

CITY OF HUXLEY

MONDAY ** OCTOBER 24, 2016 ** CITY HALL ** 6:30 P.M.

CITY COUNCIL CHAMBERS

REGULAR SESSION OF THE CITY OF HUXLEY'S PLANNING AND ZONING COMMISSION

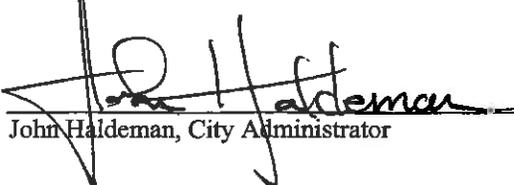
PUBLIC NOTICE IS HEREBY GIVEN THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF HUXLEY, IOWA, WILL MEET IN THE HUXLEY CITY COUNCIL CHAMBERS, 515 NORTH MAIN AVE., HUXLEY, IOWA, IN A REGULAR SESSION AT 6:30 P.M. ON TUESDAY THE 24TH DAY OF OCTOBER, 2016 TO CONSIDER THE MATTERS ENUMERATED IN THE AGENDA BELOW:

- 1.0) ROLL CALL
- 2.0) MOTION TO APPROVE THE MINUTES FROM THE FOLLOWING MEETINGS:
 - 2.1) AUGUST 29, 2016 – Regular Meeting

COMMISSION AGENDA ITEMS:

- 3.0) PUBLIC HEARING : NONE
- 4.0) DISCUSSION AND POSSIBLE ACTION
 - 4.1) Final Plat for Meadow Lane Plat #2
 - 4.2) Final Plat for Bella Vista
 - 4.3) Discussion and Possible action on Ag Ordinance. Action would be either favorable or unfavorable recommendation to the City Council.
 - 4.4) Residential Rentals
 - 4.5) Property Setback for Manufactured Housing Community – R4
- 5.0) COMMENTS AND UPDATES
City Staff and Engineer, Mayor and Council and Public
- 6.0) ADJOURNMENT

THIS NOTICE IS HEREBY GIVEN AT LEAST 24 HOURS PRIOR TO THE COMMENCEMENT OF THE MEETING SPECIFIED ABOVE. THIS WAS DONE BY ADVISING THE NEWS MEDIA WHO HAVE FILED A REQUEST FOR NOTICE AND BY POSTING THE NOTICE ON THE FRONT WINDOW IN THE LOBBY AREA IN CITY HALL THAT IS ACCESSIBLE TO THE PUBLIC. THIS WAS ALL PURSUANT TO CHAPTER 21 OF THE CODE OF IOWA.



John Haldeman, City Administrator

**City of Huxley
Planning and Zoning Commission**

August 29, 2016 Meeting

6:30 PM-Huxley City Council Chambers

1.0) CALL TO ORDER AND ROLL CALL:

Chairman Roger Bierbaum called the P&Z Meeting to order at 6:30 PM. P&Z members present:

Roger Bierbaum	<input checked="" type="checkbox"/>	Larry Wilson	<input checked="" type="checkbox"/>
Seana Godbold	<input type="checkbox"/>	Mark Johnson	<input checked="" type="checkbox"/>
Mike Schonhorst	<input type="checkbox"/>	Nate Easter	<input checked="" type="checkbox"/>
Gordon Mosher	<input checked="" type="checkbox"/>		

Mike Schonhorst entered meeting after the vote on the minutes.

Quorum Present

Guests present: Eric Cannon (Snyder and Associates), Duane Jensen and Todd Petersen

Staff present: John Haldeman, Zoning / City Administrator; Jim Nervig, City Attorney; Forrest Aldrich, City Engineer.

2.0) MOTION TO APPROVE THE MINUTES FROM THE FOLLOWING MEETING:

3.0)

- 3.1) July 18, 2016 REGULAR MEETING** - Motion by Mosher and seconded by Johnson to approve minutes. Roll was taken. 5 Ayes 0 Nays

AGENDA ITEMS:

4.0) PUBLIC HEARING: NONE

4.0) COMMISSION AGENDA ITEMS:

4.1) Discussion and Possible action on request from Duane Jensen regarding Lot #52 and the change of usage from multi-family to uses compatible with R-2. Action would be either to approve a favorable or unfavorable.

Chairman Bierbaum opened the discussion on this topic by calling on Duane Jensen to present his request. Duane indicated that he has been trying to purchase this ground for three years without success and was surprised that he was able to purchase it that particular evening.

Commission members asked Administrator Haldeman what they were to consider. He indicated that it was Jensen's request to change the usage from R-3 to R-2. Duane had an illustration of what the layout would be for the single family lots which are allowed under R-2.

Schonhorst asked what had changed in the market conditions from May 20th. Duane mentioned all the developments underway from Bella Vista, Petersen apartments and Madrid Home. It was pointed out that all those were in the works prior to May 20th. Haldeman indicated that it was mentioned that the market condition had changed but nothing visual or written was presented to support it.

Commission members asked Attorney Jim Nervig questions about the Purchase Agreement. He indicated that the agreement had language that the developer could determine whether or not conditions warrant the project. However, he had to build \$440,000 of constructed value within 12 months of the date of closing.

Easter indicated that due to section 2 (E) he moved to recommend favorably on Jensen's request. Seconded by Johnson. Motion carried 6-0.

4.2) Discussion and Possible action on Site Plan for Todd Petersen's development Prairie Ridge Apartments on East First. Action would be either to approve a favorable or unfavorable recommendation to the City Council.

Forrest Aldrich indicated that there were 3 items that have not been closed out on the review. They were;

1. Lighting plan to be provided
2. Show the existing plants on the berm
3. Check the Trench Drains to make sure they have hydraulic capacity

There was discussion on these points. Also an email from Lynda Madison was read regarding her concerns. It was asked about the berm and it is going to remain. On the Landscaping Plan it was noted that it showed foundation plants on the north side of the structures. Nate Easter mentioned that he would like to see those taken away and substitute larger plants on the berm. It was also noted that the parking area for the units would be south of the buildings. This should drastically reduce car lights from shining on the homes.

A question came up on the addressing of the unit to west end of this development and it was. Currently the empty lot is listed as 202 Parkridge. The request was to change it to 503 East First Street.

