

City of Moline

PLAN COMMISSION

Wednesday, May 8, 2019
4:00 p.m.
Council Chambers, 619 16th Street

AGENDA

1. Call to order
2. Approval of minutes
3. New business
 - a. None
4. Old business
 - a. Residential Accessory Building – Site & Coverage Limits.
5. Public comment
6. Adjourn

Any person with disabilities who wishes to attend the meeting who requires a special accommodation or any other person requiring a special accommodation in attending the meeting should notify Ryan Berger, Department of Planning & Development, 524-2030.

**PLAN COMMISSION
MINUTES**

Wednesday, April 10, 2019

Present: Bill Fitzsimmons (Chairman), Mike Crotty, Craig Mack, Peter McDermott, Jeff Nelson, Cindy Wermuth, John Wetzel

Absent: Alan Hon, Dennis Kelly, Butch Trevor

Staff: Ryan Berger

Others: Barbara Sandberg

1. Call to Order

Chairman Fitzsimmons called the meeting to order at 4:05 pm.

2. Reading and approval of Minutes – March 27, 2019

Motion made by Commissioner Wetzel; seconded by Commissioner Mack, to approve the minutes for March 27, 2019. Motion carried unanimously.

Ryan Berger, Land Development Manager, swore in those persons present wishing to provide testimony.

3. New Business

- a. PC-19-04 – Public Hearing to amend SEC. 35-3415 of City Code regarding solar panels to allow solar panels to be visible from public right-of-way; regulate maximum height of flat roof mounted systems; remove requirement of Special Use Permit in Historic District; remove requirement of submittal of notice to local electric company and net metering agreement; allow freestanding systems in front yard; and amend setback requirements of freestanding systems from all property lines.**

Ryan Berger stated that PC-19-04 – Public Hearing to amend SEC. 35-3415 of City Code regarding solar panels to allow solar panels to be visible from public right-of-way; regulate maximum height of flat roof mounted systems; remove requirement of Special Use Permit in historic district; remove requirement of submittal of notice to local electric company and net metering agreement; allow freestanding systems in front yard; and amend setback requirements of freestanding systems from all property lines. Public notice was published in the Dispatch.

Mr. Berger specified that the amendment removing the requirement of the net metering agreement only applied to the Zoning Code, and that a net metering agreement is still required under the City's current Building Code. Mr. Berger also noted that despite the proposed amendment annulling the need for a Special Use Permit in the Historic District or on historic buildings, the amendment would add protections for historic properties regarding proper solar panel placement using the Secretary of the Interior Standards for Rehabilitation. Mr. Berger then announced he was open to receive questions.

Commissioner Nelson raised concern regarding allowance of freestanding systems in front yards, noting there could be a concession for commercial use, but is concerned about use in front yards for residential properties. Mr. Berger responded that the front yard portion of the amendment would be treated as a special circumstance.

Commissioner Wetzel inquired about the screening requirements, including the height restrictions on any front yard systems. This led into inquiry regarding the glare, that may be produced by the solar panels, reflecting into roadways. Mr. Berger clarified that reflection, or glare into nearby properties or roadways would disallow the permissibility of the solar panels; solar companies have the ability to conduct “solar analysis” to help determine where glare would occur. Mr. Berger also noted that the code, currently, does not allow for solar panels to be seen from public-right-of-way.

Concerns regarding front yard aesthetics were raised by numerous commissioners, some discussion followed. Commissioner Fitzsimmons stated that he believes it is the role of the commission to set the standard for the community and that this is what should motivate a decision by the commission.

Commissioner Mack sought to clarify, and Mr. Berger confirmed, that a building permit would be required for the installation of solar panels. Commissioner Wetzel then sought to clarify, and Mr. Berger confirmed, that the commission was reviewing the official language to be inserted into the code, should they recommend the amendment for approval.

Member of the Historical Preservation Committee, Barbara Sandberg, was sworn in by Mr. Berger to provide public comment on the proposed text amendment. Mrs. Sandberg disagreed with the amendment to allow solar panels in front yards, due to aesthetics, and safety concerns. Mrs. Sandberg stated that a priority of the Historical Preservation Commission is to preserve aesthetics and avoid visual changes; however, Mrs. Sandberg stated that she was in support of the project, on the condition that the front yard portion of the amendment be eliminated. Some discussion followed regarding the securing of front yard systems from children and damage.

Commissioner Nelson sought to inquire if the amendment applies to devices that have solar panels built in, such as bus shelters. Mr. Berger responded that the amendment would only apply to projects that required a building permit; thus the amendment would not apply to bus shelters with built in solar panels.

With no further comment, the hearing was closed.

Discussion amongst the commissioners took place regarding specifics, and suggested changes, to the proposed text amendment.

Motion made by Commissioner Wetzel; seconded by Commissioner Mack, to recommend for approval the proposed text amendment with the correction that “shoulds” be changed to “shalls” in the portion concerning historic districts, and that the front yard portion of the amendment be removed in its entirety. Motion carried unanimously.

4. Other business

None

5. Review upcoming meeting

No upcoming business.

6. Public comment

None.

7. Adjourn

There being no further business, the meeting adjourned at 4:42 p.m.

Respectfully submitted,

Silas Metternick-Jones, Planning & Development Assistant
Recording Secretary Pro Tem

MEMORANDUM

TO: Plan Commission
FROM: Ryan Berger, AICP
SUBJECT: February 22, 2019 Plan Commission meeting
DATE: February 26, 2019

OLD BUISNESS:

Residential Accessory Building – Site & Coverage Limits:

December 12th Plan Commission Memo:

Residential Accessory Buildings – Site & Coverage Limits: All three Cities have similar limitations to the size of a residential accessory building. Moline allows the max coverage of all accessory buildings to be equal to the coverage of the principal structure or 30% of the rear yard setback, whichever is less. Davenport states that the size of an accessory structure can be no larger than the footprint of the principal building*. The Bettendorf Code specifies that the maximum size of a detached garage shall not exceed the larger of 1,000 square feet, or 75 percent of the building coverage area of the main residential structure. In addition, detached garages, along with all other accessory buildings, must not exceed the maximum 40 percent coverage of the required rear yard limitation.

*Accessory structures are included in the calculation of all maximum impervious surface and building coverage requirements of the district.

January 23rd Plan Commission Memo:

At the December Plan Commission meeting, Staff presented many different options on how to limit Accessory Building Size and yard coverage and Staff has continued to research the issue since.

At that meeting the Plan Commission identified that:

- 1) A special use process could be created to deal with unique residential lots
- 2) There could be a sliding scale in place for larger lots (lot size vs. lot coverage %)

Staff's recommendation is as follows:

- 1) Major accessory structure coverage should remain limited by size of the principal structure and 30% of the rear yard, whichever is less.
- 2) The number of major accessory structures on a lot should be limited to two.
- 3) Exceptions to 1 and 2 could be allowed with a special use, on unique lots where large lot size and small principal structure coverage are considered.
- 4) Additional Staff recommendation: Connecting the principal structure and accessory structure with a breezeway should not allow an exception from bulk standards. The garage would have to be an addition to the principal structure (as defined by the Building Code) to be considered part of the principal structure and be regulated under principal structure bulk standards.

What changes to the code need to be moved forward for a recommendation to the City Council?