

Minutes - Woodbury County Zoning Commission – November 25, 2024

The Zoning Commission (ZC) meeting convened on the 25th of November at 5:00 PM in the Board of Supervisors' meeting room in the Basement of the Woodbury County Courthouse, 620 Douglas Street, Sioux City, IA. The meeting was also made available via teleconference.

Meeting Audio:

For specific content of this meeting, refer to the recorded video on the Woodbury County Zoning Commission "Committee Page" on the Woodbury County website:

- County Website Link:
 - o https://www.woodburycountyiowa.gov/committees/zoning_commission/
- YouTube Direct Link:
 - o <https://www.youtube.com/watch?v=DXqp6jPtBtI>

ZC Members Present:	Corey Meister, Chris Zant, Tom Bride, Jeff Hanson
County Staff Present:	Dan Priestley, Dawn Norton
Public Present:	Gene Collins, Jadin Collins, J.W. Voigt

CALL TO ORDER

The meeting of the Woodbury County Zoning Commission was called to order at 5:02 PM by Chair Chris Zellmer Zant. Commissioner Barb Parker was absent.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

There were no public comments.

APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

The approval of the minutes from the previous meeting on August 26 was deferred due to Barb Parker's absence. However, the minutes from the September 23 meeting were presented. Tom Bride made a motion to approve these minutes, which was seconded by Jeff Hanson. The motion passed unanimously with a vote of 4-0.

PUBLIC HEARING (ACTION ITEM) - PROPOSED OAKRIDGE ADDITION MINOR SUBDIVISION (Parcel #864407400003)

The Commission held a public hearing regarding the Oakridge Addition, a proposed two-lot minor subdivision located on a 10.26-acre parcel in Little Sioux Township, approximately 4.2 miles northwest of Smithland. The property is situated in the Agricultural Preservation (AP) Zoning District and is owned by Oakridge Livestock Company, Inc. The owners intend to remodel and sell the existing house while using the remaining land for alfalfa cultivation. An easement agreement was presented. Corey Meister moved to receive and Jeff Hanson seconded the motion, which carried 4-0 (available in appendix). Hanson commented about the wording of the easement to reflect its intended purpose. Jeff Hanson moved to close the hearing, and Tom Bride seconded the motion, which carried 4-0. Hanson then made a motion to recommend approval to the Board of Supervisors with the condition that the easement be executed as presented, which was seconded by Corey Meister. This motion also passed unanimously with a vote of 4-0.

PUBLIC HEARING (ACTION ITEM) - PROPOSED JW COLLINS HOMESTEAD MINOR SUBDIVISION (Parcel #894428100005)

The Commission conducted a public hearing for the JW Collins Homestead, a proposed one-lot minor subdivision on a 2.20-acre parcel in Arlington Township, located approximately half a mile northeast of Merville. This property is also in the Agricultural Preservation (AP) Zoning District, with portions falling within designated flood hazard areas. Tom Bride moved to close the hearing, and Jeff Hanson seconded the motion, which passed 4-0. Bride then made a motion to recommend approval of the final plat to the Board of Supervisors, seconded by Meister. The motion carried unanimously with a vote of 4-0.

PUBLIC HEARING (ACTION ITEM) – PROPOSED ZONING ORDINANCE TEXT AMENDMENT (DIMENSIONAL SIZE FOR SINGLE-FAMILY DWELLINGS)

The Commission conducted a public hearing to consider potential amendments to Section 4.11 of the Woodbury County Zoning Ordinance, which pertains to the dimensional size for single-family dwellings. Dan Priestley noted that the current ordinance has been in effect since 2008 and has not generated significant controversy or public

input. He emphasized that the ordinance aligns with state and federal laws. Jeff Hanson expressed that the existing ordinance does not appear to be problematic and suggested that no further time should be spent on it.

