

## **Minutes – Special Meeting of Woodbury County Zoning Commission April 10, 2006**

The meeting convened on April 10, 2006 at 6:10 PM in the Board of Supervisor's meeting room in the court house, Sioux City, Iowa. Present were the following Commission members: Don Groves, Dwight Rorholm, Christine Zellmer Zant, Arvin Nelson, and Grady Marx. Zoning staff present: Mr. Pylelo and Ms. Napier. From the public was Riley Simpson, consultant for Flat Earth Planning.

**The first agenda item was approval of available minutes.  
No minutes were available.**

**An unresolved issue after the vote for Chairperson was who would represent the commission at the SIMPCO meetings.**

**Mr. Marx agreed to continue as representative at the SIMPCO meetings.**

**The second agenda item was the work session and discussions of the Woodbury County zoning ordinances.**

The commission discussed RESOURCE EXTRACTION again before proceeding.

WAREHOUSING & FREIGHT HANDLING

Air Freight Terminals = okay in LI and GI

Cold Storage Plants = okay in LI and GI

Freight Storage, General Warehousing = okay in LI and GI

Fuel & Lubricant Distributors = conditional use in AP and okay in LI and GI

Grain Terminals & Elevators = conditional use in AP and okay in LI and GI

Household Moving and Storage = okay in LI and GI

Intermodal Freight Transfer Facilities = okay in LI and GI

Chemical & Gas Bulk Storage = conditional use in LI and GI

Discussion ensued with Ms. Zellmer Zant and Mr. Marx regarding whether different kinds of chemicals should be broken down into other categories and placed in different locations. Mr. Simpson decided chemicals should remain as conditional use and allow the Zoning Commission to determine what it is, its hazard level, and where it should be placed. Mr.

Marx requested the commission table the issue and discuss it further when they went through the draft again.

Chairman Groves, Mr. Rorholm, Mr. Simpson and Ms. Zellmer Zant decided to group Gas Bulk Storage and Chemical together as listed above.

Mail Processing Center = okay in LI and GI

Personal Storage Facilities = okay in GC, LI and GI

Parcel Deliver Services = okay in LI and GI

Retail Store Inventory Storage = accessory in GC and okay in LI and GI

Sand & Gravel Storage = conditional use AP and okay in LI and GI

Truck Terminals = okay in LI and GI

Wholesale Distribution Centers = okay in LI and GI

#### WASTE PROCESSING & TRANSFER

Portable Toilet Storage & Cleaning = okay in LI and GI

Recycling Operations = conditional use in GI

Rendering Plants = conditional use in GI

Sanitary Landfill = conditional use in AP and GI

Waste Composting = conditional use in AP and GI

Waste Incineration = conditional use in GI

#### **Institutional Uses**

Cemeteries, Mausoleums and Columbaria = conditional use in AP, AR and NR

Discussion of whether “NR” had been changed to “RR”. The zoning is confirmed to be “NR” which stands for “Nonagricultural Residential.”

#### Community Facilities

##### Activity/Social Service Centers

Community Centers = okay in AP, AR, NR, SR and GC

It was decided to combine Senior Center, Youth Centers, etc. with Community Centers.

Fields for Competitive Athletic = conditional use in AP, AR, NR, and SR

Discussion involved defining “Fields for Competitive Athletic,” who would use it. After question from Mr. Marx, Mr. Rorholm decided athletics on horses would be a stretch, but could be included in “Fields for Competitive Athletic.”

Libraries & Museums = conditional use in AP, AR, NR, and SR and okay in GC  
This was not listed in the red book. Discussion involved what zones to put it in and whether it should be conditional use or okay.

Parks & Public Open Space = okay in AP, AR, NR, and SR  
Considerable discussion about this area; what is private, public or county.

(Eliminated “Post Office” because they would be found in incorporated areas.)

