CITY OF OKOBOJI PLANNING AND ZONING COMMISSION

NOTICE OF PUBLIC HEARING FOR THE AMENDMENT OF THE 2013 OKOBOJI ZONING ORDINANCE BY AMENDING SECTION 11.22 LAKESHORE LANDSCAPING AND DEVELOPMENT REGULATIONS

The City of Okoboji Planning and Zoning Commission will conduct a public hearing to consider the amendment to Section 11.22 'Lakeshore Landscaping and Development Regulations' on Wednesday, July 10, 2024 at 3:30PM at the Okoboji City Hall (1322 Highway 71 N., Okoboji, Iowa 51355). The proposed amendment is proposed as follows:

AMENDMENT TO SECTION 11.22:

CURRENT LANGAUGE:

a. Emergency. Limited activity as reasonable and immediately necessary to prevent loss of life, serious personal injury, significant property damage or serious threat to public health and welfare may be accomplished without first making application for a permit. As soon as reasonably possible after the undertaking of emergency action, the City shall be notified and an application pursuant to this ordinance shall be made.

PROPOSED LANGUAGE:

a. Emergency. The City understands that emergency situations can occur and is committed to making necessary reconstruction as efficient as possible, streamlining the lakeshore landscaping process for affected residents in an effort to stabilize ongoing hazardous and detrimental conditions.

This section applies to lakeshores identified by the City as emergencies. All non-emergency lakeshores must follow the process adopted in this ordinance outside of this emergency provision.

Lakeshores are designated as an emergency by the City Administrator, City Engineer, or other designated city official.

Limited activity as reasonable and immediately necessary to prevent loss of life, serious personal injury, significant property damage, or serious threat to public health and welfare may be undertaken without first applying for a permit.

As soon as reasonably possible after the emergency action, the City shall be notified, and an application must be submitted.

Emergency applications are exempt from the following administrative processes specified in this ordinance:

- **Permits may extend over the winter months to be completed in the following calendar year if deemed necessary by City Staff.**
- **An abstractor's certificate or certified property listing showing names and mailing addresses of owners of all property within 200 feet is not required.**
- **A public hearing with the Okoboji Planning and Zoning Commission is not required.**

- **The Planning and Zoning Commission will be notified of emergency applications but will not hold a meeting.**
- **The City of Okoboji website will list all emergency applications on a centralized webpage showing addresses and proposed plans.**
- **City Staff will administratively approve or deny applications, and all applications will be reviewed in accordance with all other provisions of this ordinance.**
- **In emergencies involving total lake bank collapses and toe washouts, the City recognizes that conventional lakeshore landscaping may not be feasible. Walls exceeding 4 feet may be approved if necessary for lakeshore bank stabilization.**

The intent of this emergency provision is to streamline administrative processes to prevent ongoing hazardous and detrimental conditions, while maintaining the overall intent and spirit of this ordinance.

Appeals Process

All notices of appeal shall be in writing and shall include an abstractor's certificate setting forth the name and address of each property owner within two hundred feet (200') of the subject property. Such appeal shall be taken within ten (10) days of the date of the decision or the action to which objection is made by filing a written notice of appeal with the Zoning Administrator and with the board, specifying the grounds thereof. The Zoning Administrator shall forthwith transmit to the board all papers constituting the record upon which the action appealed from is taken. The Board of Adjustment shall fix a reasonable time for the hearing of appeals, give public notice thereof as well as due notice to the parties in interest, and decide the same within a reasonable time. At the hearing any party may appear in person, or by agent or by attorney. The Board of Adjustment shall make written findings of fact and conclusions of law on all issues presented in any adjudicatory proceeding. A fee, established by resolution of the City Council, shall be paid at the time the notice of appeal is filed.

The City of Okoboji Planning and Zoning Commission will hold a public hearing on the 10th day of July, 2024 at the hour of 3:30PM at the Okoboji City Hall (1322 Highway 71 N., Okoboji, Iowa 51355). The terms and conditions of this amended/new/replaced language will be discussed/revised/changed and determined by the City's Planning and Zoning Commission and may be modified at the public hearing. Following said hearing the Planning and Zoning Commission may take action and make a recommendation to the City of Okoboji City Council.

MICHAEL MEYERS
CITY ADMINISTRATOR
CITY OF OKOBOJI, IOWA