

MARSHALLTOWN

— I O W A —

PLAN ZONING COMMISSION

Notice of Regular Meeting
Thursday, March 10, 2022 at 5:00 PM
10 W. State Street - Council Chambers

1. Call To Order & Roll Call

Boston
Brodin
Eilers
Gruendler
Medina
Valbracht
Wittkop

2. Minutes From 2/24 & 3/3

Documents:

[2242022_PZ_MIN.PDF](#)
[332022_PZ_MIN.PDF](#)

3. Public Hearing: Zoning Code Ordinance Review & Recommend To Council

Public Hearing: Written or Verbal Comments may be presented to the commission during the Public Hearing. Please state your name and address for the record.

For reference the proposed code and map: [HTTPS://WWW.MARSHALLTOWN-IA.GOV/708/ZONING-ORDINANCE-RE-WRITE-PROJECT](https://www.marshalltown-ia.gov/708/zoning-ordinance-re-write-project)

MISSION STATEMENT

The City of Marshalltown collaborates to provide a welcoming, safe, vibrant and growing community.

Plan Zoning Commission

Meeting Minutes from February 24th, 2022

Meeting location: City Council Chambers, 10 W. State Street, Marshalltown, IA 50158

Meeting time: 5 PM

1) Call to order and roll call

Commission members present: Boston, Eilers, Gruendler, Medina, & Valbracht

Commission members absent: Brodin & Wittkop

2) Mins

Accepted

3) Zoning Ordinance Presentation & Review

MS: Background. 2020 contract w/KK consultants for zoning code rewrite. Best way to do that, consulting firm. RFP process. Primary work that they do. Partnership with Bolten & Menk. OAC & Staff meeting periodically. Not a quick process. A really strong ordinance before for consideration. Real focus making more developer friendly, & looking at way to do that, flexibility. This & past ord is a living document. Changes will happen over time. Legal case, community trending, owner request. We know adjustments will need to be made. Similar to council's process. Looking at the text as well as the map. Initial questions?

Boston: projects waiting on it?

MS: we start with developers a year in advanced. With anticipation of adoption, having conversation. signage from full on housing development.

Steve Sizmore: Background & Presentation on Proposed zoning ordinance

Boston: Any questions at this time? Understand what you're doing. Have to get through the details. Write someone a ticket. Take people to court. Staff needs to be able to write a ticket.

SS: Fines are clearly defined them. Traditional tools.

Boston: Grandfathering in?

SS: non-conforming. Provide options & ways methods to be followed. To conforming use. These are the teeth.

Boston: give them a ticket. Stuff should be inside the structor

MS: we have somethings that cross code: liquor liscense, nuisances. We have limitations. Zoning abatement is not as simple. Judgement from the court is much more meaningful. These gets messy.

Boston: right now, they just ignore us

SS: advantages: process & life more efficient & easier.

Boston: kind of see what you're doing. Images. We don't have to say. Fitting general directions.

SS: the last thing we want to do is set rigid standards. Building in flexabilty. Removes risk.

Boston: electronic signs. Hasn't been that many years ago. One per lot.

SS: which sign types permit electronic signs. Not just digital sign. Could be a moument sign. New to the city as well. Best management

Boston: real estate signs. In right of way.

MS: temp yard sign. Previous only a few allowed. Content neutrality. Supreme court. Had conversation with council in December. Signs in right of way? All or nothing. Includes real estate signs. We can shift that. It is an all or nothing. We can regulate size & location. Street setbacks on are the table. WE Can't separate the sign types. Community organization events, they use signs in the right of way.

SS: one of the other important elements. Which sign types need permits. What is standard practices & legally defensible

MS: enforcement. Limited staff. Clearly defined. Which is allowed or not allowed.

DG: signage. Little food pantries, or little libraries.

MS: not allowed in the right of way.

SS: certain types of signage is incidental. Directional. Little library is like a mailbox.

DG: not regulate them away

Boston: tree's?

