

Minutes - Woodbury County Zoning Commission Meeting October 24, 2005

The meeting convened on the 24th of October, 2005 at 7 PM in the Board of Supervisors Meeting Room in the Court House, Sioux City, Iowa. Present were the following Commission members – Chairman Don Groves, Dwight Rorholm, Arvin Nelson and Grady Marx; Larry Tobin was absent; Zoning Staff: John Pylelo and Peggy Napier; Riley Simpson, Doug Morhorst, Lynette L. Androy, Dave Schultz, and Larry and Sarah Grohs from the public were in attendance.

The first agenda item was approval of the previous meeting's minutes of September 26, 2005.

Mr. Rorholm had changes to discuss but since the minutes were quite lengthy and would take some time, he suggested discussion of the minutes be delayed until after the other agenda items had been addressed. Mr. Marx agreed. Chairman Groves tabled the minutes until later and moved on to the next agenda item.

The second agenda item was the review and recommendation of Preliminary Plats for Whitehorn Addition Subdivision – Parcels #823126, #823110, #823140 & part of #823155.

The Woodbury County Office of Planning and Zoning has received a Subdivision application from Lynette Androy in her capacity as Executor of the Martha M. Jacobson Estate. The Jacobson Estate intends to subdivide six (6) lots totaling 77.185 acres. The property is located in the NW ¼, Section 14, Woodbury Township approximately 2 miles east of Sioux City abutting the south side of 180th Street.

Proposed Lot 1 has an existing single family dwelling and accessory structure currently addressed as 1628 180th St. Proposed Lots 2 and 3 are flag lots intended to remain in agricultural production. Proposed Lots 4 and 5 are intended to be sold for residential development. Proposed Lot 6 is for residential development for a family member. On proposed Lot 6 a building permit has been approved for the construction of a single family dwelling. Construction has commenced.

The property is zoned AG (Agricultural) and not within any floodplain. The intended uses are permitted within this Zoning District. The average crop suitability rating for the property is 45.76.

As 180th St. is a gravel, County maintained roadway and a paving agreement will be required. The property is within two miles of the corporate limits of Sioux City and will require subdivision approval by the City Council of Sioux City.

Notification was sent to the 21 property owners within 1000' of the proposed subdivision. To date no responses have been received. Notices were also sent to each of the below listed Agencies with the below listed responses to date:

NRCS: No response Received
County Engineer: No Response Received
DNR: No Response Received
Longlines: No Response Received
Woodbury County REC: No Response Received
Siouxland District Health Department: No Response Received
County Assessor: No Response Received
Emergency Services: No Response Received
Real Estate Department: No Response Received
Board of Supervisors: No Response Received
Iowa Public Service Company (nka: Mid-American Energy): No Response R'cvd
Woodbury Soil Conservation District: No Response Received
City of Sioux City: No Response Received

At their meeting of October 11, 2005 the Board of Supervisors considered the Preliminary Plat and now refers said Plat to your Commission for review and recommendation.

On site visits are appreciated.

Mr. Rorholm questioned where the power company easement was shown on the plat and where access easements were shown for lots 2 and 3. He suggested reference be made to building restrictions, book and page #, for Mid-American agreement regarding the easement. Rorholm anticipated potential approval with final plat showing exact amounts of land used for easements. It was further noted that after the Zoning Commission approves the final plat, it will go to the City for approval.

Mr. Pylelo asked for clarification of reason for shared roads between lots #5 & #6. Mr. Marx noted his hesitation with shared drives. His suggestion was a statement on the plat regarding agreements would avoid problems 20 years down the road. Rorholm suggested a statement be placed under "Notes" on the final plat. Surveyor Doug Mordhorst explained visibility from 180th made two separate driveways more hazardous than one would be. He said the shared drive was the result of conferring with County Engineer Dick Storm and that the final determination would be made by Mr. Storm.

Mr. Rorholm made a motion the Whitehorn Addition Subdivision Preliminary Plat be approved with the following conditions:

- 1. Under "Notes" on the final plat reference be made to the Mid-American transmission line easement and give book and page number in Woodbury County Courthouse records. This utility easement may require certain building and planting restrictions which may supersede County regulations**

2. **The dimensions of the 150 foot easement clearly identify the distances from the quarter section line east to the edge of the utility easement and west to the utility easement.**
3. **The Commission would request the County Engineer look at the entrance to Lot 6 and to Lot 5 if they (future owners) were to remove the joint entrance that is shown on the Preliminary Plat. Bring attention to the visibility hazards from 180th St. of two separate driveways rather than one. The final determination of shared or separate driveways would be made by Mr. Storm.**
4. **Paving Agreement Policy (that Mr. Pylelo has in his office) will be added to conditions.**

Motion seconded by Mr. Marx. Motion carried.