INFORMATION ITEM: DISCUSSION AND PLANNING PROCESS FOR NUCLEAR ENERGY TO BE CONSIDERED FOR ADDITION TO WOODBURY COUNTY ZONING ORDINANCE: SUMMARY: At their July 2, 2024, meeting, the Woodbury County Board of Supervisors directed the Zoning Commission to explore the feasibility of nuclear energy as a potential energy option for the county. It is important to note that no proposals from companies to provide nuclear energy have been submitted. Tom Bride expressed interest in receiving input from MidAmerican Energy regarding potential future power sources. Priestley highlighted the pros and cons of both large and small nuclear power plants, suggesting that nuclear energy might be regulated as a conditional use. However, he emphasized that state and federal agencies retain primary control over most aspects of nuclear energy development. Public input on this issue has been limited so far. To address this, the Commission will schedule future public hearings to gather feedback and determine the best path forward for potentially including nuclear energy as an option in Woodbury County.

INFORMATION ITEM: DISCUSSION AND PLANNING PROCESS FOR A RECOMMENDATION CONTEMPLATING DEMOMMISSIONING REQUIREMENTS AS PART OF A NEW ORDINANCE REGARDING CARBON PIPELINES: Priestley read a summary into the record. The Woodbury County Board of Supervisors, at their August 27, 2024 meeting, directed the Planning and Zoning Director to collaborate with the Planning and Zoning Commission, the Board of Adjustment, and legal counsel to develop a recommendation for incorporating decommissioning requirements into a new ordinance regarding carbon pipelines. Priestley emphasized that decommissioning procedures are primarily regulated by federal and state governments. Staff is reviewing regulations from other counties and states to determine if any local standards exist. The Commission might consider adopting local standards, provided they do not conflict with federal guidelines. Bride inquired whether the county could require pipeline companies to file a permit. Priestley explained the conditional use permit process outlined in the zoning ordinance. Bride also noted that pipeline easements often remain in place even when the area is no longer in use. Research to develop potential recommendations will continue.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

No public comments were made.

STAFF UPDATE

Priestley informed the Commission about a communication from Rural REC regarding grain bin safety. It was also noted that open seats are available on the Zoning Commission and Board of Adjustment, with applications currently being accepted.

COMMISSIONER COMMENT OR INQUIRY

No comments or inquiries were made by commissioners.

ADJOURNMENT

The meeting adjourned at 6:02 PM following a motion by Corey Meister, seconded by Jeff Hanson. The motion carried unanimously, 4-0.

APPENDIX

Jay P. Phipps P. O. Box 442 Merville, IA 51039 (712) 873-3210

EASEMENT

For the consideration of One and no/100 Dollar (\$1.00) and other valuable consideration, Ivener Farms, LLC, an Iowa Limited Liability Company, does hereby grant to Oakridge Livestock Company, Inc., an Iowa Corporation, their heirs, successors, and assigns, an Easement over the following described real estate, to-wit:

Part of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section Seven (7) Township Eighty-six (86) North, Range Forty-four (44) West of the 5th Principal Meridian, Woodbury County, Iowa. Said parcel being more particularly described as follows:

Commencing at the NW Corner of said NW1/4SW1/4; thence southerly along the westerly line of the NW1/4SW1/4 on an assumed bearing of S00°00'47"E (with all subsequent bearings referenced therefrom) for a distance of 1,181.67 feet to the easement Point of Beginning; thence continuing along said westerly line S00°00'47"E for a distance of 40.00 feet; thence N89°59'13"E along for a distance of 9.86 feet to the westerly right-of-way line of Jasper Ave.; thence N02°08'24"E along said right-of-way line for a distance of 5.61 feet to the road right-of-way curve; thence northeasterly along a curve to the left, concave northwesterly, having a radius of 3,801.30 feet, curve length of 34.41 feet and a central angle of 00°31'07" along the chord of said curve on a bearing of N01°52'50"E for a distance of 34.41 feet; thence S89°59'13"W for a distance of 11.20 feet to a point on the westerly line of said quarter-quarter and the Point of Beginning.

Said described parcel of land contains 0.01 acres and is subject to all easements and right-of-ways of record.

The aforesaid Easement shall be exclusively for ingress and egress. Oakridge Livestock Company, Inc., and their heirs, successors, and assigns shall be responsible for all maintenance and repair of the easement area. This Easement shall run with the land.

Dated this _____ day of November, 2024.

Kent Ivener, Manager, Ivener Farms LLC

STATE OF IOWA)
) ss:
COUNTY OF WOODBURY)

On this _____ day of November, 2024, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Kent Ivener, Manager of Ivener Farms LLC, to me known to be the identical persons named in and who executed the within and foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Notary Public in and for said State.