

**SMART PLANNING
Meeting Minutes**

September 18, 2013

5:30 p.m.

**Dubuque County Emergency Responder Training Facility
14928 Public Safety Way, Dubuque, Iowa**

Consortium Members

- | | |
|----------------------------------------------------------------|------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Anna O'Shea-Dubuque County | <input checked="" type="checkbox"/> Janet Berger-City of Epworth |
| <input type="checkbox"/> Laura Carstens-City of Dubuque | <input type="checkbox"/> Joyce Jarding-City of Farley |
| <input type="checkbox"/> Dave Johnson (proxy)-City of Dubuque | <input type="checkbox"/> Bill Einwalter (proxy) – City of Farley |
| <input type="checkbox"/> Kyle Kritz (proxy) – City of Dubuque | <input checked="" type="checkbox"/> Karen Snyder-City of Peosta |
| <input checked="" type="checkbox"/> Beth Bonz-City of Asbury | <input type="checkbox"/> Eric Schmechel-Dubuque SWCD |
| <input type="checkbox"/> Mick Michel-City of Dyersville | <input type="checkbox"/> Chandra Ravada-ECIA |

Public Present

Jeff Pape, Dyersville
Dean Knepper, Dyersville
Mark Wagner, Dyersville
Micky Wagner, Dyersville
John Lukasik, Holy Cross
Les Feldmann, Rickardsville
Ron Hixon, Jackson County
Paul R Kurt, County Dubuque

Staff Present

Dan Fox, ECIA

Call to Order

The meeting was called to order by Anna O'Shea at 5:35 p.m. The Smart Planning meeting for September 18, 2013 was held at the Dubuque County Emergency Responder Training Facility in Dubuque, Iowa.

Approval of the Agenda

Motion by Snyder, second by Bonz to approve the agenda for September 18, 2013. The motion passed unanimously.

Review and approve the minutes from the Wednesday, August 28, 2013 Smart Planning Consortium Meeting

The consortium reviewed minutes prepared by Fox. Corrections were made.

Motion by Bonz, second by Snyder to approve the minutes from Wednesday, August 28, 2013 as amended. The motion passed unanimously.

Comments from the public that do not appear on the agenda.

Eight members of the public were present.

Jeff Pape asked if O'Shea could review the August 7th Congressional visit. O'Shea reported that the City of Dubuque invites the congressional staff to come to and look at projects that are funded by the federal government. They come from Harken, Grassley, and Congressmen Braley's offices to tour the area, ask what the funds were used for, and see how the projects are progressing. O'Shea talked to them regarding the Smart Plan, Eric Schmechel was there to talk about some of the future needs for the watershed, and Tom Berger talked about some of the funding they received for radios. It was a three day event and the noon luncheon was sponsored by Dubuque County.

Mr. Pape asked about the comment made by Rep. Chuck Isenhardt regarding an objective to support smart planning legislation. O'Shea replied Rep. Isenhardt wanted to know if one of the goals of the Smart Plan was that this Consortium would support legislation on Smart Planning projects such as watershed management, wind energy or energy efficiency. That was something that the Consortium would look into. It has not been discussed by the Consortium yet.

Dean Knepper asked if there was any mention to the Congressional Staff of the people that are opposed to the Smart Plan in this County. O'Shea replied that when Rep. Isenhardt asked about supporting legislation she mentioned that the County was still in the public input stage, but did not go into detail or mention any specific person or group that is opposed to the Smart Plan.

Knepper stated that he had sent questions to O'Shea over the last month and that he was looking for some more direct information on the questions.

Knepper stated that his original question was, "How many of the goals and objectives were taken from previous plans?" and O'Shea had replied that all of the goals from the Watershed Chapter were new and that most of the goals from the other chapters were taken from previous plans. Knepper's follow up question was, "What would you consider most of the goals and objectives?" O'Shea replied that 99% of the goals were from previous plans except for the goals in the Watershed Chapter.

