

CASCADE PLANNING & ZONING COMMISSION MEETING
PUBLIC NOTICE & AGENDA
THURSDAY, JUNE 1, 2023
6:00PM

NOTICE: Notice is hereby given that the Cascade Planning & Zoning Commission will hold a meeting on Thursday, June 1, 2023 at 6:00 PM in the Cascade City Hall Council Chambers, 320 1st Ave W, Cascade, IA 52033. Any visual or hearing- impaired persons or persons with special accessibility needs should contact the City Clerk at 563-852-3114 prior to the meeting.

1. Call to Order
2. Roll Call
3. Approve the Agenda as Presented
4. Meeting Minutes – Review & approve the February 16, 2023 minutes
5. Open Public Hearing on Proposed Zoning Ordinance Change
 - a. Changes in R2, R3, R4 for condominium zero setbacks and lot size.
6. Close Public Hearing
7. Consideration on Recommendation to the City Council on Ordinance #06-23, Proposed Zoning Code Changes in R-2 Mixed Family, R-3 Multiple-Mobile Residential and R-4 Multiple Residential for condominium style development with zero interior side setbacks and Square Footage Minimums.
9. Other Business
10. Adjournment

PLANNING & ZONING COMMISSION MEETING
THURSDAY, FEBRUARY 16, 2023
Meeting Minutes

The Cascade Planning & Zoning Commission met on Thursday, February 16, 2023, at 6:00p.m. in the Cascade City Hall Council Chambers, 320 1st Ave W, Cascade, IA 52033. Present: Moriarity, Conlin, Steffen, Kerper, Otting and Moran.

A motion by Conlin, second by Steffen to approve the agenda as presented. Motion carried, ayes.

Motion Kerper, second Moran to approve the January 19, 2023 minutes. Motion carried unanimously.

Motion Otting, second Steffen to open the public hearing on the two requests for rezoning: Cascade Economic Development Corporation (CEDC) Parcels #1932126004 and #1932126016 from M-2 Heavy Industrial to C-1 Highway Commercial and the Parkridge Subdivision Phases 1, 2 and 3 from A-1 Agricultural to R-1 Single Family Residential. Motion carried, all aye.

No one from the public appeared at the hearings. Kotter explained that the Parkridge residential subdivision had inadvertently not been rezoned from A-1 to R-1 even though almost two dozen homes have been built. Kotter explained that the two CEDC lots are part of the plan to have most properties along the 1st Avenue corridor C-1.

Motion Moran, second Conlin to close the public hearing. Motion carried, all aye.

Motion Conlin, second Otting to recommend to the City Council adoption of Draft Ordinance #03-23, rezoning of the two CEDC Parcels #1932126004 and 1932126016 from M-2 Heavy Industrial to C-1 Highway Commercial. Motion carried, all ayes.

Motion Moran, second Steffen to recommend to the City Council Ordinance #04-23, rezoning the Parkridge Subdivision lots in Phases 1, 2 and 3 from A-1 agricultural to R-1 Single Family residential. Motion carried all ayes.

Motion Moran, second Steffen to adjourn at 6:06pm. Motion carried.

