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110 N. Poplar Street • PO Box 218 • West Branch, Iowa 52358  
(319) 643-5888 • Fax (319) 643-2305 • [www.westbranchiowa.org](http://www.westbranchiowa.org) • [city@westbranchiowa.org](mailto:city@westbranchiowa.org)

**PLANNING AND ZONING COMMISSION MEETING**

**Tuesday, March 23, 2021 • 7:00 p.m.**

**\*\*West Branch City Council Chambers, 110 N. Poplar St.**

*Council Quorum May Be Present*

1. Call to Order
2. Roll Call
3. Approve Agenda/Move to action.
  - a. Approve minutes from the January 26, 2021 Planning & Zoning Commission Meeting. / Move to action.
4. Public Hearing/Non-Consent Agenda. /Move to action.
  - a. Review rezoning request for West Branch Roofing, 322 E. College St.
  - b. Review Comprehensive Plan and how the City can implement
5. Old Business
  - a. Review approved Ordinance 780
6. City Staff Reports
7. Comments from Chair and Commission Members
8. Next regular Planning & Zoning Commission meeting Tuesday, May 25, 2021.
9. Adjourn

***\*\* Electronic Meeting (Pursuant to Iowa Code section 21.8) An electronic meeting is being held because a meeting in person is impossible or impractical due to concerns for the health and safety of commission members, staff and the public presented by COVID-19. You can watch and/or participate in the meeting at the following link <https://zoom.us/j/829677991> or dial in phone number 1-312-626-6799 with Meeting ID 829 677 991.***

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**Planning & Zoning Commission Members:** Chair John Fuller, Vice Chair Ryan Bowers, Sally Peck, Emilie Walsh, Brad Bower, Matt Van Scoyoc, Jim Hoffman • **Zoning Administrator:** Terry Goerd • **Deputy Clerk:** Leslie Brick  
**Mayor:** Roger Laughlin • **Council Members:** Colton Miller, Nick Goodweiler, Jodee Stoolman, Jerry Sexton, Tom Dean  
**City Administrator/Clerk:** Redmond Jones II • **Fire Chief:** Kevin Stoolman • **Police Chief:** John Hanna  
• **Public Works Director:** Matt Goodale

*(These minutes are not approved until the next Commission meeting.)*

**City of West Branch Planning & Zoning Commission Meeting**  
**January 26, 2021**  
***West Branch City Council Chambers, 110 North Poplar Street***

*An Electronic Meeting (pursuant to Iowa Code Section 21.8) of the Planning & Zoning Commission of the City of West Branch, Cedar County, IA was held on Tuesday, January 26, 2021 at 7:00 p.m. because a meeting in person was impossible or impractical due to concerns for the health and safety of Commission Members, Staff and the Public presented by COVID-19.*

*Until further notice, all of our Planning & Zoning Meetings will be held electronically. Persons may still attend, observe and participate in the meeting at the Council Chambers, City Office, 110 N. Poplar St, West Branch, Iowa. Social distancing practices shall be observed for any persons attending the meeting in person at City Hall.*

Chairperson John Fuller called the Planning & Zoning Commission meeting to order at 7:01 p.m. Roll call (via Zoom) Commission members: John Fuller, Ryan Bowers, Emilie Walsh, Jim Hoffman and Brad Bower. Matt Can Scoyoc and Sally Peck were absent. City Staff present: Deputy Clerk Leslie Brick, and Terry Goerdts and Mayor Roger Laughlin. Via Zoom: City Administrator Redmond Jones.

**APPROVE AGENDA/CONSENT AGENDA/MOVE TO ACTION.**

Approve the agenda for the January 26, 2021 Planning & Zoning Commission meeting. /Move to action. Motion by Bowers, second by Bower to approve the agenda. Absent: Van Scoyoc and Peck. Motion carried on a voice vote.

Approve minutes from the November 24, 2020 Planning & Zoning Commission meeting. /Move to action. Motion by Walsh, second by Bower to approve the minutes. Motion carried on a voice vote.

