

Consent Agenda

Scheduled Sessions

**Matt Wyant/Director, Planning and
Development and/or Pam
Kalstrup/Coordinator, Zoning & Land Use,
Planning and Development**

Public Hearing and First Consideration of Ordinance No. 2022-06, an Ordinance to amend the Official Zoning Map of Pottawattamie County, Iowa by changing the district designation of approximately 12.92 acres from a Class A-2 (Agricultural Production) to a Class C-2 (General Commercial) District; and setting date for Second Consideration.

RECORDER'S COVER SHEET

Prepared by:

Pottawattamie County Office of Planning and Development
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(712) 328-5792

Return Document to:

Pottawattamie County Office of Planning and Development
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Document Title:

Pottawattamie County
Ordinance #2022-06

**POTTAWATTAMIE COUNTY, IOWA
ORDINANCE NO. 2022-06**

AN ORDINANCE to amend the Official Zoning Map of Pottawattamie County, Iowa, by changing the district designation of approximately 12.92 acres from a Class A-2 (Agricultural Production) District to a Class C-2 (General Commercial) District.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, IOWA

SECTION 1 - AMENDMENTS: That the Official Zoning Map, as adopted by reference in Section 8.003.020 of the Pottawattamie County, Iowa, Zoning Ordinance, be and the same is hereby amended by changing the district designation from its present designation of a Class A-2 (Agricultural Production) District to a Class C-2 (General Commercial) District of certain real estate, as shown on the attached plat and which is legally described as follows:

21-77-39 S 1/2 NW NE EXC W4.9' AC & EXC HWY

SECTION 2 - SEVERABILITY: That should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not effect that validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION 3 - REPEAL OF CONFLICTING ORDINANCES: That all ordinance or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4 - EFFECTIVE DATE: This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

PASSED AND APPROVED.

	ROLL CALL VOTE			
	AYE	NAY	ABSTAIN	ABSENT
_____ Tim Wichman, Chairman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Justin Schultz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Lynn Grobe	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Brian Shea	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Scott Belt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Attest: _____
Melvyn Houser, County Auditor
Pottawattamie County, Iowa



NOTICE OF PUBLIC HEARING PUBLISHED:	October 13, 2022
BOARD OF SUPERVISORS PUBLIC HEARING:	October 18, 2022
FIRST CONSIDERATION:	October 18, 2022
SECOND CONSIDERATION:	October 25, 2022
PUBLICATION:	November 3, 2022
RECORD:	November 4, 2022

TO: Board of Supervisors
FROM: Matt Wyant
DATE: October 13, 2022

RE: #ZMA-2022-04

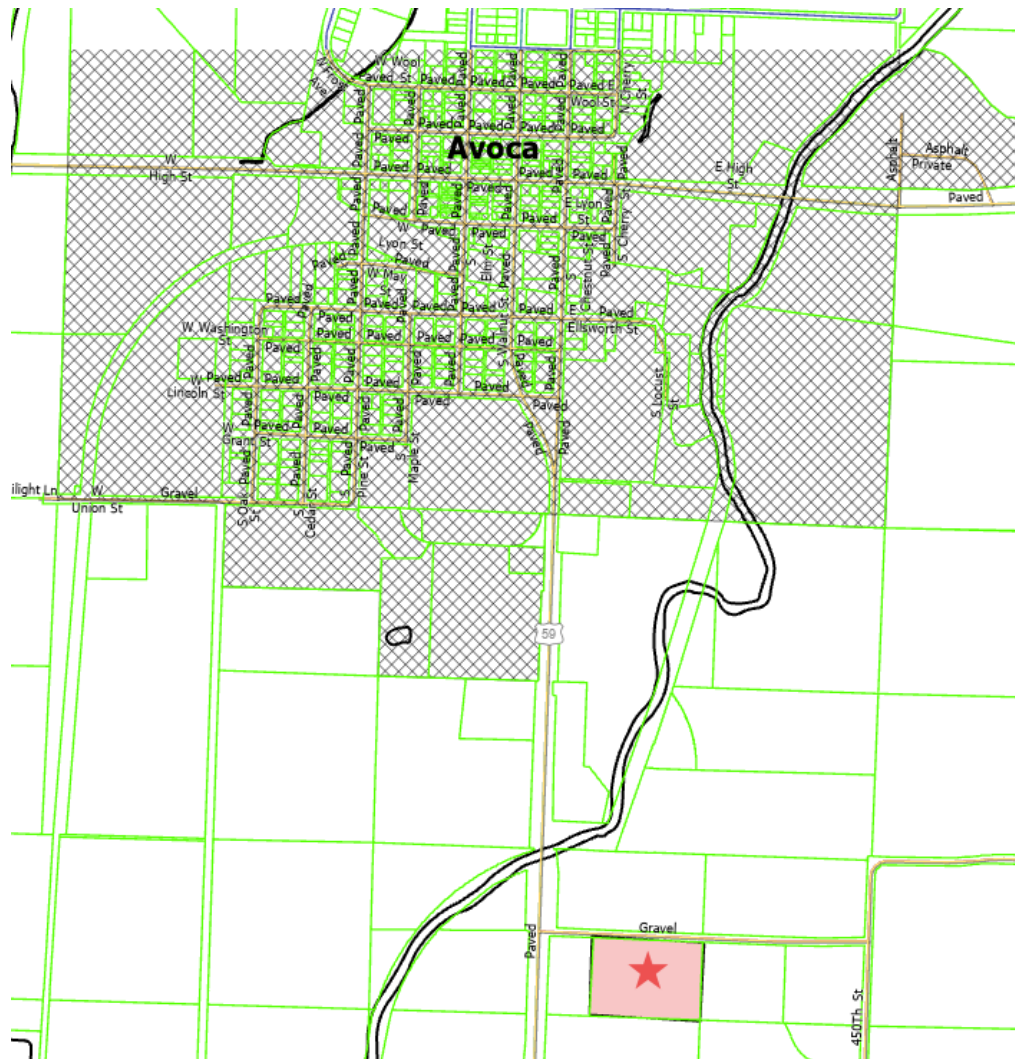
REQUEST: Zoning Map Amendment to reclassify approximately 12.92 acres from a Class A-2 (Agricultural Production) to a Class C-2 (General Commercial).