#### DAY CARE

Licensed Day Care ( Adult or Child) = conditional use in AP through GC

A discussion ensued regarding when a home is defined as a Day Care Center. Having children other than your own in a home doesn’t necessarily constitute a Day Care Center. Mr. Simpson said Day Care can be considered a home occupation. Chairman Groves wanted to know what the difference was between Licensed Day Care and a Day Care Home. Mr. Simpson said Licensed Day Care Homes should be considered Day Care Centers and People who take care of other children in their home without being licensed should be handled as Home Occupations. Ms. Zellmer Zant said the number of children that can be taken care of by one adult is six (6). Mr. Simpson said that was the number according to state code.

#### MEDICAL SERVICES

Blood Bank = okay in GC

Emergency Care Center = okay in GC

Substance Abuse Treatment (in-patient) = conditional use in AP and okay in GC

Mr. Pylelo said where ever these are located in the county the neighbors need to know what kinds of facilities these places will be. Ms. Zellmer Zant reminded the commission of a minimum security jail that was to be placed next to a church radio station in the county. Mr. Simpson reminded them a lot of substance abuse places are done by private agencies.

Hospitals = okay in GC

Medical & Dental Clinics (incl. chiropractors, podiatrists, orthodontists, etc.) = ok in GC

Discussion ensued regarding how often these are seen in rural areas today. Mr. Pylelo said they could be discussed as home occupations. There was other input from the rest of the commission but Mr. Marx wanted to table this item and come back to it later.

Plasma Centers = okay in GC

#### RELIGIOUS FACILITIES

Churches, Synagogues, Temples & Religious Shrines = okay AP through GC

## SCHOOLS

Boarding Schools = okay in GC

Colleges, Business & Trade Schools = conditional use in AP and AR and okay in GC

A discussion ensued regarding what kinds of schools might be found in rural areas and what other departments in the county might be planning for rural areas. Mr. Pylelo asked these areas to be left as *conditional use* for potential plans.

Nursery, Elementary & Secondary Schools = conditional use in AP, okay in AR, NR & SR

A discussion ensued regarding whether these should be included with the above. They decided to leave it separate. The commission further defined Nursery school.

## SOCIAL SERVICES

Substance Abuse Counseling = conditional use in AP and okay in GC

A discussion ensued regarding where it should remain *conditional use*. They decided to narrow it to *conditional use* only AP.

Soup Kitchens = okay in GC

Food Banks = okay in GC

Homeless Shelters = okay in GC

Hospice Facility = conditional use AP through SR

Mr. Rorholm explained the difference between hospice and nursing homes. He preferred to not see it in GC. He felt it should be in a place that was more home-like and away from the general public.

Hospice Services = okay in GC

## **Transportation, Communication & Public Services**

### AIR TRANSPORTATION

Airport & Heliport = conditional use in AP and AR

Mr. Marx felt not many people could afford to buy enough land to accommodate a landing strip. Mr. Pylelo said that was precisely why he wanted it *conditional use*. If someone was to plan an airstrip next to his property he wanted to know he would have a voice in that decision. Chairman Groves agreed.

Mr. Simpson said the question for him was, even if they were only using ultra-light planes, why would they want those facilities in the AR zone. The AR zone is primarily for 2 acre minimum house lots. Mr. Marx said it was not that uncommon.

BUS GARAGE = conditional use in AP and okay in GC and LI

Considerable discussion ensued regarding what else garage would be used for.

(All parking eliminated)

## PIPELINES

Pipelines = conditional use AP through GI

Pipeline Terminals, Pump Stations, etc = conditional use in AP, LI and GI

Discussion ensued regarding whether items should be *okay* or *conditional use* and which zoning districts they could be in determined by the location of the pipelines. The commission discussed what the regulations with the IDOT were for pipelines. Mr. Rorholm didn't know of any.

(PUBLIC SERVICE GARAGE eliminated after some discussion)

## EMERGENCY PUBLIC SERVICES

Ambulance Stations = conditional use in AP, AR, NR and SR; okay in GC

Fire Stations = conditional use in AP, AR, NR and SR; okay in GC

Police Stations = conditional use in AP, AR, NR and SR; okay in GC

## RAILROADS

Rail Lines = conditional use in AP through GI

Rail Switch Yards, Equipment Repair & Maintenance = conditional use in AP, LI and GI

## SIGNS

Off-premise = conditional use in GC and HC

Considerable discussion regarding the dislike of signs by the commission ensued. They agreed they couldn't realistically eliminate signs so it was discussed what kind of restrictions could be put on them and what zones they could be in. The commission discussed rewriting the sign ordinance, but did not want that statement to go out to the public.