Lisa A. Kotter
City Administrator



Planning and Zoning Commission June 1, 2023 Agenda

To: P&Z Commission Members

From: Lisa Kotter, City Administrator

Date: May 26, 2023

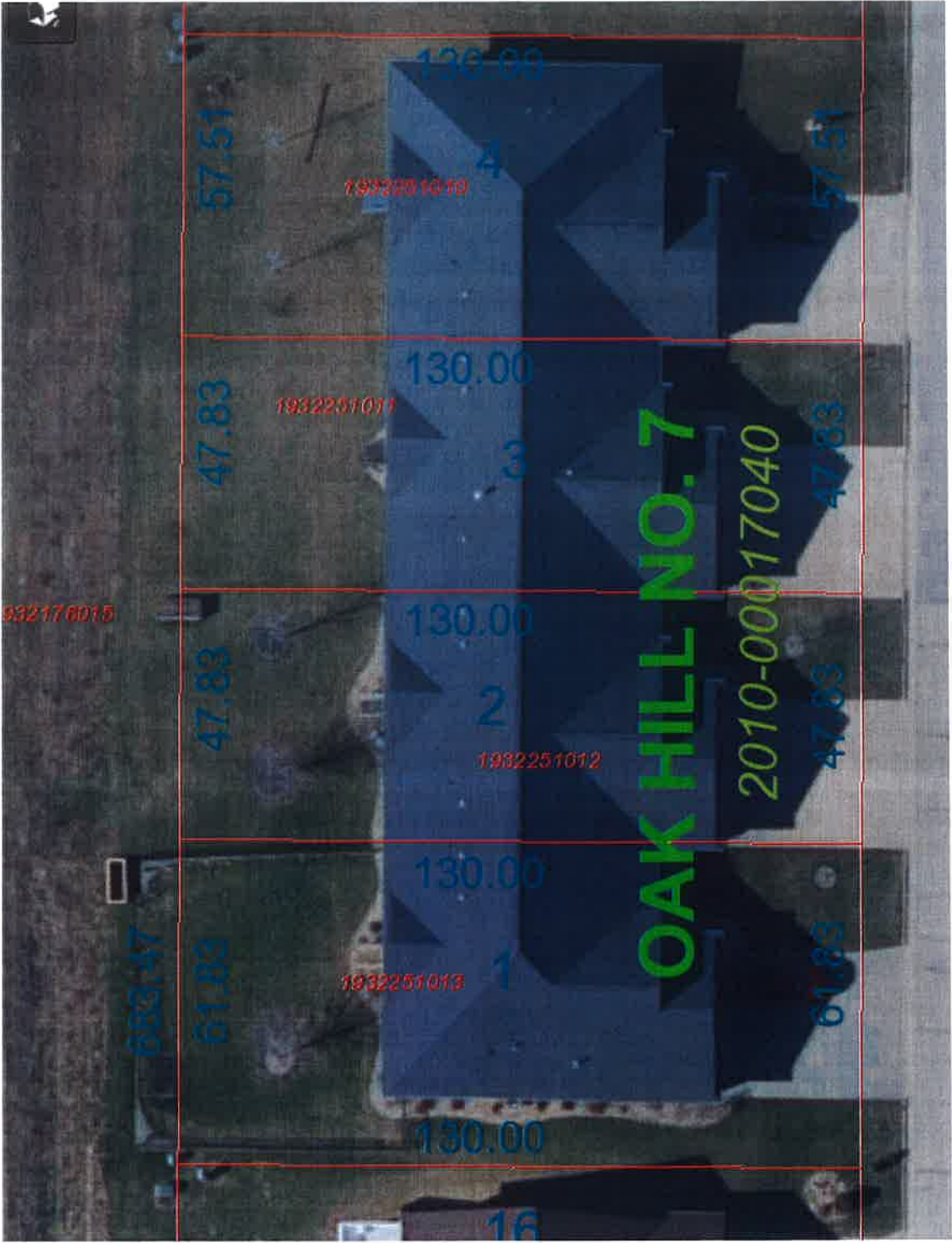
Re: Zoning Code Change R2, R3, R4

I have been reviewing the zoning code in R2, R3 and R4 as it relates to minimum size of lots and setbacks that are single family with zero interior side setbacks. I started looking at this because of a void we have in the R3 and it impacts a development ready to begin. Prior to 2021 the R2 and R4 allowed single family units with zero side setbacks, essentially for condo style bldgs. This was never mentioned in R3. In 2021 the Planning and Zoning recommended, and City Council adopted an ordinance adding this same allowance for R3 except that when it was added as permissible, it did not state any setbacks or min lot width, depth, size. The developer ready to go has R3 land and so we need to get this addressed.

This issue led me to look at what those setback numbers were for R2 and R4 to plan for R3. The two district numbers are slightly different in lot size but the same in setbacks. Please see the attached 2021 ordinance for R3 that added the style as permissible but states no dimension/size. See also the current codes in R2, R3 and R4. I started preparing to make a recommendation to take to PZ to add the dimensions and setbacks to R3 so it is clear. As I start reviewing the R2 and R4 you can see the 25 front and rear, 0 interior side, 8 exterior side setbacks are the same so that was easy to plan to recommend the same. Where they differ is in the total area and width, R2 has 60ft and 6000sq ft and R4 has 50 and 5000.. still was planning to probably go with the smaller of the two at 50 and 5000 for R3.

