

**DES MOINES COUNTY, IOWA
ZONING COMMISSION
REGULAR MEETING MINUTES
TUESDAY, SEPTEMBER 15, 2020**

The Des Moines County Zoning Commission met in regular session on September 15, 2020 at 5:30 P.M. The public health emergency regarding COVID-19 (Coronavirus) made it impractical to hold this meeting entirely in person. Des Moines County Land Use staff and four of the Zoning Commission members attended in-person in the large basement conference room at the SEIRPC office at 211 N. Gear Ave, West Burlington, while one other Commission member attended through a conference call.

1. Call to Order

Chairman Ryan Nagrocki called the meeting to order at approximately 5:33 P.M.

2. Roll Call

Individuals attending remotely are indicated by an asterisk (*). All others attended the meeting in person.

Commission members present: Ron Breuer * Ryan Nagrocki
 Jesse Caston Ron Wunderlich
 Russ Fry

Commission members absent: Dick Keith
 (one position presently vacant)

Staff Present: Zach James and Jarred Lassiter, SEIRPC

Public Present: None

3. Changes to Tentative Agenda

None

4. Approval of the Minutes for June 18, 2020

Motion #1: To approve the Minutes of the June 18, 2020, meeting.
Motion by: Fry
Seconded by: Wunderlich
Vote: Unanimous vote. Motion carried.

6. New Business

None

7. Old Business

A. Des Moines County Land Use Ordinances update – Discussion of Proposed Changes to Subdivision and Zoning Ordinances

Mr. James gave an update on the status of the Subdivision and Zoning Ordinances update, indicating that draft copies of each revised ordinance had been distributed to all members in attendance, and copies would soon be distributed individually to the two members not physically present. He noted that in addition to the draft ordinances, a list and map of proposed property rezonings had been supplied to the members. These were based on staff and Commission member observations about how existing land use patterns starkly contrasted with the zoning classification in a number of instances in the two-mile area. He also indicated that a detailed list and explanation of proposed changes to the text of the ordinances had been provided, and these solely address substantive changes where enforcement of the ordinance would potentially be different following the change (as opposed to minor formatting errors and rewordings of existing passages).

Mr. Nagrocki asked for clarification on the passages highlighted in yellow in the draft ordinance documents. Mr. Lassiter confirmed that only the substantive edits were highlighted in the document, and that these were used for all instances where a new regulation was added, or an existing regulation was altered. He noted that for any instance where an existing regulation was removed and not replaced, these were addressed in the accompanying document with a list and explanation of proposed changes.

Mr. James stated that staff plans to hold another Commission meeting in 1 to 1 ½ months, for the members to discuss individual proposed edits in detail, after they've had a chance to review the documents on their own time.

Mr. Lassiter presented on several proposed ordinance changes that were larger in scope, including the policies regarding Home Occupations, Planned Unit Development (PUD), maximum lot coverage, and the placement of substations and telecommunications towers. For maximum lot coverage, this concept was being introduced to regulate building construction on existing small residential lots, to prevent drainage issues for neighbors. It would also impact commercial and industrial properties, where setback requirements are minimal, and thus there is presently no significant limitation on how much of a lot can be occupied by buildings and structures. Mr. Nagrocki asked what the maximum lot coverage is for commercial in the City of Burlington. Mr. Lassiter said it was 50%, the same as what is being recommended for the County.

Mr. Lassiter next presented on the issue of subdivisions within 2 miles of a City, and what authority Cities have to impose their own regulations on subdivisions within 2 miles of their corporate boundaries. Mr. James noted that through discussions with Burlington and West Burlington staff, there seemed to be a common lack of awareness as to what a City's proper role is in regulating extraterritorial subdivisions.

Mr. Lassiter presented on one additional topic, the regulation of wind and solar infrastructure. He noted that staff intends to hold a Work Session with the Board of Supervisors to address this topic, as it may make more sense to have countywide ordinances for these types of infrastructure, as opposed to only regulating them through zoning in the two-mile area outside Burlington. Mr. Nagrocki stated that as a real estate professional, he'd very recently received several phone inquiries from utility companies regarding large-scale solar infrastructure. As a result, he agreed that it would be helpful to address this through a County ordinance. Mr. Lassiter noted that neighboring Louisa County recently adopted regulations for solar infrastructure in their countywide zoning ordinance, and this had to be developed quickly in order to accommodate a development proposal for a solar farm. As a result, it would be helpful for Des Moines County to take the time to address this proactively, rather than waiting for a developer to submit a proposal and then figuring out how to address it.

8. Public Input

None

9. Future Agenda Items

None

10. Adjournment

Motion #4 To adjourn
Motion by: Wunderlich
Seconded by: Fry
Vote: Unanimous vote. Motion carried.

The meeting adjourned at approximately 6:20 P.M.

APPROVED: _____
Ryan Nagrocki, Chairman

ATTEST: _____
Zach James, Land Use Administrator