MS: we've had some internal conversation. With city arborist. Staff will refine to PW, & Parks & Rec. Request the notes. Send them to us in advance. Outline in our table.

Boston: didn't understand. 80% of the regulations

SS: development type options. Allowing the flexibly for infill. Fit the surrounding projects.

Boston: a couple feet.

MS: currently we can the average of the block.

Boston: added that back in.

SS: one of the advantages they provide the tool for odd shape lots or unique circumstances. Help facility redevelopment.

LE: like 6th st.

Boston: buffering on dual frontages

MS: it has been an issue. Complicated. We ran through those scenarios.

DG: goal for city council.

MS: schedule.

Boston: go through section through section.

MS: comments will come through council discussion level. Same token on the map. Give us the parcel & address.

Boston: talk about to PUD. 23 to 4.

MS: almost all are residential based. Felt that with flexibility the standards districts meet what these puds were trying to. Now these fit within the new districts.

Boston: 4 that are left?

MS: condos. multiple building on single lots. Glenwood park, amendments. Convents are not affected by this. We do not enforce.

Boston: pud not in there

SS: master plan development.

Boston: Old ones

MS: we have those old documents

SS: puds use to be population. Cities are now trying to build in the ways

SV: how many non-conforming?

MS: we don't know that we can fully answer. A lot of resident is currently non-conforming. Many city lots are small. They will become conforming.

SV: existing? What was the process?

MS: sat with the existing map. BM matched based just on the table. Went area by area that we have a lot of questions. What will make it conforming.

SV: how many properties conflict with the comprehensive plan?

CK: comparing maps

MS: comp plan is 2030 we need to update the plan.

SV: change the comp plan or this?

MS: comp plan is a resolution. More in line.

Boston: feel rushed

MS: so much back & forth.

Boston: really pushing.

MS: relied on commission in the past. We hired the consultants to do the heavy lifting.

Gary Thompson: 101 byron st. why keep the ag in town? Clarification on page 8. RM setback are deeper than current. Make as loose as possible for development. Just have setbacks. Less strict on infill development. Page 21 Creekside estates: is that a cluster. 70% rule. Has to build to % in every phase. Page 27. Half acre rule way too restrictive. Page 30 roof gardens. More worried about bricks than tomato. Page 30 parklets? State street design. Page 31 min of one acre. Page 45 community gardens can't sell anything out of it. Pg 58 ADU: owner of the lot has to live in the main building. Building characteristics for ADU's.

Boston: supposed to match primary building

SS: that's right

GT: solar. Nothing on wind

Boston: its in there

GT: temp banner? Terrace signs. Public property is property.

MS: we consulted with our legal.

CK: Isu, the league

GT: push out the time schedule. Take all the time you need.

MS: have projects in the planning stages. Looking forward to spring & construction season. Brining it in sections, so many are intertwined.

Gary: when this comes to us.

JK: council got it as the same time as PZ

GT: want them side by side.

Boston: apples to oranges different.

GT: beta test the whole thing.

MS: we're going to continue. We will continue that list. At 6 months mark, we will probably have to amend.

GT: Mike L & I were talking. Grandfathered in?

Boston: we don't want everything grandfathered in?

MS: legal now, it becomes non-conforming. It still has a right. If it's legal.

SS: language is there to protect the rights of property owners.

GT: driveways

MS: driveways are actually under the city code.

Boston: prelim & final plats they need to be looked at. Accessory building can't be built until the rafter are up. Change that to foundation.

LE: Do we?

SS: temp structure standards that will cover that.

Adjourned 6:33 pm

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1) Call to order and roll call

Commission members present: Boston, Brodin Eilers, Gruendler, Valbracht & Wittkop

Commission members absent: Medina

Public Members in attendance: Gary Thompson, Mike Ladehoff, Heather Thomas

2) Work Secession on Proposed Zoning Ordinance

Discussion on proposed Zoning Ordinance.