

**STORY COUNTY
 PLANNING AND ZONING
 STORY COUNTY ADMINISTRATION
 900 6TH STREET
 NEVADA, IOWA 50201-2087
 515-382-7245**



"Commitment, Vision, Balance"

**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: August 7, 2019	*Marvin Smith, Chair	2023
	Jerry Cable, Vice Chair	2019
CALL TO ORDER: 4:03 PM	Kathy Mens	2022
PLACE: Public Meeting Room	*PJ McBride	2021
Administration Building	Jonathan Sherwood	2020
	*Doug Moore	2020
	Cheryl Moss	2020
	*Absent	

STAFF PRESENT: Jerry Moore, Director; Marcus Amman, Planner; Gabriel Nelson, Planning Intern; Stephanie Jones, Recording Secretary

PUBLIC PRESENT: Scott Renaud

APPROVAL OF AGENDA (MCU)

APPROVAL OF MINUTES Motion by Mens, Second by Moss for approval of July 10, 2019 Minutes (MCU)

PUBLIC COMMENTS

None

REZ02-19 and CUP07-19 Roland Veterinary Clinic

Jerry Moore presented the staff report for the proposed Rezoning and stated that the Story County Zoning Map Amendment Request is from the A-1 Agricultural District to the A-2 Agribusiness District and a Story County Cornerstone to Capstone (C2C) Comprehensive Plan Future Land Use Map Amendment Request from Rural Residential Area to the Commercial-Industrial Area. If the rezoning is granted, the applicant proposes to continue the existing veterinary practice on the property. The Roland Veterinary Clinic has operated since 1996 on the property and was previously permitted through a home business permit. The current owners of the property and veterinarian acquired the property and propose to continue the use with no building or site improvements on the property. The A-2 District permits "Animal hospitals, and veterinary clinics, provided however, that such uses not be permitted on parcels where the LESA score is 267-300." The LESA score is 238. The rezoning to the A-2 District and requested C2C plan amendment are compatible with the surrounding land use and standards for approval.

Marcus Amman presented background information for the proposed Conditional Use Permit and stated that the Roland Vet Clinic is proposing to add boarding of animals to their existing veterinary services. A

home business permit was issued for the veterinary clinic with a condition that no boarding of animals was permitted. Currently, there are four full-time staff members and 6-part time staff members. The clinic averages 16 clients a day including the boarding use. The clinic hours are 8 am to 5 pm weekdays and 8 am to noon on Saturdays. A grooming area has been added in the former clinic located in the dwelling. The grooming business meets the standards for a home business and a home business permit has been recently issued for the use. The total number of animals they are proposing to board is 40 dogs, 4 cats, and 2 horses. The keeping of horses relates to public or private stables that are principle permitted uses in the A-2 District.

MOTION: The Story County Planning and Zoning Commission recommends approval of the proposed Story County Zoning Map Amendment from the A-1 Agricultural District to the A-2 Agribusiness District and the Story County C2C Future Land Use Map Amendment from the Rural Residential Area to the Commercial-Industrial Area as put forth in case REZ02-19 to the Story County Board of Supervisors.

Motion: Mens

Second: Sherwood

Voting Aye: Mens, Sherwood, Moss, Cable

Voting Nay: None

Not Voting: None

Absent: McBride, Moore, Smith

Vote (4-0)

Amman presented the Standards of Approval from the Staff Report for the proposed Conditional Use Permit.

MOTION: The Story County Planning and Zoning Commission recommends approval of the Conditional Use Permit for the Roland Veterinarian Clinic Boarding as put forth in case CUP07-19, with the following condition:

- 1. The Roland Veterinarian Clinic must request and obtain a Conditional Use Permit Modification before any additional kennels may be added.**

Motion: Moss

Second: Mens

Voting Aye: Moss, Mens, Sherwood, Cable

Voting Nay: None

Not Voting: None

Absent: McBride, Moore, Smith

Vote: (4-0)

Stormwater Management and Erosion Sediment Control Ordinance Amendment

Jerry Moore presented the staff memo and stated that at the July 10, 2019 Planning and Zoning Commission meeting, staff presented a previous draft of the ordinance. The item was tabled to allow staff to address the comments received at the meeting from two engineers in attendance at the meeting. Moore stated Planning Staff communicated again with city and county staff whose stormwater ordinances we were closely patterning the County's ordinance amendment with in addition to others with expertise in stormwater management and erosion control. Moore further stated Planning staff revised the stormwater and erosion control ordinance amendment based on eight of the 12 comments received at the July 10, 2019 Planning and Zoning Commission meeting. Moore summarized the comments received, which did not involve changes being made to the proposed ordinance, which include: **1. Country Engineer Exception**—concern that the County Engineer is exempt from the ordinance requirements as well as comments received that resulted in changes. **2. Inspections required**—concern that County Staff may not

Voting Aye: Moss, Sherwood
Voting Nay: Mens, Cable
Not Voting: None
Absent: McBride, Moore, Smith
Vote: (2-2)

Motion failed due to a lack of support.

Review/Study on Subdivision Road Dedication and Road Signs

Gabriel Nelson presented background information and stated that staff completed on-site reviews of all residential subdivisions in the county. The purpose of the site reviews was to identify and determine if subdivision roads including private drives in unincorporated Story County have been dedicated to the public and report on the history, purpose, and current signage of these roads.