Schonhorst moved that the three items that came in yet to do and the three additional items from meeting be forwarded on to Council to be completed and approved by the City's engineer prior to Council reviewing the plan. Easter seconded the motion. Motion carried 6-0.

The three additional items to be added were;

4. Move the foundation bushes on the north sides of the building to the berm.
5. Change the address for Lot 54 on Sheet 2 from 202 Parkridge to 503 East 1st Street.
6. Evaluate changing the drainage connection route connecting the storm sewer to the existing intake located to the southeast of the site.

Items 4.1 and 4.2 will be tentatively scheduled for the September 13th Council meeting.

5.0) COMMENTS AND UPDATES
City Staff and Engineer, Mayor and Council and Public

Discussion took place on annexation. It was moved by Nate Easter and seconded by Larry Wilson to ask the City Council to investigate the possibility of annexing ground South to Highway 210 and along Highway 210 to I-35. Motion carried 6-0.

Update to Planning and Zoning on projects around town and MPS.

6.0) ADJOURNMENT – Motion by Easter and second by Schonhorst to adjourn. Motion carried 6-0

Meeting adjourned at 7:32 PM.

Roger Bierbaum, Chairman

Date of Approval

Attest:

John Haldeman, Zoning Administrator

**4.1) FINAL PLAT
FOR MEADOW
LANE PLAT #2**



October 20, 2016

Shane Devick
Civil Engineering Consultants, Inc.
2400 86th Street, Suite 12
Urbandale, Iowa 50322

HUXLEY, IOWA
MEADOW LANE PLAT 2
FINAL PLAT

We have reviewed the final plat for Meadow Lane Plat 2 and offer the following comments:

1. The purpose and restrictions of the elevations and slopes shown on Lots 4 through 20 should be stated.
2. Percent slopes need to be shown between the elevations on Lots 5 through 19.
3. Elevations need to be shown at each property corner in front of each lot.
4. The overland flowage easement across the back of Lots 6 through 12 need to be labeled as "public" or "private" to designate the party responsible for maintenance of the easement.
5. Based on the elevations shown and assuming the elevations are at the bottom of the swale, it appears the swale bottom is running along the edge of the easement boundary. It appears the easement needs to be widened or the swale graded more towards the center of the easement.
6. Verify the existing water main is located in the center of the 10-foot wide water main easement across Lot 164. The construction plans show the water main to be located along the south line of the water main easement. We suggest having one easement that is 70 feet in width across Lot 164 that encompasses water, storm and sanitary.
7. In reviewing the grading plan in the construction plans it appears an overland flowage easement may be needed along the south edge of Lot 164. Evaluate combining overland flowage easement with sanitary and storm sewer easement.

Shane Devick
October 20, 2016
Page 2

If you have any questions or comments, please contact us at 225-8000.

VEENSTRA & KIMM, INC.

Forrest Aldrich

Forrest S. Aldrich

FSA:dml
45233

cc: John Haldeman, City of Huxley
Jeff Peterson, City of Huxley
Steve Quick

**VEENSTRA & KIMM, INC.**

3000 Westown Parkway - West Des Moines, Iowa 50266-1320

515-225-8000 - 515-225-7848 (FAX) • 800-241-8000 (WATS)

October 21, 2016

John Haldeman
City Administrator
City of Huxley
515 N. Main Avenue
Huxley, Iowa 50124

CITY OF HUXLEY, IOWA
MEADOW LANE PLAT 2
FINAL PLAT

We have reviewed the final plat for Meadow Lane Plat 2 and find it acceptable except for the following items:

- Percent slopes need to be shown between the elevations on Lots 5 through 19.
- Elevations need to be shown at each property corner in front of each lot.

Also, legal plat documents need to be submitted as described in the City's e-mail sent yesterday.

If you have any questions or comments, please contact us at 225-8000.

VEENSTRA & KIMM, INC.

Original Signed By
Forrest S. Aldrich

Forrest S. Aldrich

FSA:dml
45233

cc: Jeff Peterson, City of Huxley
Steve Quick
Shane Devick, Civil Engineering Consultants, Inc.



October 20, 2016

Shane Devick
Civil Engineering Consultants, Inc.
2400 86th Street, Suite 12
Urbandale, Iowa 50322

HUXLEY, IOWA
MEADOW LANE PLAT 2
FINAL PLAT

10-20-16 Comment below in RED by CEC.
We have reviewed the final plat for Meadow Lane Plat 2 and offer the following comments:

1. The purpose and restrictions of the elevations and slopes shown on Lots 4 through 20 should be stated. A note was added: center of street 2
2. Percent slopes need to be shown between the elevations on Lots 5 through 19.
New 213 will be completed at a later date as discussed
3. Elevations need to be shown at each property corner in front of each lot at Council.
4. The overland flowage easement across the back of Lots 6 through 12 need to be labeled as "public" or "private" to designate the party responsible for maintenance of the easement. Done
5. Based on the elevations shown and assuming the elevations are at the bottom of the swale, it appears the swale bottom is running along the edge of the easement boundary. It appears the easement needs to be widened or the swale graded more towards the center of the easement. Easement has been widened.
6. Verify the existing water main is located in the center of the 10-foot wide water main easement across Lot 164. The construction plans show the water main to be located along the south line of the water main easement. We suggest having one easement that is 70 feet in width across Lot 164 that encompasses water, storm and sanitary. Done
7. In reviewing the grading plan in the construction plans it appears an overland flowage easement may be needed along the south edge of Lot 164. Evaluate combining overland flowage easement with sanitary and storm sewer easement. Done

Shane Devick
October 20, 2016
Page 2

If you have any questions or comments, please contact us at 225-8000.

VEENSTRA & KIMM, INC.

Forrest Aldrich

Forrest S. Aldrich

FSA:dml
45233

cc: John Haldeman, City of Huxley
Jeff Peterson, City of Huxley
Steve Quick

**4.2) FINAL PLAT
FOR BELLA
VISTA**



VEENSTRA & KIMM, INC.