On-premise = accessory use in AP through GI

## TELECOMMUNICATION TOWERS & FACILITIES

Antennas on Existing Structures = not allowed in any zone

Mr. Marx suggested putting conditions on this ordinance that would bring the strobe lights down from the structures or make it conditional so the commission can make them the tower owner's upgrade to the current lighting.

Mr. Pylelo said the Board of Adjustment was currently going through this issue. He explained a company like Verizon might put up a tower, have two (2) antennas of their own and then lease out the other three (3) or four (4) antenna spaces to other sources. If you make

this a conditional use, you could have four hearings on an antenna scenario where the height of the tower plus several other things could change on the tower.

Mr. Rorholm thought if you added another antenna to an existing towers it would be “*as allowed*” by the conditions that came with the original tower.

Mr. Marx said the current rules for towers are to have strobes by day and red beacons by night. They are recommended in residential areas because the strobes are exceedingly offensive. The only way he would be able to get the strobes that flash in his house at night is to make the company that owns it come up to Woodbury County’s lighting system.

Chairman Groves said that kind of “rule” would be put on the tower ordinance itself. Mr. Simpson asked if this issue was something someone in the county would want to bring to the Board of Adjustment to resolve.

Mr. Marx said it was because he and many others in his area had the same problem with the strobe. Mr. Rorholm agreed saying it was an issue that had been discussed with the Zoning Task Force. Ms. Zellmer Zant added she thought it was a problem because she had heard comments on the same issue.

Chairman Groves said it would be a hard issue to resolve because those towers would be grandfathered in and if new conditions were made for this grandfather issue, others with grandfather issues for things other than towers would all want their situations changed as well and grandfather allowances would cease to be what they are now.

Mr. Rorholm thought something could be done about it with legislation, an ordinance or something else. He suggested they table it and discuss it further at a future date.

Mr. Pylelo said antennas go up and down and they change. The commission won’t know about 99% of them. They are just going to do them. He said it was nice to have an ordinance to fix the problem but there is no way to administer them.

Ms. Zellmer Zant asked if a letter couldn’t be sent to the tower owner saying “*You’re not in compliance with our tower ordinances at this point in time. You need to change your lights to...*” what ever the standardized code is now?

Mr. Rorholm asked if the new tower ordinance had passed. Mr. Pylelo explained it got held up with the adult business entertainment case.

(Discussion continued during a short break.)

Telecommunication Towers = conditional use in AP, GC, HC, LI and GI

Mr. Marx and Mr. Rorholm said they would prefer if towers were camouflaged. Ms. Zellmer Zant discussed liability if a tower fell down.

## UTILITIES

Electrical Energy Generation (not incl. wind) = conditional use in GI

Electrical Energy Wind Generation = conditional use in AP and GI

A discussion ensued regarding what height constitutes a tower, if this was for personal use or commercial, the cost difference per size, and several other issues.

Sewage Treatment Plants = conditional use in AP through GI

A discussion ensued regarding where they would allow treatment plants.

Mr. Rorholm discussed its effectiveness. Mr. Simpson suggested conditional use for all zones.

Utility Substations = conditional in AR, NR SR, okay in HC, GC, LI and GI (not clear)

Electric Wind Generator = conditional use in AP, AR, NR, GC and HC

Sewage Treatment for Subdivision = conditional use from AP through GI

Mr. Rorholm discussed all the different type of treatment available.

Mr. Simpson discussed the different treatments that could be required in the future.

Sewage Lagoon = conditional use in AP, GC, HC, LI and GI

Mr. Simpson discussed the different places a sewage lagoon could be used.

(Storm Water Retention Facilities eliminated because it has to be where it has to be)

(Water and Sewage Pumping Stations eliminated)

(Water Storage Tanks eliminated)

(Utility Transmission eliminated)

**Ms. Zellmer Zant made a motion to adjourn; seconded by Mr. Marx; motion carried.**

Meeting adjourned 9:00 PM