**PUBLIC HEARING/NON-CONSENT AGENDA**

Approve \_\_\_\_\_ as Chairperson of the Planning & Zoning Commission. / Move to action. Bowers nominated Fuller for chairperson for 2021. There were no other nominations. Motion by Bowers, second by Bower to approve Fuller as Chairperson of the Planning & Zoning Commission for 2021. Motion carried on a voice vote.

Approve \_\_\_\_\_ as Vice Chairperson of the Planning & Zoning Commission. / Move to action. Bower nominated (Ryan) Bowers for vice chair for 2021. There were no other nominations. Motion by Bower, second by Walsh to approve (Ryan) Bowers as the Vice Chairperson of the Planning & Zoning Commission for 2021. Motion carried on a voice vote.

Public Hearing – Amend Chapter 165- add Section 50 – Swimming Pools.

Fuller opened the public hearing at 7:03 p.m. Mayor Laughlin said he was happy to see the commission compromise and not require permits or fencing for above ground pools as he was against that type of limitation and the burden for residents. There were no public comments. Fuller closed the public hearing at 7:04 p.m.

Approve language for Ordinance 780 – Swimming Pools and recommend forwarding to the West Branch City Council. Move to action.

The commission had no further comments on the ordinance language as written.

Motion by Walsh, second by Bowers to approve Ordinance 780 as written. Motion carried on a voice vote. (This moves the Ordinance to the City Council for approval.)

**OLD BUSINESS:** None.

**STAFF REPORTS:**

Brick advised the commission the current Building Incentive Program is scheduled to sunset on June 30, 2021. Brick recapped the program that started in 2015 to encourage growth of the city. Brick said program includes discounted building permit fees and a \$5000 (city) tax rebate to property owners and added that there have been 98 new homes constructed that are eligible for the program so far. Fuller asked if an economic impact study was done to determine continuing the program. Brick replied that a study had not been conducted and Laughlin added that the program did what the City wanted it to do, but it was now time to end it.

Goerdt reported that he had received a call from a Des Moines area developer who is interested in building in West Branch and indicated that they would be applying for permits this spring.

Laughlin suggested the Commission explore reviewing the building permit fees once the incentive program sunsets and asked for the subject to be discussed at the next meeting.

**COMMENTS FROM CHAIR AND COMMISSION MEMBERS:**

Walsh, a realtor said she has received some inquiries on commercial property in West Branch and indicated that there is new interest in the community.

Bowers asked if there was an update on the (former) Croell property. Laughlin replied that the City was at a standstill.

Adjourn

Motion by Walsh, second by Bower to adjourn the Planning & Zoning Commission meeting. Motion carried on a voice vote. The meeting adjourned at 7:18 p.m.

Submitted by:

Leslie Brick

Deputy City Clerk

**165.34 I-2 DISTRICT REQUIREMENTS.**

1. Permitted Uses: Any use permitted in Industrial 1-1 District.
2. Uses Allowed by Special Exception by the Board of Adjustment: Manufacturing, fabricating and processing, which has not previously been listed provided that the proposed use will not constitute a fire hazard or emit objectionable smoke, noise, vibration, odor or dust.
3. Prohibited Non-industrial Uses. In Industrial Districts, no building may be used in whole or in part for any of the following purposes.
  - A. Residential uses or any dwelling use including hotels and motels.
  - B. Restaurant, tavern, filling station, theater or other place of commercial recreation or amusement.
  - C. School, church, hospital, sanitarium, correctional institution or other institutional use.
  - D. Cemetery.
4. Prohibited Industrial Uses:
  - A. Acid manufacture, or storage except on limited scale as an accessory to a permitted industry and under conditions specified by the Zoning Board of Adjustment.
  - B. Slaughter house and stock yard.
  - C. Manufacture of fertilizers.
  - D. Garbage, waste materials, offal, dead animal, or refuse incineration or storage.
  - E. Manufacture or storage of gun powder, fireworks or other explosives.

