



Planning & Zoning

January 22, 2026 - 5:00pm
310 Mill Street, Van Meter, IA 50261
City Hall

The City of Van Meter encourages participation in city government and can provide reasonable accommodations upon request. Should special accommodations be required, please contact the City Clerk's office at least 48 hours in advance at 515-996-2644 or info@vanmeteria.gov.

P&Z Commission Meetings

Van Meter City Hall
310 Mill Street, Van Meter, IA 50261

Michael Wahlert, Chair

Commissioners

Garret Hulse
Patrick Miller
Jermey Feldman
Scot Cook
Adam Coyle
Andrew Cerven

City Staff

Liz Faust, City Administrator
Drew McCombs, Public Works Director
Jason VanAusdall, Building Inspector &
Zoning Administrator
Randy Johnson, Veenstra & Kimm, Inc.

MEETING AGENDA:

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF THE AGENDA
4. APPROVAL OF MINUTES - December 1, 2025
5. DISCUSSION AND CONSIDERATION: Proposed Zoning Amendment - Accessory Dwelling Units
6. DISCUSSION AND CONSIDERATION: Proposed Zoning Amendment - Variance Criteria
7. ADJOURNMENT

Posted: Wednesday, January 21,
2026

#1 - Call to Order

Chair: *The meeting of the Van Meter Planning & Zoning Commission is called to order as of _____ p.m. on Thursday, January 22, 2026.*

#2 - Roll Call

Commission Members:

Michael Wahlert, Chair

— 1 —

Garret Hulse

Patrick Miller

Jeremy Feldman

Scot Cook

Adam Coyle

Andrew Cerven

Staff:

Liz Faust

— 1 —

Travis Cooke

Jason VanAusdall

Randy Johnson

Guests:

#3 - Approval of the Agenda

Chair: *Do I hear a motion to approve the agenda?*

Commissioner _____: So moved.

Commissioner _____: Second.

Discussion if needed.

Chair: All in favor? _____ Not in favor? _____

#4 - Approval of Prior Minutes

Minutes of the December 1, 2025 meeting are included.

Chair: *Do I hear a motion to approve the minutes as presented?*

Commissioner _____: So moved.

Commissioner _____: Second.

Discussion if needed.

Chair: All in favor? _____ Not in favor? _____

#5 - Discussion and Consideration: Proposed Zoning Amendment - Accessory Dwelling Units

The purpose of this amendment is to update the City of Van Meter's zoning regulations to comply with Iowa state law that requires cities to allow at least one accessory dwelling unit (ADU) on lots with single-family homes. The amendment adds definitions and standards for attached and detached ADUs, permits one ADU per lot in all zoning districts, and applies only those size, setback, height, and utility requirements allowed under state law. Overall, it ensures the city's zoning code is legally compliant while allowing ADUs with minimal local restrictions, as mandated by Iowa Code.

Chair: Do I hear a motion to recommend (approval or denial) to the City Council to amend the City Code of Ordinances to create a PI Zoning District ?

Commissioner _____: So moved.

Commissioner _____: Second.

Discussion if needed.

Chair: All in favor? _____ Not in favor? _____



Real People. Real Solutions.

MEMORANDUM

Date: January 22, 2026
To: Chairman Wahlert and Members of the Van Meter Planning Commission
From: Frannie Nielsen, Consultant Planner
Subject: Proposed Zoning Text Amendment – Accessory Dwelling Units

BACKGROUND

On May 1, 2025, the State of Iowa signed into law a bill for an act relating to county and city regulation of accessory dwelling units. The bill introduces a new subsection into Section 364.3, to amend the Iowa Code to require counties and cities to permit at least one accessory dwelling unit (ADU) on the same lot as a single-family residence. The bill outlines specific conditions for the construction and use of ADUs, including compliance with building regulations, size limitations (not exceeding 1,000 square feet or 50% of the main residence), and restrictions on local ordinances that may impose more stringent requirements than those applicable to single-family residences. Additionally, it specifies that if a manufactured or mobile home is used as an ADU, it must be converted to real property and assessed for real estate taxes.

