



## NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS (JUNE 30, 2020) (WEEK 27 OF 2020)

Live streaming at:  
<https://www.youtube.com/user/woodburycountyiowa>

Agenda and Minutes available at:  
[www.woodburycountyiowa.gov](http://www.woodburycountyiowa.gov)

**Boardroom Phone: 712-224-6014**

**Due to the Governor's proclamation issued March 20th access to this meeting will be by live streaming on YouTube with telephonic access by telephone number listed above.**

Rocky L. De Witt 253-0421 <a href="mailto:rdewitt@woodburycountyiowa.gov">rdewitt@woodburycountyiowa.gov</a>	Marty J. Pottebaum 251-1799 <a href="mailto:mpottebaum@woodburycountyiowa.gov">mpottebaum@woodburycountyiowa.gov</a>	Keith W. Radig 560-6542 <a href="mailto:kradig@woodburycountyiowa.gov">kradig@woodburycountyiowa.gov</a>	Matthew A. Ung 490-7852 <a href="mailto:matthewung@woodburycountyiowa.gov">matthewung@woodburycountyiowa.gov</a>
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You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held June 30, 2020 at **4:30 p.m.** in the basement of the courthouse, 620 Douglas Street, Sioux City, Iowa for the purpose of taking official action on the agenda items shown hereinafter and for such other business that may properly come before the Board.

This is a formal meeting during which the Board may take official action on various items of business. If you wish to speak on an item, please follow the seven participation guidelines adopted by the Board.

1. Anyone may address the Board on any agenda item after initial discussion by the Board.
2. Speakers will approach the microphone one at a time and be recognized by the Chair.
3. Speakers will give their name, their address, and then their statement.
4. Everyone will have an opportunity to speak. Therefore, your remarks may be limited to three minutes on any one item.
5. At the beginning of the discussion on any item, the Chair may request statements in favor of an action be heard first followed by statements in opposition to the action.
6. Any concerns or questions you may have which do not relate directly to a scheduled item on the agenda will also be heard under the first or final agenda item "Citizen Concerns."
7. For the benefit of all in attendance, please silence cell phones and other devices while in the Board Chambers.

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### **AGENDA**

**4:30 p.m.** Call Meeting to Order – Pledge of Allegiance to the Flag – Moment of Silence

- |                           |             |
|---------------------------|-------------|
| 1. Citizen Concerns       | Information |
| 2. Approval of the agenda | Action      |

#### **Consent Agenda**

**Items 3 through 7 constitute a Consent Agenda of routine action items to be considered by one motion. Items pass unanimously unless a separate vote is requested by a Board Member.**

3. Approval of the minutes of the June 23, 2020 meeting
4. Approval of claims
5. Board Administration – Karen James
  - a. Approval of resolution for a tax suspension for M.R.
  - b. Approval to appoint Polly Meisner and Julie Hamann to the Woodbury County Library Board

6. Board Administration - Dennis Butler  
Approval of transfer from General Basic Fund to Debt Service Fund
7. Human Resources – Melissa Thomas  
Approval of Memorandum of Personnel Transactions

### **End Consent Agenda**

- |                                |   |  |             |
|--------------------------------|---|--|-------------|
|                                | 8. Board Administration – Dennis Butler   |  |             |
|                                | a. Approval of Appropriation Resolution for FY 2021   |  | Action      |
|                                | b. Approval of resolutions for Inter-Fund Operating Transfers for FY 2021                                 |  | Action      |
|                                | 9. Community & Economic Development – David Gleiser   |  |             |
|                                | a. Approval of Final Plat for the Clemz Addition Minor Subdivision  |  | Action      |
|                                | b. Receive the Zoning Commission’s recommendation to approve the zoning district map amendment (Weed)     |  | Action      |
| <b>4:40 p.m.</b><br>(Set time) | c. Public hearing, then motion to approve the zoning district map amendment                               |  | Action      |
|                                | d. Motion to conduct the first reading of the ordinance   |  | Action      |
|                                | e. Receive the Zoning Commission’s recommendation to approve the zoning district map amendment (Swanger)  |  | Action      |
| <b>4:45 p.m.</b><br>(Set time) | f. Public hearing, then motion to approve the zoning district map amendment                               |  | Action      |
|                                | g. Motion to conduct the first reading of the ordinance   |  | Action      |
|                                | h. Receive the Zoning Commission’s recommendation to approve the zoning district map amendment (Peterson) |  | Action      |
| <b>4:50 p.m.</b><br>(Set time) | i. Public hearing, then motion to approve the zoning district map amendment                               |  | Action      |
|                                | j. Motion to conduct the first reading of the ordinance   |  | Action      |
|                                | 10. Board of Supervisors – Keith Radig<br>Approval of Quality Assurance Questionnaire                     |  | Action      |
|                                | 11. Reports on Committee Meetings   |  | Information |
|                                | 12. Citizen Concerns  |  | Information |
|                                | 13. Board Concerns  |  | Information |

### **ADJOURNMENT**

*Subject to Additions/Deletions*

## CALENDAR OF EVENTS

- THU., JULY 2 10:00 a.m.** COAD Meeting, The Security Institute
- MON., JULY 6 6:00 p.m.** Board of Adjustment meeting, First Floor Boardroom
- TUE., JULY 7 4:45 p.m.** Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
- WED., JULY 8 8:05 a.m.** Woodbury County Information Communication Commission, First Floor Boardroom
- 10:00 a.m.** STARComm Executive Board meeting, The Security Institute
- 12:00 p.m.** District Board of Health Meeting, 1014 Nebraska St.
- 6:30 p.m.** E911 Service Board Meeting, Climbing Hill Disaster Services Class Room
- 8:00 p.m.** County's Mayor Association Meeting, Public Safety Center, Climbing Hill
- WED., JULY 15 12:00 p.m.** Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
- 10:00 a.m.** Siouxland Center for Active Generations Board of Directors Meeting, 313 Cook St.
- THU., JULY 16 4:00 p.m.** Conservation Board Meeting, Little Sioux Park
- 4:30 p.m.** Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
- WED., JULY 22 2:30 p.m.** Rolling Hills Community Services Region Governance Board Meeting
- THU., JULY 23 11:00 a.m.** Siouxland Regional Transit Systems (SRTS) Board Meeting, SIMPCO Office, 1122 Pierce
- MON., JULY 27 6:00 p.m.** Zoning Commission Meeting, First Floor Boardroom
- TUE., JULY 28 2:00 p.m.** Decat Board Meeting, Western Hills AEA, Room F
- MON., AUG. 3 6:00 p.m.** Board of Adjustment meeting, First Floor Boardroom
- TUE., AUG. 4 4:45 p.m.** Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
- WED., AUG. 5 9:00 a.m.** Loess Hills Alliance Protection Committee Meeting, Pisgah, Iowa
- 10:30 a.m.** Loess Hills Alliance Stewardship Meeting
- 12:00 p.m.** District Board of Health Meeting, 1014 Nebraska St.
- 1:00 p.m.** Loess Hills Alliance Executive Meeting
- THU., AUG. 6 10:00 a.m.** COAD Meeting, The Security Institute

**Woodbury County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will consider reasonable accommodations for qualified individuals with disabilities and encourages prospective employees and incumbents to discuss potential accommodations with the Employer.**

*Federal and state laws prohibit employment and/or public accommodation discrimination on the basis of age, color, creed, disability, gender identity, national origin, pregnancy, race, religion, sex, sexual orientation or veteran's status. If you believe you have been discriminated against, please contact the Iowa Civil Rights Commission at 800-457-4416 or Iowa Department of Transportation's civil rights coordinator. If you need accommodations because of a disability to access the Iowa Department of Transportation's services, contact the agency's affirmative action officer at 800-262-0003.*

**JUNE 23, 2020, TWENTY-SIXTH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS**

The Board of Supervisors met on Tuesday, June 23, 2020 at 4:30 p.m. Board members present were Pottebaum, Radig, De Witt, and Ung. Staff members present were Karen James, Board Administrative Assistant, Dennis Butler, Budget/Tax Analyst, Melissa Thomas, HR Director, and Patrick Gill, Auditor/Clerk to the Board.

The regular meeting was called to order with the Pledge of Allegiance to the Flag and a Moment of Silence.

1. There were no citizen concerns.
2. Motion by Ung second by De Witt to approve the agenda for June 23, 2020, Carried 4-0. Copy Filed.

Motion by Ung second by Radig to approve the following items by consent:

3. To approve minutes of the June 16, 2020 meeting. Copy filed.
4. To approve the claims totaling \$845,284.00. Copy filed.
5. To approve and authorize the Chairperson to sign a Resolution approving petition for suspension of taxes for Patricia Dailey, 2716 W. Cottage Ave., Sioux City, parcel #894719352004.

**WOODBURY COUNTY, IOWA  
RESOLUTION #13,009  
RESOLUTION APPROVING PETITION FOR SUSPENSION OF TAXES**

**WHEREAS**, Patricia Dailey, is the titleholder of property located at 2716 W. Cottage Ave., Sioux City, IA, Woodbury County, Iowa, and legally described as follows:

**Parcel #894719352004**

**GARDEN ACRES 2<sup>ND</sup> EX NE 5 FT LOT 32 EX NE 5 FT LOT 33**

**WHEREAS**, Patricia Dailey is the titleholder of the aforementioned property have petitioned the Board of Supervisors for a suspension of taxes pursuant to the 2017 Iowa Code section 427.9, and

**WHEREAS**, the Board of Supervisors recognizes from documents provided that the petitioner is unable to provide to the public revenue; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Woodbury County Board of Supervisors hereby grants the request for a suspension of taxes, and hereby directs the Woodbury County Treasurer to so record the approval of this tax suspension for this property.

**SO RESOLVED** this 23rd day of June, 2020.  
WOODBURY COUNTY BOARD OF SUPERVISORS  
Copy filed.

- 6a. To approve the separation of Robert Sorensen, P/T Courthouse Safety & Security Officer, County Sheriff Dept., effective 06-15-20. Resignation.; and the appointment of Sophia Arens, Civilian Jailer, County Sheriff Dept., effective 06-29-20, \$19.86/hour. Job Vacancy Posted 5-6-20. Entry Level Salary: \$19.86/hour. Copy filed.
- 6b. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for P/T Courthouse Safety & Security Officer, County Sheriff Dept. Wage Plan comparability with AFSCME Courthouse: \$16.84-\$18.50/hour. Copy filed.
7. To receive for signatures a Resolution naming depositories for the County Treasurer.

**RESOLUTION NAMING DEPOSITORIES**

**RESOLUTION #13,010**

**BE IT RESOLVED** by the Woodbury County Board of Supervisors in Woodbury County, Iowa: That we do hereby designate the following named banks to be depositories of the Woodbury County funds in amounts not to exceed the amount named opposite each of said designated depositories and Michael Clayton, Woodbury County Treasurer is hereby authorized to deposit the Woodbury County funds in amounts not to exceed in the aggregate the amounts named for said banks as follows, to wit:

NAME OF DEPOSITORY	LOCATION	MAXIMUM DEPOSIT	MAXIMUM DEPOSIT
		In the effect Prior resolution	under the resolution
U.S. Bank	Sioux City, Iowa	\$50,000,000	\$50,000,000
Security National Bank	Sioux City, Iowa	100,000,000	100,000,000
Wells Fargo Bank	Sioux City, Iowa	50,000,000	50,000,000
PeoplesBank	Sioux City, Iowa	50,000,000	5,000,000
First National Bank	Sioux City, Iowa	50,000,000	50,000,000
Primebank	Sioux City, Iowa	50,000,000	50,000,000
Great Southern Bank	Sioux City, Iowa	5,000,000	5,000,000
First National Bank	Correctionville, Iowa	1,000,000	1,000,000
Pioneer Bank	Sergeant Bluff, Iowa	10,000,000	10,000,000
Sloan State Bank	Sloan, Iowa	5,000,000	5,000,000
Valley Bank & Trust	Danbury, Iowa	1,500,000	1,500,000
BankFirst	Hornick, Iowa	5,000,000	5,000,000
First National Bank	Correctionville, Iowa	5,000,000	5,000,000
United Bank of Iowa	Moville, Iowa	5,000,000	5,000,000
United Bank of Iowa	Anthon, Iowa	5,000,000	5,000,000
Liberty National Bank	Sioux City, Iowa	25,000,000	25,000,000
First American Bank	Sioux City, Iowa	10,000,000	10,000,000
Central Bank	Sioux City, Iowa	10,000,000	10,000,000
Kingsley State Bank	Sergeant Bluff, Iowa	1,000,000	1,000,000
First State Bank	Danbury, Iowa	5,000,000	\$5,000,000

**SO RESOLVED** this 23th day of June 2020  
 WOODBURY COUNTY BOARD OF SUPERVISORS  
 Copy filed.

- 8. To receive Juvenile Detention May population report. Copy filed.

9a. To approve the underground utility permit for CenturyLink for a telephone drop on 120<sup>th</sup> St. Copy filed.

9b. To approve the underground utility permit for CenturyLink for a telephone drop on Carroll Ave. Copy filed.

Carried 4-0.

10a. Motion by Radig second by Pottebaum to approve the appointments of the Woodbury County Library Board of Trustees. Carried 4-0. Copy filed.

10b. Motion by De Witt second by Pottebaum to approve the appointment to the Veterans Affairs Commission. Carried 4-0. Copy filed.

12. A public hearing was held at 4:45 p.m. for amendment #1 to the Woodbury County FY 2020 budget. The Chairperson called on anyone wishing to be heard.

Motion by Ung second by De Witt to close the public hearing. Carried 4-0.

Motion by Ung second by Pottebaum to approve the amendment #1 to the Woodbury County FY 2020 budget. Carried 4-0. Copy filed.

11. Motion by Ung second by Pottebaum to approve the add on of Executime Advanced Scheduling to be paid out of FY21 CIP funds. Carried 4-0. Copy filed.

13a. Motion by De Witt second by Ung to award the bid for project #BRS-SWAP-6012(601)—FF-97 to for \$. Carried 4-0. Copy filed.

13b. Motion by De Witt second by Ung to award the bid for project #BROS-SWAP-CO97(135)—FE-97 to for \$. Carried 4-0. Copy filed.

13c. Motion by De Witt second by Ung to approve the contract and bond for project #L-B(M66)—73-97 with Godberon Smith Construction, Ida Grove, IA, for \$261,771.85. Carried 4-0. Copy filed.

14. Motion by Ung second by Radig to approve the 28E Agreement for Rolling Hills Community Services Region, effective July 1, 2020. Carried 4-0. Copy filed.

15. The Board heard reports on committee meetings.

16. There were no citizen concerns.

17. Board concerns were heard.

Motion by Ung second by De Witt to receive a letter signed by the Chairperson authorizing the application for a Missouri River Historical Development grant. Carried 4-0.

The Board adjourned the regular meeting until June 30, 2020.

Meeting sign in sheet. Copy filed.

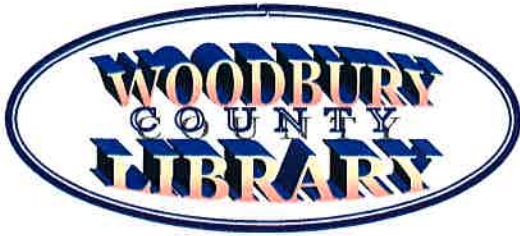
**WOODBURY COUNTY, IOWA  
BOARD ADMINISTRATION  
MEMORANDUM**

**TO:** Board of Supervisors  
**FROM:** Karen James, Board Administrative Assistant  
**RE:** Consideration of a Petition for a Tax Suspension  
**DATE:** June 24, 2020

Please consider this request for a tax suspension for M.R. If the Board approves this request, the suspension resolution requires the chairman's signature

Thank you.

kmj



- 825 Main Street
- P.O. Box 625
- Merville, Ia. 51039

Karen James  
Administrative Coordinator  
Woodbury County Board of Supervisors  
Woodbury County Court House  
620 Douglas Street  
Room 104  
Sioux City, Iowa, 51101

June 23, 2020

Dear Karen:

The Woodbury County Library Board would like to submit the following names to the County Board of Supervisors.

1. Polly Meisner would replace Barbara Hardie, whose term expired June 2020.
2. Julie Hamann would replace Becky Jessen, whose term expired June 2020.

1. Polly Meisner, 6458 B Avenue, Pierson, Iowa. 51048
2. Julie Hamann, 4424 230<sup>th</sup> Street, Correctionville, Ia. 51016

Thank You, Karen for your services to the Woodbury County Library. I do appreciate your assistance and advice.

Sincerely,

A handwritten signature in blue ink that reads "Donna Chapman". The signature is written in a cursive style.

Donna Chapman  
Woodbury County Library Director



Woodbury County Library  
Board of Trustee Members

June 2020

Rate of \$ .505 per mile

2021	Boyle, Dennis 3079 Safford Ave. Danbury, Ia. 51019 Cell 712-880-1147 <a href="mailto:denboy9@icloud.com">denboy9@icloud.com</a>	66 miles	\$33.33
2020	<b>Hardie, Barbara (off)</b> Vacant – Summit - Polly Meisner, Pierson		
2020	<b>Jessen, Becky (off)</b> Vacant – Summit - Julie Hamann - Correctionville		
2024	Linden, Scott P.O. Box 4 Merville, Iowa 51039 cell 712-870-1630 <a href="mailto:Sig1dog@yahoo.com">Sig1dog@yahoo.com</a>	miles	\$
2021	Matthias, Susan 3386 Hancock Avenue Smithland, Iowa 51056 874-3400 cell 870-0051 <a href="mailto:loess1@waitel.net">loess1@waitel.net</a>	40 miles	\$20.20
2024	<b>Vacant – Carol Nelson (Waiting for confirmation from county)</b> (Replace Jay Hardy)		
2021	Peterson, Dale Box 245 Lawton, Iowa 51030 712-251-4014 <a href="mailto:dtpdc@waitel.net">dtpdc@waitel.net</a>	18 miles	\$9.09
2024	Sanders, Alicia 423 East Main Street Lawton, Iowa 51030 Cell 712-389-0669 <a href="mailto:asanders@siouxlanddistricthealth.org">asanders@siouxlanddistricthealth.org</a>	14 miles	\$7.07
2020	Tyer, Barb 3287 150 <sup>th</sup> St. Kingsley, Ia. 51028 712-378-3551 <a href="mailto:ctyer1@hotmail.com">ctyer1@hotmail.com</a>	12 miles	\$6.06

**Woodbury County Library Board  
Officers  
July 2020– June 2021**

**President – Dale Peterson**

**Vice President – Alicia Sanders**

**Financial Secretary – Scott Linden**

**Recording Secretary – Susan Matthias**

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 6/25/2020 Weekly Agenda Date: 6/30/2020

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Dennis Butler - Finance/Budget Director

**WORDING FOR AGENDA ITEM:**

Approval of transfer from General Basic Fund to Debt Service Fund

**ACTION REQUIRED:**

- Approve Ordinance       Approve Resolution       Approve Motion   
Public Hearing       Other: Informational       Attachments

**EXECUTIVE SUMMARY:**

Due to the delay of the annual tax sale, use of cash reserves & projections for Business Tax Credit reimbursements, there is a need to transfer \$20,000 to make expenditures equal to reserves.

**BACKGROUND:**

See attached memo.

**FINANCIAL IMPACT:**

General Basic Fund - \$20,000

**IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?**

Yes       No

**RECOMMENDATION:**

Approve Transfer

**ACTION REQUIRED / PROPOSED MOTION:**

Motion by \_\_\_\_\_, second by \_\_\_\_\_ to approve transfer of funds from General Basic Fund to the Debt Service Fund in the amount of \$20,000.

**WOODBURY COUNTY, IOWA  
BOARD ADMINISTRATION  
MEMORANDUM**

TO: Board of Supervisors  
FROM: Dennis Butler, Budget/Finance Director  
DATE: June 25, 2020  
RE: Funding Debt Service

The Debt Service Fund has a balance of -\$18,000. This is due, in large part, as the tax sale has been delayed till possibly July. The number of parcels delinquent is approximately 3,400, compared to 1,000 parcels in previous years.

Also, the business tax credit reimbursement fell short of projections made at the budget hearings.

To hold the tax rate down for FY20 in the Debt Service Fund, cash reserves were used to accomplish this task.

To make the Debt Service Fund positive by June 30, 2020, a transfer of cash needs to be made from General Basic to Debt Service in the amount of \$20,000.

I will be available for any questions.

## Dennis Butler

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**From:** Mike Clayton  
**Sent:** Thursday, June 25, 2020 10:11 AM  
**To:** Dennis Butler  
**Subject:** Taxes unpaid

Dennis,

Outstanding parcels with BLLs  
3359 parcels \$3,747,270.26 as of late yesterday.

Mike

Michael R. Clayton  
Woodbury County Treasurer  
822 Douglas St Room 102  
Sioux City IA 51101  
712-279-6495  
Pay On-Line Not In-Line

# HUMAN RESOURCES DEPARTMENT

## MEMORANDUM OF PERSONNEL TRANSACTIONS

DATE: June 30, 2020

**\* PERSONNEL ACTION CODE:**

A- Appointment                      R- Reclassification  
T - Transfer                         E- End of Probation  
P - Promotion                       S - Separation  
D - Demotion                         O - Other

**TO: WOODBURY COUNTY BOARD OF SUPERVISORS**

NAME	DEPARTMENT	EFFECTIVE DATE	JOB TITLE	SALARY REQUESTED	% INCREASE	*	REMARKS
Butler, Seth	County Sheriff	7-06-20	Civilian Jailer	\$20.46/hour		A	Job Vacancy Posted 5-20-20. Entry Level Salary: \$20.46/hour.
Luesebrink, Daniel	County Sheriff	7-16-20	Sheriff Deputy	\$29.23/hour		A	Appointment by County Sheriff.

APPROVED BY BOARD DATE: \_\_\_\_\_

MELISSA THOMAS, HR DIRECTOR: Melissa Thomas, HR Director



## Woodbury County Sheriff's Office

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LAW ENFORCEMENT CENTER  
P. O. BOX 3715 SIOUX CITY, IOWA 51102

DAVID A. DREW, SHERIFF

PHONE: 712.279.6010  
E-MAIL: [ddrew@woodburycountyiowa.gov](mailto:ddrew@woodburycountyiowa.gov)  
FAX: 712.279.6522

23 June 2020

To the Woodbury County Board of Supervisors & Human Resources Department,

The Woodbury County Sheriff's Office respectfully requests discussion and action on the authorization to hire Daniel Luesebrink as a sworn Deputy Sheriff, effective Thursday, July 16, 2020, for the position recently vacated by Deputy Arthur Doakes' resignation. We request this be placed on the agenda for the Tuesday, June 30, 2020, Woodbury County Board of Supervisors meeting. Thank you.

Sincerely,

A handwritten signature in black ink that reads "David Drew".

Dave Drew, Sheriff

Cc: file



## Woodbury County Sheriff's Office

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LAW ENFORCEMENT CENTER  
P. O. BOX 3715 SIOUX CITY, IOWA 51102

DAVID A. DREW, SHERIFF

PHONE: 712.279.6010  
E-MAIL: [ddrew@woodburycountyiowa.gov](mailto:ddrew@woodburycountyiowa.gov)  
FAX: 712.279.6522

24 June 2020

To the Board of Supervisors and Human Resources Department,

This letter is to inform Woodbury County of my intention to start recently hired Deputy Sheriff Dan Luesebrink, as a Class I Deputy Sheriff.

Deputy Luesebrink came to the Woodbury County Sheriff's Office with 3 years of law enforcement experience. He is already a state certified law enforcement officer through the Nebraska State Law Enforcement Academy. Because of Deputy Luesebrink's training and experience, he greatly reduced the cost of his hire by not needing the expensive Iowa Law Enforcement Academy training. We will also be able to provide him with an abbreviated field training program, which will save the County even more.

To attract this type of deputy recruit, it is necessary that the deputy recruits experience and training be recognized through the increased starting rate of pay over an untrained, inexperienced deputy filling the same position. Please prepare the appropriate paperwork necessary to fulfill this objective. Thank you.

In Liberty,

A handwritten signature in black ink that reads "David Drew".

Dave Drew, Sheriff

Cc: file



**Woodbury County, Iowa  
Appropriation Resolution  
For Fiscal Year 2021**

Resolution #

**Whereas**, it is desired to make appropriations for each Service Area and Program Activity of County Government for the Fiscal Year 2021, beginning July 1, 2020, and

**Now**, therefore, be it resolved by the Woodbury County Board of Supervisors that the amounts detailed by Service Area on the Adopted FY 2021 Woodbury County Budget Summary Form 638-R constitute the authorization to make expenditures from the County's funds beginning July 1, 2020 and continuing until June 30, 2021, and

**Futhermore**, this Appropriation Resolution extends the spending authority of each County Program Activity to the amount appropriated to it as follows:

<u>Fund/Dept</u> <u>Division</u>	<u>Amount</u>	<u>Fund/Dept</u> <u>Division</u>	<u>Amount</u>	<u>Fund/Dept</u> <u>Division</u>	<u>Amount</u>	<u>Fund/Dept</u> <u>Division</u>	<u>Amount</u>
0001-0030	701,034	0001-1000	1,564,276	0001-1002	34,402	0001-1004	29,228
0001-1011	450,049	0001-1013	20,460	0001-1040	643,817	0001-1050	7,012,575
0001-1060	1,650,338	0001-1061	138,781	0001-1100	2,354,076	0001-1102	119,668
0001-1104	220,746	0001-1105	162,239	0001-1106	45,296	0001-1110	191,000
0001-1540	536,813	0001-1610	571,406	0001-3040	2,715,281	0001-3100	125,800
0001-3101	26,950	0001-3110	100,000	0001-3200	308,933	0001-3201	10,000
0001-3210	35,000	0001-6100	496,226	0001-6110	1,115,727	0001-6120	426,616
0001-6123	54,500	0001-8100	1,089,637	0001-8110	748,938	0001-9000	388,610
0001-9001	363,654	0001-9010	309,295	0001-9020	531,961	0001-9030	345,037
0001-9031	11,821	0001-9032	4,000	0001-9033	63,650	0001-9101	700,368
001-9102	649,711	0001-9103	467,484	0001-9104	2,500	0001-9105	12,117
0001-9106	5,000	0001-9108	524,598	0001-9109	21,258	0001-9110	1,305,227
0002-1200	594,880	0002-1210	133,214	0002-1231	70,379	0002-1400	26,250
0002-1430	302,818	0002-1500	36,000	0002-1520	948,351	0002-1620	351,000
0002-3300	1,991,625	0002-3310	200,000	0002-8000	412,230	0002-8002	195,412
0002-9200	800,000	0003-9000	302,369	0007-1060	113,923	0008-1050	121,380
0009-1050	254,846	0010-4022	211,988	0010-4075	81,678	0010-4222	49,008
0010-4413	3,861,799	0011-011	235,531	0011-1000	1,040,321	0011-6000	39,000
0011-6010	95,216	0011-6020	242,074	0011-6200	7,067	0011-6320	277,869
0011-8020	7,000	0020-0020	1,600,000	0020-7000	11,000	0020-7001	3,000
0020-7010	960,610	0020-7011	16,500	0020-7012	14,000	0020-7013	76,000
0020-7014	65,000	0020-7100	100,000	0020-7101	190,000	0020-7110	25,000
0020-7111	3,863,431	0020-7112	18,000	0020-7113	2,310,000	0020-7120	2,500
0020-7130	220,000	0020-7200	1,155,000	0020-7210	463,000	0020-7211	805,000
0020-7212	104,000	0020-7220	7,000	0020-7221	15,000	0020-7222	125,000
0020-7230	5,000	0020-7231	40,000	0020-7232	110,000	0021-0200	400,000
0023-6100	100,000	0024-8111	220,000	0028-8111	2,700	0029-1201	251,353
0030-1200	169,472	0031-9001	250,141	0040-0000	200,000	0040-0801	70,000
0040-0802	10,000	0059-1200	5,000	0061-6400	238,226	0067-6100	550,000
0067-6121	3,500	0067-6122	80,663	0074-1100	145,000	0078-1060	4,000
0086-1100	70,000	1500-1060	500,000	1500-1200	78,000	1500-1210	123,066
1500-6110	600,000	1500-9101	270,000	1500-9106	28,000	2000-0101	100,000
2000-0103	371,740	2000-0105	157,512	2000-0107	180,000	2220-0108	375,000
2000-0109	272,852	2000-0111	13,930	2000-0113	51,783	2000-0115	15,374
2000-0117	22,500	2000-0118	22,500	2000-0119	21,692		

**Accordingly**, until such time as a Service Area is identified as progressing to a spending level challenging its appropriation, a budget amendment per 331.435 will not be implemented,

**However**, should a Program Activity approach a spending level challenging its appropriation level, and the Service Area continues balanced, the Board of Supervisors will be requested to increase the Program's spending authority by resolving to permit such, and,

**Additionally**, the Board of Supervisors may be requested to decrease a Program's appropriation by 10% or \$5,000, whichever is greater, to appropriate a like amount to a Program Activity requesting same: 331.434 sub 6 will govern actions in this regard.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County on June 30th, 2020 and certified as follows:

Woodbury County Board of Supervisors

Ayes: \_\_\_\_\_  
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Nays: \_\_\_\_\_  
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**Resolution for Interfund Operating Transfers**  
**Resolution #**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the General Supplemental to the General Basic Fund during the Fiscal Year 2020-21 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to fund the appropriations for the matching FICA, IPERS, Health Insurance, Life Insurance and LTD costs expended from the General Basic Fund.