3000 Westown Parkway • West Des Moines, Iowa 50266-1320

515-225-8000 • 515-225-7848 (FAX) • 800-241-8000 (WATS)

October 20, 2016

Bob Gibson
Civil Design Advantage LLC
3405 SE Crossroads Drive, Suite G
Grimes, Iowa 50111

HUXLEY, IOWA
BELLA VISTA SUBDIVISION
FINAL PLAT

We have reviewed the final plat for the Bella Vista Subdivision and offer the following comments:

1. Dimension the right-of-way at Lot 2.
2. Lots 10 through 16 show a storm sewer easement along the back of the lots. What is the purpose of this easement?
3. The overland stormwater flowage easements along the back of Lots 1 through 9 and Lots 17 through 24 are proposed to be public easements where the City is responsible for the maintenance of the drainage swales. This needs to be discussed with the City.
4. The "Public Water Main, Electric and Sidewalk Easement" document states the maintenance of the sidewalk between Lots 14 and 15 and across Outlot X is the responsibility of the City. The "Declaration of Covenants, Conditions, Easements and Restrictions" for Bella Vista in Paragraph 1.B(6) states the Association will be responsible for the sidewalk in Common Areas which includes Outlot X. The responsibility for the maintenance of the sidewalk needs to be clarified and stated on the final plat.
5. We understand the culverts, flume, rip-rap and pond maintenance located within Outlot X will be the responsibility of the Association. This should be stated on the final plat.
6. The rip-rap and pond maintenance located along the back of Lots 10 through 16 should not be the responsibility of the City. Reading the easement language it could be interpreted this maintenance is the City's responsibility.

Bob Gibson
October 20, 2016
Page 2

- 7. Elevations and percent slopes need to be shown at the low point along the back yard drainage swales at each property line on Lots 1 through 9 and Lots 17 through 24.**
- 8. Elevations need to be shown at each property corner in the front of each lot.**
- 9. The purpose and restrictions of the elevations and slopes shown should be stated.**

If you have any questions or comments, please contact us at 515-225-8000.

VEENSTRA & KIMM, INC.

Forrest Aldrich

Forrest S. Aldrich

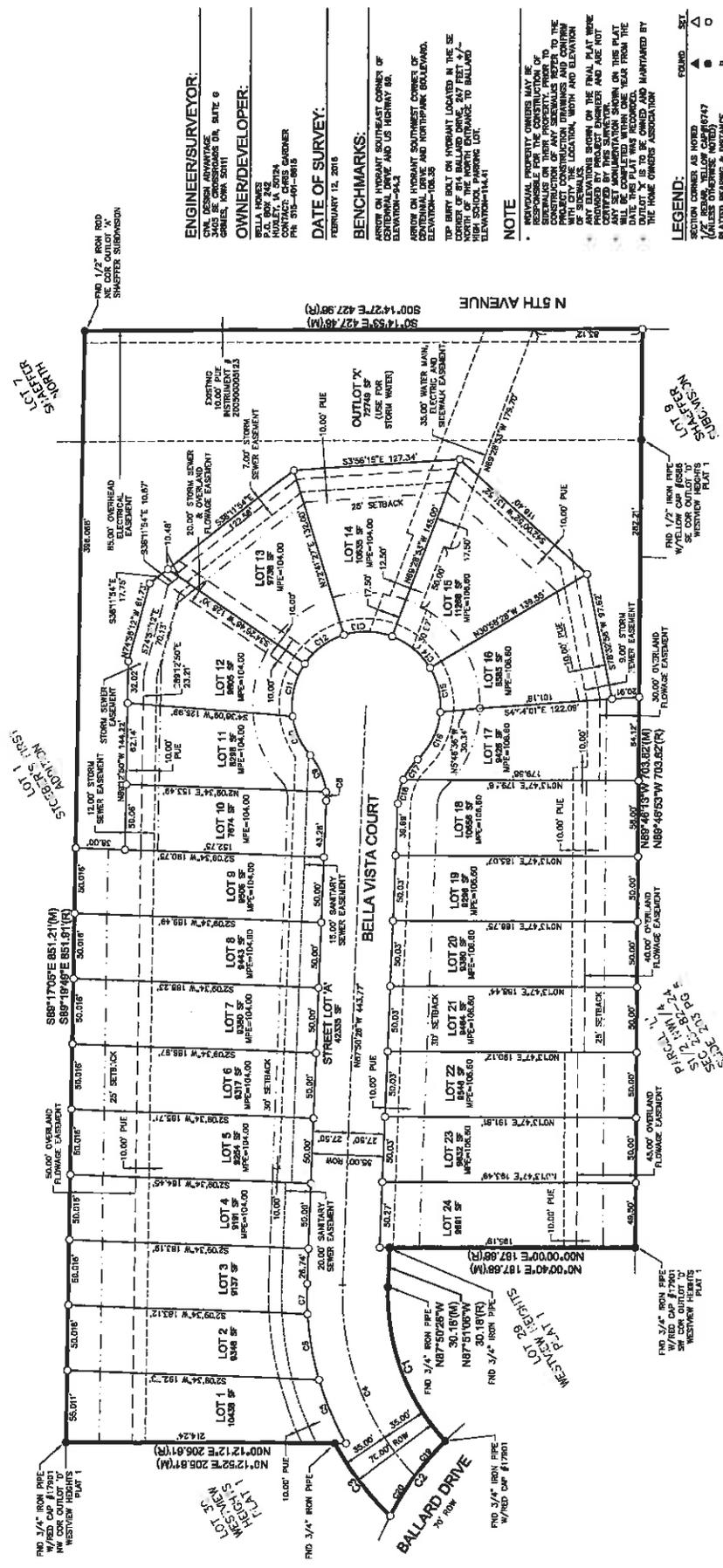
FSA:dml
45229-006

cc: John Haldeman, City of Huxley
Jeff Peterson, City of Huxley
Chris Gardner, Bella Homes

BELLA VISTA FINAL PLAT

BELLA VISTA FINAL PLAT

1/1
15-1-2016



ENGINEER/SURVEYOR:
CIVIL DESIGN ADVANTAGE
3405 S.E. CROSSROADS DRIVE, SUITE G
GRIMES, IOWA 50111
PHONE: (515) 389-4400 FAX: (515) 389-4410