**ORDINANCE NO. 779**

**AN ORDINANCE AMENDING CHAPTER 165 "ZONING REGULATIONS."**

WHEREAS, the Planning & Zoning Commission of the City of West Branch, Iowa, believes that the clarification of certain sections in the Zoning Code will lead to a clearer understanding of the Code's requirements; and

WHEREAS, the Planning & Zoning Commission of the City of West Branch, Iowa, believes that a more uniform and consistent wording in the language contained within certain sections in the Zoning Code will aide in making the Zoning Code more navigable and lead to more consistent interpretation of the requirements; and

WHEREAS, the Planning & Zoning Commission recommends to the City Council of the City of West Branch, adoption of these amendment recommendations in the Zoning code; and

WHEREAS, the City Council of the City of West Branch, Iowa has reviewed these recommendations and concurs with the Planning & Zoning Commission.

NOW, THEREFORE, BE IT ORDAINED:

1. BE IT ENACTED by the City Council of West Branch, Iowa, that Chapter 165 "ZONING REGULATIONS" of the Code of West Branch, Iowa is hereby amended by revising the following subsections to Chapter 165.

**165.34 I-2 DISTRICT REQUIREMENTS - Amend by adding number 5:**

**5. Area Regulations.**

**A. Lot Requirements: None.**

**B. Yard Requirements:**

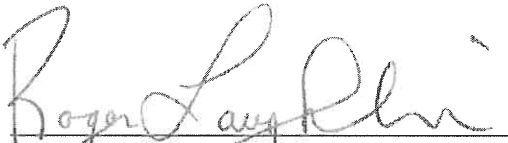
**(1) Front Yard. No Building shall be constructed within forty (40) feet of the front lot line.**

**(2) Side Yards. On lots adjacent to a residential district, all buildings and incidental areas shall be located so as to provide a minimum side yard of twenty (20) feet on the side adjacent to the residential district. All other side yards shall be a minimum of eight (8) feet.**

**(3) Rear Yards. No building shall be constructed within twenty (20) feet of the rear lot line.**

Passed and approved this 4th day of January, 2021.

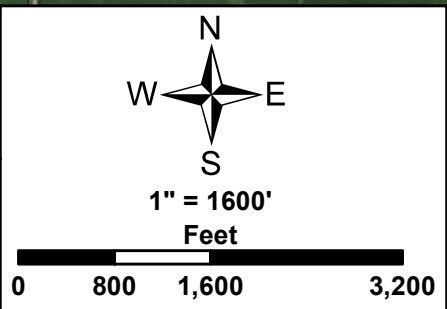
First Reading: December 7, 2020  
Second Reading: December 21, 2020  
Third Reading: January 4, 2021

  
Roger Laughlin, Mayor

Attest:  \_\_\_\_\_

Leslie Brick, Deputy Clerk





**LEGEND**

**ZONING DISTRICTS**

A-1

 AGRICULTURAL DISTRICT

R-1

 SINGLE FAMILY RESIDENCE DISTRICT

R-2

 TWO FAMILY RESIDENCE DISTRICT

R-3

 MULTIPLE RESIDENCE DISTRICT

RB-1

 RESIDENCE/BUSINESS DISTRICT

B-1

 BUSINESS DISTRICT

B-2

 BUSINESS DISTRICT

CB-1

 CENTRAL BUSINESS DISTRICT

CB-2

 CENTRAL BUSINESS DISTRICT

HCI

 HIGHWAY COMMERCIAL INDUSTRIAL DISTRICT

I-1

 INDUSTRIAL DISTRICT

I-2

 INDUSTRIAL DISTRICT

CI-2

 CENTRAL INDUSTRIAL DISTRICT

P-1

 PUBLIC USE DISTRICT



VEENSTRA & KIMM, INC.