Knepper stated that his next original question was that "In the public meetings, did you acknowledge to them that their comments could be adopted in the Smart Plan?" Knepper said that he had spoken to some of the people that were on the sign in sheet from some of the meetings and some were concerned with

their negative input. He said O'Shea had mentioned that the Consortium considered the negative input. "What did they do with the negative input?" O'Shea replied that it depends on what it was. If they said that this goal should be changed, we looked at ways to change it. If they felt there should be goals added, we looked at ways to incorporate their comments into the plan somehow. Not everything was added. O'Shea said she didn't remember receiving anything saying an entire chapter should be removed. It was usually a specific goal or a specific objective that was being addressed, and sometimes they just asked for more information and we would try to put that into the chapter.

Knepper said that it was his understanding that a lot of the city council members didn't read the plan. He asked if that was correct? O'Shea said that she couldn't answer that because she hadn't asked people directly if they read it or not. Knepper stated that he had spoken with some and they hadn't read it. O'Shea reported that she gave the Board of Supervisors a chapter per month as they were completed, and then ECIA also did public input sessions with the Zoning Commission on four different occasions and then with the Board of Supervisors at least once or twice. We can't go through every goal and objective with the Supervisors like the Consortium does, but we highlighted information that was in the chapters. The Board received a copy of all of the draft chapters.

Knepper asked what has been budgeted for the Code Update? O'Shea answered that for the County, their budget for this was \$5000 for this fiscal year and \$5,000 for next fiscal year. Bonz asked, "What would your cost be if you weren't participating in this project?" O'Shea answered that the City of Dubuque just did a unified development code and theirs was over \$100,000. We are going to do the same thing, review all aspects of our ordinance, but we are going to work with the cities and come up with some common goals and objectives. So when people come in to develop in the County or the city they know what to expect.

Knepper asked, "What has been budgeted so far on the Smart Plan for grant money?" O'Shea responded that the Code Update project does not have any grants. The only grant money received was the \$89,000 for the Smart Plan. Bonz said that if you look at the cost of each community doing a plan, Asbury got quotes at the start of the process and it was fifty thousand dollars to do one plan. So if you add up each community, we've been effective with the taxpayer's dollars. Knepper said that what he was getting at was that when you get federal grants you have to play by the rules that apply on the grant so that gets back to if you have a community that wants to do its own comprehensive plan they're not bound by the rules and regulations of the grant. O'Shea replied that a comprehensive plan is not regulation. The comp plan is a vision or a map to give direction on what we want to do and where we want to be in ten or twenty years. The next phase that we are working on here tonight is the regulation phase and that was not part of the grant. The smart plan will be used as a starting point into changes in the zoning ordinance.

Knepper said that he originally asked if individual cities could rescind their participation in the Smart Plan and the answer was yes, the cities have local control over how much or how little they participate in regional planning. So, Dyersville has opted out of it but can they still use it to update their plan? O'Shea replied that is correct, they can use any part of it or none of it to update their comprehensive plan. Snyder said that they City of Peosta has adopted the plan as a guide and when the city updates their plan they will use it as a guide. Knepper asked if the supervisors rescinded the plan, would they still get the grant money? O'Shea said that she didn't know if rescinding the plan would create any problems in the future. She said that that would probably be a question for an attorney.

Pape asked, "How often should a city update its comprehensive plan?" Bonz said that a growing city should update their plan every five years.

A gentleman asked if the plan was available online and where he could download it? Fox replied that he plan is available on www.dubuquesmartplan.org.

Paul Kurt asked if Bernard, Luxemburg, Sherrill, and New Vienna could become part of the Smart Plan. O'Shea said they could be part of the Smart Plan if they want, but since they didn't really do any planning in the past they were not included in the Smart Planning process. The County is zoned around all those cities, so the County plan will affect the areas around those cities, but does not affect anything inside the city limits.

Pape asked if the general consensus in the County was that the plan is done and there would not be any changes made?

O'Shea said that the Consortium will provide a recommendation to the Board of Supervisors and they will have access to all the minutes and all the written comments and they will make the final decision on the plan.

Pape suggested providing audio recordings of the meetings to build trust in the community.

