water supply systems, drainage systems, roads, parks, sidewalks, trails, schools, libraries, fire, police, emergency, medical facilities and public works facilities.

**Intergovernmental Agreement: (28E Agreement)** A legal document binding two or more governmental units or agencies to act in certain, cooperative ways. The term is most often used in a planning context to refer to shared or delegated responsibility to review development proposals and/or to recognize adopted plans and policies of the governmental units or agencies. For example, the City of Ely and Linn County will adopt a 28E agreement which requires each entity to provide materials on development proposals within certain geographic areas for the other entity to review and comment upon. Also called fringe-area agreements.

**Issues:** Points of debate, discussion or dispute in the community that are identified in a local plan and are dealt with by the plan's goals, policies and objectives.

**Land Use:** A description of how land is occupied or utilized. Land use types typically include: various types of residential, commercial, industrial, agricultural, and public uses.

**Land Evaluation and Site Assessment (LESA):** The County's numerical system that measures the quality of farmland, generally used to help select tracts of land to be protected or developed.

**Objective:** Individual accomplishments which, taken together, will enable the local government to achieve stated goals.

**Open Space:** Any parcel or area of land or water that is essentially unimproved and devoted to an open space use for the purposes of (1) the preservation of natural resources, (2) outdoor recreation (active or passive), or (3) public health or safety. Land used for the managed production of resources (farming, etc.) is typically not considered open space. Also called green space.

**Paved road:** A paved road includes any Portland Cement Concrete (PCC) or Asphalt Cement Concrete (ACC) paved road. *See also Hard surfaced road.*

**Plan:** The formulation and graphic representation of the means to reach a desired end, as well as the act of preparing a plan (community input, research and analysis). A plan is a written and graphic analysis of a desirable and feasible pattern of growth with goals and objectives to best serve the residents of the local government. A plan should be based on the input of the community as well as data and extensive research. Final product can be called a master plan, general development plan or comprehensive plan. In this document, Plan shall mean the City/County Strategic Growth Plan between the City of Ely and Linn County, Iowa.

**Policy:** Statements of government intent for which individual actions and decisions are evaluated.

**Strategy:** Tasks which may be taken to achieve stated goals and policies.

**Urban Sprawl:** Uncontrolled growth, usually low-density in nature, in previously rural areas and some distance from existing development and infrastructure.

## RESULTS OF THE SECOND TOWN MEETING

### Small Group Results

<b>Group #1 – Positive Qualities</b>	<b>Points</b>
Low local government regulations	8
Good schools / including Kirkwood	6
Large open spaces	6
Nature	6
Close to Cedar Rapids / Iowa City / Lake MacBride	5
Ease of daily living	4
Hunting / wildlife preservation	4
Good agriculture	1
Good fire department	1
Close to airport / interstate	0
Good neighbors / quiet	0
Low crime	0
Low traffic	0
Nice library	0
Trails	0
Well maintained city	0

<b>Group #1 – Concerns and Challenges</b>	<b>Points</b>
Zoning and plan development	8
Threat to Hoosier Creek from development / watershed protection	5
Need compatible industry for expansion of tax base	4
Assess every new home for water and sewer	3
Expansion would destroy family farms and cropland	3
High taxes	3
Land owner rights / eminent domain – city is aggressive	3
Too much growth / too much farmland used	3
Growth issues – water / sewer capacities	2
Cost of gas to commute is very high	1
Not enough recreation opportunities in town for kids	1

Cost of new curbs and sidewalks	0
---------------------------------	---

<b>Group #2 – Positive Qualities</b>	<b>Points</b>
Sense of community	10
Good location between CR and Iowa City	9
Rural setting / scenic – farmland surround	9
Great fire department	3
Great school system	3
Historic preservation	3
Life in small town	2
People / work ethic	1
Safety	1
Cooperative spirit	0
Great library	0
Housing options available	0

<b>Group #2 – Concerns and Challenges</b>	<b>Points</b>
Uncontrolled growth	17
Traffic – congestion / safety, bikes and autos	7
Pollution on Hoosier Creek watershed	4
Cost of utilities	3
Need for trails	3
Crime in certain areas	2
Junkyards	2
Maintenance of public areas	2
Urban sprawl – CR / Ely	2
Ditch dumpers / trash	0
Increase in taxes	0
Rural roads	0

<b>Group #3 – Positive Qualities</b>	<b>Points</b>
Convenient access to larger cities, lakes, parks and trails	9
Good schools	8
Safe community	8
Friendly neighbors	6
Clean town	3
Country living	3
Small town feel	3
Clean air, wildlife, better roads	2
Citizens interested in town	1
Quiet	1
Sparsely populated	1
Affordable housing	0
Less aggressive taxation	0
Very few eye sores	0
Walking distance from everything	0

<b>Group #3 – Concerns and Challenges</b>	<b>Points</b>
Lack of commercial and industrial development	13
Ely too small to attract business	8
Poor and certain municipal budget	6
Ely will be surrounded and consumed by CR	5
Rapid growth losing small town atmosphere	5
Lack of facilities for children and youth	4
Water quality / sewer system adequacy	4
Bike trail development needed	3
CR encroaching cutting us off from Highway 30 and 380	0
Indistinguishable neighborhood identity	0
Lack of destination amenities	0
Rapid development in contiguous areas	0
Resistance to change	0