

Minutes - Woodbury County Zoning Commission Meeting March 26, 2007

The meeting convened on the 26th of March, 2007 at 6:07 PM in the Board of Supervisor's meeting room on the first floor of the Court House, Downtown, and Sioux City, Iowa. Present were the following Commission members – Chairman Grady Marx, Dwight Rorholm, David McWilliams, Christine Zellmer Zant at 7:25PM and Arvin Nelson at 6:35PM.. Zoning Staff Present: John Pylelo, Zoning Administrator. Present from the public was Riley Simpson, the County's consultant with Flat Earth Planning; citizens Joan Jackson, Carl Jackson and Jack Burright

The first agenda was approval of March 13, 2007 Commission Minutes.

Mr. Rorholm made a motion to table approval of the March 13, 2007 minutes to later in the meeting pending the anticipated arrival of additional Commission members; seconded the Mr. McWilliams; approved.

The next agenda item is the public Hearing re: Consideration of the Preliminary Plats and Recommendation to Board of Supervisors for Ty Estates Addition Subdivision – Parcel GIS # 8847 29 102 004

The Woodbury County Office of Planning and Zoning has received a Subdivision application from property owners Leary and Joyce Smith. The applicants intend to subdivide the current 10.85 acre parcel into two (2) lots for existing and future residential development for a family member. No grading is planned other than residential building site excavation.

On March 13, 2007 the Board of Supervisors considered the preliminary plats and forwards the platting to your Commission for public hearing and recommendation.

The parcel is located in the N ½ of the NW ¼ of Section 29, Woodbury Township abutting the south side of county maintained graveled roadway. The location lies just SW of the intersection of South Ridge Road and Old Lakeport Road. Proposed Lot 1 will include the single family dwelling in which the applicants reside along with multiple accessory structures and will be addressed 4703 South Ridge Road. Proposed Lot 2 currently has no structures. The property is zoned AG (Agricultural), the current and intended uses are permitted and no portion of the subdivision lies within any floodplain. The average crop suitability rating for the parcel is 37.0

As South ridge Road is unpaved County maintained roadway a paving agreement is required as a condition for subdivision approval. .

Notification was sent to the 32 property owners within 1000' of the proposed subdivision's parcel. To date no responses have been received.

Notices were also sent to each of the following Agencies or Institutions with responses to date noted:

City Clerk of Sergeant Bluff: Has elected to review this subdivision

City Clerk of City of Sioux City: City of Sioux City has elected not to review this subdivision.

NRCS: Standard NPDES Permit #2 correspondence was received and forwarded to the applicants

County Engineer: Engineer states the proposed accesses are acceptable.

DNR: No Response received

Long Lines: No Response Received

MidAmerican Energy: No Response Received

Siouxland District Health Department: No Response Received

County Assessor: No Response Received

Emergency Services: No Response Received

Real Estate Department: No Response received

Board of Supervisors: No Response received

The Planning and Zoning Office make the following comments:

The corporate limits of the City of Sioux City will abut the north property lines of Lots 1 and 2 via South Ridge Road right of way. The corporate limits of the City of Sergeant Bluff will abut the southern property line of proposed Lot 2.

The Iowa code provides direction when more than one city has ordinances providing for the review and approval of subdivisions outside their respective incorporated city limits. The geographically closer incorporated area wins out and has the right to review. All other incorporated areas are not allowed the right of review.

Mr. Brent Nelson's email of March 12, 2007 states in part his determination the proposed subdivision is closer to Sergeant Bluff and thus Sioux City has no jurisdiction

In these particular circumstances where both Sioux City and Sergeant Bluff abut the proposed subdivision it is the Office of Planning and Zoning current recommendation to proceed as if

only Sergeant Bluff will be afforded the right to subdivision review. Should it be determined that decision is in part or totally in error the final platting certification can be drafted or revised accordingly.

Joan and Carl Jackson of 5705 Old Lakeport Rd. were present and addressed the Commission of the concerns on potential drainage changes grading for the subdivision may cause to the west. Subdivision topography was discussed in some detail with Mr. and Mrs. Jackson and among the Commission's members. The Jacksons appeared to have their concerns addressed and stated they have no problem with the subdivision.

Mr. Rorholm made a motion to recommend approval of the preliminary platting for Ty Estates Addition subdivision subject to the following:

- ***An access point be shown for access/egress for Outlot A so it not be shown as land locked; and***
- ***A paving agreement be recorded which is acceptable to the Count; and***
- ***The City of Sergeant Bluff's review and approval of this subdivision***

Seconded by Mr. McWilliams; approved.

The next agenda item is Consideration of the Final Plats and Recommendation to Board of Supervisors for Sandhill Estates Second Addition Subdivision - Parcel GIS # 8647 13 300 002

The Woodbury County Office of Planning and Zoning has received a Subdivision application from Bert Ullrich Jr. as Trustee for the Engelbert Francis Ullrich Testamentary Trust. The applicant intends to subdivide 7.33 acres of the current 36.3 acre parcel into two (2) lots for the sale of the two single family dwellings. The remaining 28.97 acres are intended to remain within agricultural production. No grading is planned.

The parcel is located in part of Government Lot 2 located within the SW ¼ of Section 13, Lake Port Township north of the intersection of 310th St. and Cass Avenue at or near the location where Cass Avenue dead ends. Lots 1 and 2 abut the east side of Cass Avenue. The property is zoned AG (Agricultural) and not within any floodplain. The average crop suitability rating for the property is 65.0.

No additional agency comment has been received since your February 26, 2007 meeting. At that meeting your Commission recommended approval of the preliminary platting subject to the following conditions:

- The FEMA Zone A flood hazard area be shaded upon the final plat; and
- The lot line separating the two lots be darkened to match the remaining lot outlines; and
- A paving agreement be recorded

Both the above conditions related to platting have been met as shown on the enclosed final plats. The paving agreement is currently being drafted by the applicant's legal counsel.