Here is where I start to have concerns and want clarification. I understand that in the past developers in R2 would come in with a larger lot than required of 60-foot wide. In one case with two connected condos, they would plat the lots at 100 with two condo units attached, in the other case four units were attached at 215 wide. On the beginning they start at more than 60 feet, at 100 and 215. The next practice is that once someone wants to buy vs rent the condo they start splitting it. So now these two plexs and four plexs have separated lots in one case of 50 each. In the other case they are split with 57.51, 47.83, 47.83 and 61.83...so of the now six condos only one of the six is compliant at a 60-foot width minimum. I have spoken to our attorney Steve Leidinger and he confirmed that I am interpreting correctly that if someone wants to start with one big compliant lot and have the potential to split it when sold that they need to start with 120 so they can split into two compliant 60s? The City has allowed the splits by signing off on the new plats, so even though these are non-compliant lots it is not the fault of the owners.

We also do not address in our code a three or four unit building where some condos have no exterior lot lines. Attorney Leidinger is going to draft an ordinance for review. Since we had already advertised the public hearing, we will continue with the meeting and if we don't have the draft we will have to meet again.



OAK HILL NO. 7

2010-00017040

130.00

4

1932251010

57.51

57.51

130.00

3

1932251011

47.83

47.83

130.00

2

1932251012

47.83

47.83

130.00

1

1932251013

61.83

61.83

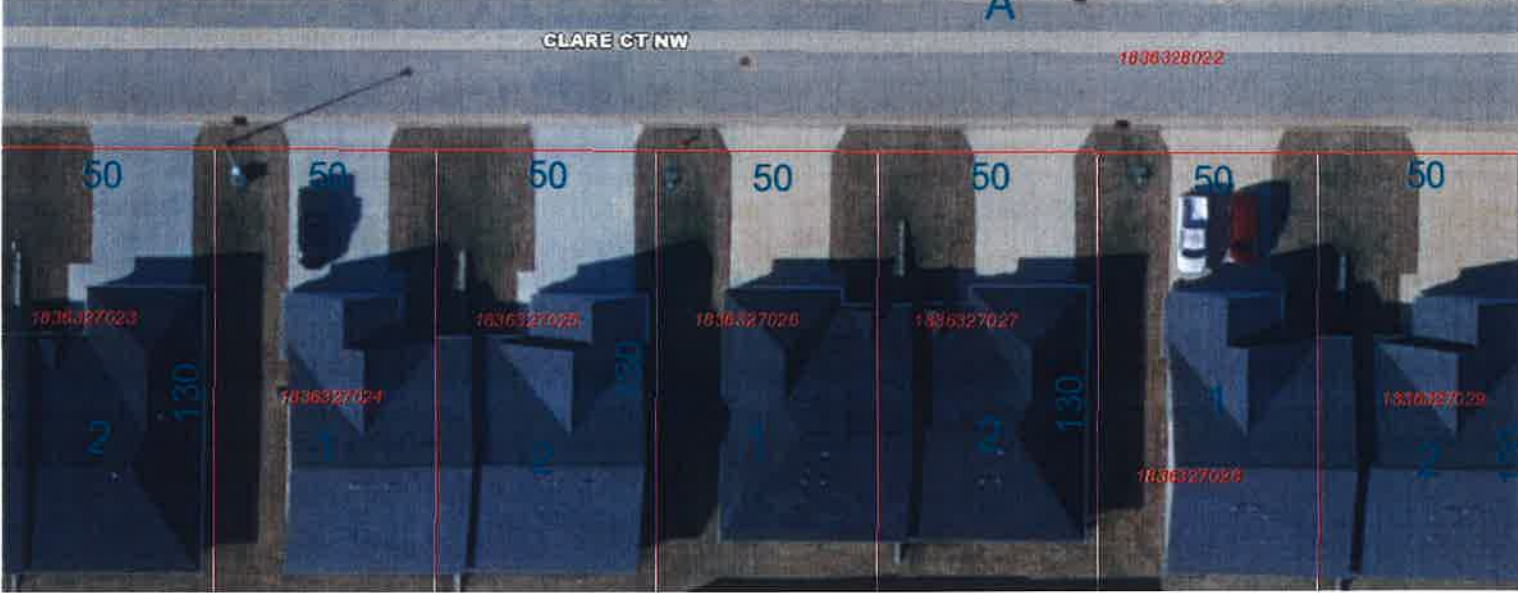
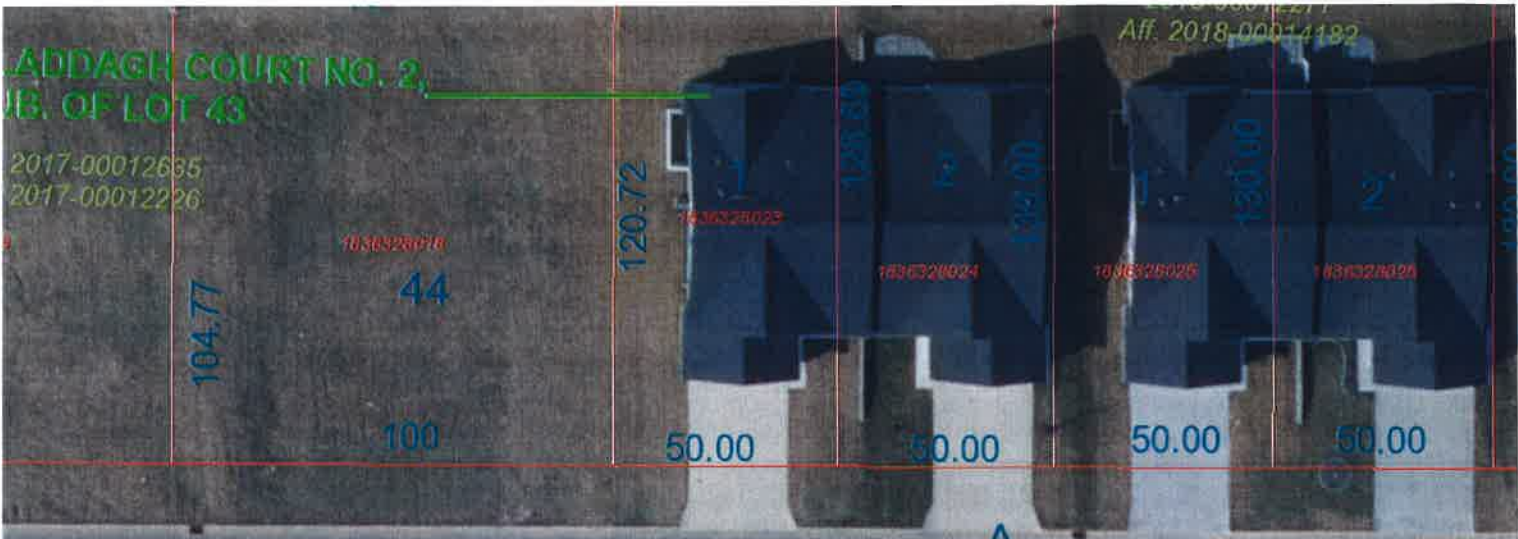
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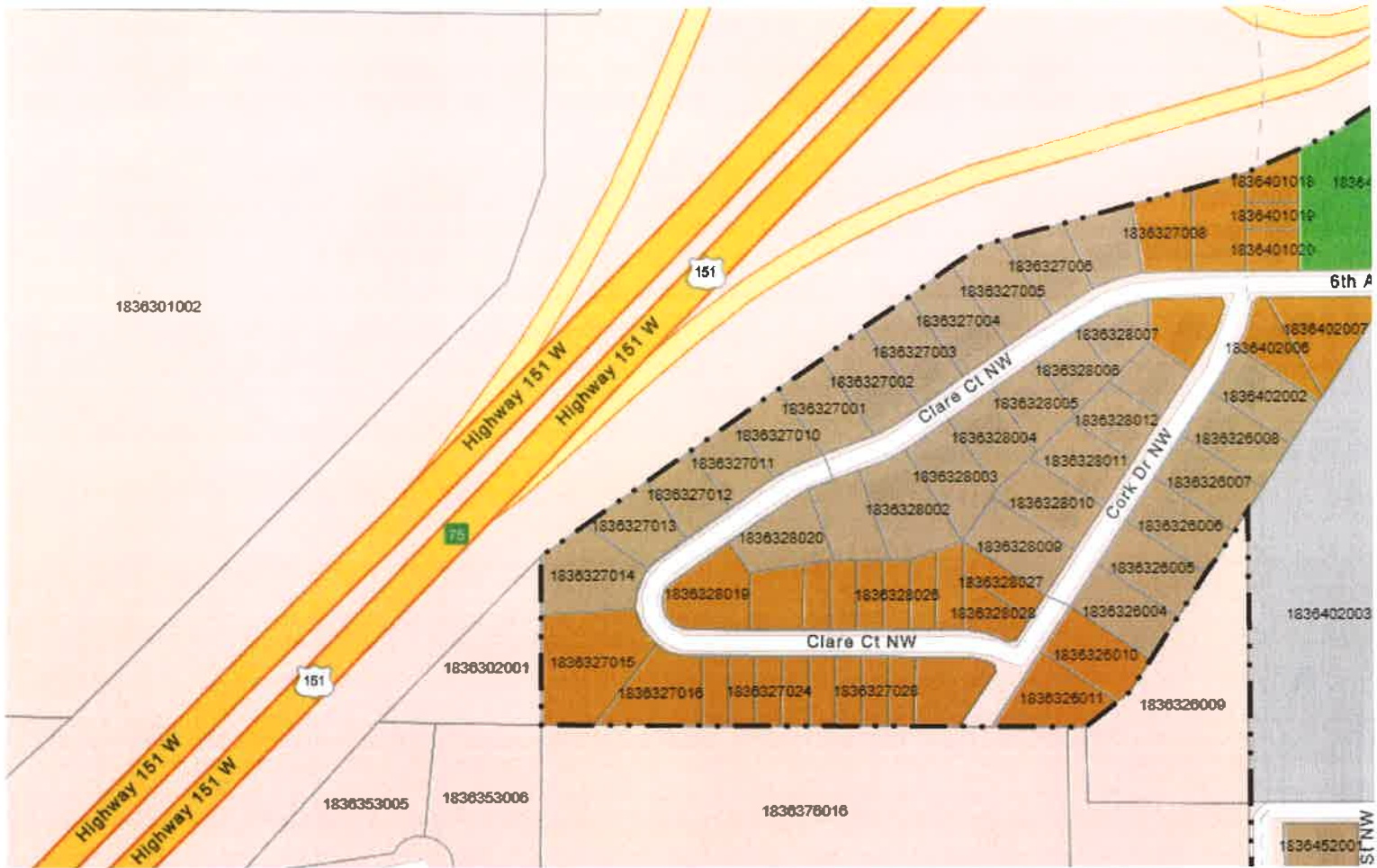
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ORDINANCE #04-21