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the General Supplemental Fund to the General Basic Fund for the fiscal year beginning July 1, 2020, shall not exceed the sum of \$ 6,707,235

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 30th, 2020 the vote being as follows:

Ayes:

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Nays:

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**Resolution for Interfund Operating Transfers**  
**Resolution #**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the Rural Basic Services Fund to the County Library Fund during the Fiscal Year 2020-21 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move the taxes, levied on the township valuations, to the County Library Fund to pay the their share of the expenses of the County Library.

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Rural Basic Services Fund to the County Library Fund for the fiscal year beginning July 1, 2020, shall not exceed the sum of \$ 163,216.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 30th, 2020, the vote being as follows:

Ayes:

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Nays:

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**Resolution for Interfund Operating Transfers**  
**Resolution #**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the Rural Basic Services Fund to the Secondary Roads Fund during the Fiscal Year 2020-21 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move the taxes, levied on the township valuations, to the Secondary Roads Fund to pay their share of the expenses of the Secondary Roads Fund.

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Rural Basic Services Fund to the Secondary Roads Fund for the fiscal year beginning July 1, 2020, shall not exceed the sum of \$ 1,500,000.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 30th, 2020, the vote being as follows:

Ayes: \_\_\_\_\_  
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Nays: \_\_\_\_\_  
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**Resolution for Interfund Operating Transfers**  
**Resolution #**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the Gaming Fund to the General Basic Fund during the Fiscal Year 2020-21 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move Gaming revenues to the General Basic Fund for property tax reductions,

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Gaming Fund to the General Basic Fund for the fiscal year beginning July 1, 2020, shall not exceed the sum of \$ 137,680.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 30th, 2020, the vote being as follows:

Ayes: \_\_\_\_\_  
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Nays: \_\_\_\_\_  
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**Resolution for Interfund Operating Transfers**  
**Resolution #**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the Local Option Sales Tax Fund to the Rural Basic Fund during the Fiscal Year 2020-21 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move Local Option Sales Tax Fund revenues to the Rural Basic Fund for the funding of the Economic/Community Development department,

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Local Option Sales Tax Fund to the Rural Basic Fund for the fiscal year beginning July 1, 2020, shall not exceed the sum of \$ 278,404.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 30th, 2020, the vote being as follows:

Ayes: \_\_\_\_\_  
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Nays: \_\_\_\_\_  
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**Resolution for Interfund Operating Transfers**  
**Resolution #**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the Local Option Sales Tax Fund to the Rural Basic Fund during the Fiscal Year 2020-21 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move Local Option Sales Tax revenues to the Rural Basic Fund for the funding of Soil Conservation,

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Local Option Sales Tax Fund to the Rural Basic Fund for the fiscal year beginning July 1, 2020, shall not exceed the sum of \$ 39,000.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 30th, 2020 the vote being as follows:

Ayes:

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Nays:

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**Resolution for Interfund Operating Transfers  
Resolution #**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the Gaming Revenues Fund to the Sheriff's Training Center Fund during the Fiscal Year 2020-21 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move Gaming Revenues to the Sheriff's Training Center Fund to pay in part the lease/purchase for the new Center,

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Gaming Revenues Fund to the Sheriff's Training Center Fund for the fiscal year beginning July 1, 2020, shall not exceed the sum of \$ 74,344.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 30th, 2020, the vote being as follows:

Ayes:

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Nays:

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**Resolution for Interfund Operating Transfers  
Resolution #**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the General Basic Fund to the Emergency Paramedic Services Fund during the Fiscal Year 2020-21 budget, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move General Basic revenues to the Emergency Paramedic Services Fund to pay half of the paramedics salaries and benefits.

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the General Basic Fund to the Emergency Paramedic Services Fund for the fiscal year beginning July 1, 2020, shall not exceed the sum of \$ 127,355.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 30th, 2020, the vote being as follows:

Ayes:

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Nays:

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**Resolution for Interfund Operating Transfers**  
**Resolution #**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the Rural Basic Fund to the Emergency Paramedic Services Fund during the Fiscal Year 2020-21 budget, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move Rural Basic revenues to the Emergency Paramedic Services Fund to pay half of the paramedics salaries and benefits.

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Rural Basic Fund to the Emergency Paramedic Services Fund for the fiscal year beginning July 1, 2020, shall not exceed the sum of \$ 127,355.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 30th, 2020, the vote being as follows:

Ayes:

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Nays:

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**Resolution for Interfund Operating Transfers  
Resolution #**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from the Tax Increment Fund to the Debt Service Fund during the Fiscal Year 2020-21 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move Tax Increment Fund revenues to the Debt Service Fund to pay FY 2021 principal and interest for the 2017 Tax Increment G.O. .

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Tax Increment Fund to the Debt Service Fund for the fiscal year beginning July 1, 2020, shall not exceed the sum of \$ 397,500.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 30th, 2020, the vote being as follows:

Ayes:

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Nays:

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**Resolution for Interfund Operating Transfers**  
**Resolution #**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from Gaming Revenue Fund to the General Supplemental Fund during the Fiscal Year 2020-21 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move Gaming Revenues Fund to the General Supplemental Fund to reduce tax askings in the General Supplemental Fund

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Gaming Revenues Fund to the General Supplemental Fund for the fiscal year beginning July 1, 2020, shall not exceed the sum of \$ 8,322.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 30th, 2020, the vote being as follows:

Ayes:

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Nays:

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**Resolution for Interfund Operating Transfers**  
**Resolution #**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from Gaming Revenues Fund to the Rural Basic Fund during the Fiscal Year 2020-21 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move Gaming Revenue Fund revenues to the Rural Basic Fund to reduce tax askings in the Rural Basic Fund.

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Gaming Revenues Fund to the Rural Basic Fund for the fiscal year beginning July 1, 2020, shall not exceed the sum of \$ 111,285.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 30th, 2020, the vote being as follows:

Ayes:

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Nayes:

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**Resolution for Interfund Operating Transfers  
Resolution #**

Whereas, it is desired to authorize the Auditor to periodically transfer sums from Secondary Road Fund to the General Basic Fund during the Fiscal Year 2020-21 budget year, and

Whereas, said transfers must be in accordance with Section 331.432 Code of Iowa,

Whereas, the purpose of the transfers are to move Secondary Road Fund revenues to the General Basic Fund to reimburse the purchase of the Briese Farm.

Now, therefore be it resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

The total maximum transfers from the Gaming Revenues Fund to the Secondary Road Fund for the fiscal year beginning July 1, 2020, shall not exceed the sum of \$ 100,000.

The Auditor is directed to correct his books when said operating transfers are made and to notify the Treasurer of the amounts of said transfers.

The above and foregoing resolution was adopted by the Board of Supervisors of Woodbury County Iowa, on June 30th, 2020, the vote being as follows:

Ayes: \_\_\_\_\_  
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Nays: \_\_\_\_\_  
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**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 6/25/20 Weekly Agenda Date: 6/30/20

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** David Gleiser, CED Director

**WORDING FOR AGENDA ITEM:**

Approval of Final Plat for the Clemz Addition Minor Subdivision

**ACTION REQUIRED:**

- |  |  |  |
|--|--|--|
| Approve Ordinance <input type="checkbox"/> | Approve Resolution <input checked="" type="checkbox"/> | Approve Motion <input checked="" type="checkbox"/> |
| Public Hearing <input type="checkbox"/>    | Other: Informational <input type="checkbox"/>          | Attachments <input checked="" type="checkbox"/>    |

**EXECUTIVE SUMMARY:**

The Supervisors will receive the Zoning Commission's recommendation on said plat and shall approve, approve with conditions, or disapprove the plat. The Board may table the matter with the consent of the subdivider. Approval shall be in the form of a resolution to be certified as part of the final plat.

**BACKGROUND:**

Marcia A. Becker and Marilyn Flammang, Trustees of the Ziems' Revocable Trust, owners of property located in the NW ¼ of Section 15, T88N, R47W (Woodbury Township), on Parcel #884715151004 (1858 Glen Ellen Rd.) propose a two lot subdivision for residential and agricultural purposes with Lot One including 2.47 total acres and Lot Two including 20.26 total acres. The property is in the Agricultural Estates (AE) Zoning District and is not located in the floodplain. On 5/26/20 the Zoning Commission voted to recommend approval of this Minor Subdivision with the stipulation that the septic system meet applicable codes and be located entirely on Lot 1 if sold to a different owner than that of Lot 2. This property is less than 2 miles from the incorporated area of Sioux City and requires extraterritorial review under Iowa Code, Section 354.9. On 6/9/20 the Sioux City Zoning Commission recommended approval of the plat, and on 6/22/20 the Sioux City Council approved the plat.

**FINANCIAL IMPACT:**

0

**IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?**

Yes  No

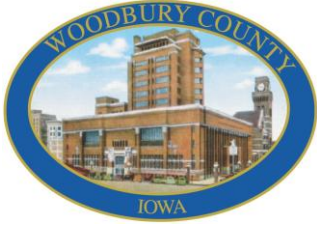
**RECOMMENDATION:**

Receive the Zoning Commission's recommendation from their 5/26/20 meeting to approve the final plat.  
Subject to public testimony received (if any), approve the plat and authorize the Chairman to sign the resolution.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to receive the Zoning Commission's recommendation from their 5/26/20 meeting to approve the final plat.  
Motion to approve the Clemz Addition Minor Subdivision plat and authorize the Chairman to sign the resolution.



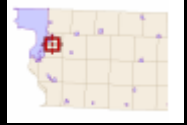


**WOODBURY COUNTY  
COMMUNITY & ECONOMIC DEVELOPMENT**

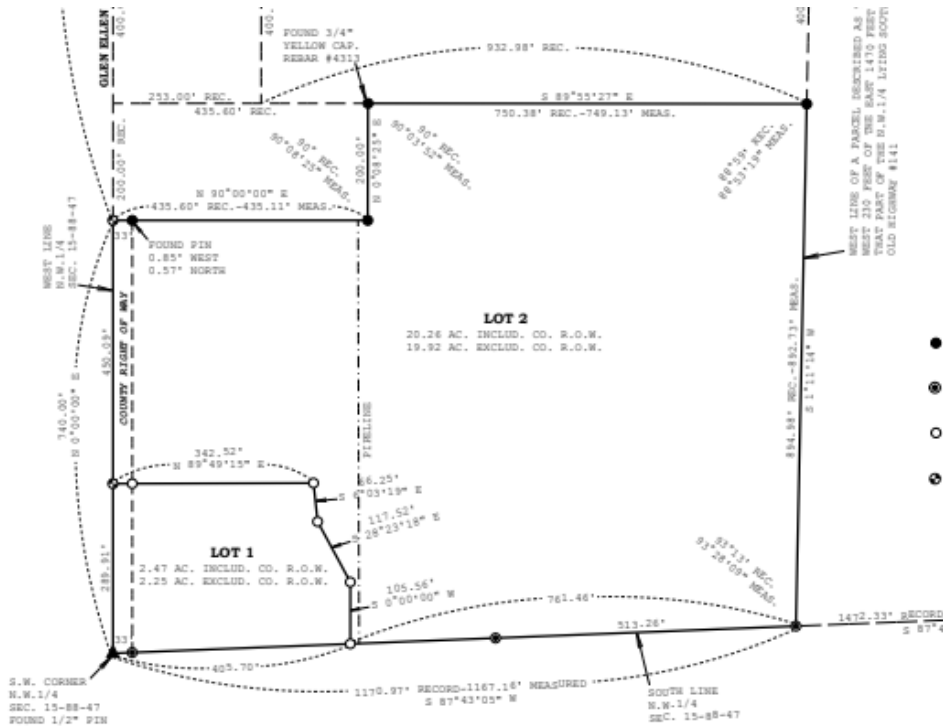
**620 DOUGLAS STREET – SIOUX CITY, IA 51101**

David Gleiser · Director · dgleiser@woodburycountyiowa.gov  
 Dan Priestley · Zoning Coordinator · dpriestley@woodburycountyiowa.gov  
 Dawn Norton · Sr. Clerk · dnorton@woodburycountyiowa.gov  
 Telephone (712) 279-6609 Fax (712) 279-6530

**CLEMZ ADDITION  
MINOR SUBDIVISION PROPOSAL  
SUMMARY**



Marcia A. Becker and Marilyn Flammang, Trustees of the Ziems' Revocable Trust, owners of property located in the NW ¼ of Section 15, T88N, R47W (Woodbury Township), on Parcel #884715151004 (1858 Glen Ellen Road-located about 0.25 miles south of Sioux City) requests for Board of Supervisors to approve the proposed Clemz Addition, an Addition to Woodbury County. This proposal encompasses the creation of two lots with Lot One including 2.47 total acres and Lot Two including 20.26 total acres. The property is in the Agricultural Estates (AE) Zoning District and is not located in the floodplain.



<b>Parcel ID</b>	884715151004	<b>Alternate ID</b>	823440	<b>Owner Address</b>	ZIEMS REVOCABLE TRUST
<b>Sec/Twp/Rng</b>	15-88-47	<b>Class</b>	AD		1858 GLEN ELLEN RD
<b>Property Address</b>	1858 GLEN ELLEN RD	<b>Acres</b>	22.26		SIOUX CITY IA 51106
	SIOUX CITY				
<b>District</b>	0039				
<b>Brief Tax Description</b>	EX W253' N400' & EX TCT ON E-S 1295.05' & EX N200' S940' W 435.6 FT AND EX N 400 FT E 940.08 FT W 1193.08 FT W 1/2NW 1/4 15- 88-47				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 4/29/2020  
 Last Data Uploaded: 4/29/2020 7:18:34 PM

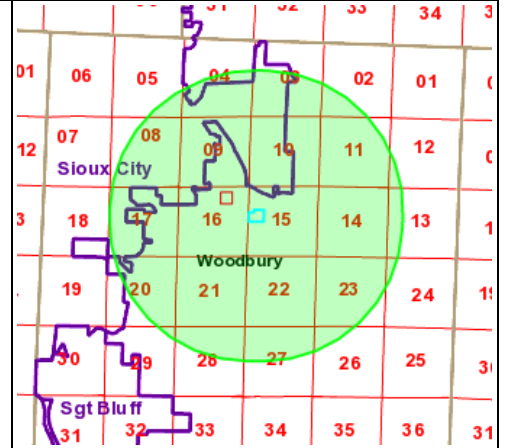


## FACTS OF THE CASE

This proposed minor subdivision is to establish two lots out of Parcel #884715151004 located in the NW ¼ of Section 15, T88N, R47W (Woodbury Township), on Parcel #884715151004 (1858 Glen Ellen Road- located about 0.25 miles south of Sioux City). The proposed Lot One includes 2.47 total acres and Lot Two includes 20.26 total acres. The property is in the Agricultural Estates (AE) Zoning District and is not located in the floodplain.

## EXTRATERRITORIAL REVIEW

This property is less than 2 miles from the incorporated area of Sioux City and requires extraterritorial review under Iowa Code, Section 354.9. On Monday, June 22, 2020, the City of Sioux City Council voted to approve the Clemz Addition subdivision plat.



## LEGAL NOTIFICATION

Published in the Sioux City Journal Legals Section on Saturday, May 16, 2020.

**NOTICE REGARDING PUBLIC HEARING**  
**WOODBURY COUNTY ZONING COMMISSION**  
 The Zoning Commission will hold a public hearing on Tuesday, May 26, 2020, during their meeting which begins at 6:30 PM. Due to the Governor's State of Public Health Disaster Emergency proclaimed on March 17, 2020, the federal guidelines for social distancing issued on March 30, 2020, the Governor's Proclamation of Disaster Emergency issued on April 27, 2020, and the Governor's May 6, 2020 Proclamation of Disaster Emergency, and in accordance with Iowa Code Section 21.8, the Woodbury County Zoning Commission will hold an electronic meeting and public hearing for the items hereinafter described in detail, as it is necessary to protect the public from the possible spread of the novel coronavirus, and conducting an in-person meeting at such time is impossible or impractical. Public access to the conversation of the meeting will be made available during the meeting by telephone. Persons wanting to participate in the public hearing may call: (712) 454-1133 and enter the Conference ID: 452 226 074# during the meeting to listen or comment.

**PROPOSED MINOR SUBDIVISION:** To be known as Clemz Addition - a minor subdivision in a 22.26 acre portion in the NW ¼ of Section 15, T88N, R47W (Woodbury Township), on Parcel #884715151004. Applicant(s): Ziem's Revocable Trust, 1858 Glen Ellen Rd., Sioux City, IA 51106. The parent parcel is located about 0.25 miles south of Sioux City.  
 Published in the Sioux City Journal May 16, 2020, LGJ#32774

## PROPERTY OWNER NOTICE



The 34 property owners within 1,000'; and listed within the certified abstractor's affidavit; were notified by a May 15, 2020 letter of the public hearing. As of May 18, 2020, the Community & Economic Development office had not received written comment from any property owner owning property within 1,000'. When more comments are received after the printing of this packet, they will be provided at the meeting.

STAKEHOLDER ORGANIZATION	COMMENTS:
CENTURYLINK:	CenturyLink does not have any concerns regarding this proposal. Thank you very much and please let me know if you have any questions. – Justin Melohn, 4/30/20
FIBERCOMM:	No comments.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	No comments.
LONGLINES:	No comments.
MAGELLAN PIPELINE:	No comments.
MIDAMERICAN ENERGY COMPANY:	I have reviewed the attached proposal for MEC “Electric” Distribution and found. - No Conflicts. – Casey J. Meinen, 4/30/20 I’ve reviewed this for MEC “Gas” we have no conflicts. – Tyler Ahlquist, 5/1/20
NATURAL RESOURCES CONSERVATION SERVICES (NRCS)	No comments.
NORTHERN NATURAL GAS:	Northern Natural Gas Company has no easements on this property. No issues with Northern. – Tom Hudson, 4/30/20
NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	NIPCO had reviewed this location within this proposal. NIPCO does not have any electrical facilities in, around or adjacent to this location. We have no objections to this request. – Jayme Huber, 5/4/20
NUSTAR PIPELINE:	Nustar has nothing close to this lot or site. – Domingo Torres, 5/12/20
SIOUXLAND DISTRICT HEALTH DEPARTMENT:	No comments.
WIATEL:	No comments.
WOODBURY COUNTY ASSESSOR:	No comments.
WOODBURY COUNTY CONSERVATION:	I have no problems with this. Thanks. – Dan Heissel, 4/30/20
WOODBURY COUNTY EMERGENCY SERVICES:	No issues. – Gary Brown, 4/30/20
WOODBURY COUNTY EMERGENCY MANAGEMENT:	No comments.
WOODBURY COUNTY ENGINEER:	<b>REVIEW MEMO INCLUDED BELOW:</b>
WOODBURY COUNTY RECORDER:	No comments.
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	No concerns from Woodbury Co. REC. – Kent Amundson, 4/30/20
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT (WCSWCD):	The WCSWCD has no comments regarding this proposed subdivision. – Neil Stockfleth, 4/30/20
WOODBURY COUNTY TREASURER:	No comments.



# Woodbury County Secondary Roads Department

759 E. Frontage Road • Merville, Iowa 51039

Telephone (712) 279-6484 • (712) 873-3215 • Fax (712) 873-3235

COUNTY ENGINEER  
Mark J. Nabra, P.E.  
mnabra@sioux-city.org

ASSISTANT TO THE COUNTY ENGINEER  
Benjamin T. Kusler, E.I.T.  
bkusler@sioux-city.org

SECRETARY  
Tish Brice  
tbrice@sioux-city.org

To: Dan Priestley, Woodbury County Zoning Coordinator  
David Gleiser, Woodbury County Community and Economic Development Director

From: Mark J. Nabra, County Engineer

Date: May 1, 2020

Subject: Clemz Addition – a minor subdivision application

The Secondary Road Department has reviewed the information provided for the above referenced conditional use permit application forwarded with your memo dated September 9, 2019.

I am offering the following comments for your consideration.

- We checked the closure on the plat and found it in compliance with the requirements for the full subdivision of 1 in 10,000 and 1 in 5,000 for each lot as required by Section 355.8 of the Code of Iowa. |
- I reviewed the parcel for access. The existing driveways exceed sight distance requirements and may continue to be used.
- I have no other concerns or issues with this minor subdivision application.

If there are any more questions or issues that arise later, please contact this office.

Cc: File

**STAFF RECOMMENDATION**

The staff recommends for the Zoning Commission to recommend approval to the Board of Supervisors for this two-lot minor subdivision proposal


**ZONING COMMISSION RECOMMENDATION**

**RESOLUTION AND CERTIFICATE OF THE WOODBURY COUNTY  
ZONING COMMISSION OF WOODBURY COUNTY, IOWA**

RESOLUTION AND CERTIFICATE OF THE WOODBURY COUNTY  
ZONING COMMISSION OF WOODBURY COUNTY, IOWA

I, CHRIS ZELLMER ZANT, DO HEREBY CERTIFY THAT I AM THE CHAIRMAN OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA AND DO FURTHER CERTIFY THAT SAID COMMISSION HAS HERETOFORE TAKEN UNDER ADVISEMENT THE PLAT OF CLEMZ ADDITION, WOODBURY COUNTY, IOWA, AND THAT SAID WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA DID ON THE 26<sup>th</sup> DAY OF May, 2020 APPROVE THE SAME AND DOES FURTHER HEREBY RECOMMEND TO THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, IOWA, THE ACCEPTANCE AND APPROVAL OF SAID PLAT.

DATED THIS 26<sup>th</sup> DAY OF May, 2020.

  
CHRIS ZELLMER ZANT  
CHAIRMAN  
WOODBURY COUNTY ZONING COMMISSION OF  
WOODBURY COUNTY, IOWA

The Zoning Commission recommends approval of this Minor Subdivision with the stipulation that the septic system meet applicable codes and be located entirely on Lot 1 if sold to a different owner than that of Lot 2.

# PARCEL #894533100001

## Summary

**Parcel ID** 884715151004  
**Alternate ID** N/A  
**Property** 1858 GLEN ELLEN RD  
**Address** SIOUX CITY IA 51106  
**Sec/Twp/Rng** 15-88-47  
**Brief** EX W253' N400' & EX TCT ON E-S 1295.05' & EX N200' 5940' W 435.6 FT AND EX N  
**Tax Description** 400 FT E 940.08 FT W 1193.08 FT W 1/2 NW 1/4 15-88-47  
 (Note: Not to be used on legal documents)  
[734-1032 \(2/17/2014\)](#)  
**Deed**  
**Book/Page**  
**Gross Acres** 22.26  
**Net Acres** 22.26  
**Adjusted CSR** 1177.58  
**Pts**  
**Class** A - Agriculture; AD - Ag Dwelling  
 (Note: This is for tax purposes only. Not to be used for zoning.)  
**District** N/A  
**School District** SGT BLUFF LUTON  
**Neighborhood** N/A  
**Main Area** N/A  
**Square Feet**



## Owner

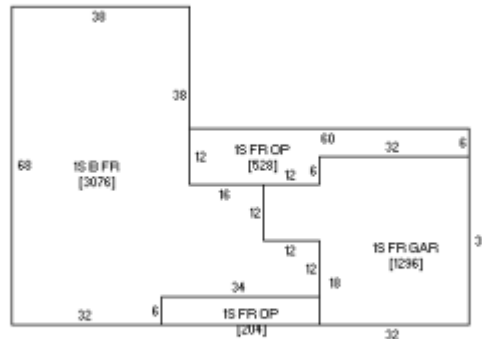
**Deed Holder** Ziems Revocable Trust  
 1858 Glen Ellen Rd  
 Sioux City IA 51106  
**Contract Holder**

## Land

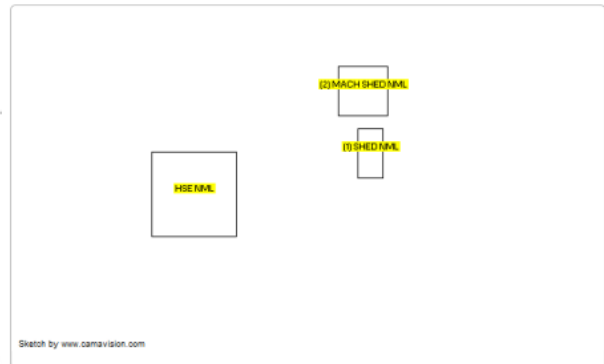
**Lot Area** 22.26 Acres; 969,646 SF

## Residential Dwellings

**Residential Dwelling**  
**Occupancy** Single-Family / Owner Occupied  
**Style** 1 Story Frame  
**Architectural Style** N/A  
**Year Built** 1993  
**Condition** Normal  
**Roof** Asph / Hip  
**Flooring**  
**Foundation** C Blk  
**Exterior Material** Stl  
**Interior Material** Drwl  
**Brick or Stone Veneer**  
**Total Gross Living Area** 3,076 SF  
**Attic Type** None;  
**Number of Rooms** 7 above; 5 below  
**Number of Bedrooms** 3 above; 1 below  
**Basement Area Type** Full  
**Basement Area** 3,076  
**Basement Finished Area** 2,307 SF - Living Qtrs. (Multi)  
**Plumbing** 2 Base Plumbing (Full); 1 Three Quarter Bath;  
**Appliances**  
**Central Air** Yes  
**Heat** Yes  
**Fireplaces** 1 Prefab;  
**Porches** 15 Frame Open (204 SF); 15 Frame Open (528 SF);  
**Decks**  
**Additions**  
**Garages** 1,296 SF - Att Frame (Built 1993);  
**Main Area Square Feet** 3076



Sketch by www.camavision.com



Sketch by www.camavision.com

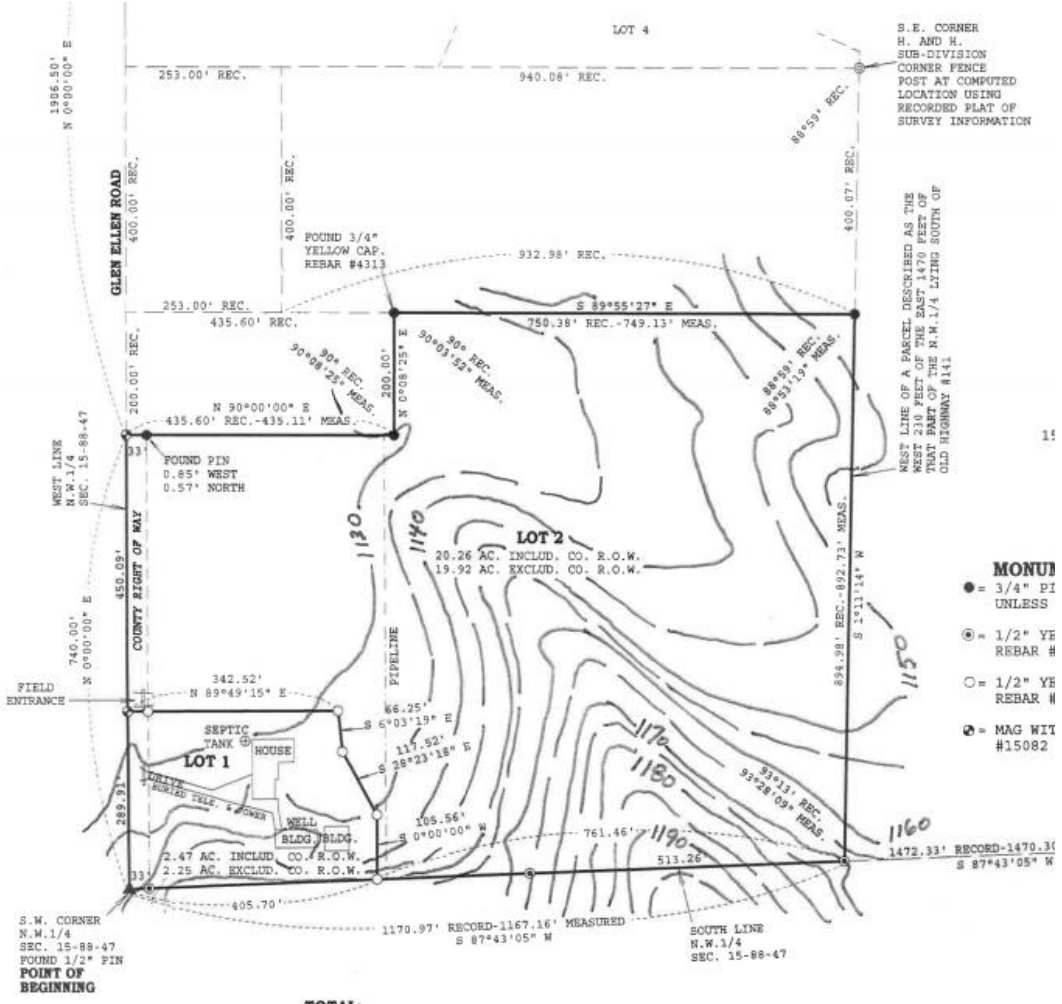
## Agricultural Buildings

Plot #	Type	Description	Width	Length	Year Built	Building Count
0	Shed	STORAGE SHED	20	40	1980	1
0	Steel Utility Building	MACHINE SHED	40	40	1994	1