PROJECT NO. 368100  
MARCH 13, 2014

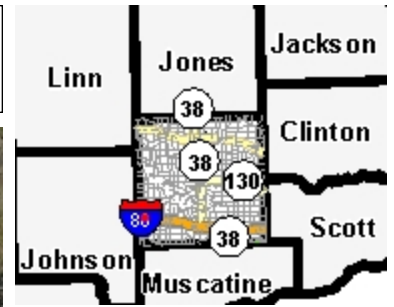
# ZONING MAP

## CITY OF WEST BRANCH, IOWA

Sources: Aerial Imagery, Google Maps, and the GIS User Community



# Cedar County, IA



## Legend

- Road
  - <all other values>
  - Interstate
  - US Highway
  - State Numbered Highway
- Railroad
- Address Point
- Parcel
- Parcel Number/Acres
- Leased Land
- Land Hook
- Corporate Limit Line
- Park
- Section
- County Boundary



132.7 0 66.35 132.7 Feet

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

## Notes



Consultant
Address
Address
Address
Phone

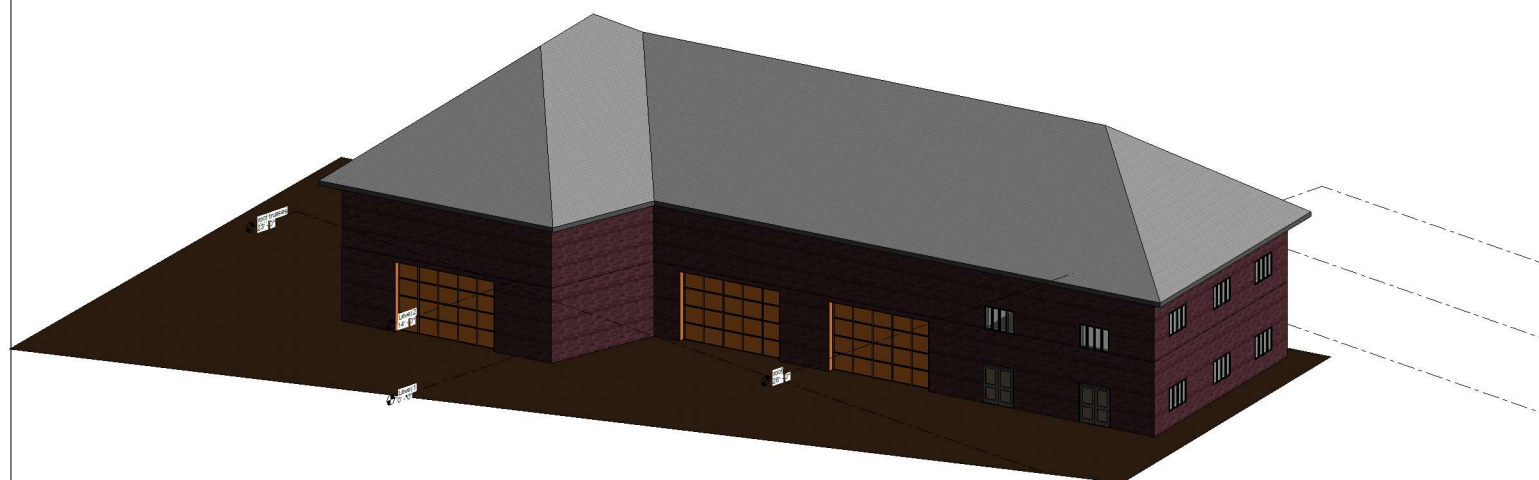
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3D

Checked By	Checker
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Scale	
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1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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North



Consultant  
Address  
Address  
Address  
Phone

Project Number	Project Number
Date	Issue Date
Drawn By	Author
Checked By	Checker
A 101	
Scale	1/8" = 1'-0"

