



Agenda

Planning and Zoning Commission

20 Second Avenue SW, Oelwein

5:30 PM

September 18, 2023

Oelwein, Iowa

Mayor: Brett DeVore

Mayor Pro Tem: Lynda Payne

Commission Members: Savannah DeJong, Dave Gearhart, Peggy Sherrets, Roger Boylen, Carol Tousley, David Kral, Terry Hull

Roll Call

Approve Minutes

1. Consideration of a motion to approve the minutes of the August 21, 2023, Planning and Zoning Commission meeting.

Variance Requests

Old Business

2. Resume discussion regarding Special Exception to Setback Relaxation.

New Business

3. Discussion regarding Shipping Containers.
4. Discussion regarding Utility Tarps

Adjournment

In compliance with the Americans with Disabilities Act, those requiring accommodation for Council meetings should notify the City Clerk's Office at least 24 hours prior to the meeting at 319-283-5440



Minutes

Planning and Zoning Commission
Oelwein City Hall, 20 2nd Street SW, Oelwein
August 21, 2023 - 5:30 PM

Roll Call **Present: Hull, Gearhart, Boleyn,
Tousley, Sherrets**

**Also Present: David Kral,
Comprehensive Plan Presentation
Team**

Absent: Dejong

1. Consideration of a motion to approve the minutes of the April 17, 2023, Planning and Zoning Commission meeting.

A motion was made by Sherrets, seconded by Hull. All voted aye.

Motion Carried

Old Business

New Business

1. Discussion regarding Special Exception to Setback Relaxation
 - Brief discussion before voting to table to next meeting. Motion to table by Hull, 2nd Sherrets. All vote aye. Motion to table carried.
2. Comprehensive Plan Draft Review
 - Discussion on presentation from Comprehensive Plan creation team. In depth discussion on dual-zoning design and future usage potentials, flood mitigation designs primarily regarding Otter Creek and the viaduct downtown area, and future planning involving zoning design and designations.
 - Discuss what green space zoning is and how it can be utilized and altered in the future in terms of re-zoning, spot zoning, flood mitigation, or park space.
 - Discuss how the comp plan can be referred to for future zoning assignments and code creation.
 - Motion to make recommendation to city council to accept the comprehensive plan as-is and as presented, motion made by Hull, 2nd by Tousley. All vote aye. Motion carried

Adjournment

A motion was made by Boleyn, seconded by Sherrets to adjourn. All voted aye.

ZBA can vote to allow a special exception

202.3.

Special exception uses and structures. Subject to [section 705](#) and other requirements contained herein, the board of adjustment may permit the following:

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8. Setback relaxations

- a. Setback relaxation shall be based on the average setback of one or more existing principal use buildings on the same side of the road, setback shall be within 10 feet of that average setback distance
- b. Setback relaxation shall not exceed 10 feet *(optional line to footage could be altered or deleted)*
- c. Setback relaxation shall not allow detached accessory structures in front yard
- d. Setback relaxations for side yards shall not be permitted

Discussion Points Regarding Shipping Containers on Residentially Zoned Plots:

-General allowance of storage containers on residential property either as additions able to be resided in or accessory storage.

-City has adopted IRC and IBC 2021 versions. In each version they reference specific standards of allowing the use of shipping containers as storage or habitable structure. It is very in depth and confusing for anyone who is not an engineer. Main referable sections being IBC 3115 which references multiple other sections of code.

-I suggest we add to zoning code that any use of a shipping container on residential property shall be properly finished/painted and be set on a permanent foundation. Foundations being cement with proper footings and the ability to properly anchor the container, not just set on top of gravel. I'm also open to the idea of not allowing use of shipping containers on residential properties at all. This may conflict with the fact that we have shipping container buildings at our own Depot Park. I believe there will also be arguments as to what would constitute a permanent foundation.

Therefore, suggested changes made:

Adding the following to definitions:

Sec 104 – Definitions

Shipping containers - include standardized reusable vessels that were:

1. Originally designed for or used in the parking, **shipping**, movement or transportation of freight, **articles**, goods or commodities; and/or
2. Originally designed **for** or capable of being mounted or moved by rail, truck or **ship** by means of being mounted on a chassis or similar transport device. This definition includes the terms "transport **containers**" and "portable site storage **containers**" having a similar appearance to and similar characteristics of **shipping containers**.
3. INTERMODAL SHIPPING CONTAINER, as defined in IBC 2021 Edition - A six-sided steel unit originally constructed as a general cargo container used for the transport of goods and materials.

Zoning language option 1

202.2.

Permitted accessory uses and structures.

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10. Shipping containers and other similar storage units do not qualify as accessory buildings on residentially zoned properties, and are prohibited.

A second option

10. Shipping containers shall not be allowed for use without permanent foundation and permanent method of securing or attachment to foundation. It shall be painted and finished to resist the elements.

More optional language: Shall be finished with roofing

Utility Tarp Usage discussion

-Allowable usage of utility tarps in terms of coverage of stored items and in terms of structural coverage

Recommendations

Adding:

25-34 Exterior Structure

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X. Utility Tarps. Utility Tarps used for weather protection may not exceed 30 days.

Optional additional sentence: Outdoor storage shall not be covered by utility tarp.

This could have extended language in terms of roofing, siding, windows, doorways, etc. The sentence on outdoor storage could be removed or altered

The purpose of this addition is to prevent the continual covering of roofing, windows, awnings etc. with utility tarp. Although we refer to tarping as non-permanent structure this addition would give us a specific code point to utilize in that enforcement.

Other municipalities have language revolving around what can be covered with tarps permanently.

Example outdoor storage section from a different city:

308 Residential Outdoor Storage:

308.1 Purpose: The purpose of this section is to define and regulate the outdoor storage of materials on residential property while maintaining the character and use intended for single family residential neighborhoods.

308.2 Allowed residential outdoor storage: For RC and R-1 zoned properties, a maximum of four hundred (400) square feet of area may be used for outdoor storage. For R-4, R-6, and R-8 zoned properties, a maximum of two hundred (200) square feet of area may be used for outdoor storage. For R-10 and R-14 zoned properties, a maximum of one hundred feet (100') of area may be used for outdoor storage. Outdoor storage in excess of the above requirements is not permitted in the City of Renton.

308.3 Prohibited areas for outdoor storage: Outdoor storage is prohibited on residentially zoned property in the following areas:

Front yards

Side yards

Slopes greater than fifteen percent (15%)

Designated open spaces or restricted areas

Critical areas, including wetland, streams and associated buffer areas

308.4 Emergency access: Outdoor storage areas shall not prevent emergency access to the residential structure or any other building.

308.5 Business related storage: Materials stored outdoors on residentially zoned properties shall not be owned by or used in any business or industry including a home occupation business.

308.6 Height limitations: Materials stored outdoors on residentially zoned properties shall be neatly stacked and not exceed a height of six feet (6'). Tarps may not be utilized for cover outdoor storage.

308.7 Firewood: Firewood must be split, neatly stacked, and intended for use on the premises on which it is stored. Tarps may be used to cover firewood.

308.8 Membrane structures: Membrane structures are considered outdoor storage, and subject to the location restrictions in section 308.3. Such structures shall not exceed two hundred (200) square feet in area. Membrane structures shall be immediately removed or repaired in the event of disrepair or in the event of damage caused by weather, fire, collision, accident, or other forms of damage. Tarps and makeshift covers are prohibited for this use.

308.9 Prohibited materials: Shipping containers and other similar storage units do not qualify as accessory buildings on residentially zoned properties, and are prohibited. Hazardous materials are also prohibited for outdoor storage on residentially zoned properties.