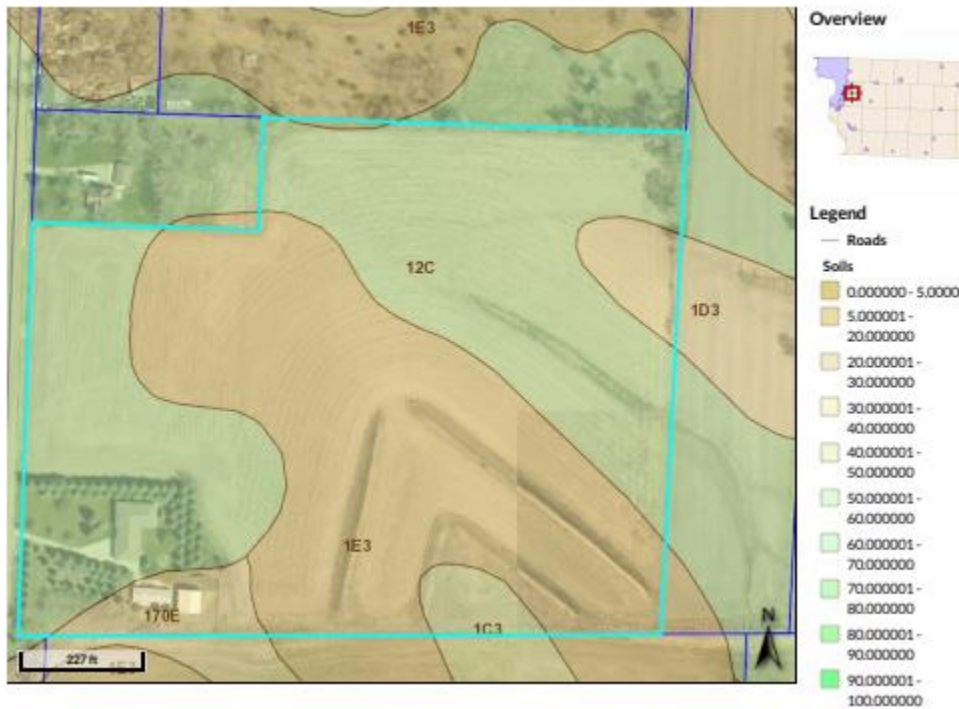
## Valuation

	2020	2019	2018	2017
Classification	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture
+ Assessed Land Value	\$28,180	\$28,180	\$41,020	\$41,020
+ Assessed Building Value	\$2,950	\$2,950	\$4,070	\$4,070
+ Assessed Dwelling Value	\$398,980	\$398,980	\$362,710	\$362,710
= Gross Assessed Value	\$430,110	\$430,110	\$407,800	\$407,800
- Exempt Value	\$0	\$0	\$0	\$0
= Net Assessed Value	\$430,110	\$430,110	\$407,800	\$407,800

# TOPOGRAPHY



# SOIL



## Summary

Parcel ID	884715151004	
Gross Acres	22.26	
ROW Acres	0.00	
Gross Taxable Acres	22.26	
Exempt Acres	0.00	
Net Taxable Acres	22.26	(Gross Taxable Acres - Exempt Land)
Average Unadjusted CSR2	56.41	(1255.59 CSR2 Points / 22.26 Gross Taxable Acres)

Agland Active Config      2017 CSR2

## Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	20.15	53.83	1,084.76	1,084.76
Non-Crop	2.11	80.96	170.83	92.82
<b>Total</b>	<b>22.26</b>		<b>1,255.59</b>	<b>1,177.58</b>

## Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	9.66	859.74	859.74
100% Value	1C3	IDA SILT LOAM, 5 TO 9 PERCENT SLOPES, SEVERELY ERODED	58.00	0.47	27.26	27.26
100% Value	170E	NAPIER-CASTANA SILT LOAMS, 9 TO 20 PERCENT SLOPES	57.00	0.22	12.54	12.54
100% Value	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	0.63	20.16	20.16
100% Value	1E3	IDA SILT LOAM, 14 TO 20 PERCENT SLOPES, SEVERELY ERODED	18.00	9.17	165.06	165.06
Non-Crop	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	1.58	140.62	72.81
Non-Crop	170E	NAPIER-CASTANA SILT LOAMS, 9 TO 20 PERCENT SLOPES	57.00	0.53	30.21	20.01
<b>Total</b>				<b>22.26</b>	<b>1,255.59</b>	<b>1,177.58</b>



APPLICATION

WOODBURY COUNTY, IOWA  
MINOR SUBDIVISION APPLICATION



Applicant: ZIEMS' REVOCABLE TRUST Name of Owner ALAN FAGAN - REP  
 Mailing Address: P.O. Box 050 Merrill IA 57038  
 Street City or Town State and Zip + 4  
 Property Address: 1058 Glen Ellen Rd Sioux City IA 57106  
 Street City or Town State and Zip + 4  
 Ph/Cell #: 712 539-1471 E-mail Address: alfsurveying@gmail.com  
 To subdivide land located in the NW<sup>1/4</sup> Quarter of Section 15-88-47  
 Civil Township WOODBURY GIS Parcel # BB4715151004  
 Name of Subdivision: CLEMZ ADDITION  
 Subdivision Area in Acres 22.73 Number of Lots 2

**Attachments:**

1. Ten (10) copies of grading plans; if required.
2. Twenty six (26) copies of final plats (Complete per Section 4.01 of the Subdivision Ordinance).
3. An attorney's opinion of the abstract.
4. A Certified abstractor's certificate to include:
  - a. Legal description of proposed subdivision.
  - b. Plat showing clearly the boundaries of the subdivision.
  - c. A list of names, mailing addresses (including the ZIP + 4), and legal descriptions of all property owners within 1000'.

Surveyor: ALAN FAGAN Ph/Cell: 712-539-1471  
 Attorney: JOHN DANIELS Ph/Cell: 712 253-1807

I hereby grant permission to the Woodbury County Zoning Staff and elected or appointed officials to conduct on-site inspections.

Owner's Signature: [Signature]  
 Zoning Director: \_\_\_\_\_

**For Office Use Only:**

Zoning District AE Flood District X Date 4-29-20 No. 6545  
 Application Fee 4 Lots or less (\$200) 200.00  
 5 Lots or more (\$250 plus \$5 per lot) \_\_\_\_\_

*SWNW  
Sec 15  
Woodbury*



**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 6/25/20

Weekly Agenda Date: 6/30/20

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** David Gleiser, CED Director

**WORDING FOR AGENDA ITEM:**

Application for Zoning Ordinance Map Amendment, Public Hearing and Ordinance First Reading

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

The Board of Supervisors will hold a public hearing to discuss a proposed Zoning District Map amendment which would change the zoning district designation for parcel #874614100007 from Agricultural Presentation to Agricultural Estates. Following the public hearing, the Board may defer consideration of the proposal, reject the proposal, or proceed to adopt an ordinance approving the amendment to the zoning district map. A 60 percent majority of the Board of Supervisors shall be required to adopt the proposed amendment of the zoning district map if the owners of more than 20 percent of either, (a) the area of the subject property or (b) the area of real property lying within 500 feet of the subject property file a written objection prior to the conclusion of the public hearing. The Board of Supervisors may impose restrictive conditions upon the approval of an amendment to the zoning district map if, before the conclusion of the public hearing, the owner agrees to the conditions in writing.

**BACKGROUND:**

Gayle Dee Weed, owner of Parcel #874614100007 (2206 240th St.) requests to rezone her parcel from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for future residential development use. If approved, the applicant intends to create a 2-lot minor subdivision.

This property is located in a quarter-quarter section that already has two residences. Section 3.01 of the Zoning Ordinance states that not more than two residences shall be allowed on any quarter-quarter section (nominally 40 acre) tract; if a property owner wishes to subdivide to create more than two parcels on a quarter-quarter section, concurrently with the platting process the zoning designation should be changed from the AP Zoning District to an appropriate classification.

The Agricultural Estates Zoning District is designed for this type of proposal as its purpose is "to provide for a limited increase in the amount of small acreage development, including a controlled expansion of residential uses in appropriate locations throughout the county.

This property is not located in a floodplain, but is in the 1st rank of the Loess Hills and is adjacent to the Loess Hills Scenic Byway. This issue, along with others were discussed during the Zoning Commission's 6/22/20 public hearing on the request as provided in your backup material. Following the commission's public hearing, they voted (3-0) to recommend approval of the rezone. The commission also approved the plat as proposed. The Board of Supervisors will review the minor subdivision application subsequent to the completion of this rezone request.

**FINANCIAL IMPACT:**

None

**IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?**

Yes  No

**RECOMMENDATION:**

Receive the Zoning Commission's recommendation from their 6/22/20 meeting to approve the zoning district map amendment.

Open/close public hearing.

Approve the zoning district map amendment.

Conduct the first reading of the ordinance.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to receive the Zoning Commission's recommendation to approve the zoning district map amendment.

Open/close public hearing, then motion to approve the zoning district map amendment.

Motion to conduct the first reading of the ordinance.

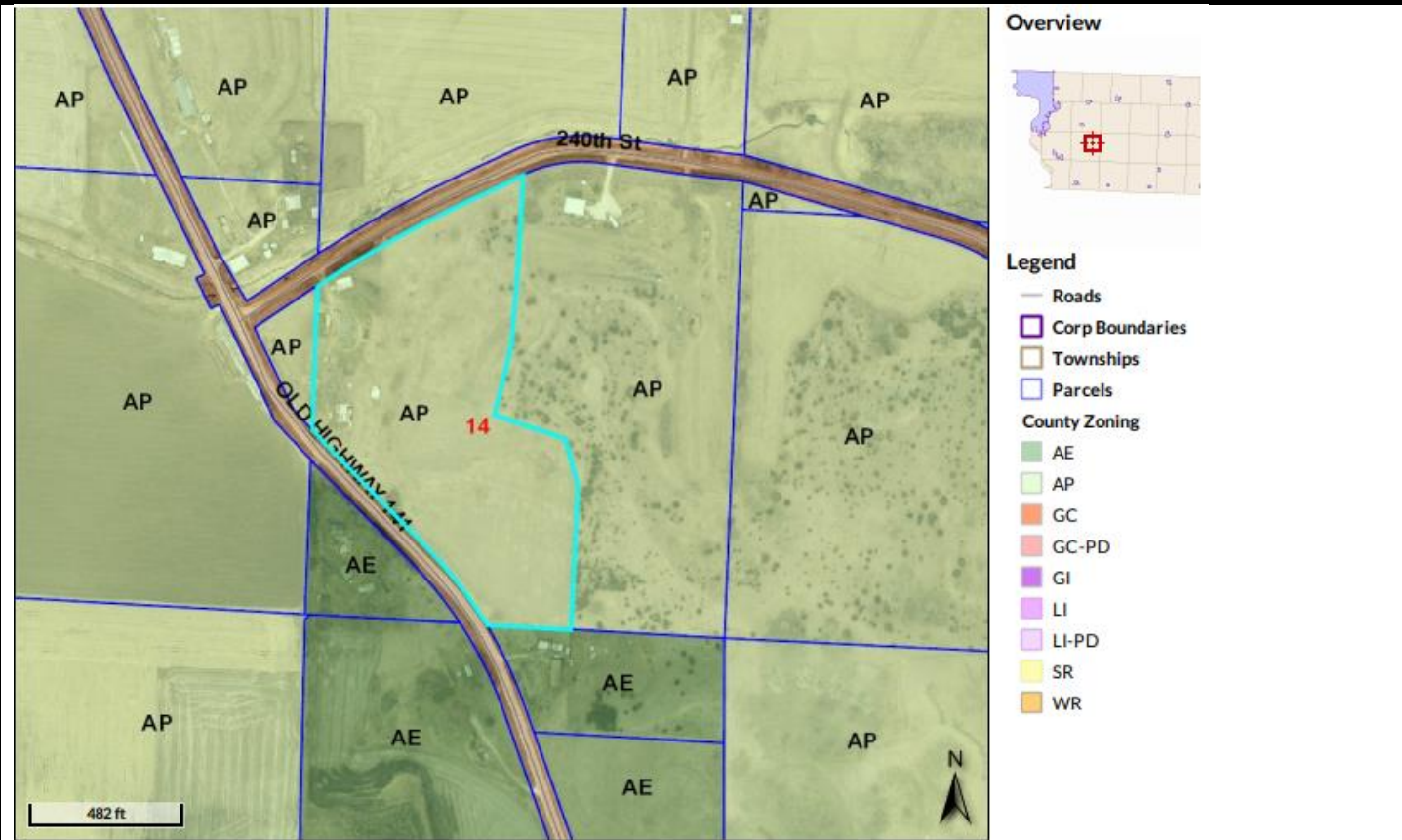


**WOODBURY COUNTY  
COMMUNITY & ECONOMIC DEVELOPMENT**

620 DOUGLAS STREET – SIOUX CITY, IA 51101

David Gleiser · Director · dgleiser@woodburycountyiowa.gov  
 Dan Priestley · Zoning Coordinator · dpriestley@woodburycountyiowa.gov  
 Dawn Norton · Sr. Clerk · dnorton@woodburycountyiowa.gov  
 Telephone (712) 279-6609 Fax (712) 279-6530

**ZONING ORDINANCE MAP AMENDMENT PROPOSAL  
 Agricultural Preservation (AP) to Agricultural Estates (AE)  
 Parcel #874614100007**



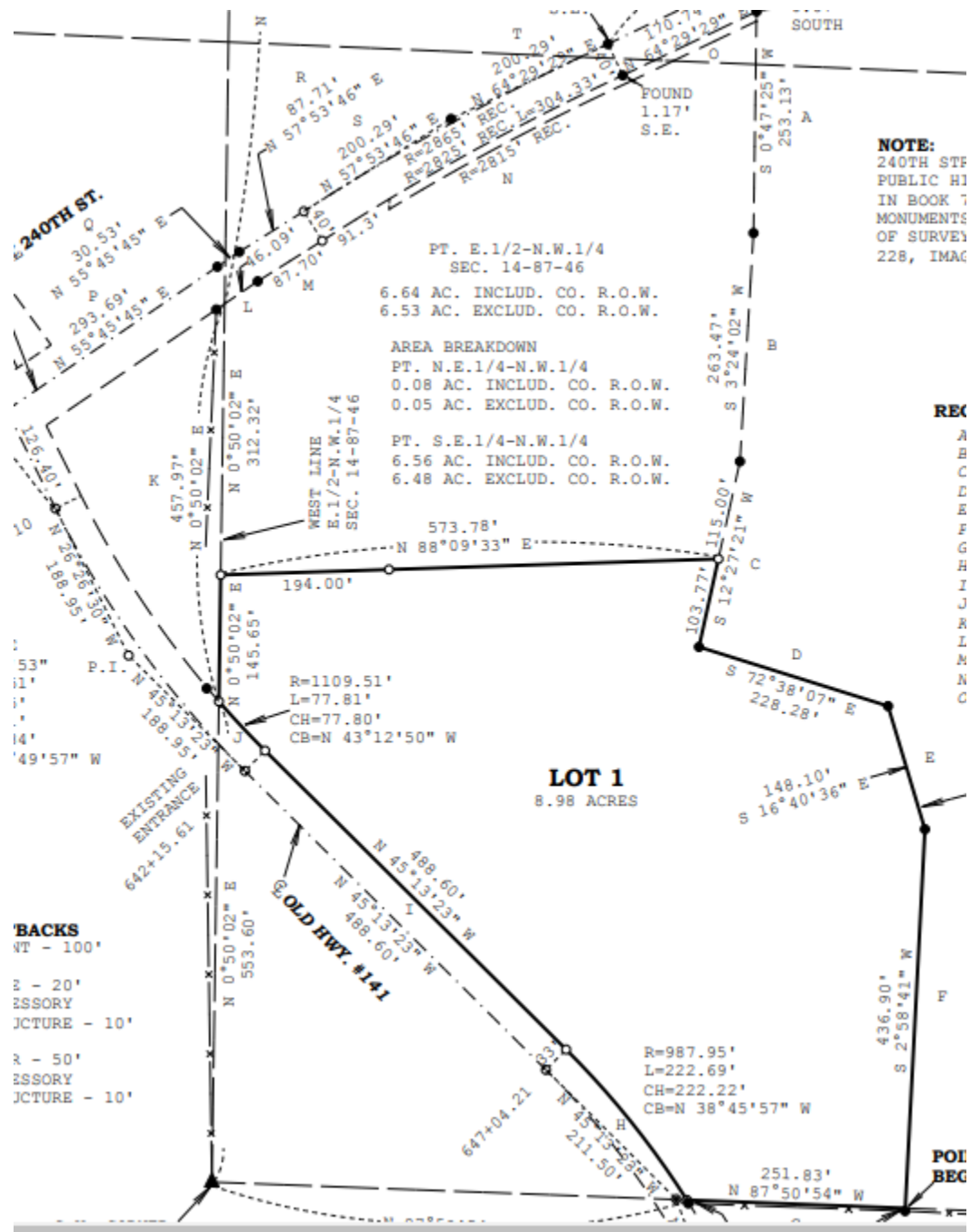
- Legend**
- Roads
  - ▭ Corp Boundaries
  - ▭ Townships
  - ▭ Parcels
  - County Zoning**
  - AE
  - AP
  - GC
  - GC-PD
  - GI
  - LI
  - LI-PD
  - SR
  - WR

Parcel ID	874614100007	Alternate ID	749970	Owner Address	MATHIESON GAYLED
Sec/Twp/Rng	14-87-46	Class	AD		2206 240TH ST
Property Address	2206 240TH ST HORNICK	Acreage	15.77		HORNICK IA 51026-8031
District	0027				
Brief Tax Description	E1/2 NW1/4 LYING S OF RD EX 2 AC S OF RD SENW & EX A TCT BEING 13 94.40 FT ON EX 471.65 FT ON S NW 1/4 14-87-46				

(Note: Not to be used on legal documents)

**FACTS OF THE CASE**  
 Gayle Dee Weed, owner of Parcel #874614100007 located in the E ½ of the NW ¼ of Section 14, T87N R46W (Grange Township) requests for the Woodbury County Zoning Commission to review and the Board of Supervisors to approve her request to rezone her property from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District. This proposal is being presented concurrently with a Minor Subdivision request as the applicant plans to build a new home on a newly created 8.98 acre lot. Section 3.01 of the Woodbury County Zoning Ordinance requires that a rezone process be executed before a third residence shall be added to any quarter-quarter section. This property is not located in a floodplain.

This proposed Zoning Ordinance Map Amendment (Rezone) from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District is requested and being presented concurrently by the property owner(s) as part of a minor subdivision procedure to create one (1) residential lot for the purpose of constructing a new home.



**LEGAL NOTIFICATION**

Published in the Sioux City Journal Legals Section on July 12, 2020.

PROPOSED ZONING ORDINANCE MAP AMENDMENT (REZONE): Proposal to rezone from the Agricultural Preservation

(AP) Zoning District to the Agricultural Estates (AE) Zoning District on Parcel #874614100007 located in the E 1/2 of the NW 1/4 of Section 14, T87N R46W (Grange Township) adjacent to Old Highway 141 and 240th Street about four miles southeast of Bronson. Applicant: Gayle Weed, 2206 240th Street, Hornick, IA 51026.

**PROPERTY OWNER NOTICE – 1000 FT**



The 10 property owners within 1,000'; and listed within the certified abstractor's affidavit; were notified by a July 12, 2020 letter of the public hearing.

As of June 18, 2020 the Community & Economic Development office had not received written comment from any property owner owning property within 1,000'. There was one (1) phone inquiry asking about the purpose of the rezone and subdivision.

When more comments are received after the printing of this packet, they will be provided at the meeting.

**STAKEHOLDER COMMENTS:**

CENTURYLINK:	I reviewed the area and CenturyLink does not have facilities. It is also outside of a CenturyLink wire center that we provide service to. We do not have any objection to the rezoning for a new subdivision. Any questions please let me know. – Sean Hostetter, 6/3/20.
FIBERCOMM:	No comments.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	No comments.
LOESS HILL NATIONAL SCENIC BYWAY	Thanks for sending this along to us. I've been reviewing the maps and it looks like the property is in the Luton Special Landscape Area (SLA). Since it is only for one house, it seems like the disturbance would be minimal. I will work on preparing a letter with our potential concerns, but we wouldn't be staunchly in support or opposition of this project. In my letter, I'll also include contact information for Graham McGaffin with The Nature Conservancy, who can speak more to the SLAs and the Loess Hills in that area if the Supervisors or Zoning Committee would like additional information. Thanks for including us! Becca Castle – 6/19/20.
LONGLINES:	No comments.
MAGELLAN PIPELINE:	Magellan Pipeline has no issues with this. Magellan is not in section 14 of Grange twp. We are at least 5 miles west with our closest pipeline so we are good. – Steven Eddy, 6/4/20.
MIDAMERICAN ENERGY COMPANY:	No comments.
NATURAL RESOURCES CONSERVATION SERVICES (NRCS)	No comments.
NORTHERN NATURAL GAS:	Northern Natural Gas Company has no easements in that area – Tom Hudson, 6/3/20.
NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	NIPCO has reviewed this property. We do not currently have any transmission lines or substation in or adjacent to this property. We are okay with this activity. – Jayme Huber, 6/10/20
NUSTAR PIPELINE:	No comments.
SIouxLAND DISTRICT HEALTH DEPARTMENT:	No comments.
WIATEL:	No comments.
WOODBURY COUNTY ASSESSOR:	No comments.
WOODBURY COUNTY CONSERVATION:	No comments and not opposed, was just curious about where it was going to be built as I know the Loess Hills Scenic Byway promotes the viewshed and that is the hills. If houses are built on top it takes away from. I have no objections to this, I will run by my board on Thursday but don't think they will want to comment either. Thanks for checking back. – Dan Heissel, 6/17/20.

	Do you know where they plan on building this second residential unit on the property??? – Dan Heissel, 6/3/20. I don't know what county policy or my Boards is on building on the hilltops for the Loess Hills. Noticed it was along 141 and know we have a lot of easements we monitor and I know the Scenic Byway did some work. I would have to look at and research before I would comment on something. Still trying to learn everything that is done in Woodbury. – Dan Heissel, 6/3/20.
WOODBURY COUNTY EMERGENCY SERVICES:	No comments. – Gary Brown, 6/8/20.
WOODBURY COUNTY EMERGENCY MANAGEMENT:	No comments.
WOODBURY COUNTY ENGINEER:	No comments.
WOODBURY COUNTY RECORDER:	No comments.
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	No comments.
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT (WCSWCD):	The WCSWCD has no direct comments on this proposal. We would like to note however, that this parcel is in the first rank of Loess Hills, adjacent to the Loess Hills Scenic By-Way and therefore development should be carefully considered for its impact on the viewscape of the Loess Hills, particularly from the roads adjacent to the property. – Neil Stockfleth, 6/3/20.

### ZONING ORDINANCE EVALUATION CRITERIA FOR BOARD APPROVAL

The Zoning Commission shall base their recommendations and the Board of Supervisors shall base their decision on any requested amendment of the zoning district map on the following criteria:

#### CRITERIA 1:

Conformance with the goals and objectives set forth in the approved General Development Plan for Woodbury County including the Future Land Use Map.

#### Staff Analysis:

The development plan and its land use goal adopted in 2005 is the basis for the zoning ordinance which has mechanisms in place including rezone procedure that “promote[s] efficient, stable land uses with minimum conflict...”. According to Section 3.01 of the Woodbury County Zoning Ordinance, “not more than two residences shall be allowed on any quarter-quarter section (nominally 40 acre) tract; if a property owner wishes to subdivide to create more than two parcels on a quarter-quarter section, concurrently with the platting process the zoning designation should be changed from the AP Zoning District to an appropriate classification” (p. 24). The AE Zoning District is designed for this type of proposal as its purpose is “to provide for a limited increase in the amount of small acreage development, including a controlled expansion of residential uses in appropriate locations throughout the county” (Section 3.01.2, p. 24).

#### CRITERIA 2:

Compatibility and conformance with the policies and plans of other agencies with respect to the subject property.

#### Staff Analysis:

As noted by the WCSWCD, “this parcel is in the first rank of Loess Hills, adjacent to the Loess Hills Scenic By-Way and therefore development should be carefully considered for its impact on the viewscape of the Loess Hills, particularly from the roads adjacent to the property.” Becca Castle, Coordinator of the Loess Hills Scenic By-Way stated that the property is located in the Luton Special Landscape Area (SLA) and since this proposals is for a one house, the disturbance would be minimal to the Loess Hills. Graham McGaffin, Associate Director of Conservation & Loess Hills Programs of the Nature Conservancy, in a June 19 phone conversation, indicated that there are no restrictions in the SLA. However, their organization’s role is to minimize adverse impact to the Loess Hills. They work with landowners through conservation easements, deed restrictions, and development planning. McGaffin suggested that building closer to the road would lessen the impact on the Loess Hills.

#### CRITERIA 3:

Consideration of the Corn Suitability (CSR) of the property.

#### Staff Analysis:

40.26 CSR2 Rating. See attached soil report.

#### CRITERIA 4:

Compatibility with adjacent land uses.



**Staff Analysis:**

The proposal does facilitate adequate room to build one residential house on the 8.98 acre lot proposed for the subdivision including the ability to meet the Zoning District Dimensional Standards.

**CRITERIA 5:**

Compatibility with other physical and economic factors affecting or affected by the proposed rezoning.

**Staff Analysis:**

As previously noted, this property is located within the Loess Hills. This proposed one lot subdivision is being established for a new home. The proposed 8.98 acres contains enough room to adequately support the Zoning District Dimensional Standards as required by the county.

**CRITERIA 6:**

Any other relevant factors.

**Staff Analysis:**

This rezone request comports with the required procedures as enumerated in the Woodbury County Zoning Ordinance.

**STAFF RECOMMENDATION**

The staff recommends for the Zoning Commission to recommend approval to the Board of Supervisors.

**ZONING COMMISSION RECOMMENDATION**

At their Monday, June 22, 2020 meeting, the Woodbury County Zoning Commission voted to recommend approval of the rezone of Parcel #874614100007 from the Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District.

PROPOSED ZONING ORDINANCE MAP AMENDMENT (REZONE): Amendment to rezone from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for 15.77 acres located in the E ½ of the NW ¼ in Section 14, T87N, R46W (Grange Township) in the County of Woodbury and State of Iowa. The property is known as GIS Parcel # 874614100007.