The bill indicates cities cannot impose restrictions on accessory dwelling units that are more restrictive than those for single-family residences. Cities cannot require stricter standards for placement, appearance, or design, including building height, setbacks, lot size, frontage, lot coverage, density, or architectural requirements, nor can they require the accessory unit to match the main home's exterior design, roof pitch, or materials. They cannot impose additional rental regulations beyond state law, require extra parking or fees, mandate owner occupancy or familial, marital, employment, income, or age-based occupancy restrictions, or require separate utility lines unless necessary for metering. Cities also cannot apply different impact fees or development standards, require additional public street or sidewalk improvements, or extend review timelines beyond those for single-family residences.

The Van Meter Zoning Code states that “The regulations, restrictions and boundaries set forth in this chapter may from time to time be amended, supplemented, changed, or repealed, upon initial action by the Council ... provided, however, that no such action may be taken until after a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard.”

Below is a proposed Zoning Text Amendment to Section 165.25 to bring the Van Meter Zoning Regulations Ordinance into compliance with Iowa Law.

PROPOSED AMENDMENT

The proposed amendment is as follows:

Section 165.03

Section 165.03 of the Code of Ordinances is amended by adding the underlined text as follows:

Section 165.03 Interpretation and Definitions.

"Accessory dwelling unit" means an additional residential dwelling unit located on the same lot as a single family residence that is either attached to or detached from the single family residence.

"Attached" means a structure which is joined to another structure at one or more sides by a wall.

"Detached" means a structure which is entirely surrounded by open space on the same lot.

"Single family residence" means the same as defined by "dwelling, single-family," except to the extent that a single-family residence may share utility lines with the accessory dwelling unit if full utility access that includes a separate metering system for billing purposes can be provided to the accessory dwelling unit.

Section 165.04

Section 165.04 of the Code of Ordinances is amended by adding the underlined text as follows:

Section 165.04 General Regulations

14. Accessory Dwelling Units.

- A. A maximum of one accessory dwelling unit, either attached or detached, is permitted on the same lot as a single family residence in any district in accordance with the following conditions:
 - (1) An accessory dwelling unit shall not exceed one thousand square feet or fifty percent of the size of the single family residence, whichever is larger.
 - (2) Attached accessory dwelling units shall comply with all principal structure height and setback requirements of the district in which it is located.
 - (3) Detached accessory dwelling units shall comply with all accessory structure height and setback requirements of the district in which it is located.
 - (4) An attached accessory dwelling unit shall have a separate exterior entrance from the principal residence and also an interior entrance accessed from the principal residence.

- (5) If full utility access that includes a separate metering system for billing purposes cannot be provided to the accessory dwelling unit, then the city may require new or separate utility lines.
- (6) If a mobile home is used as an accessory dwelling unit, the mobile home shall be converted to real property by being placed on a permanent foundation and assessed for real estate taxes pursuant to section 435.26 of Iowa Code.

PLANNING AND ZONING COMMISSION RECOMMENDATION

The Planning and Zoning Commission can do one of the following:

1. Recommend approval of the attached ordinance.
2. Recommend denial, with findings, of the attached ordinance.
3. Table the request for further review/study.

ATTACHMENTS

1. Draft Accessory Dwelling Unit Zoning Text Amendment Ordinance

ORDINANCE #2026-XX

An Ordinance Amending Chapter 165 – Zoning Regulations

BE IT INACTED, by the City Council of the City of Van Meter, Iowa, that:

SECTION 1. SECTION MODIFIED. Section 165.03 of the Code of Ordinances is amended by adding the underlined text as follows:

Chapter 165

Section 165.03 of the Code of Ordinances is amended by adding the underlined text as follows:

Section 165.03 Interpretation and Definitions.

"Accessory dwelling unit" means an additional residential dwelling unit located on the same lot as a single family residence that is either attached to or detached from the single family residence.

"Attached" means a structure which is joined to another structure at one or more sides by a wall.

"Detached" means a structure which is entirely surrounded by open space on the same lot.

"Single family residence" means the same as defined by "dwelling, single-family," except to the extent that a single-family residence may share utility lines with the accessory dwelling unit if full utility access that includes a separate metering system for billing purposes can be provided to the accessory dwelling unit.

SECTION 2. SECTION MODIFIED. Section 165.04 of the Code of Ordinances is amended by adding the underlined text as follows:

Chapter 165

Section 165.04 General Regulations

14. Accessory Dwelling Units.

- A. A maximum of one accessory dwelling unit, either attached or detached, is permitted on the same lot as a single family residence in any district in accordance with the following conditions:
 - (1) An accessory dwelling unit shall not exceed one thousand square feet or fifty percent of the size of the single family residence, whichever is larger.