OWNER/DEVELOPER:
BELLA VISTA
P.O. BOX 242
HUXLEY, IOWA 50111
COURTNEY L. HUXLEY
PH: 515-389-1815

DATE OF SURVEY:
FEBRUARY 12, 2016

BENCHMARKS:
ARROW ON HYDRAULIC SOUTHEAST CORNER OF
CENTRAL DRIVE AND US HIGHWAY 69,
ELEVATION=102.35
ON INTERSECTION CORNER OF
CENTRAL DRIVE AND US HIGHWAY 69,
ELEVATION=102.35
TOP BERRY BOLT ON HYDRAULIC LOCATED IN THE SE
CORNER OF 8TH BALLARD DRIVE, 247 FEET +/-
FROM THE INTERSECTION CORNER OF
CENTRAL DRIVE AND US HIGHWAY 69,
ELEVATION=114.41

NOTE:
RECORDING OF THIS PLAT DOES NOT
CONSTITUTE AN ENDORSEMENT OF THE
PROPERTY OR THE PROJECT. THE HOME
OWNERS ASSOCIATION SHALL BE
RESPONSIBLE FOR THE MAINTENANCE
AND REPAIR OF THE UTILITY LINES
AND EASEMENTS SHOWN ON THIS PLAT.
ANY SETBACKS SHOWN ON THIS PLAT
WILL BE COMPLETED WITHIN ONE YEAR FROM THE
DATE OF RECORDING OF THIS PLAT.
THE HOME OWNERS ASSOCIATION
SHALL BE RESPONSIBLE FOR THE
MAINTENANCE AND REPAIR OF THE
UTILITY LINES AND EASEMENTS
SHOWN ON THIS PLAT.

LEGEND:

SYMBOL	DESCRIPTION
▲	SECTION CORNER AS NOTED
●	PLATTED BEARING & DISTANCE
○	BEARING & DISTANCE
○	DEEDED BEARING & DISTANCE
○	MINIMUM PROTECTION ELEVATION
○	UTILITY EASEMENT
○	SECTION LINE
○	EASEMENT LINE

PLAT DESCRIPTION:
OUTLOT D, WESTVIEW HEIGHTS PLAT 1, AN OFFICIAL
PLAT IN THE CITY OF HUXLEY, STORY COUNTY, IOWA,
AND
OUTLOT A, SHARPTREE SUBDIVISION, AN OFFICIAL
PLAT IN THE CITY OF HUXLEY, STORY COUNTY, IOWA.

ZONING:
R-1 (RESIDENTIAL SINGLE-FAMILY)
R-2 (RESIDENTIAL SINGLE-FAMILY)
R-3 (RESIDENTIAL SINGLE-FAMILY)
R-4 (RESIDENTIAL SINGLE-FAMILY)
R-5 (RESIDENTIAL SINGLE-FAMILY)
R-6 (RESIDENTIAL SINGLE-FAMILY)
R-7 (RESIDENTIAL SINGLE-FAMILY)
R-8 (RESIDENTIAL SINGLE-FAMILY)
R-9 (RESIDENTIAL SINGLE-FAMILY)
R-10 (RESIDENTIAL SINGLE-FAMILY)
R-11 (RESIDENTIAL SINGLE-FAMILY)
R-12 (RESIDENTIAL SINGLE-FAMILY)
R-13 (RESIDENTIAL SINGLE-FAMILY)
R-14 (RESIDENTIAL SINGLE-FAMILY)
R-15 (RESIDENTIAL SINGLE-FAMILY)
R-16 (RESIDENTIAL SINGLE-FAMILY)
R-17 (RESIDENTIAL SINGLE-FAMILY)
R-18 (RESIDENTIAL SINGLE-FAMILY)
R-19 (RESIDENTIAL SINGLE-FAMILY)
R-20 (RESIDENTIAL SINGLE-FAMILY)
R-21 (RESIDENTIAL SINGLE-FAMILY)
R-22 (RESIDENTIAL SINGLE-FAMILY)
R-23 (RESIDENTIAL SINGLE-FAMILY)
R-24 (RESIDENTIAL SINGLE-FAMILY)
R-25 (RESIDENTIAL SINGLE-FAMILY)
R-26 (RESIDENTIAL SINGLE-FAMILY)
R-27 (RESIDENTIAL SINGLE-FAMILY)
R-28 (RESIDENTIAL SINGLE-FAMILY)
R-29 (RESIDENTIAL SINGLE-FAMILY)
R-30 (RESIDENTIAL SINGLE-FAMILY)

BULK REGULATIONS:
FRONT YARD: 30'
SIDE YARD: 5'
REAR YARD: 20'
HEIGHT: 35'
AREA: 10,000 SQ. FT.
SETBACKS: 10-24'
CORNER YARD: 30'
FRONT YARD: 30'
SIDE YARD: 5'
REAR YARD: 20'
HEIGHT: 35'
AREA: 10,000 SQ. FT.
SETBACKS: 10-24'

CURVE DATA:

CURVE	DELTA	BEARING	CHORD	CHORD	RADIUS	LENGTH	BEARING	CHORD
0480 C1	44°52'58"	S88°17'05"E	851.21(M)	851.21	128.00	128.33	S88°17'05"E	128.00
0480 C2	17°13'58"	S89°19'50"E	831.01(M)	831.01	70.15	71.20	S89°19'50"E	70.15
0480 C3	17°13'58"	S89°19'50"E	831.01(M)	831.01	70.15	71.20	S89°19'50"E	70.15
0480 C4	48°32'30"	S00.00°W	180.00	180.00	180.00	180.00	S00.00°W	180.00
0480 C5	13°29'28"	S27.50°W	227.50	227.50	92.87	94.87	S27.50°W	92.87
0480 C6	12°57'01"	S27.50°W	227.50	227.50	92.87	94.87	S27.50°W	92.87
0480 C7	8°52'00"	S27.50°W	227.50	227.50	92.87	94.87	S27.50°W	92.87
0480 C8	7°48'30"	S00.00°W	50.00	50.00	31.22	32.00	S00.00°W	50.00
0480 C9	3°14'23"	S00.00°W	50.00	50.00	31.22	32.00	S00.00°W	50.00
0480 C10	3°14'23"	S00.00°W	50.00	50.00	31.22	32.00	S00.00°W	50.00