ALL THAT PART OF THE EAST HALF (E½) OF THE NORTHWEST QUARTER (NW¼) OF SECTION FOURTEEN (14), TOWNSHIP EIGHTY-SEVEN (87) NORTH, RANGE FORTY-SIX (46) WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA,. DESCRIBED AS COMMENCING AT THE NORTH QUARTER (N¼) CORNER OF SECTION 14-87-46, THENCE SOUTH 00°31'20" WEST 1231.52 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT-OF-WAY FENCE OF PUBLIC ROAD, THENCE NORTH 85°02'00" WEST 135.05 FEET, THENCE NORTH 83°39'00" WEST 304.90 FEET, THENCE SOUTH 79°48'20" WEST ALONG THE LONG CHORD OF CURVE, CONCAVE SOUTHERLY, A DISTANCE OF 241.20 FEET TO AN INTERSECTION WITH EXISTING NORTH-SOUTH FENCE, BEING THE POINT OF BEGINNING, THENCE ALONG SAID EXISTING FENCE SOUTH 00°40'25" WEST 256.90 FEET, THENCE SOUTH 02°27'10" WEST 264.20 FEET, THENCE SOUTH 11°32'10" WEST 218.80 FEET, THENCE SOUTH 73°35'00" EAST 228.85 FEET, THENCE SOUTH 17°34'30" EAST 148.55 FEET, THENCE SOUTH 02°03'20" WEST 442.00 FEET TO THE INTERSECTION WITH EXISTING EAST-WEST FENCE, THENCE NORTH 88°19'05" WEST ALONG SAID FENCE 245.55 FEET TO AN INTERSECTION WITH NORTHEASTERLY RIGHT-OF-WAY OF PUBLIC ROAD, (FORMER IOWA PRIMARY #141), THENCE NORTH 41°55'00" WEST ALONG SAID RIGHT-OF-WAY LINE 311.75 FEET, THENCE NORTH 46°02'00" WEST 407.50 FEET, THENCE NORTH 44°28'20" WEST 97.40 FEET TO AN INTERSECTION WITH EXISTING NORTH-SOUTH FENCE, THENCE NORTH 00°31'10" EAST ALONG SAID FENCE 438.40 FEET TO AN INTERSECTION WITH SOUTHERLY RIGHT-OF-WAY FENCE OF PUBLIC ROAD, THENCE ALONG SAID RIGHT-OF-WAY FENCE NORTH 54°58'50" EAST 58.80 FEET, THENCE NORTH 57°06'50" EAST 84.20 FEET THENCE ALONG THE LONG CHORD OF CURVE, CONCAVE SOUTHERLY, NORTH 60°22'35" EAST 398.80 FEET, THENCE NORTH 63°38'20" EAST 173.25 FEET TO THE POINT OF BEGINNING.

Property Owner and Applicant – Gayle Weed, 2206 240<sup>th</sup> Street, Hornick, IA 51026-8031.

# PARCEL REPORT



**Summary**  
 Parcel ID: 87461410007  
 Assessor ID: 2206 2407H ST  
 Property Address: HORNICKIA S1026  
 14-87-46  
 Sec/Twp/Range: 14 87 46  
 Brief Tax Description: 144 WINGS OF RD EX 2 AC OF RD SENW & EXA TCT BEING 13 94-40 FT ONE X 47.15 FT ON S NW 2 14 87-46  
 Deed Book/Page: 267-1240 (8/6/1992) *(Note: Not to be used on legal documents)*  
 Gross Acres: 15.77  
 Adjusted CSR Pk: 15.77  
 Class: A - Agriculture, AD - Ag Dwelling  
 District: A - Agriculture, AD - Ag Dwelling  
 School District: LA MOTON BRONSON  
 Neighborhood: N/A  
 Main Area-Square Feet: N/A

**Owner**  
 Deed Holder: M...  
 M...  
 2206 2407H ST  
 HORNICKIA S1026-8031

**Contract Holder**

**Mailing Address**

**Land**  
 Lot Area: 15.77 Acres; 686,941 SF

**Residential Dwellings**  
 Single Family / Owner Occupied  
 Occupancy: 1-Story Frame  
 Style: 1936  
 Construction: Above Normal  
 Condition: Auph / Gable  
 Roof: Asphalt / Gable  
 Flooring: Concrete  
 Exterior Material: Vinyl  
 Interior Material: Plm / Dowl  
 Brick or Stone Veneer: 848 SF  
 Walk-out or Living Area: 314 Finished; 283 SF  
 A/R/L Type: 5 Above; 0 Below  
 Number of Bedrooms: 2 Above; 0 Below  
 Number of Bathrooms: 2  
 Basement Area: 624  
 Basement Finished Area: 1 Slat, 1 Base Plumbing (Full);  
 Plumbing: No  
 Sewer: Central AC  
 Heat: No  
 Fireplaces: Yes  
 Pools: 15 Frame Enclosed (1163 SF);  
 Decks: Wood Deck Area (1485 SF);  
 Additions: 1-Story Frame (224 SF);  
 Garages: Main Area-Square Feet 624

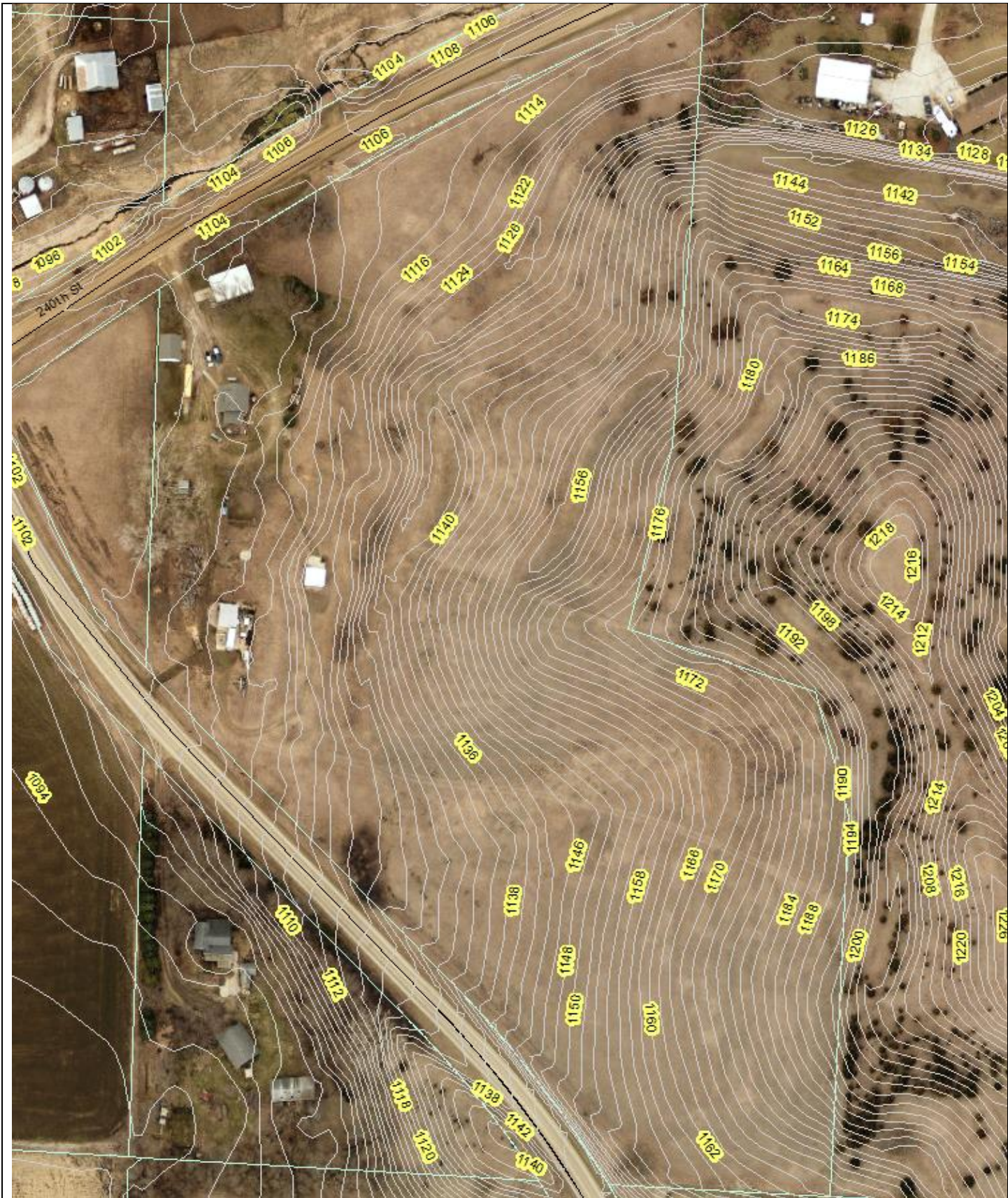
**Agricultural Buildings**

Plot #	Type	Description	Width	Length	Year Built	Building Count
0	Swine Finish and Farrow (Old Style)	HOG HOUSE	14	16	1920	1
0	Crp	GRANARY	8	16	1920	1
0	Machine or Utility Building	IMP SHED	24	28	1920	1
0	Swine Finish and Farrow (Old Style)	HOG SHED	20	48	1920	1
0	Steel Utility Building	MACHINE SHED	30	40	1994	1
0	Barn - Pole		16	20	2018	1
0	Steel Utility Building		20	20	2000	1

**Valuation**

Classification	2026	2019	2018	2017
Assessed Land Value	\$12,600	\$12,600	\$18,070	\$18,370
Assessed Building Value	\$2,990	\$2,990	\$5,670	\$5,470
Assessed Dwelling Value	\$86,580	\$86,580	\$68,510	\$68,510
Gross Assessed Value	\$102,190	\$102,190	\$92,350	\$92,350
Exempt Value	\$0	\$0	\$0	\$0
Net Assessed Value	\$102,190	\$102,190	\$92,350	\$92,350

# TOPOGRAPHY



## Summary

Parcel ID	874614100007
Gross Acres	15.77
ROW Acres	0.00
Gross Taxable Acres	15.77
Exempt Acres	0.00
Net Taxable Acres	15.77
Average Unadjusted CSR2	40.26
	(Gross Taxable Acres - Exempt Land)
	(634.85 CSR2 Points / 15.77 Gross Taxable Acres)

Agriland Active Corridor 2017 CSR2

## Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	10.70	35.64	381.35	381.35
Non-Crop	5.07	50.00	253.50	145.96
<b>Total</b>	<b>15.77</b>		<b>634.85</b>	<b>527.31</b>

## Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	2.37	210.93	210.93
100% Value	670	RAWLES SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODE	82.00	0.21	17.22	17.22
100% Value	3E	CASTANA SILT LOAM, 14 TO 20 PERCENT SLOPES	42.00	2.32	97.44	97.44
100% Value	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	0.39	12.48	12.48
100% Value	1F3	IDA SILT LOAM, 20 TO 30 PERCENT SLOPES, SEVERELY ERODED	8.00	5.41	43.28	43.28
Non-Crop	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	1.34	119.26	61.75
Non-Crop	670	RAWLES SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODE	82.00	1.32	108.24	58.42
Non-Crop	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	0.28	8.96	8.75
Non-Crop	1F3	IDA SILT LOAM, 20 TO 30 PERCENT SLOPES, SEVERELY ERODED	8.00	2.13	17.04	17.04
<b>Total</b>				<b>15.77</b>	<b>634.85</b>	<b>527.31</b>



### Legend

— Roads

#### Soils

0.000000 - 5.000000
5.000001 - 20.000000
20.000001 - 30.000000
30.000001 - 40.000000
40.000001 - 50.000000
50.000001 - 60.000000
60.000001 - 70.000000
70.000001 - 80.000000
80.000001 - 90.000000
90.000001 - 100.000000



### Rezoning Application & Zoning Ordinance Map Amendment

<b>Owner Information:</b>	<b>Applicant Information:</b>
Owner <u>Gayle Weed (Mathison)</u>	Applicant _____
Address <u>2206 240th St</u>	Address _____
<u>Hornick IA 51026</u>	_____
Phone <u>712 820 6730</u>	Phone _____

Engineer/Surveyor AL Fagen Phone 712 539 1471

**Property Information:** AP-AE

Property Address or Address Range 2206 240th St Hornick IA 51026

Quarter/Quarter \_\_\_\_\_ Sec 14 Twnshp/Range 87-46

Parcel ID # 874614100007 or GIS # \_\_\_\_\_ Total Acres 15.77

Current Use AP Proposed Use AE

Current Zoning \_\_\_\_\_ Proposed Zoning \_\_\_\_\_

Average Crop Suitability Rating (submit NRCS Statement) \_\_\_\_\_

The filing of this application is required to be accompanied with all items and information required pursuant to section 2.02(4)(C)(2) through (C)(4) of Woodbury County's zoning ordinances (see attached pages of this application for a list of those items and information).

A formal pre-application meeting is recommended prior to submitting this application.

Pre-app mtg. date \_\_\_\_\_ Staff present \_\_\_\_\_

The undersigned is/are the owner(s) of the described property on this application, located in the unincorporated area of Woodbury County, Iowa, assuring that the information provided herein is true and correct. I hereby give my consent for the Woodbury County Planning and Zoning Office and zoning commission members to conduct a site visit and photograph the subject property.

This Rezoning Application / Zoning Ordinance Map Amendment is subject to and shall be required, as a condition of final approval, to comply with all applicable Woodbury County ordinances, policies, requirements and standards that are in effect at the time of final approval.

Owner Gayle Weed Applicant \_\_\_\_\_

Date 6-3-20 Date \_\_\_\_\_

Fee: **\$400** Case #: 6566

Check #: 3648

Receipt #: \_\_\_\_\_



**ORDINANCE NO. \_\_\_\_**

**A ZONING DISTRICT DESIGNATION MAPPING AMENDMENT  
TO THE WOODBURY COUNTY, IOWA ZONING ORDINANCE**

**WHEREAS** the Board of Supervisors of Woodbury County, Iowa, adopted a Zoning Ordinance on July 22, 2008, by Resolution No. 10,455 being recorded in the Office of the Woodbury County Recorder, and

**WHEREAS** the Woodbury County Zoning Commission has received a report in respect to amending said Ordinance from the Woodbury County Zoning Commission which held hearings on the amendment; all as by law provided. Which the amendment is attached hereto marked item One (1), and hereby made a part hereof; and

**WHEREAS** the Woodbury County Board of Supervisors has received said report, studied and considered the same, and has held hearings on said amendment, all as by law provided; and

**WHEREAS** the Woodbury County Board of Supervisors has concluded that the said ordinance shall amend the aforesaid Zoning Ordinance;

**NOW THEREFORE, BE IT RESOLVED** by the Woodbury County Board of Supervisors, duly assembled, that the aforesaid Zoning District is amended as shown on said attached item One (1); and the previous zoning district designation shall be repealed upon the effective date of this amendment.

**Dated this \_\_\_\_ day of \_\_\_\_\_ 2020.**

**THE WOODBURY COUNTY, IOWA BOARD OF SUPERVISORS:**

\_\_\_\_\_  
Matthew A. Ung, Chairman

\_\_\_\_\_  
Keith Radig, Vice Chairman

\_\_\_\_\_  
Rocky De Witt

\_\_\_\_\_  
Marty Pottebaum

ATTEST

\_\_\_\_\_  
Patrick F. Gill, Auditor

Adoption Timeline:

Public Hearing and 1st Reading: June 30, 2020

Public Hearing and 2nd Reading:

Public Hearing and 3rd Reading:

Adopted:

## ITEM ONE (1)

Property Owner: Gayle Weed, 2206 240th Street, Hornick, IA 51026-8031.

Petitioner Applicant: Gayle Weed, 2206 240th Street, Hornick, IA 51026-8031.

Pursuant to Section 2.02:4 of the Woodbury County Zoning Ordinance, and in accordance with Section 335 of the Code of Iowa, the Woodbury County Zoning Commission held a public hearing on Monday, June 22, 2020, to review and make recommendation for an amendment to Woodbury County Zoning Ordinance and Mapping for the unincorporated area of Woodbury County, Iowa, as follows:

Amendment to rezone from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for 15.77 acres located in the E ½ of the NW ¼ in Section 14, T87N, R46W (Grange Township) in the County of Woodbury and State of Iowa. The property is known as GIS Parcel #874614100007.

ALL THAT PART OF THE EAST HALF (E½) OF THE NORTHWEST QUARTER (NW¼) OF SECTION FOURTEEN (14), TOWNSHIP EIGHTY-SEVEN (87) NORTH, RANGE FORTY-SIX (46) WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA,, DESCRIBED AS COMMENCING AT THE NORTH QUARTER (N¼) CORNER OF SECTION 14-87-46, THENCE SOUTH 00°31'20" WEST 1231.52 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT-OF-WAY FENCE OF PUBLIC ROAD, THENCE NORTH 85°02'00" WEST 135.05 FEET, THENCE NORTH 83°39'00" WEST 304.90 FEET, THENCE SOUTH 79°48'20" WEST ALONG THE LONG CHORD OF CURVE, CONCAVE SOUTHERLY, A DISTANCE OF 241.20 FEET TO AN INTERSECTION WITH EXISTING NORTH-SOUTH FENCE, BEING THE POINT OF BEGINNING, THENCE ALONG SAID EXISTING FENCE SOUTH 00°40'25" WEST 256.90 FEET, THENCE SOUTH 02°27'10" WEST 264.20 FEET, THENCE SOUTH 11°32'10" WEST 218.80 FEET, THENCE SOUTH 73°35'00" EAST 228.85 FEET, THENCE SOUTH 17°34'30" EAST 148.55 FEET, THENCE SOUTH 02°03'20" WEST 442.00 FEET TO THE INTERSECTION WITH EXISTING EAST-WEST FENCE, THENCE NORTH 88°19'05" WEST ALONG SAID FENCE 245.55 FEET TO AN INTERSECTION WITH NORTHEASTERLY RIGHT-OF-WAY OF PUBLIC ROAD, (FORMER IOWA PRIMARY #141), THENCE NORTH 41°55'00" WEST ALONG SAID RIGHT-OF-WAY LINE 311.75 FEET, THENCE NORTH 46°02'00" WEST 407.50 FEET, THENCE NORTH 44°28'20" WEST 97.40 FEET TO AN INTERSECTION WITH EXISTING NORTH-SOUTH FENCE, THENCE NORTH 00°31'10" EAST ALONG SAID FENCE 438.40 FEET TO AN INTERSECTION WITH SOUTHERLY RIGHT-OF-WAY FENCE OF PUBLIC ROAD, THENCE ALONG SAID RIGHT-OF-WAY FENCE NORTH 54°58'50" EAST 58.80 FEET, THENCE NORTH 57°06'50" EAST 84.20 FEET THENCE ALONG THE LONG CHORD OF CURVE, CONCAVE SOUTHERLY, NORTH 60°22'35" EAST 398.80 FEET, THENCE NORTH 63°38'20" EAST 173.25 FEET TO THE POINT OF BEGINNING.

Following the public hearing, the Zoning Commission voted unanimously to recommend approval of said request to the Woodbury County Board of Supervisors.

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 6/25/20

Weekly Agenda Date: 6/30/20

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** David Gleiser, CED Director

**WORDING FOR AGENDA ITEM:**

Application for Zoning Ordinance Map Amendment, Public Hearing and Ordinance First Reading

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

The Board of Supervisors will hold a public hearing to discuss a proposed Zoning District Map amendment which would change the zoning district designation for Lots 1-5 in the Jan's Subdivision, part of Government Lot 1 of Section 2, T88N R47W (Woodbury Township) on Parcels #884702200002, 884702200004, 884702200005, 884702200006, from Agricultural Presentation to General Commercial. Following the public hearing, the Board may defer consideration of the proposal, reject the proposal, or proceed to adopt an ordinance approving the amendment to the zoning district map. A 60 percent majority of the Board of Supervisors shall be required to adopt the proposed amendment of the zoning district map if the owners of more than 20 percent of either, (a) the area of the subject property or (b) the area of real property lying within 500 feet of the subject property file a written objection prior to the conclusion of the public hearing. The Board of Supervisors may impose restrictive conditions upon the approval of an amendment to the zoning district map if, before the conclusion of the public hearing, the owner agrees to the conditions in writing.

**BACKGROUND:**

Chad Swanger of the Terry V. Swanger Irrevocable Trust, owners of Lots 1-5 in the Jan's Subdivision, part of Government Lot 1 of Section 2, T88N R47W (Woodbury Township) on Parcels #884702200002, 884702200004, 884702200005, 884702200006, 884702200007 (located along the Highway 20 corridor about one mile east of Sioux City) requests to rezone their five parcels from the Agricultural Preservation (AP) Zoning District to the General Commercial (GC) Zoning District for future commercial development use. If approved, the applicant intends to obtain professional services to prepare the land for commercial development.

A western portion of Parcel # 884702200002 is located in the floodplain. This issue, along with others were discussed during the Zoning Commission's 6/22/20 public hearing on the request as provided in your backup material. Following the commission's public hearing, they voted (3-0) to recommend approval of the rezone with the following conditions:

- The applicant enter into a recorded paving agreement in compliance with the terms of the current county paving policy.
- Comply with any and all easements and encroachment agreements including area utilities not limited to Northern Natural Gas on Parcel # 884702200002.
- Implement efforts including building and site design, landscaping and screening to minimize any adverse effects of future land use or development.

The applicant is not applying for a minor subdivision concurrently with this rezone request. However, the Board of Supervisors will review the minor subdivision application subsequent to the completion of this rezone request.



**FINANCIAL IMPACT:**

None

**IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?**

Yes  No

**RECOMMENDATION:**

Receive the Zoning Commission's recommendation from their 6/22/20 meeting to approve the zoning district map amendment.

Open/close public hearing.

Approve the zoning district map amendment.

Conduct the first reading of the ordinance.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to receive the Zoning Commission's recommendation to approve the zoning district map amendment.

Open/close public hearing, then motion to approve the zoning district map amendment.

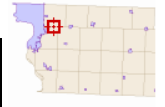
Motion to conduct the first reading of the ordinance.



**WOODBURY COUNTY  
COMMUNITY & ECONOMIC DEVELOPMENT**

620 DOUGLAS STREET – SIOUX CITY, IA 51101

David Gleiser · Director · dgleiser@woodburycountyiowa.gov  
 Dan Priestley · Zoning Coordinator · dpriestley@woodburycountyiowa.gov  
 Dawn Norton · Sr. Clerk · dnorton@woodburycountyiowa.gov  
 Telephone (712) 279-6609 Fax (712) 279-6530

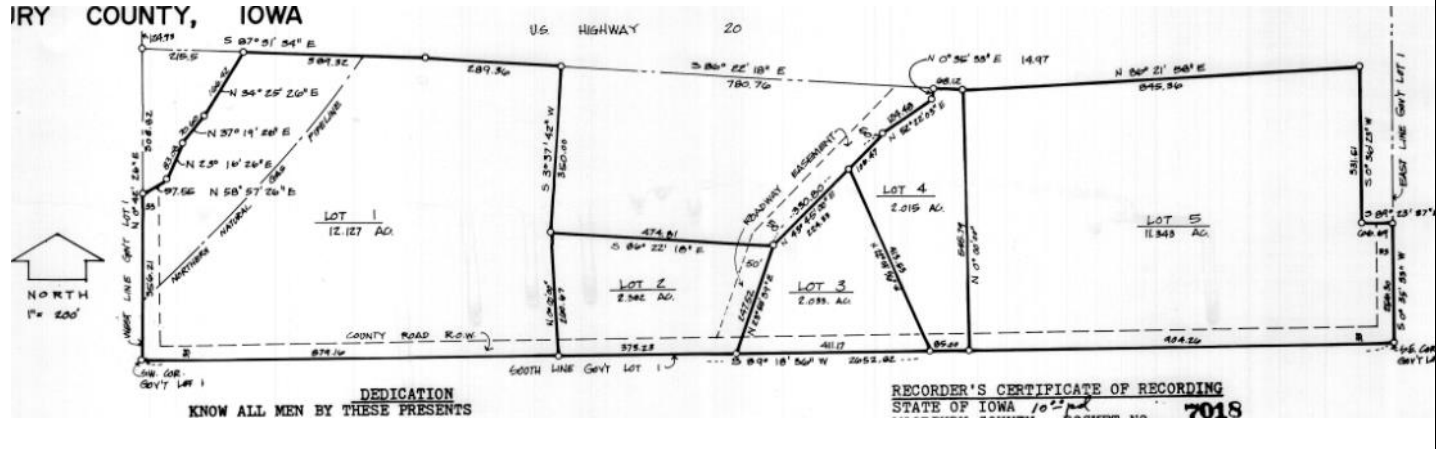


**ZONING ORDINANCE MAP AMENDMENT PROPOSAL**  
**Agricultural Preservation (AP) to General Commercial (GC)**  
 Parcels #884702200002, 884702200004, 884702200005, 884702200006, 884702200007



**FACTS OF THE CASE**

Chad Swanger of the Terry V. Swanger Irrevocable Trust, owners of Lots 1-5 in the Jan's Subdivision, part of Government Lot 1 of Section 2, T88N R47W (Woodbury Township) on Parcels #884702200002, 884702200004, 884702200005, 884702200006, 884702200007 (located in the Highway 20 corridor about one mile east of Sioux City and four miles west of Lawton) requests for the Woodbury County Zoning Commission to review and the Board of Supervisors to approve their request to rezone their five parcels from the Agricultural Estates (AE) Zoning District to the General Commercial (GC) Zoning District for future commercial use. A western portion of Parcel # 884702200002 is located in the floodplain.

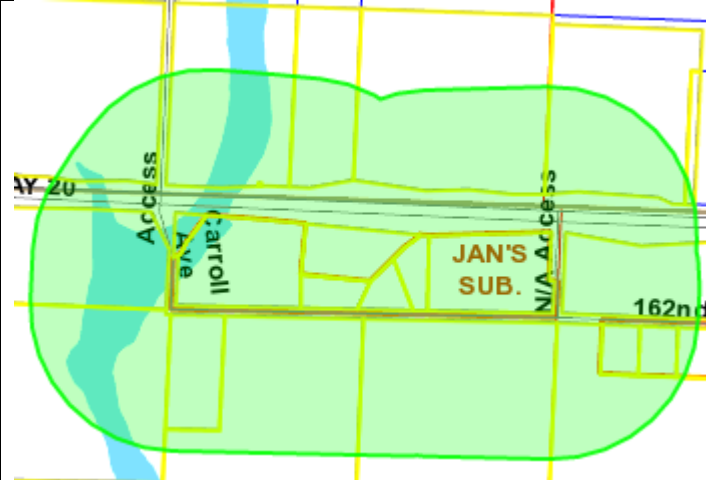


**LEGAL NOTIFICATION**

Published in the Sioux City Journal Legals Section on June 12, 2020.

Item (1)  
**PROPOSED ZONING ORDINANCE MAP AMENDMENT (REZONE):** Proposal to rezone from the Agricultural Preservation (AP) Zoning District to the General Commercial (GC) Zoning District on Lots 1-5 in the Jan's Subdivision, part of Government Lot 1 of Section 2, T88N R47W (Woodbury Township) on Parcels #884702200002, 884702200004, 884702200005, 884702200006, 884702200007 located in the Highway 20 corridor about one mile east of Sioux City and four miles west of Lawton. Applicant: Chad Swanger of the Terry V. Swanger Irrevocable Trust, 1656 162nd St., Lawton, IA 51030.

**PROPERTY'S OWNER NOTICE – 1000 FT**



The 17 property owners within 1,000'; and listed within the certified abstractor's affidavit; were notified by a June 11, 2020 letter of the public hearing. As of June 19, 2020, the Community & Economic Development office had not received two (2) phone inquiries from property owner owning property within 1,000'.

When more comments are received after the printing of this packet, they will be provided at the meeting.

**LEGAL NOTIFICATION**

<b>CENTURYLINK:</b>	After review CenturyLink has facilities in the area but are in public ROW. We currently have a copper cable that feeds LI but not AE. – Sean Hostetter, 6/3/20.
<b>FIBERCOMM:</b>	No comments.
<b>IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):</b>	No comments.
<b>IOWA DEPARTMENT OF TRANSPORTATION (IDOT)</b>	The change from AE to GC would not be a concern, unless a development occurs that would generate significant traffic volumes. With our access spacing requirement of 1000' minimum on US20, additional access locations would not be allowed to US20 from the Swanger parcels. Access to the parcels would only be from secondary roads. – Kelly Mulvihill, 6/15/20.
<b>LONGLINES:</b>	No comments.
<b>MAGELLAN PIPELINE:</b>	Magellan Pipeline has no issues with this. Magellan is along the west edge of section 3 at this point and is not in section 2 at all. – Steven Eddy, 6/3/20.
<b>MIDAMERICAN ENERGY COMPANY:</b>	I have reviewed the attached proposed rezoning for MEC "electric" MEC does have facilities on a near these properties any requested relocations would be at the expense of the property owner. – Casey Meinen, 6/3/20.
<b>NATURAL RESOURCES CONSERVATION SERVICES (NRCS)</b>	No comments.
<b>NORTHERN NATURAL GAS:</b>	<b>SEE STATEMENT BELOW:</b>
<b>NORTHWEST IOWA POWER COOPERATIVE (NIPCO):</b>	NIPCO has reviewed this property. We do not currently have any transmission lines or substation in or adjacent to this property. We are okay with this activity. – Jayme Huber, 6/10/20.