AN ORDINANCE AMENDING CHAPTER 165, SCHEDULES OF DISTRICT REGULATIONS OF THE CODE OF ZONING ORDINANCES FOR THE CITY OF CASCADE, IOWA

NOW, BE IT ENACTED, by the City Council of the City of Cascade, Iowa, as follows:

SECTION I. Section Modified. That Chapter 165, Section 11, of the Code of Zoning Ordinances of the City of Cascade, Iowa, shall be amended as follows:

165.11 R-3 MULTIPLE/MOBILE RESIDENTIAL DISTRICT

B. PERMITTED PRINCIPAL USES AND STRUCTURES. The permitted principal uses and structures shall be amended as follows:

1. Multi-family dwelling (3-12 units).
10. Zero-Lot line single-family attached dwelling.

SECTION II. Severability Clause. If any section or part of the ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION III. When Effective. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

PASSED, ADOPTED AND APPROVED this ____ day of July, 2021.

Greg Staner, Mayor

ATTEST:

Danielle Hartke City Clerk CMC, CFO

R-2 MIXED RESIDENTIAL DISTRICT

A. Statement of Intent. The "R-2" Mixed Residential District is intended to accommodate moderate density developments which may include a variety of dwelling types ranging from single-family to four-family residences.

B. PERMITTED PRINCIPAL USES AND STRUCTURES	MINIMUM REQUIRED OFF-STREET PARKING
1. Single-family dwelling.	2 spaces/unit
1.1 Zero-Lot line single-family attached dwelling.	2 spaces/unit
2. Two to four-family dwelling.	2 spaces/unit
3. Bed and breakfast home as established in chapter 137B <u>Code of Iowa</u> . The home shall be owner occupied and have no more than three (3) sleeping rooms for guests.	4 spaces
4. Private kindergartens and day nurseries.	1 space plus 1/employee
5. Funeral home.	1 space/each 4 seats in the chapel
6. Parks and recreation areas.	5 spaces/acre developed for active use
7. Church or other place of worship.	1 space/4 seats in the main auditorium
8. Elementary or secondary school.	1 space/classroom and office plus 1 space /each 6 seats the main auditorium or stadium
9. Public utilities but not including equipment storage or maintenance yards and buildings,	1 space/substation or one (1) per employee on the site.


or general administrative and sales offices. 10. Railroads.	None
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C. PERMITTED ACCESSORY USES AND STRUCTURES.

1. Private garages.
2. Home occupation.
3. Tennis court, swimming pool, greenhouse or other similar accessory use clearly incidental to the permitted principal use or structure of this district and not including the conduct of business on the premises except home occupations as provided herein.
4. Temporary buildings used in conjunction with construction work provided such buildings are promptly removed upon completion of construction work.
5. Serving of meals and renting rooms or both to up to three (3) persons not members of the family residing therein, provided that the character of the dwelling is not changed from that of a dwelling, or that it becomes in any sense a nursing or rest home as defined herein, and that one (1) additional off-street space be provided for each roomer.
6. Satellite receivers.

D. SPECIAL EXCEPTION USES AND STRUCTURES. Subject to Section 165.34(2) and other requirements contained herein, the Board of Adjustment may permit the following:

1. Rest, nursing, and convalescent homes; homes for the orphaned and aged on sites of one (1) acre or more and that one (1) parking space for each two beds be provided.
2. In a nonconforming lot a home occupation may continue in existence if the occupant no longer resides on the premises.

E. MINIMUM LOT AREA, WIDTH	MINIMUM YARD REQUIREMENTS	MAXIMUM HEIGHT
Single-Family Dwelling Area: 9,600-sq.ft. Width: 80-feet Depth: 120-feet	Single and two-family dwellings and other non-institutional uses: Front.....25-feet Rear.....25-feet Side.....8-feet Street side, corner lot25-feet	2 1/2 stories or 35 feet
 Zero-Lot line single-family attached dwelling: Area: 6,000-sq.ft. Width: 60-feet Depth: 100-feet	Zero-Lot line single-family attached dwelling: Front25-feet Rear25-feet Interior Side ..0-feet Exterior Side ..8-feet Corner Lot25-feet	2½ stories or 35-feet
Multi-family dwelling up to 4 units: Area: 7,200 sq.ft. Width: 60 feet Depth: 120 feet	Multi-family dwellings, schools, churches or other public or institutional buildings: Front30 feet Rear30 feet Side20 feet Street side, corner lot25 feet	

F. PERMITTED SIGNS.

1. Nameplates attached flat against the wall of the main building not to exceed one (1) square foot in area.
2. Bed and breakfast home sign not to exceed four (4) square feet in area.
3. Church or public bulletin board not to exceed sixteen (16) square feet in area.
4. Temporary signs advertising the lease or sale of the premises not to exceed six (6) square feet in area.
5. Home occupation signs not to exceed three (3) square feet

in area.

6. Illumination of signs, bulletin boards and nameplates shall not exceed 60 watts and shall be lighted only with indirect, nonintermittent lighting.
7. Signs and bulletin boards shall be at least 20 feet from the front lot line or not more than five (5) feet in front of the main building.
8. All signs shall be maintained in a neat and presentable condition and in the event their use shall cease, they shall be promptly removed and the surrounding area restored to a condition free from refuse and rubbish.
9. See Supplementary District Regulations (Section 165.12)

G. SPECIAL REQUIREMENTS.

1. See Supplementary District Regulations (Section 165.12)

R-3 MULTIPLE/MOBILE RESIDENTIAL DISTRICT

A. Statement of Intent. The "R-3" Multiple/Mobile Residential District is intended to accommodate moderate to high density residential developments including mobile homes, mobile home parks, and multiple family dwellings.