SCALE: 1"=40'
N
WESTVIEW HEIGHTS PLAT 1
SHARPTREE SUBDIVISION

4.3) AG ORDINANCE

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE A-1 DISTRICT REGULATIONS OF SECTION 165.19 OF THE ZONING REGULATIONS OF THE MUNICIPAL CODE OF THE CITY OF HUXLEY, IOWA

WHEREAS, Municipal Code section 165.19 provides the zoning regulations for A-1 Agricultural Holding Districts; and

WHEREAS, the unnumbered first paragraph of section 165.19 provides that the A-1 District regulations are intended and designed to maintain interim agricultural use of larger lot holdings, until rezoning to an ultimate rezoning in conformity with the Comprehensive Plan; and

WHEREAS, the regulations of section 165.19 should be amended to allow more agricultural uses in cases where A-1 zoning appears to be the ultimate zoning classification of the property, as distinguished from cases where the A-1 zoning appears to be an interim zoning classification until rezoning to an ultimate rezoning to a different classification in conformity with the Comprehensive Plan; and

WHEREAS, the City Council determines it to be in the best interests of the City to amend subsections 1 and 2 of section 165.19 as follows.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUXLEY, IOWA:

Section 1: Subsection 1(A) of section 165.19 of the Municipal Code of the City of Huxley, Iowa, is hereby amended by deletion of the text of the subsection in its entirety and by substitution of the following text:

A. Agricultural building, structures and uses. If a parcel is ten acres or more in area, and if agricultural use is shown as a permissible future use on the Comprehensive Plan, and if A-1 zoning appears to be the ultimate zoning classification, then raising of farm animals, dairying, animal and poultry husbandry, feed lots, and grain storage and drying facilities are permitted. If a parcel is less than ten acres in area, or if agricultural use is not shown as a permissible future use on the Comprehensive Plan, or if A-1 zoning does not appear to be the ultimate zoning classification, then raising of farm animals, dairying, animal and poultry husbandry, feed lots, and grain storage and drying facilities are not permitted.

Section 2: Subsection 2 of section 165.19 of the Municipal Code of the City of Huxley, Iowa, is hereby amended by the addition of a new subsection 2(F) containing the following text:

F. Minimum Requirements Applicable when A-1 is Ultimate Zoning Classification: In the preceding subsections of this section 2, minimum

requirements for lot area, lot width, front yard, side yard, rear yard and maximum height are the same as the requirements for the regulations of the zoning district ultimately to be applied to the area. If a parcel is ten acres or more in area, and if agricultural use is shown as a permissible future use on the Comprehensive Plan, and if A-1 zoning appears to be the ultimate zoning classification, then the following minimum requirements shall apply:

- (1) For non-agricultural buildings and structures, the minimum requirements for lot area, lot width, front yard, side yard and rear yard shall be the same as those set forth in the R-1 regulations of section 165.20, subject to the provisions of subsection (2) below. However, for agricultural buildings and structures, the rear yard setback shall be a minimum of 15 feet if the rear yard does not adjoin a residential "R" zoned property.
- (2) No livestock and no agricultural building or structure shall be permitted closer than 500 feet from the property line between the subject property and any residential "R" zoned adjoining property.
- (3) The maximum height shall be 30 feet for principal non-agricultural buildings, 20 feet for accessory non-agricultural buildings, and 45 feet for principal and accessory agricultural buildings.
- (4) No building that is 150 or more square feet in area shall be located closer than 20 feet from another building that is 150 or more square feet in area.

Section 3: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4: This ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

PASSED AND APPROVED this _____ day of _____ 2016.

Craig Henry, Mayor

ATTEST:

Jolene Lettow, City Clerk

First reading: _____
Second reading: _____
Third reading: _____
Publication Date: _____

RESOLUTION NO. _____

**RESOLUTION AMENDING THE CITY
OF HUXLEY COMPREHENSIVE PLAN**

WHEREAS, the City Council for the City of Huxley adopted the 2013 Huxley Comprehensive Plan, and on March 12, 2013, the City Council approved the 2013 Comprehensive Plan Update; and

WHEREAS, the Comprehensive Plan provides a map entitled Future Land Use Figure 3-2; and

WHEREAS, the Future Land Use map does not designate any land as Agricultural; and

WHEREAS, certain land within the City presently is being used for agricultural purposes under circumstances where the land is zoned A-1 and where A-1 appears to be the ultimate zoning classification of the land, rather than an interim classification until future rezoning to a different classification; and

WHEREAS, Figure 3-2 should be amended to change the designation to Agricultural of certain parcels where the land is zoned A-1 and where A-1 appears to be the ultimate zoning classification of the land, rather than an interim classification until future rezoning to a different classification, as set forth on the document attached hereto and entitled Future Land Use –2013 Comprehensive Plan Update Figure 3-2 (2016 amendment); and

WHEREAS, the parcels so designated as Agricultural on the amended Figure 3-2 are described as follows:

[INSERT LEGAL DESCRIPTION]

WHEREAS, the Comprehensive Plan provides a table entitled Table 3-2: Land Use Designations; and

WHEREAS, Table 3-2 should be amended to add Agricultural as an additional designated class at the beginning of the list of designations in Table 3-2, providing as follows:

<u>Class</u>	<u>Uses</u>	<u>Density</u>	<u>Application / Criteria</u>
Agricultural	Uses permitted in A-1 zoning districts	As permitted in A-1 zoning districts	Applies only to parcels in A-1 zoning districts where A-1 appears to be the ultimate zoning classification of the land, rather than an interim classification until future rezoning

to a different
classification

BE IT RESOLVED, THEREFORE, that the Comprehensive Plan, as previously amended on March 12, 2013 by the 2013 Comprehensive Plan Update, is hereby amended as follows:

1. The map entitled Future Land Use Figure 3-2 is hereby amended to change the designation to Agricultural of certain parcels where the land is zoned A-1 and where A-1 appears to be the ultimate zoning classification of the land, rather than an interim classification until future rezoning to a different classification, as set forth on the document attached hereto and entitled Future Land Use Figure 3-2 (2016 amendment); and

2. The table entitled Table 3-2: Land Use Designations is hereby amended to add Agricultural as an additional designated class at the beginning of the list of designations in Table 3-2, providing as follows:

<u>Class</u>	<u>Uses</u>	<u>Density</u>	<u>Application / Criteria</u>
Agricultural	Uses permitted in A-1 zoning districts	As permitted in A-1 zoning districts	Applies only to parcels in A-1 zoning districts where A-1 appears to be the ultimate zoning classification of the land, rather than an interim classification until future rezoning to a different classification

PASSED AND APPROVED this _____ day of _____ 2016.