- (2) Attached accessory dwelling units shall comply with all principal structure height and setback requirements of the district in which it is located.
- (3) Detached accessory dwelling units shall comply with all accessory structure height and setback requirements of the district in which it is located.
- (4) An attached accessory dwelling unit shall have a separate exterior entrance from the principal residence and also an interior entrance accessed from the principal residence.
- (5) If full utility access that includes a separate metering system for billing purposes cannot be provided to the accessory dwelling unit, then the city may require new or separate utility lines.
- (6) If a mobile home is used as an accessory dwelling unit, the mobile home shall be converted to real property by being placed on a permanent foundation and assessed for real estate taxes pursuant to section 435.26 of Iowa Code.

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

SECTION 4. EFFECTIVE DATE. This ordinance shall be effective after its final passage, approval and posting as provided by law.

Passed by the Council of the City of Van Meter, Iowa, the 9th day of February 2026.

Joe Herman, Mayor

ATTEST:

Travis Cooke, City Clerk

#6 - Discussion and Consideration: Proposed Zoning Amendment - Variance Criteria

The purpose of this amendment is to update the City of Van Meter's zoning regulations to comply with recent changes to Iowa law governing variances and the authority of Boards of Adjustment. The amendment clarifies the criteria under which variances may be granted, emphasizing "practical difficulties" unique to a property rather than mere inconvenience or economic benefit, and requires written findings demonstrating that a variance will not alter neighborhood character or harm public welfare.

Overall, the amendment ensures local variance decisions align with state law while preserving the intent and integrity of the zoning ordinance.

Chair: Do I hear a motion to recommend (approval or denial) to the City Council to amend the City Code of Ordinances to create a PI Zoning District ?

Commissioner _____: So moved.

Commissioner _____: Second.

Discussion if needed.

Chair: All in favor? _____ Not in favor? _____



Real People. Real Solutions.

MEMORANDUM

Date: January 22, 2026
To: Chairman Wahlert and Members of the Van Meter Planning Commission
From: Frannie Nielsen, Consultant Planner
Subject: Proposed Zoning Text Amendment – Variance Criteria

BACKGROUND

On April 25, 2025, the State of Iowa signed into law a bill concerning county and city regulation of real property and the powers granted to the Board of Adjustment. The bill introduces a new subsection Section 414.12, allowing boards to authorize variances in specific cases where strict enforcement of the ordinance would create practical difficulties for property owners. The variances can pertain to area, dimensional, or other numerical limitations, including minimum lot size, setbacks, and off-street parking, among others.

According to the new law, to obtain a variance, property owners must demonstrate that the difficulties they face are unique to their property and not self-created, and they must show that granting the variance will not significantly alter the character of the surrounding neighborhood. This legislative change aims to ensure that the spirit of the zoning ordinance is upheld while providing flexibility to property owners facing unique challenges.

The Van Meter Zoning Code states that “The regulations, restrictions and boundaries set forth in this chapter may from time to time be amended, supplemented, changed, or repealed, upon initial action by the Council ... provided, however, that no such action may be taken until after a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard.”

Below is a proposed Zoning Text Amendment to Section 165.25 to bring the Van Meter Zoning Regulations Ordinance into compliance with Iowa Law.

PROPOSED AMENDMENT

The proposed amendment is as follows:

Section 165.25 of the Code of Ordinances is amended by adding the underlined text and removing the ~~strikethrough~~ text as follows:

