



# Hall County Regional Planning Commission

Wednesday, May 06, 2009  
Regular Meeting

## Item -6

**Request for Conservation Easement (C-17-2009HC)**

*Insert a narrative here*

Staff Contact:

## Agenda Item # 7

### PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:

May 6, 2009

**SUBJECT:** *Conservation Easement C-17-2009HC*

**PROPOSAL:** Ricky V. Yoder and Cynthia M. Yoder and Central Platte NRD have submitted a request to Hall County for the approval of a conservation easement on property owned by the Yoder's' in the West Half (W1/2) of Section Four (4), Township Twelve (12) North, Range Twelve (12) West of the 6<sup>th</sup> P.M. Hall County Nebraska. This property is located east of Bluff Center Road and south of Loup River Road.

The Hall County Board of Supervisors forwarded this matter to the planning commission per statutory requirements at their meeting on April 14, 2009.

#### OVERVIEW:

Ricky and Cynthia Yoder currently own this property and wish to grant a conservation easement to the Central Platte NRD. This easement will restrict irrigation of this property. No well with a capacity of greater than 50 gpm will be permitted. Clusters of 50 gpm wells are not permitted. An existing well on the property used to irrigate other land can remain and may still be used to irrigate the other property. No pumping is allowed from an adjoining stream. No sub irrigated plants may be planted on the property. Excavations that would expose ground water, gravel pits or mines are not permitted. Residential, commercial or industrial development is limited by permission of the easement holder. 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>	AG1- Agricultural District
<i>Permitted and conditional uses:</i>	Agriculture and Agriculture Related Uses very limited residential, commercial limited to ag related commercial
<i>Comprehensive Plan Designation:</i>	Agriculture
<i>Existing land uses:</i>	Farm Ground
<i>Site constraints:</i>	none

#### Adjacent Properties Analysis

<i>Current zoning designations:</i>	<b>North South, East and West:</b> AG-1
<i>Comprehensive Plan Designation:</i>	Primary Agriculture
<i>Existing land uses:</i>	Farm Ground

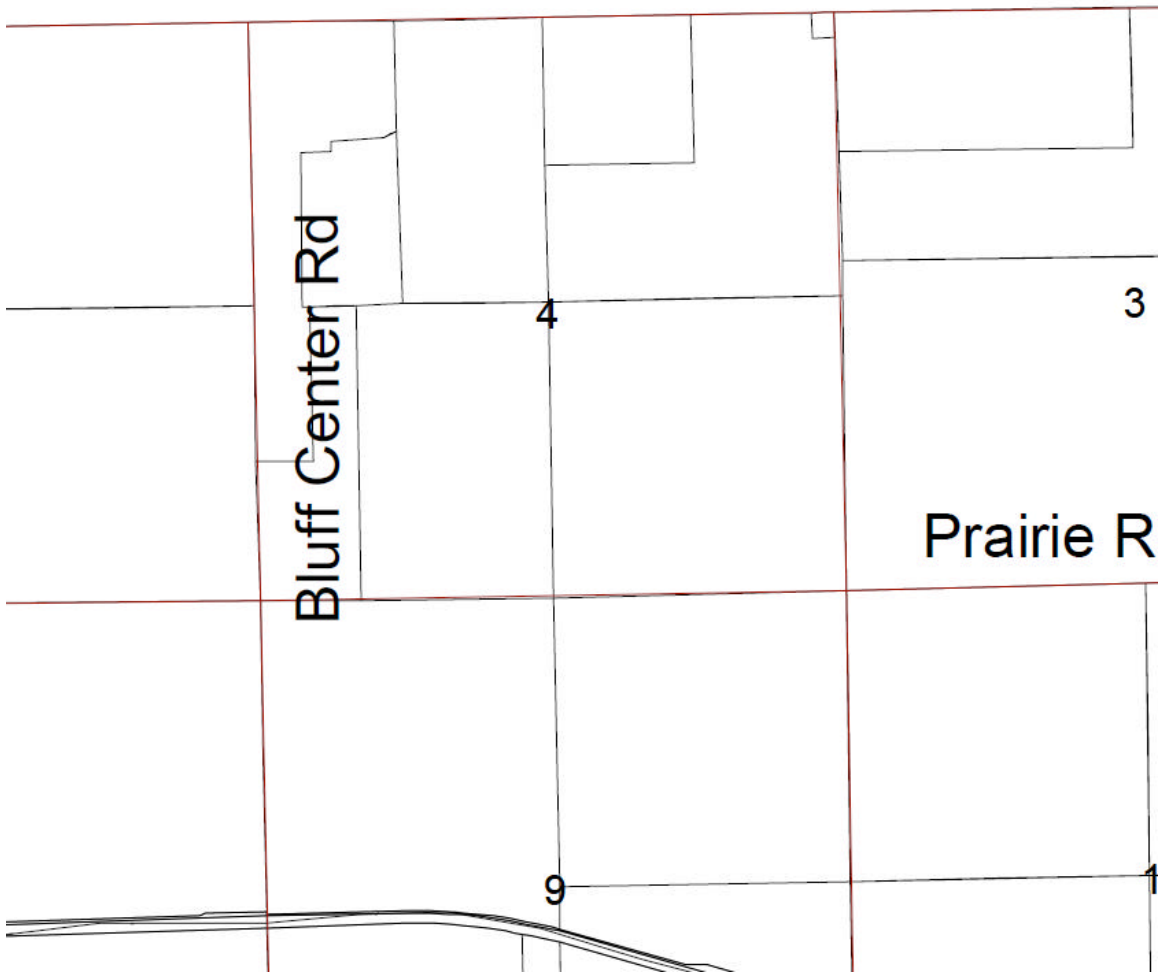


Figure 1. Future Land Use Map with Proposed Easement Highlighted

**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 no real development constraints on the property except the distance from municipal services. This property is not located on a major road way and is unlikely to attract any commercial development.