Craig Henry, Mayor

ATTEST:

Jolene Lettow, City Clerk

First reading: _____
Second reading: _____
Third reading: _____
Publication Date: _____

RESOLUTION NO. _____

**RESOLUTION SETTING PUBLIC HEARING ON AMENDING THE
CITY OF HUXLEY ZONING CODE AND COMPREHENSIVE PLAN**

WHEREAS, the City Council for the City of Huxley has proposed to amend the zoning regulations for A-1 Agricultural Holding Districts in Municipal Code set forth in section 165.19 to allow more agricultural uses in cases where A-1 zoning appears to be the ultimate zoning classification of the property, as distinguished from cases where the A-1 zoning appears to be an interim zoning classification until rezoning to an ultimate rezoning to a different classification in conformity with the Comprehensive Plan; and

WHEREAS, the City Council has proposed to amend the Comprehensive Plan by amending Table 3-2: Land Use Designations to show Agricultural as a new property class designation, and by designating certain property as Agricultural on the map entitled Future Land Use Figure 3-2, and

WHEREAS, the property so designated as Agricultural on Future Land Use Figure 3-2 is intended to be property where A-1 appears to be the ultimate zoning classification of the land, rather than an interim classification until future rezoning to a different classification, and said property is described as follows:

[INSERT LEGAL DESCRIPTIONS]

WHEREAS, the amendments were presented to the Huxley Planning and Zoning Commission at its _____, 2016 meeting; and

WHEREAS, at its meeting on _____, 2016, the Commission held a hearing which there were [LIST OBJECTIONS AND SUPPORT] as to this amendment; and

WHEREAS, after the Commission concluded its discussion, it was then voted to send to the City Council a favorable recommendation; and

WHEREAS, this recommendation now comes before the Huxley City Council where a date will be set for a public hearing on these changes and this hearing must be at a regular meeting of the City Council.

BE IT RESOLVED, THEREFORE, that at 6:00 o'clock p.m. on the _____ day of _____, 2016, in the City Council Chambers, City Hall, 515 North Main, Huxley, Iowa, the City Council of the City of Huxley, Iowa, will hold a public hearing on the proposal by the City Council to amend the zoning regulations for A-1 Agricultural Holding Districts set forth in section 165.19 of the Municipal Code, and to amend the Comprehensive Plan, as discussed above.

The proposed Ordinance amending the A-1 District regulations of section 165.19 of the Municipal Code, and the proposed Resolution amending the Comprehensive Plan, are on file for public inspection in the City Clerk's office.

At said public hearing, any interested persons may appear and comment to the proposed changes, and the Huxley City Council will consider all comments to said recommended changes. Thereafter, the Huxley City Council will consider the first reading of ordinance pertaining to these changes.

BE IT FURTHER RESOVED, that the City Clerk is hereby directed to publish said notice of hearing as required by the State Code.

PASSED, ADOPTED AND APPROVED this _____ day of _____, 2016.

Craig Henry, Mayor

ATTEST:

Jolene Lettow, City Clerk

First reading: _____
Second reading: _____
Third reading: _____
Publication Date: _____

4.4)

**RESIDENTIAL
RENTALS**

John Haldeman

SINGLE FAMILY
Home Rental

From: Becky Law [becky@c21sre.com]
Sent: Wednesday, October 05, 2016 9:54 AM
To: John Haldeman
Subject: RE: Rental/retreat

Great. Thank you!

Becky Law, REALTOR
Century 21 Signature Real Estate
1615 Golden Aspen Rd, Ste. 104
Ames, IA 50010
becky@c21sre.com
(515)313-6137
Licensed in the State of Iowa

On Oct 5, 2016 9:52 AM, "John Haldeman" <jhaldeman@huxleyiowa.org> wrote:

Becky

The meeting will begin at 6:30 and will be in the Council Chambers.

John

From: Becky Law [mailto:becky@c21sre.com]
Sent: Wednesday, October 05, 2016 9:32 AM
To: John Haldeman
Cc: Amy Beattie
Subject: RE: Rental/retreat

Yes, I would like to present the request at the meeting. I will see if my client can attend as well, but I will be there for sure.

Thanks.

Becky Law, REALTOR
Century 21 Signature Real Estate
1615 Golden Aspen Rd, Ste. 104
Ames, IA 50010
becky@c21sre.com

(515)313-6137

Licensed in the State of Iowa

On Sep 26, 2016 8:46 AM, "John Haldeman" <jhaldeman@huxleyiowa.org> wrote:

Becky

The next Planning and Zoning Meeting is scheduled and will be the 24th of October. I would recommend that you present your request to them for a recommendation.

If this will work for you please let me know.

John

From: Becky Law [<mailto:becky@c21sre.com>]
Sent: Monday, September 26, 2016 8:29 AM
To: John Haldeman
Subject: RE: Rental/retreat

John,

More than 90-95% of the time, it would be rented out for overnight stays. If the city won't allow for a few hours, that can be removed from their plans.

Becky Law, REALTOR
Century 21 Signature Real Estate
1615 Golden Aspen Rd, Ste. 104
Ames, IA 50010
becky@c21sre.com
(515)313-6137
Licensed in the State of Iowa

On Sep 26, 2016 8:18 AM, "John Haldeman" <jhaldeman@huxleyiowa.org> wrote:

Becky

Please explain the rental. From what I am reading below this is not for overnight stays, this is different than what I understood from before. This is being rented out for 2-3 hour periods? If that is the case than that is different than what I understood. This a building being used for a use other than residing in the structure?

