

## Minutes - Woodbury County Zoning Commission – February 26, 2024

The Zoning Commission (ZC) meeting convened on the 26th of February at 5:00 PM in the Board of Supervisors' meeting room in the Basement of the Woodbury County Courthouse, 620 Douglas Street, Sioux City, IA. The meeting was also made available via teleconference.

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### Meeting Audio:

For specific content of this meeting, refer to the recorded video on the Woodbury County Zoning Commission "Committee Page" on the Woodbury County website:

- County Website Link:
  - o [https://www.woodburycountyiowa.gov/committees/zoning\\_commission/](https://www.woodburycountyiowa.gov/committees/zoning_commission/)
- YouTube Direct Link:
  - o <https://www.youtube.com/watch?v=pf66pTyn98s>

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ZC Members Present:	Chris Zant, Barb Parker, Jeff Hanson, Corey Meister
County Staff Present:	Dan Priestley, Dawn Norton
Public Present:	Andrew Orr, Chris Kovarna, Lydia Gaunitz
Telephone:	None

### Call to Order

Chair Chris Zant formally called the meeting to order at 5:00 p.m. Tom Bride was absent.

### Public Comment on Matters Not on the Agenda

None

**Approval Of Minutes:** January 22, 2024 minutes – Motion by Parker. Second by Hanson. Approved 4-0.

### **ACTION ITEM - REVIEW OF CONDITIONAL USE PERMIT APPLICATION: DISTURBANCE OF EARTHEN MATERIALS, IMPORT OF EARTHEN MATERIALS, CRUSHING AGGREGATE MATERIALS, STAGING CRUSHED AGGREGATE TEMPORARILY, EXPORTING CRUSHED AGGREGATE, AND RECTIFYING THE SITE: PARCEL #: 894632300022**

JB Holland Construction (Applicant) and James A. Orr (Owner) have submitted a conditional use permit (CUP) application to use the property located on Parcel #894632300022 in T89N R46W (Concord Township), in the SE ¼ of the SW ¼ of Section 32, General Commercial (GC) Zoning District, as a location to support the north bound Highway 20 project by using the site for the "disturbance of earthen materials, import of earthen materials, crushing aggregate materials, staging crushed aggregate temporarily, exporting crushed aggregate, and rectifying the site." The property is located east of Sioux City and less than 700 FT from the corporate boundary. The property is not located within the Special Flood Hazard Area (SFHA). The requested uses are acceptable for the consideration of a CUP and compatible with Sections 3.03.3 and 3.03.4 of the Zoning Ordinance including the association with temporary heaving construction services uses such as aggregate crush & screen (temporary).

Staff received two phone comments on February 23, 2024. David McWilliams is a neighboring landowner who offered concerns about dust control mitigation, noise and vibration, and reasonable hours of operation. Attorney David Briese asked about footprint of the project. Staff recommends approval of this proposal as it is an integral part of completing the Hwy 20 project.

Lydia Gaunitz, representing JB Holland Construction, stated environmental safety is an important issue, dust mitigation will be enforced. The grade of the parcel will match abutting property. Hours of operation will be 6:30 a.m. – 6:30 p.m. JB Holland will work with the nearby church to avoid disruption of their activities. Newer equipment used by JB Holland produces minimal notice and vibration. Crushing crew will have sprinklers on equipment to minimize dust. Lydia stated hours of operation could be adjusted if needed to accommodate neighboring stakeholders.

Priestley stated Board of Adjustment could state in resolution hours of operation, flexibility for church and neighboring landowner activities. Lydia stated westbound lanes of Hwy 20 will be torn up, then crushing will begin. The project will begin immediately after approval of conditional use permit, and when the state archeology study is completed. The project could take approximately 3 months, they would like to start early this Spring.

Chris Kovarna questioned access to his business, Greenway, during the project. With this being an IDOT project, Mr. Kovarna will need to contact Dakin Shultz from Iowa Department of Transportation.

Meister made a motion to recommend approval of the conditional use permit to send to the Board of Adjustment clear hours of operation, a line of communication for any possible interference with church events and the dust control mitigation clearly defined. Second by Hanson. Carried 4-0.

**INFORMATION ITEM – PROPOSED AMENDMENTS TO SECTION 5.03: FLOODPLAIN MANAGEMENT ORDINANCE IN THE WOODBURY COUNTY ZONING ORDINANCE**

The Federal Emergency Management Agency (FEMA) and the Iowa Department of Natural Resources (IDNR) are requiring Woodbury County to update the floodplain management portion of the zoning ordinance in anticipation for when the draft flood insurance rate maps (FIRMs) go into effect on July 17, 2024. The Zoning Commission will need to review the proposed changes at a future public hearing, to be determined, in preparation for a recommendation to the Board of Supervisors. The following sections will be requested to be considered for amendments: Section 5.03.1 AA; Section 5.03.3 B; Section 5.03.10 B(4); Section 5.03.10 C(2). The draft floodplain maps are available for inspection online at: <https://ifis.iowafloodcenter.org/ifis/newmaps/hazard/>

Priestley stated Woodbury County has been notified by FEMA and IDNR that the floodplain maps are going to be in effect on July 17, 2024. The County is required to amend the floodplain ordinance accordingly. LOMA's issued previously have been taken out of the floodplain, with the exception of five parcels which will be in the floodplain. The Zoning Commission will need to conduct a public hearing and prepare a recommendation to the Board of Supervisors in the future.

**INFORMATION ITEM – DISCUSSION ABOUT THE WOODBURY COUNTY COMPREHENSIVE PLAN 2040**

A discussion about the steps ahead for the Woodbury County Comprehensive Plan for 2040. The contents of the plan include the purpose; a community profile; housing; economic development; transportation; public infrastructure & utilities; community facilities & services; land use & natural resources; disaster response, recovery, & resiliency; implementation & administration. The draft comprehensive plan is available for inspection online at: <http://tinyurl.com/Woodbury2040>

Priestley spoke about the process of putting together the comprehensive plan. Erin Berzina and Corrine Krickson from SIMPCO have collected a large amount of data for the plan. The plan is in its 11<sup>th</sup> hour and can be brought to the Zoning Commission at a future date for the consideration of a recommendation to the Board of Supervisors who will in turn conduct three public hearings in anticipation of the possible adoption via resolution.

**PUBLIC COMMENTS NOT ON THE AGENDA**

None

**Staff Update**

Priestley noted the recommendation for the utility-scale solar ordinance conditional use in General Industrial (GI) has been sent to the County Attorney's Office for review. It will be brought back to the Zoning Commission for a public hearing, then sent to the Board of Supervisors.

The Board of Adjustment will meet March 4<sup>th</sup>, 2024.

**COMMISSIONER COMMENT OR INQUIRY**

None

**Motion to Adjourn**

Meister. Seconded by Hanson. Carried 4-0.