

## **Minutes - Woodbury County Zoning Commission Meeting – February 27, 2023**

The Zoning Commission (ZC) meeting convened on the 27th of February at 6:00 PM in the first-floor boardroom in the Woodbury County Courthouse. The meeting was also made available via teleconference.

ZC Members Present: Tom Bride, Corey Meister, Jeff O'Tool  
County Staff Present: Dan Priestley, Dawn Norton  
Public Present: Dolf Ivener, Dan Bittinger

### **Call to Order**

Vice Chair Tom Bride formally called the meeting to order at 6:00 PM.

### **Public Comment on Matters Not on the Agenda**

None.

### **Approval of Previous Meeting Minutes – November 28, 2022**

O'Tool motioned. Second: Meister. 3-0.

### **Election of Chair of Zoning Commission for 2023**

O'Tool nominated and motioned Chris Zellmer Zant. Second by Meister. 3-0.

### **Election of Vice Chair of Zoning Commission for 2023**

Meister nominated and motioned Tom Bride. Second by O'Tool. 3-0.

### **Public Hearing: Barker Addition, Minor Subdivision Proposal on Parcel #874704300003**

Dolf Ivener on behalf of the Maxys Family Farm LLC and the Brian and Bonnie Ivener Trust have filed for a six (6) lot minor subdivision. The proposal is being presented concurrently with a Zoning Ordinance Map Amendment (Rezone) from the Agricultural Perseveration (AP) Zoning District to the Agricultural Estates (AE) Zoning District. Both proposals have been properly noticed in the Sioux City Journal Legals Section on February 11, 2023. The neighbors within 1000 FT have been duly notified via a February 10, 2023, letter about the February 27, 2023, Zoning Commission Public Hearing. Appropriate stakeholders have been notified and requested to comment. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lots have adequate access. Extraterritorial review was waived by the City of Sergeant Bluff with the adoption of Resolution 23-01 on January 10, 2023. A small portion of the property that is not in any buildable area is located in the Special Flood Hazard Area (Zone A – Floodplain). Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. Staff recommends approval with the condition that the property owner sign pavement agreements for any future paving along Barker Avenue and 230<sup>th</sup> Street. The surveyor addressed the County Engineer regarding an error in the plat. The change has been made and highlighted. Copy of pavement agreement and signature plate were added to the plat. Dolf Ivener stated one lot is in the path of a proposed future pipeline. Portions of the parcels are currently located in a floodplain. Siouxland District Health will be involved with the placement of wells and septic systems and work with plans if they need to be placed in that area. The future floodplain map which will come out in approximately June 2024 show the area will be removed from the floodplain. Treasurer shows taxes due; plat can't be completed until taxes are paid. Ivener will bring them up to date. Motion to close public hearing: O'Tool. Second: Meister. Motion approved 3-0. Motion to approve by O'Tool to recommend approval of the Barker Addition and forward to Board of Supervisor's with condition pavement agreement be signed for future grading and hard surfacing of along Barker Avenue and 230<sup>th</sup> Street. Second: Meister. Motion approved 3-0.

### **Public Hearing: Zoning Ordinance Map Amendment (Rezone) from AP to AE Proposal – Portion of Parcel #874704300003**

Priestley read the preliminary report and staff recommendation into the record. Dolf Ivener on behalf of Maxys Family Farm LLC and the Brian and Bonnie Ivener Trust have filed an application for a zoning ordinance map amendment (rezone) on property currently zoned Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District for the propose of establishing six residential lots through a concurrent minor subdivision application. This proposal has been properly noticed in the Sioux City Journals Legals Section on February 11, 2023. The neighbors within 1000 FT have been notified via a February 10, 2023, letter about the February 27, 2023, Zoning Commission public hearing and have been requested to comment. As of February 22, 2023, no comments or inquiries have been received. Appropriate stakeholders including government agencies, utilities and organizations have been notified and have been requested to comment. No objections were received from the stakeholders. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. It is the recommendation of staff to approve this zoning ordinance map amendment (rezone) to the AE Zoning District. Discussion of Corn Suitability Rating, development is encouraged to take place in areas identified by the Future Land Use Map and the county's General Plan. Motion to close the public hearing Meister. Second: O'Tool. Motion approved 3-0. Motion to recommend acceptance and approval of the zoning ordinance map amendment from the Agricultural Preservation (AP) to the Agricultural Estate (AE) Zoning District to the Woodbury County Board of Supervisors by Meister. Second O'Tool. Motion approved 3-0.

**Information/Discussion: Woodbury County Comprehensive Plan 2040 Update**

SIMPCO is in the process of putting together the 2040 Plan, Chris Zellmer Zant is on the SIMPCO Board. It is an ongoing process to identify goals for future land use and expansion for business, residential and commercial areas within the county. Cities within the county will also have their own Comprehensive Plans, the goal is to work in harmony to present a plan that works together with the cities and rural areas. When completed, the Plan will be presented to the Board of Supervisors along with be public meetings for input.

**Information/Discussion: The New woodburycountyiowa.gov Website**

Recently the Board of Supervisors requested a new County website be developed. The website is a communication tool to help answer questions regarding duties and functions of all county departments, along with informational tabs and links to forms, and guidance to complete them. Meetings can be live streamed, and individuals can set up customized notifications of updates and notices.

**Public Comment on Matters Not on the Agenda**

Extraterritorial review between rural and city properties was discussed. Iowa Code allows each city the right to review any development within 2 miles of their jurisdiction.

**Staff Update**

Board of Supervisors has received the pipeline ordinance information from the November 28<sup>th</sup> public hearing, which was helpful for citizens to understand the processes Woodbury County would use for implementation of new pipelines and reverse setbacks. The decision from the Iowa Utilities Board is still pending. Our process would be a Conditional Use Permit, which would go through the Zoning Commission and the Board of Adjustment for regulatory approval.

**Adjourn**

Motion by O'Tool. Second: Meister. 3-0. The meeting adjourned at 7:08 PM.