John

From: Becky Law [mailto:becky@c21sre.com]
Sent: Saturday, September 24, 2016 12:18 PM
To: Amy Beattie
Cc: John Haldeman
Subject: Re: Rental/retreat

Thank you, Amy.

I agree that this request is not clearly defined in the code. I would like to stress that this would be not be a place where customers/people could come and shop and have "business hours" like a typical commercial business.

I would like to hear what P&Z would allow. My clients are very interested in purchasing a home to use as a rental home for a few years, then hoping to have the home based business of renting it out for short periods of time to groups that would like to have a reunion or retreat getaway. At the same time, possibly having a workshop in sewing, for example, for a few hours.

Thank you for your assistance thus far.

Becky Law, REALTOR
Century 21 Signature Real Estate
1615 Golden Aspen Rd, Ste. 104
Ames, IA 50010
becky@c21sre.com
[\(515\)313-6137](tel:(515)313-6137)
Licensed in the State of Iowa

On Sep 24, 2016 11:56 AM, "Amy Beattie" <Amy.Beattie@brickgentrylaw.com> wrote:

Becky. This proposed used unfortunately does not fall cleanly into any Code Section.

John opined to me that it is akin to rental units that we allow in R-2 zoning districts even though we do not have a specific rental code. But the underlying use of a rental unit is still a single family dwelling which IS allowed in R-2. Your buyer's use is not specifically allowed.

I think clearly it is an activity that would fit into a commercially zoned area. But it does not as clearly fit into a R-2 zoned district. What I told John is:

In reviewing the Zoning Ordinance for R-2 zoning, with the information provided below, the only way for the property to be used in the way indicated is if it fits into the definition of a Home Occupation. A home occupation is allowed in a R-1 district and a R-2 district allows for those uses allowed in a R-1 district, which include an home occupation. Home Occupations is defined in 165.05(31) as:

31. "Home occupation" means an occupation carried on in a dwelling unit provided that the use is limited in extent and compatible with surrounding properties and which meets the requirements for home occupations which are contained in Section 165.31 of this chapter, Supplementary District Regulations.

The Supplementary District Regulations are defined in 165.31(1) as:

1. Home Occupation. An occupation conducted in a dwelling unit, provided that:

A. No more than one person, other than members of the family residing on the premises, shall be engaged at any one time in such occupation, except by special exception by the Board of Adjustment. If a special exception is granted, the number of persons, other than members of the family residing on the premises, shall not exceed three (3).

B. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 30 percent of the gross floor area in the dwelling unit shall be used in the conduct of the home occupation. Any extension of the home occupation beyond 30 percent of the gross floor area of the dwelling unit shall only be approved by special exception of the Board of Adjustment. If a special exception is granted, the gross floor area shall not exceed 50 percent.

C. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding two (2) square feet in area, non-illuminated, and mounted flat against the wall of the principal building.

D. No home occupation may be conducted in any accessory building, except by special exception of the Board of Adjustment.

E. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met by providing off-street parking and shall not be in a required front yard.

F. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a single-family residence, or outside the dwelling unit if conducted in other than a single-family residence. No equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or causes fluctuations in line voltage off the premises.

So, in concept they may be able to use the R-2 property as contemplated. However, they are going to have to be able to meet all the requirements of a Home Occupation.

I do think that the City staff likes the concept. But the City has to be comfortable that the use complies with the Code when the first neighbor complains because a business is being run out of the house.

If there is any question maybe it should be run through planning and zoning and get an opinion from them to give the buyer assurance.

I am in the office on Monday if you want to call and discuss. Amy.

Amy S. Beattie
Brick Gentry, P.C.
6701 Westown Parkway, Suite 100
West Des Moines, IA 50266
Phone: 515-274-1450
Fax: 515-274-1488

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> On Sep 23, 2016, at 5:30 PM, Becky Law <becky@c21sre.com> wrote:

>

> Amy,

>

> Can you clarify what you mean behind the supplement? As I had stated in my email, the home would not be the primary residence of my clients. Would not residing at the home cause any issues?

>

> Thanks.

>

> Becky Law, REALTOR

> Century 21 Signature Real Estate

> 1615 Golden Aspen Rd, Ste. 104

> Ames, IA 50010

> becky@c21sre.com

> [\(515\)313-6137](tel:5153136137)

> Licensed in the State of Iowa

>

>

> On Sep 23, 2016 11:29 AM, "Amy Beattie" <Amy.Beattie@brickgentrylaw.com> wrote:

> John and Becky. To expand, my opinion is that this business sounds as if it is going to be operating similar to a bed and breakfast or possibly a home occupation. The property should be aware of the Supplemental Requirements for a home occupation that are set out in 165.31. Amy.

>

> Amy S. Beattie

> Brick Gentry, P.C.

> 6701 Westown Parkway, Suite 100

> West Des Moines, IA 50266

> Phone: 515-274-1450

> Fax: 515-274-1488

>

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>> On Sep 23, 2016, at 11:12 AM, John Haldeman <jhaldeman@huxleyiowa.org> wrote:

>>

>> Becky

>>

>> In visiting with the City's attorney the proposed use that you described would be okay under the ordinances that are in place today. As I mentioned this would be okay as long as there was no unusual activity it must fit in to the residential surroundings. No unusual traffic and parking. The owner of the property would be responsible for the upkeep of the property and the utilities.

>>

>> Hope this helps

>>

>> John

>>

>>

>> John Haldeman

>> City Administrator

>> Huxley, Iowa

>> 515-597-2561

>> Fax: 515-597-2570

>>

>> cityadministrator@huxleyiowa.org

>> www.huxleyiowa.org

>>

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recommend to another party any transaction or matter addressed herein.

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>> From: Becky Law [mailto:becky@c21sre.com]

>> Sent: Thursday, September 22, 2016 3:42 PM

>> To: John Haldeman

>> Subject: Rental/retreat

>>

>> Good afternoon, John,

>>

>> Thank you for the phone call yesterday to talk about a home in Huxley my client is interested in to use as a retreat in the future.