<b>NUSTAR PIPELINE:</b>	No comments.
<b>SIOUXLAND DISTRICT HEALTH DEPARTMENT:</b>	No comments.
<b>WIATEL:</b>	Wiatel has no concerns. – Phil Robinson, 6/3/20.
<b>WOODBURY COUNTY ASSESSOR:</b>	No comments.
<b>WOODBURY COUNTY CONSERVATION:</b>	No comments.
<b>WOODBURY COUNTY EMERGENCY SERVICES:</b>	No comments. – Gary Brown 6/8/20.
<b>WOODBURY COUNTY EMERGENCY MANAGEMENT:</b>	No comments.
<b>WOODBURY COUNTY ENGINEER:</b>	<b>SEE STATEMENT BELOW:</b>
<b>WOODBURY COUNTY RECORDER:</b>	No comments.
<b>WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):</b>	We have no concerns over the proposed changes. – Kent Amendson, 6/3/20.
<b>WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT (WCSWCD):</b>	The WCSWCD has no comments regarding this proposal. – Neil Stockfleth, 6/3/20.

**NORTHERN NATURAL GAS – TOM HUDSON, 6/3/20**

**From:** Hudson, Tom <Tom.Hudson@nngco.com>  
**Sent:** Wednesday, June 3, 2020 2:20 PM  
**To:** Daniel Priestley  
**Subject:** RE: Comments Requested Proposed Rezone Adjacent to HWY 20

Dan,

Northern Natural Gas Company does own and operate a 16-inch-diameter high pressure natural gas transmission line in this area. The yellow line is where the pipeline is. Changing the land to commercial with the hopes of developing it will likely be hampered by the pipeline. Any party wishing to develop the land within the red boundary lines will want to consult with Northern prior to doing so.

Thanks,  
Tom





## Woodbury County Secondary Roads Department

759 E. Frontage Road • Merville, Iowa 51039  
Telephone (712) 279-6484 • (712) 873-3215 • Fax (712) 873-3235

COUNTY ENGINEER  
Mark J. Nahra, P.E.  
mnahra@sioux-city.org

ASSISTANT TO THE COUNTY ENGINEER  
Benjamin T. Kusler, E.I.T.  
bkusler@sioux-city.org

SECRETARY  
Tish Brice  
tbrice@sioux-city.org

To: Dan Priestley, Woodbury County Zoning Coordinator  
David Gleiser, Woodbury County Community and Economic Development Director

From: Mark J. Nahra, County Engineer

Date: June 9, 2020

Subject: Swanger Rezoning application

The Secondary Road Department has reviewed the information provided for the above referenced rezoning request forwarded with your memo dated June 3, 2020.

I am offering the following comments for your consideration.

- I have reviewed the parcel for access and I have concerns with the rezoning request and potential for commercial development. The lots are bordered by county gravel roads and US Highway 20. I am not sure access can be gained to most of the lots from highway 20 due to sight distance issues and a lack of median crossovers adjacent to the lots. If they are unable to be accessed from Highway 20, they will have to use the county gravel road. Not knowing the nature of the plan for marketing the lots, it is possible that significant traffic generating businesses might be developed in one or more of the lots. Should the lots develop, and the gravel road become the primary access for the lots, I believe the lots should be subjected to a paving agreement in compliance with the terms of the current county paving policy so that the owner is contributing to the cost of any improvements to the road necessitated by the development.
- Driveway access can be gained to each parcel, although the parcel ending in 00007 will have difficulty finding a location for a driveway that is level to the road that is not within the willow grove that occupies the southern part of the lot. The other lots either are served by a driveway already or have locations with adequate sight distance that are relatively level to the roadway.
- The subdivision borders on an area with existing residential development. I am not sure that the introduction of additional commercial properties is fully compatible with the residential use already existing, particularly if the traffic serving new commercial enterprises uses the gravel road. I have heard more than one complaint about commercial business adjacent to rural residential development in the Grandy Hills Subdivision and question the compatibility of the two types of development in close proximity to one another. I question whether the Grandy Hills pattern of development should be replicated in this location. I see no enhancement to surrounding land use by making this change, while the current zoning for Ag Estate is at complimentary to the development and land use already in place in the area.
- I have no other comments at this time.

If there are any more questions or issues that arise later, please contact this office.

Cc: File

## ZONING ORDINANCE EVALUATION CRITERIA FOR BOARD APPROVAL

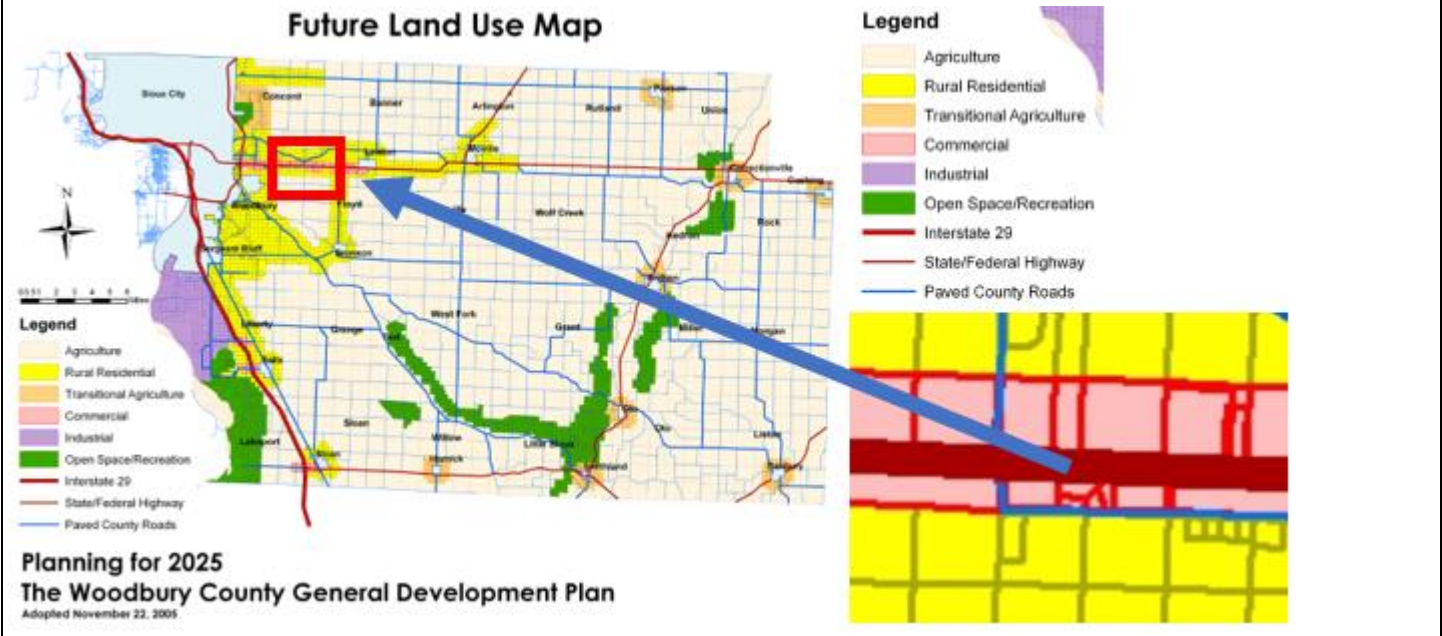
The Zoning Commission shall base their recommendations and the Board of Supervisors shall base their decision on any requested amendment of the zoning district map on the following criteria:

### CRITERIA 1:

Conformance with the goals and objectives set forth in the approved General Development Plan for Woodbury County including the Future Land Use Map.

#### Staff Analysis:

The development plan and its land use goal adopted in 2005 is the basis for the zoning ordinance which has mechanisms in place including rezone procedure that “promote[s] efficient, stable land uses with minimum conflict...”. The applicant’s proposal to rezone from AE to GC fits this criteria as the GC Zoning District comports with the “Future Land Use Map” that was established in 2005 as part of the Woodbury County General Development Planning for 2025.



### CRITERIA 2:

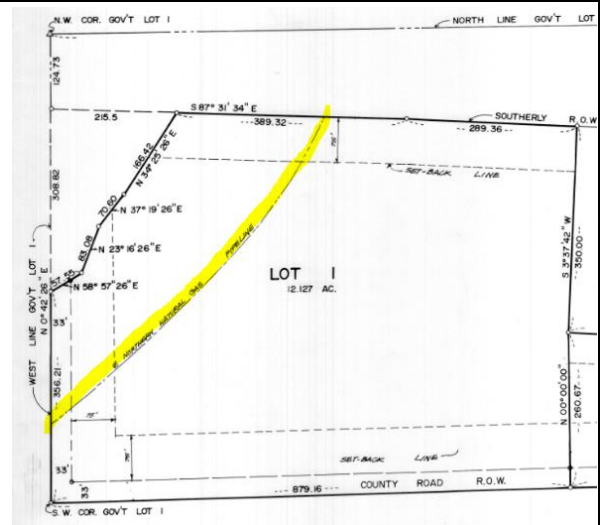
Compatibility and conformance with the policies and plans of other agencies with respect to the subject property.

#### Staff Analysis:

Northern Natural Gas has a 16" diameter high pressure natural gas transmission line crossing through Parcel #884702200002. As noted in their attached statement, “changing the land to commercial with the hopes of developing it will likely be hampered by the pipeline.” Northern Natural Gas must be contacted if any development were to take in the area crossing Parcel #884702200002.

CenturyLink has facilities in the public ROW and copper cable that feeds the adjacent Parcel # 884702200003 owned by Triple H International. CenturyLink must be involved with any development proposals.

According to the county engineer, should commercial lots develop and the gravel road become the primary access to the lots, they should be subject to a paving agreement in compliance with the terms of the county paving policy so the owner is contributing to the cost of any improvements to the road necessitated by the development. Four of the lots have adequate access to the road system. However, Parcel #884702200007 will have “difficulty finding a location for a driveway that is level to the road that is not within the willow drive that occupies the southern part of the lot.”



**CRITERIA 3:**

Consideration of the Corn Suitability (CSR) of the property.

**Staff Analysis:**

The following data has been provided by the Woodbury County Assessor' office:

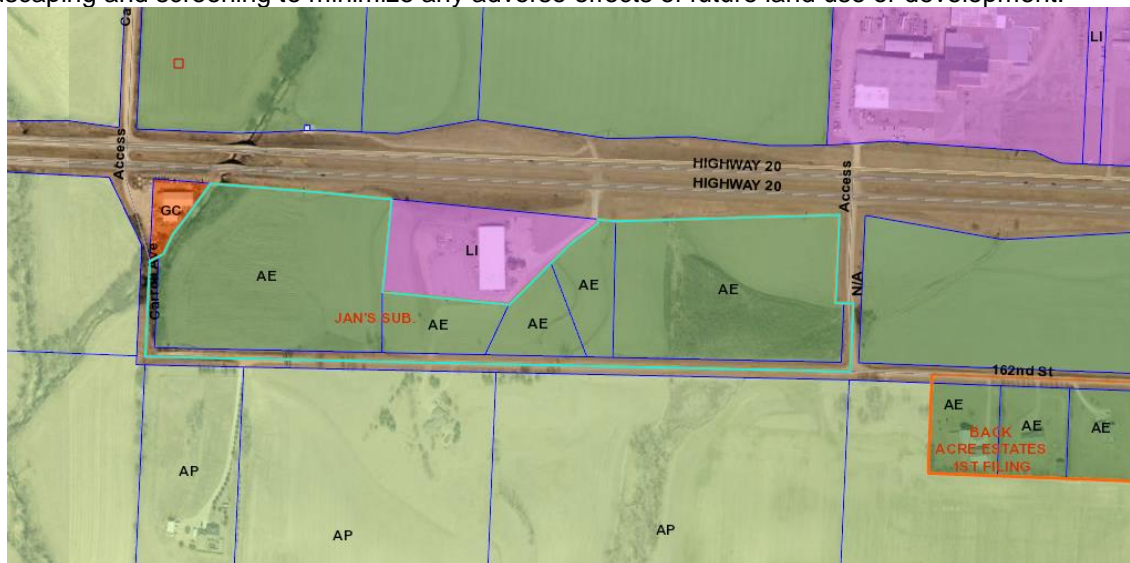
Parcel ID	CSR Rating
884702200002	avg 44.03
884702200004	avg 51.79
884702200005	avg 26.49
884702200006	avg 36.21
884702200007	avg 81.01
884702200002	avg 44.03

**CRITERIA 4:**

Compatibility with adjacent land uses.

**Staff Analysis:**

This property is located along the Highway 20 corridor which has been included in the future land use map for commercial uses. The land is also adjacent to agricultural ground including residential homes across 162nd Street. This rezone would directly place commercial land adjacent to Agricultural Preservation (AP) and Agricultural Estates (AE) land. It would be imperative for current and future property owners to implement efforts including building and site design, landscaping and screening to minimize any adverse effects of future land use or development.

**CRITERIA 5:**

Compatibility with other physical and economic factors affecting or affected by the proposed rezoning.

**Staff Analysis:**

The intended use of the property appears to be compatible with the adjacent properties.

**CRITERIA 6:**

Any other relevant factors.

**Staff Analysis:**

This rezone request aligns with the Woodbury County General Development Plan for 2025.

## STAFF RECOMMENDATION

The staff considers this an opportunity to implement the vision of the Woodbury County General Plan (2005). However, staff acknowledges the concerns by the stakeholders including the county engineer who pointed out potential compatibility issues between commercial and agricultural residential property. In this situation, it is imperative for developers to minimize any adverse impact on the neighbors during any development and operation of the commercial property.

The staff recommends approval of the rezone from Agricultural Estates (AE) to General Commercial (GC) as this property is mapped for future commercial development under the Woodbury County General Plan's Future Land Use Map for 2025 under the condition that the current and/or future property owners comply with the following:

- Enter into a recorded paving agreement in compliance with the terms of the current county paving policy (see attached).
- Comply with any and all easements and encroachment agreements including area utilities not limited to Northern Natural Gas on Parcel # 884702200002.
- Implement efforts including building and site design, landscaping and screening to minimize any adverse effects of future land use or development.

## ZONING COMMISSION RECOMMENDATION



At the June 22, 2020 public meeting, the Zoning Commission voted to recommend the Zoning Ordinance Map Amendment (Rezone) with the condition that the property owner(s) meet the following conditions:

- Enter into a recorded paving agreement in compliance with the terms of the current county paving policy (see attached).
- Comply with any and all easements and encroachment agreements including area utilities not limited to Northern Natural Gas on Parcel # 884702200002.
- Implement efforts including building and site design, landscaping and screening to minimize any adverse effects of future land use or development.

PROPOSED ZONING ORDINANCE MAP AMENDMENT (REZONE): Amendment to rezone from the Agricultural Estates (AE) Zoning District to the General Commercial (GC) Zoning District on Lots One (1), Two (2), Three (3), Four (4), and Five (5) of Jan's Subdivision, Part of Government Lot One (1) of Section Two (2), Township Eighty-Eight (88) North, Range Forty-Seven (47), West of the Fifth Principal Meridian in the County of Woodbury and State of Iowa. Lot 1 also known as Parcel #884702200002 is 12.13 acres. Lot 2 also known as Parcel #884702200004 is 2.3 acres. Lot 3 also known as Parcel #884702200005 is 2.03 acres. Lot 4 also known as Parcel #884702200006 is 2.02. Lot 5 also known as Parcel #884702200007 is 11.34.

PART OF GOVERNMENT LOT 1, IN SECTION 2, TOWNSHIP 88 NORTH, RANGE 47 WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT THE N.W. CORNER OF SAID GOVERNMENT LOT 1; THENCE S 0°42' 26" W ALONG THE WEST LINE OF SAID GOVERNMENT LOT 1 FOR 124.73 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 20; THENCE S 87°31' 34" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 215.50 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S 87°31' 34" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 389.32 FEET; THENCE S 86°22' 18" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 289.36 FEET; THENCE S 3°37' 42" W FOR 350.00 FEET; THENCE S 86° 22' 18" E FOR 474.81 FEET; THENCE N 43°45' 00" E FOR 330.80 FEET; THENCE N 52°22' 03" E FOR 124.48 FEET; THENCE N 0°35' 33" E FOR 14.97 FEET TO A POINT ON SAID SOUTHERLY RIGHT OF WAY LINE; THENCE S 86°22' 18" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 68.12 FEET; THENCE N 86°21' 58" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 845.36 FEET; THENCE S 0°36' 23" W FOR 331.51 FEET; THENCE S 89°23' 37" E FOR 66.69 FEET TO A POINT ON THE EAST LINE OF SAID GOVERNMENT LOT 1; THENCE S 0°35' 33" W ALONG SAID EAST LINE FOR 256.30 FEET TO THE S.E. CORNER OF SAID GOVERNMENT LOT 1; THENCE S 89°18' 36" W ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 1 FOR 2652.82 FEET TO THE S.W. CORNER OF SAID GOVERNMENT LOT 1; THENCE N 0°42' 26" E ALONG THE WEST LINE OF SAID GOVERNMENT LOT 1 FOR 356.21 FEET; THENCE N 58°57' 26" E FOR 57.55 FEET; THENCE N 23°16' 26" E FOR 83.08 FEET; THENCE N 37°19' 26" E FOR 70.60 FEET; THENCE N 34°25' 26" E FOR 166.42 FEET TO THE POINT OF BEGINNING. CONTAINING 29.900 ACRES. PARCEL IS SUBJECT TO EXISTING ROADWAYS AND EASEMENTS OF RECORD. NOTE: THE NORTH LINE OF SAID GOVERNMENT LOT 1 IS ASSUMED TO BEAR DUE EAST.

Property Owner and Applicant – Chad Swanger of the Terry V. Swanger Irrevocable Trust, 1656 162<sup>nd</sup> St., Lawton, IA 51030.

# WOODBURY COUNTY PAVING POLICY



## Woodbury County Secondary Roads Department

759 E. Frontage Road • Moline, Iowa 51039  
Telephone (712) 279-6484 • (712) 873-3215 • Fax (712) 873-3235

COUNTY ENGINEER  
Mark J. Nabra, P.E.  
mnabra@sioux-city.org

ASSISTANT TO THE COUNTY ENGINEER  
Benjamin T. Kusler, E.I.T.  
bkusler@sioux-city.org

SECRETARY  
Tish Brice  
tbrice@sioux-city.org

PPM #5, 2015

### WOODBURY COUNTY SECONDARY ROAD DEPARTMENT POLICY AND PROCEDURE MEMORANDUM

SUBJECT: PAVING POLICY

#### 1.0 Purpose

Subdivision development in the rural area creates additional traffic on gravel surfaced roads which were designed primarily for rural farm access. Fugitive dust and rough roads draw frequent complaints from residents who move to the rural area and construct new homes. The county receives requests for paving the roads to meet the new traffic demand.

Property taxes generated by rural residential development rarely pay back the cost of grading and paving a road to meet the new demand. As such, the county is developing this policy to gain participation in road improvement costs from the subdivider or those who purchase rural residential property. This policy states the level of county participation in road improvements and sets a framework for developing paving agreements in the rural area.

The County has not realized total reimbursement of roadway improvement costs from subdivision developers or land owners. Financial, human and other resources are limited and therefore the County desires to establish financial resource guidelines for future pavement extensions to, adjacent and through rural subdivisions.

For new subdivisions the terms of roadway improvement cost sharing within this Paving Policy shall be implemented by the use of Agreements to Impose Covenants; more commonly known as Paving Agreements. Specifically, as a condition of a subdivision's final plat approval, that the Board of Supervisors will require the timely recording of any Paving Agreement.

Samples of Paving Agreement language meeting this Paving Policy is attached and marked Exhibit A and Exhibit B.

#### Financial Resources

##### 1.1 Special Assessment District

Chapter 331, Section 485, Code of Iowa, establishes the procedures for "County Special Assessment Districts". This process would be the most logical form of cost reimbursement to the County. Section 331.486 indicates that "a county may construct and assess the cost of public improvements within a district in the same manner as a city may proceed under Chapter 384..." Sections 384.37 - 384.79 describes the procedures cities are required to follow for special assessment districts. District boundaries are established by the Board of Supervisors as per Section 331.485.

##### 1.2 Tax Increment Financing

Chapter 403, Code of Iowa, is the "Urban Renewal Law". Section 403.22 describes public improvements related to housing and residential development and low income assistance requirements. The County has use of the funds, but must designate the Low to Moderate Income (LMI) portion to go towards LMI benefit.

##### 1.3 Real Estate Improvements District

Chapter 358C, Code of Iowa, establishes the procedures for creation of a Real Estate Improvement District. The general assembly created this program to assist developers and communities in increasing the availability of housing in Iowa communities. Section 358C.4 authorizes the district to acquire, construct, reconstruct, install, maintain, and repair any of the public improvements listed in this section. Section 358C.4.2.m identifies "Public roads, streets, and alleys" as eligible public improvements.

##### 1.4 General Obligation Bonds

Section 331.441-331.460 describes the procedures for issuance of General Obligation Bonds for "Essential County Purpose". Section 331.441.2.b.2 identifies "Bridges on highway or parts of highways which are located along the corporate limits of cities and are partly within and partly without the limits and are in whole or in part secondary roads".

#### 2.0 Participation Guidelines

- 2.1 Woodbury County will begin to consider paving extensions and County participation when the Average Daily Traffic (ADT) falls within the range of 250 to 500 vehicles per day.
- 2.2 The County will participate up to 20% of the construction costs for paving extension to, adjacent or through a new subdivision or through an existing development. Project development costs will be borne solely by the developer, subdivider or land owners requesting the road upgrade. Grading costs to prepare the roadway for paving will be included in the cost of the project to be shared by the parties requesting the paving improvement.
- 2.3 Woodbury County will use six (6) vehicles per day as a planning number to estimate the number of trips generated by a single family residence.
- 2.4 Bridges, box culverts and other drainage structures will be negotiated individually as proposed projects are presented to the County.

- 2.5 Payment of the cost of the project will be made from funds of the County that may be legally used for such purpose at the sole discretion of the Board of Supervisors.
- 2.6 The Woodbury County Engineer may assist the developer with the development of opinions of cost related to the proposed pavement extension. This shall be considered as a planning tool only. Actual final construction costs will determine the necessary financial commitment of the developer, subdivider or land owner.
- 2.7 Design guidelines and standards will be established by the Woodbury County Engineer.
- 2.8 Schedules will be determined by the Woodbury County Engineer.
- 2.9 These guidelines are not intended to be all inclusive. The Board of Supervisors reserves the right to modify these guidelines as necessary to accommodate the social and economic needs of the project.

3.0 Summary

Woodbury County desires that these guidelines shall be made in accordance with a comprehensive plan and designed to facilitate the adequate provision of transportation, to encourage efficient urban development patterns and to lessen congestion in the street or highway.

Such regulations shall be made with reasonable consideration, among other things, as to the character of the area of the district and the peculiar suitability of such area for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout Woodbury County.

This Paving Policy approved this 5th day of May, 2015 for Woodbury County, State of Iowa,

SO APPROVED this 5th day of May, 2015.

WOODBURY COUNTY BOARD OF SUPERVISORS

Mark A. Monson  
Mark A. Monson, Chairman

ATTEST:  
Patrick F. Gill  
Patrick F. Gill, County Auditor  
Recorder

Larry D. Clausen  
Larry D. Clausen, Member

Jaclyn Smith  
Jaclyn Smith, Member

Matthew A. Ung  
Matthew A. Ung, Member

Jeremy Taylor  
Jeremy Taylor, Member

PARCEL # 884702200002

Summary

Parcel ID 884702200002  
 Alternate ID N/A  
 Property Address N/A  
 Sec/Twp/Rng 2-88-47  
 Brief Tax Description LOT 1 JANS SUB DIV 2-88-47 LAWTON BRONSON WOODBURY  
 [Note: Not to be used on legal documents]  
 Deed Book/Page 230-2257 (3/27/1990)  
 Gross Acres 12.13  
 Net Acres 12.13  
 Adjusted CSR Pts 0  
 Class R - Residential  
 [Note: This is for tax purposes only. Not to be used for zoning.]  
 District N/A  
 School District LAWTON BRONSON  
 Neighborhood N/A  
 Main Area Square Feet N/A

Owner

Deed Holder  
Swarner Terry V  
1656 162nd St  
 Lawton IA 51030-9729

Land

Lot Area 12.13 Acres ; 528,383 SF

Valuation

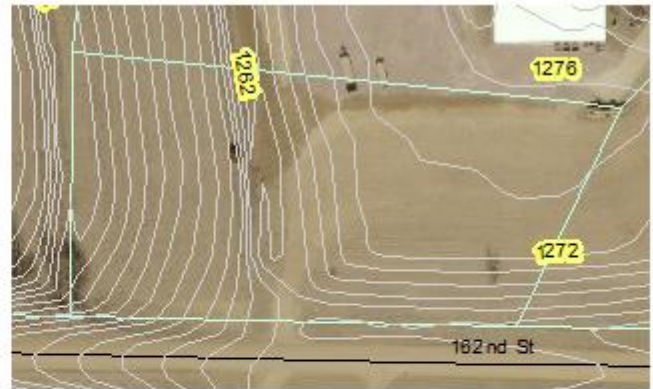
	2020	2019	2018	2017
Classification	Residential	Residential	Residential	Residential
+ Assessed Land Value	\$16,130	\$16,130	\$11,310	\$11,310
+ Assessed Building Value	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$16,130	\$16,130	\$11,310	\$11,310
- Exempt Value	\$0	\$0	\$0	\$0
= Net Assessed Value	\$16,130	\$16,130	\$11,310	\$11,310



## PARCEL # 884702200004

### Summary

Parcel ID 884702200004  
 Alternate ID N/A  
 Property Address N/A  
 Sec/Twp/Rng 2-88-47  
 Brief Tax Description LOT2 JANS SUB DIV 2-88-47 LAWTON BRONSON WOODBU RY  
*[Note: Not to be used on legal documents]*  
 Deed Book/Page 230-2257 (6/27/1990)  
 Gross Acres 2.30  
 Net Acres 2.30  
 Adjusted CSR Pts 0  
 Class R - Residential  
*[Note: This is for tax purposes only. Not to be used for zoning.]*  
 District N/A  
 School District LAWTON BRONSON  
 Neighborhood N/A  
 Main Area Square Feet N/A



### Owner

**Deed Holder** **Contract Holder**  
[Swanger Terry V](#)  
 1656 162nd St  
 Lawton IA 51030-9729

### Land

Lot Area 2.30 Acres ; 100,188 SF

### Valuation

	2020	2019	2018	2017
Classification	Residential	Residential	Residential	Residential
+ Assessed Land Value	\$10,860	\$10,860	\$7,490	\$7,490
+ Assessed Building Value	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$10,860	\$10,860	\$7,490	\$7,490
- Exempt Value	\$0	\$0	\$0	\$0
= Net Assessed Value	\$10,860	\$10,860	\$7,490	\$7,490

## PARCEL # 884702200005

### Summary

Parcel ID 884702200005  
 Alternate ID N/A  
 Property Address N/A  
 Sec/Twp/Rng 2-88-47  
 Brief Tax Description LOT3 JANS SUB DIV 2-88-47 LAWTON BRONSON WOODBU RY  
*[Note: Not to be used on legal documents]*  
 Deed Book/Page 230-2257 (3/27/1990)  
 Gross Acres 2.03  
 Net Acres 2.03  
 Adjusted CSR Pts 0  
 Class R - Residential  
*[Note: This is for tax purposes only. Not to be used for zoning.]*  
 District N/A  
 School District LAWTON BRONSON  
 Neighborhood N/A  
 Main Area Square Feet N/A



### Owner

**Deed Holder** **Contract Holder** **Mailing Address**  
[Swanger Terry V](#)  
 1656 162nd St  
 Lawton IA 51030-9729

### Land

Lot Area 2.03 Acres ; 88,427 SF

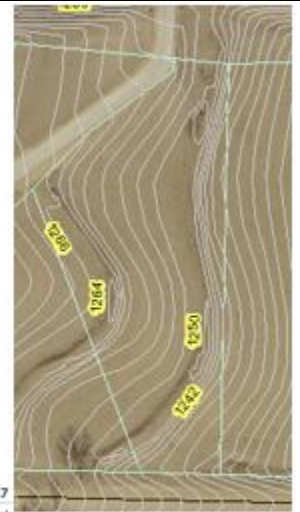
### Valuation

	2020	2019	2018	2017
Classification	Residential	Residential	Residential	Residential
+ Assessed Land Value	\$10,700	\$10,700	\$7,220	\$7,220
+ Assessed Building Value	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$10,700	\$10,700	\$7,220	\$7,220
- Exempt Value	\$0	\$0	\$0	\$0
= Net Assessed Value	\$10,700	\$10,700	\$7,220	\$7,220