At their meeting of March 20, 2007 the Supervisors approved the preliminary platting subject to your recommended conditions and forward the final plats to your Commission for review and further recommendation.

The final plats reflect the changes recommended from your preliminary plat review February 26, 2007 which were:

- The FEMA Zone A area across the road from the subdivision be shaded on the plat
- The lot line separating the two homes be darkened to match other parcel outlines

The Commission is asked to make recommendation on the Final Platting for Sandhill Estates Second Addition.

Discussion ensued between Commission members on the final platting and it was determined that all their recommended changes were in fact made upon the final platting.

Mr. Rorholm made a motion to recommend approval of the final platting for Sandhill Estates Second Addition subdivision subject to the recording of a Paving Agreement along Cass Avenue; seconded by Mr. McWilliams; approved.

Mr. McWilliams made a motion to take the agenda item of approval of the March 13 2007 minutes out of order; seconded by Mr. Nelson; approved.

Commission members spent several minutes reviewing the minutes

Mr. McWilliams made a motion approve the March 13, 2007 minutes as presented without changes; seconded by Mr. Nelson; approved with Mr. Rorholm abstaining as he was not in attendance at the March 13, 2007 meeting.

The next agenda item shall be any Citizen wishing to be heard before the Commission.

Mr. Jack Burrignt was the only citizen present and it was noted was in attendance to participate in the next agenda item.

The next agenda item is a work session regarding the drafting of zoning and subdivision ordinances along with zoning district mapping for Woodbury County as it relates to the County's 2005 General Development Plan.

Mr. Riley Simpson facilitated discussion regarding this agenda item. Considerable discussion ensued on the status of the mapping project the Commission had asked the Planning and Zoning Office staff and its consultant work directly upon. Mr. Simpson and Mr. Pylelo advised the Commission that to date twenty-two of the twenty-four townships have had their parcels reviewed under the criteria selected by the Commission and have proposed zoning designations assigned. They also reported the final two townships are expected to have their reviews completed prior to the Commission's next meeting.

Mr. Simpson reviewed Floyd township in detail with the Commission's members as an example of the work done in assigning zoning designations to parcels. The Commission made inquiry on various parcels and the criteria used within the zoning designation assignment process.

Mr. Pylelo recapped the criteria selected by the Commissioners which impact the selection of a proposed zoning designation. Included in this list of criteria are the parcel's current zoning designation, the current use of the parcel, the density of the quarter-quarter section in which the parcel is located, the ownership/family control of adjacent parcels and the county's future land use mapping. As the reviews were done it became apparent the size of the parcels and their proximity to incorporated areas should also play a factor in the parcels analysis and the zoning designation assigned.

Ms. Zellmer Zant asked what happens when parcels are owned by an individual(s) and adjacent parcels are owned by the same individual's Revocable Trust? Would all the parcels be treated as if identically owned? Mr. Pylelo said the reviews treated these scenarios as if all parcels were identically owned.

Commissioner members suggested different ideas on how to market the project to the public. Included were methods of advertising the town hall meetings. There was also discussion of the types of hand outs to make available at the meetings and the suggestion of the use of enlarged mapping charts. The Commissioners asked Mr. Burrigh if he would be willing to write an article upon the status of the project for inclusion in publications going to Farm Bureau members. Mr. Burrigh informed the Commissioners he would be willing to write such an article. It was agreed Mr. Burrigh would draft an article to be reviewed by Mr. Pylelo in order it contained accurate information and the timing of key elements of the project.

Mr. Simpson advised the Commission it would be prudent to have set time benchmarks on the work remaining to be done. Further discussion then ensued as to the timing and methods of making citizens aware of the project and how additional citizen input and feedback can be obtained. It was decided the following timeline would be followed:

May 2007 - Proposed zoning designation mapping is completed and made available for public inspection.

June 2007 – Proposed zoning and subdivision ordinance text is completed and made available for public inspection. The scheduling of up to four (4) town hall meetings within the County. Potential redrafting of ordinance text and mapping considering town hall meeting input.

July 2007 – Formal Zoning Commission public hearing on ordinance text and mapping. Potential redrafting of ordinance text and mapping resulting from public hearing.

August 2007 - Formal Zoning Commission recommendation to Board of Supervisors on proposed ordinance text and mapping. Supervisor's public hearing held to provide opportunity for any final citizen input. Potential redrafting as directed by Supervisors of ordinance text and mapping. The Supervisor's adoption of ordinances and mapping.

Later in 2007 – The effective date of implementation and enforcement of the newly adopted ordinances and mapping will be determined by the Supervisors.

Additional discussion ensued on items related to zoning mapping and ordinances. The Commission was informed the Planning and Zoning office would work with the County's consultant on general regulations and make the language available to the Commission for their review and adjustment.

Mr. Pylelo advised upcoming meeting were scheduled for April 10th and April 23rd. Discussion ensued on meeting times and dates with personal schedules and it was decided the Commission would next meet April 10th from 11:00AM to 2:00PM with lunch arranged by the Planning and Zoning Office. Commissioners agreed to reimburse the Planning and Zoning office for luncheon costs. Mr. Pylelo advised the Commission the Supervisor's chambers may be occupied at 11:00 AM depending upon the length of the 10:00AM Board of Supervisor's meeting. It was agreed to commence the April 10th meeting on 6th floor should it be necessary. The scheduling of additional meetings will be discussed by the Commission at a later date.

Mr. McWilliams made a motion to adjourn; Ms. Zellmer Zant seconded the motion; approved.

Meeting adjourned 8:30 PM