

**MINUTES**  
**July 11, 2023 – 5:30 p.m.**  
**Planning and Zoning Commission**  
**Muscatine City Hall**  
**City Council Chambers**  
**Online GoToMeeting**

**Present:** Andrew Anderson, Kayla Bendorf, Sharon Froelich, Jodi Hansen, Kent Jurgensen, Steve Nienhaus and Mark Seaman

**Excused:**

**Staff:** Andrew Fangman, Assistant Community Development Director, Community Development  
Christa Bailey, Office Coordinator, Community Development  
April Limburg, Planner, Community Development

Chairperson Jodi Hansen opened the meeting at 5:30 p.m. and read the mission statement.

**Minutes:**

Mark Seaman motioned to approve the January 10, 2023 minutes; seconded by Andrew Anderson. All ayes, motion carried.

**Zoning Ordinance:**

**Home occupations are regulated by Section 4, Chapter 20 of Title 10 of City Code. The existing home occupation regulations that are contained within Section 10-20-4 of City Code were adopted in 2018. In June 2022, legislation restricting the manner in which cities in Iowa can regulate home occupations was approved. A number of the currently adopted provisions of the home occupation regulations have been identified by the City Attorney as noncompliant with state law. Before an ordinance removing the noncompliant sections can be adopted, the Planning & Zoning Commission must make a recommendation to City Council on such changes.**

Andrew Fangman explained that state legislation was approved in June 2022 that impacts the home occupation regulations within City Code as according to the new state laws there are certain currently adopted provisions the City can no longer enforce. As such, the City's ordinance is noncompliant with state law and the City Attorney recommends adopting an ordinance with the noncompliant sections removed. Mr. Fangman stated the Commission must review and recommend any ordinance changes to the City Council before ordinances can be adopted.

The Commission discussed the noncompliant sections and voiced concerns about the impact of their removal but Mr. Fangman advised that any home occupations still have to comply with all other ordinances that are regulated within that property's location. So, the removal of the noncompliant sections does not mean the property will now allowed to be in violation of any other ordinances.

Andrew Anderson motioned to recommend to City Council the proposed ordinance as submitted; seconded by Steve Nienhaus. Andrew Anderson, Kayla Bendorf, Sharon Froelich, Jodi Hansen, Kent Jurgensen and Steve Nienhaus all voted aye. Mark Seaman voted nay. Six ayes and one nay, motion carried.

**Election of Officers:**

Steve Nienhaus nominated Jodi Hansen for chairperson, seconded by Andrew Anderson. Mark Seaman nominated Andrew Anderson for vice chairperson, seconded by Jodi Hansen. All ayes, motioned carried.

Meeting adjourned at 5:55 p.m.

**ATTEST:**

Respectfully Submitted,

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Jodi Hansen, Chairperson  
Planning and Zoning Commission

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Andrew Fangman, Secretary  
Assistant Community Development Director