

Minutes - Woodbury County Zoning Commission Meeting March 23, 2015

The meeting convened on the 23rd of March, 2015 at 6:02 PM 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 – Tom Bride, Bruce Garbe, David McWilliams, Barb Parker and Christine Zelmer Zant. Zoning Staff Present: John Pylelo and Peggy Napier. Supervisor Jeremy Taylor also attended the meeting.

Mr. Pylelo welcomed County Supervisor Jeremy Taylor to the meeting. Mr. Taylor expressed a desire to be the zoning commission's primary contact to the Board of Supervisors. He intends to attend the commission's meetings as often as he is able.

The first agenda item is the approval of minutes from your Commission's February 23, 2015 meeting.

A motion was made by Mr. McWilliams to approve the minutes subject to changing the name "Young" on page 4, paragraph 3 to "Kooiker."

Mr. Bride seconded the motion; motion carried 5-0.

The next agenda is Review and Recommendation to Board of Adjustment Re: Review under Zoning Ordinance Section 2.02:9.E for Ag Processing, Inc. - The Construction and Operation of a Vegetable Oil Refinery.

Woodbury County property owner Ag Processing, Inc. has applied for a Conditional Use Permit to construct and operate a vegetable oil refinery. The location of the proposed refinery would lie within the W ½ of section 31 of Liberty Township. The project is located within a portion of a 85.34 acre parcel GIS Parcel #874731300001 and the drive servicing the parcel is addressed 2753 Port Neal Circle, Sergeant Bluff, IA. The referenced location has a GI (General Industrial) zoning district designation with the proposed use required to be conditionally permitted. The location of the refinery will be north and west of the company's existing soybean processing and biodiesel facilities located upon the same parcel.

The proposed refinery facility use is best described on page 37 of the ordinance's Land Use Summary Table within the category and sub-categories of:

- Industrial Uses:
 - Manufacturing and processing:
 - Food Processing:
 - Grain Processing

The grain processing use is only allowed as a conditionally permitted use within the GI (General Industrial) zoning district designation.

The ordinances require a conditional use permitting process include a public hearing held by the Woodbury County Board of Adjustment. The ordinances further require your Commission review the Conditional Use Permit application and report its findings with recommendation to the Board of Adjustment. By ordinance your recommendation is limited to a determination if each of the below seven standards found within ordinance subsection 2.02-9.F will be met.

(Comments in parenthesis below are summaries of each standard)

(1) *The conditional use requested is authorized as a conditional use in the zoning district within which the property is located and that any specific conditions or standards described as part of that authorization have been or will be satisfied.*
(Value added refinery for use by consumers)

(a) *The proposed use and development will be in harmony with the general purpose and intent of this ordinance and the goals, objectives and standards of the general plan.*
(You can't zone outside of your jurisdiction. All adjacent property use must be congruent. Air quality must meet federal and state codes.)

(b) *The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other factors affecting the public health, safety and general welfare.*
(There were issues during the flood of 2011, but the area has been heavily bermed through permitting from the DNR.)

(c) *The proposed use and development will be located, designed, constructed and operated in such a manner that it will be compatible with the immediate neighborhood and will not interfere with the orderly use, development and improvement of surrounding property.*
(This expansion will be on hard surfaced paved roadway. Port Neal Circle plans on resurfacing and making roadway improvements to better accommodate truck traffic and staging area. The county engineer is concerned about safety on Port Neal Circle. The standard can be met.)

(d) *Essential public facilities and services will adequately serve the proposed use or development.*
(This standard is easily met in a way that won't stand out.)

(e) *The proposed use or development will not result in unnecessary adverse effects upon any significant natural, scenic or historic features of the subject property or adjacent properties.*
(DNR responsible for any historical or archeological issues. None known)

here. If required, certain tests need to be issued.)

(2) *Other considerations. In its review of conditional use requests, the Board of Adjustment shall consider whether, and to what extent:*

(a) *The proposed use or development, at the particular location is necessary or desirable to provide a service or facility that is in the public interest or will contribute to the general welfare of the neighborhood or community.*

(Related as value added:

- 1) 100 construction workers for 18 months
- 2) Added tax base
- 3) Purchasing from local vendors and contractors)

(b) *All possible efforts, including building and site design, landscaping and screening have been undertaken to minimize any adverse effects of the proposed use or development.*

(Buffer zones are not applicable because of other industrial projects in immediate area. As they grow closer to Brown's Lake it is not known how buffer zones will be initiated.)

Staff Recommendation:

There was no public participation; therefore there was no public meeting to close.

See attached the following which provide additional information on the conditional use application:

1. Conditional Use Permit Application
2. Company Background
3. Port Neal Complex Overview Aerials
4. Proposed Site Plan

Please note that within the application the applicant has responded to each of the standards listed within ordinance subsection 2.02-9.F

Your Commission is tasked with reviewing Ag Processing, Inc.'s Conditional Use Permit application. Then provide your Commission's recommendation to the Woodbury County Board of Adjustment if each of the standards found within ordinance subsection 2.02-9.F will be met. You are further asked to authorize your Chairman to provide your recommendation in writing to the Chairperson of the Woodbury County Board of Adjustment.

Mr. Bride made a motion to recommend approval to the Board of Adjustment with all subsection 2.02-9.F standards being met and authorization given to the Chairperson to provide the commission's recommendation in writing to the Chairperson of the Woodbury County Board of Adjustment.

Mr. McWilliams seconded the motion; motion carried 5-0.

Board of Adjustment hearing will be on April 6th at 6 PM.

Your next agenda item is hearing any citizen wishing to be heard.

The Planning and Zoning office is unaware of any person intending to be present to be heard on any other issue or matter.

Mr. McWilliams made a motion to adjourn. Mr. Garbe seconded the motion; motion carried 5-0.

Meeting adjourned at 6:45 PM. Next scheduled meeting will be Monday, April 27, 2015.