

Recorder Use Only	
Instrument No.	043891
State of Iowa, Boone County, SS	
Filed for Record at	12:10 P.M.
This	7 day of July 2004
Sheryl J. Thul, Recorder, Fees \$	no fee
Number of Pages	4

ref. to -

**BOONE COUNTY BOARD OF SUPERVISORS  
BOONE COUNTY, IOWA**

**ORDINANCE NO. 58**

**ORDINANCE AMENDING THE OFFICIAL BOONE COUNTY ZONING MAP**

**LOCATION SUMMARY: TWO MILES WEST OF AMES ON HIGHWAY 30.  
AMENDMENT TO REDESIGNATE PARCEL A, NE ¼ OF NE ¼, SECTION 10, T83N, R25W, BOONE COUNTY, IOWA, AND LOT 1 OF PARCEL A NE ¼ OF NE ¼, SECTION 10, T83N, R25W, BOONE COUNTY, IOWA COMMONLY KNOWN AS CLEAR CREEK SUBDIVISION FROM A-1 (AGRICULTURE) TO I-1 (LIMITED INDUSTRIAL) AS IDENTIFIED ON THE ATTACHED MAP.**

**WHEREAS,** In this case, Fox Engineering, on behalf of Todd Rueter, has petitioned the County to rezone the property described hereinabove from A-1 (Agriculture) to I-1 (Limited Industrial) to accommodate a commercial/light industrial subdivision.

**WHEREAS,** The Director of Planning and Development has forwarded a recommendation for approval to the Boone County Zoning Commission with various provisions:

1. All lighting in the subdivision shall be full horizontal cutoff fixture type to reduce perceived glare from surrounding properties.
2. Landscaping shall be of moderate growth to give immediate screening for surrounding property owners to the east.
3. The applicants are pursuing certain types of uses for the development. The following uses ARE NOT intended uses and should therefore be restricted from this area:
  - a. Bars and nightclubs
  - b. Hotels and motels
  - c. Restaurants
  - d. And other uses similar to those mentioned hereinabove

**WHEREAS,** The Zoning Commission has held a public hearing in accordance with the Iowa Code and has forwarded a letter of recommendation of approval to the Boone County Board of Supervisors for the rezoning at the property noted hereinabove. The Zoning Commission has established the following provisions for approval:

1. All lighting in the subdivision shall be full horizontal cutoff fixture type to reduce perceived glare from surrounding properties.
2. Landscaping shall be of moderate growth to give immediate screening for surrounding property owners to the east.
3. The applicants are pursuing certain types of uses for the development. The following uses ARE NOT intended uses and should therefore be restricted from this area:
  - a. Bars and nightclubs
  - b. Hotels and motels
  - c. Restaurants
  - d. And other uses similar to those mentioned hereinabove

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF  
BOONE COUNTY, IOWA AS FOLLOWS:**

**SECTION ONE:** That Boone County shall, and it does hereby, approve an amendment to the Official Zoning according to the attached map herein below and legal description noted above.

**SECTION TWO:** The following conditions shall apply to this approval.

1. All lighting in the subdivision shall be full horizontal cutoff fixture type to reduce perceived glare from surrounding properties.
2. Landscaping shall be of moderate growth in accordance with a landscaping plan to be inspected and approved by the Boone County Zoning Administrator.
3. The applicants are pursuing certain types of uses for the development. The following uses ARE NOT intended uses and should therefore be restricted from this area:
  - a. Bars and nightclubs
  - b. Hotels and motels
  - c. Restaurants
  - d. And other uses similar to those mentioned hereinabove

**SECTION THREE:** That this amendment shall be in full force and effect from and after its passage and approval in the manner provided by law.

**ACTION UPON FIRST READING**

DATE: June 11, 2004

Moved by: Sorensen

Seconded by: Reed

Discussion:

AYES (A), NAYES (N), ABSENT (X):

Albert Sorensen  Mike O'Brien

David Reed

**ACTION UPON SECOND READING**

DATE: June 14, 2004

Moved by: O'Brien

Seconded by: Reed

Discussion:

AYES (A), NAYES (N), ABSENT (X):

Albert Sorensen  Mike O'Brien

David Reed

June 14, 2004

Clear Creek Commons Subdivision Rezoning  
Ordinance No. 58

**ACTION UPON FINAL READING**

DATE: June 16, 2004

Moved by: O'Brien

Seconded by: Sorensen

Discussion:

AYES (A), NAYES (N), ABSENT (X):

Albert Sorensen  Mike O'Brien

David Reed

*David Reed*

Chairman

Boone County Board of Supervisors

6-25-04  
Date

*Philippe E. Meier*

ATTEST:

Philippe E. Meier, County Auditor

6-25-04  
Date

