

MINUTES
November 14, 2017 – 5:30 p.m.
Planning and Zoning Commission
Muscatine City Hall
City Council Chambers

Present: Jodi Hansen, John Sayles, Rochelle Conway, Steve Nienhaus, Wendi Ingram, and Andrew Anderson.

Absent: Jordan Pahl

Staff: Andrew Fangman, City Planner, Community Development

Chairperson Jodi Hansen opened the meeting at 5:30 p.m.

Minutes:

Staff advised that the minutes would be postponed to the next meeting.

Subdivision:

Tripair 5 Addition • Tripair 5 LCC • 5 lots • 3.22 Acres • North side of Cranbrook Cross just east of its intersection with Ashford Avenue • Unincorporated Muscatine County

Jodi Hansen read summary of the proposed development plan amendment.

Paull Null, 1913 Ashford, owner of Tripair 5 LLC, explained that the proposed replat would revert the subject area to how it was originally platted in 1975. He noted that these lots were combined into a par 3 golf course hole when the now defunct Whispering Pines was developed.

Andrew Anderson asked about the odd shape of one of the corner lots. Mr. Null explained that the proposed lot lines were drawn to avoid having an existing septic leach field cross any property lines.

There was a general discussion on if the City requirements for new subdivision to include sidewalks applied to subdivision in unincorporated areas. Andrew Fangman stated that it was the opinion of staff that this requirement only applied in situation where the subdivision in question may eventually be connected into the City wide sidewalk network, and that it was staff's opinion the City wide sidewalk network would never reach this area.

Wendi Ingram asked if condos might be constructed on these new lots. Mr. Null responded that the existing county zoning would only allow for single family homes.

Nienhaus motioned to approve the revised development plan as presented; seconded by Ingram. Motion carried all ayes.

Zoning Ordinance:

Review of the portion of the proposed new zoning ordinance that deals with signs.

Andrew Fangman gave an overview of the proposed new sign ordinance and the rationale behind the proposed changes.

Kelcey Brackett, 2817 Mulberry Avenue, commented that when he owned a business on Park Avenue, that the current sign regulations made it difficult to place effective signage at this location.

After much discussion, the Planning and Zoning Commission reached a consensus that the following changes should be made to the draft sign regulations.

- 24 square feet of permanent signs should be allowed for permitted uses in all residential zoning districts.
- Billboards should not be permitted in the C-2 zoning district.
- That 2 days should be the maximum allowed display duration for paper temporary signs.
- That 45 days should be the maximum allowed display duration for temporary signs constructed out of fabric.

- That instead of being prohibited, temporary sign over 6' in height, should be required to be set back at least 10' from the nearest property line.
- That it should be clearly stated that the requirement for some temporary sign to be registered does not apply to political signs.
- That a matrix showing what types of signs are allowed in each zoning district should be added.

Sayles motioned to recommend approval to proposed changes to the zoning ordinance regarding the regulations of signs with the previously noted changes; seconded by Conway. Motion carried all ayes.

Review of the portion of the proposed new zoning ordinance that deals with home occupations.

Andrew Fangman gave an overview of the proposed home occupation and the rationale behind the proposed changes.

Kelcey Brackett, 2817 Mulberry Avenue, commented that based on prior experience with such a thing in his neighborhood that the prohibition of tattoo parlors as a home occupation was a good idea.

General discussion on the definition of a kennel.

After much discussion, the Planning and Zoning Commission reached a consensus that the following changes should be made to the draft home occupation regulations.

- Remove restaurants, bed and breakfast as specifically prohibited home occupations
- Limit the size of sign associated with home occupations to the size of a standard real estate sign, which would be smaller than other types of permanent signs allowed in residential zoning districts, if legal advice deems that such a restriction is permissible after the *Reed v. Town of Gilbert* ruling.
- Remove section D-3, a regulation regarding the maximum number of trips generated by the home occupation.
- Remove section D-4, a regulation, restricting vehicular traffic by clients or customer to the period of time between 7:00 am to 7:00 pm
- Allow for 12 instead of 10 customers in a 24 hour period.
- Add a revised definition of home occupations.

Anderson motioned to recommend approval to proposed changes to the zoning ordinance regarding the regulations of signs with the previously noted changes; seconded by Nienhaus. Motion carried all ayes.

Adjourn.

Respectfully Submitted,

Andrew Fangman, Secretary
City Planner

ATTEST:

Jodi Hansen, Chairperson
Planning & Zoning Commission