

Minutes - Woodbury County Zoning Commission Meeting June 16, 2010

The meeting convened on the 16th of June, 2010 at Noon in the Board of Supervisor's meeting room on the first floor of the Court House, Downtown, Sioux City, Iowa. Present were the following Commission members – Chairman Grady Marx, David McWilliams, Arvin Nelson, Mike Knight, and Christine Zellmer Zant. Zoning Staff Present: John Pylelo and Peggy Napier. Present from the public were Golden Hills RC&D representatives Richard Maaske, Shirley Frederiksen, and Brian Leaders; WC Disaster and Emergency Services Director Gary Brown, WC Conservation Director Rick Schneider, and County Engineer Mark Nahra.

The first agenda was approval of May 24, 2010 Commission Minutes.

Mr. Nelson made a motion to approve the minutes; Mr. Knight seconded the motion; motion carried 4-0.

The second agenda item was any citizen wanting to be heard.

Representatives for Golden Hills RCD would be presenting after a short break for lunch.

Mr. Nelson made a motion to adjourn. Mr. McWilliams seconded the motion; motion carried 4-0.

Chairman Marx reconvened the meeting at 12:45 PM.

The next Agenda Item was Golden Hills RCD Presentation & Study Session Re: Low Impact Development (LID) ordinances.

Mr. Pylelo opened the presentation by giving background on Golden Hills RCD.

In March of 2010 Golden Hills RCD appeared before the Supervisors asking Board consideration in adopting Low Impact Development (LID) ordinances for Woodbury County. The Board referred the matter to your Commission for review and recommendation. Within the materials provided prior to your April 26th and May 24th meetings were the following.

- *Loess Hills Stormwater Best Management Practices Guidance Manual*
- *Model Stormwater Management Ordinance*

Representatives of Golden Hills RCD are in attendance today to make a formal presentation on Low Impact Development ordinances including the benefits of ordinance adoption. The representatives will also be available to address any Commission inquiry. The Woodbury County engineer's office has expressed interest in attending meetings involving LID ordinances and has been invited. Selected other department heads will be asked to be in attendance should they have interest.

This agenda item is scheduled to initiate one or more study sessions on the LID topic toward determination if the ordinances provide benefits as defined within Woodbury County's 2005 General Development plan. Should your Commission determine LID ordinances are warranted the Board of Supervisors has asked you study the issue, hold the required public hearing before your Commission and then provide ordinance language recommendation for Supervisor consideration.

Ms. Shirley Frederiksen from Golden Hills RCD introduced herself and Rich Maaske from the Steering Committee, and Brian Leader formerly of *The Schemmer Associates* from the Consultant Team.

Ms. Frederiksen gave a brief description of Golden Hills Resources and Conservation Development (RCD), Inc. and explained the booklets previously given to the commissioners for review. **Model Stormwater Management Ordinance** is based on the Post-Construction Model Ordinance prepared by the Center for Watershed Protection, Inc., July 29, 2008 and was adapted based on the comments from the Golden Hills Low Impact Development Model Ordinance Steering Committee. The second booklet is **Loess Hills Stormwater Best Management Practices Guidance Manual**.

Ms. Frederiksen followed by introducing Brian Leaders who conducted the PowerPoint Presentation to the Commission.

Discussion:

The questions began with Chairman Marx asking how Golden Hills was funded. Ms. Frederiksen listed a variety of sources for Federal and State grants. This accounted for approximately \$58,000 of their funding and a County grant provided several thousand dollars more. Mr. Marx asked specifically if any Loess Hills protection organization funded Golden Hills. Ms. Frederiksen said no, they never have. Everyone involved with Golden Hills were volunteers.

Mr. Pylelo asked if the LID ordinances were enforceable upon property owners who are agriculturally exempt under state statute. Ms. Frederiksen explained their ordinance was primarily for subdivision developers and those within the 2 mile potential annexation jurisdiction.

Woodbury County Disaster and Emergency Services Director, Gary Brown, commented he has seen both positive and negative examples of poor land stewardship. He cited one of the worst as Grandy Addition Subdivision on Hwy 20. There are signs of erosion from water runoff and pipes get plugged with silt all the time. He cited the ICON building on the north side of Hwy 20 as a very good example of erosion protection. Brown sees developers and communities moving in the direction of being more proactive in both urban and rural areas. He said if they hear something is going more “green” they are jumping on the bandwagon. Orange City has been going in this direction for a long time and runoff issues occurring more often is creating the need for organizations such as Golden Hills RCD.

Mr. Leader explained developers don’t know the correct way to handle special soil conditions such as the Loess Hills soil. Having ordinances helps them become educated. Ms. Frederiksen explained their organization was all about prevention and education. They present to the Board of Supervisors in the various counties and the interest of the supervisors drives whether they present to the zoning commissions or not.

Commissioner McWilliams said the state DNR already had ordinances in place to cover these issues and asked why should they add more bureaucracy to what the county already had. Mr. Rich Maaske agreed that was a legitimate question and suggested a county should not adopt something they aren’t equipped to monitor or follow through with.

Commissioner Nelson said as a farmer he was already part of prevention plans through Soil Conservation Services who determines how erodible his soil is. If a farmer who is part of SCS and still causes erosion or runoff problems he could be fined. Mr. Leader said a Golden Hills ordinance would be in addition to other state plans such as the EPA (Environmental Protection Agency) and the DNR (Department of Natural Resources) who show up only when a problem already exists. An ordinance like Golden Hills’ addresses prevention first. Ms. Frederiksen said each county would design their ordinance to suit their needs and it could be complex or simple.

Mr. Marx said (the rural community) did not want another layer of rules added to what they already had. Taking care of your land should be common sense. Ms. Frederiksen responded if she has a neighbor who does not use common sense, her land becomes affected.

Mr. Pylelo commented the 2 or 3 lot subdivisions are not the ones the county puts pressure on. The larger developments are the ones the commission imposes more restrictions on.

Ms. Zellmer Zant asked if cities were adopting these preventative ordinances. Mr. Leader said they have not been presenting to cities but felt they should adopt ordinances as well.

Conservation Director Rick Schneider said the biggest problem is finding the manpower to monitor any ordinances put in place.

County Engineer Nahra said it was possible to start educating by simply putting information into the county, especially about the simple forms of BMPs (Best Management Practices) such as water gardens.

Mr. Leader suggested adding BMPs to SUDAS standards as a start. Ms. Frederiksen suggested forming a task force of developers to begin educating. Let them share ideas about how they can improve their practices. Mr. Leader said if the county starts practicing good stewardship, maybe the city will follow.

The Zoning Commission decided to study the discussed possibilities at future meetings before reporting to the Board of Supervisors.

Mr. McWilliams made a motion to adjourn; Mr. Knight seconded the motion. Motion carried 4-0.

Meeting adjourned at 2:34 PM. Next meeting will be on June 28th at 6 PM.