



WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) RE

Date: March 9, 2016

Weekly Agenda Date: March 15, 2016

DEPARTMENT HEAD / CITIZEN: John Pylelo, Director of Planning and Zoning		
SUBJECT: Amendment of Woodbury County Zoning Ordinances		
ACTION REQUIRED:		
Approve Ordinance <input checked="" type="checkbox"/>	Approve Resolution <input type="checkbox"/>	Approve Motion <input type="checkbox"/>
Public Hearing <input checked="" type="checkbox"/>	Give Direction <input type="checkbox"/>	Other: Informational <input type="checkbox"/>
Attachments <input checked="" type="checkbox"/>		

WORDING FOR AGENDA ITEM: To accept a Zoning Commission recommendation; Hold public hearing; and for the 1st reading for a text amendment to Woodbury County's zoning ordinance as authorized under Section 2.02:3.

EXECUTIVE SUMMARY: Your Board previously directed the Planning and Zoning Department and your county's Zoning Commission to study the impact of county ordinances applicable to smaller over the road trucking operations. The study was to be limited to those trucking operations located on parcels qualifying under the zoning ordinance's home occupation use tests. Your Board specifically asked for a study of the impact of one of the home occupation test restrictions which states vehicles and equipment related to the business operation cannot be viewed from outside the parcel. The Planning and Zoning Director has previously reported the Commission's study recommendation to your Board. Your Board then directed the Zoning Commission to proceed toward adoption of the language within the recommendation.

The Commission held the requisite public hearing on February 22, 2016. Significant public testimony was submitted at the hearing from citizens, and a legal representative, requesting the ordinances remain unchanged. Significant public testimony was also offered from citizens supporting the recommended ordinance language change which would grant the potential for the specified relief.

After considering the February 22nd public testimony the Commission voted to make no changes in their initial study recommendation to your Board that certain ordinance text amendments be made. Those language changes recommended are within the zoning ordinance amendment document attached and marked Exhibit "A".

CITIZEN IMPACT: If enacted an opportunity for conditional use permit approval by the Board of Adjustment would be put in place for those citizens operating smaller over the road trucking companies from their residences. The potential would then exist for the trucking operation to become compliant with zoning ordinances even though business vehicles are visible from any off parcel location.

FINANCIAL IMPACT: \$350.00; primarily for legal publication and misc. administrative and meeting fees. All costs are budgeted.

RECOMMENDATION: Staff recommends adoption of the ordinance language within Exhibit "A". As of March 9, 2016 County Attorney comments are pending.

ACTION REQUIRED:

- 1.) To open, hold and then close the public hearing on this agenda item;
- 2.) A motion to accept the Zoning Commission's recommendation on this agenda item and to approve the first reading of the zoning ordinance amendment language on attached Exhibit "A".

ORDINANCE NO. 39.
WOODBURY COUNTY, IOWA

AN ORDINANCE AMENDING PORTIONS OF SECTION 3.01:4 ENTITLED *LAND USE SUMMARY TABLE OF ALLOWED USES IN EACH ZONING DISTRICT*; AND SECTION 6.02: ENTITLED *DEFINITIONS OF THE WOODBURY COUNTY, IOWA ZONING ORDINANCES*.

NOW, THEREFORE, BE IT ENACTED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA THAT THE BELOW ZONING ORDINANCE LANGUAGE AMENDMENTS BE MADE:

Amendment #1 –

On page 32: To add the following line item use language within zoning ordinance Section 3.01:4 *Land Use Summary Table of Allowed Uses in each Zoning District*:

“Truck Terminals (Home Occupation Use)”. With placement of the letter **“C”** within the AP (Agricultural Preservation) and AE (Agricultural Estates) zoning districts columns of the table related to this line item use.

Amendment #2 –

On page 38: To change the following line item use language within zoning ordinance Section 3.01:4 *Land Use Summary Table of Allowed Uses in each Zoning District*:

Remove *“Truck Terminals”* and replace with *“Truck Terminals (Non-Home Occupation Use)”*

EXHIBIT
“A”