The third Agenda item was an update on the 2005 General Development Plan and preliminary discussion of potential ordinance language by Mr. Riley Simpson.

Mr. Riley Simpson was present to continue dialogue and answer citizen inquiry in a formal public hearing format regarding the latest draft dated August 20, 2005 of the Woodbury County's 2005 General Development Plan. Copies were made available to the Commission for review and reference. This latest plan draft was submitted and discussed at the Zoning Commission's public hearing on August 22. Mr. Simpson, Mr. Pylelo, and the Zoning Commission were there to accept formal public comments and make further document revisions where determination warranted.

Mr. Simpson handed out future land use maps that include parcel lines for detail and clarity. Other areas are coded with various colors. All of the paved county roads are included as well as three (3) sections of road that will most likely be paved in the near future; the dotted lines indicate one road going east out of Salix, one going west out of Anthon, and DeRocher Path.

- **Yellow:** five or ten miles out of Sioux City along paved roads and filling in areas near Sioux City that have been actively developing. Mr. Pylelo noted and Simpson confirmed in most cases this includes land 2600 feet off the paved roadways on each side. Some of the areas include existing subdivisions. Mr. Rorholm asked for an indication of what the existing land is being used for as well as future use. Mr. Simpson suggested that be a separate layer for the land use map.
- **Dark Blue Lines:** indicate paved roads
- **Light Blue Lines:** indicate gravel roads
- **Gray line:** indicates section lines. Blue lines supersede gray lines.
- **Green fill:** indicates open space (the green in proximity to the landfill is pretty rugged territory and not desirable for residential use).

Mr. Simpson asked if the Commission would prefer the landfill area match what the City's plans are rather than show it as empty space. Chairman Groves agreed if the Commission knew what the city's plans were, that is how it should be shown, especially since the City's plan has already been adopted. Mr. Simpson agreed to

change the green area to reflect the city plan for that area.

Mr. Simpson and Mr. Rorholm discussed developing plans to show the City's urban service areas as a layover for future discussion purposes not only for the Commission but for engineers in the future. Mr. Pylelo and Mr. Simpson agreed it made sense to "cut it both ways." It would not only be beneficial to show the City's plans in relation to the rural area, but also the rural area in relation to what the City has planned; i.e. understand what the City is willing **not** to develop as well as what it intends to develop. Mr. Simpson suggested adding Sergeant Bluff to the equation. Simpson stated Sergeant Bluff is in the process of updating their urban plan at this time.

Mr. Simpson passed out a couple of handouts to be used as talking points for the next meeting. The first was called ***Proposed Bulk Regulations*** and is a table that had the zoning districts taken from the 2003 Zoning Ordinance listed across the top. These were meant only to suggest the use of the columns, not what the final zoning districts will be named. Simpson explained this matrix could be filled in to compare the ranges in lot sizes and setbacks assigned to the new zoning districts. He thought it would be interesting to see what the matrix revealed when filled in with the 2003 Development Plan Ordinances.

A second handout was called ***Proposed Woodbury County Ordinance – Land Use Summary Table***. On the left side the table listed "every use that you could possibly consider having except for the ones that aren't on it." Suggested zoning district names/abbreviations are across the top with a legend at the bottom to indicate *ok* (*Permitted Use*), *P* (*Provisional Use*), *C* (*Conditional Use*), *A* (*Accessory Use*), *e* (*Exempt Use*), and *XX* (*Prohibited Use*) in the appropriate spaces next to the list. This matrix should be utilized as a tool, possibly using the 2003 ordinances to give the Commission a likely overview of the Zoning Districts while designing the new ordinances.

The handouts were generally seen as more user-friendly than the ordinances in the present form only. Although seen as initially difficult and labor intensive to put together, ultimately it could be a time-saver all round. Simpson is encouraging viewing the zoning districts as related entities (deciding what uses the Commission wants to have in each one, how the ranges of uses relate from zone to zone, and also how the rest of the bulk regulations relate).

Mr. Simpson said he would like to meet at least one more time before the end of the year to discuss how the Commission should proceed from here. He said the forms would be filled more completely so they would have some working forms to begin creating new ordinances.

There was a minor discussion of what to call certain zoning districts, how certain areas were presently being developed, spot rezoning, and miscellaneous topics before it was time for Mr. Simpson to leave.

Chairman Groves asked for a motion to approve the minutes of the September 26, 2005 Zoning Commission meeting. Motion to approve made by Mr. Marx; seconded by Mr. Rorholm on condition the spelling of his name on page 3, paragraph 5 be corrected from

“Rorholm” to “Rorholm,” and the spelling of the word “build” on page 13, paragraph 2, be changed to “built.” Changes noted; motion carried.

Mr. Rorholm made a motion to adjourn; seconded by Mr. Marx; motion carried.

Meeting adjourned 8:30 PM