

**CITY OF PELLA, IOWA
BOARD OF ADJUSTMENT MINUTES
FEBRUARY 21, 2022**

CALL TO ORDER BY THE CHAIRPERSON AND ROLL CALL

Chairperson Westra called the Board of Adjustment to order at 6:07 p.m. in the Public Safety Complex. Members present were: Vince Nossaman, Susan Reiter (via telephone), Merlan Rolffs, Lyle Vander Meiden, and Corey Westra; absent: Kristi Kiou, Jaci Nunnikhoven, and Mike Vander Wert. Staff present: Planning and Zoning Director Gerald Buydos, Zoning Analyst Jared Parker, and the Deputy City Clerk. Four members of the public attended the meeting in person.

CHAIRPERSON'S COMMENTS

Approval of the Tentative Agenda

Motion by Vander Meiden, second by Nossaman to approve the tentative agenda. Motion carried 5-0.

APPROVAL OF MINUTES

Motion by Rolffs, second by Vander Meiden to approve the December 20, 2021 minutes. Motion carried 5-0.

PUBLIC HEARINGS

Consider a Special Use Permit Request from Pella Regional Health Center to Operate an Urban Garden in the Institutional (INS) Zoning District, Located on Jefferson St.

Pella Regional Health Center requested a Special Use Permit (SUP) to allow for construction of an Urban Garden on their main campus on parcel 1544100515, which is located on Jefferson Street. The property is zoned Institutional (INS) and would require an SUP per Table 165.12-2.

Staff believes the proposed use agrees with the zoning code and recommended approval. Staff proposed the following restrictions:

- The garden, raised beds, and all crops must be kept within the setbacks for the property.
- The garden, all crops, and supplies must be within the fenced area.

Convened **Public Hearing** on the SUP request. No written comments were received.

Nossaman asked staff to explain the difference between an urban garden and garden that a homeowner may have in their backyard. Zoning Analyst Jared Parker explained that the main difference is scale. Planning and Zoning Director Gerald Buydos explained that a garden in someone's yard will likely not have the same impact on neighbors as a large garden located in a commercial or institutional zoning district.

Pella Regional Health Center (PRHC) Director of Facilities Jim Corbett was present to answer questions from the Board and to speak in favor of the SUP. He explained that the intent of the garden is to allow employees to grow produce to take home as well as the potential for PRHC's Nutrition Services to use some of the produce grown in the hospital's cafeteria. He further explained that there will be a total of 18 raised beds that Central College students will help assemble. A six-foot-tall, black, chain-link fence will surround the garden.

Motion by Reiter, second by Nossaman to close the **Public Hearing** as no further comments were received. Motion carried 5-0.

Motion by Reiter, second by Rolffs to approve the SUP request with the conditions that the garden, raised beds, and all crops must be kept within the setbacks for the property and the garden, all crops, and supplies must be within the fenced area. Motion carried 5-0.

Consider a Special Use Permit Request to Construct a Roof-Mounted Solar Panel Array at 319 Jackson Street

SunPro Solar sought to construct a solar array on the roof of 319 Jackson St. Under Chapter 165.26.5 of the Zoning Code, all solar arrays over 100 square feet on residential lots require an SUP. Staff believes the proposed use agrees with the zoning code and recommended approval as submitted.

Convened **Public Hearing** on the SUP request. No written comments were received.

Nossaman asked staff about the possibility of changing SUP requirements for solar arrays, so that applicants would not have to keep coming before the Board of Adjustment for consideration. He noted that there have been several SUPs for solar arrays on the Board's agenda in recent months. Buydos explained that some states permit solar arrays by right. The Board directed staff to review the SUP requirements for solar arrays and to bring back a proposal for discussion by the Board at their next meeting, which could then be considered by the City Council. Staff will check with other cities in Iowa to see what their requirements are for solar arrays as well.

Motion by Vander Meiden, second by Reiter to close the **Public Hearing** as no further comments were received. Motion carried 5-0.

Motion by Reiter, second by Nossaman to approve the SUP request as submitted. Motion carried 5-0.

OTHER BUSINESS

Elect Board Chairperson and Vice-Chairperson for 2022

On an annual basis, the Board of Adjustment is required to select a Chair and Vice-Chair from its membership. All members are eligible to serve in these roles. The primary role of the Chair is to conduct the Board of Adjustment meetings in accordance with the Board of Adjustment's Procedural Rules. In the absence of the Chair, the Vice-Chair will serve as the Chair during the Board of Adjustment meetings. In addition to the above responsibilities, both positions will serve in a liaison role for staff.

Motion by Vander Meiden, second by Nossman to elect Westra as Chairperson and Nunnikhoven as Vice-Chairperson for 2022. Motion carried 5-0.

Next Meeting Date

The next meeting is scheduled for March 21, 2022.

Adjourned at 6:38 p.m.