



MARION COUNTY encourages all citizens of the county to attend Board of Supervisors' meetings. Board of Supervisors' chambers are handicapped accessible and county staff members are available to provide assistance. If you are hearing impaired, vision impaired, or a person with limited English proficiency and require an interpreter or reader, please contact us by noon on the business day prior to scheduled meetings to arrange for assistance (641 828-2231). TTY telephone service is available for the hearing impaired through Relay Iowa (800-735-2942). For questions about ADA compliance or related issues, contact Steve Edwards (641-828-2213 or 641-891-8225).

The following information is available for participating in the meeting electronically.

Please see instruction below:

- All participants will be muted upon entering the meeting.
- Participants are asked to use the chat feature to let the meeting controller know that they would like to address the Board, either during the open comments segment or if attending the meeting to address the Board for a specific agenda item.

Marion County is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://us06web.zoom.us/j/87865458108?pwd=VVFyNUJkIGQlZEUWY2VFFjRTFudz09>

Meeting ID: 878 6545 8108

Passcode: 516397

**MARION COUNTY BOARD OF
SUPERVISORS REGULAR AGENDA**

3014 E Main St, Knoxville, Iowa

December 27, 2022 9:00 A.M.

I. CALL TO ORDER AND ROLL CALL

Kisha Jahner_____ Mark Raymie_____ Steve McCombs_____

II. AGENDA –

1. December 27, 2022 Regular Session agenda.

III. COMMUNICATIONS

IV. PUBLIC COMMENTS: This is the portion of our agenda during which we hear any public comment about any item **NOT** on the agenda below. If you are here to be heard on an agenda item, please wait for that item's discussion portion of the agenda to make your comment about the item. Thank you.

V. **CONSENT AGENDA** (All items listed under the consent agenda will be enacted by one motion.)

1. Marion County Claims through 12/27/2022.
2. Marion County Board of Supervisor Regular Session Minutes: 12/13/2022
3. Marion County employee salary adjustments. Complete list available in the Human Resource Office.
4. Marion County Conservation Board warrants #248444 - #248480 through 12/20/2022

VI. BUSINESS –

1. Discussion/action:

Proposal to install Christmas lights from the Marion County Courthouse
– Jason Cushman

2. Discussion/action:

Knoxville Memorial Hall repairs – Dick Reed

3. Discussion/action:

Marion County Board of Health Reappointment:

1. Marion County Board of Health: Shannon Remington – term ending 12/31/2025

4. Discussion/action:

Marion County Ordinance 2022-4:

Approve 3rd Reading and Final Approval of Proposed Marion County Ordinance 2022-4 Amending Marion County Ordinance Book Chapter 55 – Marion County Zoning Regulations and Authorize Official Publication

ORDINANCE NO. 2022-04
AN ORDINANCE AMENDING CHAPTER 55 – ZONING REGULATIONS
OF THE MARION COUNTY CODE OF ORDINANCES.

BE IT ORDAINED by the Board of Supervisors of Marion County, Iowa.

Section 1. Chapter 55- Zoning Regulations of the Code of Marion County, Iowa, is hereby amended by deleting the current chapter (adopted by Ordinance 2010-11) and last amended by ordinance 2017/2018 inserting in lieu a revised Chapter 55 which is attached hereto as Exhibit A.

Section 2. All ordinance or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. This ordinance shall be in full force and effective after its passage, approval and publication by law.

PASSED at Marion County, Iowa, this ____ day of _____, 2022.

Mark Raymie, Chairman of the Board of Supervisors

ATTEST:

Jake Grandia, County Auditor

First reading: _____

Second reading: _____

Third reading: _____

Publication Date: _____

NOTICE OF PUBLIC HEARING CODE OF ORDINANCE 2022-4

You are hereby notified that Marion County is proposing the adoption of a revised zoning ordinance to be reviewed by the Marion County Board of Supervisors following the public hearing. The full proposed zoning ordinance can be viewed online at:
https://www.marioncountyia.gov/zoning/2022_zoning_ordinance_updates/

Below is a brief abbreviated description of the changes.

