

**AGENDA
CITY OF CEDAR FALLS, IOWA
STANDING COMMITTEE MEETING
MONDAY, SEPTEMBER 19, 2022
5:50 PM AT COMMUNITY CENTER, 528 MAIN STREET**

Call to Order

Roll Call

Community Development Committee

1. Zoning Amendments Voting Threshold.
(45 Minutes, Community Development Director Stephanie Houk Sheetz and City Attorney Kevin Rogers)

2. Downtown Public Restroom Study.
(15 Minutes, Community Development Director Stephanie Houk Sheetz)

Zoning Amendments Voting Threshold



Community Development Committee

September 19, 2022



Zoning Amendments Voting Threshold Referral

August 15, 2022 Council referred to the Community Relations & Planning Committee consideration of removing 2/3 vote required to overrule Planning & Zoning Commission, referencing Code Sections 26-4(c) and 18-23(5).



Zoning Amendments Voting Threshold Referral

TONIGHT:

- Overview of current ordinance
- History of the threshold
- Research on other communities
- Legal opinion
- Options
- Discussion



Zoning Amendments Voting Threshold

Current Code of Ordinances

PLANNING – CHAPTER 18

Sec. 18-23. - Powers and duties. [Planning and Zoning Commission]

(5) For the purpose of making a **comprehensive plan** for the physical development of the city, the commission shall make careful and comprehensive studies of the present conditions and future growth of the city... The adopting of the plan or part or **amendment** thereof shall be by resolution of the commission carried by the affirmative vote of not less than two-thirds of the members of the commission.... **If the commission disapproves** the proposed change, **it may be adopted by the city council by an affirmative vote of at least two-thirds of all the members of such council.**



Zoning Amendments Voting Threshold

Current Code of Ordinances

ZONING – CHAPTER 26

Sec. 26-4. - Amendments to chapter.

(c) “In case the proposed amendment, supplement or change is disapproved by the city planning and zoning commission, such amendment, supplement or change shall not become effective except by the favorable vote of at least two-thirds of all the members of the city council.....”



Zoning Amendments Voting Threshold

History

- Former Iowa Code requirement – Stated in staff reports from 1998 and 2002-2003. (For zoning amendments.)
- November 1998: P&Z considered changes due to varied threshold when P&Z recommends denial:
 - Comprehensive Plan (including Land Use Map) changes: 2/3 majority vote
 - Amendments to zoning: 3/4 majority vote

P&Z Recommendation: No revision.

Council Action: No discussion occurred. *(Likely due to P&Z having initiated discussion on this & concluding no change needed.)*



Zoning Amendments Voting Threshold

History

- 2002-2003: Considered changes due to varied threshold when P&Z recommends denial:
 - Comprehensive Plan (including Land Use Map) changes: 2/3 majority vote
 - Amendments to zoning: 3/4 majority vote

P&Z Recommendation: Maintain 3/4 voting threshold in zoning chapter, increase 2/3 to 3/4 in planning chapter to be consistent.

Council Action:

- Discussed by Community Relations & Planning Committee at 3 meetings (Feb-Apr)
- Ordinances 2435 & 2436 passed allowing simple majority in both chapters (May-June)
- Tabled ordinance 2439 related to a 2/3 majority vote in zoning chapter (6/9/03)
- Mayor vetoed ordinances (6/13/03)
- Failed Council override of veto (6/23/03)
- Removed from table Ordinance 2439 amending to a 2/3 majority vote & passed it (6/23/03)



Zoning Amendments Voting Threshold

Research

| City | Type of Zoning Amendment (Text or Map) | Supermajority Vote | 2/3 | | 3/4 | |
|--------------|---|-----------------------|------------------------|--|-----|------------|
| | | | | | | |
| Ames | Any | No | | | | if protest |
| Cedar Falls | Any | Yes | ✓ | | | |
| Cedar Rapids | Any | No | | | | |
| Des Moines | Text | No | | | | |
| | Map | Yes | | | | ✓ |
| Dubuque | Any | Yes | | | | ✓ |
| Mason City | Any | No | | | | |
| Iowa City | Any | No | joint meeting required | | | |
| Waterloo | Any | Yes | | | | ✓ |



Zoning Amendments Voting Threshold

Legal Opinion

A simple majority vote is all that is required to eliminate the current Code of Ordinance 2/3 majority vote by Council in the event Council decides not to accept a recommendation of the Planning and Zoning Commission.



Zoning Amendments Voting Threshold

Options

- No further action
- Direct staff to draft an ordinance amending the Code of Ordinances to a simple majority in both Sections 26-4(c) and 18-23(5).
- Ask for Planning & Zoning Commission input on amending Section 26-4(c) to a simple majority vote by the City Council.
- Other



Zoning Amendments Voting Threshold

Discussion



Downtown Public Restroom Study



Community Development Committee

September 19, 2022



Downtown Public Restroom Study

July 18, 2022 Council referred to the Community Relations & Planning Committee a discussion to determine if a public restroom study downtown is warranted.



