



Hall County Regional Planning Commission

Wednesday, May 06, 2009
Regular Meeting

Item -7

Request for Conservation Easement (C-13-2009HC)

Insert a narrative here

Staff Contact:

Agenda Item # 8

PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:

May 6, 2009

SUBJECT: *Conservation Easement C-13-2009HC*

PROPOSAL: Larry M. Woitaszewski and Anne M. Bohan and Central Platte NRD have submitted a request to Hall County for the approval of a conservation easement on property owned by Woitaszewski and Bohan in the NE ¼ of the NE ¼ and Lot 1 in 3-9-11. This property is located South of U.S. Interstate 80 and west of Schaupsville Road.

The Hall County Board of Supervisors forwarded this matter to the planning commission per statutory requirements at their meeting on March 31, 2009.

OVERVIEW:

Woitaszewski and Bohan currently own this property and wish to grant a conservation easement to the Central Platte NRD. This easement will restrict irrigation of this property from surface water sources. 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>	Farm Ground
<i>Site constraints:</i>	Flood Plain over portions of the site

Adjacent Properties Analysis

<i>Current zoning designations:</i>	North South, East and West: AG-R-River Corridor Agricultural District
<i>Comprehensive Plan Designation:</i>	River Protection Corridor
<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.

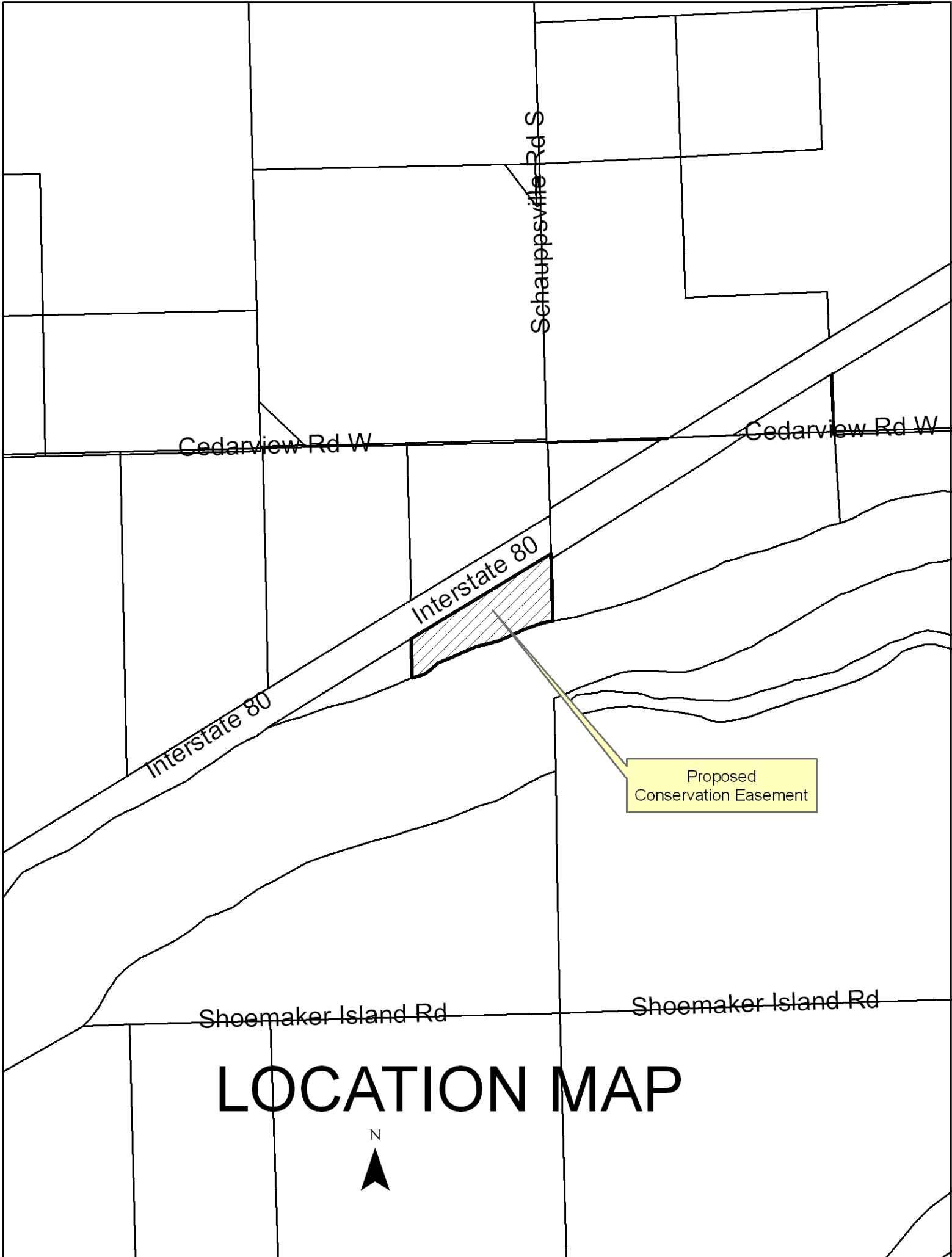
It would appear that based on the current zoning, the future land use plan for the county, the desire of the county as expressed in the comprehensive plan general land use policies 1.1.7, 1.1.8, 1.2.5 that it would be in conformance with the Hall County Comprehensive Plan to permit this conservation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

RECOMMENDATION:

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

_____ Chad Nability AICP, Planning Director





Schauppsville Rd S

Cedarview Rd W

Cedarview Rd W

Interstate 80

Interstate 80

Proposed Conservation Easement

Shoemaker Island Rd

Shoemaker Island Rd

LOCATION MAP

