



Hall County Regional Planning Commission

Wednesday, January 07, 2009
Regular Meeting

Item -4

Request for Conservation Easement (C-05-2009HC)

Insert a narrative here

Staff Contact:

Agenda Item 5

PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:

December 26, 2007

SUBJECT: *Conservation Easement C-05-2009HC*

PROPOSAL: The Nature Conservancy and Central Platte NRD have submitted a request to Hall County for the approval of a conservation easement on property owned by the Nature Conservancy in the S ½ of the NE ¼ and all of the SE ¼ of 20-9-11. This property is located north of Rainforth Road and west of Nebraska Highway 11.

The Hall County Board of Supervisors forwarded this matter to the planning commission per statutory requirements at their meeting on December 23, 2008.

OVERVIEW:

The Nature Conservancy currently owns this property and wishes to grant a conservation easement to the Central Platte NRD. This easement will restrict irrigation on this property and the development of new irrigation wells on site. Existing wells that are used to irrigate other property may still be used for that purpose. Low flow wells of 50 gallons per minute will still be permitted for watering livestock. Limitations will be placed on the property for development for commercial, industrial or residential purposes. Mining of sand and gravel will be prohibited. As such, they are proposing to place a conservation easement on the property with rights to enforce that easement remaining with the Central Platte NRD. As defined by NRSS §76-2112, The Central Platte NRD is eligible to receive, hold and enforce the conservation easement.

A recommendation on this easement to determine conformity with the Comprehensive Plan is required by State Statutes.

Site Analysis

<i>Current zoning designation:</i>	AG-R-River Corridor Agricultural District
<i>Permitted and conditional uses:</i>	Agriculture and Agriculture Related Issues with specific limitations based on the zoning district
<i>Comprehensive Plan Designation:</i>	Agriculture and River Protection Corridor
<i>Existing land uses:</i>	Rented Farm Ground Owned by the Nature Conservancy
<i>Site constraints:</i>	Flood Plain over portions of the site

Adjacent Properties Analysis

<i>Current zoning designations:</i>	North and West: AG-R-River Corridor Agricultural District South and East: AGV-Valentine Soil Overlay District
<i>Comprehensive Plan Designation:</i>	North: Commercial/Medium Density Residential South: Commercial East: Public West: Commercial
<i>Existing land uses:</i>	Farm Ground



Figure 1. Zoning Map with proposed Easement Highlighted

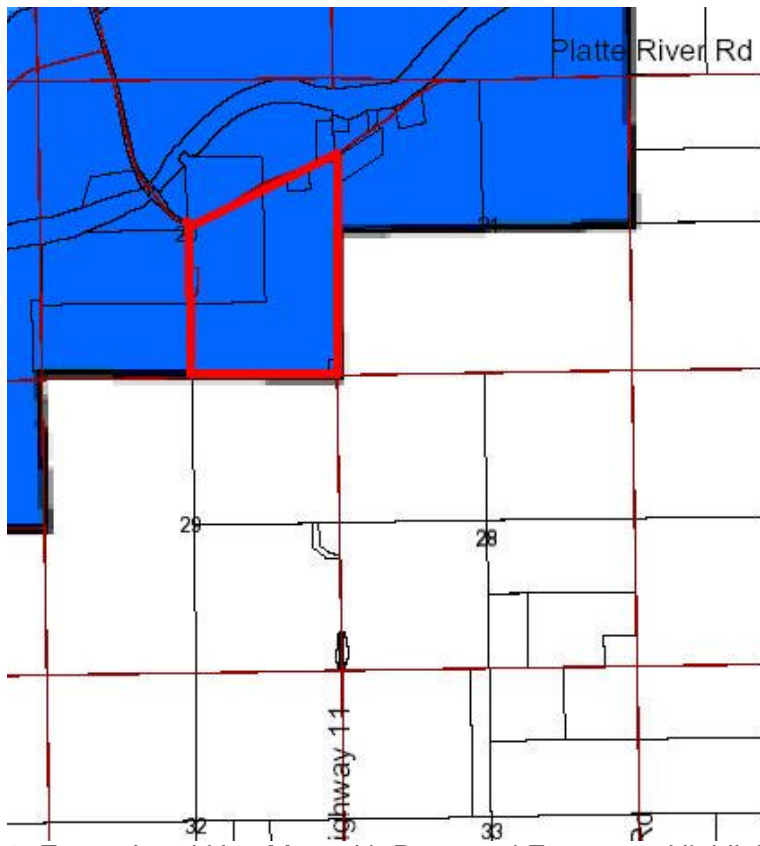


Figure 2. Future Land Use Map with Proposed Easement Highlighted

EVALUATION:

The easement is proposed on property that is zoned for agricultural purposes and planned to be used for agricultural purposes for the foreseeable future. There are some development constraints on the property because a portion of the property is located within the flood plain.

Hall County Comprehensive Plan General Land Use Policies

Goal 1

Hall County should manage the land in a cost-effective and efficient manner while protecting the environment and natural resources, as well as maintaining and increasing land values. Guiding future growth and development in Hall County towards a compact pattern of land uses based upon the efficient and economical expansion of public infrastructure will continue to maintain and improve the quality of life for Hall County residents.

- 1.1.7 Discourage and minimize leapfrog development outside of cities and villages.
- 1.1.8 Hall County should allow agricultural production in all areas in which agricultural uses are appropriate, and non-agricultural development in agricultural areas should be allowed in specifically designated areas which does not negatively impact the agricultural uses.
- 1.2.5 Encourage low to zero non-farm densities in prime farmland areas and other agricultural districts by providing residential lot size requirements and proper separation distances between residential and agricultural uses.

It would appear that based on the current zoning, the future land use plan for the county, the desire of the county as expressed in the comprehensive plan general land use policies 1.1.7, 1.1.8, 1.2.5 that it would be in conformance with the Hall County Comprehensive Plan to permit this conservation easement.

RECOMMENDATION:

That the Regional Planning Commission recommends that the Hall County Board **approve** this request for a conservation easement as presented.

_____ Chad Naby AICP, Planning Director

