

## COMMITTEE REPORT

**COMMITTEE:** Ad-Hoc Zoning  
**CHAIRPERSON:** TBD  
**DATE/TIME:** March 18, 2025 at 5:30 p.m.

**COMMITTEE MEMBERS PRESENT:** LaDon Trost, Brian Engle, Cory Cassens, Tony Jones, Diane Gallagher, Joel Holland, Michael Dittmar, John Creighton, Steve McIntyre and LaVonne Deininger. Dan Caswell appeared via Zoom. Bill Meeker arrived at 5:48 p.m.

**OTHER BOARD MEMBERS PRESENT:** Joseph Heitkamp appeared via Zoom.

**OTHERS PRESENT:** Angela Kaiser

**1. Call to Order:** County Board Chairperson LaDon Trost called the meeting to order at 5:30 p.m.

A quorum was established.

**2. Minutes Approval:** None

**3. Citizens' Comments:** None

**4. Unfinished Business:** None

**5. New Business:**

- a) Welcome and Introductions – The committee members introduced themselves and became acquainted with each other. Trost has asked Cory Cassens to serve as Chairperson of the committee and the members will be electing their Vice-Chairperson this evening. He asked the committee for nominations. **Trost made a motion to elect John Creighton as the Vice-Chairperson of the Ad-Hoc Zoning Committee. Seconded by Dittmar and motion carried.** Trost explained the agenda process. The Chairperson or the Vice-Chairperson in the event the Chairperson is absent, will submit a draft agenda to the County Administrator's office at least one week prior to the scheduled meeting. Trost went on to explain the Open Meetings Act concerning the posting of the agenda at least 48 hours in advance of the meeting. The agenda is emailed to each member, posted at the place of the meeting and on the County website.
- b) Overview of Background Information – Trost spoke about concerns regarding the County's current Zoning Ordinance. The Ordinance is outdated and needs simplification. He discussed the desire for the Ordinance to be more business-friendly. He gave the example of the 40-acre rule. Any person who wishes to build a house on less than 40 acres needs to take their request to the Zoning Board of Appeals for a Variance. Trost said he has never seen a Variance denied. He explained that they are all in this to help people and to work together.
- c) Purpose and Scope of the Ad-Hoc Zoning Committee – Trost explained the purpose and scope of the committee and how it can become one of the most valuable committees that the County Board has created. It will encompass and take into consideration, the day-to-day lives for every person to build, reside in, and do business within the County. The intent is not to rewrite the entire Zoning Ordinance, but to review and make suggestions to the County Board, for the betterment of the County. He also informed the members of the possible grant funding that could be available and that Grants Administrator Tammy Cahill is looking into and applying for a grant to rewrite the Ordinance. There will need to be professional help in the rewriting. County Administrator Angela Kaiser explained the process. She also explained the All-Hazard Mitigation Plan that needs completion and that grant funding is frozen. She explained that the criteria for being eligible to apply for the grant is that the project has not started. The committee is only reviewing and recommending; not changing anything, so they do not miss the grant. Trost thanked each member for being a part of the committee. Cory Cassens spoke. He looks forward to guided discussion with the members. He also looks

forward to the knowledge and wisdom that everyone will bring from being an active member. Creighton thanked the people who have volunteer their time and effort to be on the committee. He would like to put together a series of recommendations that may not benefit anyone sitting at the table, but will benefit their children, grandchildren, and generations to come. Dittmar said that the County's population has been declining for years. He hopes to look at the future and fix these local issues. McIntyre explained that the realtors in the room could potentially tell stories regarding residents starting the process to reside in the County, then deciding to leave halfway through the process, some of those due to obstacles with the Zoning Ordinance and possible perception. The County not only has an issue with the Ordinances and complexity, but he feels that there may be an attitude problem as well. Gallagher said she tries to put her vision into people's perspectives. She mentioned concerns regarding her town and the desire to bring more residents. Gallagher said they need to recognize and listen to the communities as well as what the County's values are. When we grow the towns, we help everyone, whether it be the property values, schools, etc. She said we need our growth to be wise.