LOCATION: Knox Township

450th St

21-77-39 S1/2 NW NE EXC W4.9' AC & EXC HWY

The subject property is located approximately 1/2 t to the city limits of Avoca on 450th St.



PROPERTY OWNER: Second Van Houweling Property LLC dba Van Wall

**GENERAL
INFORMATION:**

The applicants have requested that approximately 12.92 acres, which are currently zoned A-2 (Agricultural Production) District, be rezoned to C-2 (General Commercial). They own the parcel adjacent to the west of the subject property which consists of approximately 4.89 acres. It is zoned C-2 and is doing business as Van Wall (John Deere dealer). That property was zoned C-2 in 1971.



**APPLICANT'S
NARRATIVE:**

We are planning a shop expansion to the east of our current building which is located on Parcel 773921200002. This parcel is zoned as commercial. This expansion will impede into the line on parcel 773921200003. This parcel is currently zoned as Agricultural. In anticipation of this expansion and future building permit submission, we would like to combine both parcels and be zoned as commercial.

I am not able to attend meetings on the 3rd Mondays of the month as I serve on the Boyer Valley School board as president and this is when our meetings are scheduled. A representative from Van Wall will attend the meeting in my place.

Feel free to call me ahead of the meeting on my cell phone 712-210-1604.

Sincerely,

A handwritten signature in black ink, appearing to be 'Steve Puck'.

Steve Puck

Van Wall

AREA REVIEW:

The properties in the immediate area are a mixture of agricultural ground and larger rural acreages.



SITE REVIEW:

The parcel is currently undeveloped.

LAND USE PLAN:

This proposed Zoning Map Amendment aligns with the Comprehensive and Land Use Plan.

COMMERCIAL AREAS

Future commercial land uses in rural Pottawattamie County will include, highway commercial, commercial recreational, and Loess Hills Commercial Overlay District. Highway commercial land use should be located within 2-miles of Council

Bluffs and ½-mile of each of the communities, and in limited instances be considered at the junctions of major highways or at interchanges along Interstate 29, 80 and 680 in rural Pottawattamie County. Development should be limited to commercial types capable of meeting the needs of local highway motorists. This would include such types as gasoline convenience shops, truck and freight terminals and farm implement sales and service.

To encourage limited opportunities for commercial land use that would enhance the social-economic aspects of local recreation and product opportunities related to tourism, a commercial recreational and Loess Hills Commercial Overlay District will be utilized. The commercial recreational use will include services related to recreational opportunities such as the bike trails, water trails, and county parks. The Loess Hills Commercial Overlay District allows limited opportunities for commercial land use that would enhance the social-economic aspects of the Loess Hills. The District would be in close proximity to the Lincoln Highway Scenic Byway with the intent of this use to encourage limited commercial development associated with locally made or grown products that would include such types as arts, craftsmanship, foods, wine, and produce.

ROADS & TRAFFIC: Access to the subject property is gained from 450th Street, a gravel county road. The 2016 Iowa Department of Transportation Traffic Flow Map indicated an average traffic flow of 50 vehicles per day.

FLOOD HAZARD: The Flood Insurance Study prepared by the Federal Emergency Management Agency for the County designates in the Flood Insurance Rate Maps that the majority of the property as being in a Zone A-Areas of 1% annual chance of flooding. New construction must comply with the floodplain management ordinance.



COMMISSION

RECOMMENDATION: On September 19, 2022 the Planning Commission conducted their public hearing on this request and made the following recommendation:

Motion: to recommend that the request of Second Van Houweling Property LLC dba Van Wall, as filed under Case #ZMA-2022-03, be approved as submitted.

Motion by: B. Larson.

Second by: Chapman.

Vote: Ayes –Silkworth, Leaders, B. Larson, Chapman. Motion Carried

**Discussion with the City of Macedonia and Hancock
regarding small town needs.**

Other Business

Maria Sieck/Administrator, Public Health

Discussion and/or decision to approve County funding of flu shots for part-time employees.

Received/Filed

Public Comments

Closed Session