

Minutes - Woodbury County Zoning Commission Meeting – August 23, 2021

The Zoning Commission (ZC) meeting convened on the 23th of August 2021 at 6:00 PM in the first-floor board room of the Woodbury County Courthouse. The meeting was also made available via teleconference.

ZC Members Present: Chris Zellmer Zant, Tom Bride, Barb Parker, Corey Meister, Jeffrey O'Tool
County Staff Present: Dan Priestley, Dawn Norton
Public Present: Martha Boyle, Scott Gernhart, Paul Rippke, Jeff Priestley, Poch Espina
Phone Present: Gene Collins

Call to Order

Chair Zellmer Zant formally called the meeting to order at 6:00 PM.

Public Comment on Matters Not on the Agenda

None.

Approval of Minutes

Bride requested for a correction to the 7/26/21 minutes under the "Public Hearing – Davis Subdivision Proposal" section. For clarification, he asked for the minutes to reference the current floodplain map as the old map to remove confusion with the proposed draft map. The revised sentence states "Bride indicated that the current/old floodplain map at that location does not accurately reflect the area." Motion to approve minutes as corrected: Parker. Second: O'Tool. Vote: 5-0.

Public Hearing: Shever Addition Minor Subdivision Proposal – Nathan A. Shever

Priestley read the preliminary report and staff recommendation into the record. Nathan A. Shever has submitted a Minor Subdivision application to establish a one lot, 6.75-acre, minor subdivision on Parcel #884305200002 to separate the house from the farm. This property is in the Agricultural Preservation (AP) Zoning District and is not located in the floodplain. The parcel is located on Government Lot 1 of Section 5, T88N R 43W (Kedron Township). Martha Boyle, representing the applicant on sale of property, confirmed an easement will be given for the well. Motion to close public hearing: Meister. Second: Parker. Vote 5-0. A motion was made to recommend approval of the Shever Addition based on the three criteria: 1) to adopt the County Engineer's comments for an easement access maintenance agreement; 2) to have an easement for the access to and maintenance of the well and appurtenances located on the farm ground; 3) to follow Siouxland District Heath's permitting requirements for the installation of a new on-site septic system: O'Tool. Second: Bride. Vote: 5-0.

Public Hearing: Cozy Creek Addition Minor Subdivision Proposal – Bret & Jodi Peterson

Priestley read the preliminary report and staff recommendation into the record. Bret and Jodi Peterson have submitted a Minor Subdivision application to establish a two lot (Lot 1: 12.49 acres; Lot 2: 19.07 acres) minor subdivision on Parcel #884514100006 to facilitate the construction of a new home on the proposed Lot 2. This property is located in the Agricultural Preservation (AP) Zoning District and is not located in the floodplain. The parcel is located in the NW ¼ of Section 14, T88N R45W (Moville Township). Surveyor Scott Gernhart of True Engineering explained that the owners will sell Lot 1 and build a new house on Lot 2 along with a new well and septic system. Motion to close public hearing: Parker. Second: O'Tool. Vote 5-0. In consideration that the property owners follow the Woodbury County Soil and Water Conservation District's recommendation of erosion control practices and Siouxland District Health's recommendation about easement access if there were a shared well, a motion was made to recommend approval of the Cozy Creek Addition: Parker. Second: Meister. Vote: 5-0.

Public Hearing: Steve And Michelle Bleil Addition – Creasey Farms Limited Partnership

Priestley read the preliminary report and staff recommendation into the record. Creasey Farms Limited Partnership has submitted a Minor Subdivision application to establish a one lot, 3.32-acre, minor subdivision on Parcel #894410200002 to separate the house from the farm. This property is located in the Agricultural Preservation (AP) Zoning District and is not located in the floodplain. The parcel is located in the NE ¼ of Section 10, T89N R44W (Arlington Township). The applicants' attorney, Gene Collins stated that the split is result of a long-term agreement to sell the property. Motion to close public hearing: O'Tool. Second: Parker. Vote 5-0. Priestley added that he received a phone call asking if the split was being requested for a hog confinement. Priestley explained that he informed the property owner that permitting for animal confinements is a separate process from the subdivision application. He explained that the master matrix building permit is used for confinements with over 1000 animal units. However, building permits are not required under the AG Exemption rules for operations below the master matrix threshold. However, property owners must comply with state regulations administrated through the Iowa DNR. It was also noted that a confinement may be placed on a subdivided property if the property owner is AG Exempt and meets state guidelines. Meister pointed out that on page 33 of the preliminary report packet, the deed holder on the parcel report should be Creasey Farms Ltd Partnership, Parcel #894410200002. A motion was made to recommend approval of the Steve and Michelle Bleil Addition: Bride. Second: Meister. Vote: 5-0.

Public Comment on Matters Not on the Agenda

None.

Staff Update

Priestley offered updates about the adoption of the proposed draft floodplain maps. Woodbury County officially received notice from the Federal Emergency Management Agency (FEMA) in a letter dated August 12, 2021 that the proposed flood designations have been published in the Federal Register on June 29, 2021 and have/will be published in the Sergeant Bluff Advocate, the Sioux City Journal, and the Record on or about August 19, 2021 and August 26, 2021. A notice will also be published on the FEMA website at https://www.floodmaps.fema.gov/fhm/BFE_Status/bfe_main.asp. There will be a 90-day appeals process following the second publication date. Property owners who disagree may provide scientific or technical data

to challenge the maps. It is anticipated that public meetings will be held in the near future with representatives from the Iowa Department of Natural Resources present.

Priestley offered updates on the consideration of the floodplain development ordinance. He also offered updates on the 2040 Comprehensive Plan survey. As of August 19, 2021, over 400 surveys have been received and processed by SIMPCO. Preliminary data was shared to the Comprehensive Plan Steering Committee meeting on the same date. Priestley also noted that staff and representatives from SIMPCO worked at a booth at the Woodbury County Fair to encourage fairgoers to complete the survey.

Priestley indicated that the Iowa State Extension will put on training for planning and zoning officials on October 6th at the Fireside in Anthon, IA. An email will be sent to commissioners and board members asking them to register.

Priestley offered updates about future Zoning Commission public meetings following the expiration of Governor Reynolds' COVID proclamation in June of 2021. All public meetings must follow Iowa Code and the meetings must be held in-person with the commissioners present to constitute a quorum.

Commissioner Comment or Inquiry

Bride inquired about Iowa Department of Transportation's (IDOT) annexation of the borrow site just east of the US Highway 20/75 interchange. Priestley indicated that staff received a letter announcing a postponement of the public meeting that was previously scheduled. The delay is due to surveying issues. Priestley will update the commission when more information is available.

O'Tool inquired about the closure of the plat as referenced on the County Engineer's review memo. The County Engineer is required to check to see if final plat conforms to Iowa Code 355.8 to ensure that the boundary lines of the subdivision are properly measured and include no errors in closure.

Adjourn

Motion to adjourn: Bride. Second: Meister. Motion passed: 5-0. Meeting adjourned at 6:47 PM.