55.04 – Definition changes

16. **ADDITION** - "Build-to line" is a line created by existing principal building lines of neighboring properties".
22. **CHANGE** - "Cabin" means a dwelling that is utilized primarily for recreational purposes. Such structure is not to be utilized as a primary residence nor will it be occupied for more than 182 days in a calendar year."
37. **ADDITION** - "Concentrating solar power system (CSP)" means an energy system that use lenses/mirrors and tracking systems to focus or reflect a large area of sunlight onto a small area. The concentrated energy is absorbed by a thermal medium, such as water, salt, or a permanently gaseous fluid, and used as a heat source for a conventional power plant, such as a steam power plant, or for a power conversion unit, such as a sterling engine. Although several concentrating solar technologies exist, the most common types are the solar trough, parabolic dish and solar power tower. Energy storage technologies used by concentrating solar thermal devices (e.g. molten salt storage) are also included within this definition.
52. **CHANGE** - "Dwelling" a structure or portion thereof that is used exclusively for human habitation.
63. **CHANGE** - "Fall zone" means the area of land centered beneath the tower and circumscribed by a circle with a radius equal to a length of one foot (1') for every ten feet (10') of tower structure height. No structures other than fences shall be constructed or permitted with any required fall zone. The area within any required fall zone shall be owned, leased, or in an easement running to the benefit of the tower owner.
75. **CHANGE**- "Foundation" means the part of the structure that supports the weight and transfers the load to the underlying soil or rock.
164. **ADDITION** - "Shipping Container" means a metal sided container typically used for multimodal shipping, not placed on a foundation. Shipping containers shall also include portions or enclosures removed from a chassis and no longer with wheels or axels like a semi-trailer box, panel truck enclosure, or box trailer. Defined in the allowed zoning districts and number allowed.
180. **CHANGE** - "Sign, highway" interstate high rise" means an on-premises pole sign which is constructed to attract the attention of highway interstate travelers and is located within one thousand two hundred (1,200) feet of a state or county highway.
199. **ADDITION** "Small wireless facility" means a wireless facility that meets the following requirements: (1) Each antenna is no more than six cubic feet in volume. And (2) All other equipment associated with the small wireless facility is cumulatively no more than twenty-eight cubic feet in volume. For purposes

of this definition, volume shall be measured by the external displacement of the primary equipment enclosure, not the internal volume of such enclosure. An associated electric meter, concealment, telecommunications demarcation box, ground-based enclosures, battery backup power systems, grounding equipment, power transfer switch, cutoff switch, cable, conduit, and any equipment that is concealed from public view within or behind an existing structure or concealment may be located outside of the primary equipment enclosure and shall not be included in the calculation of the equipment volume. Small wireless facility does not include any structure that supports or houses equipment described in this definition.

200. **ADDITION** - "Solar Array" means a grouping of photovoltaic solar panels and any necessary hardware used to assemble and connect them. This definition encompasses all styles installation including but not limited to structure mounted, ground mounted, or integrated as a mechanical or structural component of a structure.
201. **ADDITION** - "Solar Energy System, Private" means an energy system that uses one or more solar arrays to convert energy for immediate onsite use and/or storage or to be fed back to the electrical grid. Private solar energy systems are an accessory use on the lot or parcel.
202. **ADDITION** - "Solar Energy System, Utility Scale" means an energy system, commonly referred to as a solar farm, which uses one or more solar arrays to convert energy for transmission through the electrical grid for offsite use or wholesale and/or retail sale. Utility scale solar energy systems are the principal use on the lot or parcel.
222. **ADDITION** - "Utility pole" means a pole or similar structure owned or utilized in whole or in part by a public utility, municipality, wireless service provider, or electric utility that is designed specifically for and used to carry lines, cable, transmission equipment, or wires for telephone, wireless service, cable television, or electricity service, or for lighting, the vertical portion of support structures for traffic control signals or devices, signage, information kiosks, or other similar functions."
- Omittance of 55.29 Small Scale Solar chapter.** Small scale solar added to each allowed zoning district with updated requirements.
- UPDATES TO EXISTING ORDINANCES**
- 55.10 Non-conforming Lot of Record language clarification
- 55.14 Corner Lot language clarification
- 55.20 Sign Regulations addition for miscellaneous signs
- 55.22 Off Street Parking Area requirement updates
- 55.24 Agricultural Zoning District Regulation A-1; C-A; A-R changes
- Recreation – Public and Private event centers allowance for cabins
 - Mini indoor storage units as an accessory use in Commercial Ag
 - Utility- Small wireless
 - Utilities – Substation, telephone, sanitary, lagoons, well water, gas
 - Utilities – Microwave, radio, television and cell towers

