

STORY COUNTY PLANNING AND DEVELOPMENT
STORY COUNTY ADMINISTRATION
900 6TH STREET
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"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: September 8, 2021	Cheryl Moss	2025
	Debbie Younkin	2021
CALL TO ORDER: 4:00 PM	Kathy Mens, Vice Chair	2022
PLACE: Zoom Meeting Originating	Wendie Schneider	2023
From Administration Building	Ben Jensen	2020
	Ray Lee	2023
	Dalton Johnston	2024
	*Absent	

STAFF PRESENT: Amelia Schoeneman, Director; Marcus Amman, Planner; Andrea Wagner, Planner, Stephanie Jones, Recording Secretary

PUBLIC PRESENT: Sandra Hunter, Anthony Rhoad

APPROVAL OF AGENDA (MCU)

Motion by Mens, Second by Johnston to approve agenda

Voting Aye: Mens, Johnston, Schneider, Younkin, Moss, Lee, Jensen

Voting Nay: None

Absent: None

APPROVAL OF MINUTES

August 4, 2021

Motion by Schneider, Second by Moss to approve the August 4, 2021 minutes.

Voting Aye: Schneider, Moss, Lee, Mens, Jensen, Younkin, Johnston

Voting Nay: None

Absent: None

PUBLIC COMMENTS: None

PUBLIC HEARINGS

Chapter 85 – General Provisions, Chapter 89 - Home Businesses And Signs, And Chapter 92 – Administration Of The Story County Land Development Regulations

Amelia Schoeneman stated that staff has completed changes to Chapter 89 – Home Businesses and Signs, Chapter 85.08 – Definitions, and Chapter 92.10 – Required Permits, of the Story County Land Development Regulations. At the June 2, 2021 meeting staff presented a previous draft of the Ordinance to the Planning and Zoning Commission, and asked the Commission for feedback. Based on the Commission’s feedback the following changes have been incorporated into the ordinance:

- Removal of requirement regulating the square footage of an accessory building associated with a home business.
- Revision of language addressing off-site employees—rather than regulating the number of daily or weekly visits an off-site employee can make to the home business site or the duration of time they can spend on the site, off-site employees shall meet traffic and parking standards.
- Addition of language addressing off-site storefront or storage: “Business operations shall be conducted entirely within the dwelling or accessory building on-site (located on the same lot, parcel, or tract of land). There shall be no off-site storefront or storage.”
- Revision of definitions of on-site employee and off-site employee to meet traffic and parking standards rather than regulating duration.
- A parking maximum of five off-street parking spaces is now required for all home businesses.
- Amendment of the number of vehicular trips permitted by a home business from six trips a day per person living in the household to 10 visits (20 trips) a day (generated by clients, employees, and delivery services).
- Addition of language permitting home businesses that give classes as long as they meet the traffic and parking standards.
- Revision of requirements for Dark Sky compliant sign lighting.
- Temporary signs up to 32 cumulative square feet in size are now required to receive permission from the property owner(s) or current resident(s) and removed within the 90-day time limit.
- Clarification of when illuminated signs constructed upon or affixed to a mobile or portable devices are permitted: “With the exception of vehicles used for emergency and road construction/maintenance purposes, no illuminated sign shall be constructed upon or affixed to a mobile or portable device.”

Anthony Rhoad stated that he has a martial arts program and has concerns about the parking requirements. Rhoad stated that the proposed ordinance doesn’t affect him, but he is aware of some business owners that it does. He feels that many times home businesses are used for supplementing income and it would not be feasible to operate a store front because of costs involved. He felt that there were not any complaints/code enforcement issues with home businesses and that the ordinance wasn’t addressing an actual problem. Rhoad also stated that he had copies of letters in opposition to the home business ordinance, but did not distribute to the commission.

Sandra Hunter stated that she operates a Christmas Tree Farm. Several customers go to her property during the short time that her business is open each year. Hunter stated that Schoeneman had already answered her question and was satisfied that her situation would be considered legal nonconforming.

