

CASCADE PLANNING & ZONING COMMISSION
AGENDA
THURSDAY, AUGUST 15, 2024
6:30PM

NOTICE: Notice is hereby given that the Cascade Planning & Zoning Commission will hold a meeting on Thursday, August 15, 2024 at 6:30 PM in the Cascade City Hall Council Chambers, 320 1st Ave W, Cascade, IA 52033. Any visual or hearing- impaired persons or persons with special accessibility needs should contact the City Clerk at 563-852-3114 prior to the meeting.

1. Call to Order
2. Roll Call
3. Approve the Agenda as Presented
4. Meeting Minutes – July 17, 2024
5. Open Public Hearing on Proposed Change in the Zoning Code to Allow 8-foot fences in the C-2, M-1, M-2.
6. Close Public Hearing
7. Consideration of Recommendation to the City Council on Ordinance #19-24 Changing the Zoning Code for C-2, M-1, M-2 to Allow 8-foot fences
8. Recommendation on Vacation of Right of Way
 - a. Buchanan Street SW
 - b. Langworthy Street SE and Thomas Street SE
10. Adjournment

PLANNING & ZONING COMMISSION MEETING

July 17, 2024

The Cascade Planning & Zoning Commission met on July 17, 2024, at 6:00p.m. in the Cascade City Hall Council Chambers, 320 1st Ave W, Cascade, IA 52033.

Present: Moriarity, Conlin, Steffen, Walter, Mehrl, Moran, and Kerper

Motion by Steffen, second by Moran to approve the agenda as presented. Motion carried, all ayes.

Motion Conlin, second Steffen to approve the May 23, 2024 meeting minutes. Motion carried, all ayes.

Motion Steffen, second Moran to open the public hearing for the proposed zoning Code Change to allow front unenclosed porches to be considered for a special exception if between 19 and 25 ft setback in R-1 and R-2. Motion carried, all ayes.

City Administrator Kotter explained that there have been some requests for porches. This would allow an extra, up to 6 feet to be closer to the lot line in the front in R-1 and R-2 Districts. Brad Bofelli and Scott Casey spoke in favor of the change. Clay Gavin and Linda Hoffmann, from the Board of Adjustment, didn't think this was the best way to handle porches. They wanted to see either the variance method used or change the setbacks all together.

Motion Steffen, second Moran to close the public hearing.

Motion Steffen, second Moran to recommend to the City Council Ordinance #18-24 to allow unenclosed porches to have an additional six foot setback in R-1 Single Family and R-2 Mixed Family. Motion carried, all ayes.

Motion Steffen, second Moran to adjourn at 7:11pm. Motion carried.

Lisa A. Kotter
City Administrator

ORDINANCE NO. 19-24

AN ORDINANCE AMENDING TITLE IV, CHAPTER 165 (ZONING) OF THE CODE OF ORDINANCES OF THE CITY OF CASCADE, IOWA

WHEREAS, the City Council of the City of Cascade, Iowa, has determined it is necessary to amend Title IV, Chapter 165 (Zoning) of the Code of Ordinances of the City of Cascade, Iowa ("City Code"), to establish different fence height restrictions for various special exceptions for certain encroaching porch additions.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CASCADE, IOWA as follows:

SECTION 1. CITY CODE §165.12(12). City Code §165.12 (12) is hereby added as follows:

12. Hedges And Fences. In any residential district (R-1, R-2, R-3, and R-4 or General Retail (C-2), fences or hedges shall not exceed four (4) feet in height in any required front yard and shall not exceed six (6) feet in height in any required side or rear yard, subject to the further restriction of Section 165.12(1).

In any Manufacturing district or Highway Commercial district (M-1 and M-2 and C-1), fences or hedges shall not exceed eight (8) feet in height, subject to the further restriction of Section 165.12(1).

SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. SEVERABILITY. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of this ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 5. EFFECTIVE DATE. This ordinance shall be effective after its passage and publication as required by law.

PASSED AND APPROVED this 9th day of September, 2024.

Steve Knepper, Mayor

ATTEST:

Kathy Goerdts, City Clerk

First Reading:

Second Reading:

Third Reading:

Publication:

Sent to American Legal:

CHAPTER 7

VACATION AND DISPOSAL OF STREETS

- 7-7-1 Power to Vacate
- 7-7-2 Planning and Zoning Commission
- 7-7-3 Notice of Vacation Hearing
- 7-7-4 Findings Required
- 7-7-5 Disposal of Vacated Streets or Alleys
- 7-7-6 Disposal by Gift Limited

7-7-1 POWER TO VACATE.

When, in the judgment of the Council, it would be in the best interest of the City to vacate a street or alley or portion thereof, the Council may do so by ordinance in accordance with the provisions of this chapter.

(Code of Iowa, Sec. 364.12 [2a])

7-7-2 PLANNING AND ZONING COMMISSION.

Any proposal to vacate a street or alley shall be referred by the Council to the Planning and Zoning Commission for its study and recommendation prior to further consideration by the Council. The Commission shall submit a written report including recommendations to the Council within thirty (30) days after the date the proposed vacation is referred to the Commission.

(Code of Iowa, Sec. 392.1)

7-7-3 NOTICE OF VACATION HEARING.

The Council shall cause to be published a notice of public hearing of the time at which the proposal to vacate shall be considered.

7-7-4 FINDINGS REQUIRED.