B. PERMITTED PRINCIPAL USES AND STRUCTURES	MINIMUM REQUIRED OFF-STREET PARKING
1. Multi-family dwelling (5 to 12 units).	2 spaces/unit.
2. Mobile home on single lot.	2 spaces/unit.
3. Mobile home park.	1 space plus 1/employee.
4. Funeral home.	1 space each 4 seats in chapel.
5. Rest, nursing, and convalescent homes; homes for the orphaned and aged on sites of one (1) acre or more.	1 space each 2 beds.
6. Parks and recreation areas.	5 spaces/acre developed for active use.
7. Community meeting or recreation building.	1 space/50 sq.ft.of floor area.
8. Church or other place of worship.	1 space/4 seats in the main auditorium.
9. Elementary or secondary school.	1 space/classroom office plus 1 space/each 6 seats in the main auditorium or and stadium.
10. Public utilities but not including equipment storage or maintenance yards and buildings, or general administrative and sales offices.	1 space/substation or one (1) per employee on the site.

C. PERMITTED ACCESSORY USES AND STRUCTURES.

1. Private garages.
2. Community garages in conjunction with and for the exclusive use of residents in multi-family dwellings or mobile home parks.
3. Home occupation.
4. Tennis court, swimming pool, greenhouse or other similar accessory use clearly incidental to the permitted principal use or structure of this district and not including the conduct of business on the premises except home occupations as provided herein.
5. Temporary buildings used in conjunction with construction work provided such buildings are promptly removed upon completion of construction work.
6. Serving of meals and renting rooms to more than three (3) persons not members of the family residing therein, provided that the character of the dwelling is not changed from that of a dwelling or that it becomes in any sense a rest home or nursing home as defined herein, and that one (1) additional off-street parking space be provided for each roomer.
7. Satellite receivers.

D. SPECIAL EXCEPTION USES AND STRUCTURES. Subject to Section 165.34(2) and other requirements contained herein, the Board of Adjustment may permit the following:

1. None.

E. MINIMUM LOT AREA, WIDTH	MINIMUM YARD REQUIREMENTS	MAXIMUM HEIGHT
Mobile home on a single lot. Area: 7,200-sq.ft. Width: 60-feet Depth: 120-feet	Non-Institutional uses: Front25-feet Rear25-feet Side8-feet Street side, corner lot25-feet	3 stories or 40-feet
Multi-family dwellings(5 to 12 units) Area: 6,000 sq.ft. plus 1500 sq.ft. for each unit over one (1). Width: 75-feet Depth: 120-feet	Multi-family dwellings schools, churches or other public or institutional buildings: Front30-feet Rear30-feet Side20 feet Street side, corner lot25-feet	

F. PERMITTED SIGNS.

1. Nameplates attached flat against the wall of the main building not to exceed one (1) square foot in area.
2. Church or public bulletin board not to exceed sixteen (16) square feet in area.
3. Temporary signs advertising the lease or sale of the premises not to exceed six (6) square feet in area.
4. Home occupation signs not to exceed three (3) square feet in area.
5. Illumination of signs, bulletin boards and nameplates shall not exceed 60 watts and shall be lighted only with indirect, non-intermittent lighting.
6. Signs and bulletin boards shall be at least 20 feet from the front lot line or not more than five (5) feet in front of the main building.

7. All signs and billboards shall be maintained in a neat and presentable condition and in the event their use shall cease, they shall be promptly removed and the surrounding area restored to a condition free from refuse and rubbish.
8. See Supplementary District Regulations (Section 165.12).

G. SPECIAL REQUIREMENTS.

1. Mobile home parks shall comply with Chapter 135D, Code of Iowa, as amended; have a water supply and sanitary sewage collection and treatment system approved by the State Board of Health; have a minimum area of 3,500 sq. ft. for each mobile home space; have a maximum density of eight (8) units per acre, provided at least five (5) parking spaces per acre plus one parking space on each mobile home site; and no mobile home shall be closer than 25 feet to any property line of the mobile home park.
2. Mobile homes shall be parked or placed within duly licensed mobile home parks, or upon private property as a part of a dealers or a manufacturers stock not used as a place for human habitation, or on a single lot in this district. Exceptions to this requirement may be granted by the City Council only when it appears that location within local mobile home parks is impractical and public health, safety and welfare interest will not be seriously affected by granting the exception.
3. See Supplementary District Regulations (Section 165.12 (8 through 11)).

