

Minutes - Woodbury County Zoning Commission Meeting March 13, 2007

The meeting convened on the 13th of March, 2007 at 6:04 PM in the Board of Supervisor's meeting room on the first floor of the Court House, Downtown, Sioux City, Iowa. Present were the following Commission members – Chairman Grady Marx, David McWilliams, Christine Zellmer Zant and Arvin Nelson. Dwight Rorholm was absent. Zoning Staff Present: John Pylelo and Peggy Napier. Present from the public was Riley Simpson, the County's consultant with Flat Earth Planning, Kathy Sands from the Assessor's Office and Tom Bride.

The first agenda was approval of February 26, 2007 Commission Minutes.

Mr. McWilliams made a motion to approve the minutes. Mr. Nelson seconded the motion; motion carried 3-0.

The next Agenda Item was a Question and Answer Session with Woodbury County Assessor Kathy Sands.

At previous meetings the commission requested a conference with County Assessor Kathy Sands to address questions related to the impact of zoning designation changes or subdivision approvals upon real estate tax assessments and the resulting taxes due. The Assessor also addressed other inquiries Commission members had.

Following are some of Ms. Sands comments:

- Assessor's zoning affects the property in a limited manner. What they are primarily looking for is the market value of the property.
- Market value is determined by considering the primary use of the property and its sale potential.
- There are eight (8) zoning categories; one set of four for rural and one for urban property. They are Industrial, Residential, Commercial, and Agricultural. A bill in the legislature is trying to create a "Recreational" zoning category.
- Iowa Law states very clear rules on how to determine for tax purposes the primary use of the land. Some considerations are;
 - Grasslands and trees are zoned residential, not Ag.

- Row crops are zoned Ag. When it is no longer planted in row crops, it continues to be zoned Ag for 3 years and is then reassessed at what it will most likely sell for (Ag or Residence).
- The few exceptions to the rules follow a methodology for determination.

Ms. Sands said the most difficult property to assess taxes on were subdivisions that allow such things as hobby farms.

Ms. Sands also stated there are multiple departments and government agencies that use zoning districts, but each one is for a different specific purpose. One has nothing to do with the other and cannot be confused with the County Assessor's definition of zoning or reasons for zoning. Sands stated emphatically if anyone had a question regarding taxation of their property, they should come to the Assessor's Department on the 7th floor of the Courthouse for answers.

The third agenda item is Any Citizen wishing to be heard before the Commission.

Mr. Bride stayed for the rest of the meeting and contributed his questions and thoughts throughout the fourth agenda discussion.

Chairman Marx called for a break for the commission at 7:55 PM. The meeting reconvened at 8:05 PM.

The fourth agenda item is the Work Session Re: Woodbury County Zoning/Subdivision Ordinances and Zoning District Mapping.

Mr. Pylelo distributed handouts of the Home Occupation ordinances for the counties of Plymouth, Story, Lynn, Pottawattamie, Johnson, and Dubuque in Iowa.

A discussion ensued. Plymouth County's ordinance was the closest to what the Commission envisioned for Woodbury County.

The Commission agreed to thoroughly read each county's ordinance and custom design Woodbury County's Home Occupation ordinance at the next meeting.

Ms. Zellmer Zant initiated a discussion on how the Commission will proceed with making the changes on the township maps.

Mr. Bride asked for a clarification of the AP and AE zoning designations.

Ms. Zellmer Zant made a motion to let Planning and Zoning office and Mr. Simpson work on the maps township by township based upon the criteria previously established by the Commission and bring proposed mapping to the Commission) for review, changes and discussion under the condition the mapping be reviewed and approved for recommendation by the Zoning commission.

Chairman Marx asked the assurance of a letter being sent out to alert landowners of changes be added to the motion.

Mr. Pylelo stated he still wanted the Commission involved in problem areas such at the Hwy 20 corridor. He also said the Planning and Zoning Office was ready to do whatever the Commission directed it to do.

Mr. Nelson seconded the motion; motion carried 3-0.

Mr. McWilliams made a motion to adjourn. Ms. Zellmer Zant seconded the motion; motion carried 3-0.

Meeting adjourned 9:02 PM.

Next meetings will be the regular Zoning meeting, Monday, March 26th, 2007 .