3/10/2021 7:21:51 AM



110 N POPLAR ST, PO BOX 215, WEST BRANCH, IA 52358

## REZONING APPLICATION

RECEIVED  
3-10-2021

### Applicant Information:

Name: West Branch + Tipton Roofing

Address: 323 E. College P.O. Box 100 West Branch

Street or PO Box #

City

IA  
State

52358

Zip Code

Phone: (319) 643-2435 (office)

Email: \_\_\_\_\_

### Additional Contact:

Name: Phil Rushton

Phone: (319) 631-2090

Email: Westbranchroofing@gmail.com

### Property Owner (if other than applicant):

Name: Luke Joffries

Address: Same

Street or PO Box #

City

State

Zip Code

Phone: (319) 631-0497

Email: wbr-luke@gmail.com

### Property Information:

Address (if no address, list name of closest streets): 322 E. College St. WB

Assessor's Parcel # (Attach Legal Description): 500 050013053610050 00

Current Zoning: E-2

During the review process, the Planning and Zoning Commission or City Staff may visit the property. Please sign here if the property owner does not wish to allow Commission or Staff to enter onto the property.

X \_\_\_\_\_

Signature of Applicant

3-10-21

Date



**Submittal deadline:** 14 days prior to next regularly scheduled Planning and Zoning Commission meeting.

**Re-zoning Fee:** \$150.00. Special Meeting Request fees are \$150.00 per meeting.

\*Additional costs that may be charged include: Public Hearing publishing costs, Engineer and Attorney fees, and mailing costs. Applicant will be billed for additional costs and must be paid before Rezoning Application will proceed.

**Include with this application:**

- ☐ 1 complete copy of this application form.
- ☐ 7 scalable copies of site plan and associated documents, 11 x 17 paper copies & Acrobat "PDF" files of all materials emailed to [leslie@westbranchiowa.org](mailto:leslie@westbranchiowa.org).
- ☐ Detailed site plan of the existing use of the property and proposed use of the property, including utilities and other relevant improvements. Locations, dimensions, use of all property within the two hundred (200) feet thereof, include streets, railroads, and other physical features, North arrow and scale, size and location of existing and proposed structures and drives on the subject property, and drives on surrounding properties, contractor name and address to do work on project and date of preparation of the plan.
- ☐ Other information deemed necessary by the City Staff for the review of the proposed project
- ☐ Names of current Titleholders and their proper mailing addresses for all owners of any property within the two hundred (200) feet of the proposed amendment area, whether within or outside of the city limits. Information can be obtained from Cedar County Assessor's Office.

- ☐ Statement of the reasons why the applicant feels the present zoning classification is no longer valid.

With the current zoning of I-2 our property is un-improvable.  
With 40 ft set back from the road and 20 feet from the rear that  
only leaves us 10 ft of building width.

**For Staff Use:**

**Date:**

- \_\_\_\_\_ Application received - includes detailed site plan, list of property titleholders within 200 hundred feet, and re-zoning fee
- \_\_\_\_\_ Application forwarded to P&Z Commission, Mayor, Council, City Attorney and Engineer, Fire Chief Zoning Administrator, City Admin, Public Works Director
- \_\_\_\_\_ Next P&Z meeting (application must be received at least 14 days prior to the P & Z meeting) (to receive presentation and provide comments, set a date for a public hearing)
- \_\_\_\_\_ Date of Public Hearing publication in newspaper (PH notice posted in three locations in the City of West Branch, **at least seven days and not more than 20 days prior to the Public Hearing**)
- \_\_\_\_\_ Date notice mailed to property owners within two hundred feet of the proposed property to be re-zoned
- \_\_\_\_\_ P&Z meeting to hold public hearing \_\_\_\_\_ Approved \_\_\_\_\_ Denied
- \_\_\_\_\_ Date of any written protests to re-zoning request
- \_\_\_\_\_ City Council meeting date to hold Public Hearing \_\_\_\_\_ Approved \_\_\_\_\_ Denied
- \_\_\_\_\_ 1<sup>st</sup> Reading of Rezoning Ordinance \_\_\_\_\_ 2<sup>nd</sup> Reading \_\_\_\_\_ 3<sup>rd</sup> Reading