- Utility Scale Solar
- Other retail businesses or service establishments determined by the zoning administrator to be equivalent to others permitted

55.24 Bulk regulation changes

- 4 buildable parcels replacing 4 dwellings
- C-A zoning will now require 1 acre
- Foundation for dwelling shall now be defined as permanent foundation.

55.25 Residential Zoning District Regulations

- Pursuant to the Marion County Board of Supervisors resolution adopted 9/28/2021 unincorporated Marion County land located within the unincorporated town of Pershing, as identified on the Official Zoning Map of Marion County, Iowa, shall now be zoned R-1; Single Family Residential under the Marion County zoning regulations. Any structures in existence prior to the adoption of the ordinance change January 1, 2023 shall be considered a non-conforming use as defined in section 55.10 of this Zoning Code.
- Utility pole mounted small wireless
- Foundation for dwelling shall now be defined as permanent foundation.

55.26 Commercial Zoning District

- Utility pole mounted small wireless
- Additional allowance for Microwave, radio, ~~television~~ and cell in C-1 zoning

55.26 Bulk Regulations

- C-1 lot size 1 acre
- C-2 lot size 1 acre
- Foundation for primary structure shall now be defined as permanent foundation.

55.27 Industrial Zoning District

- Utility pole mounted small wireless
- Utility Scale Solar
- Wind Energy Conversion Systems

55.26 Bulk Regulations

- M-1 lot size 1 acre
- M-2 lot size 1 acre
- Foundation for primary structure shall now be defined as permanent foundation.

55.30 Site Plan Regulations updates

You are hereby notified that the **Marion County Board of Supervisors has fixed Tuesday, November 22, 2022, at 9:00 a.m. in the Marion County Office Building, 3014 East Main Street, Knoxville, Iowa** as the time when and the place where the said request will be heard by the Board

of Supervisors, a public hearing will be held. Any and all objections may be made in writing and filed with the Zoning Administrator, 214 E Main Street, Knoxville prior to the time fixed for hearing on said request or may be made orally or in writing before the Board of Supervisors at the time fixed herein. To all of which take due notice and be governed accordingly.

The link to the electronic Zoom meeting will be on the current agenda available on the Marion County website.