>>

>> Can you respond to me, in writing, that the city of Huxley allows a weekend or day retreat on a property zoned R-2 and not the home the client will live in? Thus, my client would look to rent it out for a group to have a sewing weekend retreat, or a scrapbook event, or model airplane building.

>>

>> Thank you for your time. I appreciate your assistance.

>>

>> Becky Law, REALTOR

>> Century 21 Signature Real Estate

>> 1615 Golden Aspen Rd, Ste. 104

>> Ames, IA 50010

>> becky@c21sre.com

>> (515)313-6137

>> Licensed in the State of Iowa

>>

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4.5)

**MANUFACTURED
HOUSING
SETBACKS**

165.25 R-4 DISTRICT – MOBILE HOME RESIDENTIAL DISTRICT. The R-4 District is intended and designed to provide for certain medium density residential areas of the City now developed with mobile home parks, which by reason of their design and location are compatible with surrounding residential areas and areas where similar development is appropriate. The R-4 District is subject to the following regulations:

1. Permitted Uses. Only the following uses of structures or land shall be permitted in the R-4 District:
 - A. Mobile homes, manufactured homes and modular homes.
 - B. Common services buildings which provide laundry facilities, accessory buildings, park management buildings, community buildings, and other uses of land or structures customarily incidental to and subordinate to manufactured, mobile or modular homes.
 - C. Home occupations.
2. Minimum Requirements. The following minimum requirements shall be observed for each mobile home park in the R-4 District:
 - A. The minimum total area shall be ten acres.
 - B. Each yard abutting on a public street shall be considered a front yard and shall be a minimum of 75 feet or 40 feet if landscaping is provided along the property line. All yards, whether side or rear, shall be a minimum of 50 feet when adjacent to an R-1 or R-2 district and 30 feet when adjacent to an R-3, R-5, C or M district.
 - C. The minimum area of a mobile home lot shall be 5,000 square feet and shall measure at least 50 by 100 feet.
 - D. Manufactured, mobile and modular homes shall be located on each mobile home lot so that there will be at least a 25-foot separation at the nearest point between each manufactured, mobile or modular home, a seven-foot open space between the manufactured, mobile or modular home including any permanently enclosed appendage and any driveway or walkway and a five-foot open space from the mobile home lot boundary; and a ten-foot open space at the rear of the manufactured, mobile or modular home.
 - E. Land area for one or more recreation areas shall be provided for mobile home park residents. Land area for recreation areas shall be computed on the basis of 250 square feet of land for each mobile home lot in the park. Said 250 square feet shall not be considered as part of the 5,000-square-foot minimum mobile home lot size.
 - F. The entrance road connecting the mobile home park roadways with the public streets shall have a minimum pavement width of 31 feet, measured back to back of curb. All interior private roadways shall be paved construction with a minimum pavement width of 26 feet, measured back to back of curb, and shall meet City specifications.
 - G. If it exists, an open space between the grade level of the temporary or permanent foundation and the bottom of the floor of a manufactured, mobile or modular home shall be completely covered and enclosed by skirting of a permanent type material and construction within ninety days. This skirting

shall be maintained in an attractive manner consistent with the exterior of the manufactured, mobile or modular home to preserve the appearance of the mobile home park.

H. Sewer and water facilities shall be provided for each mobile home lot in accordance with the City and the State Department of Health requirements. All mobile home park developments must be connected to the municipal sanitary sewer and the municipal water systems.

I. All uses shall meet the parking, design and sign standards of this chapter.

J. The maximum height of principal buildings and common facilities services buildings shall be 35 feet; the maximum height of accessory buildings shall be 15 feet.

K. Accessory buildings shall not be any closer than 7 feet to any modular, mobile or manufactured home or other accessory buildings; and accessory buildings shall not be closer than 7 feet and modular, mobile or manufactured homes shall not be closer than 5 feet from side lot lines and 10 feet from rear lot line.

3. **Park Plan Required.** Each petition for a change to the R-4 zoning classification shall be accompanied by a mobile home park plan. Said plan shall show each mobile home, lot, the water, electrical and sewer lines serving each mobile home lot, the location of garbage receptacles, water hydrants, service buildings, private roadways, driveways, walkways, recreation areas, required yards, parking facilities, lighting and landscaping. The plan shall be considered by the Commission and the Council, who may approve or disapprove said plan or require such changes thereto as are deemed necessary.

4. **Compliance with Regulations.** The City shall cause to be made such inspection and investigation necessary to determine that such mobile home park complies with all local ordinances, codes, and other regulatory measures applicable thereto, and is not in conflict with State law and regulations of the State Department of Health.

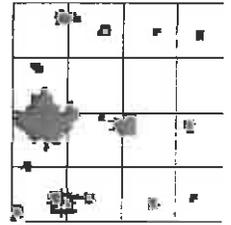
5. **Sanitary and Water Facilities.** No person shall construct, expand, remodel or make alterations to the sanitary and water facilities in a mobile home park within the City without first obtaining a permit therefor from the City. The application for such permit shall be filed with the City Clerk. All materials shall meet City specifications and construction methods for water and sanitary sewer systems.

6. **Mobile Homes Outside of Mobile Home Parks.** It is unlawful for any person to park any manufactured, mobile or modular home on the streets, alleys, highways, or any public place outside a mobile home park. It is unlawful to use or occupy a manufactured, mobile or modular home as a dwelling place outside a mobile home park, unless such manufactured, mobile or modular home has been converted to real estate as provided by State law and meets with all requirements of the building, plumbing, health, sanitary, electrical and zoning ordinances of the City.

[The next page is 917]



Overview



Legend

- Parcels
- Lots
- Townships
- Sections
- Quarter Quarters
- Corporate Limits
- Road Centerlines

Concerning Assessment Parcels and Platted Lots Within the City of Ames Jurisdiction:

The solid parcel boundary lines represent the legal description as recorded and are not necessarily the official platted lot lines. Dashed lines are official platted lots. If a parcel contains dashed lines, please contact the Ames Planning & Housing Department (515-239-5400) to determine which lines can be recognized for building permit or zoning purposes. If you have questions regarding the legal description or parcel measurements, please contact the Story County Auditor's office (515-382-7210).

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