R-4 MULTIPLE RESIDENTIAL DISTRICT

A. Statement of Intent. The "R-4" Multiple Residential District is intended to accommodate moderate to high density multiple family residential developments exclusive of mobile homes and mobile home parks.

B. PERMITTED PRINCIPAL USES AND STRUCTURES	MINIMUM REQUIRED OFF-STREET PARKING
1. Multi-family dwelling (5 to 12 units)	2 spaces/unit
2. Zero-Lot line single-family attached dwelling.	2 spaces/unit
3. Funeral home.	1 space each 4 seats in the chapel
4. Rest, nursing, and convalescent homes; homes for orphaned and aged on sites of one (1) acre or more	1 spaces each 2 beds
5. Parks and recreation area.	5 spaces/acres developed for active use
6. Community meeting or recreation building.	1 space/50 sq.ft. of floor area
7. Church or other place of worship	1 space/4 seats in the main auditorium
8. Elementary or secondary school.	1 space/classroom and office plus 1 space /each 6 seats the main auditorium or stadium
9. Public utilities but not including equipment storage or maintenance yards and buildings, or general administrative and sales offices.	1 space/substation or one (1) per employee on the site

C. PERMITTED ACCESSORY USES AND STRUCTURES.

1. Private garages.
2. Community garages in conjunction with and for the exclusive use of residents in multi-family dwellings.
3. Home occupation.

4. Tennis court, swimming pool, greenhouse or other similar accessory use clearly incidental to the permitted principal use or structure of this district and not including the conduct of business on the premises except home occupations as provided herein.
5. Temporary buildings used in conjunction with construction work provided such buildings are promptly removed upon completion of construction work.
6. Serving of meals and renting rooms to more than three (3) persons not members of the family residing therein, provided that the character of the dwelling is not changed from that of a dwelling or that it becomes in any sense a rest home or nursing home as defined herein, and that one (1) additional off-street parking space be provided for each roomer.
7. Satellite Receivers.

D. SPECIAL EXCEPTION USES AND STRUCTURES. Subject to Section 165.34(2) and other requirements contained herein, the Board of Adjustment may permit the following:

1. Apartment buildings with more than 12-housing units provided the applicant clearly demonstrates the development has adequate off-street parking as required by Section B; sufficient fire protection as determined by the Fire Chief; and that the street providing ingress and egress for the building is capable of handling the projected traffic as determined by the City Engineer.

E. Minimum Lot Area, Width	Minimum Yard Requirements	Maximum Height
<p>Multi-Family Dwellings (5 to 12 units)</p> <p>Area: 6,000 sq.ft. plus 1,500 sq.ft. for each unit over one (1)</p> <p>Width: 75-feet Depth: 120-feet</p>	<p>Multi-Family Dwellings schools, churches or other public or institutional buildings:</p> <p>Front 30-feet Rear 30-feet Side 20-feet Street side, corner lot 25-feet</p>	<p>3 stories or 40-feet</p>

Zero-Lot line single-family attached dwellings

Area: 5,000 sq.ft.
Width: 50-feet
Depth: 100-feet

Zero-Lot line single-family attached dwellings

Front:25-feet
Rear:25-feet
Interior Side: ...0-feet
Exterior Side: ...8-feet
Corner Lot:25-feet

2½ stories or 35-feet

F. PERMITTED SIGNS.

1. Nameplates attached flat against the wall of the main building not to exceed one (1) square foot in area.
2. Church or public bulletin board not to exceed sixteen (16) square feet in area.
3. Temporary signs advertising the lease or sale of the premises not to exceed six (6) square feet in area.
4. Home occupation signs not to exceed three (3) square feet in area.
5. Illumination of signs, bulletin boards and nameplates shall not exceed 60 watts and shall be lighted only with indirect, non-intermittent lighting.
6. Signs and bulletin boards shall be at least 20 feet from the front lot line or not more than five (5) feet in front of the main building.
7. All signs and billboards shall be maintained in a neat and presentable condition and in the event their use shall cease, they shall be promptly removed and the surrounding area restored to a condition free from refuse and rubbish.
8. See Supplementary District Regulations (Section 165.12).

G. SPECIAL REQUIREMENTS

1. See Supplementary District Regulations (Section 165.12).