**Miscellaneous Information:**

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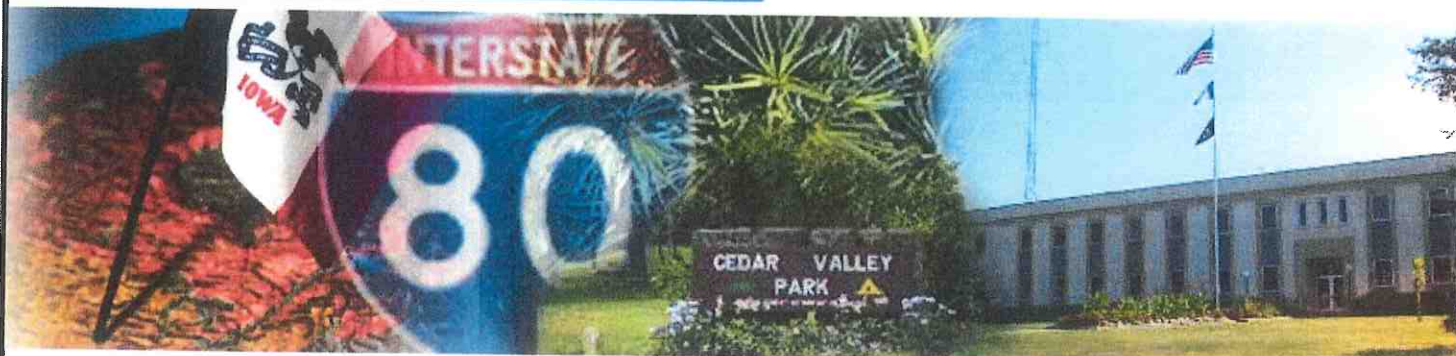
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\_\_\_\_\_  
Signature of City Official

\_\_\_\_\_  
Date

# Cedar County, Iowa

Official Cedar County, Iowa website, the main site for all things related to County Government in Cedar County, Iowa. Courthouse located in Tipton, Iowa.



[Home](#)
[Our County](#)
[Info & Resources](#)
[Real Estate Inquiry](#)
[Office Info](#)
[Election Info](#)
[Other Sites](#)

## Quick Links

[Welcome to Cedar County!](#)  
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[Where Do I Go...?](#)  
[County Office Directory](#)  
[Renew Your Vehicle Tags](#)  
[Election Info](#)  
[Passport Information](#)  
[Service Center](#)  
[Visit Our Communities!](#)  
[County Forms](#)  
[Vital Records](#)  
[Emergency Resources](#)  
[Frequently Asked Questions](#)  
[Pay Your Taxes On-Line](#)  
[Real Estate Main Page](#)  
[Search Our Site](#)  
[Courthouse Hours:](#)  
 Monday-Friday  
 8:00AM to 4:00PM



[Real Estate](#)



[Recorder](#)



[Tax Sale](#)



[Appraisal Data](#)

[Alternate web site](#)

## Real Estate And Tax Query Results

### Parcel Information:

**Parcel ID** 500 050013053610050 00  
**Location** 322 E COLLEGE ST WEST BRANCH  
**Tax District** 500 000 WEST BRANCH CTYWEST BRANCH SCH  
**Map ID** 342-05E  
**GIS ID**  
**Class** C Commercial

**Acres**  
**Gross** .00  
**Taxable** .00



### Owner(s):

Ownership Type	Owner Entity	Name	Address	City and State
Deed	000006066	West Branch & Tipton Roofing	Po Box 100	West Branch , IA

### Legal Information

**Legal Description<sup>1</sup>**  
 PARCEL 1-E OF ROW & S OF & ADJ TO COLLEGE ST W OF BLK  
 13 ABAND RR

<sup>1</sup>NOTE: Legal descriptions on the web may have been shortened for computer purposes, therefore, they cannot be used for legal matters. Please contact the proper office for full legal descriptions.