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.

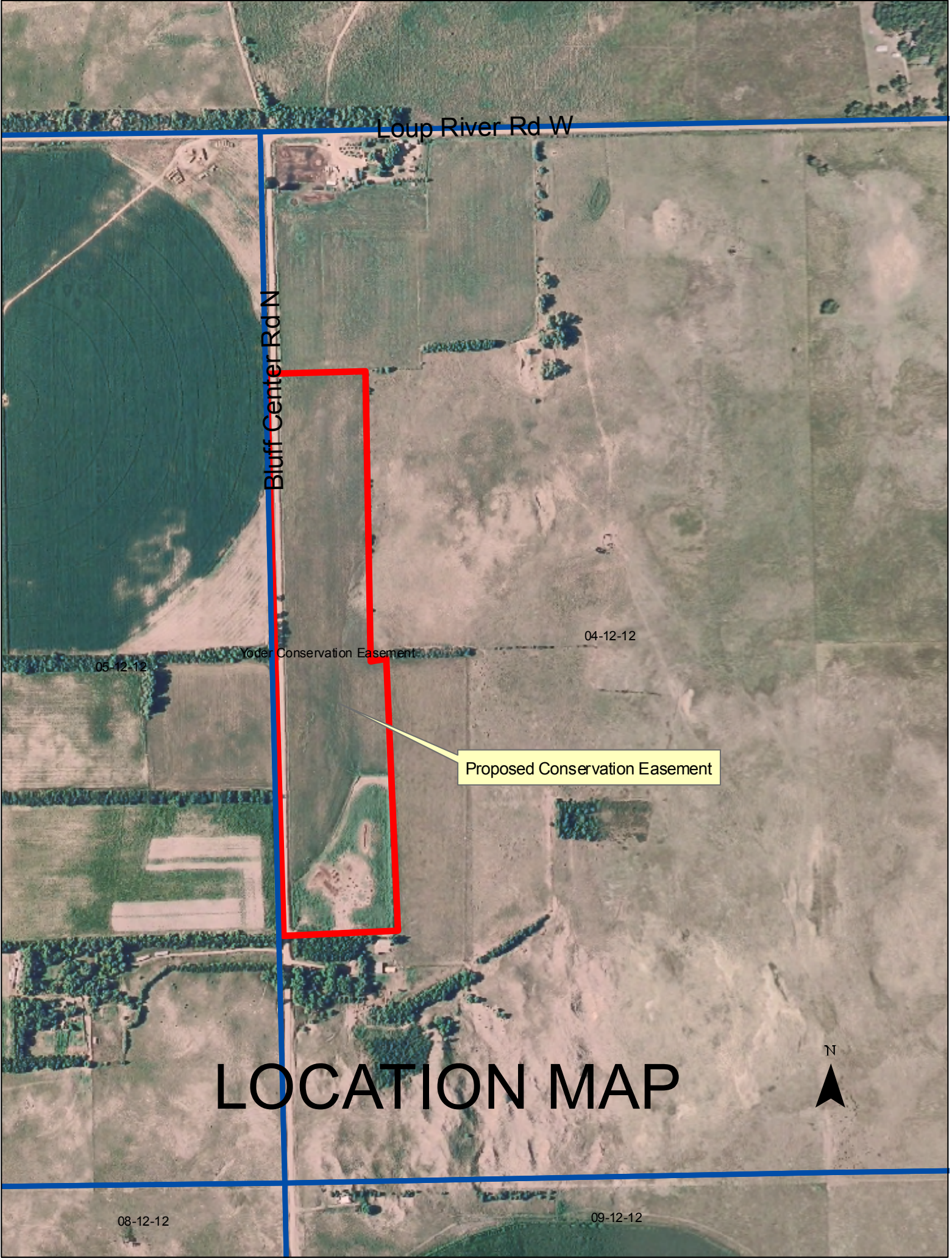
It would appear that based on the current zoning, the future land use plan for the county, the desire of the county as expressed in the comprehensive plan general land use policies 1.1.7, 1.1.8, 1.2.5 that it would be in conformance with the Hall County Comprehensive Plan to permit this conservation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

**RECOMMENDATION:**

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

\_\_\_\_\_ Chad Nabity AICP, Planning Director





Loup River Rd W

Bluff Center Rd N

05-12-12

Order Conservation Easement

04-12-12

Proposed Conservation Easement

# LOCATION MAP



08-12-12

09-12-12