

**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

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| DATE: October 3, 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: Zaidy Tjelmeland, Scott Renaud

APPROVAL OF AGENDA (MCU)

APPROVAL OF MINUTES (MCU)
September 5, 2018

PUBLIC COMMENTS:
None

PUBLIC HEARINGS:

Ordinance No. 276, Amending Chapter 88 Of The Story County Land Development Regulations General Site Planning Standards - 88.04 Access

Amelia Schoeneman summarized the ordinance and stated that at the August 1 and September 5, 2018, Planning and Zoning Commission meetings, a previous draft of the proposed changes to the Access Easement Requirements—Section 88.04 of the Story County Land Development Regulations—was a discussion-only item and that tonight the item is being brought back for discussion and consideration. The proposed amendments were limited to clarifying the existing requirements based on feedback received at the August 1, 2018 meeting. The Commission had no further comments at the September meeting. Schoeneman stated that at the September 27, 2018, Conceptual Review meeting with County Departments, the County Engineer suggested including the required site distance of 500 feet in either direction in addition to the separation distance for driveways off County roads. Schoeneman clarified that this is an existing requirement but was not previously included in the ordinance. Schoeneman summarized the site distance requirement.

Smith questioned what would happen to someone that already purchased a lot and does not have

frontage. Schoeneman clarified that there is still an exception for lots that are buildable and do not have frontage. Murken clarified that new subdivisions would be where this amendment would come into play. Steele asked about a new parcel created through a single split. Moore stated that would be through a plat of survey process.

Scott Renaud with Fox Engineering stated that this ordinance has created conflict over the years and he believes that clarification could still be made. Renaud gave examples of when longer driveways may be needed and spoke about shared driveways. Renaud did not feel any length limit is necessary.

Steele asked if new lots are limited to having frontage and existing lots are limited to four lots taking access from an easement, what the advantage is to limiting the length. Schoeneman stated that after talking with the Engineer, the intent is to avoid long drives that provide access to multiple parcels and do not meet street specification standards. Smith stated if the intent is to require streets instead of easements, he does not understand the advantage of the maximum length requirement. Steele asked if the goal is to push people that have frontage. Schoeneman agreed. Smith asked if it is possible when an access extends beyond the 50 feet if some parameters for quality or width could be made to guarantee the quality of the driveway. Steele stated that nothing new is really being created, but rather trying to clarify the ordinance. Murken stated that she is concerned about emergency vehicles trying to get down a poorly designed driveway. Renaud stated that 50' is currently listed as a width and he does not have a problem with a required width, but length is an issue. Renaud also stated that the driveways should not be required to be better than the gravel road that gets to the property. Moore stated that the length requirement is to also ensure that easements are not extended. Smith stated he does not see an advantage to requiring a maximum length for driveways if only four existing lots may take access from an easement. Murken stated that the driveways should be as short as possible. Smith asked if the goal is to have a 50-foot limit with individual drives branching off after 50 feet or build a private road beyond the 50-foot limit. Moore stated that the regulations generally encourage developers to construct roads. Steele clarified that for lots with frontage on a public road, only when there are site distance issues for a drive can an access easement be used. Steele clarified that a private road could only be used in a subdivision to serve four lots. Mens felt that it would be easier to maintain one road than four separate driveways. Murken stated she does not see an advantage to the limit of 50' for emergency response purposes. Murken stated the 50-foot requirement could create more problems. Smith asked if there could be a compromise to allow a longer length for under four lots without frontage but for more than four lots, a private road would be required.

MOTION: Remand Ordinance No 276, Amending Chapter 88 of The Story County Land Development Regulations General Site Planning Standards – 88.04 Access back to staff with direction to consider the limit on the length of easements.

