

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



"Commitment, Vision, Balance"

**515-382-7245
515-382-7294 (FAX)**

**MINUTES
STORY COUNTY
PLANNING AND ZONING COMMISSION**

DATE: October 6, 2014	Nancy Couser, Chair	2015
	Susan Donaldson, Vice-Chair	2015
	*Nancy Miller	2016
	Scott Wendt	2017
CALL TO ORDER: 5:30 p.m.	*David Struthers	2017
PLACE: Public Meeting Room	Aaron Steele	2018
Administration Building	*Marvin Smith	2018
	*Absent	

ADJOURNMENT: 7:26 PM

PUBLIC PRESENT: Gene Takle, David Fincham, Ardis Fincham, Chuck Brekke, Emily Sorensen, Erin Zehm, Jane Zehm, Al Brooks, James Elliott

STAFF PRESENT: Charlie Dissell, Interim-Director; Ryan Newstrom, Planner

ROLL CALL: Couser, Donaldson, Wendt, Steele

ABSENT: Struthers, Miller, Smith

APPROVAL OF AGENDA (MCU)

APPROVAL OF MINUTES (MCU)

July 7, 2014

PUBLIC COMMENTS: Opened 5:32 p.m. – Closed 5:32 p.m.

None

OLD BUSINESS:

None

PUBLIC HEARING ITEM:

REZ02-14 BREKKE REZONING

Applicant: Chuck Brekke

Nature of Request: Rezoning from A-2 to CLI, Commercial Light-Industrial

Staff Member: Charlie Dissell

Parcel Number: 1008400420, 1008400425

STAFF PRESENTATION:

Mr. Charlie Dissell reviewed the proposed Rezoning as submitted. Mr. Dissell reviewed the proposed location and current zoning as well as a history of the property in the Findings of Fact.

Mr. Dissell reviewed the standards of approval and the dates legal notifications were published.

Mr. Dissell provided comments submitted by Interagency Review Team members as follows:

Charlie Kuester, City of Ames Planning

Appears consistent with the Ames Urban Fringe Plan.

Dave Swanson, Story County Appraiser

We will review the use of the parcel for the 2015 assessment.

Mr. Dissell also provided Commission members with possible Conditions of Approval and how such would be implemented.

Mr. Dissell provided the following alternatives for the Commission to consider:

- 1) *The Story County Planning and Zoning Commission recommend approval of the Official Zoning Map Amendment, as put forth in case REZ02-14, and directs staff to forward the recommendation onto the Story County Board of Supervisors.*
- 2) *The Story County Planning and Zoning Commission recommend conditional approval of the Official Zoning Map Amendment, as put forth in case REZ02-14, and directs staff to forward the recommendation onto the Story County Board of Supervisors.*
- 3) *The Story County Planning and Zoning Commission recommend denial of the Official Zoning Map Amendment, as put forth in case REZ02-14, and directs staff to forward the recommendation onto the Story County Board of Supervisors.*
- 4) *The Story County Planning and Zoning Commission delays decision on the Official Zoning Map Amendment, as put forth in case REZ02-14, back to the applicant and/or staff for further review and/or modifications, and direct staff to place this item on the November 6, 2014 Planning and Zoning Commission Agenda under Old Business.*

COMMISSION COMMENTS:

Ms. Nancy Couser asked for clarification regarding the proposed rezoning location. Mr. Dissell stated that two parcels are involved the proposed rezoning also stating that the proposal is considered to be only one total amendment area.

Mr. Aaron Steele asked for clarification regarding the Ames Urban Fringe Plan areas asking for the City of Ames' overall position. Mr. Dissell stated that the Ames Urban Fringe Plan is fostered to the City of Ames and that Story County will typically agree with the City of Ames' opinion.

APPLICANT COMMENTS:

Mr. Brekke

Mr. Brekke stated that staff has presented the proposal well and asked Commission for any questions.

PUBLIC COMMENT:

Mr. James Elliott

Mr. Elliott asked what the long range plan will be for surrounding residents if the Brekke property becomes CLI, Commercial Light-Industrial.

Mr. Steele and Mr. Dissell stated that the surrounding area is also the same category as the Brekke parcels. Mr. Dissell also stated that the zoning and use is under the purview of the County also stating that the City of Ames would be involved in any sort of subdivision or annexation. Mr. Steele clarified the possible rezoning process of Mr. Elliott's property.

COMMISSION COMMENTS:

None

MOTION: The Story County Planning and Zoning Commission recommend approval of the Official Zoning Map Amendment, as put forth in case REZ02-14, and directs staff to forward the recommendation onto the Story County Board of Supervisors. (MCU)

Motion: Steele

Second: Wendt
Voting Aye: Donaldson, Steele, Wendt, Couser
Voting Nay: None
Not Voting: None
Absent: Struthers, Miller, Smith

NEW BUSINESS:

CUP09-14 IOWA STATE UNIVERSITY CONDITIONAL USE PERMIT

Applicant: Al Brooks

Nature of Request: Conditional Use Permit to construct a Commercial Wind Energy Conversion System (C-WECS)

Staff Member: Ryan Newstrom

Parcel Number: 00301300400

STAFF PRESENTATION:

Mr. Ryan Newstrom reviewed the proposed Conditional Use Permit as submitted. Mr. Newstrom reviewed the proposed location and property background information.