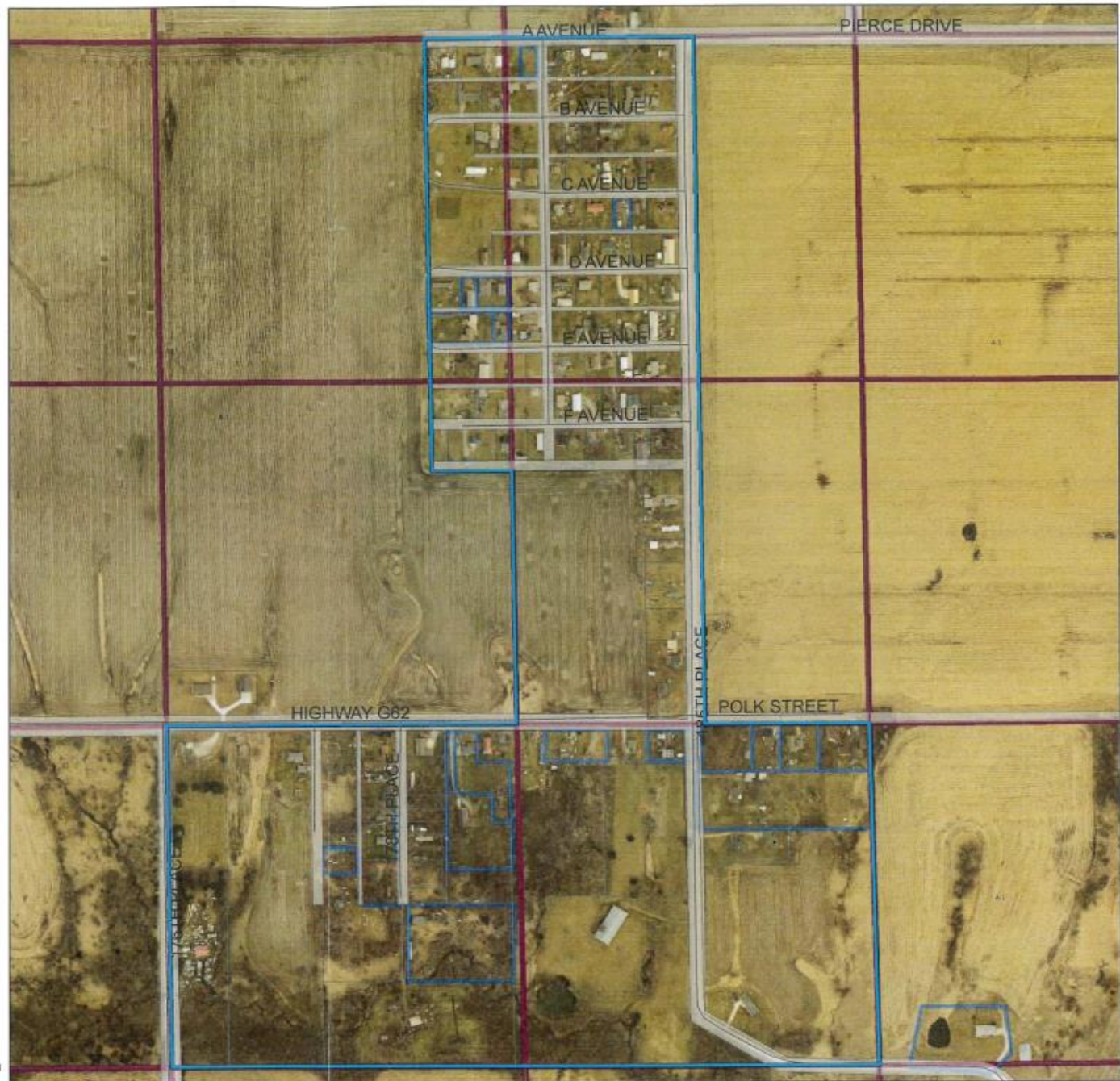
The link to the electronic Zoom meeting will be on the current agenda available on the https://marioncountyiowa.gov/board_of_supervisors/meetings/ November 22, 2022, agenda

Dated at Knoxville, Iowa, this 4th day of November 2022.

Melissa Poffenbarger, Zoning Administrator
Marion County, Iowa



Unincorporated Pershing



Date: 10/18/2022

Map created and designed by:
Melissa Poffenbarger, Marion County Zoning
Marion County, Iowa

5. Discussion/action:

Marion County Conservation Board Reappointment:

1. Marion County Conservation Board: Karen Ackley – term ending 12/31/2027

December 21, 2022

Dear Supervisors: Chairman Mark Raymie, Kisha Jahner and Steve McCombs,

At the Marion County Conservation Board's recent December 20, 2022 Board Meeting, the Conservation Board unanimously recommended that a request be made to the Marion County Board of Supervisors to have Karen Ackley of Knoxville, who's term expires on December 31, 2022, to be reappointed to another five year term on the conservation board.

Karen is a very active member of the Conservation Board, who rarely misses board meetings and is very knowledgeable in the areas of environmental education issues, conservation practices and customer service from her days of working at the Iowa State University Extension Service in Knoxville.

Good board members are individuals that have a wide variety of interests, Our team oriented and can make sound decisions that benefit the development of parks and natural resources while improving the quality of life for the citizens of Marion County and the state of Iowa. Karen most definitely has these qualities.

We respectfully request reappointment of Karen Ackley to the conservation board.

Thank you for your consideration.

Respectfully Submitted,



Bill Boyd
President
Marion County Conservation Board

6. Discussion/action:

FY24 Budget Discussion

7. Board of Supervisor Updates:

VII. BOARD OF SUPERVISOR ADJOURNMENT