## PARCEL # 884702200006

### Summary

Parcel ID 884702200006  
 Alternate ID N/A  
 Property Address N/A  
 Sec/Twp/Rng 2-88-47  
 Brief Tax Description LOT4 JANS SUB DIV 2-88-47 LAWTON BRONSON WOODBURY  
*(Note: Not to be used on legal documents)*  
 Deed Book/Page 230-2257 (3/27/1990)  
 Gross Acres 2.02  
 Net Acres 2.02  
 Adjusted CSR Pts 0  
 Class R - Residential  
*(Note: This is for tax purposes only. Not to be used for zoning.)*  
 District N/A  
 School District LAWTON BRONSON  
 Neighborhood N/A  
 Main Area Square Feet N/A



### Owner

<b>Deed Holder</b>	<b>Contract Holder</b>	<b>Mailing Address</b>
Swanger Terry V 1656 162nd St Lawton IA 51030-9729		

### Land

Lot Area 2.02 Acres : 87,991 SF

### Valuation

	2020	2019	2018	2017
Classification	Residential	Residential	Residential	Residential
+ Assessed Land Value	\$10,700	\$10,700	\$7,220	\$7,220
+ Assessed Building Value	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$10,700	\$10,700	\$7,220	\$7,220
- Exempt Value	\$0	\$0	\$0	\$0
= Net Assessed Value	\$10,700	\$10,700	\$7,220	\$7,220

## PARCEL # 884702200007

### Summary

Parcel ID 884702200007  
 Alternate ID N/A  
 Property Address N/A  
 Sec/Twp/Rng 2-88-47  
 Brief Tax Description LOTS 5 JANS SUB DIV 2-88-47 LAWTON BRONSON WOODBURY  
*(Note: Not to be used on legal documents)*  
 Deed Book/Page 230-2257 (3/27/1990)  
 Gross Acres 11.34  
 Net Acres 11.34  
 Adjusted CSR Pts 0  
 Class R - Residential  
*(Note: This is for tax purposes only. Not to be used for zoning.)*  
 District N/A  
 School District LAWTON BRONSON  
 Neighborhood N/A  
 Main Area Square Feet N/A



### Owner

<b>Deed Holder</b>	<b>Contract Holder</b>
Swanger Terry V 1656 162nd St Lawton IA 51030	

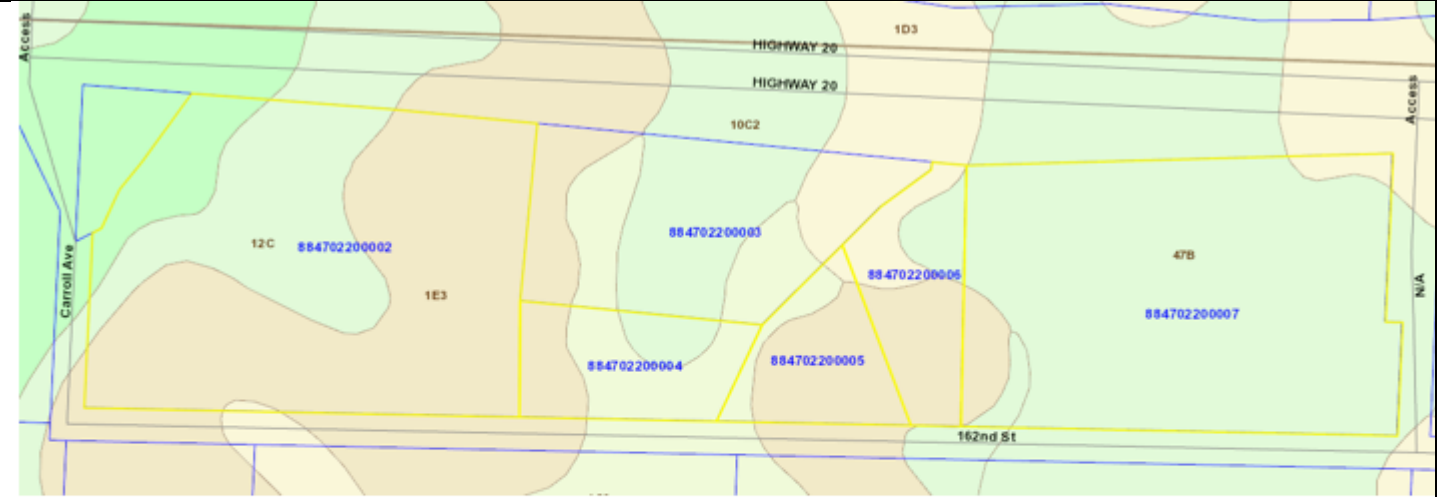
### Land

Lot Area 11.34 Acres : 493,970 SF

### Valuation

	2020	2019	2018	2017
Classification	Residential	Residential	Residential	Residential
+ Assessed Land Value	\$15,520	\$15,520	\$12,220	\$12,220
+ Assessed Building Value	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$15,520	\$15,520	\$12,220	\$12,220
- Exempt Value	\$0	\$0	\$0	\$0
= Net Assessed Value	\$15,520	\$15,520	\$12,220	\$12,220

# SOIL



Parcel #	*Average Crop Suitability Rating
884702200002	44.03
884702200004	51.79
884702200005	26.49
884702200006	36.21
884702200007	81.01



\*Data provided from the Woodbury County Assessor's Office (5/28/20).

**REZONE APPLICATION**



OFFICE OF PLANNING AND ZONING WOODBURY COUNTY

Zoning Ordinance  
Section 2.02(4)  
Page 1 of 8

**Rezoning Application &  
Zoning Ordinance Map Amendment** AE → GC

<b>Owner Information:</b> <u>JAREVOCABLE</u>		<b>Applicant Information:</b>	
Owner	<u>TERRY V SWANGER TRUST</u>	Applicant	<u>CHAD SWANGER</u>
Address	<u>1656 162<sup>ND</sup> ST. LAWTON, IA 51030</u>	Address	<u>4274 DELAWARE CT. SAN JOSE, CA 95135</u>
Phone	<u>408-876-8347</u>	Phone	<u>408-876-8347</u>

Engineer/Surveyor \_\_\_\_\_ Phone \_\_\_\_\_

**Property Information:**

Property Address or Address Range 1656 162<sup>ND</sup> ST., LAWTON, IA 51030

Quarter/Quarter \_\_\_\_\_ Sec \_\_\_\_\_ Twship/Range LAWTON, IA 51030

Parcel ID # See enclosed or GIS # See enclosed Total Acres 30

Current Use Agriculture Proposed Use Agriculture

Current Zoning Agriculture Proposed Zoning Commercial General

Average Crop Suitability Rating (submit NRCS Statement) \_\_\_\_\_

The filing of this application is required to be accompanied with all items and information required pursuant to section 2.02(4)(C)(2) through (C)(4) of Woodbury County's zoning ordinances (see attached pages of this application for a list of those items and information).

**A formal pre-application meeting is recommended prior to submitting this application.**

Pre-app mtg. date \_\_\_\_\_ Staff present \_\_\_\_\_

The undersigned is/are the owner(s) of the described property on this application, located in the unincorporated area of Woodbury County, Iowa, assuring that the information provided herein is true and correct. I hereby give my consent for the Woodbury County Planning and Zoning Office and zoning commission members to conduct a site visit and photograph the subject property.

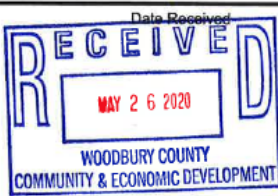
This Rezoning Application / Zoning Ordinance Map Amendment is subject to and shall be required, as a condition of final approval, to comply with all applicable Woodbury County ordinances, policies, requirements and standards that are in effect at the time of final approval.

Owner	<u>[Signature]</u>	Applicant	<u>CHAD SWANGER</u>
Date	<u>5-22-2020</u>	Date	<u>5-22-2020</u>

Fee: \$400 Case #: 6561

Check #: 4028

Receipt #: \_\_\_\_\_



AE 88 4700 22 00 002  
AE 88 470 22 00 004  
AE 88 47 022 00 005  
AG 88 47 022 00 006  
AK 88 47 022 00 007

**ORDINANCE NO. \_\_\_\_**

**A ZONING DISTRICT DESIGNATION MAPPING AMENDMENT  
TO THE WOODBURY COUNTY, IOWA ZONING ORDINANCE**

**WHEREAS** the Board of Supervisors of Woodbury County, Iowa, adopted a Zoning Ordinance on July 22, 2008, by Resolution No. 10,455 being recorded in the Office of the Woodbury County Recorder, and

**WHEREAS** the Woodbury County Zoning Commission has received a report in respect to amending said Ordinance from the Woodbury County Zoning Commission which held hearings on the amendment; all as by law provided. Which the amendment is attached hereto marked item One (1), and hereby made a part hereof; and

**WHEREAS** the Woodbury County Board of Supervisors has received said report, studied and considered the same, and has held hearings on said amendment, all as by law provided; and

**WHEREAS** the Woodbury County Board of Supervisors has concluded that the said ordinance shall amend the aforesaid Zoning Ordinance;

**NOW THEREFORE, BE IT RESOLVED** by the Woodbury County Board of Supervisors, duly assembled, that the aforesaid Zoning District is amended as shown on said attached item One (1); and the previous zoning district designation shall be repealed upon the effective date of this amendment.

**Dated this \_\_\_\_ day of \_\_\_\_\_ 2020.**

**THE WOODBURY COUNTY, IOWA BOARD OF SUPERVISORS:**

\_\_\_\_\_  
Matthew A. Ung, Chairman

\_\_\_\_\_  
Keith Radig, Vice Chairman

\_\_\_\_\_  
Rocky De Witt

\_\_\_\_\_  
Marty Pottebaum

ATTEST

\_\_\_\_\_  
Patrick F. Gill, Auditor

Adoption Timeline:

Public Hearing and 1st Reading: June 30, 2020

Public Hearing and 2nd Reading:

Public Hearing and 3rd Reading:

Adopted:



## ITEM ONE (1)

Property Owner: Terry V. Swanger, 1656 162<sup>nd</sup> St., Lawton, IA 51030.

Petitioner Applicant: Chad Swanger of the Terry V. Swanger Irrevocable Trust, 1656 162<sup>nd</sup> St., Lawton, IA 51030.

Pursuant to Section 2.02:4 of the Woodbury County Zoning Ordinance, and in accordance with Section 335 of the Code of Iowa, the Woodbury County Zoning Commission held a public hearing on Monday, June 22, 2020, to review and make recommendation for an amendment to Woodbury County Zoning Ordinance and Mapping for the unincorporated area of Woodbury County, Iowa, as follows:

Amendment to rezone from the Agricultural Estates (AE) Zoning District to the General Commercial (GC) Zoning District on Lots One (1), Two (2), Three (3), Four (4), and Five (5) of Jan's Subdivision, Part of Government Lot One (1) of Section Two (2), Township Eighty-Eight (88) North, Range Forty-Seven (47), West of the Fifth Principal Meridian in the County of Woodbury and State of Iowa. Lot 1 also known as Parcel #884702200002 is 12.13 acres. Lot 2 also known as Parcel #884702200004 is 2.3 acres. Lot 3 also known as Parcel #884702200005 is 2.03 acres. Lot 4 also known as Parcel #884702200006 is 2.02. Lot 5 also known as Parcel #884702200007 is 11.34 acres.

PART OF GOVERNMENT LOT 1, IN SECTION 2, TOWNSHIP 88 NORTH, RANGE 47 WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT THE N.W. CORNER OF SAID GOVERNMENT LOT 1; THENCE S 0°42' 26" W ALONG THE WEST LINE OF SAID GOVERNMENT LOT 1 FOR 124.73 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 20; THENCE S 87°31' 34" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 215.50 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S 87°31' 34" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 389.32 FEET; THENCE S 86°22' 18" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 289.36 FEET; THENCE S 3°37' 42" W FOR 350.00 FEET; THENCE S 86° 22' 18" E FOR 474.81 FEET; THENCE N 43°45' 00" E FOR 330.80 FEET; THENCE N 52°22' 03" E FOR 124.48 FEET; THENCE N 0°35' 33" E FOR 14.97 FEET TO A POINT ON SAID SOUTHERLY RIGHT OF WAY LINE; THENCE S 86°22' 18" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 68.12 FEET; THENCE N 86°21' 58" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 845.36 FEET; THENCE S 0°36' 23" W FOR 331.51 FEET; THENCE S 89°23' 37" E FOR 66.69 FEET TO A POINT ON THE EAST LINE OF SAID GOVERNMENT LOT 1; THENCE S 0°35' 33" W ALONG SAID EAST LINE FOR 256.30 FEET TO THE S.E. CORNER OF SAID GOVERNMENT LOT 1; THENCE S 89°18' 36" W ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 1 FOR 2652.82 FEET TO THE S.W. CORNER OF SAID GOVERNMENT LOT 1; THENCE N 0°42' 26" E ALONG THE WEST LINE OF SAID GOVERNMENT LOT 1 FOR 356.21 FEET; THENCE N 58°57' 26" E FOR 57.55 FEET; THENCE N 23°16' 26" E FOR 83.08 FEET; THENCE N 37°19' 26" E FOR 70.60 FEET; THENCE N 34°25' 26" E FOR 166.42 FEET TO THE POINT OF BEGINNING. CONTAINING 29.900 ACRES. PARCEL IS SUBJECT TO EXISTING ROADWAYS AND EASEMENTS OF RECORD. NOTE: THE NORTH LINE OF SAID GOVERNMENT LOT 1 IS ASSUMED TO BEAR DUE EAST.

Following the public hearing, the Zoning Commission voted unanimously to recommend approval of said request to the Woodbury County Board of Supervisors.

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 6/25/20

Weekly Agenda Date: 6/30/20

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** David Gleiser, CED Director

**WORDING FOR AGENDA ITEM:**

Application for Zoning Ordinance Map Amendment, Public Hearing and Ordinance First Reading

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

The Board of Supervisors will hold a public hearing to discuss a proposed Zoning District Map amendment which would change the zoning district designation for parcels #884630300012, 884630300004, and 884630300006 (Floyd Township) from Agricultural Presentation to Agricultural Estates. Following the public hearing, the Board may defer consideration of the proposal, reject the proposal, or proceed to adopt an ordinance approving the amendment to the zoning district map. A 60 percent majority of the Board of Supervisors shall be required to adopt the proposed amendment of the zoning district map if the owners of more than 20 percent of either, (a) the area of the subject property or (b) the area of real property lying within 500 feet of the subject property file a written objection prior to the conclusion of the public hearing. The Board of Supervisors may impose restrictive conditions upon the approval of an amendment to the zoning district map if, before the conclusion of the public hearing, the owner agrees to the conditions in writing.

**BACKGROUND:**

Brian D. Peterson, owner of parcels #884630300012, 884630300004, and 884630300006 requests to rezone his parcels from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for future residential development use. If approved, the applicant intends to create a 13 lot and 1 out-lot minor subdivision.

This property is located in a quarter-quarter section that already has two residences. Section 3.01 of the Zoning Ordinance states that not more than two residences shall be allowed on any quarter-quarter section (nominally 40 acre) tract; if a property owner wishes to subdivide to create more than two parcels on a quarter-quarter section, concurrently with the platting process the zoning designation should be changed from the AP Zoning District to an appropriate classification.

The Agricultural Estates Zoning District is designed for this type of proposal as its purpose is "to provide for a limited increase in the amount of small acreage development, including a controlled expansion of residential uses in appropriate locations throughout the county.

Parcel #884630300006 includes about 1 acre in the Floodplain Zone A. The most recent draft flood map from FEMA shows the entire project area being in the Special Flood Hazard Area. This issue, along with others were discussed during the Zoning Commission's 6/22/20 public hearing on the request as provided in your backup material. Following the commission's public hearing, they voted (3-0) to recommend approval of the rezone. The commission also approved the plat with the condition the lots be serviced by an internal road or cul-de-sac, and deed restrictions be placed on all lots that would require any structure built on the property be required to elevate 1-foot above the Base Flood Elevation, as determined by the Iowa Department of Natural Resources, and in accordance with the county's floodplain regulations. The Board of Supervisors will review the minor subdivision application subsequent to the completion of this rezone request.

**FINANCIAL IMPACT:**

None

**IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?**

Yes  No

**RECOMMENDATION:**

Receive the Zoning Commission's recommendation from their 6/22/20 meeting to approve the zoning district map amendment.

Open/close public hearing.

Approve the zoning district map amendment.

Conduct the first reading of the ordinance.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to receive the Zoning Commission's recommendation to approve the zoning district map amendment.

Open/close public hearing, then motion to approve the zoning district map amendment.

Motion to conduct the first reading of the ordinance.



**WOODBURY COUNTY  
COMMUNITY & ECONOMIC DEVELOPMENT**

620 DOUGLAS STREET – SIOUX CITY, IA 51101

David Gleiser · Director · dgleiser@woodburycountyia.gov  
Dan Priestley · Zoning Coordinator · dpriestley@woodburycountyia.gov  
Dawn Norton · Sr. Clerk · dnorton@woodburycountyia.gov  
Telephone (712) 279-6609 Fax (712) 279-6530

**ZONING ORDINANCE MAP AMENDMENT PROPOSAL  
Agricultural Preservation (AP) to Agricultural Estates (AE)  
Parcels #884630300012, #884630300004, #884630300006**



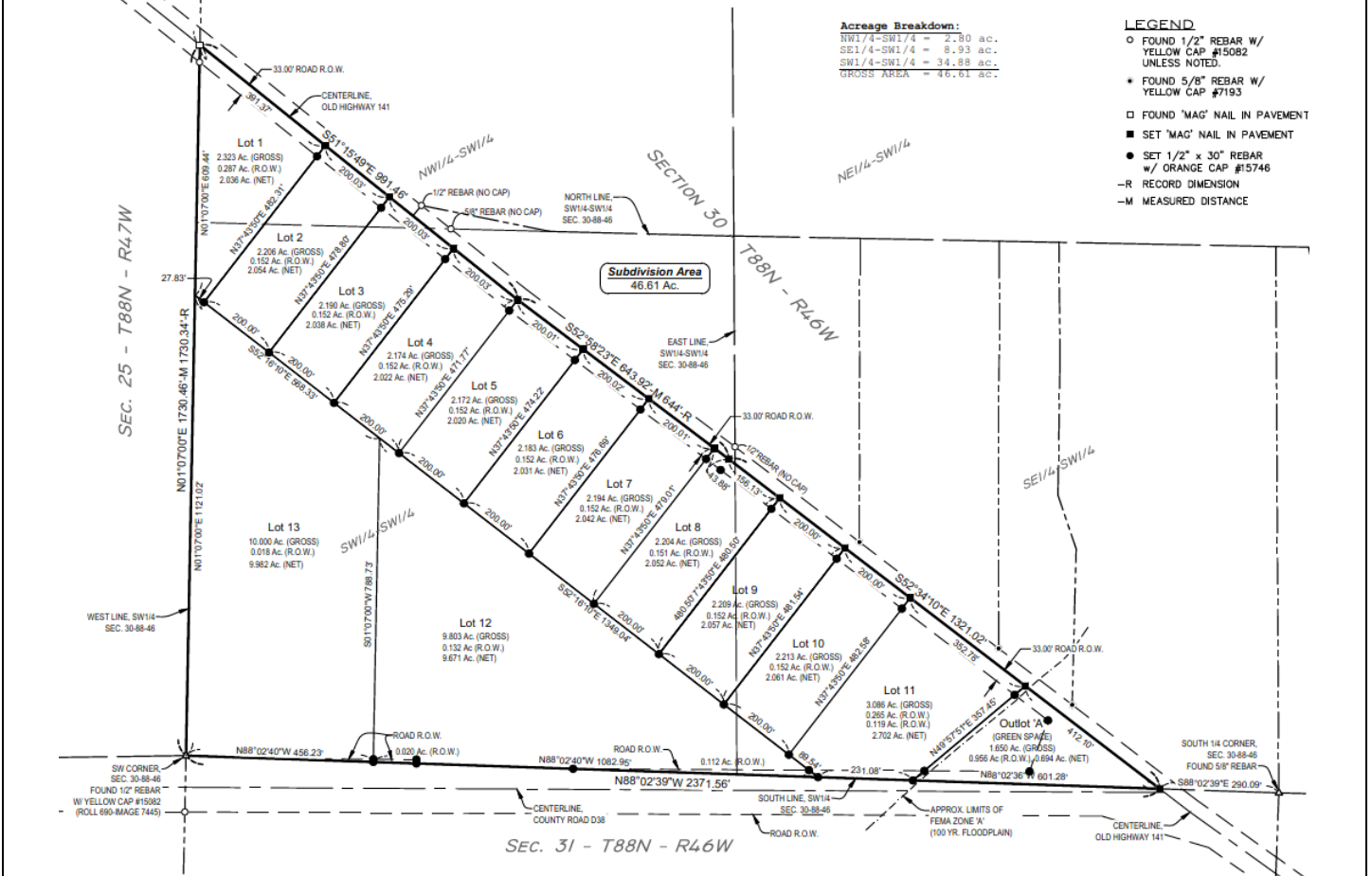
Brian D. Peterson, owner of Parcel #884630300012 located in the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 30, T88N R46W (Floyd Township), Parcel #884630300004 located in the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 30, T88N R46W (Floyd Township), and Parcel #884630300006 located in the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 30, T88N R46W (Floyd Township) requests for the Woodbury County Zoning Commission to review and the Board of Supervisors to approve his request to rezone his three parcels from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District to facilitate a concurrent minor subdivision proposal for the creation of thirteen buildable lots for residential homes and an outlot on Parcel #884630300006 which includes about one (1) acre in the Floodplain Zone A.

## FACTS OF THE CASE

This proposed Zoning Ordinance Map Amendment (Rezone) from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District is requested and being presented concurrently by the property owner(s) as part of a minor subdivision procedure to create thirteen (13) residential lots and one outlot within a 46.61 acres area.

According to Section 3.01 of the Woodbury County Zoning Ordinance, "not more than two residences shall be allowed on any quarter-quarter section (nominally 40 acre) tract; if a property owner wishes to subdivide to create more than two parcels on a quarter-quarter section, concurrently with the platting process the zoning designation should be changed from the AP Zoning District to an appropriate classification" (p. 24). The AE Zoning District is designed for this type of proposal as its purpose is "to provide for a limited increase in the amount of small acreage development, including a controlled expansion of residential uses in appropriate locations throughout the county" (Section 3.01.2, p. 24).

This rezone request is being presented concurrently with a minor subdivision proposal as the property owner(s) wishes to establish thirteen (13) residential lots and one outlot within a 46.61 acre area.

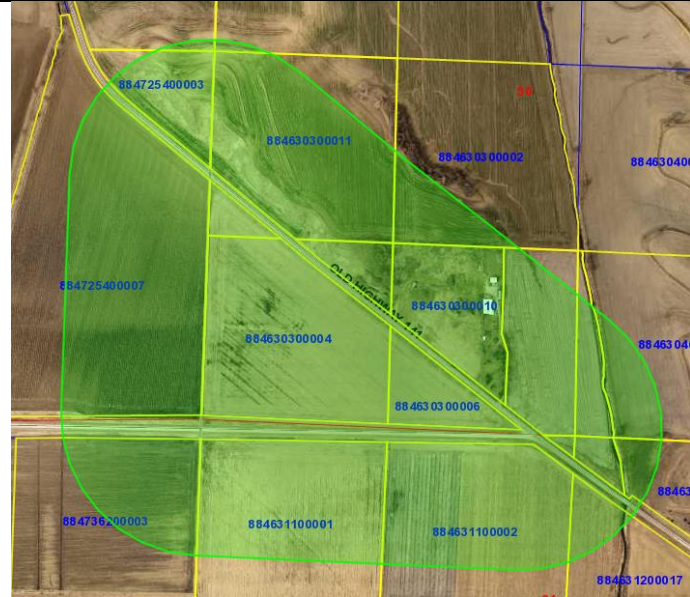


## LEGAL NOTIFICATION

Published in the Sioux City Journal Legals Section on June 12, 2020.

**PROPOSED ZONING ORDINANCE MAP AMENDMENT (REZONE):** Proposal to rezone from the Agricultural Preservation (AP) Zoning District to the General Commercial (GC) Zoning District on Lots 1-5 in the Jan's Subdivision, part of Government Lot 1 of Section 2, T88N R47W (Woodbury Township) on Parcels #884702200002, 884702200004, 884702200005, 884702200006, 884702200007 located in the Highway 20 corridor about one mile east of Sioux City and four miles west of Lawton. Applicant: Chad Swanger of the Terry V. Swanger Irrevocable Trust, 1856 162nd St., Lawton, IA 51030.

## PROPERTY'S OWNER NOTICE – 1000 FT



The 10 property owners within 1,000'; and listed within the certified abstractor's affidavit; were notified by a June 12, 2020 letter of the public hearing.

As of June 18, 2020 the Community & Economic Development office has received three (3) general phone inquiries and five (5) written comments from property owners owning property within 1,000'.

When more comments are received after the printing of this packet, they will be provided at the meeting.

## GARY L. WALTERS – ADJACENT NEIGHBOR

**From:** gary walters <garywalters@cableone.net>  
**Sent:** Tuesday, June 16, 2020 4:53 PM  
**To:** Daniel Priestley  
**Subject:** Walnut View subdivision  
**Attachments:** 20190314\_160327.mp4

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Video taken from the extreme NW corner of the proposed subdivision on the property line with my farm, with the Peterson land on the left and mine on the right. Video taken on 3/14/19 at 4 pm. I object to the proposed subdivision due to faulty flood plain maps that don't come close to identifying the serious flood threat to this area. To suggest that the flood plain is confined to the extreme SE corner (Outlot A) of this parcel is not only misleading but also blatantly incorrect. If I were a prospective buyer of any of these lots and was relying on FEMA or other information provided by County government to inform myself of the risk of flooding, this video and pictures that follow (in separate emails due to file size) would provide damning evidence that government failed miserably to appropriately inform and warn the public of potential danger.

Submitted by:

Gary L. Walters



## GARY L. WALTERS – ADJACENT NEIGHBOR

**From:** gary walters <garywalters@cableone.net>  
**Sent:** Tuesday, June 16, 2020 4:58 PM  
**To:** Daniel Priestley  
**Subject:** Walnut View  
**Attachments:** 20190314\_160551.jpg

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Here's the walnut trees along the proposed subdivision adjacent to old hwy 141 on March 14, 2019, in approximately the area of lots 7, 8, and 9. Notice in the background that 210th St disappears under water also.

Submitted by Gary L Walters



## GARY L. WALTERS – ADJACENT NEIGHBOR

**From:** gary walters <garywalters@cableone.net>  
**Sent:** Tuesday, June 16, 2020 5:49 PM  
**To:** Daniel Priestley  
**Subject:** Walnut View  
**Attachments:** 20190314\_160439.jpg

Here's another perspective of the water from the NW corner of the subdivision looking SE down old hwy 141. My opinion is that the only lots that might be suitable for any type of structural improvement (without raising elevations) would be 1-6, judging by the plat.

Additionally, I have safety concerns about all the accesses to the highway. I'm sure the county engineer will assess line of sight and other considerations relative to the approaches onto the highway but with the lots being significantly lower than the road grade, plus a slight incline in the road itself as it goes west, I don't see a pathway to safely adding up to 11 driveways in this short distance of less than 1/2 mile.

Another concern would be septic tank drain fields. The majority of the proposed lots would not seem to be sufficient for adequate drainage. I'm uncertain about who addresses the suitability of the plat as it relates to this issue. I just know that soils that are saturated a majority of the time do not lend themselves to a good functioning drain field.

Submitted by Gary L Walters



## GARY L. WATERS – ADJACENT NEIGHBOR

**From:** garylwalters <garylwalters@cableone.net>  
**Sent:** Friday, June 19, 2020 9:06 AM  
**To:** Daniel Priestley  
**Subject:** Flood potential map  
**Attachments:** Screenshot\_20200619-081244\_Chrome.jpg

Dan, attached is a map from the Iowa Flood Center. I suppose the county has seen this information as it reevaluates the flooding potential of the Walnut View subdivision but I wanted to be sure you have it as part of my argument that this tract of land is unfit for residential development.