Mr. Newstrom reviewed the standards of approval and the dates legal notifications were published.

Mr. Newstrom provided Commission members with the following proposed condition of approval:

1. *All vehicular parking associated with the construction, operation, or maintenance of the C-WECS shall take place on site and shall not at any time take place in the public right-of-way.*

Mr. Newstrom provided the following alternatives for the Commission to consider:

- 1) *The Story County Planning and Zoning Commission recommends approval of the Conditional Use Permit, as put forth in case CUP09-14, to the Story County Board of Adjustment, and directs staff to place the item on the November 5, 2014, Story County Board of Adjustment agenda.*
- 2) *The Story County Planning and Zoning Commission recommends conditional approval of the Conditional Use Permit, as put forth in case CUP09-14, to the Story County Board of Adjustment, and directs staff to place the item on the November 5, 2014, Story County Board of Adjustment agenda.*
- 3) *The Story County Planning and Zoning Commission recommends denial of the Conditional Use Permit, as put forth in case CUP09-14, to the Story County Board of Adjustment, and directs staff to place the item on the November 5, 2014, Story County Board of Adjustment agenda.*
- 4) *The Story County Planning and Zoning Commission delays decision on the Conditional Use Permit request, as put forth in case CUP09-14, back to the applicant and/or staff for further review and/or modifications, and directs staff to place this item on the November 6, 2014, Planning and Zoning Commission Agenda under Old Business.*

COMMISSION COMMENTS:

Mr. Steele asked for clarification regarding proposed lighting. Mr. Newstrom stated that the lighting would coincide with FAA regulations, which is outside the purview of the county.

Mr. Steele also questioned whether the County is comfortable with not having a decommissioning plan or not. Mr. Newstrom stated that staff had discussed such and came to the conclusion that such decommissioning plan is not required as it is a public university facility. Mr. Dissell clarified the use as being a component to a wind farm. Mr. Dissell also stated the cellular towers are not required to have a decommissioning plan, but are required to be removed to a state in keeping with the character of the surrounding area.

Mr. Steele asked what would happen if the public university negotiated with the property owner to keep the tower for personal use. Mr. Newstrom clarified stating that if the use stayed the same nothing would need to be done, but if the use were the change then a Change In Use would need to be submitted.

APPLICANT COMMENTS:

Mr. Brooks

Mr. Brooks clarified decommissioning plans stating that the intention is to restore the site via the contracted contractors. Mr. Brooks asked Commission members for any questions. Mr. Brooks provided an overview of the proposed research.

PUBLIC COMMENT:

Mr. David Fincham

Mr. Fincham stated that his mother is a surrounding property owner and asked whether surrounding properties will be affected by this proposal. Mr. Brooks stated that all work will be contained to the proposed property.

Mr. Fincham also asked if drainage will be affected. Mr. Brooks stated that the tower is being designed so that there will be a minimum impact on the property and explained the proposed construction. Mr. Brooks also gave an overview of the proposed access.

COMMISSION COMMENTS:

Mr. Wendt asked for clarification regarding wind turbine locations. Mr. Dissell stated gave a short overview of existing wind turbines.

MOTION: The Story County Planning and Zoning Commission recommends conditional approval of the Conditional Use Permit, as put forth in case CUP09-14, to the Story County Board of Adjustment, and directs staff to place the item on the November 5, 2014, Story County Board of Adjustment agenda. (MCU)

Condition: All vehicular parking associated with the construction, operation, or maintenance of the C-WECS shall take place on site and shall not at any time take place in the public right-of-way.

Motion: Steele

Second: Donaldson

Voting Aye: Steele, Wendt, Couser, Donaldson

Voting Nay: None

Not Voting: None

Absent: Struthers, Miller, Smith

PUBLIC HEARING ITEM:

ORD02-14 SECTION 90.10(6) SUPPLEMENTAL STANDARDS FOR COMMERCIAL WECS (C-WECS)

Nature of Request: Consideration of changes to the conditional use supplemental standards for commercial wind energy conversion systems to address Shadow Flicker.

Staff Member: Ryan Newstrom

STAFF PRESENTATION:

Mr. Newstrom reviewed findings of Shadow Flicker research regarding noise and light. Mr. Newstrom reviewed other US states that have implemented similar regulations regarding Shadow Flicker.

Mr. Newstrom reviewed staff's recommendations regarding proposed Shadow Flicker regulations.