Chapter 165

Section 165.25 Board of Adjustment

2. Powers and Duties of the Board. The Board shall have the following powers, and it shall be its duty:
 - A. To hear and decide appeals where it is alleged there is error in any order, requirements, decision, or determination made by the inspector of buildings in the enforcement of this chapter.
 - B. ~~To grant a variation in the regulations when a property owner can show that his property was acquired in good faith and where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property, or where by reason of exceptional topographical conditions or other strict application of the terms of this chapter actually prohibits the use of this property in a manner reasonably similar to that of other property in the District, or where the Board is satisfied under the evidence before it, that the granting of such variation will alleviate a clearly demonstrable hardship; provided, however, that all variations granted under this clause shall be in harmony with the intended spirit and purpose of this chapter.~~
 - B. To grant approval or conditional approval of a Variance. In granting approval or conditional approval of a Variance, the Board of Adjustment shall prepare written findings of fact of all the following review criteria:
 - (1) Practical Difficulties. Because of these special circumstances, the literal application of the provisions of this Ordinance would, without a Variance, result in practical difficulties for the applicant, as distinguished from mere inconvenience. Practical difficulties must include the following:
 - a. Reasonable Manner. Practical difficulties means that the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance.
 - b. Unique to the Property. Circumstances exist relating to the physical character of the property that are unique to the property and that do not apply generally to other properties in the same zoning district. And these circumstances are not so general or recurrent a nature as to make it practical to provide, in the form of an amendment to this Ordinance, a general rule to cover them
 - c. Not Self-Created. The circumstances and practical difficulties that are the basis for the variance have not resulted from any act, undertaken subsequent to the adoption of this Ordinance or any applicable amendment thereto, of any party with a present interest in the property.
 - d. Not Alter Local Character. The variance will not alter the essential character of the locality or substantially impair public safety or welfare or property values in the area.

e. Economic considerations alone (or desire to increase the value or income potential of the land) shall not constitute practical difficulties if reasonable use of the property exists under the terms of this chapter.

PLANNING AND ZONING COMMISSION RECOMMENDATION

The Planning and Zoning Commission can do one of the following:

1. Recommend approval of the attached ordinance.
2. Recommend denial, with findings, of the attached ordinance.
3. Table the request for further review/study.

ATTACHMENTS

1. Draft Variance Zoning Text Amendment Ordinance

ORDINANCE #2026-XX

An Ordinance Amending Chapter 165 – Zoning Regulations

BE IT INACTED, by the City Council of the City of Van Meter, Iowa, that:

SECTION 1. SECTION MODIFIED. Section 165.25 of the Code of Ordinances is amended by adding the underlined text and removing the ~~strikethrough~~ text as follows:

Chapter 165

Section 165.25 Board of Adjustment

2. Powers and Duties of the Board. The Board shall have the following powers, and it shall be its duty:
 - A. To hear and decide appeals where it is alleged there is error in any order, requirements, decision, or determination made by the inspector of buildings in the enforcement of this chapter.
 - B. ~~To grant a variation in the regulations when a property owner can show that his property was acquired in good faith and where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property, or where by reason of exceptional topographical conditions or other strict application of the terms of this chapter actually prohibits the use of this property in a manner reasonably similar to that of other property in the District, or where the Board is satisfied under the evidence before it, that the granting of such variation will alleviate a clearly demonstrable hardship; provided, however, that all variations granted under this clause shall be in harmony with the intended spirit and purpose of this chapter.~~
 - B. To grant approval or conditional approval of a Variance. In granting approval or conditional approval of a Variance, the Board of Adjustment shall prepare written findings of fact of all the following review criteria:
 - (1) Practical Difficulties. Because of these special circumstances, the literal application of the provisions of this Ordinance would, without a Variance, result in practical difficulties for the applicant, as distinguished from mere inconvenience. Practical difficulties must include the following:
 - a. Reasonable Manner. Practical difficulties means that the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance.
 - b. Unique to the Property. Circumstances exist relating to the physical character of the property that are unique to the property and that do not apply generally to other properties in the same zoning district. And these circumstances are not so general or recurrent a nature as to make it practical to provide, in the form of an amendment to this Ordinance, a general rule to cover them

- c. Not Self-Created. The circumstances and practical difficulties that are the basis for the variance have not resulted from any act, undertaken subsequent to the adoption of this Ordinance or any applicable amendment thereto, of any party with a present interest in the property.
- d. Not Alter Local Character. The variance will not alter the essential character of the locality or substantially impair public safety or welfare or property values in the area.
- e. Economic considerations alone (or desire to increase the value or income potential of the land) shall not constitute practical difficulties if reasonable use of the property exists under the terms of this chapter.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. EFFECTIVE DATE. This ordinance shall be effective after its final passage, approval and posting as provided by law.

Passed by the Council of the City of Van Meter, Iowa, the 9th day of February 2026.

Joe Herman, Mayor

ATTEST:

Travis Cooke, City Clerk

#7 - Adjournment

Chair: *Do I hear a motion to adjourn?*

Commissioner _____: So moved.

Commissioner _____: Second.

Discussion if needed.

Chair: All in favor? _____ Not in favor? _____

This meeting is adjourned as of _____ p.m.