Cable had concerns about why the county should be involved with what signs people are putting on private property. Nelson indicated one of the subdivisions had a gate that was open during our site review. Mens asked if the county has any say with gated communities. Moore stated that discussion with emergency personnel should take place in the event of an emergency in the event that first responders could not get in. Moss asked if there should be cause for concern that the signs look like normal road signs. Nelson stated that the county engineer did state that if a sign is put in a subdivision that the property owner could be liable for what happens due to the sign being in place. Cable stated that if the private road is dedicated to the county if a sign could be put up that says private or homeowners only. Moore stated that the dedication would be for public use and discussion could take place so that there is uniformity in regards to signage if restriction is not being made to the public from using the road. Mens asked if signs could be purchased by the public. Nelson stated that signs can be purchased online that look just like government approved signs. Moore asked if the commission has any suggestions before this item is brought back to the Planning and Zoning Commission. Moss stated she is troubled by signs being placed by individuals creating a false security that the government has approved the signs.

Review on Audit of Story County Land Development Regulations on Smart Growth Strategies That Limit Natural Disaster Impacts

Jerry Moore presented the staff memo and stated that Auditing the Story County Land Development Regulations to determine whether we have Smart Development Practices that limit disaster impacts was carried forward from the 2018 Planning and Development Department Work Program. This item is derived from the Emergency Preparedness section 3.7 of the Foundation chapter of the Cornerstone to Capstone Plan. The goal of this work program item was for staff to identify Smart Growth/development strategies/practices and then compare those strategies/practices with the County's Land Development regulations to determine how resilient the County may or may not be in the event of a disaster such as flooding.

Moore stated that staff researched the Smart Growth Strategies developed by the American Planning Association and the strategies considered were: **1. Mixed Land Uses 2. Flexible Land Use Policies 3. Preserve open space, farmland, beauty and critical environmental areas 4. Develop in existing areas 5. Development decisions are predicable, fair and cost effective 6. Collaboration with development stakeholders and applicants 7. Target public investment to spear private investment 8. Rebuilding according to community vision 9. Be prepared for next disaster.** Moore went through some of the staff's findings from the consideration and analysis of the County's regulations and Smart Growth Strategies.

There was no commission discussion on the item.

be able to inspect all practices and compulsory language requiring inspections should be struck. 3. No minimum threshold for erosion and sediment control plan. 4. Final Stabilization definition may preclude native plantings.

Moore summarized the comments received that did result in changes to the proposed ordinance and provided the solution for each item. Those items include: 1. Redevelopment sites pose unique challenges and increased costs. 2. Stormwater quantity requirements may increase downstream flooding. 3. Requiring Engineering Analysis to show the selected practices meet the criteria for stormwater management is burdensome. 4. Requirements for stabilization of disturbed area in the erosion and sediment control ordinance did not match state NPDES permit requirements. 5. The requirements for a stabilized construction entrance do not specifically refer to SUDAS standards. 6. The requirement that "disturbed slope lengths shall be broken up into several smaller slopes by installing silt fence, filter berms, filter socks, or other flow diversion sediment control BMP as needed to prevent concentrated flow" is vague. 7. Buffer requirements from environmentally sensitive features and watercourses may not allow restoration/stabilization of areas in poor condition. 8. A definition of "site" was suggested to be added.

Scott Renaud spoke and stated that he would like to see things with the ordinance kept simple. Renaud feels that when things are made complex things go wrong and unintended consequences happen. Renaud would like to see the homebuilders be held responsible rather than the developer by standards being made clear. Renaud spoke about infiltration, channel volume and overbank protection requirements being eliminated. Renaud does not agree with erosion control being monitored by the county and feels state standards should be used.

Cable asked if it would be possible to require an engineer stamp on all developments rather than having an ordinance. Moore stated that currently the ordinance does not require that and if we only required an Iowa licensed engineer to sign development drawings the ordinance still would not provide the needed clarity. Renaud stated that there is multiple interpretations on how to determine state laws. Renaud feels that the standard he would like to see is a 5-year existing storm discharge up to 100 year detained storage, which sets the size of a pond. Renaud spoke again about infiltration practices with top soil management being an important factor. Sherwood stated that this ordinance has been worked on for a couple years now and he would like the Commission to consider supporting the proposed ordinance amendment recommended by Planning staff.

MOTION: The Planning and Zoning Commission support the proposed Stormwater Management and Erosion and Sediment Control Ordinance as presented.

Motion: Sherwood
Second:

Motion failed due to lack of a second.

Additional discussion took place. Moore stated that this ordinance has been worked on for over two years and the work group has met to discuss the ordinance and a lot of good feedback was received and incorporated into the proposed ordinance. Moore stated that the version proposed tonight is the version being proposed to move forward to the Board of Supervisors. Mens feels that things get complicated when there are too many rules. Renaud stated that due to an illness he missed two months of work so his comments were late. Renaud reiterated that he would like things to be kept simple and to recognize that things are different in cities vs rural areas.

MOTION: The Planning and Zoning Commission supports the proposed Stormwater Management and Erosion and Sediment Control Ordinance as presented.

Motion: Moss
Second: Sherwood

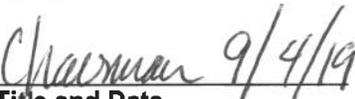
COMMENTS:

STAFF: None

COMMISSION: None

ADJOURNMENT: 6:21PM


Approval of Minutes


Title and Date