Mr. Newstrom provided the following alternatives for the Commission to consider:

- 1) *The Story County Planning and Zoning Commission recommends amendments to Section 85.08 and Section 90.10 6 of the Code of Ordinances of Story County, Iowa, as recommended by staff, and directs staff to forward the recommendations onto the Story County Board of Supervisors.*
- 2) *The Story County Planning and Zoning Commission recommends amendments to Section 85.08 and Section 90.10 6 of the Code of Ordinances of Story County, Iowa, with revisions to the staff recommendation, and directs staff to forward the recommendations onto the Story County Board of Supervisors.*
- 3) *The Story County Planning and Zoning Commission recommends no amendments to Section 85.08*

and Section 90.10 6 of the Code of Ordinances of Story County, Iowa, and directs staff to forward the recommendation onto the Story County Board of Supervisors.

- 4) *The Story County Planning and Zoning Commission delays decision on possible amendments to Section 85.08 and Section 90.10 6 of the Code of Ordinances of Story County, Iowa, for further review and/or modifications, and direct staff to place this item on the November 6, 2014, Planning and Zoning Commission Agenda.*

PUBLIC COMMENT:

None

COMMISSION COMMENTS:

Mr. Wendt provided proposed decommissioning photos from a C-WECS located near his home. Mr. Wendt stated that the C-WECS was graciously moved by the company, which has put Mr. Wendt's home outside the 10 hour area. Mr. Wendt stated he was very pleased by staff's proposal.

Mr. Newstrom stated that Shadow Flicker has become a common issue.

Mr. Steele asked for clarification regarding Actual Exposure. Mr. Newstrom explained in detail the definition of Actual Exposure.

MOTION: The Story County Planning and Zoning Commission recommends amendments to Section 85.08 and Section 90.10 6 of the Code of Ordinances of Story County, Iowa, as recommended by staff, and directs staff to forward the recommendations onto the Story County Board of Supervisors. (MCU)

Motion: Steele

Second: Wendt

Voting Aye: Wendt, Couser, Donaldson, Steele

Voting Nay: None

Not Voting: None

Absent: Struthers, Miller, Smith

PUBLIC HEARING ITEM:

ORD03-14 SECTION 89.02 SIGNS

Nature of Request: Consideration of changes to sign regulations.

Staff Member: Charlie Dissell

STAFF PRESENTATION:

Mr. Dissell reviewed direction given by the Board of Supervisors to research current sign regulations. Mr. Dissell gave an overview of other similar Counties sign regulations and notated how they compare to Story County sign regulations.

Mr. Dissell reviewed staff recommendations to signage regulation changes.

Mr. Dissell provided the following alternatives for the Commission to consider:

- 1) *The Story County Planning and Zoning Commission recommends amendments to Section 89.02 of the Code of Ordinances of Story County, Iowa, as recommended by staff, and directs staff to forward the recommendations onto the Story County Board of Supervisors.*
- 2) *The Story County Planning and Zoning Commission recommends amendments to Section 89.02 of the Code of Ordinances of Story County, Iowa, with revisions to the staff recommendation, and directs staff to forward the recommendations onto the Story County Board of Supervisors.*
- 3) *The Story County Planning and Zoning Commission recommends no amendments to Section 89.02 of the Code of Ordinances of Story County, Iowa, and directs staff to forward the recommendation onto the Story County Board of Supervisors.*
- 4) *The Story County Planning and Zoning Commission delays decision on possible amendments to*

Section 89.02 of the Code of Ordinances of Story County, Iowa, for further review and/or modifications, and direct staff to place this item on the November 6, 2014, Planning and Zoning Commission Agenda.

PUBLIC COMMENT:

None

COMMISSION COMMENTS:

Possible sign regulation changes were discussed.

MOTION: The Story County Planning and Zoning Commission recommends amendments to Section 89.02 of the Code of Ordinances of Story County, Iowa, as recommended by staff, and directs staff to forward the recommendations onto the Story County Board of Supervisors. (MCU)

Motion: Donaldson

Second: Steele

Voting Aye: Donaldson, Steele, Wendt, Couser

Voting Nay: None

Not Voting: None

Absent: Struthers, Miller, Smith

COMMENTS

STAFF

DISCUSSION OF FUTURE MEETING DATES AND TIMES

Mr. Dissell opened a discussion of Commission meeting dates and times of monthly meetings. Mr. Dissell recommended moving away from Monday meetings as well as moving the meeting start time earlier in the day to save budgetary monies.

Commission members and staff discussed the pros and cons to the suggested meeting dates and time changes.

DISCUSSION OF JOINT MEETING WITH STORY COUNTY BOARD OF SUPERVISORS

Mr. Dissell stated that a joint meeting will be tentatively scheduled and encourages Commission members to recommend possible changes.

COMMISSION

Mr. Wendt asked for an update on the Nady Subdivision. Mr. Dissell stated that the Nady Subdivision had been approved by the Board of Supervisors.

Mr. Wendt questioned how C-WECS decommissioning is funded and requested staff to invite Jessica Reynolds, Assistant County Attorney, to a future meeting to educate the Commission further.

ADJOURNMENT: 7:26 PM

Nancy Couser
Approval of Minutes

11/6/14
Title and Date