Motion: Smith

Second: Cable

Voting Aye: Murken, Cable, Steele, Smith, Mens

Voting Nay: None

Not Voting: None

Absent: McBride, Sherwood

Vote: (4-0)

Ordinance No. 277, Amending Table 90-1 Table Of Conditional Uses To Add “Kennels For The Raising, Breeding And Boarding Of Dogs Or Other Small Animals”

Moore stated that Planning and Development staff introduced the proposed ordinance for kennels at the September 5, 2018 Planning and Zoning Commission meeting. This ordinance had been inadvertently removed from the code and the proposed language is consistent with the language previously in the code. A question was raised by a commission member about whether there were any noted concerns with the previous ordinance and none were known to Planning and Development staff. Planning and Development staff also communicated that they met with Sue McCaskey, Story County Animal Control

Director, to discuss the kennel ordinance and to learn more about Story County Code of Ordinance Chapter 45, Animal Control and Welfare. Sue supports the request to reinstate the previous ordinance language and referenced several provisions in Chapter 45.11 Standards for Private Kennels that are also applicable. Under Chapter 45.11 Standards for Private Kennels, all private breeding kennels are required to obtain a temporary license from the Story County Animal Control until a state or federal license is obtained. There are general standards applying to air temperature and ventilation, providing adequate space for exercise, addressing animal waste, noise, minimum level of care, and Story County Animal Control is to be granted reasonable access for inspection. Moore stated that there is a dog breeding and dog day care request on hold waiting to submit Conditional Use Permit Applications.

MOTION: Recommend reinstatement of Ordinance No. 277, Amending Table 90-1 ordinance as presented amending Table 90-1 to add kennels for the raising, breeding and boarding of dogs or other small animals to Board of Supervisors

Motion: Murken

Second: Smith

Voting Aye: Smith, Cable, Steele, Mens, Murken

Voting Nay: None

Not Voting: None

Absent: McBride, Sherwood

Vote: (4-0)

ADDITIONAL ITEMS:

Proposed Amendments To Chapter 89, Home Businesses

Moore stated that the proposed changes to the home business ordinance aims to allow home business owners to plan for growth. The proposed language includes the ability for a minimal easing requirements and a significant easing of requirements and changing the review period from annual to biennial.

Smith stated that he understands the reasons for a minimum compliance period of two years prior to applying for an easing of requirements but has concern about a business wanting to expand before the two year period is up. Steele stated that a home business is a situation where there are supposed to be tight constraints. Steele stated he would like changes to be transitional. Murken stated that the proposed amendments are already expanding and feels someone could take advantage of the ordinance. Schoeneman stated the two year compliance timeframe was based on the proposed change to complete reviews of home businesses every two years, rather than annually as they are currently. Much discussion took place about growth of businesses that are not ready for commercial space. Moore stated that there are currently a number of home businesses that have more than one employee, outside storage, and more than one accessory structure. Murken asked if the intent would be to work with home business owners during a transition. Moore stated that currently we work with home business owners to bring them into compliance rather than immediately sending a Notice of Violation. Smith indicated staff should consider revising the amendment to require new home businesses to be in compliance to the home business regulations for one year and existing home businesses to be in compliance for two years before being allowed to request an easing of the regulations. There was further discussion on this item by the commission. Moore asked for direction from the commission on the item and there was not a consensus.

Proposed Amendments To Chapter 85 And Chapter 90, Commercial Campground

Emily Zandt summarized the comments from the commission during the last meeting and went through the proposed revisions to the Commercial Campground and Travel Trailer Park definition and Conditional Use Permit Supplemental Standards.

Mens asked if this would affect county parks. Moore stated that it would be for private campgrounds only. Cable asked for clarification about whether cabins could still be built and rented with the proposed ordinance revisions. Zandt stated that through the definition of Commercial Campgrounds and Travel

Trailer Parks, the construction of cabins is permitted.

COMMENTS:

STAFF: Moore stated that the American Planning Association designates October as National Planning Month and an open house is being planned with a goal of sharing information on recently passed ordinances and to communicate items being worked on currently. Moore provided the Commission with a lengthy list of upcoming cases and work program items for the November and December meetings.

COMMISSION: Smith asked what he needed to do to renew his spot on the commission since his term expires at the end of the year. Moore stated that it would require approval by the Board of Supervisors and that staff would reach out with more information.

ADJOURNMENT: 5:40


Approval of Minutes

Chair 11/7/18
Title and Date