

Minutes - Woodbury County Zoning Commission Meeting – January 24, 2022

The Zoning Commission (ZC) meeting convened on the 24th of January at 6:00 PM in the first-floor board room of the Woodbury County Courthouse. The meeting was also made available via teleconference.

ZC Members Present: Chris Zellmer Zant, Tom Bride, Barb Parker, Corey Meister
County Staff Present: David Gleiser, Dan Priestley
Public Present: None

Call to Order

Chair Chris Zellmer Zant formally called the meeting to order at 6:00 PM.

Public Comment on Matters Not on the Agenda

None.

Approval of Minutes

The 11/22/21 minutes were approved. Motion to approve: Parker. Second: Meister. Motion approved 3-0 with 1 Abstention: Zellmer Zant.

Election of Chair and Vice-Chair

Motion to nominate Chris Zellmer Zant as Chair for 2022: Parker. Second: Meister. Motion approved 4-0.

Motion to nominate Tom Bride as Vice-Chair for 2022: Meister. Second: Parker. Motion approved 4-0.

Public Hearing: Proposed Zoning Ordinance Amendments. Planning and Zoning Commission and Board of Adjustment (Sections 2.01.4 & 5).

Priestley offered background on the proposed amendments to the Woodbury County Zoning Ordinance to repeal and replace Subsection 2.01.4: Planning and Zoning Commission and Subsection 2.01.5: Board of Adjustment with revised language pertaining to the establishment, appointment and membership, rules of procedure, and powers and duties of both the Commission and Board. Since the 11/22/21 meeting, language was added to clarify the impact of term limits on past and current service on the Commission and Board. Gleiser indicated that the language presented mostly comes from Iowa Code Chapter 335. He also indicated that the language is under review by Assistant County Attorney Joshua Widman. The Commissioner's weighed the impact of the proposed term limits. Bride asked, if the Board of Supervisors approve the amendment with term limits, would the Zoning Commission have a say or not? Gleiser affirmed that the Commission is required to make its formal recommendation to the Supervisors for use in their required public hearing, and individual Commission members may also attend the Board's public hearings to speak on said matters. However, the Supervisors ultimately have the discretion to approve or deny any proposed amendment and may do so with or without incorporating the Commission's recommendation. Bride suggested following the gender balance language in the ordinance, when following a good faith effort to recruit applicants has failed, a previous board member could be appointed. Zellmer Zant suggested taking the term limits out. Meister inquired if someone could continue serving until the position is filled. Meister also offered concerns about recruitment as well as the experiences of serving with members under positive and possibly negative conditions. Gleiser asked what the consensus of the Commission is as it relates to this ordinance change. Gleiser indicated that the Commission could recommend a proposal with term limits, or a version with exceptions to the term limits, or a version without term limits. Zellmer Zant suggested removing the term limits. Bride suggested using similar language as to the gender balance requirement. After discussion, there was consensus amongst the Commission to recommend adding the following language to address term limits on the boards. *"The Board of Supervisors may appoint any qualified applicant regardless of terms or years served, after making a three-month good faith effort to appoint a new Commissioner."* Following the public hearing, a motion was made by Parker to recommend to the Board of Supervisors the approval of the proposed ordinance amendments including the revised language pertaining term limits. Second: Bride. Motion approved 4-0.

Discussion/Action: Proposed Rules of Procedure for The Woodbury County Planning and Zoning Commission

Gleiser indicated that these are the bylaws and codifies past practices including routine administrative procedures. It addresses electronic participation. It assures that Commissioners and Board Members will be at meetings person but would recognize practical difficulties if they needed to call into the meeting. This language was adapted from the Board of Supervisors rules of procedure. Zellmer Zant inquired if the Commissioners approve the language. Bride inquired about abstaining and the difference between abstaining for a conflict of interest versus another issue. Gleiser indicated that through past recommendations from attorneys, it is the personal individual decision to make the choice to abstain. Abstaining can have the effect as a "nay" and is not a vote. Motion to recommend adoption of the rules of procedures: Bride. Second: Meister. Motion approved 4-0.

Public Comment on Matters Not on the Agenda

None.

Commissioner Comment or Inquiry

None.

Adjourn

Meeting adjourned at 6:58 PM.