

**STORY COUNTY
PLANNING AND ZONING
STORY COUNTY ADMINISTRATION
900 6TH STREET
NEVADA, IOWA 50201-2087**



"Commitment, Vision, Balance"

515-382-7245

**MINUTES
STORY COUNTY
PLANNING AND ZONING COMMISSION**

AN AUDIO RECORDING OF THE FULL MEETING MAY BE FOUND IN THE PLANNING AND DEVELOPMENT DEPARTMENT, OR BY VISITING WWW.STORYCOUNTYIOWA.GOV

DATE: September 5, 2018	Aaron Steele, Chair	2018
	Jerry Cable, Vice Chair	2019
CALL TO ORDER: 4:00 PM	*Kathy Mens	2022
	Linda Murken	2020
PLACE: Public Meeting Room	Marvin Smith	2018
Administration Building	PJ McBride	2021
	Jonathan Sherwood	2020
	*Absent	

STAFF PRESENT: Jerry Moore, Director; Emily Zandt, Planner; Amelia Schoeneman, Planner; Stephanie Jones, Recording Secretary

PUBLIC PRESENT: None

APPROVAL OF AGENDA (MCU)

APPROVAL OF MINUTES (MCU)

August 1, 2018

PUBLIC COMMENTS:

None

PUBLIC HEARINGS:

None

ADDITIONAL ITEMS:

Draft Access Requirements Ordinance Amendment

Amelia Schoeneman summarized changes made to the proposed ordinance since discussion at the last Planning and Zoning Commission meeting on August 1, 2018. Schoeneman stated that the three major changes for the proposed amendment include:

1. Separate the requirements for driveways off County Roads, easements for existing lots, and easements/frontage required for new lots into separate subsections.
2. Clarify that the 300-foot separation distance for drives pertains to drives off County roads.
3. Clarify the design requirements for shared access easements. The current ordinance limits shared access easements for new lots and those with frontage to 50 feet in width. Easement width is measured like the width of a road right-of-way and the current ordinance further states that the easement shall be parallel to the front lot line, like road right-of-way. The proposed changes simplify this language but

maintain the 50-foot limit.

The Commission had no comments. Jerry Moore stated that the proposed amendment would be brought before the Commission for action at the October 3, 2018 meeting.

Draft Home Business Ordinance Amendment

Moore stated that several home businesses are not meeting all of the home business permit standards of approval and gave examples of some of the more noticeable standards not being met. Moore stated that the proposed ordinance amendments allow a minimal easing of the requirements and/or significant on-site temporary growth if standards of approval for a conditional use permit are adequately met and the business owner includes long term plans to transition to a district zoned for the use. Moore summarized the proposed amendments to the home business ordinance:

1. Change the annual review by Planning and Development staff from annually to a two-year review cycle.
2. Home business owners may submit a written request for a minimal easing of the requirements. These requests are administratively reviewed by the Planning and Development Director.
3. Home business owners may also submit transitional home business permit requests to significantly ease the requirements to accommodate business growth on a temporary basis with the intent of the home business being relocated to a district zoned for their use.
4. For Transitional Home Business Permit requests, the home business owner shall follow the submittal and review process identified in Chapter 90.03 Application for Conditional Use Permit (CUP).

Much discussion took place. Sherwood asked if staff would be able to assure that all types of home businesses' request to expand are considered equally. Sherwood stated that different types of businesses have various impacts, which could possibly open the County up to legal actions. Smith stated that he likes the current structure of a home businesses being an accessory use. Smith feels that requiring a CUP is good idea for permitting a home business to transition since it impacts the immediate area and the CUP process would allow public feedback. Steele asked if administrative decisions on granting minimum easing of requirements could be appealed. Moore confirmed this and stated that through the review process of a request for the minimum easing of requirements, the director would have discretion to also ask for a CUP to be submitted if the director determines the request is a significant easing of the requirements. Steele stated that the proposed amendments allow the home business model to be an incubator for growth. Steele stated that in order to be granted a transitional CUP, he would like to see home businesses have a history of compliance of the existing regulations to be able to apply. Steele stated that someone could otherwise quickly bring the home business into compliance to apply. Smith stated that he feels a probationary period of being in compliance for a certain amount of time would be helpful. Murken asked if the amendments proposed are the final plan and Moore stated this is a draft. Murken asked about standards to be used in determining what to allow for minimal easing of the requirements and feels there should be more guidelines in the event of different administrators in the future and being able to continue to follow the same guidelines. Murken also suggested language be added to require proposed expansions meet nuisance criteria so as not to negatively impact adjacent properties and neighbors. Smith also commented that if traffic levels would be increased and visible nuisances are possible, the expansion request would likely be viewed as a significant easing of the requirements. Steele stated that he feels there should be a limit for expiration of a transitional CUP to seek consistency rather than allowing the Board of Adjustment to rule on the expiration date. There was discussion among the commissioners about a two to three year extension limitation. Murken asked how the current home business owners would know about changes to the home business requirements and Moore stated that all current home business owners would be notified.

