

## PLANNING AND ZONING COMMISSION MONTHLY MEETING

Fort Madison Public Library

10/22/2013 6:30 P.M.

Present: Larry Wright, Lyle Brown, Ed Delaney, Ron Welder, Joel Amandus

Absent: Nick Colbert (called in- excused), Brenda Parker

Staff: Doug Krogmeier, Emily Britton

Visitors: Zach Pieper

**Ron Welder called the meeting to order at 6:30 P.M. with five members present.**

### ACTION ON MINUTES

The minutes from September 24, 2013 were approved as amended on a **motion by Brown, seconded by Delaney.**

### NON AGENDA ITEMS

None

**Review/Recommendation of council adoption of the Downtown Historic District Design Guidelines, as a document to use voluntarily, to assist in financial support to rehabilitate historic structures and preserve the history of Fort Madison.**

Krogmeier explained that grammatical errors will be addressed and fixed as we go. It was noticed that some of the pictures are not in Fort Madison but are examples of how things should not be rehabbed.

**Brown motioned, seconded by Welder, to recommend council approval of the adoption of the Downtown Historic District Design Guidelines.**

**Vote: 5-yes, 0-no; motion passed.**

**Review/Consideration of a new ordinance to allow hunting within city limits by special use permit approval. Alternatively, reviewing the process to de-annex a particular property.**

Staff reviewed, and explained that this is a rough draft to get a feel for what will be discussed and where we are at on this. Welder questioned the specific property being discussed and Krogmeier explained that the code would apply anywhere, but is written only for properties with 80 continuous acres. The issue came up originally in regard to Rabbit Island, which was purchased by Zach Pieper and he has made this request. At this time there are no other properties within city limits that meet the 80 acre requirement, however if more than one landowner wanted to apply for the permit together counting all of their land, that would be a possibility. Welder also asked if this would potentially affect Rodeo Park, and Krogmeier

said that the park would not be approved for hunting. Delaney then asked how the city will manage the hunting, and make sure it only takes place in the “safe zones” (which are areas that hunting could take place while being far enough away from buildings, structures, neighboring properties, etc.). Krogmeier explained that the city would not monitor the hunting on a daily basis; that will be the permit-holder’s responsibility, in this case Pieper would be responsible and his insurance would be liable. As with any other situation Fort Madison Police Department would respond to any incidents, determine what happened and deal with it accordingly. Welder then asked if this would include deer or duck hunting, and Pieper explained that he plans to put in elevated blinds primarily for water fowl hunting. Delaney asked if there would be any high power rifles used there (in reference to a high power rifle season of deer hunting). Pieper said the plan is only to use shotguns, and if someone was to bring a rifle they would no longer be allowed permission to hunt there. Delaney then questioned how much of the land Pieper owns and if it includes the strip of cabins at the entrance of the property. Pieper said he does not own the cabins or the river access, but his property begins just past that. Welder asked if the three blinds in the plan at this time would be the only hunting he would have, and Krogmeier explained that to add another blind he would have to have it approved by the police chief and updated on all maps and permits. Since the map shows three blinds with a 200ft radius around each to show that they will not come close enough to interfere with safe zones, Brown asked if hunting would be allowed outside those circles. It will be allowed on the entire property; however hunters cannot hunt in the safe zones or shoot toward the safe zones. Since the plan includes deer hunting with bow or shotgun, Amandus asked if people would be deer hunting there as well. Pieper explained that potentially a few people would have permission to deer hunt, but he would primarily allow water fowl hunting since there are not many deer there. He further explained that there is a natural barrier of brush around the property blocking neighboring properties, and that would give an extra layer of protection. Amandus then asked if there was a possibility of someone shooting toward town, and Delaney explained that the location of the stands is far enough away from town that no shotgun would travel that far. Pieper also explained that the DNR already requires hunting only take place at least 200 feet from structures, so it can be assumed that it is a safe distance. Krogmeier further explained that he made sure access roads/paths to the blinds are outside the shooting area of other blinds so people can safely get to their blind. Pieper also explained that there is limited access to the property past the cabins and his insurance wants a gate put in place to keep unauthorized persons out. Delaney then asked about ownership of the cabin on the other side of the property, which Pieper said belongs to Jesse Hoenig, and is far enough away from hunting areas that it should not be affected. Delaney then expressed his liking that this code would be setting standards that would be useful for future requests. Welder then asked if a discussion on possibly de-annexing the property needed to take place as well, and Krogmeier said that is only a potential option if council does not want to adopt this code. Also each individual owner would have to request de-annexing for it to affect their property, and if all property owners (Pieper and neighboring cabin owners) were to de-annex it would potentially effect taxes by about \$1800/year. Delaney expressed that this could show people later on that they could be annexed into the city while still possibly having the choice to hunt on their property. He further explained that he likes that the property in question has natural barriers (brush and the river) making it a good property to start something like this. Brown questioned if the code will require insurance, and Krogmeier said not yet, but it should and he is still making revisions. Brown also pointed out that the code states bow hunting from a stand, whereas the application says bow and shotgun hunting, so the code should state both. Welder said this could be helpful later for annexing the bypass and Delaney said by requiring insurance it would make the insurance company review it as well for any requests. Krogmeier also explained that the permit process would still

go through every step, giving neighbor notices etc. Delaney asked Pieper if he had already contacted the cabin owners, and Krogmeier explained that we have sent letters to those owners asking for their feedback. Delaney also asked how many cabins there are, to which Britton explained there are 5 cabins and 6 properties, one being the boat access with no cabin on it. Brown pointed out that in Section 7-2-43 of the code it should say “person” as opposed to “himself or herself.” Delaney and Brown both said they think there will be some tweaking, but it sounds good so far. Pieper then asked about the duration of the permit, and Krogmeier explained that right now he is planning to have renewal in one year to get feedback; then require renewal every 3 years. Pieper asked if it was necessary to renew every three years if there are no problems after the first year, and Krogmeier said since things will change by then it is important to renew. Also, with the first renewal taking place 4 years from now, it is likely code and other things will change in that time.

#### Old Business

None

#### New Business

A special meeting for a public hearing is scheduled for November 12<sup>th</sup> at 5:30.

**Amandus motioned, seconded by Delaney, to adjourn the meeting.**

**Motion passed unanimously, and the meeting adjourned at 7:04**