No street or alley, or portion thereof, shall be vacated unless the Council finds that:

1. Public Use. The street or alley proposed to be vacated is not needed for the use of the public, and therefore, its maintenance at public expense is no longer justified.
2. Abutting Property. The proposed vacation will not deny owners of property abutting on the street or alley reasonable access to their property.

(Code of Iowa, Sec. 364.15)

7-7-5 DISPOSAL OF VACATED STREETS OR ALLEYS.

When in the judgment of the Council it would be in the best interest of the City to dispose of a vacated street or alley, or portion thereof, the Council may do so in accordance with the provisions of Section 364.7, Code of Iowa.

(Code of Iowa, Sec. 364.7)

7-7-6 DISPOSAL BY GIFT LIMITED.

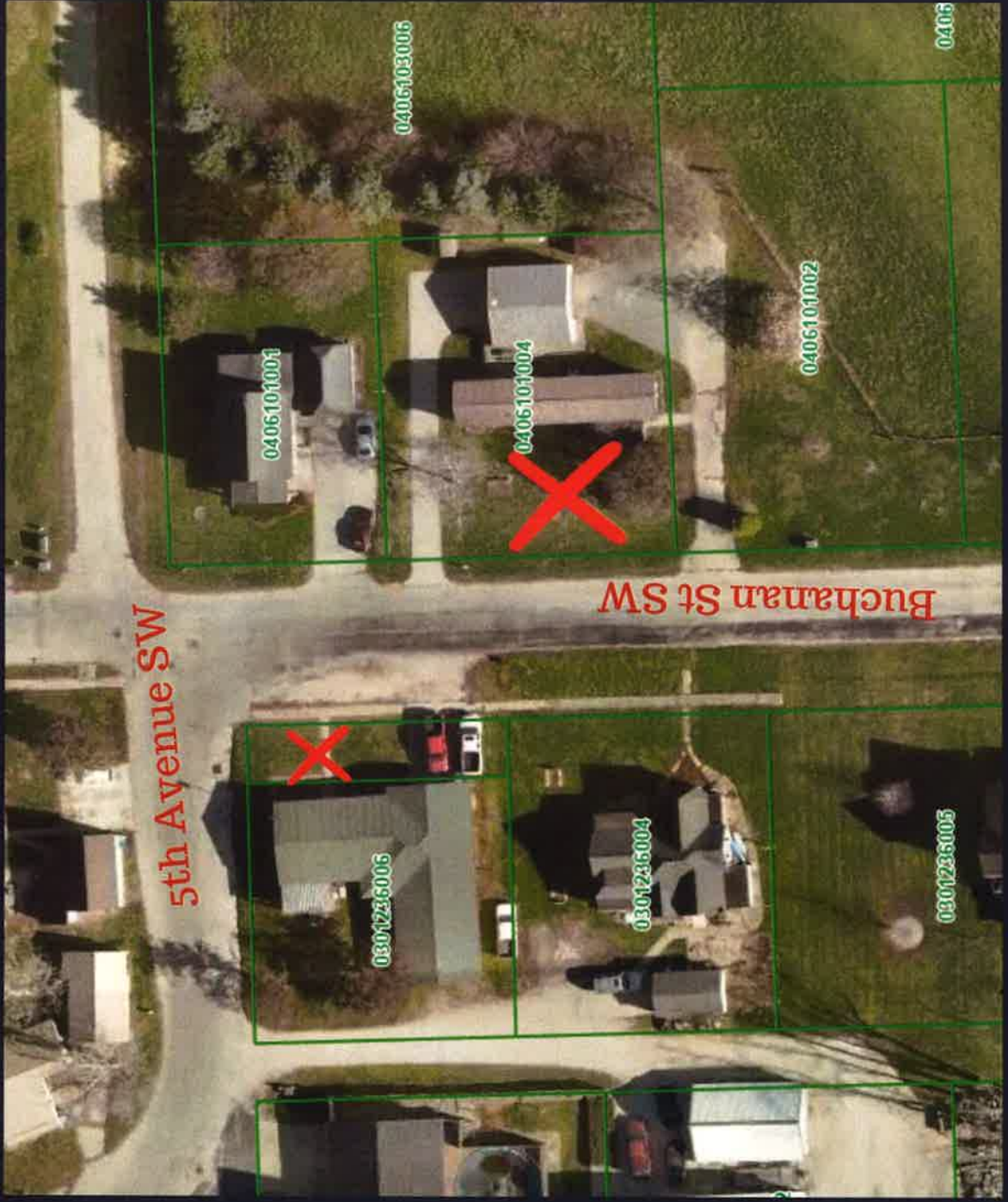
The City may not dispose of a vacated street or alley, or portion thereof, by gift except to a governmental body for a public purpose.

(Code of Iowa, Sec. 364.7[3])

EDITOR'S NOTE			
The following ordinances, not codified herein and specifically saved from repeal, have been adopted vacating certain streets and/or alleys and remain in full force and effect.			
ORDINANCE NO.	ADOPTED	ORDINANCE NO.	ADOPTED
EDITOR'S NOTE			
The following ordinances, not codified herein and specifically saved from repeal, have been adopted vacating certain streets and/or alleys and remain in full force and effect.			
ORDINANCE NO.	ADOPTED	ORDINANCE NO.	ADOPTED

CITY OF CASCADE

Buchanan Street SW



Delaney Auto Ag Right of Way

Langworthy St
Area
Second Request for
Land

