

FINAL MINUTES

JACKSON COUNTY ZONING COMMISSION

7:00 p.m.

Monday, April 15, 2024

Community Room, Jackson County Courthouse
201 W Platt Street, Maquoketa, Iowa

Commissioners Present: Chair Monica McHugh, Vice Chair Tom Stewart, Commissioners Sandra Gerlach, Mike Burke, Kristine Pfab, and Emerita Kies.

Commissioners Absent: John Manson

Staff Member Present: Zoning Administrator Lori Roling and Administrative Assistant Ruth Eltrich.

CALL TO ORDER AND ROLL CALL: The meeting was called to order by Chair McHugh at 7:00 p.m. and roll call taken. A sign-in sheet was distributed. The Zoom meeting was launched. There were 15 people attending the meeting via Zoom. Those in attendance were:

- Ben Davison, 214 E Maple St
- Mary Bartels, 26899 Hwy 64
- Jennifer Kutsch, 1075 235th Avenue
- Bill Shepard, 1075 235th Avenue
- Austin Cahill, 725 Country Club Drive
- Vanessa Cahill, 725 Country Club Drive
- Tim Sheehan, 20378 250th Avenue
- Landon Rorah, 27318 24th Street
- Allyson Rorah, 27318 24th Street
- Michelle Braswell, 2966 160th Street
- Trent Meyer, 617 Hwy 67
- Jodi Meyer, 617 Hwy 67
- Emerita Kies via Zoom
- Kristine Pfab via Zoom (**Kristine did not participate in discussions or voting**)
- Tom Stewart via Zoom
- Laura Carstens via Zoom
- John Bradtke via Zoom
- 10 unidentified Zoom logins

MINUTES: Motion by Burke, seconded by Gerlach, to approve the minutes of the March 18, 2024, Zoning Commission meeting as submitted. Motion carried by the following vote: Aye –Gerlach, Burke, Kies, Stewart, and McHugh; Nay – None.

WIND ENERGY ORDINANCE DRAFT:

Roling presented the changes to the wind energy ordinance draft. In the definitions section the term landowner will be added. The definition of landowner was suggested by the county attorney. Chair McHugh suggested adding the term deed holder. Discussion followed.

Roling asked the commissioners if they wanted the ordinance to include a set distance for C-WEC's from incorporated city limits and R-1 zoned areas. Discussion followed regarding a 2-mile radius from incorporated city limits and R-1 zoned areas. Commissioners requested to have a map created that shows the excluded areas with a 2-mile radius before a final decision is made.

In section 4, number 2 tower configuration a word change needs to be made. "Meteorological towers may be guyed" will be changed to "Meteorological towers may be guyed towers."

In section 3, number 8 a wording change is requested. Commissioners want the landowner to give permission for a wind turbine not someone renting or leasing the property. Roling suggested adding proof of landowner consent. Chair McHugh would like it to say deeded land ownership. Commissioners agreed to the following wording documentation of land ownership by deed, and legal control of property will be omitted.

In section 3, number 10 an "s" needs to be added to United State.

In section 11, number 12, letter d, discussion occurred regarding the word waiver. Waiver is the correct term because wind turbines are allowed by special exception, and we do not have a process to have a special exception within a special exception. The affected property owner would be required to sign a waiver if they agreed to the criteria.

In section 4, number 11, letter a, commissioners discussed eliminating the specific buildings mentioned. Chair McHugh suggested changing the wording to all occupied structures.

In section 13, letter g, the word MET needs to be added after the word guyed. The word property owner needs to be changed to landowner.

Discussion followed regarding the phrase "removal vocal process" in section 6, number 1. Roling was unsure if this is an industry term. Roling will research and report back to the commissioners. Discussion followed regarding the decommissioning plan for the soil. Our ordinance states that the soil grade will be restored but not the soil quality. It was mentioned that this requirement is usually agreed upon between the landowner and the wind turbine company.

Roling asked Chair McHugh if she could present some of the data she has been researching. Roling stated she has contacted experts regarding Doppler radar. Roling stated there is an application process regarding Doppler radar that wind turbine companies are required to submit. Roling stated that the University of Iowa and Iowa State are sources of information on the effects of wind turbines.

Roling gave a brief history of the wind ordinance for meeting attendees. Jackson County is working on a wind ordinance that balances protections for landowners and

rights of landowners. Chair McHugh stated that there will be time for public input before the ordinance is approved by the Board of Supervisors.

Tom Stewart left the meeting at 7:44 pm.

COMPREHENSIVE PLAN:

Roling updated the meeting attendees on the Comprehensive Plan.

Carstens presented the updates to the Comprehensive Plan. The public hearing will happen in May and the Zoning Commission may vote to recommend the Comprehensive Plan go before the Board of Supervisors for adoption.

Chair McHugh requested that the Comprehensive Plan be first on the agenda for next month's meeting.

The word chairperson in the Comprehensive Plan needs to be corrected to chair. Kristine Pfab, a new commissioner, should be added to the Comprehensive Plan.

Carstens presented the Executive Summary. Carstens presented the revision to Chapter 3. The word clouds were removed, and readers are directed to the appendix. Commissioners agreed to remove the word clouds.

The next meeting is on May 20, 2024 at 7:00 p.m.

ADJOURNMENT: Motion by Gerlach, seconded by Burke, to adjourn the April 15, 2024 Zoning Commission meeting. Motion carried by the following vote: Aye –Burke, Gerlach, Kies, and McHugh; Nay – None.

The meeting was adjourned at 7:58 p.m.

Respectfully submitted,

Lori Roling
Zoning Administrator

Adopted: 5/20/2024