Downtown Public Restroom Study

Tonight:

- Overview of public restrooms in downtown vicinity
- Public event restroom requirements
- Building code restroom requirements
- Discussion



Downtown Public Restrooms

Current Locations

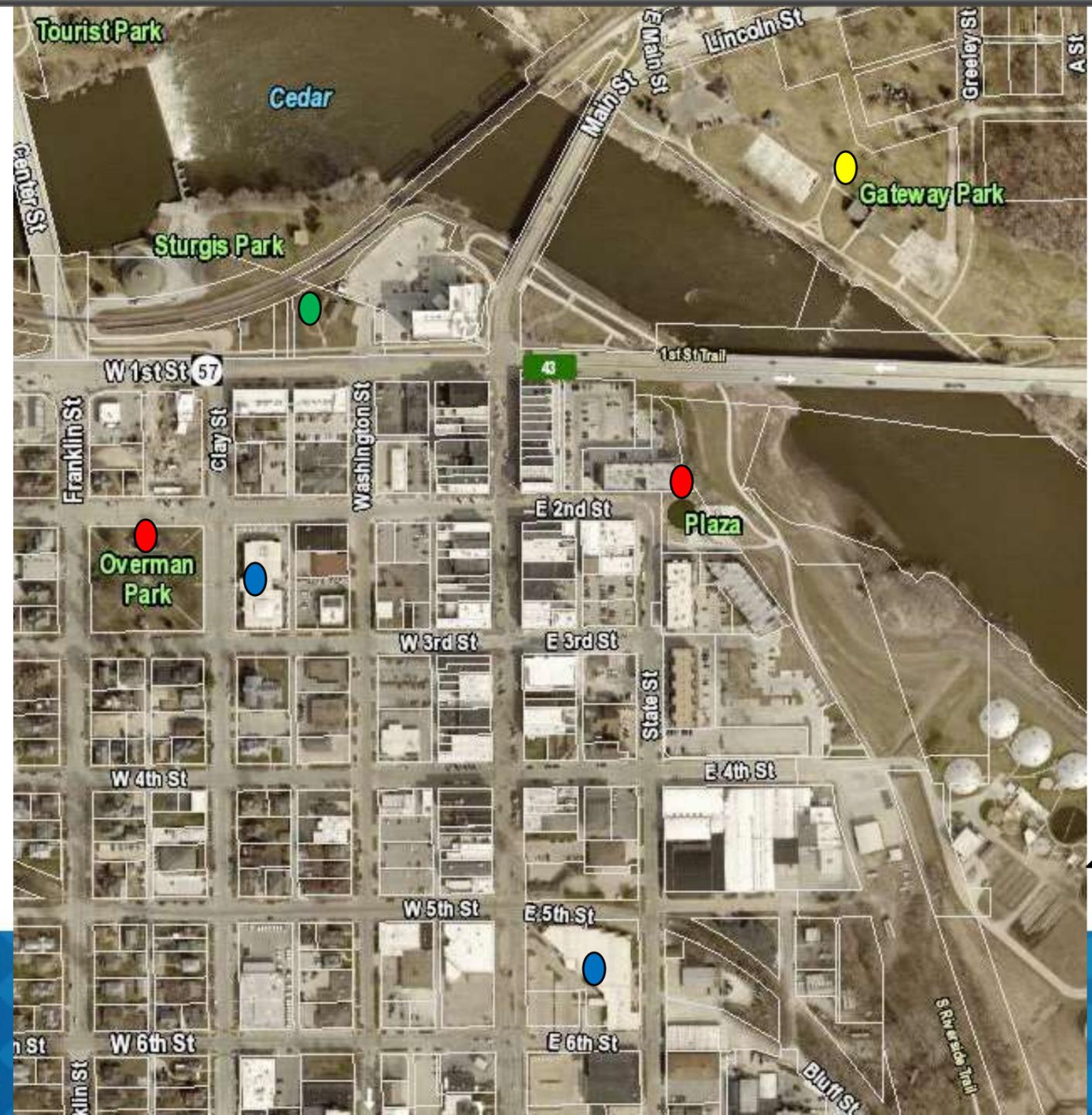


- During events
- During business hours



Downtown Public Restrooms

Current Locations



- During events
- During business hours
- Summer
- Always open



Downtown Public Restrooms

Public Events

Public Event permit, when mixing, serving, or selling alcoholic beverages requires toilet facilities:

Iowa Administrative Code 185-4.2(2)

(2) Toilet facilities. All licensees and permittees who mix, serve, or sell alcoholic beverages for consumption on the licensed premises shall provide for their patrons adequate, conveniently located indoor or outdoor toilet facilities. Compliance with county, city, and department of inspections and appeals' rules and regulations regarding toilet facilities, including any waivers granted by those authorities, shall constitute compliance with this rule. Outdoor toilet facilities shall be approved by the department of inspections and appeals and the local approving authority where the licensed premises is located.



Restroom Building Code Requirements

- Bathrooms are required for all buildings.
- The use sets the ratio of water closets and lavatories.
- All buildings open for customers, patrons, and visitors must make bathrooms available to such individuals.



Discussion