**Credits and Exemptions:** (none)  
 (Applied 2021 AND 2022)

### 2020 Property Valuation:

(Payable in 2021 AND 2022)

Property Type	Assessed Value	Taxable Value
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## ORDINANCE NO. 780

### AN ORDINANCE AMENDING CHAPTER 165 “ZONING REGULATIONS.”

WHEREAS, the Planning & Zoning Commission of the City of West Branch, Iowa, believes that the clarification of certain sections in the Zoning Code will lead to a clearer understanding of the Code’s requirements; and

WHEREAS, the Planning & Zoning Commission of the City of West Branch, Iowa, believes that a more uniform and consistent wording in the language contained within certain sections in the Zoning Code will aide in making the Zoning Code more navigable and lead to more consistent interpretation of the requirements; and

WHEREAS, the Planning & Zoning Commission recommends to the City Council of the City of West Branch, adoption of these amendment recommendations in the Zoning code; and

WHEREAS, the City Council of the City of West Branch, Iowa has reviewed these recommendations and concurs with the Planning & Zoning Commission.

NOW, THEREFORE, BE IT ORDAINED:

1. BE IT ENACTED by the City Council of West Branch, Iowa, that Chapter 165 “ZONING REGULATIONS” of the Code of West Branch, Iowa is hereby amended by revising the following subsections to Chapter 165.

165.50 – Amend Chapter 165 by adding section 50: SWIMMING POOLS

165.50 SWIMMING POOLS

165.50 – DEFINITIONS:

1. “Permanent” is defined as a pool that is installed or left up year round and winterized for continued use.
2. “Temporary” is defined as a pool that is taken down or dismantled during the winter months. Temporary pools with a depth of twenty four (24) inches or less are exempt from this sub-section.

Swimming pools intended for private use by persons that reside on the property or their guests are permitted, provided the following conditions are met:

1. Setbacks: (for temporary and permanent pools)
  - a. Residential zones
    - i. The use must be set back a minimum of ten (10) feet from any side or rear lot line.
    - ii. The use may not be located in the front yard unless the use is set back at least forty (40) feet from the front property line.

b. Non-residential zones

- i. In non-residential zones, the use must be set back a minimum of ten (10) feet from any side, rear, or front property line, unless the property on which the use is located is directly abutting or across the street from a property zoned residential. In the case of such an adjacency, the use must comply with the setback requirements for residential zones

2. Permit Required

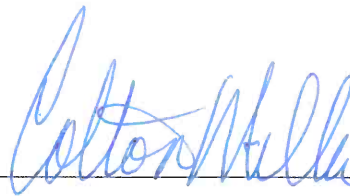
- a. Permanent (in-ground) pools with a depth of twenty four (24) inches or more, require a permit.

3. Fence Requirement (for permanent pools only). Swimming pools with a depth of twenty four (24) inches or more and the edge of which is less than four (4) feet above grade, must be completely enclosed by a fence according to the following specifications:

- a. The fence must be at least four (4) feet in height and must be constructed so that a sphere, five (5) inches in diameter, cannot pass through the fence.
- b. A principal or accessory building may be used as part of the enclosure.
- c. All gates and doors opening through the enclosure must be equipped with a self-closing and self-latching device for keeping the gate or door securely closed at all times when not in use, except the door of any building which forms a part of the enclosure need not be so equipped.
- d. The building official may permit other protective devices or structures to be used so long as the degree of protection afforded by the substitute device or structure is not less than the protection afforded by an enclosure built to the specifications of this paragraph.

Passed and approved this 15<sup>th</sup> day of March, 2021.

First Reading: February 16, 2021  
Second Reading: March 1, 2021  
Third Reading: March 15, 2021



Colton Miller, Mayor Pro Tem

Attest:



Leslie Brick, Deputy Clerk