

Minutes - Woodbury County Zoning Commission Meeting March 27, 2018

The Zoning Commission (ZC) meeting convened on the 27th of March 2018 at 6:12 p.m. in the Board of Supervisors' Meeting Room Number 104 in the County Courthouse, 620 Douglas Street, Sioux City, Iowa.

ZC Members Present: Tom Bride, Barbara Parker, Christine Zellmer-Zant
ZC Members Absent: Bruce Garbe, Shawn Streck
Staff Present: David Gleiser, Dawn Norton, Dan Priestley
Public Present: James Williams, Scott Gernhart

Chairperson Zellmer-Zant called the meeting to order at 6:12 p.m.

Mr. James Williams, 1730 162nd Street, is considering installing a small wind generator on his property. There was discussion about adding wind turbines to the ordinances.

The February 26, 2017 meeting minutes were amended on page 4 to read *'Tom Bride stated there wouldn't need to be a new zoning district, but a provision to allow for small contractor yards, or a classification somewhere in between home occupation and General Commercial.'* Motion to approve minutes by Bride, second by Barb Parker. Carried 3-0.

A public hearing was held to consider a minor subdivision application and final platting by Mary Berg. The proposed Berg Addition would subdivide the 23.31 acres of Parcel #894325100001 into two lots to meet bank mortgage requirements. The property is zoned AP (Agricultural Preservation), located in the NW ¼ of Section 25, T89N, R43W (Rutland Township) of the 5th P.M., an addition to Woodbury County, Iowa. The property is not located within extraterritorial review. One letter from neighboring property owner, Kay Shever. Written comment was received from Woodbury County Engineer and local office of USDA NRCS, and Woodbury County Treasurer. None of the comments received indicated opposition to the proposed subdivision. The staff support final plat approval.

Bride asked about well and septic; Scott Gernhart stated all will stay with Lot 1. Parker asked about driveway; Gernhart stated Berg plans to continue renting out the other lot so it won't be an issue. Chris Zellmer-Zant stated the maintenance agreement shouldn't be an issue since it's in Berg's name.

The public hearing was closed. Motion to approve with no conditions by Parker, second by Bride; Carried 3-0.

Public hearing of proposed amendment to text in land use summary table of allowed areas to sell fireworks in unincorporated areas of Woodbury County. Public meetings were held in Merville and Salix. Consensus was to limit sales to General Commercial (GC) zoning. David Gleiser stated the City of Sioux City's main issue last year was related to sellers placing signs in unapproved areas. Zellmer-Zant asked what small incorporated towns are doing regarding sales; Gleiser in towns without local ordinances, local administrators will have jurisdiction. Bride asked if there were Zoning requirements as stating how close to town fireworks can be sold. Gleiser stated they none, but would recommend they not be sold in residential areas. With the recommended GC zoning, that should not be an issue. Gleiser stated the issue will move forward to the Board of Supervisors for motion, vote, and approval following 3 readings.

The public hearing was closed. Motion to approve with no conditions by Parker, second by Bride; Carried 3-0.

The Commission reviewed the draft ordinance on use, sales, and display of fireworks.

The following amendments will be made;

Section 5: Prohibition.

1. Consumer, display, or novelty fireworks retail sales is prohibited in any zones other than General commercial (GC) Zoning District and shall not be approved for sales within unincorporated Woodbury County.

2. The wholesale of consumer, display, or novelty fireworks in any zones other than Light Industrial (LI) Zoning District and shall not be approved for sales within unincorporated Woodbury County.

Gleiser mentioned anyone operating a commercial fireworks display must be certified, with liability insurance. Gleiser clarified use of fireworks on Conservation land. It will be their policy not to allow usage; also, fireworks cannot be discharged on public property, only on private property with owner's consent.

Zellmer-Zant asked who receives fees and fines collected. Gleiser stated they are set by the State and they will receive the money. Bride questioned if liability amounts should be higher, they are currently \$300,000. Gleiser will consider the issue further and consult with the County Attorney.

Motion to send to Board of Adjustment for information, then forward to Board of Supervisors with recommendations by Parker; second by Bride; carried 3-0.

No citizens wishing to be heard.

Gleiser informed commission Community & Economic Development (CED) is currently updating and posting on department website a list of permits issued daily.

Gleiser stated CED is researching wind turbines. Bride pointed out they are smaller now and possibly could be listed as an accessory structure for residential use. Bride also mentioned solar panels.

Gleiser mentioned interest for beekeeping business in the County. No current ordinance.

Motion to adjourn by Parker; second by Bride; motion carried 3-0.

Meeting adjourned 7:14 p.m.

Next meeting April 24, 2018.