



"Commitment, Vision, Balance"

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

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: 08/02/2023	Ben Jensen, Chair	2025
	Ray Lee, Vice Chair	2023
CALL TO ORDER: 4:00 PM	Debbie Younkin	2026
	*Kathy Mens	2027
PLACE: Public Meeting Room	*Bart Clark	2025
Administration Building	Gary Guthrie	2023
	Dalton Johnston	2024
	*Absent	

Special Note: Members of the public could also participate via Zoom.

STAFF PRESENT: Amelia Schoeneman, Director; Marcus Amman; Planner; Leslie Day, Recording Secretary

PUBLIC PRESENT: Lynn Comito

APPROVAL OF AGENDA:

MOTION: Jensen moved to approve the agenda as presented.

Voting Aye: (MCU)

Voting Nay: None

Not Voting: None

Absent: Mens, Clark

APPROVAL OF MINUTES:

MOTION: Jensen moved to approve the minutes from the June 7, 2023 and the July 12, 2023 meetings.

Motion: Younkin move to approve the minutes for both meetings with an amendment to the July 12th minutes to add the correction of the street name from 210th St. to 215th St.

Second: Johnston

Voting Aye: Guthrie, Younkin, Jensen, Johnston, Lee

Voting Nay: None

Not Voting: None

Absent: Mens, Clark

PUBLIC COMMENTS: None.

PUBLIC HEARINGS: Discussion And Consideration Of Ordinance 312 Amendments To Chapter 80.14 GF –General Floodplain District, Chapter 80.15 Administration, Chapter 85.08 Definitions, And Chapter 89.01 Home Businesses - Amelia Schoeneman

Schoeneman presented on the Ordinance 312 Amendments to Chapter 80.14 GF –General Floodplain District, Chapter 80.15 Administration, Chapter 85.08 Definitions, And Chapter 89.01 Home Businesses.

Guthrie asked if a permit would not be required, but permission to do work would.

Schoeneman responded a permit is needed, but it would no longer require a professional engineer involved in the permit process, just in the floodplain where FEMA has not given guidance where the main channel is.

Younkin referred to one of the graphic examples (Figure 1: Example Stream Bank Stabilization Project), and said that in page 4 of 9 of the Ordinance it says:” a finished slope of no steeper than

three (3) feet horizontal to one (1) foot vertical rise” but the graphic shows a slope of two feet by one foot. She suggested changing the graphic to three feet if she is correct.

Schoeneman clarified that there are two sections under sub section three sub parent c. (Ordinance 312 Chapter 80.14 GF – General Floodplain District Section 3.F. Subsection (3) sub parent c) that talk about a slope.

Younkin clarified she was referring to Subsection 4 of F (Ordinance 312 Chapter 80.14 GF – General Floodplain District Section 3.F. Subsection (4))

Schoeneman explained that this figure refers to if revetment material is added (Subsection 3). The mowed banks section (Subsection 4) is not quite a steep slope. She added that consultation with the DNR was made and that is what was suggested.

PUBLIC COMMENTS:

Lynn Comito, 5517 Arrasmith Trail, Ames Iowa. Stated her comment was regarding the Home Business changes to the ordinance. She stated that when she reviewed the state code, she found that maybe the changes made are in conflict with the State Code. Comito proceeded to read aloud: “A county shall not prohibit a no-impact home-based business or otherwise require a person to apply, register, or obtain any permit, license, variance, or other type of prior approval from the county to operate a no-impact home-based business”. She said, because there is a lot of language in the ordinance about approval, she was not sure if there was going to be a review process for all home businesses. Also, there may be reasonable regulations, if the regulations are tailored for any of the particular services, and proceeds to list the services. But, in section E of the Ordinance (89.01 Home Businesses Section 1 Subsection E) it states: “It shall not be objectionable to its surroundings due to nuisance factors such as exterior appearance” Comito said she believes that is not well defined and may be in conflict with state code. She thinks the state code is very specific about the restrictions that can be put in home businesses by the county. So, she believes the ordinance could be more specific and consistent with the state code.

Schoeneman stated that the ordinance is run by the county attorney for review. The other portion of State Code is that the county can stablish reasonable regulations for health, safety and welfare or to ensure that a home business is compatible with residential use of property and the surroundings residential uses which covers the nuisance issues.

MOTION: Johnston moved to approve the Ordinance 312 as presented: An Ordinance amending Chapter 80.14: GF General Floodplain District, Chapter 80.15: Administration, Chapter 85.08: Definitions, and Chapter 89.01: Home Businesses, of the Story County Code of Ordinances.

Motion: Johnston

Second: Lee

Voting Aye: Guthrie, Younkin, Johnston, Lee, Jensen.

Voting Nay: None

Not Voting: None

Absent: Mens, Clark

Motion passed.

COMMENTS:

Staff: Schoeneman announced she would be starting a new job as a Planner for the City of Ames.

Jensen asked what was the interim plan.

Schoeneman said there is a plan to have an interim, she does not know who. But was hoping it will be announced by the following meeting.

Board:

Younkin has a question about conflict of interest and asked Schoeneman if she could ask questions to her as an Ames City Planner if she's in the Planning and Zoning Commission for Story County.

Schoeneman clarified there was no conflict of interest.

ADJOURNMENT: 4:20 PM

Ben Jensen

Approval of Minutes

Chair 10/4/23

Title and Date