Gary

Sent from my Verizon, Samsung Galaxy smartphone

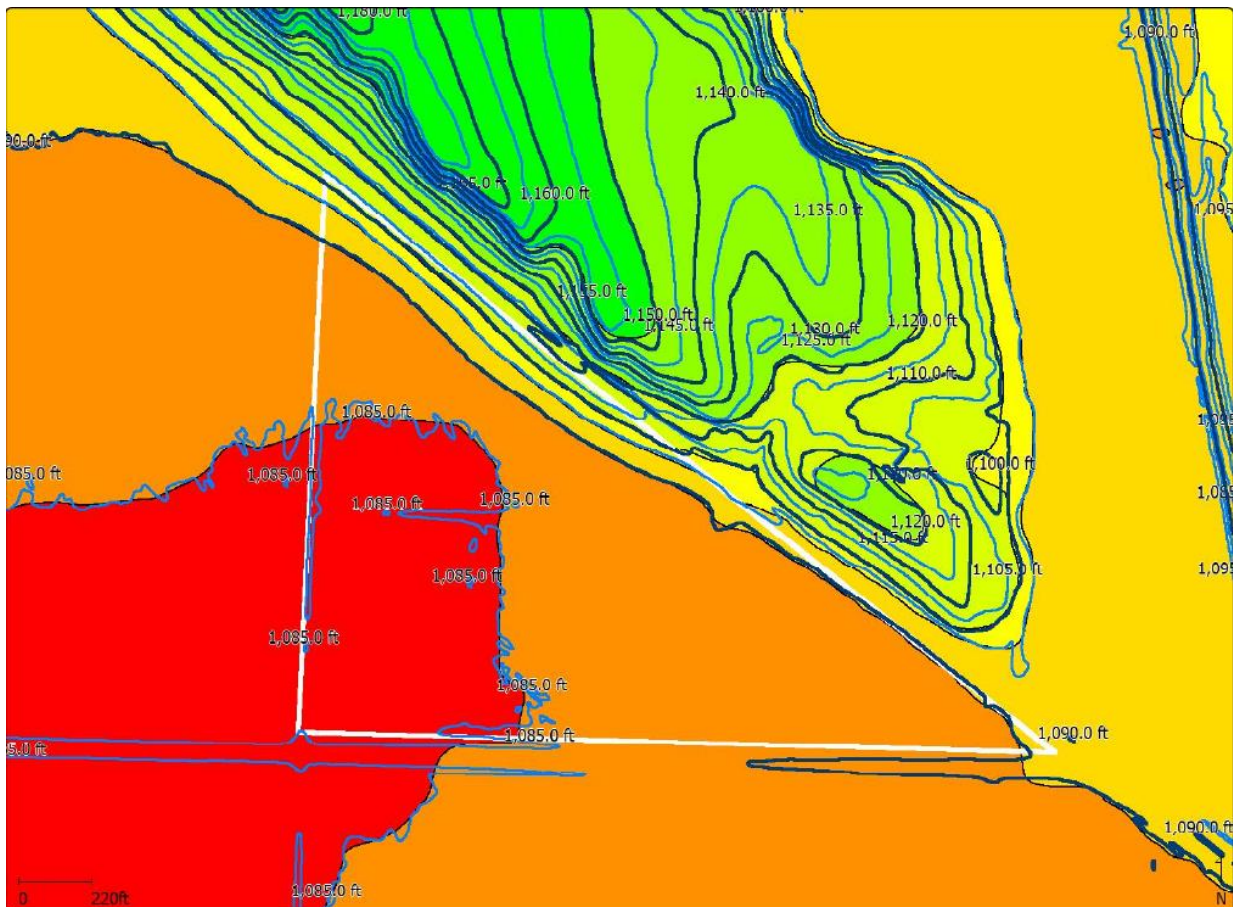
**From:** garylwalters <garylwalters@cableone.net>  
**Sent:** Friday, June 19, 2020 9:12 AM  
**To:** Daniel Priestley  
**Subject:** Lidar elevation map

Here's a map of elevations. Noteworthy is the fact that much of the ground is lower than the elevation in the extreme SE corner of the tract and that corner is the only area designated in the floodplain of the FEMA map.

Please include these two emails today with my previously submitted exhibits/comments.

Gary

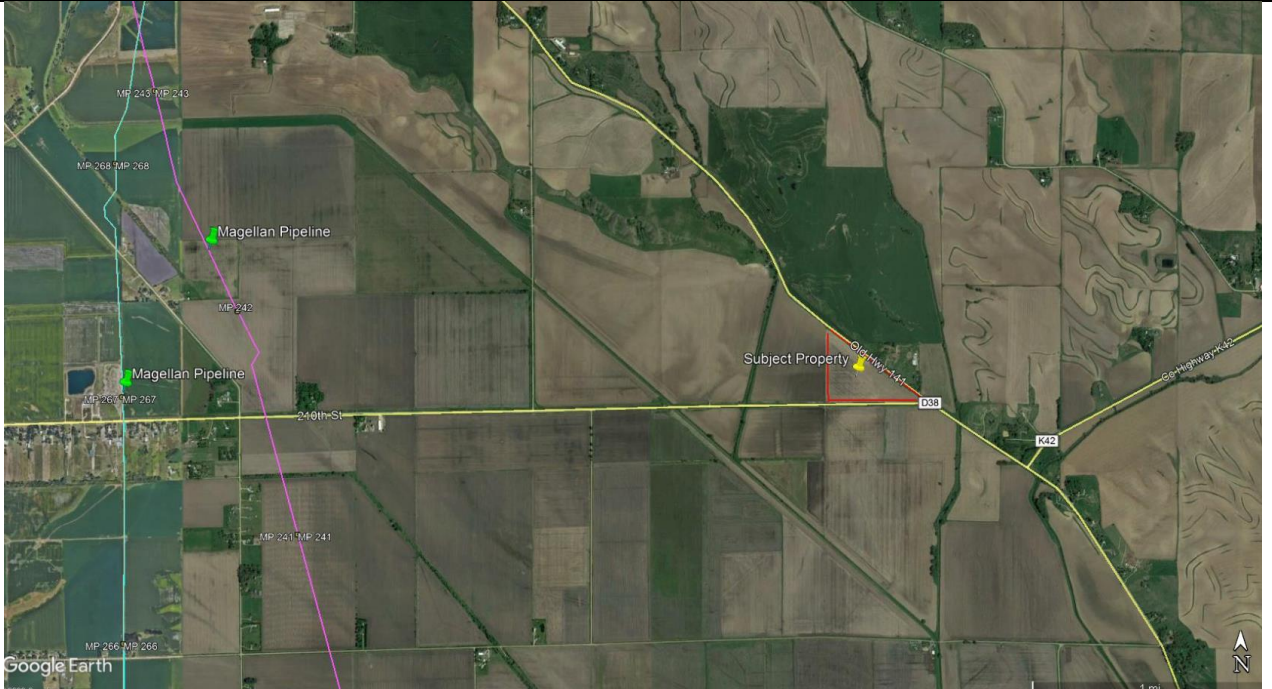
Sent from my Verizon, Samsung Galaxy smartphone





**STAKEHOLDER COMMENTS:**

CENTURYLINK:	I have verified through records that CenturyLink does not have any facilities in this area and this is outside of the CenturyLink serviceable area so CenturyLink does not have any concerns regarding this proposal. – Justin Melohn, 6/1/20.
FIBERCOMM:	FiberComm has not concerns. – Jeff Zyzda, 6/1/20.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	Well, I'm sure you're planning to inform the Zoning Commission that this property will eventually be shown as being in the SFHA. And, I assume the rezoning process allows the Commission to include conditions in their decision. So, I'd suggest the Commission consider requiring the developer to determine the BFE for the property and ensure that any structures constructed there are compliant with the County's requirements for development in the SFHA. Is that possible? – Bill Cappuccio, 6/2/20.
LONGLINES:	No comments.
MAGELLAN PIPELINE:	This S/D is over two miles from any Magellan facility (Please see the attached Google map). I have no issues or comments and approve as submitted. – Tim Kassen, 6/3/20.



MIDAMERICAN ENERGY COMPANY:	No conflicts for MEC “gas” department. – Tyler Ahlquist, 6/2/20. This is REC territory. – Casey Meinen, 6/2/20.
NATURAL RESOURCES CONSERVATION SERVICES (NRCS)	No comments.
NORTHERN NATURAL GAS:	Northern Natural Gas Company has no easements in this area. – Tom Hudson, 6/1/20.
NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	No comments.
NUSTAR PIPELINE:	As far as Nustar, we do not have an pipeline near this location. – Domingo Torres, 6/4/20.
SIOUXLAND DISTRICT HEALTH DEPARTMENT:	<b>SEE STATEMENT BELOW:</b>
WIATEL:	Wiatel has no concerns. – Phil Robinson, 6/4/20.
WOODBURY COUNTY ASSESSOR:	No comments.
WOODBURY COUNTY CONSERVATION:	No comments.
WOODBURY COUNTY EMERGENCY SERVICES:	Hi Dan this is a follow up to our phone conversation, the proposed area of the subdivision is in the area of past flooding. I have witnessed water over both D-38 and Old 141 several times over the years we have had to close 210 TH and Old 141 due to water over these roads. The area proposed has receives backup water as a result of these floods. A flood hazard study may be in order to determine if basements should be allowed and if the structures should be built in compliance current or future flood insurance requirements. – Gary Brown, 6/2-20
WOODBURY COUNTY EMERGENCY MANAGEMENT:	I'm not sure which portions of this parcel will be in the future floodplain, however according to the documents the area of land currently in the floodplain has been identified as an outlot/greenspace. If I'm not mistaken, this area was not accessible due road closures caused by flooding in 2019. If more portions of the parcel would

	be in the future flood plain, it would be my recommendation that residential homes are built in compliance with NFIP standards. – Rebecca Socknat, 6/10/20.
WOODBURY COUNTY ENGINEER:	No comments.
WOODBURY COUNTY RECORDER:	No comments.
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	No Comments from Woodbury County REC. – Kent Amundson, 6/1/20.
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT (WCSWCD):	<b>SEE STATEMENT BELOW:</b>

### WOODBURY COUNTY SOIL & WATER CONSERVATION DISTRICT - NEIL STOCKFLETH

**From:** Stockfleth, Neil <NStockfleth@cfindustries.com>  
**Sent:** Monday, June 1, 2020 2:40 PM  
**To:** Daniel Priestley  
**Subject:** RE: Comments Requested Walnut View Minor Subdivision & Rezone

Dan:

The WCSWCD has concerns about the suitability of development in this area due to wetness of the soil and flooding issues in the immediate area. In particular the southeastern end of this proposed area is low. Over the years it has appeared that farming has been delayed or hindered by wetness, based on personal observations. It appears that the western ends of the individual lots may extend into wet areas in some years.

Based on these observations, The WCSWCD has reservations about the suitability of housing development in this area. Significant steps would need to be taken to make septic systems functional in heavy, wet soils, for one example.

Neil Stockfleth

**Neil Stockfleth | CF Industries**  
 Environmental Specialist | Port Neal Nitrogen Complex  
 Office: 712-233-6276 | Mobile: 712-251-5155  
[nstockfleth@cfindustries.com](mailto:nstockfleth@cfindustries.com)

### IVY BREMER, ENVIRONMENTAL SPECIALIST – SIOUXLAND DISTRICT HEALTH, 6/17/20

#### THE FOLLOWING EMAIL ADDRESSES WELLS IN THE FLOODPLAIN.

**From:** Ivy Bremer  
**Sent:** Wednesday, June 17, 2020 12:05 PM  
**To:** Daniel Priestley  
**Subject:** RE: Comments Requested Walnut View Minor Subdivision & Rezone

Dan,

Yes, if the property falls within a flood plain, the following protective factors will need to be completed by the contractor:

- The casing top height needs to be 3 feet higher than the surrounding area
- It should be graded or mounded around the well for a transition
- Bump protection to be installed: any structure that has been secured at a sufficient depth
  - Bollard posts
- Well cap shall be watertight with a watertight interior
- Well cap vent needs to be raised another 12 inches above the cap

Ivy Bremer  
 Environmental Specialist  
 Siouxland District Health Department  
 1014 Nebraska St Sioux City IA 51105  
 Ph: 712-279-6119 | Fax: 712-255-2604  
[ibremmer@siouxlanddistricthealth.org](mailto:ibremmer@siouxlanddistricthealth.org)  
 Visit us at: [www.siouxlanddistricthealth.org](http://www.siouxlanddistricthealth.org)

**IVY BREMER, ENVIRONMENTAL SPECIALIST – SIOUXLAND DISTRICT HEALTH, 6/17/20**

**From:** Ivy Bremer  
**Sent:** Wednesday, June 17, 2020 11:02 AM  
**To:** Daniel Priestley  
**Subject:** RE: Comments Requested Walnut View Minor Subdivision & Rezone  
**Attachments:** Old 141 Sergeant Bluff Soils.pdf

Hi Dan,

I have reviewed the following parcels. Please be aware that prior to any installation of an on-site septic system an application to install and a site evaluation are required to determine the type of soils present, restrictive layers, e.g. water table, as well as any other required setbacks.

Based on information from you and the USDA Web Soil Survey there are some concerns as to the type of on-site septic system that would be allowed in this area. Due to the clay soils and potential issues due to a water table at approximately 0-12 inches, the property owners may not be able to install a soil-based system. Soil based systems require oxygen for the bacteria to properly treat the effluent. If the soils are continually saturated by the water table, this limits treatment. In these situations, they may be required to install an alternative system. These types of systems use media to filter and treat the effluent before discharging to the surface or ditch; however, these systems can cost anywhere from \$18,000-\$20,000. I cannot guarantee price, I just know they can be very expensive and an unexpected cost to homeowners.

Lastly, I am unable to determine which type would be required without completing an on-site evaluation but please be aware that it is likely given the area and known issues with standing water in the Sergeant Bluff area.

Thanks and please call with any other questions.

Ivy Bremer  
Environmental Specialist  
Siouxland District Health Department  
1014 Nebraska St Sioux City IA 51105  
Ph: 712-279-6119 | Fax: 712-255-2604  
[ibremer@siouxlanddistricthealth.org](mailto:ibremer@siouxlanddistricthealth.org)  
Visit us at: [www.siouxlanddistricthealth.org](http://www.siouxlanddistricthealth.org)

**Woodbury County, Iowa****734—Holly Springs silty clay loam, 0 to 2 percent slopes,  
rarely flooded****Map Unit Setting**

*National map unit symbol:* fh8h  
*Elevation:* 700 to 1,200 feet  
*Mean annual precipitation:* 26 to 36 inches  
*Mean annual air temperature:* 46 to 48 degrees F  
*Frost-free period:* 155 to 200 days  
*Farmland classification:* Farmland of statewide importance

**Map Unit Composition**

*Holly springs, rarely flooded, and similar soils:* 85 percent  
*Minor components:* 15 percent  
*Estimates are based on observations, descriptions, and transects of  
the mapunit.*

**Description of Holly Springs, Rarely Flooded****Setting**

*Landform:* Flood plains  
*Landform position (two-dimensional):* Toeslope  
*Landform position (three-dimensional):* Tal  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Parent material:* Clayey alluvium

**Typical profile**

*Ap - 0 to 6 inches:* silty clay loam  
*A1 - 6 to 12 inches:* silty clay loam  
*A2,A4 - 12 to 44 inches:* silty clay  
*Bg1,Bg2 - 44 to 70 inches:* silty clay  
*Cg - 70 to 80 inches:* silty clay

**Properties and qualities**

*Slope:* 0 to 2 percent  
*Depth to restrictive feature:* More than 80 inches  
*Natural drainage class:* Poorly drained  
*Runoff class:* Very high  
*Capacity of the most limiting layer to transmit water (Ksat):* Very  
low to moderately low (0.00 to 0.01 in/hr)  
*Depth to water table:* About 0 to 12 inches  
*Frequency of flooding:* Rare  
*Frequency of ponding:* None  
*Calcium carbonate, maximum in profile:* 30 percent  
*Available water storage in profile:* Moderate (about 8.2 inches)

**Interpretive groups**

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 2w

*Hydrologic Soil Group:* D  
*Ecological site:* Wet Floodplain Prairie (R107BY019MO)  
*Hydric soil rating:* Yes

#### **Minor Components**

##### **Holly springs, overwash, rarely flooded**

*Percent of map unit:* 10 percent  
*Landform:* Flood plains  
*Landform position (two-dimensional):* Toeslope  
*Landform position (three-dimensional):* Talf  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Ecological site:* Wet Floodplain Prairie (R107BY019MO)  
*Hydric soil rating:* Yes

##### **Tieville, rarely flooded**

*Percent of map unit:* 3 percent  
*Landform:* Flood plains  
*Landform position (two-dimensional):* Toeslope  
*Landform position (three-dimensional):* Talf  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Ecological site:* Wet Floodplain Prairie (R107BY019MO)  
*Hydric soil rating:* Yes

##### **Larpenteur, rarely flooded**

*Percent of map unit:* 1 percent  
*Landform:* Flood plains  
*Landform position (two-dimensional):* Toeslope  
*Landform position (three-dimensional):* Talf  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Ecological site:* Wet Floodplain Prairie (R107BY019MO)  
*Hydric soil rating:* No

##### **Grantcenter, rarely flooded**

*Percent of map unit:* 1 percent  
*Landform:* Flood plains  
*Landform position (two-dimensional):* Toeslope  
*Landform position (three-dimensional):* Talf  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Ecological site:* Wet Floodplain Prairie (R107BY019MO)  
*Hydric soil rating:* No

## **Data Source Information**

Soil Survey Area: Woodbury County, Iowa  
Survey Area Data: Version 29, Sep 12, 2019



## Woodbury County Secondary Roads Department

759 E. Frontage Road • Merville, Iowa 51039

Telephone (712) 279-6484 • (712) 873-3215 • Fax (712) 873-3235

COUNTY ENGINEER  
Mark J. Nahra, P.E.  
mnahra@sioux-city.org

ASSISTANT TO THE COUNTY ENGINEER  
Benjamin T. Kusler, E.I.T.  
bkusler@sioux-city.org

SECRETARY  
Tish Brice  
tbrice@sioux-city.org

To: Dan Priestley, Woodbury County Zoning Coordinator  
David Gleiser, Woodbury County Community and Economic Development Director

From: Mark J. Nahra, County Engineer

Date: June 17, 2020

Subject: Walnut View Addition – a minor subdivision application

The Secondary Road Department has reviewed the information provided for the above referenced minor subdivision application forwarded with your email dated June 3, 2020.

I am offering the following comments for your consideration.

- We checked the closure on the plat and found it in compliance with the requirements for the full subdivision of 1 in 10,000 and 1 in 5,000 for each lot as required by Section 355.8 of the Code of Iowa.
- I reviewed the subdivision for access. Normally for a subdivision with this many lots, I would prefer to see the lots serviced by an internal street or cul-de-sac to reduce the possible points of collision conflict on a major roadway. This option has not been offered by the developer. Stripping lots along a roadway, as is proposed with the Walnut View subdivision, increases the risk of collision for vehicles using Old Highway 141 and D38. Old Highway 141 is a heavily used road with an average daily traffic count of 1370 vehicles per day (vpd) for this road segment. D38/210<sup>th</sup> Street has a traffic count of 980 vpd. Options for a cul-de-sac or a frontage road serving the subdivision could have been offered, and would offer safer alternatives for access to the lots. I realize that this is costlier for the developer, but it does result in fewer potential collision conflicts for road users and safer conditions for adjacent residents.

A series of driveways on strip subdivisions frequently leads to a request for a speed limit on the adjacent road. A more restrictive speed limit on Old Highway 141 is not in concert with the road classification and use, which is major collector route/farm to market route/commuter route. Spot speed limits in locations like this are difficult to enforce and result in poor compliance and complaints to our department. Compare this spot to the Holly Springs speed zone which is frequently violated and subject of complaints of noncompliance with the 35-mph speed limit. If given my choice on the development of subdivisions with more than 3 or 4 lots, I would prefer to see the lots served by an internal roadway such as was done with the Dunn Estates, Niles Second

Addition, and Bollmeyer subdivisions adjacent to county route D12. Other examples include Sunview Estates and Berea Heights Addition off 155<sup>th</sup> Street.

I am resistant to the request for individual driveways for each lot and would prefer to see the adjacent lots utilize shared driveways to reduce the number of new points of conflict along the road. Knowing the developer's intentions, I checked each lot frontage for establishment of a single driveway. Some lots will require shared driveways due to sight distance limitations. I will lay out two options for serving the subdivision with driveways.

Option 1: Individual driveways

Lots 1 and 2 – driveway anywhere along lot frontage.

Lot 3 – driveway must be located within 50 feet of the north corner of the lot.

Lot 4 – driveway anywhere along the frontage

Lot 5 – driveway anywhere along the frontage

Lot 6 – driveway must be located at the north corner of the lot

Lot 7 through 11 – driveway can be located anywhere along frontage

Lot 12 and 13 – driveway can be located anywhere along frontage

Option 2 – preferred:

Lot 1 – solo driveway

Lot 2 and 3 – shared driveway at corner due to limited sight distance

Lot 4 - solo driveway

Lot 5 and 6 – shared driveway at corner due to limited sight distance

Lot 7 and 8 – shared driveway

Lot 9 and 10 – shared driveway

Lot 11 and Outlot A – shared driveway

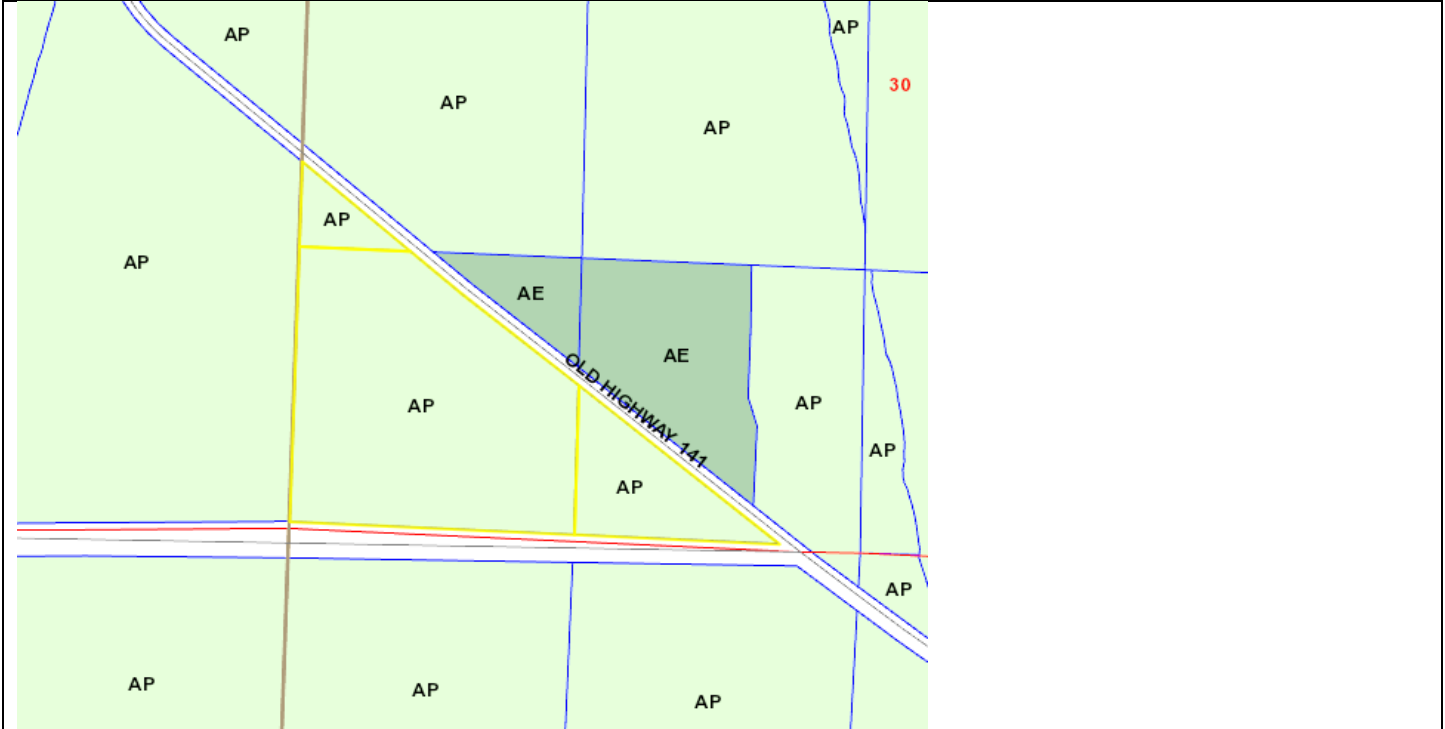
Lot 12 and 14 – shared driveway

- This area platted for this subdivision was subject to severe flooding during the March 2019 event. D38 between the Old 141 intersection and the eastern county bridge on D38 was underwater for over a week. The field from which the subdivision is being split was flooded during much of this period. Due to the winter conditions and snow filled ditches, the normal water courses were not carrying water or passing it to the improved drainage ditches west of the proposed subdivision and the water was forced to find its outlet by running through the field and overtopping the road. The Old 141/D38 intersection has been underwater due to flash flooding on Whiskey Creek four times since 2009. This has inundated the area shown as Outlot A and part of Lot 11 during those flood events. To protect the potential homes in the area, a base flood elevation for the lots within the subdivision should be established to assure that any eventual construction is set at an elevation above any likely flooding.
  
- I have no other concerns or issues with this minor subdivision application.

If there are any more questions or issues that arise later, please contact this office.

Cc: File

**CURRENT ZONING DISTRICT:**



**UTURE LAND USE MAP – WOODBURY COUNTY GENERAL DEVELOPMENT PLAN (2005)**



**ZONING ORDINANCE EVALUATION CRITERIA FOR BOARD APPROVAL**

The Zoning Commission shall base their recommendations and the Board of Supervisors shall base their decision on any requested amendment of the zoning district map on the following criteria:

**CRITERIA 1:**

Conformance with the goals and objectives set forth in the approved General Development Plan for Woodbury County including the Future Land Use Map.

**Staff Analysis:**

The development plan and its land use goal adopted in 2005 is the basis for the zoning ordinance which has mechanisms in place including the rezone procedure that “promote[s] efficient, stable land uses with minimum conflict...”. The applicant’s proposal to rezone from AP to AE can be associated with the future land use map (see above) that marks this area for “rural residential.” It appears that the intention in 2005 was to allow for more housing within this region. The AE Zoning District at this location allows for residential development on 2 acre lots with the idea of retaining much of the agricultural characteristics of the area vs. the more dense Suburban Residential (SR) Zoning District.



**CRITERIA 2:**

Compatibility and conformance with the policies and plans of other agencies with respect to the subject property.

**Staff Analysis:**

This property is in an area that will likely be placed within the floodplain Special Flood Hazard Area (SFHA) during the next mapping IDNR/FEMA mapping process. According to Woodbury County Emergency Management, Emergency Services Secondary Roads, and the Soil & Water Conservation District, there has been past flooding on the property. Any development should comply with the county floodplain management ordinance including the elevation above the base flood elevation (BFE).

**CRITERIA 3:**

Consideration of the Corn Suitability (CSR) of the property.

**Staff Analysis:**

Parcel ID:	CSR Rating:
884630300012	81.39
884630300004	75.64
884630300006	82.96

These data have been provided by the Woodbury County Assessor' office:

**ITERIA 4:**

Compatibility with adjacent land uses.

**Staff Analysis:**

See Criterial #5 analysis. The intended use appears to be compatible. However, Criteria 5 includes information concerning the flooding issues and the future floodplain.

**CRITERIA 5:**

Compatibility with other physical and economic factors affecting or affected by the proposed rezoning.

**Staff Analysis:**

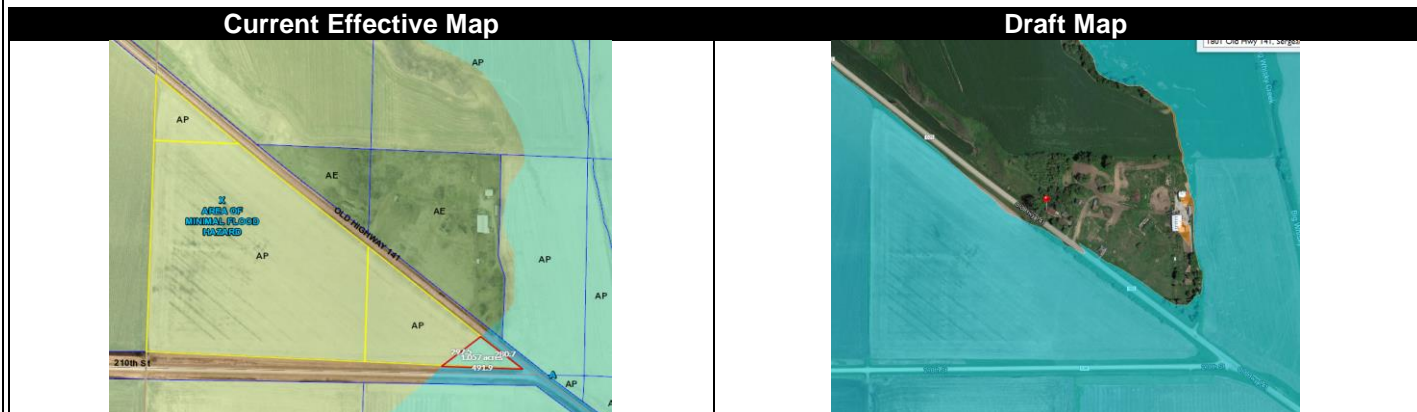
During the past year, the Iowa Department of Natural Resources (IDNR) and the Federal Emergency Management Agency (FEMA) have been developing a new floodplain map based on 2 ft. LiDAR intervals. The new maps are presently in the draft phase and have not been formally presented to the county for adoption. The current effective map is the map that is enforced by the county floodplain ordinance and the use of the draft map proposal can only be considered for informational purposes.