Questions/Comments by the Commission included on:

- Parking and traffic restrictions.
- If the allowed trips per day could be made into a weekly average. Staff was concerned that this may allow a home business to have 50 trips one day a week and be within the standards. Staff noted that they often work with home businesses to consider average traffic generation, if the traffic generated isn't significantly over the limit.
- If the limit of five parking spaces was too restrictive.
- How complaints are handled.

Motion by Johnston, Second by Schneider to approve Ordinance 296, amending Chapter 89 – Home Businesses and Signs, Chapter 85.08 – Definitions, and 92.10 – Required Permits, of the Story County Land Development Regulations, of the Story County Code of Ordinances.

Voting Aye: Johnston, Schneider, Moss, Lee, Younkin

Voting Nay: Mens, Jensen

Absent: None

Vote (5-2)

NEW BUSINESS

Chapter 85 - General Provisions, Chapter 86 - District Requirements, And Chapter 88 - General Site Planning Standards Of The Story County Land Development Regulations

Andrea Wagner stated that staff has completed a draft of proposed changes, provided a thorough summary and requested feedback from the Commission. The amendments address the lack of provisions to allow hobby livestock in residential zoning districts. Staff has had several recent requests for backyard chickens that we could not allow in the A-R or R-1 Zoning Districts.

Changes include:

- Adding a new section to Chapter 88 concerning the keeping of non-commercial livestock in A-1, A-R, R-1, and R-2 districts.
- Adding a table showing the total maximum animal densities by type for the applicable zoning districts.
- The new section includes provisions for 35 net-acre properties in the A-1 district that remove density maximums for non-commercial livestock.
- Provisions for adequate housing of non-commercial livestock.
- A specific section for the keeping of bees in residential districts and the A-1 district.
- Changes and additions to Chapter 85—New and amended definitions include “apiary,” “agriculture – livestock production,” “colony,” “commercial livestock,” “hive,” and “non-commercial livestock.”
- The definition of non-commercial livestock states the animals are for hobby purposes.
- Changes to Chapter 85 also include the removal of the definition of “livestock,” as there is now a delineation between commercial and non-commercial livestock. The definition of commercial livestock was expanded based on the previous direction of the commission.
- Chapter 86 includes the addition under Permitted Accessory Uses for the A-1, A-R, R-1,

and R-2 districts of the keeping of non-commercial livestock, subject to standards laid out in Chapter 88. An example of how this is included in the A-1 District is included on the agenda center.

- Changes and additions to the Land Development Regulations were based on discussions with Story County Animal Control, as well as ordinances from other counties both in Iowa and elsewhere in the U.S. An Iowa State Extension guide regarding local foods was also used as a resource.

Questions/Comments by the Commission included:

- Maximum number of animals thresholds, and possibly covering goats under “nuisances” if they are left solitary rather than having special requirements for goats.
- How a determination would be made between pets and animals. Schoeneman stated that there may already be a definition of a pet in the Animal Control chapter. Schoeneman stated the goal here is to make it possible for people to have chickens and other animals since they are currently not allowed and many requests are received to allow.
- Using a combination maximum may be a more appropriate phrase to use in the density table. Discussion took place weight requirements for animals. Jensen asked about clarifying adjacent lots and how they counted towards animal density allowances. Johnston feels having a maximum of 8 chickens is too little, as most people that have chickens have more than that.
- Jensen had a concern about older farm buildings on a property not meeting the proposed setback requirements for the housing of hobby livestock. The commission voiced support for outdoor enclosures being allowed closer to property lines than what is currently proposed.
- If prohibiting roosters outside of the A-1 district was too restrictive. Suggested using an acreage requirement for roosters rather than a zoning district-based requirement.
- Horses being considered non-commercial livestock. (If raising horses and selling the foals would it be commercial or non-commercial?)
- The safety of bee keeping in residential areas where children may be around and the possible need for non-commercial beekeepers to be licensed through the state.
- Provide information on the proposed ordinance to 4-H and FFA.

COMMENTS:

Staff: The hobby livestock amendments may come back to the commission in October, as well as the natural resources ordinance, and possibly the YSS case will be ready.

Commission: None

ADJOURNMENT: 5:53 PM

Cheryl Moss
Approval of Minutes

PZC Chair 10/6/21
Title and Date

