

Cedar Falls Planning and Zoning Commission Work Session

**March 17, 2021
City Hall via Videoconference
Cedar Falls, Iowa**

The Cedar Falls Planning and Zoning Commission met in special work session on March 17, 2021 at 7:00 p.m. by videoconference. The following Commission members were present: Hartley, Holst, Larson, Saul, and Schrad. Leeper, Lynch, Prideaux and Sears were absent. Stephanie Houk Sheetz, Director of Community Development, Karen Howard, Community Services Manager, and Thom Weintraut, Planner III, were in attendance. Elizabeth Garvin and Mary Madden, both consultants, were also present.

Mr. Larson opened the work session. Ms. Howard noted that a hard copy of proposed new code was provided to each Commissioner and explained that the staff broke down the review of code into four work sessions.

Ms. Garvin gave an overview of the organization of the uses into larger categories. She also stated there is a process provided for identifying uses that are not easily identified in a use category. If a new use is proposed that does not fit into one of the proposed categories, the process would be to do a zoning code update to add the use to a category.

Ms. Saul asked who the Zoning Administrator is. Ms. Howard stated the Planning and Community Service Manager is the Zoning Administrator.

Ms. Saul asked about the Zoning Review Committee and the Technical Review Committee. Ms. Howard stated these are staff committees to review development applications to ensure compliance with the code. The staff is also there to help applicants understand the code and help address any issues that arise.

Ms. Saul asked what would be the role of the Planning and Zoning Commission when the new code is adopted. Ms. Garvin stated the role of the Commission is as a recommending body to the City Council for larger legislative decisions such as rezonings, changes to the zoning code, and consideration of comprehensive and neighborhood plans.

Ms. Garvin explained the larger categories of uses; Residential, Civic and Institutional, Commercial, Industrial, Transportation and Utilities, and Agriculture. Each Category will have a description and will be broken down into subcategories. Ms. Howard stated by adding the classifications, it will make managing the code easier and will provide a tie to the character districts.

Mr. Larson asked if the use categories pertaining to Downtown Code and future updates have to be adjusted within each Character District to insure the uses are adaptable and not be rendered non-conforming. Ms. Garvin stated the intent is not to make any properties nonconforming and as the development of other sections are being done, there will be cross referencing of each section to insure the Code aligns across all sections and creates the least amount of change, unless change is desired.

Mr. Larson – Will there be a process for public outreach similar to the Downtown and College Hill changes for the rest of the code update? Ms. Howard stated there would be a process, but it may not be the same for all areas of the city as form based districts may not work well for all areas. Staff will look to City Council for guidance.

Mr. Larson asked if there are any specific properties in the Downtown that might be made non-conforming. Ms. Fadden stated consideration was made for Viking Pump and a section was added for industrial uses allowing existing industrial to remain but no new industrial uses would be allowed. Ms. Howard stated another category was auto repair services. Ms. Fadden also pointed to the section pertaining to the Shopfront frontages along the Parkade and stated these should be active space in the front 30 feet of the space, but other uses such as office spaces could be located behind in the interior of the lot.

Ms. Saul stated there are buildings along the Parkade that don't meet the Shopfront requirements and what would happen if the building is sold? Ms. Fadden stated as long as there were no changes to the use or the exterior facades, they would be grandfathered and may continue as they are now. If changes are proposed then there are standards that apply proportionally to the changes to a building.

Ms. Garvin stated the code has an administration section, which codifies the procedure for reviewing site plans, including consideration of whether a project submittal meets the submittal requirements. The section also lets an applicant know what can be expected as part of the review process and how the process moves forward. This section spells out the application procedures, the decision criteria, and clarifies that zoning approval does not imply approval by any other City departments. Site plans are binding to a property and site plan approval expires after one-year.

Ms. Saul if there were projects that were previously approved but never constructed, what is the process for completion? Ms. Howard stated currently site plans do not expire.

Mr. Larson asked why one year. Ms. Garvin stated one year is usually sufficient to get financing, all necessary permits and begin construction. She added there is a mechanism to allow applicants to request a one-year extension. Ms. Howard said the intent is to keep projects current in the event the code changes.

Mr. Larson asked what the timeline is for preliminary plat approval. Ms. Howard stated it was two years. Mr. Larson asked if site plan approval could follow a similar approval period. Ms. Howard state these are two different processes. Ms. Garvin responded that an applicant would just need to obtain a building permit to meet the approval time period. Howard clarified that the project does not have to be constructed within a year, the applicant just needs to get a building permit approved.

Mr. Holst asked if the administrative review process would reduce the number of site plan coming to the Commission. Ms. Howard confirmed that it would.

Ms. Garvin explained the process of the proportionate compliance when a building in the downtown is being altered structurally. New construction would be required to meet the standards, but if an addition is proposed, there are different thresholds of development which would determine what standards would be met. Maintenance and minimal changes to a façade would not trigger compliance with the standards.

Ms. Saul asked how historic character requirements play into the new Code. Ms. Howard stated the intent of this process would require an applicant who wished to change the character of a façade to go through a review process for approval. Mr. Schrad asked if these regulations would impact Historic Preservation requirements. Ms. Howard stated there is nothing in the proposed code that would be contradictory to the Department of Interior standards.

Ms. Garvin presented information on the section regarding minor adjustment to the Code and the standards which are consider for an adjustment, such as setbacks for elements, adjustments for equivalent or better quality materials, and access issues for properties that cannot obtain access from an alley. Decision criteria are included for granting a minor modification to help outline the process.

Mr. Larson asked about material requirements and was concerned the residential areas are not allowed to use vinyl siding as a material. Ms. Fadden stated this requirement was a starting point based on input from the community, but the Commission can consider other requirements. Mr. Larson said consideration should be made additions to an existing building with vinyl siding because it could impact property rehabilitation. Mr. Schrad also stated concern about a prohibition on vinyl siding may impact on whether a property owner choses to improve the exterior of a building. Ms. Howard stated further discussion should be made regarding allow building materials.

Mr. Larson had a question regarding the use of the word alteration. Ms. Fadden stated the intent was to allow the replacement of materials as part of maintenance and not changing the openings or proportions.

Mr. Larson asked about the ten year timeline and how to track cumulative changes and if it applies to the current owner or subsequent owners. Ms. Fadden stated that it would apply to property, not owner specific.

Mr. Larson asked if the sale of a property terminated a non-conforming use. Ms. Howard stated if a building changes hands, but the use continues, it would be grandfathered in as non-conforming. Ms. Fadden mention if a use is abandoned for a period of six months the property has to be brought into compliance with use.

Ms. Saul asked Mr. Holst, as an architect, his thoughts on the proposed code. Mr. Holst replied he in general it was good. Ms. Howard stated someone from Mr. Holst office was part of a workshop group of profession to gather thoughts on the plan and someone from Mr. Holst office brought up an exterior foam material, Fypon, which is a quality product. Ms. Howard state this material change has been placed that on the City's list of changes to the Code.

Ms. Howard encouraged the Commission to continue to review and provide thoughts or comments.

Respectfully submitted,



Karen Howard
Planning & Community Services Manager



Thomas A. Weintraut, Jr.
Planner III