The current floodplain map includes a majority of this property as not being located with the special floodplain hazard area (SFHA). Presently, there is about 1.057 acres of floodplain located on the proposed outlot of the minor subdivision which is not meant for development (see attached plat). However, the draft map proposal almost entirely places the area proposed for the subdivision into the future floodplain.

Based on this information, Bill Cappuccio, PE, National Flood Insurance Program Coordinator, with the IDNR was contacted along with Gary Brown, Director of Emergency Services and Rebecca Socknat, Director of Emergency Management for comment. Brown stated that "the proposed area of the subdivision is in the area of past flooding. I have witnessed water over both D-38 and Old 141 several times over the years we had to close 210<sup>th</sup> and Old 141 due to water over these roads. The area proposed has received backup water as a result of these floods. A flood hazard study may be in order to determine if basements should be allowed and if the structures should be built in compliance current or future flood insurance requirements" (6/2/20). Socknat stated "if I'm not mistaken, this area was not accessible due to road closures caused by flooding in 2019. If more portions of the parcel would be in the future flood plain, it would be my recommendation that residential homes are built in compliance with NFIP standards" (6/10/20).

Cappuccio stated "... I'd suggest the Commission consider requiring the developer to determine the BFE for the property and ensure that any structures constructed there are compliant with the County's requirements for development in the SFHA. Is that possible" (6/5/20)? In a subsequent communication, Cappuccio stated that "our (DNR's) rules don't require us to use the effective FIRM if there is better information available. So, our BFE will be based on the best available information. Chances are that might be the information associated with the draft flood data" 6/5/20.

On June 5, CED staff attended a flood risk review meeting with representatives from the IDNR and FEMA and this situation was brought to their attention. The staff inquired about the discrepancy between the two maps (see below). Vikram Shrivastava, a FEMA contractor, stated that “we are investigating the area near Old Hwy 141 and the widening floodplain. I will get back to you in the next 2 weeks on our findings.” This investigation could result in a modification to the draft map.



Based on the comments of Socknat, Brown, Nahra and Cappuccio along with evidence provided by Gary Walters, an adjacent property owner, the position of the staff is that even though the current effective map does not include much of the property within the SFHA, portions of the property may be susceptible to water. Additionally, there is a possibility by 2022 that the draft map could be adopted thus placing this newly subdivided property into the floodplain. With this in mind, Cappuccio’s recommendation could be adopted as a condition for approval to “require the developer to determine the BFE for the property and ensure any structures constructed there are compliant with the County’s requirements for development in the SFHA...”

<b>CRITERIA 6:</b>
Any other relevant factors.
<b>Staff Analysis:</b>
This rezone request aligns with the Woodbury County General Development Plan for 2025.

**STAFF RECOMMENDATION**

The staff recommends that the Zoning Commission recommend and the Board of Supervisors approve this rezone from the Agricultural Preservation (AP) to the Agricultural Estates (AE) for the property composed of Parcels #884630300012, #884630300004, #884630300006.

**ZONING COMMISSION REZONE**

At their June 22, 2020 meeting, the Zoning Commission voted to recommend approval of the Rezone from the Agricultural Preservation (AP) to the Agricultural Estates (AE) Zoning District for the property composed of Parcels #884630300012, #884630300004, #884630300006.

PROPOSED ZONING ORDINANCE MAP AMENDMENT (REZONE): Amendment to rezone the area inclusive of Parcel #884630300012 located in the NW ¼ of the SE ¼ of Section 30, T88N R46W (Floyd Township), Parcel #884630300004 located in the SW ¼ of the SW ¼ of Section 30, T88N R46W (Floyd Township), and Parcel #884630300006 located in the SE ¼ of the SW ¼ of Section 30, T88N R46W (Floyd Township) from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District which includes that portion of the southwest quarter (SW1/4) of Section 30, Township 88 North, Range 46 West of the 5<sup>th</sup> P.M., Woodbury County, Iowa, described as follows:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 30; THEN NORTH 01°07’00” EAST ALONG THE WEST LINE OF THE SW1/4 OF SAID SECTION 30 FOR A DISTANCE OF 1,730.46 FEET TO THE CENTER LINE OF OLD HIGHWAY NO. 141; THEN SOUTH 51°15’49” EAST ALONG SAID CENTER LINE FOR A DISTANCE OF 991.46 FEET; THENCE SOUTH 52°34’10” EAST ALONG SAID CENTERLINE FOR A DISTANCE OF 1,321.02 FEET TO THE SOUTH LINE OF SAID SW1/4; THENCE NORTH 88°02’39” WEST ALONG SAID SOUTH LINE FOR A DISTANCE OF 2,371.56 FEET TO THE POINT OF BEGINNING, CONTAINING 46.61 ACRES, MORE OR LESS, SUBJECT TO EASEMENTS, IF ANY, OR RECORD OR APPARENT.

Property Owner and Applicant – Brian Peterson, 1739 Charles Avenue, Lawton, IA 51030.

**PARCEL REPORTS - Parcels #884630300004, #884630300006. Parcel #884630300012 not available .**

**Summary**

Parcel ID 884630300004  
 Alternate ID N/A  
 Property Address N/A  
 Sec/Twp/Rng 30-88-46  
 Brief Tax Description FLOYD TOWNSHIP SW OF OLD HWY 141 SW SW 30-88-46  
 (Note: Not to be used on legal documents)  
 Deed Book/Page 2020-02704 (3/9/2020)  
 Gross Acres 33.66  
 Net Acres 33.66  
 Adjusted CSR Pts 2545.86  
 Class A - Agriculture  
 (Note: This is for tax purposes only. Not to be used for zoning.)  
 District N/A  
 School District LAWTON BRONSON  
 Neighborhood N/A  
 Main Area Square Feet N/A

**Owner**

<b>Deed Holder</b> Peterson Brian D & Anita S 1739 Charles Ave Lawton IA 51030	<b>Contract Holder</b>	<b>Mailing Address</b>
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**Land**

Lot Area 33.66 Acres ; 1,466,230 SF

**Sales**

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
3/9/2020	PETERSON BRIAN D & ANITA S	PETERSON BRIAN D & ANITA S	2020-02704	Quit Claim Deed	Deed		\$0.00
3/9/2020	WIDMAN CHARLES F & CHARLENE	PETERSON BRIAN D & ANITA S	2020-02704	Quit Claim Deed	Deed		\$0.00
10/29/2019	PETERSON BRIAN D & ANITA S	WIDMAN CHARLES F & CHARLENE	2019-19217	NO LONGER USED (formerly Sale of two of more seperately assessed parcels)	Deed	Y	\$0.00
2/22/2014	JOHNSON JULIA W TRUSTEE, SHELVI G DOUGLAS	EAT PETERSON LLC	733/8899	NO LONGER USED (formerly Sale of two of more seperately assessed parcels)	Deed	Y	\$0.00

Show There are other parcels involved in one or more of the above sales:

**Valuation**

	2020	2019	2018	2017
Classification	Agriculture	Agriculture	Agriculture	Agriculture
+ Assessed Land Value	\$60,930	\$60,930	\$88,670	\$88,670
+ Assessed Building Value	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$60,930	\$60,930	\$88,670	\$88,670
- Exempt Value	\$0	\$0	\$0	\$0
= Net Assessed Value	\$60,930	\$60,930	\$88,670	\$88,670

**Summary**

Parcel ID 884630300006  
 Alternate ID N/A  
 Property Address N/A  
 Sec/Twp/Rng 30-88-46  
 Brief Tax Description FLOYD TOWNSHIP SW OF OLD HWY 141 SE SW 30-88-46  
 (Note: Not to be used on legal documents)  
 Deed Book/Page 2020-02704 (3/9/2020)  
 Gross Acres 8.27  
 Net Acres 8.27  
 Adjusted CSR Pts 686.18  
 Class A - Agriculture  
 (Note: This is for tax purposes only. Not to be used for zoning.)  
 District N/A  
 School District LAWTON BRONSON  
 Neighborhood N/A  
 Main Area Square Feet N/A

**Owner**

<b>Deed Holder</b> Peterson Brian D & Anita S 1739 Charles Ave Lawton IA 51030	<b>Contract Holder</b>	<b>Mailing Address</b>
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**Land**

Lot Area 8.27 Acres ; 360,241 SF

**Sales**

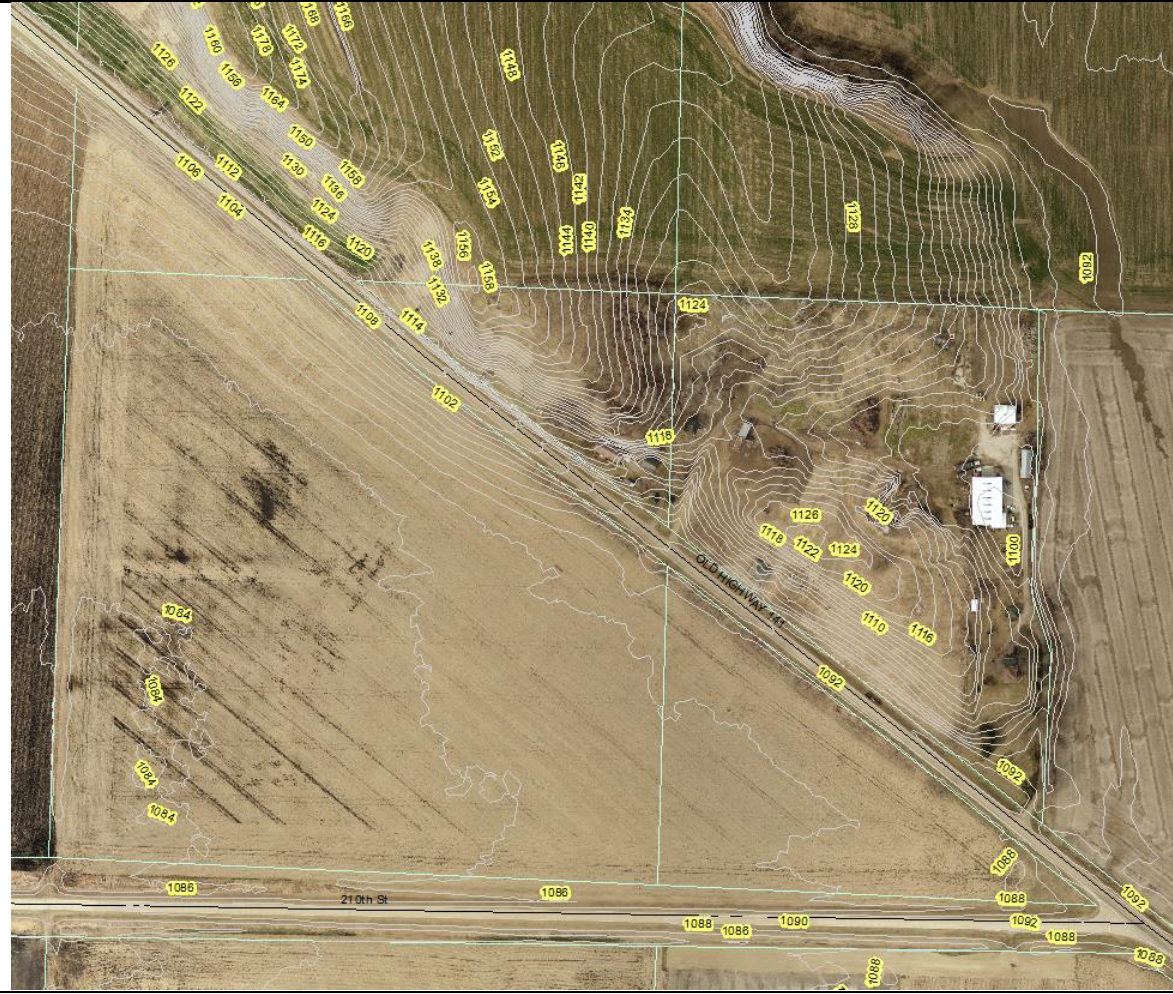
Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
3/9/2020	PETERSON BRIAN D & ANITA S	PETERSON BRIAN D & ANITA S	2020-02704	Quit Claim Deed	Deed		\$0.00
3/9/2020	WIDMAN CHARLES F & CHARLENE	PETERSON BRIAN D & ANITA S	2020-02704	Quit Claim Deed	Deed		\$0.00
10/29/2019	PETERSON BRIAN D & ANITA S	WIDMAN CHARLES F & CHARLENE	2019-19217	NO LONGER USED (formerly Sale of two of more seperately assessed parcels)	Deed	Y	\$0.00
2/22/2014	JOHNSON JULIA W TRUSTEE, SHELVI G DOUGLAS	EAT PETERSON LLC	733/8899	NO LONGER USED (formerly Sale of two of more seperately assessed parcels)	Deed	Y	\$0.00

Show There are other parcels involved in one or more of the above sales:

**Valuation**

	2020	2019	2018	2017
Classification	Agriculture	Agriculture	Agriculture	Agriculture
+ Assessed Land Value	\$16,420	\$16,420	\$23,900	\$23,900
+ Assessed Building Value	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$16,420	\$16,420	\$23,900	\$23,900
- Exempt Value	\$0	\$0	\$0	\$0
= Net Assessed Value	\$16,420	\$16,420	\$23,900	\$23,900

# TOPOGRAPHY



**SOIL - Parcels #884630300004, #884630300006. Parcel #884630300012 not available .**



**Legend**

- Roads
- Soils**
- 0.000000 - 5.000000
- 5.000001 - 20.000000
- 20.000001 - 30.000000
- 30.000001 - 40.000000
- 40.000001 - 50.000000
- 50.000001 - 60.000000
- 60.000001 - 70.000000
- 70.000001 - 80.000000
- 80.000001 - 90.000000
- 90.000001 - 100.000000

**Summary**

Parcel ID 884630300004  
 Gross Acres 33.66  
 ROW Acres 0.00  
 Gross Taxable Acres 33.66  
 Exempt Acres 0.00  
 Net Taxable Acres 33.66 (Gross Taxable Acres - Exempt Land)  
 Average Unadjusted CSR2 75.63 (2545.86 CSR2 Points / 33.66 Gross Taxable Acres)

Agland Active Config 2017 CSR2

**Sub Parcel Summary**

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	33.66	75.64	2,545.86	2,545.86
Non-Crop	0.00	0.00	0.00	0.00
<b>Total</b>	<b>33.66</b>		<b>2,545.86</b>	<b>2,545.86</b>

**Soil Summary**

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	3.01	267.89	267.89
100% Value	670	RAWLES SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODED	82.00	14.85	1,217.70	1,217.70
100% Value	734	HOLLY SPRINGS SILTY CLAY LOAM, 0 TO 2 PERCENT SLOPES, RARELY	68.00	15.17	1,001.56	1,001.56
100% Value	734+	HOLLY SPRINGS SILTY CLAY LOAM, 0 TO 2 PERCENT SLOPES, RARELY	67.00	0.09	6.03	6.03
100% Value	3E	CASTANA SILT LOAM, 14 TO 20 PERCENT SLOPES	42.00	0.54	22.68	22.68
<b>Total</b>				<b>33.66</b>	<b>2,545.86</b>	<b>2,545.86</b>

**Summary**

Parcel ID 884630300006  
 Gross Acres 8.27  
 ROW Acres 0.00  
 Gross Taxable Acres 8.27  
 Exempt Acres 0.00  
 Net Taxable Acres 8.27 (Gross Taxable Acres - Exempt Land)  
 Average Unadjusted CSR2 82.97 (686.18 CSR2 Points / 8.27 Gross Taxable Acres)

Agland Active Config 2017 CSR2

**Sub Parcel Summary**

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	8.27	82.97	686.18	686.18
Non-Crop	0.00	0.00	0.00	0.00
<b>Total</b>	<b>8.27</b>		<b>686.18</b>	<b>686.18</b>

**Soil Summary**

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	0.47	41.83	41.83
100% Value	266+	SMITHLAND SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLO	87.00	0.95	82.65	82.65
100% Value	670	RAWLES SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODED	82.00	6.85	561.70	561.70
<b>Total</b>				<b>8.27</b>	<b>686.18</b>	<b>686.18</b>



**Rezoning Application &  
Zoning Ordinance Map Amendment**

<b>Owner Information:</b>		<b>Applicant Information:</b>	
Owner	<u>Brian Peterson</u>	Applicant	<u>Brian Peterson</u>
Address	<u>1739 Charles Ave Laurton, IA 51030</u>	Address	<u>1739 Charles Ave Laurton IA 51030</u>
Phone	<u>712-943-5304</u>	Phone	<u>712-943-5304</u>

Engineer/Surveyor DGR, Dave Lamberton Phone 712-266-1554

**Property Information:**

Property Address or Address Range NA, Currently Farm land.

Quarter/Quarter SW Sec 30D Twnshp/Range 88 North 46 West

Parcel ID # \_\_\_\_\_ or GIS # 884630300006, 00004, 00001 Total Acres 46.61A.

Current Use AP - Ag Use Proposed Use AE - Ag Estate Lots

Current Zoning AP Proposed Zoning AE

Average Crop Suitability Rating (submit NRCS Statement) 65

The filing of this application is required to be accompanied with all items and information required pursuant to section 2.02(4)(C)(2) through (C)(4) of Woodbury County's zoning ordinances (see attached pages of this application for a list of those items and information).

A formal pre-application meeting is recommended prior to submitting this application.

Pre-app mtg. date 9-25-18, Phone Calls since. Staff present Dan Priestly, Mark Nabra, David Gleason

The undersigned is/are the owner(s) of the described property on this application, located in the unincorporated area of Woodbury County, Iowa, assuring that the information provided herein is true and correct. I hereby give my consent for the Woodbury County Planning and Zoning Office and zoning commission members to conduct a site visit and photograph the subject property.

This Rezoning Application / Zoning Ordinance Map Amendment is subject to and shall be required, as a condition of final approval, to comply with all applicable Woodbury County ordinances, policies, requirements and standards that are in effect at the time of final approval.

Owner Brian Peterson Applicant Brian Peterson

Date 5-27-20 Date 5-27-20

Fee: \$400 Case #: 6562

Check #: 11213

Receipt #: \_\_\_\_\_



**ORDINANCE NO. \_\_\_\_**

**A ZONING DISTRICT DESIGNATION MAPPING AMENDMENT  
TO THE WOODBURY COUNTY, IOWA ZONING ORDINANCE**

**WHEREAS** the Board of Supervisors of Woodbury County, Iowa, adopted a Zoning Ordinance on July 22, 2008, by Resolution No. 10,455 being recorded in the Office of the Woodbury County Recorder, and

**WHEREAS** the Woodbury County Zoning Commission has received a report in respect to amending said Ordinance from the Woodbury County Zoning Commission which held hearings on the amendment; all as by law provided. Which the amendment is attached hereto marked item One (1), and hereby made a part hereof; and

**WHEREAS** the Woodbury County Board of Supervisors has received said report, studied and considered the same, and has held hearings on said amendment, all as by law provided; and

**WHEREAS** the Woodbury County Board of Supervisors has concluded that the said ordinance shall amend the aforesaid Zoning Ordinance;

**NOW THEREFORE, BE IT RESOLVED** by the Woodbury County Board of Supervisors, duly assembled, that the aforesaid Zoning District is amended as shown on said attached item One (1); and the previous zoning district designation shall be repealed upon the effective date of this amendment.

**Dated this \_\_\_\_ day of \_\_\_\_\_ 2020.**

**THE WOODBURY COUNTY, IOWA BOARD OF SUPERVISORS:**

\_\_\_\_\_  
Matthew A. Ung, Chairman

\_\_\_\_\_  
Keith Radig, Vice Chairman

\_\_\_\_\_  
Rocky DeWitt

\_\_\_\_\_  
Marty Pottebaum

ATTEST

\_\_\_\_\_  
Patrick F. Gill, Auditor

Adoption Timeline:

Public Hearing and 1st Reading: June 30, 2020

Public Hearing and 2nd Reading:

Public Hearing and 3rd Reading:

Adopted:

## ITEM ONE (1)

Property Owner: Brian D. Peterson & Anita S. Peterson, 1739 Charles Avenue, Lawton, IA 51030.

Petitioner Applicant: Brian Peterson, 1739 Charles Avenue, Lawton, IA 51030.

Pursuant to Section 2.02:4 of the Woodbury County Zoning Ordinance, and in accordance with Section 335 of the Code of Iowa, the Woodbury County Zoning Commission held a public hearing on Monday, June 22, 2020, to review and make recommendation for an amendment to Woodbury County Zoning Ordinance and Mapping for the unincorporated area of Woodbury County, Iowa, as follows:

Amendment to rezone the area inclusive of Parcel #884630300012 located in the NW ¼ of the SE ¼ of Section 30, T88N R46W (Floyd Township), Parcel #884630300004 located in the SW ¼ of the SW ¼ of Section 30, T88N R46W (Floyd Township), and Parcel #884630300006 located in the SE ¼ of the SW ¼ of Section 30, T88N R46W (Floyd Township) from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District which includes that portion of the southwest quarter (SW1/4) of Section 30, Township 88 North, Range 46 West of the 5<sup>th</sup> P.M., Woodbury County, Iowa, described as follows:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 30; THEN NORTH 01°07'00" EAST ALONG THE WEST LINE OF THE SW1/4 OF SAID SECTION 30 FOR A DISTANCE OF 1,730.46 FEET TO THE CENTER LINE OF OLD HIGHWAY NO. 141; THEN SOUTH 51°15'49" EAST ALONG SAID CENTER LINE FOR A DISTANCE OF 991.46 FEET; THENCE SOUTH 52°34'10" EAST ALONG SAID CENTERLINE FOR A DISTANCE OF 1,321.02 FEET TO THE SOUTH LINE OF SAID SW1/4; THENCE NORTH 88°02'39" WEST ALONG SAID SOUTH LINE FOR A DISTANCE OF 2,371.56 FEET TO THE POINT OF BEGINNING, CONTAINING 46.61 ACRES, MORE OR LESS, SUBJECT TO EASEMENTS, IF ANY, OR RECORD OR APPARENT.

Following the public hearing, the Zoning Commission voted unanimously to recommend approval of said request to the Woodbury County Board of Supervisors.



**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 6/26/2020 Weekly Agenda Date: 6/30/2020

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Keith Radig

**WORDING FOR AGENDA ITEM:**

Contractor Quality Assurance Questionnaire

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

A quality assurance questionnaire is an added layer of security for Woodbury County before accepting a bid from a contractor.

**BACKGROUND:**

After meeting with Craig Levine from IBEW and also with Kenny Schmitz, I compiled a list of questions that I feel secure the county's interests in future construction contracts.

**FINANCIAL IMPACT:**

none

**IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?**

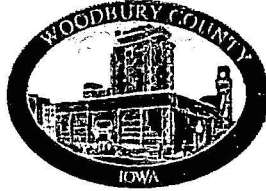
Yes  No

**RECOMMENDATION:**

Discuss and approve the contractor quality assurance questionnaire. Discuss dollar threshold for contracts to enact the questionnaire.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to approve using a quality assurance questionnaire on future construction contracts.



## WOODBURY COUNTY CAPITAL IMPROVEMENT PROJECTS

### "QUALITY ASSURANCE QUESTIONNAIRE"

Pursuant to Iowa Code 26.9 which requires that contracts for public improvements to be awarded to the "lowest responsive, responsible bidder", and also recognizes that a government entity may obtain information from the lowest responsive bidder to determine bidder's responsibility relating to the bidder's experience, number of employees, and ability to finance the cost of the public improvement, and in accordance with Iowa Law allowing public entities to consider factors other than price in determining who is the lowest responsible bidder. The fully completed Questionnaire, with attachments, shall be submitted to the Woodbury County Board of Supervisors Office by the lowest apparent bidder within 10 business days of bid opening date. Contractors that do not complete and/or submit questionnaire by date required may be deemed to be non-responsive or non-responsible.

1. Firm/ Contractor Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

E-Mail: \_\_\_\_\_

Registration Number & Expiration Date: \_\_\_\_\_

Please attach all other names under which the contractor has operated in the past Five (5) years.

2. Within the past Five (5) years, has the Contractor been disbarred by any Federal, State, or Local government entity from bidding projects, or has Registration ever been suspended or revoked in any jurisdiction?  
(If yes, please explain on separate attachment) \_\_\_\_\_ Yes \_\_\_\_\_ No

3. Within the past Five (5) years, has the Contractor- defaulted on a contract, been disqualified, removed or otherwise prevented from bidding on, or completing a Government, State, or Local project?  
(If yes, please explain on separate attachment) \_\_\_\_\_ Yes \_\_\_\_\_ No

4. Within the past five (5) years has the Contractor been found by a court or agency of competent jurisdiction, to be delinquent (delinquent shall include but not limited to

failure to file, failure to pay, or imposition tax liens) in meeting its obligation under Federal, State, or Local tax laws?

(If yes, please explain on separate attachment)  Yes  No

5. Within the past Five (5) years has the Contractor been unable to obtain, or been denied a bond?

(If yes, please explain on separate attachment)  Yes  No

6. Within the past Five (5) years has the Contractor declared bankruptcy or been under receivership?

(If yes, please explain on separate attachment)  Yes  No

7. Within the past Five (5) years has the Contractor filed any lawsuits, or sought arbitration with regard to any construction project?

(If yes, please explain on separate attachment)  Yes  No

8. Are any lawsuits, legal proceedings, arbitration, or judgment's pending/ outstanding against the Contractor, its owner, or officers?

(If yes, please explain on separate attachment)  Yes  No

9. Is the Contractor currently under investigation for or within the past Five (5) years been found to have violated any of the following Federal or State Laws:

Iowa Child Labor Act, Iowa Labor Commissioner's Right to Inspect Premises, Iowa Compensation Insurance Act, Iowa Competition Act, Iowa Employee Registration Requirements, Iowa Hazardous Chemicals Risks Act, Iowa Income Corporate and Sales Tax Code, Iowa Minimum Wage Act, Iowa Non-speaking English Employee Act, Iowa Wage Payment Collection Act, a "willful" violation of the Iowa or Federal Occupational Safety and Health Act, Federal Income or Corporate Tax Code, The National Insurance Act, OR the Fair Labor Standards Act?

(If yes, please explain on separate attachment)  Yes  No

10. Has the Contractor ever failed to complete any work awarded to it?

(If yes, please explain on separate attachment)  Yes  No

11. On separate attachment provide the following Information:

a. Three (3) references the company completed projects with in the past Three (3) years. Include entities; contact name, address, and current telephone number.

b. List all Surety/ Bonding Companies utilized by the company in the past Three (3) years.

12. Contractor affirms it, and its Subcontractors shall; adhere to all "Quality Assurance" item's as specified herein, retain only those who fully comply with all bid specifications, maintain worker's compensation insurance or be qualified as a self-insurer and provide proof of insurance or ability to self-insure upon request, utilized workforce on the project that are employees with unemployment and workers compensation coverages who are properly licensed by appropriate authorities, employees or workforce who have completed the Occupational Safety and Health Act (OSHA) 10 hour Construction Industry Training Program, and conform to Iowa's Minimum Wage and all other labor laws.

\_\_\_\_ Yes \_\_\_\_ No

*I hereby certify, that (1) all of the information provided by me in this Questionnaire is true and correct to the best of my knowledge; (2) I am authorized to sign this Questionnaire on behalf of the Contractor whose name appears #1 above; (3) if any information I have provided herein becomes inaccurate, prior to execution of any Project Contract I will immediately provide the Woodbury County Board of Supervisors Office with updated accurate information in writing; and (4) I hereby authorize any person or entity named herein to provide Woodbury County Board of Supervisors any and all information required to verify Questionnaire.*

**THIS STATEMENT MUST BE NOTORIZED**

CONTRACTOR NAME: \_\_\_\_\_

By: \_\_\_\_\_

*Signature*

*Title*

\_\_\_\_\_  
*Name (Type or Print)*

\_\_\_\_\_  
*Date*

STATE OF IOWA, \_\_\_\_\_ County, ss:

Subscribed and sworn to before me by the said \_\_\_\_\_ on

this day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Notary Public in and for the State of Iowa

\_\_\_\_\_  
Contractor Name