

**ORDINANCE NO. 02-O-2017-2018**

ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF STORM LAKE, IOWA BY CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL ESTATE IN WOODLAND CREEK 1<sup>ST</sup> ADDITION

WHEREAS, after due notice of intended action as provided by law, the City Council of the City of Storm Lake, Iowa, has determined that the zoning ordinance of this City should be amended as set forth below; and

WHEREAS, said action has been recommended by the Planning and Zoning Commission of the City of Storm Lake, Iowa;

WHEREAS, the City of Storm Lake needs housing for our workforce and a variety of types of housing to accommodate persons with varying housing needs and incomes;

WHEREAS, the owner and developer of Woodland Creek 1<sup>st</sup> Addition, MAG-SHU, LLC, believes there is a demand for housing types other than single family dwellings;

WHEREAS, such alternative forms of housing are permitted in R-3 districts but not in R-1 districts;

WHEREAS, more housing units can be constructed on the six lots identified below if they are zoned R-3 rather than R-1;

WHEREAS, the lots in Woodland Creek 1<sup>st</sup> Addition proposed to be rezoned to R-3 are the only lots in such Addition that, with some lot line adjustments, are both large enough and suitably configured for the alternative housing types permitted in R-3 districts;

WHEREAS, pursuant to Section 414.5 of the Code of Iowa, the City and MAG-SHU, LLC have entered into a Conditional Zoning Agreement dated September 18, 2017, that imposes certain reasonable conditions, over and above the regulations regarding R-1 and R-3 Zoning Districts, on the use of property within Woodland Creek 1<sup>st</sup> Addition, in order to satisfy public needs caused by the requested change in zoning classifications;

WHEREAS, upon the adoption and publication of this Ordinance, the said Conditional Zoning Agreement shall be recorded in the office of the Recorder of Buena Vista County, Iowa; and

WHEREAS, the proposed change in districts is consistent with the City's comprehensive plan in that the plan envisions and encourages the development of alternative types of housing to accommodate the needs of the City's population.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Storm Lake, Iowa, that, pursuant to Article IV, Section 406 of the Zoning Ordinance of the City of Storm Lake, Iowa, the official zoning map, as referred to therein, is hereby amended as follows:

The real estate parcels legally described as:

Lots 1, 2, 12, 13, 14, and 15, Woodland Creek 1<sup>st</sup> Addition to the City of Storm Lake, Iowa,

are hereby rezoned from a classification of R-1 (Low Density Residential) to R-3 (Medium Density Residential), subject to the terms and conditions of the Conditional Zoning Agreement described above.

This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED AND APPROVED this 2<sup>nd</sup> day of October, 2017.



Jon F. Kruse, Mayor

ATTEST:



Mayra A. Martinez, City Clerk