Committee member Bill Meeker entered the meeting at this time.

Meeker introduced himself to the members. He stressed that the word 'no' should never be the first answer. He said he has never been one to sit and accept things for how they are; he appreciates the different perspectives that everyone will bring to the committee. Meeker agrees that the Ordinance be simplified. He also explained he sees many Variances granted. It is an acceptance implying that the Code, as written, is not appropriate. Meeker gave a brief history of his professional background.

- d) Discussion and possible action on establishing 2025 meeting dates, start times, and location of the Ad-Hoc Zoning Committee meetings – There was discussion regarding the location, dates and times of the meetings. Cassens spoke on the length of the monthly meetings. He assured the members that the meetings would not be too lengthy, as everyone on the committee is only as good as his or her awareness. He suggested the basis of the meeting duration designed by the start time. This would assist with future meeting objectives. Creighton suggested meeting in various locations throughout the County. He believes it will be difficult to get ample input from community members if all meetings are located in Galena. There was discussion on the technical portion of the meetings about recording of the meetings and connectivity accessibility. **Creighton made a motion to hold the Ad-Hoc Zoning Committee meetings on the third Tuesday of each month at 6:00 p.m. in Galena, until remote locations are determined. Seconded by Deininger and motion carried.**

**6. Citizens' Comments:** None.

- 7. Committee Member Concerns:** Cassens stressed the need of the expectation on length of meetings. He feels that is important. If you focus on a conclusion time, you will focus on an efficiency of speed of preparedness before the meeting and efficiency of discussion therein. Creighton agreed that 90 to 120 minutes would suffice. He feels that a well-constructed agenda will assist in productivity. Cassens asked everyone to bring three goals to the next meeting and his intent is the committee rank those goals. It is possible that multiple members' goals will match. He reminded that improvements can be made in deletions and modification of existing language; he also encourages additions be limited. Gallagher explained the 40-acre rule is a mountain in front of them. She suggested addressing the LESA. It is such a large topic and she is curious to find out whether other communities use it. She asked if they should consider a different pathway. McIntyre agreed. He said based on his experience, he rarely sees anything that is commercial, industrial, or conservation. The majority are residential, however; it does not negate

the fact that commercial is important. There was extensive discussion regarding the formulation of the meeting objectives. McIntyre noted that in the Comprehensive Plan, there are three different types of Agricultural properties. Based on discussion he has participated as a member of the Zoning Board of Appeals, he suggested having different acreage rules in the different Agricultural areas. For example, less productive Ag land could be a 5-acre rule, or one in the middle could be 10-acre, and so on. It ties into the Comprehensive Plan as well. Meeker agreed there should be consistency between the two documents. Guest Accommodation Licenses are another issue that needs addressing. He mentioned that within the Code, there is a matrix used as a mechanism that assists the office as to where something should fit. The matrix is located in Chapter 5, 8-5A-1. Cassens commented on the current Zoning Ordinance. Cassens continued to say from the outside looking in, one of the reasons for the 40-acre rule being set into place, is that there were about three things, industry-speaking, that were collapsing in the mid 1990's. Farming was leading on the list. There were many outside resources that were ready to come into the County. There was a lot of pressure ready to make home in the County and one of the perceptions as to why the 40-acre rule was leaned on hard, is because it was done in an effort to stop the outside influence. It put a price tag on it that was unaffordable, except for the ones that could afford it. That backfired. He said that sometimes a rule created or suggested guideline may not actually provide the goal that you are looking for. Cassens also reminded the members to use caution on any thoughts of socially, demographically dividing the County. The committee continued their discussion location of future meetings and preparation for the April meeting.

- 8. Adjourn to Tuesday, April 15, 2025 at 6:00 p.m.: Holland motioned to adjourn at 7:00 p.m. Seconded by Dittmar and motion carried.**