Project Review and Discussion

Fox reported that he has been working on the new zoning code update project. There are some people in the audience that hadn't been to a meeting before so with this item he will go over the basics of what zoning is and then have a discussion on what we have been doing and where we are going with this project. Fox presented a short PowerPoint presentation entitled "Zoning Basics" that discussed zoning history, the entities involved in zoning, the parts of a typical zoning ordinance, and the types of zoning. The PowerPoint slides can be downloaded at <http://www.dubuquesmartplan.org/pdf/ZoningBasics9-18-2013.pdf>.

Discussion followed.

A gentleman asked, "If all these agencies are already in place, why bring in another agency to do the work that they should be doing?" O'Shea replied that she and other communities don't have the time or expertise to do a complete overhaul of the zoning ordinance. Bonz said the current zoning book in the City of Asbury needs to be updated to be more user friendly. Snyder replied that the City of Peosta is operating under a restricted residence district where there is essentially no zoning in some areas. Berger reported that the Epworth code was adopted in 1976 with few changes. Berger's goal is to bring the code to the Zoning Commission for their input and changes and bring it back to the City Council. The zoning commissioners are all serving voluntarily so if she doesn't bring them something, they're starting from scratch. This is a way to gather information and give them some different choices that they can review.

Pape asked who did the original zoning code in 1969? O'Shea responded that the County hired a consultant to develop the comprehensive plan and zoning code in 1969.

Knepper asked if there is anything that is not in the zoning code that is where the Board of Adjustment comes in and they make the final decision? O'Shea replied that the Board of Adjustment has very limited powers. They have decision making powers, so they can only decide on variances, special or conditional uses, and appeals. Knepper asked how many are on the Board of Adjustment? O'Shea replied that it's a five member board and they serve five year terms. Bonz said that Asbury uses the Board of Adjustment for variances and conditional uses. The Asbury board meets very rarely. Epworth has five on their board and they only have two or three cases per year.

Review/Approve Project Goals

Fox reported that the basic goal of the project is to update zoning codes for all members of the project. Fox stated that he wanted to create primary project goals based on the research done so far. The project goals are:

1. Engage appointed and elected officials, individuals, and stakeholder groups through the planning process.
2. Make zoning codes easy to use.
3. Draft zoning regulations that fit current community needs.

Pape pointed out that to meet goal one and engage community groups most people can't make 10:00 a.m. meetings. Bonz noted that the project would be discussed at city and county planning and zoning commission meetings. Those meetings are another opportunity to provide input in the evening. O'Shea said that the County Zoning Board would be getting monthly updates on the project and that she would send the Zoning Board agendas to Pape.

Motion by Bonz, second by Berger to approve the project goals. Motion passed unanimously.

Review/Approve Updated Project Schedule

Fox presented an updated project work schedule. Fox stated that since this is such a long project he wanted to create a schedule that would break the project down in to more manageable chunks. Fox explained that the schedule is broken out into the three project goals: Engagement, Easy to Use, and Regulations. Peosta has a separate section of the schedule because they do not currently have zoning, so there will be some additional steps for them. The group suggested having a large group meeting with all of the communities together sometime in the spring. The group also suggested having elected officials involved in the meetings with the zoning commissions. Fox said that he would add those two items to the engagement.

Pape pointed out that agriculture was not included under the regulations section of the schedule. Fox will add it to the schedule.

Discussion on Peosta Planning and Zoning Commission

Fox provided several handouts to Snyder on creating a Planning and Zoning Commission. Snyder discussed setting up the commission with the group. Questions were related to the number of members, recruiting members, and getting a quorum for meetings.

Discussion on Future Meetings

The next Smart Planning Consortium meeting will be held at 10:00 a.m. on Wednesday October 23, 2013 at Dubuque City Hall.

Other Business

Fox reported that the Dubuque County Supervisors would be hosting an informational meeting on secondary roads at 5:00 p.m. at the Dubuque County Emergency Responder Training Facility on Thursday September 19. The meeting is open to the public and all are invited to attend.

Adjournment

Motion by Bonz, second by Snyder to adjourn the September 18, 2013 Smart Planning Consortium meeting. The motion passed unanimously. The meeting adjourned at 7:15 p.m.