

# **PLANNING & ZONING COMMISSION MEETING**

## **CITY OF DYERSVILLE**

*Lower Level Council Chambers*

**October 14, 2019**

**Meeting called to order by Chairman Dan Olberding at 6:30 P.M.**

**Roll Call: Present:** Commission Members: Roger Gibbs, Tim Nefzger, Dan Olberding,  
Mike Schlichte, Wayne Stelken, Matt Tauke, Bec Willenborg

**Absent:** Ryan Cahill

**1<sup>st</sup> Item: Approve Minutes** of the September 9, 2019 Meeting

Chairman Olberding asked for questions or comments and there were none.

Roger Gibbs made a motion to approve the September 9, 2019 Minutes. Motion seconded by Bec Willenborg.

Roll Call Vote: **Ayes:** Roger Gibbs, Tim Nefzger, Dan Olberding,  
Mike Schlichte, Wayne Stelken, Matt Tauke, Bec Willenborg

**Nays:**

**Motion Carried**

**2<sup>nd</sup> Item: Approve Zoning Code Update – Chapter 165**

City Administrator, Mick Michel, advised the committee they need to provide, to the council, a positive or negative report regarding the Zoning Ordinance. A positive report will require simple majority vote by council to pass, but a negative report will require full approval from council to pass.

Charlie Cowell with RDG Planning & Design was present and provided a power point presentation. He started by presenting an APAIA award to the city for their downtown plan.

Cowell stated that since there was no one in the audience he would just provide highlights of his presentation. The commission has been through it before. He stated the Council can set an effective date of the new ordinance, whether immediately or in the future. Any approvals prior to the effective date will hold under the old ordinance. The new ordinance will not remand any previous decisions.

Cowell went through a list of things the new ordinance will not do. He also reviewed the changes that took place since the workshop with the city council. There were some questions from the committee regarding the building permit review process for construction under/over the 1 million level and regarding the C-2 fireworks sales addition. In summary, Cowell stated there were no drastic changes, just some minor tweaking to some of the district regulations.

Chairman Olberding questioned how old the Iowa Code was regarding wireless regulations. Cowell advised they were only a couple years old. City Administrator, Mick Michel advised the changes allow the city flexibility with each request, we are not providing a flat agreement with everyone.

Committee Member Nefzger questioned the new A-2 Ag District and the minimum 10 acre lots. He asked if this would affect the farmers with plats breaking off their homes from ag buildings. Michel advised it would not. It will just allow for more public input.

Chairman Olberding asked if the city council has received this. Michel advised they have and they have had 2 work sessions. The council will set a public hearing date for November 4<sup>th</sup> which will allow public comments. The council will have 3 readings of the ordinance. However, depending on the public comments at the meeting, they have the option to waive the 2<sup>nd</sup> and 3<sup>rd</sup> readings. Michel stated he is going to suggest the council have a January effective date. Olberding asked if the City Attorney has reviewed the ordinance. Michel advised he has gotten recommendations from the attorney and those have been incorporated into the ordinance.

Cowell told the commission to expect changes to be made within the first year. Once the city is working with the ordinance it is common to find things that will require revisions. Commission member Gibbs asked what the process would be. The process would be just like it is currently, with the council sending changes to the commission either by its own motion or by petition.

After no further discussion, Roger Gibbs made a motion to approve Zoning Code Update – Chapter 165. Motion seconded by Matt Tauke.

Roll Call Vote: **Ayes:** Roger Gibbs, Tim Nefzger, Dan Olberding,  
Mike Schlichte, Wayne Stelken, Matt Tauke, Bec Willenborg

**Nays:**

**Motion Carried**

**Meeting adjourned at 6:59 PM on a motion by Tim Nefzger, seconded by Wayne Stelken.**

*Lori A. Panton*

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Lori A. Panton – Recording Secretary

10/14/19  
Date