Draft Commercial Campground Ordinance Amendment

Emily Zandt stated that the Board of Supervisors provided direction for staff to work through the

amendment process following adoption of Ordinance No. 269 to consider limiting the number of days per calendar year a guest may stay in a commercial cabin due to concerns about cabins becoming permanent residences. Zandt stated that staff would like feedback on adding additional limits beyond the current ordinance language to the duration of stay in commercial cabins. Zandt stated Story County Conservation has a 14 day limit to keep camping as a temporary use and for maintenance of the site. This is how staff came up with using 30 days as a compromise to allow for a longer stay. Murken asked for clarification on the limit on the duration of stay in a cabin during the months of May through September. Zandt stated that the 30-day limit is for cabins only. Murken stated that she would like to see sections H and I combined so that there is not confusion about the length of stay for cabins versus other uses. Sherwood asked for clarification on the definition of a travel trailer. Moore stated that a travel trailer is the same as an RV/camper. Smith asked why we would limit campgrounds to be only open during the five months plus the extra 30 days. Moore stated that is an existing provision. Steele stated that commercial campground implies that there will be a turnover of people staying at the campground. Cable asked for clarification on travel trailer parks and commercial campgrounds only being permitted to be open during the months of May through September. Cable stated that it creates confusion on when the campground is allowed to be open. Cable gave Twin Anchors as an example. Zandt stated that Twin Anchors was permitted prior to the adoption of the current language so it may be a non-conforming use. Smith stated that he would like to see the elimination of the limits on the months a campground can be open. Sherwood stated that the intent is to eliminate the possibility of people living in campers 24/7 year-round and avoiding potential health issues. Steele stated that section H seems to deal with the operation of a trailer park or campground and not the duration of stay. Moore shared an example from Polk County that initially served Prairie Meadows, construction workers, and recreational users. Moore stated the park was permitted during summer months through a CUP and that an extension was requested to add time during the winter months. Moore stated that it is successful and recreation and construction people get a lot of use out of the park with the time extension. Murken asked what the difference between a mobile home and travel trailer would be. Moore stated that the two are constructed under different standards. Mobile homes are currently constructed under the HUD code requirements. Steele stated that an occupancy limit might be important to consider. Zandt stated that feedback from the Board of Supervisors was with the 30 day limit on the duration of stay in a cabin, a person would need to leave the site before coming back to stay again. Smith stated that he would like to see the elimination of section H to prevent dictating how an owner may operate their business. Much discussion took place about the maximum and minimum number of days to allow camping during May through September and October through April. Murken asked what is trying to be avoided and why. Steele stated that he feels it is to avoid the use of campers and travel trailers as dwellings. Smith added that it is also to note the difference between a campground and mobile home park. Steele summarized that the commission does not agree whether or not to allow extension of operation during winter months, but that everyone is in favor of some sort of length of stay limit so that campgrounds are not used as residences. McBride stated that she lives close to Dakins Lake, which will have a cabin, and she feels that determining how long someone can stay in the cabin is a management issue. There was brief discussion about how this amendment is different because Dakins Lake is a public campground not a private campground.

Draft Dog Breeding and Boarding Ordinance Amendment

Moore stated that the previous ordinance on kennels for raising, breeding, and boarding of dogs and small animals was inadvertently removed during a previous ordinance amendment and would be going through the process to add it back as a conditional use. Moore stated that the kennel language in the CUP table would state "kennels for the raising, breeding and boarding of dogs or other small animals; provided, all buildings including exercise runways be at least 50 feet from all property lines and at least 200 feet from any residential district (or residential property) line" and went through the recently amended standards for private kennels in the Animal Control and Welfare Chapter of the Code of Ordinances that would also apply. Steele asked if there is any reason to believe that the standards were not functioning well prior to being inadvertently removed. Moore stated that he is not aware of any previous issues with the standards.

LESA Work Program Item


Schoeneman explained the Land Evaluation and Site Assessment (LESA) System is a point system that evaluates a site's suitability for agricultural use in relation to the soil productivity and locational, economic, and governmental factors. The LESA System consists of two parts, the land evaluation and the site assessment parts. Schoeneman went through examples of the process involved in assigning points to calculate the score. Discussion took place about the goal of the LESA System being to protect agricultural land, and not natural resources. Discussion took place about various scenarios affecting how points are assigned. Discussion took place about the relevancy of the LESA score as an exception to the 35-acre requirement given the Residential Parcel Subdivision process, which was approved in 2012. Comments were also made about having a way for property owners to know more readily the productive value of their property and options regarding divisions and use.

COMMENTS:

STAFF: Moore provided an update on items expected for the October agenda.

COMMISSION: McBride stated that the Planning and Development staff does an amazing job.

ADJOURNMENT: 5:50


Aaron Stute
Approval of Minutes

Chair 10/3/18
Title and Date