

P&Z Report – February 23, 2021

The Honorable Michael Kidd
and Members of the City Council
Dallas Center, IA 50063

Dear Mr. Mayor and Members of the Council:

The Dallas Center Plan & Zoning Commission met via Zoom meeting on Tuesday, February 23, 2021 with the following members participating in the call: Abby Anderson, Kari Boscaljon, Thomas Strutt, Daniel Willrich and Matt Ostanik. Kevin Deaton and Kristi Northway were not on the call. Also participating were City Attorney Ralph Brown and City Engineer Bob Veenstra.

Adoption of Procedural Rules for P&Z Meetings

The commission reviewed and discussed a draft of proposed procedural rules for Plan & Zoning meetings. The procedural rules include adding a Public Communications section to each P&Z meeting to ensure that community members who wish to address the Commission have an opportunity to speak.

Thomas Strutt moved and Kari Boscaljon seconded to adopt the procedural rules. The motion was approved 5-0:

- Anderson – Yes
- Boscaljon – Yes
- Strutt – Yes
- Willrich – Yes
- Ostanik - Yes

Public Communications

During the public communications section of our agenda, Julie Becker asked to address the Commission. Julie shared concerns about special use permits and about the Commission's agenda item to discuss former church buildings.

Subdivision Regulations – Street Trees

In 2019 the Healthy Hometown Task Force raised a question about whether the City should have a requirement for street trees in future new developments. The Commission discussed at the time, and a discussion was also held with the Tree Board in late 2019. We agreed to do further research on how other cities handle this

and then to discuss again. In 2020 I then found examples from the City of Des Moines and from Clive for how they handle street tree requirements.

At our February 2021 meeting, the Commission discussed a possible rough draft of an ordinance to require street trees in future new developments, and we sought input from the City Engineer. Considerations discussed included:

- When a right-of-way is not wide enough to allow adequate room for street trees and utility placements, placing the trees in an easement instead (as seen in examples from Clive) is a good option
- We may wish to consider soil enhancements to help ensure the longevity of the trees, and we will further research examples from other cities
- Trees should not be planted until after a house is built and the yard is graded
- We could possibly charge a fee and have the City plant the street trees instead, if this approach is preferred by the Tree Board

No formal action was taken. We intend to continue discussions with the Tree Board about this topic and then to discuss again at the March or April P&Z meeting.

Special Use Permits Issued by Board of Adjustment

City Council requested that P&Z propose an updated ordinance providing for the issuance of special use permits by the Board of Adjustment. The Commission discussed an ordinance prepared by the City Attorney. After discussion, Daniel Willrich moved and Thomas Strutt seconded to recommend that City Council adopt the proposed ordinance for issuance of special use permits.

The motion was approved 5-0:

- Anderson – Yes
- Boscaljon – Yes
- Strutt – Yes
- Willrich – Yes
- Ostanik - Yes

Discussion of Buildings Originally Constructed as Churches

City Council also requested that P&Z consider whether to amend Section 165.33 of the Code of Ordinances to allow a building or premises originally constructed as a church but remodeled into a single-family dwelling to host events for a fee.

The Commission reviewed a proposed draft ordinance and had extensive, lengthy discussion about considerations related to this issue, including:

- Hours for events
- Noise from events
- Impact of parking on neighbors and nearby streets
- Frequency of events

During the discussion, a concern was raised about whether it would be best to continue to allow a homeowner who wishes to hold events for a fee to apply for a special use permit rather than codifying it in our zoning ordinance. The special use permit process allows the Board of Adjustment to consider the specific applicant who is applying for the permit and their intended use of the property. In contrast, placing general language in our zoning ordinance is difficult because it may not be possible to consider every possible scenario in the language. Such language would apply to every future owner of one of these properties, and if problems were to occur, it would be easier to modify or revoke a special use permit than to change the ordinance again.

After this discussion, Abby Anderson moved and Thomas Strutt seconded to recommend to City Council that no changes be made to our existing zoning ordinance for buildings previously constructed as churches. The Commission believes that special use permits are a better method to allow for hosting of events for a fee if the owner of such a property wishes to do so.

The motion was approved 4-0:

- Anderson – Yes
- Strutt – Yes
- Willrich – Yes
- Ostanik - Yes

Kari Boscaljon left the meeting partway through the discussion on this topic, and she did not participate in the vote.

Respectfully submitted,
Matt Ostanik
P&Z Commission Chair